

A COLD KILL, number seven in the Detective John Bowers Police Procedural series with the Central Precinct Homicide Unit. Bowers dishes up more bloody murder, forensic reality, steamy sex, romance and the heartbeat of the City's criminal players. This time, it's uptown lawyers, a Barbie doll and John's ex who end up in the line of fire.

# A COLD KILL

by RAY BATES

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**RAY BATES**

**A COLD  
KILL**

**DETECTIVE JOHN BOWERS  
PORTLAND CENTRAL PRECINCT**

**COLD CASE**

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ISBN: 978-1-64718-415-5

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Published by BookLocker.com, Inc., St. Petersburg, Florida.

Printed on acid-free paper.

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BookLocker.com, Inc.  
2020

First Edition

Library of Congress Cataloging in Publication Data  
Bates, Ray  
A Cold Kill by Ray Bates  
Library of Congress Control Number: 2020905630

# Chapter One

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For lawyers, it was a good day to die.

It was the thirtieth of December, and the Portland overcast was as thick and gray as fresh cement. Sidewalk shoppers were home nursing wounded wallets, nibbling moldy leftovers and untangling tinsel from vacuum-cleaner brushes. People were laden with depression and remorse over buying binges, back at their dissatisfying jobs, plotting a way to escape the winter doldrums with a damp and dreary future dead ahead.

The city in view of the sleek Broadway Building with its Ban Roll-On silhouette gleaming like a raw pearl in the mid-morning gloom seemed moribund. Its sidewalk shops were stripped of seasonal glitter. The Samaritans tossing spare change into the Salvation Army pots under the concert hall marquee a week earlier now avoided the panhandlers squatting in their place and guarded their pocketbooks like old maid accountants. After the Christmas letdown, no one really believed that the key to happiness came gift-wrapped, batteries not included, at only \$99.95 while they last.

With a booming Northwest economy that allowed even modest households holiday splurges, the upscale takers in the Broadway tower still had a huge head start on the workaday crowd. Mid-level managers and blue-collar may have climbed a rung or two higher with unemployment figures at a record low and construction cranes blighting the Portland skyline, but the reality was all too clear—the

haves were still getting the meaty chunks of the pie while the ground-level grunts chewed on the gristle.

America led the world in its plethora of lawyers controlling daily life. And each new novice with a law degree needed somebody to sue in order to sustain a practice—more lawyers, more lawsuits. From McDonald’s coffee server to the next-door neighbor’s barking mutt, nobody was immune from the theory that somebody owes you something whenever you draw a deuce instead of an ace.

So on this Monday the week after Christmas, the Broadway Building was bulging with lawyers, satchels stuffed, cell phones glued to their ears as they crowded the bank of elevators on their appointed rounds.

The firm of Nutter and Feervolk occupied the entire twenty-third and twenty-fourth floors of the Broadway Building and housed fifty-four attorneys and their thirty-eight-support staff. Two of the brightest and best were gathered in the glass-walled conference room overlooking the Heathman Hotel.

A court reporter arrived just after nine with her recorder trailing behind her. She sat at the end of the bird’s-eye-maple table and readied herself for what she knew would be a long deposition. This was an insurance case, and the client company, Empire Coast Mutual Group, would not have a representative in attendance. So she knew the defense attorneys would amuse themselves wading through hours of trivia—mindless, boring irrelevance in order to bill a full twelve hours each for the two attorneys deposing the plaintiff. And, of course, at the noon break, a turf and surf lunch at the Heathman to beef up the expense side of the client invoice.

“Morning, Bill.” The reporter Susan Wise nodded at the squat, bald man to her left sitting beside his client, the plaintiff in the case. She worked with attorney Bill Cusack often and liked him. Cusack’s clients were mostly blue-collar workers injured in auto accidents. He never ordered transcripts of the depositions or medical expert reports, never spent any money on these assembly-line lawsuits. He knew, as Susan Wise knew, that once the defense team had billed the insurance company the maximum they could wring from this case, even urging Empire Coast to explore farcical theories of defense to

prolong the litigation, they would pressure their client to settle with the plaintiff. It was no secret that Nutter and Feervolk did not try cases. The last time a member of their litigation team had stood before a Circuit Court Judge and seen a jury panel sworn was in 1992 for a wrongful death case which a major insurer refused to settle. They lost. Not an experience the firm fathers were eager to repeat. Opting for reality over image, they farmed their trial work out to associate firms who could find the men's room at the Courthouse without a road map.

“How are you, Susan? How’s the baby?” Cusack knew the reporter had just given birth to her first child a few months before.

“Great. Want to see a picture? I just happen to have one.” She laughed and retrieved a snapshot from her bag.

