

Carol LaHines

## THE OPERATING SYSTEM

Edward thumbed through old copies of *Toxic Waste Reporter*. It was 10:15 pm.

Although, strictly speaking, such reading was not necessary, not billable except under Office General or Professional Reading, both of which were considered dubious, or were fronts for other activities, like Surfing the Net, Taking a Nap, or Talking on the Telephone, Edward continued, watching the computerized hourglass register exactly thirty minutes, and in those thirty minutes he also worried whether the e-mail he had sent to the General Counsel of Zyclone Corp. had ever gotten there, and he likewise worried whether he had inadvertently sent the wrong attachment, something he could check had the system not crashed just as he was sending the e-mail, which was both his fault and not his fault, because if he had cleaned out his C drive of private documents, he might not be sitting in his office wondering if he had sent an excerpt from his personal journal instead of a memo re causation in toxic tort cases. It was entirely possible that the files had been confused. It was entirely possible that he had saved his journal under the misleading designation "memo re insurance coverage issues," in a misguided effort at concealing his abuse of firm time and resources.

Edward thought of telephoning the partner whom he had bcc'd on the e-mail, of asking him whether he had received the correct attachment, but that would call attention to his potential error. Rocco, the partner, staffed Edward on every one of his cases, refused to let other partners have access to Edward, unfailingly relied on Edward, and would not be able to function without Edward, though he could nonetheless turn on Edward at any moment, and was known, in fact, to be highly disloyal and to give poor reviews to everyone else with whom he worked save Edward, whom he praised just enough so that Edward continued working furiously.

Nor was Edward entirely sure that if he called he would find Rocco at home. If he called and got Rocco's outgoing message, Edward would be forced to record the potential e-mail attachment error on Rocco's voice mail, enabling Rocco to save the message and play it over and over again. Even if Edward hung up, his number would be recorded by Rocco's Caller ID device, meaning that Rocco would eventually ask him why he'd called, and Edward would have no choice but to describe the potential e-mail attachment error, making the situation seem worse by prolonging its disclosure. If the system came up before then, he would have to imagine some other reason for having called Rocco, like getting his approval for attending a PLI seminar on Cancer Clusters: The Chemical Company's Perspective.

At 10:15 pm. on a Friday night, Rocco was either in the city, carousing at a

midtown champagne bar (on the firm's account), or on his way to his weekend home in Dutchess County.

Edward did not like Rocco, did not think much of the personalized stationery Rocco used to send faxes from his weekend home, often at 10:00 pm. on Saturday night, did not like having to accompany Rocco to midtown champagne bars, smoking cigars and trying to ignore Rocco's first-year associate come-on technique, which to Edward's knowledge had never succeeded, except in the case of Darlene, who was evidently unstable, and who was relocated to the Warsaw office after a particularly protracted e-mail love poetry exchange, all of which was recorded by Bob Wang, Information Specialist, and chain e-mailed to everyone in the New York office, as well as satellite offices, leading the firm chairman to crash the entire system so that they could expunge the messages from everyone's in-box.

On this night, Edward wondered whether the system had, in fact, been deliberately crashed again. Edward wondered whether lurking in his e-mail attachment was some damaging material that had been picked up by firm sensors, that instead of merely attaching a memo discussing toxic torts, he had in fact sent excerpts from his personal journal, which, unfortunately, he kept on the system, why he knew not, other than through some deep-seated wish to be found out, to be exposed as an impostor, someone who loathed his existence of weekend work emergencies, status as Rocco's slave and nauseating diet of *Velveeta nachos*.

Though Edward was still in the office, he was not doing anything approximating billable time, making him seem even more unprofessional, the type who would send the wrong attachment, not only the wrong attachment but one detailing what Rocco really did at midtown champagne bars, including one particularly lurid incident involving his sudden lunging at a first-year on one of the plush banquets at Fizz, after which Rocco invited the first-year to go to the ABA Convention in Los Angeles with him, all expenses paid.

