

## **A SICKNESS UNTO LIFE**

R. Judson Scaggs, Jr.  
Morris, Nichols, Arsht & Tunnell LLP  
1201 N. Market Street  
Wilmington, DE 19801  
302-351-9340  
[rscaggs@MNAT.com](mailto:rscaggs@MNAT.com)

## A SICKNESS UNTO LIFE

“Happy is a yuppie word, Blessed is the man who’s lost it all. . . .” from *Happy is A Yuppie Word*, by Switchfoot

Cities draw us in. The unrelenting activity, constant movement and ever-changing sounds and smells fix us squarely in the here and now. New York City pulses with this worldly power. Michael Sherman felt it this morning, as he had felt it almost every morning for the past twelve years. The profile of skyscrapers in the morning sun of mid-April caused his pulse to quicken.

Michael’s train ride each morning was an opportunity to think through the details of his most difficult deals. In the years since graduating from law school, he had learned to use quiet time to turn the terms of the merger, or stock purchase, or interest rate swap – whatever the deal – over in his mind. He would try to see the transaction from different angles, while considering alternatives. He knew that this endless consideration of options was an essential characteristic of the best corporate lawyers.

Michael knew he was facing a long and stressful day. He took a short mental vacation, remembering his son’s last soccer game and his daughter’s piano recital. He smiled. He worked too much. He had always made some time for his family, but was it enough? He felt a pang of anxiety. Was he a good man or a greedy lawyer? He did not spend much time helping others, but he gave large donations to his church and charities. He had heavy professional commitments, so he had to exchange money for time. He had little time to give, so he gave more money. He gave more than many of his partners and friends. He was a good man. He did what he could.

Michael was a partner in a well-respected firm with large corporate clients and a reputation as a good place to work. He spent the morning in the firm's offices, located in midtown, reviewing documents, in meetings with junior lawyers and clients, and on conference calls with investment bankers.

At lunchtime, the spring weather made the walk to the restaurant quite pleasant. The blue sky and wispy clouds elevated Michael's mood. He ate lunch with two of his partners. Bob Sheridan was a litigation partner, who seemed to be totally in love with the practice of law. He never tired of talking about his cases or analyzing legal problems. He was gifted with a razor-sharp intellect and all of the attorneys in the firm knew they could take their toughest legal issues to him. Don Bryant was the head of the firm's Business Development Committee. He was an excellent lawyer, but – despite the firm's strong performance – he had a nagging insecurity about his own financial well-being. He focused on, what seemed to Michael, a never-ending stream of new business opportunities as well as cost control measures. Michael, like almost all of his partners, was thankful to have Don watching the bottom line. Don's demeanor reflected an underlying gloom that had hit bottom a couple of years ago at the time of his divorce and had improved only slightly since then. The lunch conversation was the usual – deals, cases, problematic employees, sports.

After lunch, they headed back up Sixth Avenue. Michael had not reentered his mental “work” mode. He was relaxed and his thoughts drifted into a somewhat smug feeling that his life was so much more balanced than his two friends. As they started to cross 56<sup>th</sup> Street, Michael noticed the homeless couple who often sat against the steps on the other side of the street. Although they usually held plastic cups out, almost no one ever gave them money. Today, the man was lying down with his head on the woman's lap. Michael thought it was cute

in a sad sort of way. Michael was distracted by a hotdog vendor as he stepped onto the curb and tripped. He banged into a large woman who was walking at a pace closer to a run – obviously late for something. Michael sprawled onto the ground, landing on his hands and knees, nearly on top of the homeless couple. Irritation flushed up his body. After examining his suit to make sure it wasn't torn, he realized his face was only about a foot from the face of the homeless woman.

She was small and dirty, with a kerchief over her hair and deep lines on her weathered face. Living outdoors had not been kind to her. Her breath smelled like a moist mixture of old vegetables. Michael looked into her dark brown eyes. They were flat, almost serene, but not from contentment. They lacked any vitality ... any energy ... any hope. It was a face of despair. Michael froze with his eyes locked on hers. He felt something in his gut turn sour and his chest ached. He became slightly dizzy and something deep within him felt like ripping fabric. He felt overcome by her sadness – like his contentment and hope were draining away into a dark hole. He tried to speak, but could not. She said nothing.

Michael noticed the man with his head on her lap. He looked down and saw a pale face holding two eyes staring straight up. They did not blink, or move. Michael felt a jolt run the length of his body as he realized that those eyes were ... lifeless. He reached out involuntarily and touched the man's face. It was cold and dry. He noticed that the woman was stroking the dead man's hair. Michael looked back into the woman's eyes. Her eyes, those despairing eyes, said that this dead man had meant the world to her. He had shared with her the suffering of a life without a home. Michael also knew from those eyes that no one had shared the grief of her loss. She was now truly and totally alone.

