

-- Speaker 0 00:00:00 90% of being a lawyer is picking the right word at the right time. And that's probably 100% of being a rider. So, you know, I see the writing career and the legal career as almost melding together. I mean, it's really a love of words and being able to pick the right word at the right time.

Speaker 1 00:00:18 Hello and welcome to integrity through compliance AMI business success series. This podcast was created by season's compliance experts at affiliated monitors who will provide their observations on industry trends, gear to raise your awareness and to protect your brand. So grab a cup of coffee and join us as we guide you to integrity through compliance.

Speaker 2 00:00:43 All right, well, thank you for joining us again for another version of the affiliated monitors podcast series. My name is Don stern. I'm the director of corporate monitoring for affiliated monitors, and I'm very pleased that today we have with us Paul Coggins, who is an old friend of mine, and I'll introduce him in a second. You know, we've been doing these podcasts for affiliated monitors, and often we focus on specific areas of monitoring and compliance trends and white collar enforcement and the like, but we thought this, we do, we do it a little bit different because we're going to talk to Paul about his practice, which is a substantial white collar practice and trends that he sees in white collar enforcement. But we're also gonna talk to Paul about, uh, something else, which is his other life, which is that of a, of a crime novelist.

Speaker 2 00:01:38 And Paul has just come out with his second novel, his second book. And, uh, I'm going to talk to him about not only the book itself, but sort of the ability to juggle these seemingly two distinct worlds that have a high profile white collar criminal defense lawyer, uh, as well as a, uh, as a writer. So let me just first tell you a little bit about, about Paul. I've known Paul for gee. I don't know, probably since 1993, because we both served as us attorneys. I was us attorney in the district of Massachusetts. Paul served from 1993 to 2001 as us attorney in the Northern district of Texas, which includes Dallas and a whole lot of other parts of Texas. That's a pretty big district. So we covered a lot of territory, both in terms of cases, but also geographically. Paul has a very, very distinguished career, both in his educational background and also in practice.

Speaker 2 00:02:39 He went to a Yale undergraduate, uh, was a Rhodes scholar and spent some time at Oxford and then went to Harvard law school, uh, where he actually met his wife who was also a Harvard law student and who was a distinguished lawyer in her own, right. Paul then served in a number of public positions and then became us attorney, uh, he's now at Locke Lord, which is a very distinguished national international law firm where he serves as co-chair of the white collar defense and internal investigations practice. So Paul, welcome to our podcast. I'm really pleased that we have an opportunity to talk today and glad that you found the time to do this.

Speaker 0 00:03:21 I'm always happy to do it to me, but I talked to an old friend like, like you Don, this is great.

Speaker 3 00:03:27 So, so talk to talk to us a little bit about your practice. I know you represent a lot of fortune 500 companies and executives, but what, what's your practice like these days and what are some of the things that are keeping you busy?

Speaker 0 00:03:42 I tell you Don, the one thing, if you had told me when I was in my thirties and forties, that I would still be practicing when I reached the rifle age of 70, which I hit, uh, I would've said you're crazy, but it's interesting for particularly for younger lawyers out there, it actually gets more fun as you go along. I find because the practice is so varied. You mentioned I do, uh, work for a lot of fortune 500 companies, which is true, but I've always worked for a lot of government bodies as well. School districts, uh, university systems, a couple of times for the state of Texas. And that's really fascinating work when you get into that kind of work. Uh, the cases are, are interesting or the issues are very interesting. So about, I'd say 30 to 40% of my practice is internal investigations.

Speaker 0 00:04:31 The rest is either business litigation, a small portion or a white collar, the trends I, because of health --

-- care fraud being so huge on the plight of a lot of us attorney's offices, including, you know, your old office in Boston, mild office in Dallas, uh, a lot of healthcare cases coming out, you know, that seems to be where the money is and where the bodies are being put by the justice department. But another trend I'm seeing is the antitrust section has certainly gotten more aggressive, uh, injustice. And I'm, I'm sort of balancing two cases. Now, one in Sherman, Texas, one in Dallas, Texas, which are the first of their kind ever charged criminally by the antitrust. One is a non-solicitation case. The other is a wage fixing case, never been charged as per se violations in the history of the United States till now. And so I'm sort of in both of them. So trends, I see, um, I go to trial, I'll love to go to trial. You don't get to trial all that often these days, but here's my, here's what I've found. I go to trial when I represent a doctor or a lawyer or an accountant, somebody who's got a license, I can't afford to lose. Those are the cases that tend to go to trial these days in my experience.