Rocco was a sloppy kisser, Edward knew from personal experience. Edward and Rocco had shared a passionate kiss one night at Ben Benson's Steakhouse, a same-sex kiss within the bounds of acceptable camaraderie because one of their colleagues had dared them to kiss each other on the lips in return for significant monetary recompense.

The kiss had probably acted as a catalyst for the lunging upon the first-year and the proffer of the all-expense paid trip. The kiss made it incumbent upon Rocco to prove his normative gender preference, to establish firmly that he was indeed the lothario in the Darlene love poetry scenario, the object of countless other females' fantasies, and not the same-sex slobberer witnessed by twenty-five employees of the firm in Ben Benson's. He vied with Edward's tongue for possession of a cheddar goldfish for a good minute, exceeding the time strictly speaking necessary to win the wager. Rocco would blame Edward not only for the sloppy steakhouse kiss but for any fallout resulting from the first-year's negative reaction to the lunging, including possible lawsuit and communication of Rocco's predatory agenda to the Human

Resources Department, which, having dealt with the love poetry episode, an episode still talked about in far-flung locales, might be less tolerant of him this time around, not firing him, but perhaps sending him to the Budapest office.

It was now imperative for Edward to ensure that he had sent the correct attachment, and not his account of the transgressive kissing episode, an account not only describing in detail the kiss with Rocco, but implicating at least three other members of the firm in the wagering, including Quigley, who had goaded the two on mercilessly, whacking Rocco heartily on the back as Rocco thrust his tongue further into Edward's mouth.

Edward thought of calling the IT Helpline again, but frequent and desperate calling of the IT Helpline would tip off the IT Department that he was hiding something; diverting them from their designated mission of restoring the system. Instead, they would have to rummage through everything on Edward's archived e-mail and document directories.

Even though Edward was careful to save his innermost thoughts as a secure document, secure document status was no barrier against someone from IT looking to amuse himself and, e.g., NY All-Prurient Eyes, with its lurid lawyerly tales, especially if those tales involved Rocco, as well as ruminations on some of the female lawyers in the firm, including one particularly rhapsodic fantasy involving licking butter off the shapely calf of a female partner after throwing caution, and her sarong skirt, to the wind. Edward had recently edited his account of ravishing Stephanie on a conference room table, and it was indeed possible that he could have confused this account, saved under the misleading designation "memo re insurance coverage issues," with the memorandum to the client he had drafted that day, whereby instead of receiving a detailed analysis of causation in toxic tort cases, they would be reading the musings of a lawyer with a calf fetish and fantasies involving lengths of coaxial cable.

Edward had no idea why he fantasized about Stephanie, who berated him, and was known to be hysterically subversive, especially in crafting associates' semi-annual reviews, in which she was not only chary with praise but forthcoming with wholly-fabricated anecdotal evidence of associates' research and analytical failures. Perhaps Edward liked being berated. That would explain why he continued to accompany Rocco to midtown champagne bars, why he could not leave the firm though he had never really wanted to be a lawyer in the first place, why he kept a journal, on the firm system no less, discovery of which by some IT person was inevitable, meaning that not only did he like being berated, he invited the sort of cataclysm that had not been seen at the firm since the Rocco love poetry episode, catapulting Edward to the fore of notorious offenders against the firm, an offense beyond rehabilitation, even by a stint in Kuala Lumpur.

As Edward berated himself for liking to be berated, the telephone rang. It was his wife, demanding to know when he was returning home, asking him whether he had brought himself to the attention of the powers-that-be that day, telling Edward

to stop wasting his time with Rocco, reminding Edward to stop on the way at the 24-hour Gristede's, and to hurry home because she was, on this day, ovulating.

