



# THE NAME PARTNER

"This thriller lands firmly in John Grisham territory. But Cisneros makes the material his own." —*BOOKLIST*

CARLOS CISNEROS

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PARTNER**

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*Recovering the past, creating the future*

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*To Philip,  
my brother, my business partner, my amigo.  
May we live to remember you, always.*

# DISCLAIMER

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This is a book of fiction. Any resemblance or similarity to people, situations, places and events is purely coincidental.

# PROLOGUE

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Laredo, Texas, January 28, 2005

**M**ELISSA ANDARZA had been a state employee exactly three years by the time she decided to switch jobs and become a U.S. federal probation officer. Not long before joining the ranks of the gainfully employed, twenty-eight-year-old Andarza had attended the University of Texas at Laredo where she'd graduated with a BA in criminal justice, *magna cum laude*. The daughter of Mexican immigrants, she was a first-generation American and the first member in her family to graduate from college. She was her close-knit family's pride and joy.

Melissa began her professional life as a juvenile probation officer with the Webb County Juvenile Probation Department, where she earned her wings and received accolades from her superiors for her dedication, resourcefulness, unwavering work ethic and the ability to get along with others. But now, after having worked as an adult federal probation officer for almost one year, the "lucky one" (as her colleagues at work called her) was engaged to be married to heart-throb DEA agent, Samuel "Sammy" Guerra, Jr.

The two had met while working on the Victor Montalvo prosecution, a case involving money laundering and drug trafficking. Sammy had been the special agent spearheading the criminal investigation. After a year of contested hearings, bickering, posturing, haggling, debriefings and negotiations between the U.S. attorney and his defense counsel, Montalvo had finally pled guilty. After the guilty plea, Melissa's task was to interview the defendant for the purpose of writing up his presentence investigation report.

The district judge had ended up adopting all of the recommendations contained in her report. Montalvo subsequently received a well-deserved life sentence. Unless he escaped from custody, the kingpin was expected to kick the bucket in prison.

This chilly and foggy Saturday morning, Melissa was wrapping up her long-distance run before joining her thirty-year-old fiancé and *mamá y papá* for breakfast at Maria's, her favorite eatery. With their wedding less than nine months away, Melissa had increased her weekend runs from three to five miles. Since she didn't smoke, rarely drank and hated to binge on food, jogging in and around Rio Viejo Estates—Laredo's wealthiest and safest neighborhood—was her way to combat the mounting stress of her “dream wedding.” There were guest lists to be updated, invitations to be mailed out, meetings with caterers, setting up wedding registries at several department stores, finding the right photographer, dress fittings, organizing the rehearsal dinner, booking blocks of rooms for the guests coming up from Mexico and elsewhere, even lining up the *mariachis* for the church ceremony.

Melissa looked at her watch and picked up the pace. It was close to eight-thirty. She had four miles to go. Breakfast with her parents had been scheduled for ten that morning. After her early run, she would head to her modest apartment to shower and change before catching up with the family. She smiled as the music from her iPod triggered images of her and Special Agent Guerra making love on the gorgeous beaches of Oaxaca on their long-awaited honeymoon.

She wondered if making love on a sandy beach under the cover of darkness would be considered a crime in Mexico. *Could we get arrested? Could we lose our government jobs over such a minute indiscretion?* The whole idea sounded exciting and irresistible. In her mind, she could picture the tender episode, as the Pacific Ocean lazily pounded the shore and a silver moon straddled the jagged cliffs surrounding the magical bay of Huatulco.

Just then, as the idyllic images became more and more intense, she was startled by a large silhouette standing in a driveway down the street. The man appeared to be barefoot and in his robe. Through the morning mist, she barely recognized Tommy Ray, a



prosperous defense attorney known for representing members of the Gulf and Juárez drug cartels. She'd seen the flashy attorney in federal court on many occasions, handling a variety of criminal cases. In fact, it had been Ray who had assembled, coordinated and first-chaired Montalvo's defense team. The millionaire attorney, it seemed, always had a hand in Laredo's high-profile criminal prosecutions. At six feet tall, he was hard to miss.

The Rays were one of Laredo's founding families. They were civic leaders, successful entrepreneurs and pillars in the community. As Melissa came closer, it became apparent that Tommy Ray was holding something in his hand. He looked up menacingly at her. He seemed disheveled, confused and disoriented. He was restless, pacing back and forth like a caged animal. She'd never seen him like this.

