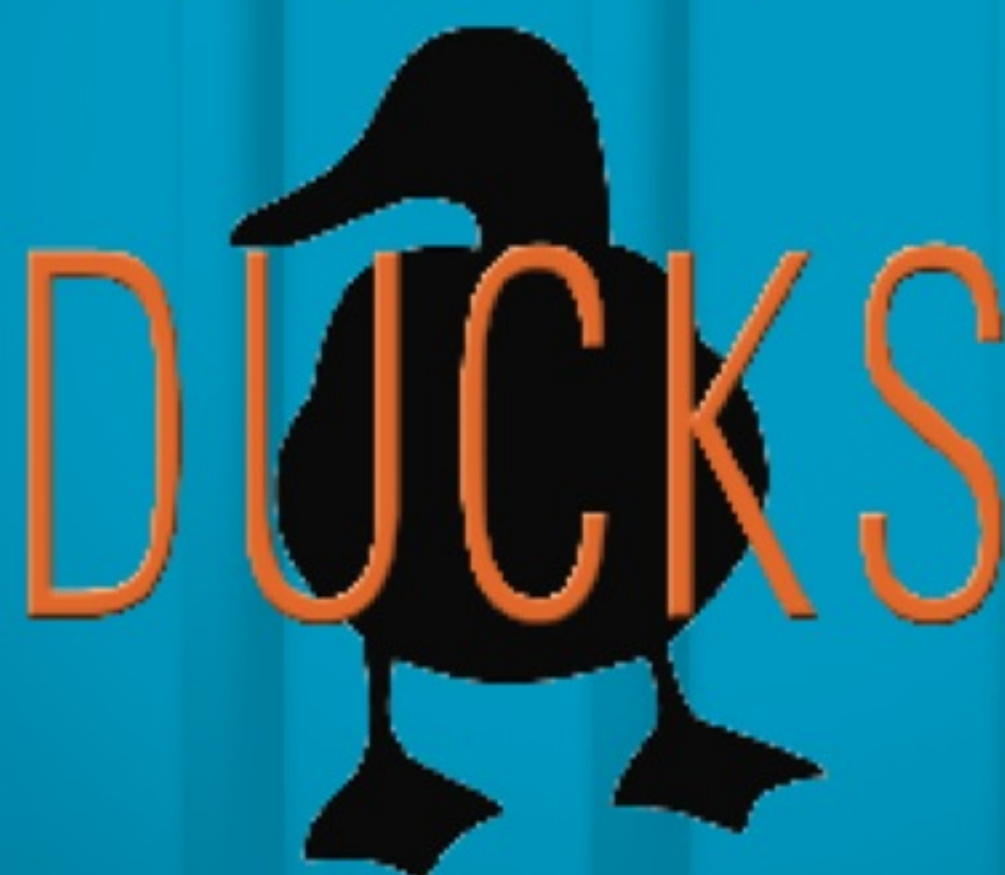


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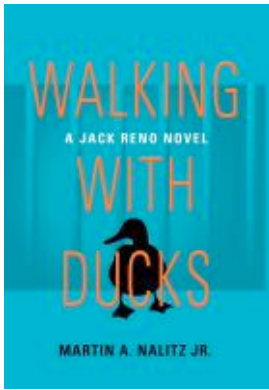
A JACK RENO NOVEL

WITH



**"Going back to prison
may be the easiest way out."**

MARTIN A. NALITZ JR.



Jack Reno had a shady past - even before he went to prison. He's trying to go straight but it's not easy. He gets mixed up with a crime lord, a beautiful woman on the hook for millions of her company's dollars, and the man who had him sent to prison. They all want something and the crime lord is the only one he can trust. Going back to prison may be the easiest way out.

Walking With Ducks

A Jack Reno Novel

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Walking With Ducks

A Jack Reno Novel

Martin A. Nalitz Jr.

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First Edition

Success consists of going from failure to failure
without loss of enthusiasm- **Winston Churchill**

*"That's the thing about living in a world that's round;
sometimes the beginning and the end are in the
same spot."*-**Uncle Bob**

1

My Uncle Bob had once told me, “It’s hard to soar with the eagles when you have to walk around with ducks.” I figured he probably knew these things, because he always bragged that he was a keen observer of the human condition and stuff like that. Also, being one of the most legendary car salesmen Pittsburgh, Pennsylvania had ever seen probably gave him special insight into these things.

At times like this, as I was walking into the conference room at Meyers-Thromberg to meet a new client, I always wondered which of these I was about to meet, a duck or an eagle.

The firm was one of the fastest-growing, hottest law firms in all of Denver that year. I don’t want you to think I’m an attorney, though; like Uncle Bob, I’ve been called enough bad things. Officially, I am a paralegal, got a certificate and everything. What I really did was “marketing”. See, lawyers like to act like all they do is open their doors and clients show up by some force of nature, so they don’t have to advertise.