While his wife ranted on line one, line two buzzed. Normally Edward would put his wife on hold to check who was on line two, but Edward was too paralyzed thinking about who might be calling on line two at 11 p.m. on Friday night to check, instead winding his phone cord in knots, involuntarily stirring up memories of Stephanie and the coaxial cable, and inadvertently disconnecting the telephone. When Edward reinserted the telephone wire his message light failed to blink, even though it had been blinking before, meaning that the message had been erased while he was in the throes of his distraction, and currently irretrievable, except, of course, with the help of the IT Department, which Edward could not call, because someone obsessing about his e-mail attachments and desperate to restore his messages could only be hiding something, something that if IT were not already busy uncovering it would certainly be alerted to by a desperate plea to salvage his erased voice mail messages.

Of course, the message could also have been left by someone at the Twilight Diner, informing him that his order of Velveeta nachos was en route. In that case, restoration of the message would pose no threat to the security of his private documents. The message could have been left by IT itself, informing everyone as to the status of the system failure and efforts to restore the system. Calling them to restore their own message might seem a bit silly, though harmless. In all likelihood, however, the message was left by Rocco, who, if he remained in the city, often called Edward late on Friday night to give him new weekend assignments and to tell him to come out, meaning he wanted Edward's company in a midtown champagne bar while he practiced his seduction technique.

The fact that Rocco was calling from a midtown champagne bar, of course, was no indication one way or the other as to whether Rocco had received an attachment revealing Edward's innermost libidinous considerations, and describing in detail Rocco's failed seductions, including another particularly embarrassing incident involving Rocco regurgitating on the Herma's scarf of a summer recruit. More likely than not Rocco had received the incorrect attachment and was inviting Edward out as a perverse test. Rocco would put his arm around Edward and refer jokingly to fatal errors others had committed in the past, observing that Edward would never commit such an error (having Edward in a playful vice-grip at this point). After which Rocco would then make some vague but unmistakable reference to Edward's innermost libidinous considerations, like asking Edward how to tie someone up in coaxial cable.

Still, Rocco was a partner and Edward a ninth-year associate. Thus, even though all the other partners, generally speaking, loathed Rocco, did not think him particularly smart, and incessantly made fun of his pear-like physique and come-on technique, they would nonetheless be forced to accept Rocco's refusal to back Edward, since Rocco was still a partner, and no one else had an interest in Edward, other than to extract a few more years of mindnumbing, backbreaking work from



him. Edward was accustomed to performing mindnumbing and backbreaking work, seven days a week, ten hours a day, for the last eight years, and so had no evident objection to continuing to perform in similar fashion, even if he was deferred for partnership three years running and ultimately passed over, in all likelihood for someone billing four hundred hours per month, someone congregating at the coffee machine at dawn, or someone who titillated powerful but otherwise unattractive, facially tic-ridden partners with tales of college bisexual dabbling, because Edward could not break his habit of furious work, even though being passed over for partnership would effectively render eight years of furious work, foregone vacations, self-justification, and anxiety over fatal errors an inconceivably ludicrous waste.

Edward checked his messages and found that he had a new message, even though his light was not blinking. The message was not from Rocco, but from Hailey, the victim of the lunging incident, who had since left the firm and was working for the public interest in Washington, D.C., wanting to catch up, but in all likelihood needing Edward as a witness. Indeed, Edward considered that he had facilitated the lunging by inviting Hailey to sit next to Rocco on the velvet banquet, ignoring Rocco's pathetically unmistakable trajectory by pretending to study the martini menu and checking his voice mail at two-minute intervals, even though the principal generator of his voice mail was sitting right next to him with his arm around Hailey, sipping from her glass of Veuve Cliquot. Thus Edward considered that not only might he have inadvertently sent the wrong attachment detailing all of the above, included but not limited to an account of Rocco's attempted transmission of Veuve Cliquot from his mouth to Hailey's while Edward was studiously examining the contents of an Absolut Peach martini, but Edward might be forced to turn over the various accounts of his innermost libidinous considerations in response to a subpoena served by Hailey's attorneys, revealing not only his innermost libidinous considerations but making himself the unwitting instrument in a partner's destruction, not that Rocco needed much help, but nonetheless ensuring that Edward would be cast out, blamed not only for Rocco's downfall, but made instigator, architect and only culprit in the lunging incident, as well as whatever other sundry for which the firm was currently looking to affix blame.