Nearby, to her right, Melissa noticed a U.S. mail truck sitting in front of Ray's driveway, the engine idling, blue smoke coming out of its muffler. As Melissa jogged by, she saw the mail carrier slumped over the steering wheel, blood splattered on the windshield. She panicked and began to scream. Melissa spun around and tried to sprint to safety. Tommy Ray cocked his silencer-ready .357 Magnum, locked her in his sights and pulled the trigger. The lethal Black Talon bullet hit Melissa between the shoulder blades and sent her flying like a rag doll, slamming her down on the asphalt. Her iPod came to rest on the grassy sidewalk, Shakira's "Hips Don't Lie" still blaring from the earphones.

She was face down, her delicate frame twitching. Her heart was pounding louder and louder, her head felt like it was about to explode. Choking on her own blood, she started to lose consciousness. "*¡Me muero!*" she moaned. Her punctured lungs made it impossible to breathe "Sammy, Sammy," she whispered, "*mi amor.*"

Seconds later as the darkness closed in, she heard the faint wailing of police sirens in the distance. "God, please . . . I don't . . . want to die. Save . . . me. Jesus, let . . . me live," she gurgled, struggling for precious air. More blood spewed out from her nose, mouth and ears, a large pool curdling on the blacktop.

“HERE, TAKE a look at this,” said BostonMagnifica’s, CEO Salvatore “Sal” Falcone, as he got up from his seat at the end of the large conference table, walked over to a metal cart holding video equipment and plopped in a VHS cassette.

“Must be something really important to drag my ass all the way from D.C.,” huffed the other man in the otherwise empty and sterile boardroom.

“It is, Malcolm,” complained a furious Falcone as he hit the PLAY button and fumbled with the lights. “My sources got a hold of this tape. It’s due to air on Sunday, September 21.”

“That’s in less than two weeks,” volunteered Malcolm Reed.

Falcone played with the TV until he found the right channel to sync with the VCR. “My company doesn’t need this right now—a friggin’ exposé airing on *20/20* attacking my industry.”

The video started to play. The images showing on the large retractable screen inside the pharmaceutical’s executive boardroom depicted a gloomy hallway leading into a dimly lit restroom while somber music played in the background. Then, the background music quieted and gave way to audio portions of a terrifying 911 call, the words having been transcribed on the screen for the home viewer to read along.

“This is 911,” said the operator, “what’s your emergency?”

“Help us! Pleeese help my sister,” cried the young caller.

“Who is this?”

“This is Tina,” the stressed caller screamed. “Amber, my sister, is trying to kill herself! My God, oh my God, do something!” The young caller was hysterical and seemed to be having a total and complete breakdown.

“Where is your sister?” asked the male operator. “What is she trying to do?”

“What?” asked the caller, sounding confused, sobbing, breathing heavily and then she mumbled into the receiver, “She slashed her . . . wait my dad’s home.” There was a pause.

A second later an adult could be heard in the background screaming, “For the love of God, no! Please don’t take her! Somebody help me! My baby’s dying, my baby’s dying! Pleeese help me!”

“My sister’s bleeding to death!” howled Tina into the receiver. “Help us, please! Hurry!”

“Help is on its way,” replied the operator.

The *20/20* documentary played on. The images now on the screen showed the Capitol building in D.C., the shot fading into a large carpeted room buzzing with activity, where hearings on drug safety were being held. Silhouettes slowly came into focus, showing distressed, angry families testifying before forty-five-year-old U.S. Senator Andy Del Toro, proponent of a bill circulating in Congress for the creation of an independent drug-safety panel to monitor the pharmaceutical industry and the Federal Drug Administration.

“Our beautiful little girl Monica,” said a mother as she stood up and spoke into the microphone, “died by hanging three days after ingesting 100 milligrams of Zoloft, a psychotropic drug. She was barely nineteen.”

“She ended her stay on this earth by slashing her throat,” said another tortured father.

“I found our teenage son Victor hanging from a tree in our own backyard,” added an angry mother.

As the camera panned over the audience of anguished parents, hugging and comforting each other, the investigative reporter narrating what was to be a two-part series then added, “These families believe the drug complex has known for years that there is a link between suicide, violent behavior and serotonin reuptake inhibitors. They’re demanding to know why no one ever bothered to tell them. Why did the FDA allow this to happen? And why hasn’t the FDA ordered the drug makers to put accurate black box warnings on these medications?”

The video clip then showed more footage of others testifying before the Texas senator, a vocal opponent of the pharmaceutical industry and its lobby. Not only was Del Toro known to be an advocate for stronger drug-safety laws, but he was also a critic and tireless combatant of the industry’s increasing presence and influence on Capitol Hill.