Speaker 3 00:05:52 Yeah. Yeah. That was always my experience too, because you know, when companies are under investigation, particularly if they're public companies, you know, inevitably not, I wouldn't say always, but in most cases they're going to sell with the government. There's going to be a deferred prosecution. May be, if you're lucky, you get the government not to charge the client. But as you said, if you've got individuals, the stakes are very high and it's, and it's not just licensed, it's obviously a loss of freedom and reputational risk and financial risk. So yeah, those are the, I've always, always found that it's good to represent the companies, but it's also a lot of fun in some ways more fun to represent the individuals.

Speaker 0 00:06:30 I totally agree. My last trial was represented doctor the trial before that was representing an attorney and the trial I've got coming up, uh, in November, another doctor.

Speaker 3 00:06:41 Yep. You know, you mentioned the antitrust division, the other area, you know, w we've noticed that too, from the monitoring and compliance, uh, perch, because increasingly the justice department is, uh, in the antitrust division is taking a hard look at mergers acquisitions and requiring in some cases, companies to divest assets as if you will, the price of the approval from the department of justice. Uh, in fact, we were just appointed as the, as the trustee. I was just appointed as the trustee monitor for a divestiture in the telecon area, in Puerto Rico, where at and T was the vesting some assets to, to another company, uh, that company was allowed to acquire the assets, but that had the divest other assets in the broadband area. And again, it was an it's it's, it's quite interesting because, you know, you get to learn as it, as it with a case it's true with monitoring. You get to learn the industry in a way that you, you wouldn't, if you were just sort of observing what was going on,

Speaker 0 00:07:41 We all know much more about medicine than we thought we referenced.

Speaker 3 00:07:45 Well, it, health care continues to be very, very high. When you, when you talk about healthcare, you're talking about pharmaceutical companies, doctors, and hospitals, or both,

Speaker 0 00:07:54 Both, both the whole thing telemedicine you just saw. There was a huge type down in the telemedicine area. Uh, certainly doctors and hospitals and, and doctors in particular, because I've had several, um, prosecutors use the site, the elevate cheaper argument. I think that's why they target professionals. Many of them view doctors, lawyers, accountants as somewhat gatekeepers of the system. And if they think they've been compromised in some way that's criminal, they'll throw them in the United.

Speaker 3 00:08:26 Any, any lessons learned or do you think companies are learning lessons in terms of compliance and preventative methods?

Speaker 0 00:08:34 You know, I, I do think more sophisticated. Uh, folks are realizing the stakes are so high and, and frankly, the line between what's regulatory and civil, the line between what civil and criminal can be so thin at times, Don that I think, you know, uh, really sophisticated people are hiring really good lockers on the front end. And, you know, the, probably the biggest benefit you gave a client. And it w --

-- as true in my case, was advising them that kept them out of trouble in the first place. You know, I can, I can think back on times where I gave advice to a client not to do something, but they didn't do it. And the people who did it went ahead and got indicted, you know, person came and basically hugged me. Thank you for saving me from that. The lesson I learned from that is I would be a terrible businessman because I would probably back away from everything. Uh, you know, I don't know that I have the risk to be a businessman.

Speaker 3 00:09:29 What about, you know, the, uh, called the, the, the civil enforcement agencies, the sec, the FTC, uh, are you seeing a state attorney General's office you're seeing any uptick in enforcement there?

Speaker 0 00:09:41 Yeah, I mean, on the sec side, for sure, probably a little different in our neck of the woods. And in some of the other areas we've always got, they've always got an active sort of oil and gas fraud, scheme, you know, going in and in our neck of the woods. And the sec keeps pretty busy on, on those. But, you know, I think our sec office, uh, they do, they have seen a bit of an uptick. I mean, one of the issues we do have now though, is a lot of these agencies are still working remotely and, um, you know, enforcement was down during COVID. I'm sure it's picking up a little bit now, but I think to some extent, you know, it's, it's been difficult to integrate new people into the system, new agents, new lawyers, when people are working remotely, it's true law firms are, you know, that it's just more difficult to integrate your new associates into your case when so many people are spread out and working from home.

