

A high stakes casino venture weaves a tale of money and power: tribe versus tribe, Indian sovereignty versus states' rights, and Congress versus the White House. After the suicide of the casino case court reporter, her brother unravels the secrets and encounters the forces that changed her life..

THERESA'S SECRET LEGACY

by Ray McGinley

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Author of *What to do with a Pot of Gold* and other short stories



THERESA'S
SECRET LEGACY

Investigation of a court reporter's suicide turns up surprises
as her brother uncovers a circle of love, money, and ambition.

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Theresa's Secret Legacy is a work of fiction. Other than public figures such as members of the US Congress and the Arizona legislature, whose role in the controversy surrounding a new casino in Arizona was well publicized in media reports, all of the characters in this novel are entirely fictional. Names, places, and incidents are either the product of the author's imagination or are used fictitiously. All characters whose words are quoted in the novel are entirely fictitious and any resemblance to persons, living or dead, is entirely coincidental.

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“A ***personal representative*** is one kind of fiduciary—an individual whom another has trusted to manage her property and money.” [The Free Dictionary.com]

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I woke up with an ominous feeling but the exact nature of the portent eluded me. I struggled to identify the uneasiness. Finally my inner voice reminded me of my latest achievement, attaining a new high on the bathroom scale. Okay then, maybe I needed exercise to quash the apprehension. Or was this only a diversion?

I picked a treadmill with a good view of the elevated television permanently tuned to CNN. A woman on the treadmill next to mine was jogging away, while mine was set on a fast walking speed. She didn't look like she needed to be there, but I suppose she wanted to keep it that way. The treadmill on the other side of me was occupied by an overweight man, probably sixty-something, and barely moving. He grunted rhythmically every third step which struck me as a peculiar beat. The news was not news after all, just a rehash of yesterday's reports, so I turned my attention to the adjacent television where the financial markets were being reported, dissected, and interpreted. There was a dispute as to whether emerging markets would be up or down in the next two quarters. The up advocate was adamant that his facts supported his position. The down advocate was equally convinced of the merits of his analysis. I made a mental note to see which expert turned out to be right, but the thought was likely destined for oblivion where it would meet all my other mental notes. After a half-hour on the treadmill my inner voice was sufficiently stifled, and I headed to work where a hot shower awaited me.

Despite a construction delay on the Seattle freeway, I almost got home at the normal time and made my usual cocktail, a Maker's Mark old fashioned style. Rita was at soccer practice waiting for our two boys, probably sitting in the SUV while their long-winded coach imparted what he regarded as invaluable wisdom to his captive audience. But they would be home soon. I took two sips of my cocktail, grabbed the newspaper, and headed to the deck. On this clear day I could see the majestic Mount Rainier. I opened to the sports page, then heard the doorbell ring. I figured one of the boys ran up to the door before Rita could even get her bag out of the car.

Again.... ring, ring, ring. What's going on? I looked out of the window and saw one of Seattle's finest at my front door. My heart skipped a beat... what was this about? An accident? My mind raced... was it Rita? The boys? My parents? I fumbled with the front door lock, finally pulled the door open and asked, "Who? What happened?"

"Sir, I am Officer Frank Kelly, Seattle PD. Are you Christopher Brennan?"

I nodded yes. At first, I couldn't understand what he was saying. Something about Theresa Brennan, my sister? But Theresa lives in Phoenix. Why are the Seattle Police here? I took some deep breaths and tried to focus. He was saying I needed to call the Phoenix PD for more information. He handed me a piece of paper with the name Sgt. Henry Knox, Phoenix PD, along with the sergeant's phone number.

"Apparently," he said, "Phoenix PD suspects that Theresa may have committed suicide."

"Oh, no, please God, something's wrong here. She would never do that."

“I understand, Mr. Brennan. I’m just conveying the message I was given. They also asked me to tell you they found her will which names you as her Personal Representative.”

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I looked up at the Seattle police officer and realized I was now sitting in my living room, still holding the paper with the phone number of Sgt. Knox.

“Are you okay, Mr. Brennan? I think you almost fainted, sir.”

“Are you sure you have the right Theresa Brennan? My sister is a forty-something court stenographer working for a federal judge, and to the best of my knowledge never even experimented with drugs. An overdose of cocaine, heroin, or anything of the sort is just not possible.”

“I understand, Mr. Brennan. But her will naming you pretty much establishes we are talking about your sister. I’m sorry, sir.”

“Yes...I guess you’re right.”

“Phoenix PD may be able to provide additional information.”

I think I thanked the officer as he left, but I’m not really sure. I was still holding the paper with the phone number of Sgt. Knox when Rita came home.

“Chris, have you been crying? What’s wrong?”

“It’s Theresa...she’s....she’s dead.”

“Oh, my God. What happened?”

“He said the Phoenix police say a drug overdose was suspected.”

“Who said?”

“A Seattle police officer came to the door, just a few minutes ago.”

“My God, you know Theresa would never do drugs.”

"I know. Maybe she needed pain killers or something. Nothing makes sense."