While Cusack admired the homely, red-faced mutt, the senior partner in Nutter and Feervolk pulled out a fresh legal pad and removed his suit jacket. He had freshly manicured nails, cheeks as smooth as a baby’s bum and silvered locks plastered with sweet-smelling gel above his patrician forehead. He wore French cologne and a tailored shirt from an import shop that cost more than Cusack’s JC Penney’s suit, even figuring the extra pair of pants the salesman threw in at a discount.

Fred Nutter homed in on his appointment book as the baby photo made the rounds. “Cute.” He flipped it back to the reporter with barely a glance. “Is Jake here, Lisha?”

An obsequious question-mark-of-a-woman hovered at his elbow. She wore a flowered dress that hung on her lumpy frame like a slipcover. “I just paged him for you, Mr. Nutter.”

He nodded without looking at her and began retrieving documents from the two bankers’ boxes behind him. “Have him make three sets of copies for me, will you?” He shoved a sheaf of documents at her midsection. “And call Stephan Lange at Midland Union—reserve a table for five at the Heathman for lunch.”

“Anything else I need to take care of before Jake gets here?”

He dismissed her with an artificial smile. “Just bring the coffee creamer if you would.”

People were already steaming up the cups with Starbucks Brazilian grind.

Fred Nutter Esquire was here today for a rear-end collision case. The injured party suing Nutter's insurance client had broken his thumb when he got out of his car and slipped in an oil puddle after a minor impact. The plaintiff also claimed to be suffering from cervical strain, chronic sciatica, tinnitus, blurred vision, migraine headaches, dyspepsia, impotence and depression. He'd quit his job as a roofer one month after the accident and was claiming a permanent disability as a result of the minor bumper-bender. The only property damage claimed was to replace the license plate holder and taillight lens, buff out the quarter panel and rechrome the bumper on his Ford pickup.

In defending this case for Empire Coast Mutual, Nutter had run up fees slightly in excess of twenty-two-thousand dollars and successfully interpleaded two other parties: the garage that serviced Empire's insured car and the City for planting a red-leaf maple sapling too near the intersection thus allegedly obscuring the driver's view. There were over a hundred and forty documents produced to date, and the case was only about halfway ready for a mediated settlement. Bill Cusack had offered to take ten-thousand dollars in general damages five months ago, but Nutter had wisely withheld this information from the adjuster at Empire insurance. Nutter knew his clients rarely understood the rules of engagement. They allowed him to work a case for twenty to a hundred-fifty grand in fees before he told them to write Cusack a check for thirty-five plus thirteen hundred in medical bills. Since he had told the Empire adjuster the case was easily worth seventy-five grand with permanent disability likely, he'd come off a hero ultimately and be guaranteed more of their business. And if the case landed in mediation, the attorney's fee was a fat forty percent of the take. Do enough of these assembly-line cases and even a bottom-feeding counselor could afford to drive a new Porsche and send his kids to Ivy-league schools.

Lawyers like Cusack also understood the rules on their side of the bar. They took clients looking for their ship to pop up on the horizon, filed suit, claimed outrageous injuries and encouraged the plaintiffs in the role of helpless victim seeking dubious treatments from a list

of usual suspects in the medical profession who were also part of the plot. They all played along with the defense attorneys until the golden goose, the insurance company, was told by their lawyers how things had suddenly taken a turn for the worse, and they should cough up more money to avoid a disaster in court. All the while Cusack's injured dupe was sent scurrying from one medical appointment to another, reminded to wear his neck brace in public and submit to an array of sympathizers for his or her painful "condition". So by biding his time for a year, Cusack doubled his money on these losers and helped a lot of chiropractors, physical therapists and orthopedists pay for vacation cruises, braces and time shares in Hawaii. It was a good exchange all around.

The only real loser was the plaintiff, in this case a GED father of four who naturally believed how bad off his lawyer and the hired docs were telling him he was since the tragedy. Once the case closed, he would begin to catch on to how the game was really played. His lawyers would get a hefty portion of the settlement, plus expenses, and two and a half years after signing the contingency agreement and struggling with poverty-level living, he would be left with barely a third of the settlement money and no paycheck, a medical record which would keep him from landing another skilled job, an avalanche of overdue bills and a delinquent auto loan he'd planned to pay off with his imagined windfall.

Once all the usual suspects were ensconced in the Moroccan-leather chairs, sipping freshly brewed coffee, Nutter looked side to side at his crew. Corey Kull, a junior associate in the firm, was at his senior's right elbow, taking notes since he was doing the grunt work on this case. Miranda Strauss sat on Nutter's left, his longtime paralegal who was assembling medical records from one of the banker's boxes.

Across the table were the lawyers representing the City of Portland, brought into the litigation for their alleged faulty judgment in arboreal siting, and Wards Auto Service for allegedly failing to note on their lubrication service order that the insured's 1985 Ford had only forty-three percent wear left on the brake pads.

"Are we ready?" Nutter asked.