Speaker 3 00:10:39 Yeah. You know, I was thinking about that point, Paul, because, you know, for those of us who've been at this awhile, if you're away from the office, you know, most of the people, you're not literally looking for face time, so to speak with senior people because you are one of the senior people, but for new people coming in right out of law school, young associates. So even younger people at affiliated monitors, it's harder and harder because I think they, a lot of the creative interchange is the informal, what we used to refer to it as the wall water cooler conversation. I don't even know if people have water coolers anymore, but you know, the informal exchange in the office in the hallway. So what, what, how is your firm handling that, you know, cause you, you, you do want, you know, in, in the business environment, you want a culture of compliance, uh, to put it bluntly. And some of that gets harder and harder to create when you can't physically be there. So how do law firms deal with that now?

Speaker 0 00:11:36 Yeah. I think many law firms, I know our law firm in particular, we are, you know, sort of gingerly going back. We have, you know, social distancing. We have, we wear a mask and things like that, but I could do probably 90% of the work I do from home. I mean, literally, but I will try to go down to the office once or twice a week. And I'm going to try to, you know, when I do that, make sure that I'm not just making time for me, but making time for us, particularly the young associates, because mentorship is really part of the value of, of having a senior attorney, you know, have somebody to, you know, to some extent it's telling war stories, but for other extents, it's, it's helping train young associates. So I just think we have to be way more cognizant of keeping them in the loop.

Speaker 0 00:12:23 Um, giving them a role, you know, in matters that you're doing, whether it's a deposition, whether it's a trial, making sure they have a role and going out of your way to, if you're not meeting them in the office and need them elsewhere, you know, make sure you're taking them to lunch. But, but as you said, spend some face time with them because the office dice time has been reduced. And no one knows when we're going to be back to the good old days. If we ever go back to the good old days. I mean, I think to some extent, uh, people are saying how much work I can do, particularly in the white collar area yet remotely, uh, you know, cut down on commuting time. But if you're cutting down on commuting time, theoretically, you should have more time to do mentoring if you do that.

Speaker 3 00:13:10 Yup. Yup. Good, good point. What, what, what are agents doing? So I obviously, as you and I --

-- know, well, both as prosecutors and as defense lawyers, you know, FBI agents, IRS agents, you name it, they thrive to some extent and rely upon catching someone a little bit unaware showing up at their house, showing up at their office for an interview. Uh, how do you do that in an environment where, where social distancing and people are wearing masks?

Speaker 0 00:13:41 Oh, it's been my experience down here at the agency. They're still doing that, Don. I mean, the agents are still showing up for interviews because you know, now I will say this in terms of, uh, you know, as you said, sort of the interview of a witness or the interview of a suspect or the attempted to interview of a suspect. I still see that going on in person. I don't see that changing. I do know this. I've seen more proper sessions, certainly with agents and prosecutors being done remotely where in the past there would be no question about that. You'd do it. Face-to-face. So I think, I think there are certain meetings that the agents are, are, are comfortable with remotely. But if they're trying to interview a witness, if they're trying to talk to a suspect, who's not lawyered up at the time, they're going to try to do it face to face. And that's at least after what they're still doing down here.

Speaker 3 00:14:34 Yeah. It's hard. It's hard to imagine it being any other way. That's actually a good segue into some respect into your, your books and your, your writing career. Because one of the things I loved about the books and I finished the most recent one, the I of the Tigris, which just came out and I'm going to ask you about that in a second. And I'm about two thirds through the first one, which is sting like a butterfly, but, but both of them, I mean, I love them because they're there, you know, I'm kind of a crime novelist, a fiction auto. I love the book, but I've been away from it for a while. And this sort of brought me back to the genre of books. And it gives you a little bit of an insight more than a little bit into the world of prosecutors, defense lawyers, agents, judges. So first let's tell me what, what's the plot line, just so that the people listening to this can catch up what sort of the plot line and the cast of characters of I, of the Tigris.

Speaker 0 00:15:31 Yeah. Well, I mean the plot line is, is you have a lawyer he's, he's done a little time in his past. He's, he's served up, um, uh, shit, uh, sentence for, um, obstruction of justice. And so he's been to prison and that was important to me. I wanted a lawyer that, um, I had a few warts on him that had a few blemishes on the record. You might say, and he gets tied in with a cartel in a situation where, uh, to save his skin, he's got to take a case of the choice by the cartel and win that case. And as he working for one cartel, another cartel basically comes to him and gives him a choice of turning over the Tigris. Or if he doesn't turn over the Tigris, they're going to rub him out. So he's got, he's sort of caught between two governments, the Mexican government and the U S government.

