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"Did they give you a raise?"

She nodded and then she asked him about the case. He gave a perfunctory answer. Her new boyfriend was awaiting her at the door. "I can take care of yourself," Teresa said. She put her hand on his shoulder and left it there for a few seconds, long enough to transform the gesture from casual to intimate.

Schlichtmann's eyes followed her as she walked away, slim and graceful, and he was struck by how lovely she was. He thought about the time that had passed, how much his life had changed, how much he had lost. But the reverie did not last long. In a moment, he started thinking about the case. Facher is at the end of his career, and so am I. I thought Schlichtmann at the end of the evening.

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Gulls from Boston Harbor wheeled about overhead, in the dull, leaden November sky. It was cold enough to snow, but Schlichtmann had taken off his coat and was working in his shirtsleeves. He and Crowley were at Safe 'N Sound Storage on Morrissey Boulevard, where the firm rented two cinder-block rooms. The rooms were dank and overheated, filled with Woburn documents. Rather than pay another month's rent, Schlichtmann had decided to clean the rooms out.

Four hundred cartons of documents, the entire archive of the Woburn case, were piled up to the corrugated metal ceilings. Schlichtmann planned to save only the families' medical records, which he would give to them that evening. Everything else he'd throw out. Wading his way among the stacks of cartons, he couldn't resist opening a few. He found transcripts of the trial and hearings, of the depositions of the families and the expert witnesses and the Grace and Beatrice employees, medical studies of the families, reports from the EPA and the U.S. Geological Survey. He picked up a large trial exhibit depicting the Aberjona Valley. It was from one of the Beatrice experts. "This guy was a charlatan," he said with harsh laugh. "What a joke." He crushed it under his foot.

Crowley had commandeered a garbage truck, which had backed up to the door of the storage rooms. Moving the heavy cartons was hard physical labor, and both men soon worked up a sweat. Schlichtmann

heaved cartons into the dark, stinking maw of the garbage truck like a man shoveling coal into a furnace. Breathing hard, he paused for a moment and watched the hydraulic machinery crush open the cartons, spilling out thousands of pages.

"All this paper," said Schlichtmann, more to himself than to Crowley. "It represents nine years of my life. Why did I do it?" He paused for a moment and then answered his own question. "Pride, greed, ambition. Getting rich by doing good."

Crowley gave a short laugh, more like a grunt.

"I'm thirty-nine years old," continued Schlichtmann, "and I've dug one fucking big hole. A man couldn't dig a bigger hole."

Schlichtmann filed for bankruptcy. He had hoped to pay off his debts, but in the end he could not. He found himself unable to work on cases anymore. He decided to quit the practice of law and go to Hawaii. In the Chapter 7 papers filed in bankruptcy court in Boston, he listed his assets as fourteen dollars in a checking account, a fifty-dollar cassette radio, one hundred dollars in cash, and five hundred dollars' worth of clothes. (The expensive suits, after all, were no longer new.) He owed his creditors \$1,231,542, of which state and federal taxes accounted for almost two thirds.

In Woburn the EPA announced a plan for cleaning up the Aberjona aquifer. The agency had filed suit against both W. R. Grace and Beatrice Foods to recover the costs of the cleanup project. Grace had agreed to pay its share, but new lawyers for Beatrice challenged the EPA's lawsuit, citing the verdict and Judge Skinner's findings in the Woburn civil action. The EPA brushed this aside. Its studies all proved that Beatrice's land was responsible for contaminating the aquifer. In the end, Beatrice also consented to pay its share of the cleanup costs.

In a public presentation to the citizens of Woburn, the EPA unveiled a reclamation plan that would take fifty years to complete and would cost an estimated \$69.4 million, the largest and most costly environmental cleanup in New England.

The *Boston Herald* called Schlichtmann for a comment. "It's about time," Schlichtmann was quoted as saying.

→ W. R. Grace was indicted by the U.S. Attorney for lying in its statements to the EPA, lies that Schlichtmann had brought to the Justice

Department's attention because of Al Love's willingness to come forward. Grace pleaded guilty to two felony counts and was assessed the maximum fine, which at the time amounted to ten thousand dollars. Shortly after, W. R. Grace announced that it would close its Woburn plant, where ninety-five workers were employed. Most workers were offered jobs elsewhere. "It's also possible that there will be some layoffs," said a Grace spokesman.

Kiley lent Schlichtmann the price of a round-trip plane ticket to Hawaii, and also gave him a little spending money. For a week or so Schlichtmann stayed in a grimy, dilapidated motel, twenty-seven dollars a night with the bathroom down the hall. Then he bought a backpack and a sleeping bag and set off hiking on the western island of Kauai. He walked over a mountain pass to a remote valley named Kalalau.

He spent several days camping on the white sand beach, completely alone. He cooked over campfires. He swam and lay in the sun. He told himself that he was purging his mind, but in truth he kept wondering how one would know if one had wasted one's life. He was afraid of finding the answer. He wasn't sure from one moment to the next just what he intended to do. On his third day at the beach, right around dusk, he stripped off all his clothes and swam out into the open ocean. The sea was as smooth as glass, with only the gentlest of swells. He swam westward, toward the setting sun, for a long time, and when he finally turned to look back the island of Kauai was little more than a blur on the horizon. The water was warm and he was naked, and he felt completely at peace. He treaded water for a while, gazing back at the island. He thought of swimming on until he could no longer see land.

But then this thought turned on itself, and he began swimming slowly back.

A Note on Sources

I began working on this project in February 1986, before the start of trial, the suggestion of a friend, Tracy Kidder, who knew I was looking for a book topic. After some initial research that consisted largely of reading news accounts, I met with Jan Schlichtmann and his partners in their office on MIT Street. Schlichtmann agreed to let me follow the events of a major lawsuit as an observer from within, with complete access to his preparation of witness and the daily strategy sessions with his partners. The Woburn families all graciously gave their consent to my presence and allowed me to sit in on the meetings with Schlichtmann. During the five months of trial, I was excluded only from one early meeting, in April 1986, concerning the firm's dire financial straits. Thereafter, during the summer of the harrowing settlement negotiation and the ensuing four years of the Bearrice appeal, I was permitted unrestricted access to the firm's operation.

Schlichtmann and his partners imposed no conditions or limitations upon me. It was understood from the outset that they would not have the right to read and revise the manuscript before publication. I, however, imposed one condition upon myself: I decided that during the trial and the settlement negotiation I would not attempt to seek equivalent access to the lawyers for Grace and Bearrice. I did not want to put myself in the position of wittingly or unwittingly becoming a conduit of information for one side or the other.

Throughout the course of the lengthy trial I would occasionally speak with Jerome Facher and, to a lesser extent, William Cheeseman, but I did not begin the process of in-depth interviewing until after the settlement. With Facher's invitation, I attended his trial practice class at Harvard Law School during the spring semester of 1987, and again in 1988, although with less regularity. After class he and I would often eat dinner at the Harvard Inn.