Regardless of whether the system came up, he was ruined, unless he could infiltrate the system and erase all of the backup files, something he would not be capable of doing without enlisting the help of someone in IT, which would precipitate the posting of the materials to NY.All.Purient.Eyes. In any event, Edward had no friends in IT.

Upon consideration, Edward realized he had no friends in the firm at all, not really, unless he counted other associates in his year with whom he had an occasional steak, but who were occupied with their own alignments and potential alignments, meaning they would turn on Edward if need be, blaming him for any fatal errors that might arise in the course of working together, in this way making Edward appear inferior, less competent, and absorbed in outside interests, so that when they all

came up for partner, inarticulate but nonetheless serious doubts would Edward's prospects. Edward thought of returning Hailey's message and her not to say anything about the lunging incident or his witnessing the would betray guilt, weakness, and would not likely be taken seriously by in leaving the firm and laboring for the public interest evinced an obvious slavish sucking up to partners, drunken annual dinners, and partnership prerogatives.

In any event, it was entirely likely that Hailey herself felt ambivalent about the whole lunging incident. While she had eluded Rocco's trajectory by rolling across the velvet banquet and excusing herself to the bathroom, leaving Rocco no land face first where she had been sitting, Hailey might be now, or was perhaps in the past, secretly infatuated with Rocco. In fact, Hailey and Rocco had gone two unaccompanied business trips, one to Indianapolis, Indiana, the other to Elmira, New York, making it entirely possible that the unsuccessful lunge Edward had witnessed on the velvet banquet was not an initial overture, but the inevitable souring of an extracurricular relationship.

In fact, Edward had been scheduled to go on those very trips, meaning that not only would Hailey blame him for the lunging incident, she would blame him for whatever unpleasanties she had endured in the Marriott Courtyards of Elmira or Indianapolis, in whatever hotel cocktail lounge Rocco chose as the site of his seduction, no doubt involving mouth-to-mouth transfer of bar mix, lewdly suggestive cigar smoking or references thereto, seemingly spontaneously recited love poetry from the Darlene era, not-so-subtle references to more powerful partners with whom he was attempting to align himself, four Cosmopolitans or Tanquerays-and-tonics apiece, followed by an announcement that due to room shortages in the hotel they would be forced to share the same king-size bed, assuring her that such bed-sharing arrangements were not out of the ordinary, indeed, that he and Edward had shared the same room on several occasions when snowed in in Buffalo. Thus, not only would Hailey blame Edward for failing to rescue her from the lunging and all the precursors thereto, but she would also feel jealous of Edward on some subconscious level for sharing Rocco's bed, Rocco's masticated barroom goldfish and Rocco's glass of Veuve Cliquot.

Edward clicked frantically on the frozen hourglass on his screen. He realized that he had disconnected his wife in the aftermath of the Hailey message, approximately one-half hour ago, though his wife was never particularly attuned to whom ever she happened to be conversing with on the telephone and probably did not notice. His wife would notice, however, if groceries failed to appear at the appointed hour. Edward considered calling the local Cristede's and asking them to deliver, but that would entail incurring an extra \$10.00 delivery charge, additionally alerting his wife to the fact that he was not yet home, that he was likely spending more time on Rocco's matters, involving himself further with Rocco, perhaps passionately



kissing Rocco in a steakhouse. He was desperately trying to avert destruction by an ambivalently-lunged-at former first-year and the ceaselessly probing IT Department, prying open messages in the hopes of happening upon another trope of love poetry, another encrypted *confessional*, a *pained personal account rife with champagne bar excesses*, same-and opposite-sex shared sleeping arrangements, and conference room trysts involving coaxial cable.