They all nodded dutifully. Although Nutter's theories of liability against the City and the lube shop may have seemed ludicrous to a mere layman, neither of the attorneys for the City of Portland and Wards attending the deposition showed any disdain for the delay. They would each bill eight hours or more for today's session, tack on as much for prep and reporting to their insurance companies and need ask only a dozen questions of the plaintiff if they were moved to be proactive. In the end, they knew, as did Nutter and Cusack, that they would be dismissed from the case for a token contribution prior to settlement after all the attorneys had racked up a pleasing number of billable hours for the effort expended in shoveling mole hills into mountains.

"You have a caption, Suzy?" Cusack asked her, flipping the front page of the complaint toward the court reporter.

She nodded. "Thanks, Bill. I got it."

"Okay," Nutter began again. "Good morning everyone. Shall we start?"

Everyone settled back as Susan Wise flexed her fingers.

"Swear the witness, please," Nutter instructed.

Just as the parties directed their attention to the court reporter administering the oath, the elevator doors opened beyond the lobby, and a thin man wearing a green baseball cap and worn jeans approached the reception desk.

"May I help you, Sir?" the receptionist asked, removing her telephone headset.

He was carrying a paper sack. Lunch, no doubt, she was thinking.

"I need to see Mr. Nutter."

"I'm sorry, but he's in depositions all day. Can I take a message for you?"

He looked to his right and saw the group assembled behind the glass-walled conference room. A man in work clothes was raising his right hand as he faced the court reporter.

"I need to see him," the visitor repeated, clutching the sack against his chest.

"I'm sorry. Can I take a message for you?"

“Is he in there?” He jerked his head in the direction of the conference room. Nutter was sitting with his back to the glass, beginning his usual opening remarks.

“Mr. Nutter is tied up all day, Sir. If you’d like to take a seat, I can have an associate of Mr. Nutter see you.”

He brushed past her and stopped just short of the glass doors.

“Sir!” She bolted forward to cut off his access. “You can’t go in there, Sir.”

He pushed the door open just before she reached him. The court reporter stopped, her fingers frozen mid-stroke at the sight of the black, nine-millimeter Glock pistol pulled from the paper sack. The muzzle pointed dead center at the lawyer to her right.

“Nutter!” the intruder bellowed. “You filthy, lying, cheating sonuvabitch!”

The receptionist stifled a scream.

Manfred Jons Nutter started to rise from his chair. He had time to lift his left elbow and shield his face before the first bullet smashed into his shoulder, tore a hole through his deltopectoral muscle, fractured the glass panel behind him and continued through the lobby where it finally dug a two-centimeter trench in the carpet.

“*Don’t!*” Nutter screamed just as the second shot pushed through the fleshy jowls folding over his jawline, splintered the maxilla, caromed through his palate and exited with a blow-hole spray from the right occipital bone taking a chunk of bloody scalp with it. He never felt the next one that plowed through his cheek, shattered his sinus bones and mired in the spongy dura just to the right of his barbershop part.

Bodies fell like cut timber as the shots rang out, crashing through Nutter’s left eye socket and blowing the top of his head off, thudding into his corpse as he crumpled under the table and blasting through his expensive calf-skin briefcase. People dived for the illusive safety beneath the conference table, peeing their pants, too overcome with panic even to think.

Court reporter Susan Wise jumped up, tripped over her bag and wrapped both arms around the shooter as his last bullet fired. Before she had a chance to think about why she was doing it, she had fallen

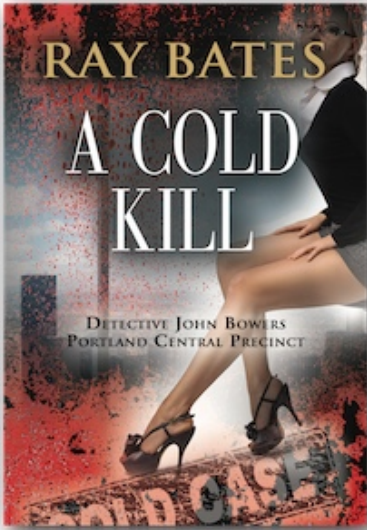
on top of him. Then she began to shake and scream so loudly she thought her lungs would split open. “*Help me! Somebody help me!*”

The ex-roofer, plaintiff Boo Fader, leaped over the table and put a choke hold on the assassin who was sprawled beneath Susan with his right hand still gripping the gun.

“Motherfucker!” Fader shouted, tightening his hold until the murderer gasped for breath and released the Glock. Only then did Boo let up and realize he could kill this jerk if he wanted to.

In the lobby, the receptionist stood shaking, dizzy from shock, the explosion of gunfire still ringing in her ears. But she had the sense to turn back to her board and call 911 before any of the startled staff ventured from their offices to assess the carnage in the conference room.

The first words anybody said when they saw the shattered glass and bloody splatter was “Oh, my god. It’s Nutter. They got him.”



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