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Razzle-Dazzle

My old adversary in New York, the Power Authority, decided to buy cheap Canadian hydro power and build a 345,000-volt powerline through Oneida, Herkimer, Otsego, Delaware, Sullivan, Orange, Ulster, and Duchess Counties so that it could sell the electricity in New York City, where the rates were the highest in the U.S. As usual, the Masters at the Power Authority took whatever land they wanted and built the powerline as they saw fit. Their press releases, which said there was no persuasive evidence that powerline EMFs caused cancer or any other disease, were incorporated into articles in many small-town newspapers. Most landowners along the route settled for a nominal amount as compensation for the land that the Power Authority had taken, but some turned to local lawyers for help. They soon learned that dealing with the Masters was arduous, and one by one the cases disappeared, leaving about fifty landowners who were all represented by Jack McGurk, the man I had met the night I gave my talk in Toronto. He offered me ten times what I had been paid to speak in Toronto if I would appear in court in Goshen, New York, where the case would be tried, and explain why I thought the powerline would be a health hazard.

At the same time the Electricity Commission of New South Wales in Australia decided to build a 500,000-volt powerline between two of its substations. The Masters drew a straight line between the substations and then announced their intention to acquire a hundred-foot-wide strip of land ninety miles long. Landowners in a shire west of Sydney objected on health grounds to the siting of the powerline, and asked that it be built in a corridor that already contained a powerline rather than on privately owned residential and agricultural land. The Masters denied the landowners' request, pointing to the conclusion of the World Health Organization that there was no possibility of danger to health. Peter Peterson, a solicitor at the Sydney law firm hired by the landowners, contacted Ross Adey, a transplanted Australian who had become a famous EMF researcher at the Brain Research Institute of the University of California at Los Angeles and later at the VA Hospital at Loma Linda. Adey told his former countrymen

that he sympathized with them but declined to become involved. Peterson then hired me to testify about my perspective on the EMF health issue.

While these events were taking place, the Masters of the Central Power & Light Company in New Jersey decided to build a powerline to connect the Freneau substation in Matawan with the Taylor Lane substation in Middletown. They anticipated opposition based on the EMF health issue, so they published a booklet that said, "The suggestion by some that a powerline of this size is of any health concern has never been substantiated. The scientific community finds little or no controversy regarding the conclusion that there is no established relationship between powerlines and public health. If you would like more information about the conclusions drawn from these studies we will provide you with a summary of the assessment of Dr. Phillip Cole, a Harvard Medical School-trained doctor." The Middletown officials wanted the powerline built underground but the Masters refused, so the parties decided to settle the issue in court. Melvin Greene, the attorney for Middletown, asked me to testify.

Besides the offers from McGurk, Peterson, and Greene, I accepted offers to testify from lawyers in Texas, Pennsylvania, and Connecticut, all of whom represented clients who found themselves on the opposite side of a dispute with a power company regarding the health risks of EMFs. It had become apparent to me that the issue could never be decided on a strictly scientific basis, like determining how strong a building needed to be to resist a wind surge of a stated magnitude, because far more than the results of measurements and calculations was involved in formulating an answer to the question about EMFs. I hoped I would meet a Bob Simpson in one of my cases, and that together we would produce a legal precedent concerning what it meant to say that powerlines were health hazards.

I had a fairly good grasp of the spot I was in. If you are the proponent of the idea that something is a health risk, you are like the wife who goes to court to get a restraining order before she is beaten. Should the court issue the order to obviate the possible harm, or deny the request because whether she will ever receive a beating is conjectural and speculative? Should she be required to have at least one knot or black eye before she can get a restraining order? Suppose her husband then says, "I didn't do it. It must have been somebody else?" There are no easy answers, but there needs to be a rule.

McGurk called and told me that Patty Ryan would represent the Mas-

ters at the Power Authority. I soon learned that Ryan would represent the Masters in all the other cases in which I had committed to testify. He was a flamboyant toxic-tort lawyer who had a national reputation for defending chemical companies. His success was based on skillful courtroom histrionics and on hiring the most authoritative experts. I told McGurk, "Ryan will hire world-renowned scientists who will tell the court that there is no persuasive evidence that EMFs caused cancer or other diseases, and therefore that the powerline will be safe. What will be your theory?"

