

JOHN
GRISHAM

|| A NOVEL ||

The ROOSTER
BAR



ALSO BY JOHN GRISHAM

A Time to Kill
The Firm
The Pelican Brief
The Client
The Chamber
The Rainmaker
The Runaway Jury
The Partner
The Street Lawyer
The Testament
The Brethren
A Painted House
Skipping Christmas
The Summons
The King of Torts
Bleachers
The Last Juror
The Broker
The Innocent Man
Playing for Pizza
The Appeal
The Associate
Ford County
The Confession
The Litigators
Calico Joe
The Racketeer
Sycamore Row
Gray Mountain
Rogue Lawyer
The Whistler
Camino Island

The Theodore Boone Books

Theodore Boone: Kid Lawyer

Theodore Boone: The Abduction

Theodore Boone: The Accused

Theodore Boone: The Activist

Theodore Boone: The Fugitive

Theodore Boone: The Scandal

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BAR



DOUBLEDAY

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Also by John Grisham

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Author's Note

The end of the year brought the usual holiday festivities, though around the Frazier house there was little to cheer. Mrs. Frazier went through the motions of decorating a small tree and wrapping a few cheap gifts and baking cookies no one really wanted, and, as always, she kept *The Nutcracker* running nonstop on the stereo as she gamely hummed along in the kitchen as though the season *was* merry.

Things were anything but merry. Mr. Frazier had moved out three years earlier, and he wasn't missed as much as he was despised. In no time, he had moved in with his young secretary, who, as things developed, was already pregnant. Mrs. Frazier, jilted, humiliated, broke, and depressed, was still struggling.

Louie, her younger son, was under house arrest, sort of free on bail, and facing a rough year ahead with the drug charges and all. He made no effort to buy his mom anything in the way of a gift. His excuse was that he couldn't leave the house because of the court-ordered monitor attached to his ankle. But even without it, no one expected Louie to go to the trouble of buying gifts. The year before and the year before that both of his ankles had been unburdened and he hadn't bothered to shop.

Mark, the older son, was home from the horrors of law school, and, though even poorer than his brother, had managed to buy his mother some perfume. He was scheduled to graduate in May, sit for the bar exam in July, and begin working with a D.C. firm in September, which, as it so happened, was the same month Louie's trial was on the docket. But Louie's case would not go to trial for two very good reasons. First, the undercover boys had caught him in the act of selling ten bags of crack—there was even a video—and, second, neither Louie nor his mother could afford a decent lawyer to handle the mess. Throughout the holidays, both Louie and Mrs. Frazier dropped hints that Mark should rush in and volunteer to defend his brother. Wouldn't it be easy to stall matters until later in the year when

Mark was properly admitted to the bar—he was practically there anyway—and once he had his license wouldn't it be a simple matter of finding one of those technicalities you read about to get the charges dismissed?

This little fantasy of theirs had some rather large holes in it, but Mark refused to discuss it. When it became apparent that Louie planned to hog the sofa for at least ten hours on New Year's Day and watch seven straight bowl games, Mark made a quiet exit and went to a friend's house. Returning home that night, while driving under the influence, he made the decision to flee. He would return to D.C. and kill some time puttering around the law firm where he would soon be employed. Classes didn't start for almost two weeks, but after ten days of listening to Louie bitch and moan about his problems, not to mention the nonstop *Nutcracker*, Mark was fed up and looking forward to his last semester of law school.

He set his alarm for eight the following morning, and over coffee with his mom explained that he was needed back in D.C. Sorry to leave a bit earlier than expected, Mom, and sorry to leave you here all alone with your bad boy, Mom, but I'm outta here. He's not mine to raise. I got my own problems.