“I’d like to introduce you to my daughter Ashley,” said another father. The man was holding up a framed picture of a beautiful,

healthy girl with curly black hair and blue eyes. “This is all I have left . . . memories. She committed suicide at the age of eleven, just three weeks after being put on Zoloft and Paxil for social anxiety.”

“In the fall of 2003, our daughter Jessica had been excited about starting college after having scored a perfect 1600 on her SAT,” continued another mother as tears welled up in her eyes. “Instead of selecting colleges, my husband and I had to pick a casket and a cemetery plot. Instead of visiting Jessica at her campus, we now visit her grave.”

A female in her late twenties testified on behalf of her deceased brother. “The doctor had prescribed Xykretza because he said Patrick had situational depression. Patrick complained the drug made him feel like jumping out of his skin. He died by jumping in front of an oncoming train.”

“If only a drug-safety panel had existed three years ago, I know my husband Wayne would still be alive today,” said Kim Ebel, the founding member of a Washington watchdog group now campaigning to ban SSRIs. “Who are we kidding? The truth is, Congress washed its hands by creating and implementing the ‘user fee’ program. In essence, they put the FDA in the pockets of the drug companies. So, we have the fox safeguarding the henhouse. How did we let that happen?”

Senator Andy Del Toro then addressed the crowd. “It has always been my position that these drugs do more harm than good. To make matters worse, the drug complex has systematically misled the American public by promoting these drugs as totally safe and highly effective in the fight against mental diseases. Phrases like ‘social anxiety,’ ‘situational depression,’ ‘seasonal stress,’ ‘climatic anxiety’ and ‘temporary collective psychotic dysfunction’ have been made up by their marketing departments to convince us that we must suffer from one of these fictitious conditions . . . all in the name of profits.”

“These drugs can help some folks, but can also kill,” said world-renowned psychiatrist Mark Steely. “The industry must warn the public about the real side effects and must educate the doctors to properly monitor each patient. They need to do better than the current lame black box warnings on the packaging. Why?”

Because the warnings being used right now on the packaging do not warn of the seriousness of suicide and aggressive behaviors. They do not warn of fatal interactions with other drugs or of the withdrawal effect. In short, they're worthless. The warnings used right now say nothing of akathisia, which is characterized by agitation, restlessness, sleeplessness and thoughts of suicide. I've seen it firsthand. When I take my patients off these drugs, the fixation with suicide and the akathisia go away within two days. So what does that tell us?

"We've all heard of Columbine and Virginia Tech. Remember Eric Harris, Kip Kinkle, Jason Hoffman, Shawn Cooper and T. J. Solomon? All of them were on serotonin-enhancing drugs or suffering from akathisia. Every single one of them completely psychotic, delusional and suffering from 'command hallucinations' when they killed their classmates.

"Let's be honest . . . depression has always existed, but never before has it been linked to such violence and aggression. Ever since these drugs came on the market, we now see raging bouts of violence, aggressive behaviors and suicide."

When the documentary was over, Salvatore Falcone got up and turned the video player off. He flipped on the lights and stood there, scratching his shiny pate, looking preoccupied.

After a few minutes of dead silence, Malcolm Reed finally spoke. "You and I know that Del Toro has an axe to grind. He's going after the FDA and you guys because his old man croaked after taking Ketek, the antibiotic for respiratory infections."

"Yes, but that was a friggin' bad drug with horrible side effects, including renal failure."

"And . . ." added Reed, ". . . let's not forget that Del Toro found out that a bureaucrat took money to rubber-stamp the drug's approval when there had been no clinical tests and only minimal research."

"Can you do anything to rein him in? We'll be launching Zerevrea in a month, and I don't want any problems. Doctors' offices across the United States have received our free samples for the national campaign."

“I’ll . . . well, I’ll see what I can do,” said Reed, the dapper chief of staff from 1600 Pennsylvania Avenue. “Del Toro owes my boss some favors. Maybe it’s time to call them in.”

“Whatever you can do,” said the CEO. “We just want a clean launch—no negative headlines, no more attacks from Del Toro or the press.”

“I’ll help you as much as I can,” said Reed, shrugging his shoulders. “But I wouldn’t worry if I were you. In the event we can’t pull it off the air, no one will remember that slanted documentary anyway. You and I know Americans have the attention span of a tsetse fly.”

“Yes, but tsetse flies can turn on you, and they have a knack for putting you to sleep for a very, very long time. Then what?”

“Stop worrying. I doubt that’ll happen,” Reed reassured Falcone, “I’m on it.”