What I did for Meyers-Thromberg, or MT as we called it, (a hint, say it fast), was to bring clients in through a unique combination of talents, resources, and contacts that I had built up over the years. Sometimes I was also asked to consult with a client due to those talents and resources. That was the case now.

When I walked into the conference room I was pleasantly surprised. Ruth Thromberg, my boss and Managing Partner of the firm, was sitting on one side of a small round table that I think was supposed to represent intimacy. You know, “We’re not just your attorney, we’re in this with you.”

On the other side of the table was a woman with short blond hair, and a nose that wasn’t big, maybe bulbous was a better word. That’s all the bad stuff I could find to say about her, otherwise, she was flawless. She had enormous blue eyes, I mean, enormous. She had on a tan skirt and jacket combination with a white blouse, very businesslike, almost prim. She also had a ring on her thumb that

seemed a little out of place with the business attire. I have to admit I've always found a thumb ring on a woman...compelling. Thumb rings, like German chocolate cake, have frequently led me to make bad decisions.

Ruth made the introductions, and I found out her name was Julie Hayes. She was the Chief Financial Officer at MFG, formerly known as Mortgage Funding Group. MFG was the most well-known mortgage company in Colorado. That was probably why they started going by MFG. They could call themselves anything they wanted because the recent economic problems in the financial world didn't seem to have impacted them.

After the introductions, Ruth said, "So Julie, I don't have anything more than a broad outline as to why you're here. May I ask why you chose this law firm to help you?"

Since I entered the room Julie hadn't taken her eyes off me. There was nothing sexual or flirtatious (unfortunately) about it, more of a curiosity, like she was expecting me to do something, or as if I was in charge and would have answers to questions she hadn't asked yet. I chalked it up to her being raised in a patriarchal society.

Julie answered Ruth very simply. "I read something about the two of you in the paper, and then I saw the piece Channel 31 did on you."

Ruth smiled slightly, more at me than at Julie, and I just nodded politely, as I always did when this came up.

I might as well get this out of the way now; it is the reason I was in a law office even though I wasn't a lawyer, and was just a marginal paralegal. The fact is, I was a criminal. I understand that still didn't necessarily separate me from most attorneys. Let me put it another way-I am a former criminal, white-collar actually, who got caught, went to prison for seven years and (mostly) changed my ways. Most lawyers never get caught, and even less ever change their ways. My purpose at the firm was to bring in cases, specifically from prison. Let me explain.

In prison everybody is given a job, whether it is cleaning bathrooms, preparing meals, or fixing plumbing. When I went to

Walking With Ducks

prison I learned quickly how unskilled I was because I couldn't do any of those things. In my second year behind bars I was hired as an Inmate Rep. There is a whole series of offenses an inmate can get in trouble for, from obvious things, like assault, or theft, to things like "Disobeying a Lawful Order", or "Unauthorized Absence." Each of these carries penalties that both influence when a guy is released, or how he does his time.

An Inmate Rep isn't like a lawyer, although that's how he's viewed. His main role is to make sure nobody's rights are violated in the hearing. He's actually more of a facilitator, even a mediator, between staff and inmate. If the rep develops the right relationship with the Hearing Officer, he can get a lot done. This was perfect for me, because I had been talking people into doing things they didn't want to do my whole life.

After a time I established a reputation for being good at my job. I didn't always get what I wanted, but I'd put on a good show during the hearing. The next thing you know, guys were coming to me with legal problems on their cases, so I tried to help them too.

Let me add at this point that I never once charged anybody a penny for this type of help, even though legal work is probably the most lucrative hustle in prison, other than laundry. It's not that I was noble or anything, I was just way too scared to charge somebody for something I wasn't sure would work. Law firms live by this on the street, but in prison if somebody gets mad about your work they'll do more than write a nasty letter.

So that's how I became a "writ writer". My third year in prison I received a large tax return from a few years earlier, and used part of it to take a correspondence-paralegal course, and got the certification.

Over the years I actually had a little bit of success, getting relief of some kind for a guy here and there. I would always tell somebody what I thought their chances were before filing a motion, whether good or bad. Since I wasn't charging anybody, no matter, what everybody was typically happy when I was done. Then I met Lupe Ybarra.

2

Lupe was an older guy from the northern part of the state, a rural area. He didn't speak much English, so I was never real sure what he did for a living, or how long he'd been in the state. What I could tell was that he'd gotten himself on the wrong end of a bar fight, went and brought back a baseball bat, and when the dust settled he was looking at a 32-year violent sentence, which in Colorado meant he'd pull at least 24 years of it, in real bad places.