The first problem was his vehicle, a Ford Bronco he'd been driving since high school. The odometer had frozen at 187,000 miles, and that had happened midway through college. It desperately needed a new fuel pump, one of many replacement parts on the Urgent List. Using tape and paper clips, Mark had been able to wire and jerry-rig the engine, transmission, and brakes for the past two years, but he'd had no luck with the fuel pump. It worked but at a lower capacity than normal, so that the Bronco's max speed was forty-nine on level ground. To avoid being clobbered by 18-wheelers on the expressways, Mark stuck to the back roads of rural Delaware and the Eastern Shore. The two-hour drive from Dover to central D.C. took twice as long.

This gave him even more time to consider his other problems. Number two was his suffocating student debt. He'd finished college with \$60,000 in loans, and no job. His father, who seemed happily married at the time but was also in debt, had warned him against further studies. He'd said, "Hell, boy, four years of education and you're sixty grand in the hole. Quit before it gets any worse." But Mark thought taking any financial advice from his

father was foolish, so he worked a couple of years here and there, bartending and delivering pizza, while he haggled with his lenders. Now, looking back, he wasn't sure where the idea of law school had originated, but he did remember overhearing a conversation between two frat brothers who were pondering weighty matters while drinking heavily. Mark was the bartender, the lounge was not crowded, and after the fourth round of vodka and cranberry juice they talked loud enough for all to hear. Among many interesting things they had said, Mark had always remembered two: "The big D.C. law firms are hiring like crazy." And, "Starting salaries are one-fifty a year."

Not long after that, he bumped into a college friend who was a first-year student at the Foggy Bottom Law School in D.C., and the guy gushed on about his plans to blitz through his studies, finish in two and a half years, and sign on with a big firm for a fat salary. The Feds were throwing loans at students, anybody could qualify, and, well sure, he would graduate with a mountain of debt but nothing he couldn't wipe out in five years. To his friend, at least, it made perfect sense to "invest in himself" with the debt because it would guarantee all that future earning power.

Mark took the bait and began studying for the Law School Admission Test. His score was an unimpressive 146, but this did not bother the admissions folks at the Foggy Bottom Law School. Nor did his rather thin undergraduate résumé with an anemic grade point average of 2.8. FBLIS accepted him with open arms. His loan applications were quickly approved. Sixty-five thousand bucks were simply transferred from the Department of Education each year to Foggy Bottom. And now, with one semester to go, Mark was staring miserably at the reality of graduating with a combined total, undergrad and law school, principal and interest, of \$266,000 in debt.

Another problem was his job. As it happened, the market wasn't quite as strong as rumored. Nor was it as vibrant as FBLIS had advertised in its slick brochures and near-fraudulent website. Graduates from top-tier law schools were still finding work at enviable salaries. FBLIS, though, was not quite in the top tier. Mark had managed to worm his way into a midsized law firm that specialized in "governmental relations," which meant nothing more than lobbying. His starting salary had not been established, because the firm's management committee would meet in early January to review

profits from the previous year and supposedly jiggle the pay structure. In a few months, Mark would be expected to have an important talk with his “loan counselor” about restructuring his student debt and somehow repaying the entire mess. This counselor had already expressed concern that Mark did not know how much he would be earning. This concerned Mark too, especially when added to the fact that he didn’t trust a single person he’d met at the law firm. As much as he tried to fool himself, he knew deep in his gut that his position was not secure.

Another problem was the bar exam. Because of demand, the D.C. version of the test was one of the more challenging in the nation, and FBLS grads had been bombing it at an alarming rate. Again, the top schools in town did well. The year before, Georgetown had a 91 percent pass rate. For George Washington it was 89 percent. For FBLS, the pass rate was a pathetic 56 percent. To succeed, Mark needed to start studying now, in early January, and hit the books nonstop for six months.

But the energy simply wasn’t there, especially in the cold, dreary, depressing days of winter. At times the debt felt like cinder blocks strapped to his back. Walking was a chore. Smiling was difficult. He was living in poverty and his future, even with the job, was bleak. And he was one of the fortunate ones. Most of his classmates had the loans but not the jobs. Looking back, he’d heard the grumbling even in his first year, and with each semester the mood at school grew darker, the suspicions heavier. The job market worsened. The bar exam results embarrassed everyone at FBLS. The loans piled up. Now, in his third and last year, it was not unusual to hear students verbally spar with professors in class. The dean wouldn’t come out of his office. Bloggers blistered the school and screamed harsh questions: “Is this a hoax?” “Have we been had?” “Where did all the money go?”