Speaker 0 00:16:33 And he's caught between two cartels and, uh, he's gotta find a way out of it. And he finds a way out of it at the end of the novel. So, and he finds a way out of it that leads into the third novel, which I just finished the draft up. It's got a lot of redrafts to go cause Don, they tell you in writing, writing is rewriting. And so it's probably got about five more rewrites before it's ready to go to the publisher. But the end of the second novel puts him into the quandary. You've got four novel number three, which is tentatively titled chasing the chameleon.

Speaker 3 00:17:07 Well, I, again, I, I enjoyed it thoroughly. And one of the things that really I kind of was in awe in terms of, you know, you as an active busy lawyer, being able to move back and forth. I mean, as we all know, legal writing brief writing tends to be fairly stilted, a little bit dry. You know, you can try to spice it up a little bit, but this is the exact opposite. This is filled with kind of snappy dialogue and one-upsmanship and all that. So how do you juggle back and forth your different writing styles?

Speaker 0 00:17:40 Well, I will tell you this. I, um, I firmly believe that a lot of legal writing is bad writing. Um, it's not direct it's, you know, it's using, uh, words like utilize where you could use use. I mean, so I am a big believer in strong, --

-- direct legal writing. Now you're right. You're not going to have snappy dialogue in legal writing, but I, I do believe that, um, you know, younger lawyers who are taught, you know, put it here to four here. And, uh, whereas here, you know, I would try to get away from that. And, and I really, uh, as I read things, I tend to shorten them. I tell you if they're the passive voice, make them in the direct voice, because when you think about it, a judge gonna read your brief, he's gonna either in joy or he's not, you know, and I remember, uh, writing some briefs now that I'd probably cringe at, you know, later, but, uh, I'm a firm believer that a lot of legal writing is dyad writing.

Speaker 0 00:18:39 And as lawyers, we've got a duty to make it, to make it snappier, to make it more direct, to make it more powerful. Cause that's really what you're trying to do is, and I had a constitutional law professor at Harvard and he told me something that stuck with me all these years. He said, 90% of being a lawyer is picking the right word at the right time. And that's probably 100% of being a writer. So, you know, I see the writing career and the legal career as almost a building together. I mean, it's really a love of words and being able to pick the right word at the right time.

Speaker 3 00:19:13 Well, and, and, and, you know, and as you know, I'm standing up in front of a jury, you know, particularly the closing argument, but really throughout the trial is to some extent telling a story. It's, it's having a theme to the case. It's having a theme to your closing argument. So as you go through the process of, let's say, you know, we did with the first two books and now as you're drafting and redrafting the third, do you think of it as a, as a case that you've kind of know where it's going to end up in your closing argument and then you sort of work backwards filling in some of the gaps. What's, what's the process for you and in writing

Speaker 0 00:19:47 One of these great question. Okay. And I'll just correct you a little bit, Don, th the R the Tigris is the fourth book I've had that was published well published before I was us attorney. And these two books that have gotten published in the last three years, the first book I had published was called the lady is the tiger. And it was a murder mystery, but the, the, the sort of central character was a detective and not a lawyer. And then our co-wrote a book with a Congressman and an Olympic athlete and a pro basketball player at the time about college sports called out of bounds. Uh, and that all those got published before I was us attorney. And when I started writing, I would do a pretty detailed outline and I'd have that detailed outline. I might work on it for months before I actually started writing anything.

Speaker 0 00:20:38 And it purported to show me what I was going to start and where I was going to end and how I was going to get there. And I still to some extent outline, but the more I ride, the less I outline, and I heard a story about the great Elmore Leonard. Who's one of the great writers of all time. They called him the Dickens of Detroit. And if you haven't read Elmore, Leonard, I strongly suggest you pick up an Elmore Leonard to start reading. You'll be fascinated. And you talk about snappy dialogue. He was the master of it, but someone asked you Elmore Leonard at a writing conference. Do you know where your novel is going to end when you start your novel? And he said, if I knew where it was in, why the hell would I write it? I mean, you know, it was like its journey for him too.