Not only was it likely that Hailey herself felt ambivalent about the whole lunging episode, it was also likely that she had confided in someone else, perhaps a first-year, each of whom possessed a charming naïveté about established channels of firm gossip. It was entirely possible that Hailey confided in Stephanie, who had had an affair with a partner herself, albeit at her prior firm, and was hysterically ambivalent about it, needing to acknowledge that it had occurred and yet wishing that it hadn't occurred, meaning that Stephanie could use Hailey as her confessional interlocutor, giving Stephanie an excuse for dredging up the subject of her own affair.

But whether Edward had actually immobilized Stephanie on the conference room table was of no consequence, inasmuch as others had committed equal or greater transgressions, such as lazing associates' drinks at firm events, fornicating in the coat room at Ben Benson's, or engaging in group sex with one or more associates at the Adams Mark in Mobile, Alabama. Edward had been at the firm long enough to know that anyone's reputation could be rehabilitated, so long as no hard evidence existed to the contrary: Amber's serial affairs with increasingly more powerful partners were now viewed as wholesome mentoring opportunities; Jane's habit of seducing summer associates a harmless prelude to married life. But anyone who memorialized his own activities in a more or less permanent and infinitely reproducible medium was doomed.

The firm chairman might visit him on Monday morning, informing him of the problem and requesting his cooperation in identifying the extent of his proliferating writings. Edward, of course, would be polite and obliging, never having encountered the chairman except in the elevator, the firm chairman not knowing him other than vaguely, at least until now, vagueness being the preferred level of notoriety. Better than being known as the ninth-year with fantasies involving members of the firm and firm property. The firm chairman would crash the system for however long it took to ferret out Edward's personal journal, informing the rest of the firm that some kind of routine maintenance was going on, even if it meant halting firm business for an entire day, a small interruption compared to the reputational damage the firm would sustain should Edward's journal leak to the outside world, exposing the unsavory seduction techniques of members of the firm, and dissuading students wary of being lunged at in Manhattan champagne bars from accepting summer positions, a boycott likely to last for at least three years, during which time summer entertainment would have to become more extravagant, more fawning, more of a drain on each partner's profit share, involving more private wine tastings and concerts, more time in Jean Georges and Le Bernardin, just to neutralize the effect of Edward's errant journal-keeping.

Time stood frozen on the computer hourglass. The flow of time was the means by which to gauge firm productivity, firm wealth, firm standing. The flow of time assured that no matter what mind-numbing task an associate was engaged in he or she had the consolation that it was billable; that the mindnumbingness, tediousness, coma-inducing fatigue of reviewing client business documents was not in vain, and indeed, a billable mother-lode. Edward measured his progress in terms of the hourglass, especially proud of the 450 hours he billed to reviewing Swiss corporate minutes, not recalling what it was exactly he was doing but only its collective contribution to his nearly 3,000 on average yearly billables. But now as time was frozen, Edward felt the ground, more specifically the uniformly gray wall-to-wall carpet underneath him, opening up, felt himself falling through all ten floors the firm rented in this midtown Manhattan skyscraper, and coming to rest broken at the foot of the firm's marble circular staircase, just off reception. Not only had all of his evening plans for some easy billing to Office General, or Professional Reading, for avoiding his wife until she had fallen asleep, come to naught, as he was officially, undocumented, doing nothing, but he was ruined, all of the accumulated billables amounting to nothing in the end other than some firm coffee mugs, an endless supply of toiletries from various Marriott Courtyards, fond memories of Manhattan champagne bars, and a profound but essentially useless, and rapidly fading, knowledge of the historical drinking water regulations of all forty-eight contiguous states.

Edward stroked the red calendar book he kept on his desk, the book in which he painstakingly, in cramped cursive, recorded every quarter-hour increment of his life. Edward consoled himself with the fact that should the time entry data system have collapsed entirely, he still would have proof of how he had spent virtually every minute of the last nine years of his life, in nine heavily-jotted-in red calendar books, everything but moments sleeping and moments with his wife, those very few moments during which his mind was not otherwise occupied with causation in toxic tort cases and the statistical significance of cancer clusters.