To varying degrees, almost everyone Mark knew believed that (1) FBLS was a subpar law school that (2) made too many promises, and (3) charged too much money, and (4) encouraged too much debt while (5) admitting a lot of mediocre students who really had no business in law school, and (6) were either not properly prepared for the bar exam or (7) too dumb to pass it.

There were rumors that applications to FBLS had fallen by 50 percent. With no state support, and no endowment, such a decline would lead to all manner of painful cost cutting, and a bad law school would only get worse. This was fine with Mark Frazier and his friends. They would endure the next four months and happily leave the place, never to return.

MARK LIVED IN a five-story apartment building that was eighty years old and visibly deteriorating, but the rent was low and this attracted students from George Washington and FBLS. In its earlier days it had been known as the Cooper House, but after three decades of frat-like wear and tear it had earned its nickname as the Coop. Because its elevators seldom worked, Mark took the stairs to the third floor and entered his cramped and sparsely furnished flat, for which he paid \$800 a month for five hundred square feet. For some reason he'd cleaned the place after his last exam before the holidays, and as he flipped on lights he was pleased to see that everything was in order. And why shouldn't it be? The slumlord who owned the place never came around. He unloaded his bags and was struck by the silence. Normally, with a bunch of students, and with thin walls, there was always a racket. Stereos, televisions, arguments, pranks, poker games, fights, guitar playing, even a trombone played by a nerd on the fourth floor that could rattle the entire building. But not today. Everyone was still at home, enjoying the break, and the halls were eerily quiet.

After half an hour, Mark was bored and left the building. Walking along New Hampshire Avenue, with the wind cutting through his thin fleece and old khakis, he decided, for some reason, to turn onto Twenty-First and stop by the law school to see if it was open. In a city with no shortage of hideous modern buildings, FBLS managed to stand out in its unsightliness. It was a postwar edifice covered with bland yellow bricks on eight levels slung together in asymmetrical wings, some failed architect's effort at making a statement. Supposedly, it once was an office building, but walls had been knocked out with abandon to create cramped lecture halls on the four lower floors. On the fifth was the library, a rabbits' warren of large, retrofitted rooms packed with seldom-touched books and some replicated portraits of unknown judges and legal scholars. The faculty had offices on

the sixth and seventh floors, and on the eighth, and as far away from the students as possible, the administration carried on, with the dean solidly hidden in a corner office from which he seldom ventured.

The front door was unlocked and Mark entered the empty lobby. While he appreciated its warmth, he found the area, as always, utterly depressing. A huge bulletin board covered one wall with all manner of notices and announcements and enticements. There were a few slick posters advertising opportunities to study abroad, and the usual assortment of handmade ads offering stuff for sale—books, bikes, tickets, course outlines, tutors by the hour—and apartments for rent. The bar exam loomed over the entire school like a dark cloud and there were posters extolling the excellence of some review courses. If he searched hard enough he could possibly find a few employment opportunities, but at FBLS those had become scarcer by the year. In one corner he saw the same old brochures hawking even more student loans. At the far end of the lobby there were vending machines and a small coffee bar, but nothing was being brewed during the break.

He fell into a battered leather chair and soaked in the gloominess of his school. Was it really a school or was it just another diploma mill? The answer was becoming clear. For the thousandth time he wished he had never walked through the front doors as an unsuspecting first-year student. Now, almost three years later, he was burdened by loans he couldn't imagine paying off. If there was a light at the end of the tunnel, he couldn't see it.