Speaker 0 00:21:22 And he starts out and he's not sure exactly where it's going to go. And I will tell you that was definitely true. And I have the Tigris, I started it. I wasn't sure where it was going to end up. But part of the process is I've got a really active Roddy group. We meet on Wednesday night, we read our chapters probably eight to 10 will show up. We read our chapters and critique our chapters. And it's especially important for me to hear the women in the group, because I'll put something in there and they'll say, no woman would say that no woman would do that. You don't always take their advice, but sometimes they're right on, you know, I'm thinking in the wrong head here. So, uh, that's very powerful. And, uh, to, to work with someone like that. So, uh, to work with a group like that, and you get good ideas from them, they challeng --

-- e you.

Speaker 3 00:22:13 So do you have a, do you have a pattern or rhythm to when you write a mini you an early morning ride to get up early in the morning and right. Whenever when everyone's asleep, what do you do it late at night? How do you, how do you fit it in logistically, uh, with your practice?

Speaker 0 00:22:27 I have all my life than an early morning riser. So I'm about a 5:00 AM to 8:00 AM writer. So I write about, you know, three hours in the morning. Uh, I can get down to the office, you know, between nine and nine 30, that way. Now, obviously if you're in trial, you're not writing. I mean, trial is all consuming as you're getting ready for trial, and you're going to trial all consuming. But if it's just a regular work day, 5:00 AM to 8:00 AM, I'll be riding. And, uh, the rest of the day working at LA, sometimes I might come back at it a little bit at night, but I really count on those morning hours. I'm clear, I've got my coffee, you know, I'm up in my room and ready to, uh, to spend two or three hours. And sometimes people ask me, well, if you retired, would you write more? And I said, you know, I think to myself, I probably would write a little bit more, but I think it would waste way more time than I do now. I think, you know, there's something about having those set hours and knowing you have those set hours kind of pushes you.

Speaker 3 00:23:30 Yeah. And that, that, that, that, that's true. That's true in a lot of things, when, you know, you've got a fixed amount of time, we all know as lawyers, we're, we're terrible procrastinators. And you find that as, as the case gets closer to trial, you know, you find that you can be much more effective and efficient in some respects than if you're, you know, a year out. So, you know, the, the, one of the things that interests me, Paul and reading the books is that the characters, you know, prosecutors, agents, defense lawyers, uh, administrative assistants, they're all interesting. Like all of us they're flawed in some respects, they're not perfect characters. They have their character defects. And so do you, do you pattern some of these character after people you've known and people you've met, how do you, how do you do this? Or is this again, sort of an evolving process as you get into the book?

Speaker 0 00:24:22 There, every character, I would say, as a composite, some characters drop more heavily on maybe one character I've run across in my life, but they're all composites in a way. It's interesting, Don, when I publish a staying like a butterfly, I must have had a half dozen lawyers come up to me and say, I know I'm cash. I know I'm cash. And you know, what happened was a former partner. And he said, you owe me, you owe me part of your, your, your profits on this because I'm cash or not. And I said, I won't use a name, but I, you know, I said, oh yeah, you're, you're, you're, you're definitely cash. I let them, I let them believe that, you know, but, uh, some member are quite close to people I've known. Some of them are, are people I've just have been, you know, sort of not close friends or close acquaintances, just stories.

Speaker 0 00:25:18 I've heard the first novel I wrote, I'd heard all sorts of stories from the DEA. And I wrote a story about a DEA agent who goes down to Mexico and gets killed in Mexico. And it falls upon his partner to go get vengeance for him. And that happened before Tiki Camerena went to Mexico and was killed. So a lot of us just water, you know, like you said, water cooler, talk, talking to the agents, listened to their stories, changing them, you know, the key to any novel is conflict. So you're looking for characters in conflict with themselves characters in conflict with others. And that's what really makes a crime novel crackle.

Speaker 3 00:26:00 Yeah. Did you ever have a judge take offense at the characterization? You, you're not always very flattering towards trial. So it's trial judges. Uh, do you ever get any pushback in your own practice? When a judge says, I miss the Cognos, I've read your book. Um, I'm not, I'm not like that am I,

Speaker 0 00:26:16 I've had a few judges who one in particular, I won't name her who, uh, was swearing in a, uh, a new lawyer. And, you know, the oath in Texas is you promise to demean yourself, you know, properly in the practice of law. And the judge looked at me and said, and Mr. Kagan's manages to meet himself more than most --

-- . So you get that FDA usually, but most of them are pretty good sports about it. You know, another batch of novels. If, if, if you haven't read them, I strongly recommend, you know, I've recommended Elmore Leonard to you and, and, you know, Michael, Conley's a great one, but if you haven't read the Rumpole of the Bailey novels, uh, Rumpole is an English barrister. And you think I'm rough on judges, rough poll is, you know, so much smarter than the judges on the bench. And, and, you know, he's always light years ahead of them in his thinking. So, um, those are great novels. So like I said, I think I'd go easy on the judges compared to, uh, John Mortimer who wrote the Rumbo books.