He had all his court records, record of actions, even his court transcripts. I read them, talked to him through another inmate, and when I was done, one thing was obvious-Lupe had been railroaded. As far as I could tell he hadn't even been read his rights, either in English or Spanish. His court-appointed attorney made no effort to communicate with him, told him nothing of the proceedings, and waived Lupe's right to a preliminary hearing. When he signed his plea agreement, in English, his attorney told him it was simply to get his property back from the jail when he was released.

But Lupe did a smart thing; when he signed his plea agreement, Lupe wrote, "Lupe Noentiendonada"-“Lupe doesn't understand anything.”

The courts chalked it up to Mexicans having a lot of names, sentenced him, and went on with life.

I was certain Lupe could get his sentence overturned and be released. I was also certain he needed help on the outside and that's why I wrote Ruth, on Lupe's behalf, outlined his case, and asked her to handle it.

How did I happen to know Ruth Thromberg, you ask? It was simple really; she was the one who sent me to prison. In fairness, she didn't send me to prison, that was the judge; Ruth was the District Attorney who convinced the judge that I was a bigger threat and danger to the state than Enron, Bernie Madoff, and Lex Luther combined.

Walking With Ducks

At that time Ruth had been fairly well known in criminal justice circles for about ten years as a tireless crusader for stiff, long prison sentences, and a relentless advocate for the state.

For ten years prior to that Ruth had been fairly well known as a Public Defender. At that time she was a tireless crusader for shorter more lenient sentences, and a relentless advocate for the accused's rights.

Funny how her world view changed when the DA offered her more money, a private office, and an assigned parking space.

We didn't know each other when she was prosecuting me, but actually shared kind of a light-hearted moment at my sentencing, if such a thing was possible. She was trying to convince the judge to give me twenty years in prison, even though all the state's findings suggested I get probation. In the midst of this my own dim-witted attorney produced a report he had come up with that implied, from some previous cases, a sentence of 15-18 years in prison would be appropriate. This was my attorney, by the way. As he introduced this, and I sputtered at him, I happened to glance at Ruth, who was sitting there, mouth wide open, in shock. When she caught me looking she almost smiled and then gave me a kind of sad shake of her head and crossed her eyes.

A few minutes later, when the judge gave her what she wanted and sent me to the pen for a twenty year sentence, this time she caught my eye, and when no one else was looking actually stuck out her tongue at me. What are you going to do with that? All I could do was shake my head and laugh. I didn't have time for anything else because my attorney was already in the process of trying to sneak out the door before I could remind him he still owed me a large chunk of my retainer.

After I was locked up, Ruth Thromberg and I had no contact, of course. I did notice an article in the paper a few years later saying that she had left the DA's office and opened her own practice, specializing in criminal defense and appellate law. (My own theory was that she had locked up so many people over the years that she knew the crooked stuff she'd done in those cases.

Now she'd go and win appeals for them and get paid all over again.)

Anyway, when the Lupe Ybarra case came along, I wrote her, outlining everything that had happened in his case, and also noting what direction I, a humble paralegal, thought the appeal could go, and at the same time noting my own limitations in this area.

Ruth actually wrote me back a nice note of appreciation and best wishes for my situation. She said she would also be in touch with Lupe Ybarra, and wondered if I was aware of any relatives of his who might be able to afford a retainer. I just thought it was ironic, that in a system filled with attorneys the state still considered me a white-collar criminal.

Three months later Lupe left prison a free man. Because of all the due process "irregularities", the appellate court dismissed the case, with prejudice, meaning it couldn't be filed again. Ruth was ecstatic-she had drawn blood and made a name for herself. What also didn't stink, I found out later, was that she had bullied the state into a \$600,000 out of court settlement. Most attorneys would have gotten a third of that. She took half. I got none, by the way, which once again shows how great a criminal mastermind I was. I must say, by way of disclosure, that Lupe did fix me a nacho spread, so I came out okay.

Ruth sensed an opportunity and came to my facility for an unexpected visit. When I heard her idea I thought for sure she had been smoking crack. She told me she had a vast network of connections in DOC that she had cultivated over the years. Her suggestion was to get me an early release from prison, to her custody. I would then go to work for her, technically as a paralegal, in reality, as a marketer, "runner", ambulance chaser whatever you wanted to call it.

What this meant was, using my vast network of connections in DOC that I had cultivated over the years, I would get the word out that I, a semi-legendary inmate rep/writ writer, was now on the outside and able to maybe help those who had been run over by the wheels of justice.

