

## **Starring Janey McGraw**

By John Reed\*

Janey McGraw was very comfortable—no, very confident—in her appearance. She had felt that way for as long as she could recall, ever since she was a little girl and came to the vague realization that being one way was much more acceptable to the adult world than being some other way. The childhood marathon of events and activities that made her prance, tumble, march, and sing in front of adoring adults only reinforced her belief that she was the right way. And today, penetrating the tiny holes in her lobes with pearl earrings in front of the hall mirror, she felt the warm and supportive rush of her own approval. She couldn't put her finger on it. She just knew the right ratios were there: mouth to eyes, breasts to waist, bottom to thighs, ankles to calves. Whatever the magical little default settings were in a man's mind, she knew she matched them, and a few little valleys around her eyes and some tiny excess below her waist didn't change that, particularly today, when she had chosen a black Armani suit and had the time for some spackle work.

Truth be told, she needed the confidence today. Monday was motion day in Pinnacle County and Janey had a tricky little motion up in front of Judge Randall Bloor. If she won, the bulk of the case against her firm's client would be gone. If she lost, the whole thing remained and the client was back at square one, facing a newly emboldened enemy. Janey had spent the better part of her Sunday going over the briefs and preparing her argument. This motion was no slam dunk and winning the day was by no means assured. The motion had come to her from an odd source—Saul Paxton, senior partner at Smallwood Pinkus. It seemed to Janey that, given Saul's superior experience and instincts (never in evidence but often promoted), that the client may have been

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\* Pen name

better served by Saul handling the argument. But Saul had made quite a production of bestowing the argument on her. He had thought about it long and hard, he said. In the end he decided to “give her a shot to shine.”

It did not at all escape Janey that giving her a chance to shine also put critical distance between Saul and any unhappy result. She could do the math: if she won the motion, Saul was a hero for bestowing it upon her. If she lost the motion, Saul could say he had been “let down by an associate” and claim to be a martyr to his generous instincts. Janey would either win or lose. Saul would either win or not really lose. She had a certain amount of admiration for Saul’s ability to put himself in that position. Since she had begun working at Smallwood Pinkus five years earlier, she noticed that Saul seemed good at consistently setting up situations where he could never really lose.

She steered her SUV through the suburban traffic, played with her hair, and at each stop light pushed a finger to her mouth and gnawed at her cuticles. As she headed south toward the city, the traffic grew lighter. A brutal windstorm had victimized Pinnacle County a few days previous, and broken tree limbs and dislocated foliage were in evidence everywhere. As she passed through the last suburb before the city, she passed a home on a corner lot where the entire row of trees along the street had been sheared from their roots, leaving the rear of an attached garage exposed. Matters were made worse by the wood rot that had left the back of the garage bulging outward like a pregnant belly. Passing more damaged homes on the highway feeder, Janey couldn’t help but notice that the closer you got to the city, it seemed harder and harder to protect your home and hide its flaws.

As she pulled into the court complex, the two-lane access roads were filled with overstuffed old cars. Grand Ams, Deville’s, and Escorts all carrying at least one occupant beyond the car’s design. Rust spots, duct tape, and plastic sheeting. Almost every car contained a woman driver, who was talking and gesturing at the same time. Sometimes she was accompanied by a sullen man, maybe

a son, maybe a husband. What looks were returned to her were not pleasant and occasioned another stab at her cuticles.

In the court parking lot, she virtually tumbled down from the car and retrieved a loaded briefcase from the trunk. A young woman lawyer on her way to court. She knew she looked the part—Armani, David Yardman, Coach. She looked attractive and successful, and the steady buzz from that accompanied her thoughts about the argument she had to make.

Inside the court, past security (more burdensome and less effective every year), Janey made her way up the stairs and down the halls. Motion day provides an odd glimpse of Pinnacle County's particular contribution to humanity. But once you got past the lawyers on their cell phones or scribbling on their pads, it all looked pretty familiar. People jammed into good clothes that barely fit, as if they had been pulled from someone's else's closet or newly purchased the night before. Clothes that barely covered the mixture of shame and anger evident in their postures. These were the people who only had something to lose by coming to court—folks who were not here to earn a contingency, who didn't bill by the hour, but who had been summoned, subpoenaed, or otherwise notified to appear. Unfamiliar surroundings. Uncomfortable clothes. Everything to lose and little to gain. Important, life-changing decisions to be made by someone they had never met.

For her part, Janey kept her focus trained on the familiar. Dark suits, leather bags, the fabrics of success. She instinctively knew she had something in common with her fellow lawyers and it went beyond legal training. These were people who wanted what she wanted, people who fixed a course for the same destination as she. They got the same catalogues and ate at the same restaurants. They did not want to be that fifth person in the Grand Am. They liked clothes that fit. Even when they were adversaries, there was a certain comfort in being among them.

Janey found Judge Bloor's courtroom and took a seat in the back to wait for her case to be called. She considered what she knew about Judge Bloor: he had been a partner at a firm very much

like hers; he was appointed to the bench by the state's Republican governor and won his first bid at re-election. He had a reputation as being tough on lawyers and having a very conservative view of the legal profession. But there was one very important fact about Judge Bloor that was most important. He was the 62-year-old father of two grown daughters.