Edward had no idea what to do with himself: whether to remain in his office clicking repetitively, whether to call a car and return to his Upper East Side apartment, whether he ought to get it all over with and turn himself in to the firm censors, inviting ridicule, banishment, and a steady stream of nonbillable matters. Of course, if he had the wherewithal he might implicate someone other than himself, someone ill attuned to the subtleties of blame in the firm environment, someone who trusted Edward implicitly, someone whose office Edward could rummage around freely in, purporting to look for cancer cluster statistics while stuffing key passages of his journal in the recycling bin. Edward might begin composing e-mails to the firm chairman, alerting him to the potentially disastrous consequences of leakage of passages from a journal he happened to run across in this someone's office, exhorting him to action lest firm repure be damaged by a renegade journal keeper too uncircumspect to refrain from exposing his thoughts and

impressions to systemwide proliferation. He might start a strategic rumor, casually mentioning to his secretary that someone had been indiscreet enough to keep a journal on the firm system, indicating that the journal included salacious accounts of the annual dinner and other alcohol-fueled occasions during which partners tried to seduce junior female associates, ending inevitably with someone on the floor of the bathroom in the Plaza Hotel, copiously vomiting. By noon, the entire firm, the support staff, the attorneys, IT and even the contract workers on the thankless Zyclone document review, would know of the indiscreet journal keeper and his fantasies involving a certain litigation partner.

Edward might hack into the system of an unsuspecting colleague, upload his journal to the C-drive of this colleague, creating an easily broken passcode, then send an anonymous e-mail to the IT department (cc'ing the firm chairman), alerting them to the existence of inappropriate musings on firm operating systems, protected systems everyone had sworn not to exploit for private purpose, a promise that obviously extended to the keeping of private musings and innermost libidinous considerations on a proliferating medium easily hacked by anyone in IT and instantaneously transmittable to anyone outside of the firm, including law school recruitment offices and the keepers of the Mid-Level Associate Review, who would be all too eager to downgrade the firm's rating.

But Edward lacked some fundamental bloodthirstiness. He balked when opportunities presented themselves for the casual disparagement of his peers. Instead of commenting on others' lack of thoroughness, obviously inflated hours, their habits of leaving early, Edward kept his mouth shut. Or worse, was complimentary.

Edward, according to firm standards, lacked a spine. Edward lacked the ability to stand up for himself, to turn the potential e-mail attachment error to his advantage. Edward failed to highlight his skill set or the unique contributions he made to the firm, he failed to lobby the key partners so as to enhance his prospects of being elevated to the partnership ranks, he failed to back-up his critical systems so that in the event of outage he could salvage his fifty-state survey on the elements of causation in toxic tort cases; rather than relying on savvy, legal acumen, and strategic alliances, Edward instead counted on attrition, hoping that by the end of the ninth year the others in his class would have alienated the wrong partner, failed to cite-check a critical memorandum, embarrassed themselves beyond the point of rehabilitation at the annual dinner (perhaps in a skit performed in drag mocking the firm chairman), or committed another, fatal error. Rather than affirmatively promoting himself as someone to be relied on for mindnumbing, backbreaking work, rather than taking credit for the strategic settlement with Liberty American insurance group, positioning himself as the inevitable choice for partner in his ninth-year (rapidly dwindling) class, he allowed others to define him, to dictate his work assignments, and to plot his existence.

Anyone with a modicum of savvy would know how to defuse the e-mail attachment disaster brewing, how to relish the opportunity to hobnob with members

of the firm management committee in ferreting out the true perpetrator. But still Edward clicked futilely on his mouse, imagining that his time at the firm had come to an end, that as soon as the system came up he would see his private journal the subject of a forwarding frenzy, that the firm chairman would soon arrive and personally escort him from his office, stripping him of his ID card, meager expense account, and firm gym membership.

Then, as Edward gazed at the desktop computer, in an eternal instant: the system rebooted.