# CHAPTER 1

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**W**AIST DEEP IN the tepid waters of the Laguna Madre in South Texas, the old man yelled and waved him over. “Billy, *m’ijo ¡acércate!* Quick! Get the net, son, or this monster will get away! It’ll snap the line . . . hurry up! *Se nos va, se nos va . . . apúrale.*” His old man was rejoicing, some thirty feet away, struggling to reel in what appeared to be a huge red fish, possibly a state record.

Billy fought to untangle the net from his gear belt and waded toward his father. He struggled to move as his legs sank underneath him in the soft brown sand. “Hang on,” he cried, “I’m coming . . . give it some drag. Careful, don’t let him snap the line . . . don’t let it get away, Dad.”

As he got closer to his old man, his legs grew heavier and his breathing became more labored. Without warning, he suddenly felt a needlelike prick from a stingray. His right ankle began throbbing with burning pain where the ray’s barb had pierced his skin, and now his entire right leg felt as if it had been sliced open with a dull blade. Blood started trickling out from the wound. He cursed his luck and tried to move, but the jolts of pain shooting up his body proved to be too much, and he doubled over.

“Dad . . . help. I stepped on a stingray!” Billy cried, as he tumbled headfirst into the water. He managed to pull himself up, but when he looked over to the spot where his old man had been fishing, his dad had disappeared, along with their gear, their fishing guide and their boat.

He was now alone, surrounded by miles and miles of water. The fifty square-mile area straddling portions of South Padre

Island was known to the locals as “the flats.” With no land nearby and bleeding profusely, Billy was in trouble. Soon the sun would go down, and the distant shoreline would disappear in the moonless night. As the high tide returned, the water level would rise another three feet and the sharks would come to feed in and around the flats. Feeling frantic, he let out a wretched scream that resounded throughout the desolate bay.

“Billy! Billy! Wake up! ¡Despierta!” said the voice, “Cariño, wake up!”

Guillermo “Billy” Bravo awoke from the nightmare as his wife tugged on his shoulders. Dazed and dripping in sweat, the forty-two-year-old sat up in bed and looked at the clock. It was four fifteen AM.

“What happened?” Billy asked, trying to focus. His head was throbbing.

“That thing with the stingray, again.”

“Really? I’m sorry,” Billy apologized to his wife Yamilé.

“These nightmares have become more frequent in the past two weeks. Is something troubling you?”

“Everything’s fine. Get some sleep, princess,” Billy said, trying to brush the embarrassing episode aside.

“I don’t think I can,” she said as she reached under his silk boxers and began to knead him in the crotch.

“Wait! What are you doing, Yami?” he asked, pushing her hand away. “I have an early morning.”

“I’m trying to help you relax,” she giggled. “I need you, baby, right now, right this minute. *Ahorita*. It’s been what . . . six weeks? Don’t make me wait any longer.”

“It hasn’t been six weeks.”

“Actually, it’s been longer than that,” she griped. “I should know. You’ve been away, traveling, trying cases . . . last week in Brownsville, that week in Corpus Christi, then San Antonio, Edinburg, Victoria, Laredo. What happened to the guy that couldn’t keep his hands off me? You couldn’t wait to get home. I mean, I had to swat you away, and now?”

“I’m sorry. It’s just that . . .”



“And now that you’re teaching at the college . . . it’s worse. The kids and I never see you.”

The irony of teaching was not lost on Billy. Here he was teaching Legal Ethics for business majors, yet he made a living defending malpractice claims and grievances filed against doctors, dentists, hospitals and pharmacists—many of whom were notorious for ripping off Medicaid, Medicare and the insurance companies. How long had he been suffering from what psychoanalysts called “moral hypocrisy”?

“I wish you’d just quit teaching and spend more time with us. *Honestamente*, I don’t know why you do it? It barely pays anything.”

“I don’t do it for the money, Yami. I do it to give back. If I want to make name partner, I’ve got to show the selection committee my community involvement.”

“How about being more involved here at home, *hombre*? Being a good husband and father?”

“Go to sleep, Yami, please. Can we talk about this tomorrow?”

“¿*Cuándo*? You’ll be up and gone before dawn.”

“Have you stopped to think why that is?” asked Billy, completely annoyed.

“What do you mean?”

“It’s called tort reform, woman! Thanks to pretty boy in Austin and his posse of Einsteins, now there are thousands of unemployed insurance defense attorneys out there . . . and it’s getting worse. And I could be next. And then, how are we going to pay for all of this?”