"What's on the paper?"

"It's the phone number for the Phoenix police sergeant who can tell us what they know. I already called but got his answering machine. I need to go to Phoenix."

"We need to tell the family."

"I'll call George and tell him to come here. Then we can all drive over to Mom and Dad's house. I don't want to tell them on the phone."

"Hey, bro, what's up?"

"I just got some bad news, George. Are you sitting down?"

"Did we lose a contract or something?"

"No, no. I had a visit from Seattle PD. They were contacted by Phoenix PD. They said Theresa...has...passed away."

"What? You mean she died?"

"Yes. They think it was a drug overdose."

"Our Theresa? Not a chance. They must have the wrong person. This sounds like a scam, Chris. Did you see the cop's identification?"

I couldn't remember if I did.

"George, there's more to the story. I need to tell Mom and Dad. Can you and Lola come over and we can all drive over there together?"

"Sure, we'll be there in ten minutes."

On the way to Renton the four of us discussed what to say.

"You know Dad will want to go to Phoenix, don't you?" asked George.

“Yeah, I expect so. But I don’t think he should. He’s already had one heart attack.”

“Maybe we shouldn’t tell them about the drug overdose. At least not yet,” suggested Rita.

“I think that’s a good idea,” I replied. “I’d like to go alone to see what I can learn.”

“Theresa’s their baby girl,” added Lola. “This won’t be easy.”

“Well, this is a pleasant surprise,” beamed Mom as she opened the door.

Dad folded the newspaper and set it aside. “We already had dinner, but let me get everyone a drink.”

“Not just now, Dad,” said George.

“Is something wrong? You’re all so quiet,” said Mom.

“Come sit down, Mom. I have some sad news,” I said, taking a deep breath. “A policeman came to our house today. It was a courtesy call on behalf of the Phoenix Police Department. They told him that...our Theresa...has passed away.” I managed to finish the sentence before my sobbing started.

“Oh, no. Not our Theresa. How could you believe that?” asked Mom. The pain on her face didn’t help as I tried to stop sobbing.

“Mom, they found Theresa’s will...with my name on it. It doesn’t look like there’s any mistake. The Phoenix police suspect suicide.”

My mother started sobbing and then one by one we all cried with her.

Finally, Dad said, “Maybe the depression flared up again. I think your mother and I should go to Phoenix to find out.”

“Dad, you know travel is hard on you and you don’t like flying. And it’s too far to drive. How about I make a quick trip and come back, and then tell you what I find? Then we can make plans together.”

Dad glanced at Mom, who nodded approval.

At this moment I could not foresee that Theresa’s death would lead me into a circle of deception and political intrigue.

Not far from the federal court building where the late Theresa Brennan worked, a secret meeting was just beginning in a state government office building specifically chosen because it was presently unoccupied.

“Thank you all for coming,” said the lobbyist for the Gila River Indian Community. He was wearing a short sleeve white shirt, bola tie, and blue jeans, and his message was directed to the state officials who were clustered at one end of the large conference table. “I suspect that you realize why we requested this meeting, but please allow me to summarize. About a decade ago the twenty-one tribes in Arizona signed a compact with you state representatives which regulated the number of casinos, along with the number of slot machines, gaming tables, and so forth. The Phoenix area tribes represented in this room have abided by the terms of the compact. We are all aware that the casinos have been a source of substantial revenue for our Native American communities, and for the state as well. Long after the compact was signed we all discovered that one of the tribes had not been acting in good faith, and they have made it known that they intend to build a new casino in the greater Phoenix Valley.”

“Excuse me, but just to be clear, based on their population, the Tohono tribe is authorized by the compact to build one more casino,” interjected the representative from the Arizona Department of Gaming.

“Unfortunately, that is indeed the case,” the lobbyist replied. “But we all know that the distribution of casinos across the state, as delineated by the compact, was essentially predicated on tribal boundaries. And now the Tohonos want to

infringe on our time-honored boundaries. We need to stop these bastards in their tracks.”

“I think it might be difficult, now that they have reservation status granted by the Bureau of Indian Affairs,” postulated a Gila River member.

“I’m sorry, but in defense of our agency, our hands were tied,” replied Derek Manuel, Special Agent for the BIA. “The requirements for reservation status are pretty much cut and dried. I’m sure you are aware the Department of Interior concurred with our decision.”

“The Tohonos have a lot of momentum on their side,” added the Glendale Council member. “This new reservation parcel borders our city limits and we tried to annex it while it was still unincorporated. That would have killed their casino plan, but the Ninth Circuit shot us down.”

“So, are we out of options?” asked the representative of the Salt River Pima-Maricopa Indian Community, a middle-aged woman who had a knack for keeping conversations on track. She was the only female at the meeting, a circumstance to which she was accustomed.

“I think we need to concentrate on political solutions,” replied the lobbyist. “I have been in contact with Senator McCain as well as Senator Flake. They will be proposing federal legislation to block any new casinos being built in Arizona. It’s called the ‘Keep the Promise Act.’ Has a nice ring to it, doesn’t it?”