Speaker 3 00:27:19 Well, I, I haven't read his book. I've read it. I think it was a masterpiece theater series. Wasn't it,

Speaker 0 00:27:25 There is a series on Rumpole, which is great. There's a podcast, a BBC podcast, a podcast on Rumpole of the Bailey, but the books are marvelous, just marvelous book.

Speaker 3 00:27:38 That's a good

Speaker 0 00:27:41 Old, old, old barrister. He just hangs around the Bailey old Bailey and tries cases.

Speaker 3 00:27:47 And one of the characters in the book is a very, very tough department of justice prosecutor. I think I have this right. Uh, whose name is Regina and, and she's, but she's known as Gina and, and she's, uh, she's a tough cookie and, uh, cache takes her on and, and, and they kind of go at it in their negotiations and discussions. And I, I can't help, but observe Paul, since I know you well, that your wife's name is Regina, and she goes by the name of Gina. So, uh, that, I'm sure that's a total coincidence that, that happened.

Speaker 0 00:28:23 It's not completely a coincidence because there's Regina slash Regina, who is an attorney who is frankly, a beautiful attorney. And as my, uh, wife of 40 plus plus years have said to me, I don't care how evil you might, me, as long as I'm beautiful, you know, that, you know, you can make me as evil as you want, but be beautiful. You know? So I said, Don, it's a deal. She's a key player. She becomes a key player in the third book. So there are characters that get introduced in a book that are going to recur in a later book. And, uh, you know, it's, uh, we went to law school, uh, Regina and I did with, uh, another great writer Scott to RO, uh, who of course wrote presumed innocent. And one of the geniuses of Scott to row, he was actually in Gino's section, uh, in Harvard law school is that he creates this world, you know, which, which we know is Chicago, but he creates a sort of fictitious world populated by characters. And the character is in one book may come back and be the C character in a number of books. I, I have that too. I have sort of a lumpy DEA agent named Leroy Leroy Lee. And he's an important character in a thread through the books. And of course cash works with an older lawyer named Goldberg and Goldberg is very closely patterned after, uh, you know, uh, I, I very fine criminal lawyer. I know, uh, in south Texas, uh, who will take on any challenge anytime.

Speaker 3 00:29:59 So, so Goldberg's an interesting character he's referred to as Goldie from, in, in the book. And, and he's a flawed character, uh, alcoholic, you know, very, uh, mixed all of him on a, on his fourth and fifth marriage, I can't remember. And he was most of his, most of his legal fees go to pay alimony and things like that. So what's, you know, the, um, it's true with, with some of your character, you know, the way you paint the, or the agents too, these are, they, they crossed ethical lines fairly back and forth. They, they kind of vary from being very ethical and upright, standing up for the little guy or doing the right thing. And then at times, you know, uh, blurring those lines. So how do you think about that? Is that, is that sort of your own experience as you've, as he's observed that you've observed people in the practice or watching government agents, or is this something that the sort of editorial license that you've taken and writing the books?

Speaker 0 00:30:59 Oh, I definitely editorial license because if the whole system, I mean, I guess I'll put it to you this way. I mentioned to you Don, that, that good legal writing are good thriller writing, good writing is about conflict. I mean, there's gotta be conflict. So to write about a totally ethical prosecutor with a totally ethical agent, wit --

-- h a totally ethical defense attorney, you know, all doing their jobs right. Which is probably going to be the case and, you know, the overwhelming number of cases, there's no novel. There's no, there's no, there, there, okay. But if there's, if, if, as you said, if they're flawed, if they step over the line so that they've got, they've got a fear, they've got a fear of exposure. If you were being caught, that's where you, you know, you develop the tension you need for a novel. Now, is it beyond the pale that there are, you know, prosecutors who crossed the line, their agents cross on, of course not.

Speaker 0 00:31:56 We know it happens, but if it happened all the time, no, it doesn't happen all the time. You know, the vast number of prosecutors ideal with, I would, you know, what's the old saying, I'd play checkers with them over the phone. You know, you, you trust them. And then every once in a while you run across one that doesn't keep his or her word and you factor that away. And, you know, you have to have it in writing. So it does happen, but it doesn't happen as often as it would. You would think if you just read crime novels and reading crime novels, you've got to, you've got to inject an element. You know, having said that, I do remember a great story. There was a criminal lawyer in Dallas, you know, won't mention his name, but he was always in trouble with the bar.