Don and Bob helped Michael to his feet. Someone fetched a police officer and Michael answered questions. He watched numbly as paramedics removed the body and the

woman. There was an odd white noise, a strange buzzing, in his head. He had trouble focusing on work and even went home early.

That night he dreamed that he was alone on Sixth Avenue – no cars, no people, no sounds. Everything was shades of brown. Some sort of mud or sludge flowed from windows and covered the sidewalks and streets. He walked aimlessly, ankle deep in the muck. He heard the sucking and popping sound each time his foot pulled out of the ooze. He walked for what he thought was hours. All he saw were empty, endless, colorless streets filled and flowing with the mud.

He started the next day determined to shake off the events of the previous day and his strange dream. But when he started working on some documents, he could not concentrate. He tried over and over. He got up and walked around. His meetings and phone calls were not much better. He simply could not direct his mind into details. He decided that his problem was the remnants of the previous day's trauma. He needed some rest. At home that evening he felt more relaxed, but not completely himself. His wife asked why he was acting so distant and preoccupied. He again dreamed that he was in the mud covered city. Again he walked, this time he started to see other people. They also were shades of brown and appeared to be searching for something.

Over the following weeks, Michael's problem grew worse. He even forgot about an important client meeting and missed a parent-teacher conference. The dreams continued. In them, he tried to speak to the other people. Most never replied. Some spoke back and he could hear their words, but he could not understand their meaning. Some people fell into the muck and struggled back to their feet. Some fell, were sucked under and – to his terror – disappeared. In one dream, he saw Bob and Don. Bob was striding energetically through the muck. He smiled

at Michael and moved on. Don was crawling slowly. He looked exhausted and did not respond to Michael's greeting.

Michael started losing his ability to enjoy life. He gained little pleasure from reading his novels, watching movies, working out, or even eating his favorite foods. His physical condition started to deteriorate. People whispered about him at work. Michael knew he had a problem and attacked it logically. He went to a psychiatrist. He talked with the psychiatrist about his experience with the homeless couple. He discussed his dreams. He took anti-depressants. He even gave a large donation to a homeless shelter. Nothing worked.

One fall evening, while Michael sat quietly on the train headed home, it occurred to him that his misery was caused by something he lacked. Something was missing. He walked the muck-filled streets again in his dream that night. He came to a huge hole with a crowd around it. He pushed past people, stood near the edge and looked in. The hole was several stories deep with very steep sides. In the bottom were hundreds of wretched-looking people – filthy, sick looking and bewildered. Everyone around the hole was looking silently down at them.

The mud was not flowing into the hole. It stopped at the edge in defiance of gravity. The people in the hole were not shades of brown – Michael could see them “in color.” Then, he saw *her*. The homeless woman from his lunchtime encounter was in the hole. She looked up and their eyes met. This time, instead of being shocked and overcome by her pain, he wanted to help her – to ease her pain. He could not do that from where he was. He stepped closer to the edge – but there was no way down. Everyone around him looked at him and whispered. Intense fear rippled through his body. His fear for his well-being and the need to

soothe her agony battled within him. She kept looking up to him. Finally, he took a deep breath and jumped. He awoke in a cold sweat.

He went to work, trying to figure it all out. He had a mid-morning meeting several blocks from his office. Don, two other attorneys from the firm, and three of his clients were all walking to the meeting together when Michael noticed a man huddled under a torn blanket against the wall of a building. In front of him was a cup for money and a sign that read “Aids. No work. Please help.” Michael froze.

He looked at his group and then, without thinking, he walked over to the man. He knelt down and spoke softly, “Hey, this is a tough life out on the street.” The man looked up and their eyes met.

“Yeah, it’s all I got right now.”

“What is your name?” Michael asked.

“John.”

Michael looked calmly into the man’s eyes for a long moment while his mind filled with thoughts of hope and compassion. “Well, John, take care of yourself. Hang in there.” Michael stood up, took a \$20 bill from his wallet and put it in the cup. As Michael returned to the group, he could hear them whispering. He, however, could feel a small piece of what he was missing fall into place. He could feel his energy and concentration start to return. He smiled.

Don and Michael fell behind the others and Don whispered, “Hey, Mike, that was rather awkward. You know that guy was probably faking. People make lots of money begging. Besides, if he really is sick and homeless, there are agencies and organizations to help him.”

“I know,” Michael replied, still smiling. Michael made a mental note to talk openly and honestly with Don about his divorce and personal life. He could talk with Bob about

what, outside of the law, mattered most to him. Michael strided purposefully ahead down the street on a new journey.