

THE RUNNER

Damien Cruz Smith was pacing the hall like a caged animal. He looked at his watch, walked into his office and then right back out.

He looked at his watch again. "We're all set for the depo, right, Suz?"

It was the fifth time he had asked.

"Yes, Mr. Smith," Suzanne Sheen said, "all set."

She didn't blame him. His wife had called earlier. Her water had broken, and her sister was taking her to Franklin Memorial, though she hadn't gone into labor yet. It was their first child.

After the call from his wife, Damien Smith had called Catherine Lox, the opposing counsel, to reschedule.

She was on her way to his office. The two attorneys knew each well, and when Damien explained the circumstances Catherine Lox had readily agreed to reschedule.

"But rescheduling Dr. Erickson may not be so easy," she said.

The deposition was to be conducted of Dr. Lucas Erickson, a renowned toxicologist. The case involved an immune system-damaging mold that had been disbursed via a hotel's air conditioning system.

"What do you mean?" he asked.

"He's leaving Cincinnati to assume a resident professorship in environmental medicine in Stockholm," she said.

"How long is he going to be gone?" Damien Cruz Smith asked.

"The entire school year," she said.

"But oh"

“Damien, I told him that if the case goes to trial he’ll have to arrange to return to testify. You had told me that the depo would be short, so I told him he wouldn’t be needed for deposition after today.”

“When is he leaving?”

“Tomorrow.”

“Tomorrow?”

It was the biggest case the office had seen in a year, and he had more money tied up in this litigation than he had planned, a lot more. The cost of the new room addition for the baby weighed heavily on his credit cards, and he knew raising a child was going to increase the family budget. He just wasn’t sure how much.

He looked at his watch. “How soon can you be here?”

“I’m scheduled to meet Dr. Erickson in the lobby of your building in 30 minutes,” she said. “We could come right up.”

“Let’s do it,” he said.

He told Siri to call his wife. It went to voicemail.

He told Siri to call his sister-in-law.

“I have no record for a Shirley Jensen,” the phone said.

“Jansen, not Jensen,” he said to the phone. He shook his head and opened his contacts. He found Shirley’s number and touched it.

“I’ve got her checked in, Damien. No labor yet. She’s doing fine,” Shirley said without introduction.

“Thanks so much, Shirl. A little blip came up here at the office. I’ll handle and be over there just as soon as I can. Please call me if she goes into labor.”

“Will do,” she said, and hung up.

“Suz, we’re all o’o”

“We’re all set for the depo, Mr. Smith,” she said, suppressing a smile.

“You have a court reporter?”

“Yes, sir,” she said.

“And a translator?”

“Yes, sir. Swedish as you requested.”

Lucas Erickson had been working for the US government’s EPA for several years, but English was his second language, and Damien Smith wanted all the bases covered.

He looked at Suzanne for several seconds without saying anything.

“He’s going to be out of the country for a year,” he said, more to himself than anyone.

“Excuse me?” Suzanne said.

“He’s leaving the country tomorrow,” Damien Smith said with authority. “We need to tape him.”

“You mean video the deponent?” Suzanne asked, looking at her watch.

“Can you make it happen, Suzanne?” he asked, and started in her direction.

In an uncharacteristic move, Suzanne held up her right hand, palm out like a traffic cop, and picked up her phone with the other.

Damien Cruz Smith stopped in his tracks, spun, and returned to his office.

It was Adrienne Renna who took the call at Atkinson-Baker. She listened to Suzanne, looked at the digital time readout on her computer, and said, “Give me a few minutes. I’ll be right back to you.”

She scanned her videographer database looking for his name. She and Russ Damon had dated briefly. It had ended amicably and Russ was an excellent videographer -- always bent over backwards to help.

She held her breath and called his mobile. Voicemail.

She started to scan her database again when a thought occurred to her. Russ's roommate was an old friend. Perhaps

She called up Benji Hockman's number on her iPhone and touched the name.

It rang three times before he answered, breathing deeply, as if he had just walked up ten flights of stairs.

"Yeah?" he said.

"Benji. It's Adrienne, Adrienne Renna."

It took a few moments before he responded still seeming to be catching his breath. "Hey, Adrienne. It's been a while. What's up?"

"Yes, it has. Sorry to bother you, but I'm trying to reach Russ. I have a ó"

"Hold on. He's right here," he said.

Pause.

"Hey, Adrienne," Russ said between gulps of air. "What's up?"

"Are you okay?" she said.

"Oh, yeah. Just finished a 10K charity run to raise money for our local Little League team." His breathing slowed. "What's up?"

"We have a rush request for a videographer," she said.

"I'm delighted you thought of me, Adrienne, but I'm in running shorts and a T-shirt. And I look like I just walked through a rain forest."

Adrienne tapped her pen on her desk, something she did while she was thinking.

“Adrienne?” Russ said.

“Where are you, Russ?” she said.

“In Piatt Park,” he said. “Corner of Garfield and Vine. The race started and ended here.”

“The law office is just around the corner,” she said. “Where is your equipment?”

“It’s with me, in my car. And I just picked up some clothes from the dry cleaners on the way down here,” he said. “But I’m drenched.”

“I have an idea,” she said. “Don’t move.”

Adrienne called Suzanne back and then made one other call before calling Russ back.

“Look across the street,” she said.

“Yeah?”

“What do you see?”

“Well, I see the Garfield Suites Hotel.”

“Right,” Adrienne said. “I have reserved a room for you there. You can grab your equipment and your clothes, go to the Garfield and shower, and then walk around the corner to the client’s office. I’ll text you the address.”

Russ thought about the plan for a few moments. “Okay,” he said. “That should work.”

“Wait,” she said. “What about your shoes?”

“Adrienne, I’m wearing a pair of \$200 Adidas running shoes that the lawyers will either envy or admire.”

And so they did. Russ made the gig on time. Suzanne Sheen and Damien Cruz Smith were ecstatic.

Dr. Erickson made his flight to Stockholm and Damien Cruz Smith got to watch his daughter be born.

We hope you have more than 30 minutes to schedule a videographer, but if you don't we have you covered.

(A story note: We hope you enjoy the stories from the annals of Atkinson-Baker Court Reporters. We do change the names and locations of the stories, but the basic plots are true.)

Here's what our clients say:

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