And why would anyone name a school Foggy Bottom? As if the law school experience itself wasn't dreary enough, some bright soul had, some twenty years earlier, tagged it with a name that conveyed even more cheerlessness. That guy, now dead, had sold the school to some Wall Street investors who owned a string of law schools that were reportedly producing handsome profits while cranking out little in the way of legal talent.

How do you buy and sell law schools? It was still a mystery.

Mark heard voices and hurriedly left the building. He hiked down New Hampshire to Dupont Circle, where he ducked into Kramer Books for a coffee and a quick thaw. He walked everywhere. His Bronco lurched and stalled too much in city traffic, and he kept it tucked away in a lot behind

the Coop, always with the key in the ignition. Unfortunately, so far no one had been tempted to steal it.

Warm again, he hustled six blocks north along Connecticut Avenue. The law firm of Ness Skelton occupied a few floors in a modern building near the Hinckley Hilton. The previous summer Mark had managed to weasel his way inside when he accepted an internship that paid less than minimum wage. At major law firms, the summer programs were used to entice top students to the big life. Little work was expected. The interns were given ridiculously easy schedules, along with tickets to ball games and invitations to fine parties in the splendid backyards of the wealthy partners. Once seduced, they signed on, and upon graduation were soon thrown into the meat grinder of hundred-hour weeks.

Not so at Ness Skelton. With only fifty lawyers, it was far from a top-ten firm. Its clients were trade associations—Soybean Forum, Retired Postal Workers, Beef and Lamb Council, National Asphalt Contractors, Disabled Railroad Engineers—and several defense contractors desperate for their share of the pork. The firm's expertise, if it had any, was maintaining relationships with Congress. Its summer intern program was designed more to exploit cheap labor than to attract top students. Mark had worked hard and suffered through the stultifying work. At the end of the summer, when he had received an offer that somewhat resembled a position upon passing the bar exam, he couldn't decide if he should celebrate or cry. Nonetheless, he jumped at what was being offered—there was nothing else on the table—and proudly became one of the few FBLS students with a future. Throughout the fall, he had gently pressed his supervisor about the terms of his upcoming employment but got nowhere. There might be a merger in the works. There might be a split. There might be a lot of things, but an employment contract was not one of them.

So he hung around. Afternoons, Saturdays, holidays, anytime he was bored he would stop by the firm, always with a big fake smile and an eagerness to pitch in and help with the grunt work. It was not clear if this was beneficial, but he figured it couldn't hurt.

His supervisor was named Randall, a ten-year guy on the verge of making partner, and thus under a lot of pressure. A Ness Skelton associate who didn't make partner after ten years was quietly shown the door.

Randall was a George Washington law grad, which, in the city's pecking order, was a step down from Georgetown but several notches above Foggy Bottom. The hierarchy was clear and rigid, and its worst perpetrators were the GW lawyers. They detested being looked down upon by the Georgetown gang; thus they were eager to look down with even more disdain on anyone from FBLS. The entire firm reeked of cliques and snobbery, and Mark often wondered how in hell he wound up there. Two associates were from FBLS, but they were so busy trying to distance themselves from their school they had no time to lend Mark a hand. Indeed, they seemed to ignore him more than anyone else. Mark had often mumbled, "What a way to run a law firm." But then he figured that every profession had its levels of status. He was far too worried about his own skin to fret over where the other cutthroats had studied law. He had his own problems.

He had e-mailed Randall and said he would be dropping by to do whatever grunt work was available. Randall greeted him with a curt "Back so soon?"

Sure, Randall, and how were your holidays? Great to see you. "Yeah, got bored with all the holiday crap. What's up?"

"Two of the secretaries are out with the flu," Randall said. He pointed to a stack of documents a foot thick. "I need that copied fourteen times, all collated and stapled."

Okay, back to the copy room, Mark thought. "Sure," he said as if he couldn't wait to jump in. He hauled the documents down to the basement, to a dungeon filled with copiers. He spent the next three hours doing mindless work for which he would be paid nothing.

He almost missed Louie and his ankle monitor.