Speaker 0 00:32:43 I mean, he was being disbarred here, disbarred they're threatened with prosecution here, threatened with prosecution there. And I remember I went to get something framed one time. And the person at the framing store said, you know, law, you're such and such. And I said, sure, I know him. He's, you know, he has quite a reputation. And the guy said, he's my best customer, because he gets every article with his name about it frame. So if it's Mr. Such and such is, is, uh, disbarred he'll come and have that, you know? And so no matter how negative of the article he wants it framed and put on the wall.

Speaker 3 00:33:14 Yeah. Well, you know, the old saw about, you know, any publicity is good publicity. I never quite bought into that, but, you know, cause

Speaker 0 00:33:20 I never bought into that either, but I had a very fine lawyer that I tried a lot of cases with who said the same thing. He said, there's no such thing as bad publicity. Yeah.

Speaker 3 00:33:31 W well, you know, I, you know, I have often been asked as I'm sure you, Paul, uh, you know, w w why did you become a lawyer? And as I think about it, and haven't thought about this in a long time, D this is a different kind of book. I mean, the, the books that really had the most influence in things I grew up, I, you know, my parents weren't lawyers, no one in my family had been a lawyer. My parents didn't really know lawyers, so it was kind of a foreign thing for me. Uh, but I was heavily influenced by two books. One was to kill a Mockingbird, which, you know, again, the, the, the is a, is a tremendous book. And then a book by Anthony Lewis Gideon's trumpet, which was, uh, which was, uh, which is a nonfiction book, uh, about the, uh, appointment, you know, the, the Supreme court case, Gideon versus Wainwright, which, you know, as you know, was the case, which established, you have a right to a lawyer, if you're charged with a felony, a constitutional, right. So if you had anybody in your books, I mean, the, you know, you, law students read these books, these crime books. I mean, it, it, it, it paints a kind of an exotic view of what it's like to be a white collar defense lawyer is that if anybody law students or other people said, yeah, I read your books. And I'm kind of interested in going into that. What's, what's been your experience.

Speaker 0 00:34:48 Uh, I haven't had that, but it, what you said was so fascinating to me, because if you asked my mom, why became a lawyer? She'll tell you, we watched too much Perry Mason together. When, when I was very, very young, I mean, this is the theme music still goes on through my head when you're going into court, the Perry Mason theme. And I mentioned to you, I read all the books, but not only were my parents, not lawyers, Don, but my father who was an English professor. And that's probably where I got my love of reading and my love of writing. He was an English professor. And when I told him, you know, and I wanted to be a lawyer in the seventh grade, and I told my dad, I wanted --

-- to be a lawyer. His reaction was via, become a bank robber. There's more honor to it.

Speaker 3 00:35:32 That's great. That's, that's, that's a good story. Well, I think we're, I think we're gonna wrap it up pretty soon. I'm, I'm, I'm thinking, you know, what, you, you, your question of retirement. I, I know you're not near retirement age, but, um, w w you'll probably have more time as if you were in retirement and reading more and reading, not just writing, but reading. So you mentioned a couple of your favorite authors. I mean, do you, uh, do you veer from the, those were all in the same genre that you're writing crime books. What did you like nonfiction books you're reading any nonfiction books that you would recommend?

Speaker 0 00:36:08 Absolutely. Um, we, I, I'm a member, you know, just as I'm a member of a writing group, I'm a re a member of a book club. And I re I remain a member of the book club because, um, because they elevate, um, what my reading material left to my own devices. I'm going to read a lot of mysteries. I'm a real read, a lot of thrillers and that kind of thing. So it's not a non-fiction book now, but there's certainly some good fiction out there. Now, if, if, if, and particularly for lawyers, I would strongly urge people. If you haven't read the, uh, Thomas Cromwell trilogy, a Wolf hall, bring up the bodies and the mirror and the light by Hillary Mann tale about Thomas Cromwell, uh, back in the days of Henry BA, and you talk about somebody growing up poor, uh, about a far away from a lawyer, as you could possibly be and rising to be the highest person in the court of Henry VA.