"Their experts have their opinions," he said, "and my experts disagree. I'm not trying to get the court to declare the powerline a health hazard. I just want the judge to recognize that scientists disagree on the issue. Then I think he'll have no choice but to order the power company to pay damages to my clients."

"Wouldn't it be better to depose the witnesses and inquire deeply into the basis of their opinion?" I said.

"That would be expensive," he said, "and too hard to do."

As I prepared for a skirmish in Goshen, Ryan prepared for global nuclear war, although the details of what he was doing didn't become public until later. By letter, phone, and direct contact, either personally or by agent, Ryan approached the cream of the American scientific establishment, professors at Harvard and Yale, scientists at the National Cancer Institute, and other eminent experts, and asked, "What do you think about the claims of health hazards from powerline EMFs?" Some who responded were strident in their belief that the evidence of risk was not persuasive, none more so than a group of physicists who taught at Harvard, which was a hotbed of discontent over the national prominence to which the issue of EMF-induced cancer had risen. Richard Wilson, the chairman, and Nicolaas Bloembergen, a Nobel laureate, both said that the notion of adverse health effects from powerline EMFs was inconsistent with the known facts of physics and biology. Professor Robert V. Pound, who had been awarded the National Medal of Science, and Sheldon Lee Glashow, another Nobel laureate, went even further and concluded from what they had read that EMFs cannot cause cancer. Walter Gilbert, still another Nobel laureate, said that the absence of a well-understood mechanism by which powerline EMFs could affect biological systems precluded the existence of any such interactions, and that he thought this fact should put to rest concerns raised by some apparently positive questionnaire studies.

Robert K. Adair, a physics professor at Yale, had much the same opinion. Further research on EMF health effects should be prohibited, he told Ryan and anybody else who would listen, because it diverts resources from real environmental problems. Adair was a baseball fan and an expert on the physics of the curve ball, which he used as a metaphor for the social significance of EMF research. Rosalyn Yalow, a Nobel laureate who taught at the Albert Einstein School of Medicine, and Glenn T. Seaborg, who had discovered plutonium and abbreviated it *Pu* as a joke, were two other enthusiastic endorsers of Ryan's position, as was Allan Cormack, a professor at Tufts University and a Nobel laureate.

The experts voiced their unchallenged opinions, in newspapers, magazines, on TV, and on radio, that everything I said about EMFs was completely wrong. Out of the sea of uncertainties, these experts selected those presuppositions, studies, and methods of analysis that led to what they believed was the right conclusion, which was really the object of their desires. Each of the experts was like a child who goes into a candy store and walks past the jellybeans and lollipops and points to the Hershey bars. "I want that." But they were all old men, or in the case of Rosalyn Yalow an old woman, and none would agree to undergo the rigors of participating in trials and being cross-examined. It wasn't long, however, before Ryan had signed up prestigious experts who did agree to testify in court. His team included Margaret A. Tucker from the National Cancer Institute, Richard Bockman, Professor of Medicine at Cornell University Medical College, Edward Gelmann, Professor of Medicine, Anatomy, and Cell Biology at Georgetown University School of Medicine, Aaron Stuart from the National Cancer Institute, and Roswell Boutwell, Professor of Oncology at the University of Wisconsin. Ryan also signed up Herbert Terrace, a professor at Columbia University, Jan Stolwijk, the head of the Department of Public Health at Yale, Ken Zaner, a professor at Harvard, Lucius F. Sinks, from the National Cancer Institute, Edmond A. Egan, Professor of Pediatrics and Physiology at the State University of New York in Buffalo, Darwin R. Labarthe, a professor at the Baylor College of Medicine, and Michael Repacholi, who was the head of the section on EMFs at the World Health Organization. None had any experience conducting EMF research.

The first of the six trials was the one in Goshen. It took place in Judge McCabe's courtroom.