Walking With Ducks

The toughest part of my job, naturally, was sifting through all the proposed cases. I knew what Ruth wanted-not just winnable appeals, but things that were so egregious she would then be able to plunder the state for a financial settlement in addition to criminal relief. This meant I had to look at, and research, dozens of cases before finding one I knew she would take. There are a lot of guys in prison who think they got railroaded, and they may have been for all I knew. The truth is, in the vast majority of cases there was just nothing there; either the guy was guilty or the state had done everything right in terms of covering their tracks. (This was the excuse I usually gave men in my letter back saying we wouldn't be able to help.)

It had been a good and productive system for the past three years. Good for me, because it got me out of prison; productive for Ruth because it made her lots of money, brought her fame and notoriety, which in turn led to more money.

Ruth had made it a point to pursue more fame, based on our relationship. (I should add a purely professional relationship-Ruth was married, twenty years older than me, and just not attractive.) Anyway, every few months a piece about us would pop up in a newspaper, magazine, or, most recently, a TV news segment.

This brings us back, full circle, to the blue-eyed, possibly-rebellious, Julie Hayes in the conference room.

I plunged into the conversation. "I'm guessing you're not here soliciting refinancing opportunities, so how can we help you, Ms. Hayes?"

She was still looking at me, almost to the exclusion of Ruth. This happened sometimes; I was the quasi-celebrity, the former jailbird. People often looked at me as if I might be capable of anything at any moment. This look was more like she was measuring me. I wondered if I should offer to let her look at my teeth.

Her response to my question surprised me. She said, "Jack Reno," with a big smile, like she was trying it on or something. "It sounds like an Italian, or even a Greek name, maybe even Native American, but where did you get the light hair and blue eyes?"

"I'm guessing from my Polish parents," I answered.

Neither of us spoke for a minute. Julie finally glanced at Ruth, and then turned back to me. Time for business.

"There are two things that have helped MFG, the company I work for, survive during these bad times," she began carefully.

I nodded encouragingly.

"One," she went on, "is that we started a wholesale division. The other thing is..."

"Hold on," Ruth interrupted, "what's a wholesale division?"

There was an awkward pause where Julie looked at both of us almost painfully.

"I'm sorry," she began, looking back at me, "I just assumed as an attorney, and with your..." she fluttered her hand at me, "background, you would both know these things."

Now she was being condescending. So much for the patriarchal society.

"I can only speak for myself," I began slowly, "I was an old-school white-collar criminal-I just talked people out of money." I was speaking very patiently and smiling. "That didn't involve computers, blogs, twitters, or wholesale divisions of mortgage companies. I'm sorry." Then I added, "I don't know what her problem is," pointing at Ruth.

Julie said, "No, I wasn't trying to insult you or anything."

I smiled at her, held up my hand, and shook my head. A benevolent patriarch, that was me.

Julie went on. "Okay, if you want to refinance your home, or you want to buy one, you go to a mortgage company, or a bank, and get a loan. That's the retail side of the mortgage business."

Ruth and I looked at each other. I knew Ruth didn't understand it any more than I did.

"What we did at MFG," Julie said, "was create our own line of mortgage products, that other mortgage brokers could use, and then close loans in our name, but still put their fees on and make their own money."

"Wait a minute," Ruth said. "Then do those people make their monthly payments to MFG?"

Walking With Ducks

Julie looked sadly again at both of us. I actually thought it was a good question.

“We did start a servicing part of our company a few years back,” she said, “but that’s a different situation. What happens with the brokers is, MFG waits until it has a number of loans, all closed on our warehouse line...”

This time I interrupted.

“That works like a big multi-million dollar American Express card, right?” I asked. “You can pretty much put on all the loans you want, but you can’t leave them on indefinitely. You have to pay off the line quickly, be selling the loans.”

Julie’s blue eyes got even bigger as she smiled. “Very impressive, and exactly right.”

Ruth muttered, “Teacher’s pet.”

“Also, like a credit card,” Julie went on, “the more we use the line and pay it off, we get rewards, in the form of monthly bonuses they kick us back.”

“So, when we have a certain number of loans closed we then sell them, in bulk, to one of the large companies that service loans—you know, Wells, Citi, NAMU, big companies like that.”

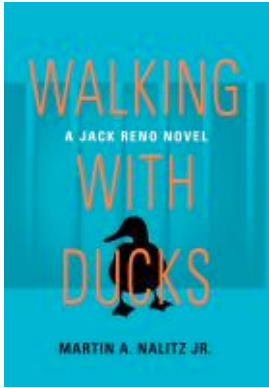
I was starting to catch on. “Okay,” I said, “I bet you also get a kickback of some kind from the company that buys them, right?”

“It’s called a discount,” she answered defensively, “And it’s perfectly legal.”

Ruth was looking at me with her eyebrows raised.

“Don’t misunderstand me,” I said quickly, “that was no accusation, pure admiration.”

This time I looked at Ruth. “My only question is, how did I miss out on this?”



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