The Assistant Attorney-General for Arizona cleared his throat, and once he had everyone’s attention, he said, “I wouldn’t rely too much on getting that through the Senate. It’s too much of a local issue.”

The lobbyist said, “You may be right. Another idea that came up is for the state to curtail electricity, water, and trash services to the new reservation. Any comments?”

“You must be kidding,” replied the Arizona Assistant AG, “I recommend that we don’t even discuss that.”

“Okay, then. Is there anything the Department of Gaming is willing to do to help us?”

“If construction moves forward, the department will issue letters to the Tohono casino vendors stating that the department considers the new casino to be illegal, and if they conduct business with an illegal casino they might jeopardize their vendor state certificate.”

“Thank you, that might work. Anyone else have any thoughts?”

Receiving no replies the lobbyist continued, “If there are no more topics, I want to again express the gratitude of the Phoenix area Indian communities. We would like to propose that today’s proceedings, as well as any future meetings, be held in confidence. Our lawyers have drafted a ‘Common Interest Agreement’ providing confidentiality and restricting disclosure of information. We request each of you sign the agreement before leaving. I also ask the members of the Indian Communities to remain for a brief meeting.”

A few minutes later the room was cleared and the lobbyist addressed the tribal members. “I have learned that a senior clerk in the Ninth Circuit is considering running for Congress and I have reason to believe that he is sympathetic to our cause. I know we’ve made donations to the incumbent members of Congress, but I propose we consider supporting his

campaign. His name is Matthew Mellon and he is the senior clerk to Judge Eduardo Dominguez.”

“But Judge Dominguez is the one who’s been ruling in favor of the Tohonos, right?” asked one of the tribal members.

“Yes, so it might be helpful to have a friend on the inside.”

“How do you know he is with us?” someone asked.

“I would rather not answer that,” the lobbyist said.

“How large a campaign contribution do you propose?” asked the female representative from the Salt River tribes.

“Enough to put us at the top of his list,” replied the lobbyist. “I suggest you make it in cash, not check. And if you choose to report it, please do so incrementally so the amount does not attract attention.”

“Consider it done,” said the woman.

The lobbyist regarded her with a new-found respect, and he wondered about her position in the tribal hierarchy. He was curious to see the amount the tribes would contribute to the Mellon campaign. It would give him an idea of how much he might be paid if he could block the Tohono’s plan. If he can get enough money in the right hands, he thought to himself, he just might pull it off.

As everyone was leaving the lobbyist approached the woman.

“I feel I should know you,” he said, extending his hand.

She paused, then reluctantly offered her hand. The lobbyist studied her face and decided she would be beautiful if it were not for a crooked nose.

“My name is Winona Hawk. You can contact me if you need anything.”

“Do you have a way to deliver the money to our candidate, or do you need me to arrange it?”

“I can manage. My brother is adept at such things.”

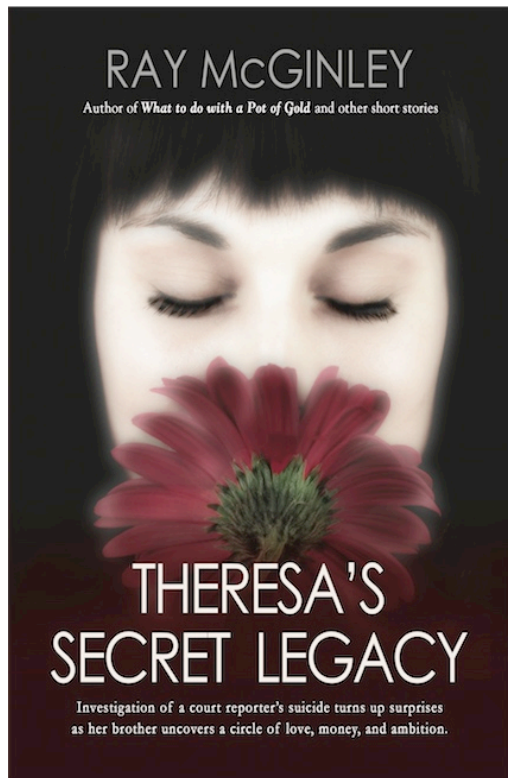
“Winona, may I ask your position in the tribe?”

“It’s better for you not to know too much. You will be sent a message after the olive branch has been extended to the candidate. Further instructions will come later. Goodbye.”

Winona’s long hair swayed rhythmically as she walked away, but her femininity was diminished by the stomping of her boots on the wood floor.

About the Author

Ray McGinley is a retired electrical engineer having spent thirty-five years with Honeywell Aerospace. He grew up in northeast Philadelphia, attended LaSalle High School, and received a BS degree from Drexel University. He holds several patents related to aircraft electrical power systems. Before relocating to Arizona in 1974, he was a member of the Big Brothers Association and was a company clerk in the US Army Reserve. He has been married to Kathleen (nee Flanagan) since 1972; they have six children and thirteen grandchildren. He can be contacted at his website: <https://authorray.com/>



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