“Clients, judges and juries get to see more of you than we do here at home,” snapped Yami, equally annoyed.

“Hey! You want a nice house in a gated community? Not to mention a million-dollar beach house and money for the kids’ private schools? Well, it takes sacrifice.”

“Hey, the beach house in Padre was your idea! I never wanted a beach house. We bought it because you wanted to keep up with the others at your firm. ¿*A ver*? When was the last time you set foot in that house? ¿*Cuándo*?”

“Last Fourth of July.”

“Wrong. Two years ago! Don’t you think Mauricio would love for his dad to teach him how to fish? And Alessandra? You promised to teach her how to windsurf, and you haven’t done that either. For the last two years, we’ve stayed out there the entire summer waiting for you to come out . . . *y nada!*”

“So it’s my fault?”

“All I’m saying is that it’d be nice if you’d spend more time with us. Do you even remember the last time we made love? The time you went soft on me, eh?”

“I was tired that day! Look, things have been hectic at the office. There are cases coming up for trial, and I’ve had midterms and grades to turn in. You know that. I’m right in the middle of the fall semester.”

“When do you plan on slowing down?” she demanded. “*¿Cuándo?*”

“As soon as I make name partner . . . as I’ve told you already. Then, I’ll relax. My job will be safe, locked in for good. Our future guaranteed. No more financial worries. No more having to keep tabs on knucklehead in the governor’s mansion and his tort reform schemes. I’ll coast to retirement, sit back and relax.”

“*¡Ay, por favor!* You’ve been an equity partner for over ten years now. Why name partner? What’s the difference?”

“Yami, you were born into a family with means,” Billy fired back. He sat up in bed, realizing his wife was not going to just roll over and go back to sleep. “You wouldn’t understand.”

“Try me.”

“I never want to be poor again, okay? That’s it. Now, drop it and go to sleep.”

“Is that it? *No te creo.* That’s just an excuse, if you ask me.”

“Aggh, *¡chihuahuas!* Look . . . you never had to pick crops for a living and sleep packed like a sardine in the back of an old pick-up truck, freezing your ass off, much less travel from town to town during the scorching summers doing backbreaking labor . . . tearing up your hands and arms, getting sunburned to a crisp. Nah, you spent summers playing tennis at a country club, sipping fresh-squeezed lemonade and traveling to fun places, being pam-

pered and chauffeured around while you and your mother shopped at Liverpool, El Palacio de Hierro, Macy's, Harrod's . . . ”

Yamilé propped herself up on the pillows and turned on the bedside night lamp. “Why do you resent me and my family so much? Isn't it enough that you've made it? Look at your accomplishments. Best trial lawyer in all of South Texas from Brownsville to El Paso. Your colleagues always nominate you as the top litigator, the most capable, hardworking, ethical, even to a fault. On top of that, you have us. What else could you want?”

“Yes, but all of this can be gone like that . . . POOF! The firm could downsize, especially now. Making name partner would guarantee that won't happen.”

“You're an equity partner. *¿Qué más quieres?*”

“It's personal, Yami. Making name partner is my American dream, okay? The last notch in my belt.”

“Why such a hang up? Is it because you feel like the firm's token Hispanic?” asked Yami matter-of-factly. “Is that it?”

“Ouch!”

“Look, I know it means a lot to you, but it's not worth the heart attack. *¡Por favor, hombre, escucha!* You're already living the dream. You've made it, okay? Look at all the nightmares you keep having. There must be a reason for that.”

“I'm *this* close. I can feel it,” Billy mumbled under his breath as he laid back down and stared up at the ceiling, completely ignoring Yami. “I just need a major win in a big case, and they'll see I'm name partner material. Listen . . . ” whispered Billy, slowly, “. . . Bates, Domani, Rockford, Lord and Bravo. Don't you like the sound of that?”

“I hope you know what you're doing.”

“Let's get some sleep, okay, princess? Please?” Billy knew that he was not going to win this argument.

“I hope it's not me that has to disconnect you from life support,” Yamilé said, pleading with her husband. “Don't you want to be around to give your daughter away in marriage? To see our son graduate from college? Play with our grandchildren?”

“Let me nail this promotion, then we'll all get away . . . go to the beach house—you, me and the kids,” Billy muttered under his

breath as he desperately tried to fall back asleep. He needed to be at the office in less than three hours. “We’ll go to Paris for our anniversary, okay?”

“Don’t make promises you can’t or won’t keep,” Yamilé huffed. She turned away, pulled the silver satin sheets over her hundred-and-ten-pound frame and switched the night lamp off.