When Janey was in law school, it was made painfully clear to her that despite decades of progress, women in the law still had the silent lurking menace of sexism. Her female professors had shared with her stories of opportunities lost to unspoken policies that blocked women from ascending the ladder of partnership. Her own firm had a woman's group that regularly discussed the status of the female sex at Smallwood Pinkus, and that group liasoned with other groups throughout the state under the aegis of the State Bar's Women Lawyers Committee. So Janey was aware of the menace, but she had never really formed any clear plan to deal with it.

But she did know a thing or two about being a daughter. She knew, for instance, that even her investment banker father—a veritable tableau of unreconstructed American masculinity—could not bear the thought of his daughter being denied anything, having her feelings hurt, or her abilities questioned. For her father, Hillary Clinton was one thing—a very bad thing—but his daughter was another. She knew she could be moderately aggressive (being “spunky,” they called it) but she could not step over the line (being a “ball buster,” they called it).

Janey knew how to walk the balance beam, and years of experience helped her devise a strategy for the morning. She would be a proxy for Judge Bloor's offspring. She had to conjure up images of Judge Bloor's daughter when she won a spelling bee, when she was elected class president, when she graduated from college. She had to avoid conjuring up images of hyphenated names, angry females, or lesbian mothers. Make it to the end of the beam without falling, and her client might just get a fair hearing.

And walk the beam she did. Janey kept her back straight, her eyes wide, and even flashed her sorority-sister smile. She was deferential and polite. When her opponent made egregious misstatements of the law, she did not pounce (no ball buster, she). She qualified all her statements carefully, never really making an assertion, relying on her jab instead of a cross. In the end, Judge Bloor decided he would take the matter under advisement and issue a written opinion at a later time. Buy Janey was confident. At one point, Judge Bloor had fixed her with the same look her grandfather gave her before bestowing a Christmas present on his favorite granddaughter. She expected a nice package in the mail.

Driving back across the city to the Smallwood Pinkus offices, Janey took the measure of her good fortune. Not only had she very likely scored a win, she had scored a win for a client of Saul Paxton. It was a little hard to gauge Saul's reputation within Smallwood Pinkus, chiefly because most of what you heard about Saul came from Saul himself. As best as Janey could figure, Saul was a tremendous, blustering package of needs. He needed to be heard. He needed people to know that he was a good lawyer. He needed (rumor had it) a lot of money. Sometimes he even needed people to like him. Other times he needed people to fear him. Every day was a different spin of the roulette wheel with Saul. Which need would present itself was a mystery to Janey and it made discussing the morning's events fraught with unknowns.

Janey got on the elevator along with a group of dark-suited personnel from the accounting and consulting firms that populated the rest of the building Smallwood Pinkus occupied. Almost instinctually, she threw back her shoulders and took her hands out of her pockets. She remembered the senior partner who had once warned associates that everyone they saw during the day was a potential client and that they should always look like "a professional they would want to hire." Janey fixed her gaze on the doors of the elevators hoping she looked the part.

By the time Janey got off the elevator, she had decided on her approach to Saul: aggressive competence. She would offer him just the facts, but do so in a way that emphasized her triumph. The play here would be to Saul's vaunted aggressiveness. She would leave no opening for him to question her complete domination of the motion hearing.

When she arrived at Saul's door, he was hunched over his laptop, his back to her. Janey knocked.

"What?" said Saul in a voice that dripped with being overburdened.

"I wanted to let you know how the motion went this morning."

"What motion?"

"The one you asked me to argue for Starwood Enterprises."

Saul then swiveled his chair and laced his fingers together in front of him.

"So what happened?"

"Bloor took it under advisement. But I think we'll win. He tipped his hand on that."

Saul tipped his chair back and flipped his legs up on to the desk in front of him, offering Janey a view of the soles of his shoes. He exhaled.

For the next 10 minutes, Saul quizzed her on every facet of the motion hearing. He left the distinct impression that (1) he knew nothing about the case facing Starwood Enterprises, and (2) believed Janey to be only one step removed from a medieval half wit.

Janey kept her answers short. Finally, Saul proffered his last question.

"So what should we do next?"

Janey hesitated a moment. The answer required some thought. While she thought the legal matters were fairly straightforward, she had to put her analysis together in a way that would fit Saul's current mood. Then a stroke of luck. Before she could even open her mouth, Saul spoke.

“Here is what I think. I think we send a letter demanding that they dismiss the rest of their complaint and if they do not, we will ask for sanctions. Let’s get up in their face.”

Janey’s insides relaxed. Saul’s idea was completely ridiculous, unworkable, and inefficient. But it was Saul’s, so it would never be questioned.

Janey nodded her agreement.

“Great. Draft the letter and the motion and let me look at them tomorrow.”

With that, he spun his chair again and immersed himself in the blue screen of his laptop.

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It was close to nine when Janey pulled into her driveway that evening. She stumbled in the door, purse in one hand and briefcase in the other. Pausing only to flip a light switch in the hall, Janey headed for the fridge. She poured herself a tumbler of diet cola and topped it off with a generous helping of gin. She sat at her kitchen counter and saw the red light beeping on her home phone. It was a message from Tim, her husband of seven years and ex-husband of one. He needed a call back, but Janey could not bear the thought. She could not be who Tim wanted her to be tonight: contrite, generous, reasonable.

Janey put on her pajamas and allowed herself another helping of gin and a thorough working over of her cuticles. She got up to head to the bedroom. Just as she approached the hallway she turned, assumed a fifth position, glided into a perfect pas de basque, and ended with a bow.