Speaker 0 00:37:09 Uh, those three, that trilogy, which collectively has got to be, you know, 2000, 2,500 pages, something like that, that trilogy is one of the outstanding trilogies of all time. And, and, and you see, you know, nobody's gonna last forever in Henry, the eighth's cabinet because, you know, he was Henry the eighth. Um, but you know, it, you just sort of see the evolution of this guy and he sort of the first modern character, um, to emerge. So I would strongly recommend that if you haven't read it, I would read the books. And then I would watch, you mentioned mystery theater. I think mystery theater theater did, uh, an adaptation of Wolf hall. Uh, that's, that's very much worse saying, okay,

Speaker 3 00:37:57 Okay. Those are, those are, those are great tips. I mean, you know, in this COVID era, I guess I, I found a little bit upside, you know, you always look for the silver lining is the, is the ability for me at least to get back into doing some more reading than it, than, than it's hard to do when you're busy at work, you know, whatever the job is. So, you know, without the, without the daily commute, you know, I think inevitably you find a little bit more time and, uh, you know, you know, and I've, I've, you know, I've thought, you know, could I ever write a book and I just admire you Paul, because your ability to do it, I just think it takes an incredible amount of discipline to do it. It's not just the creative process. It's also the discipline, you know, uh, to be able to sit down, you know, every sentence, I'm sure you agonize over every word and every sentence and, uh, to look back on it and to have four books now, published is quite an accomplishment.

Speaker 0 00:38:48 Well, you know, to me, it's, it's fun. It's relaxation. As you said, it does challenge kind of your, your YouTube, uh, to some extent to shift voices a little bit, then the one you use during the day. But, uh, you know, it's one of these things that so many people I know, start a book and, and, uh, bogged down if I have any advice to them at all. Even if you think you're sort of taking a wrong track, keep going on the book. And as I mentioned, writing is rewriting. You're going to come back and you're going to rewrite it. You're going to tighten it. You're going to make it better. So someone like you, Don, you've got some tales to tell and some stories you could weave. I'm pretty sure not that anything has gone wrong in Boston. You know, like,

Speaker 3 00:39:31 Well, you know, I've got, I've got the whole Whitey Bulger side that I lived through. And so, and there've been plenty of books written about that. And, and actually I've, I've never been approached by anybody, you know, and any publisher or anything like that, but I've had friends in one now, why don't you write a book? An --

-- d I just, I just find the process. Fascinating. Maybe one of these days, I'll sit down and try to do something, not, not about that case, but about, you know, other things. But anyway, Paul, this has been, this has been fun. You know, Paul is as was present recently president of the national association of former us attorneys, which I was in an earlier period. And one of the, sort of, at least annual times when we get a chance to get together, but we've missed her in this COVID era is the, the, the conferences of former us attorneys. I, the next one I think is in San Diego, in the, in the spring, Paul and I hope I can see you and Gina there,

Speaker 0 00:40:23 Hey, if it's on, we're going to be there. Cause not I'd miss that greatly. I was president, as Don mentioned, he was president before I was. And unfortunately I was president for two years, the COVID years. So we didn't have a conference and greatly missed it. We were going to meet in New York city, 20 years after nine 11. Uh, but that didn't happen, but, but look, we're going to have a blow out in San Diego. Karen Hewitt is going to be our host and, uh, uh, we're looking forward to seeing you and Erica. Yeah. Good.

Speaker 3 00:40:54 Okay. Well, great. Well again, Paul, thanks for joining us on this. So it was, it was fun. I hope people will enjoy listening it to me. It was like two old friends sitting around talking about things. So hopefully people will appreciate it and enjoy it. So hope to see you soon.

Speaker 1 00:41:09 Thank you for joining affiliate monitors, podcasts, integrity through compliance, analyze business success series. Today's segment is just a sample of the subject matter expertise captured by AMS compliance professionals. Go to our [website@www.dotaffiliatedmonitors.com](http://www.dotaffiliatedmonitors.com) to view the comprehensive list of industry and in-house talent. AMI has available to enhance professional and business integrity programs and controls. Also connect with us on LinkedIn to receive updates and trends in the areas of enforcement and compliance. If you have any questions about today's podcast or would like to learn more, please contact us@podcastataffiliatedmonitors.com. Our affiliated monitors podcast, production team of Delores. SIADH our compliance associate and Dan Barton, our editor and podcast music composer. Look forward to you joining us again for our next installment of integrity, through compliance EMI's business success series.

--