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McCabe's bench is like a high pulpit in the front of the room. The witness box is at his left, as are the jury seats which remain unoccupied because it is to be a non-jury trial. The clerk's desk is at the right. There are two long tables, one on each side of the center aisle, with chairs for the lawyers and others on their teams. A high rail, with center passageway, shuts off the plaintiffs and others in the audience. None of the Masters is present.

Judge McCabe is fussing with papers on his bench; he is in his sixties, and needs a shave. The clerk patiently holds the Bible waiting for court to begin. The bailiff is standing, gavel in hand; the stenographer is sitting demurely behind her machine. Ryan is in motion, always working. Slicked-back black hair that glints in the morning sun streaking through the high-arched windows, an Armani suit, a white-on-white shirt with a line of fine lace, classy but not effete. He has a happy camaraderie with everyone in the courtroom. A knowing look to the bailiff, a shake of the head toward the clerk, or a smile for Judge McCabe, as if to say he knows that McCabe's not taken in by all this stuff about EMFs. I'm sitting at the counsel table, beside McGurk.

Court begins. Ryan calls his first expert. I see the clerk hold up a Bible, but all I hear is, "blahblahblahblahblahblah... truth...truth...truth... help you God."

"What is your name?" Ryan asks.

"Aaron A. Stuart," is the reply.

"Where do you work?"

"At the National Cancer Institute, in Bethesda, Maryland."

Ryan extends his arms, looks directly at the judge, and slowly repeats, "the National Cancer Institute."

Q: What do you do?

A: I study the molecular causes of cancer.

Q: What is your present position at the National Cancer Institute?

A: I'm chief of the laboratory of cellular and molecular biology.

Q: Dr. Stuart, where did you get your undergraduate training?

A: At the University of California at Berkeley.

Q: And in what subject did you receive your degree?

A: In chemistry, and I also got a Masters in biochemistry.

Q: After that did you attend medical school?

A: I attended medical school at the University of California in San Francisco.

Q: Did you have any training after medical school?

A: I did a fellowship at the University of Cambridge in England, and then an internship in medicine at the University of California.

Ryan listens carefully to each answer and registers the proper emotion, respect.

Q: After you graduated from medical school and you completed your fellowships, et cetera, did you then start to work?

A: I went to work at the National Cancer Institute and eventually I became chief of my own laboratory.

Q: Have you received any recognition for your work in your fields of expertise?

A: I have received many awards, including the Meritorious Service Medal from the Public Health Service, the Rhoads Memorial Award from the American Association for Cancer Research, and more recently I received the Paul Erhlich prize. It's named after a Nobel prize winner. I, myself, have been nominated twice for a Nobel Prize.

Q: But you haven't won one?

A: *(smiling)* No, but I'm only 43.

Ryan smiles, and nods. McGurk is looking out the window.

Q: What does your laboratory, the one that you are head of at the National Cancer Institute, do, just in simple terms?

A: We try to understand the molecular basis by which normal cells become cancer cells.

Q: Have you personally conducted molecular and cellular genetic research on the causes of cancer?

A: Yes, I have.

Q: Could you tell me roughly how many times your research has been published?

A: Roughly 340 papers.

Q: I assume you probably don't get to be head of a laboratory unless you have done that, do you?

THE COURT: Depends. Sometimes politics, you know.

Ryan and Judge McCabe exchange smiles. McGurk sits at the counsel table, bored.

Q: Is it common in your field of expertise for researchers to investigate new or novel, different, unusual, bizarre hypotheses about cellular and molecular causes of cancer?

Ryan is almost apologetic for asking this question but, after all, it is what the trial is all about.

A: We certainly look at a variety of potential causes of cancer, yes.

Ryan, even more apologetically.

Q: Do you review suggestions about what causes cancer, regardless of how crazy they might seem?

A: Yes. One of the mechanisms is to peer review research before it's published.

Q: And you don't get paid any extra for this?

A: Not much, for that.

MR. RYAN: *(with admiration)* That's what I thought.

THE COURT: That's a comparative term, by the way, "much."

MR. RYAN: These guys do a lot of free work, not like us lawyers.

Judge McCabe laughs out loud. Ryan waits until the judge has fully composed himself before continuing.

Q: And at the time you were retained to testify in this case, did you have any professional opinion in your area of expertise regarding the effects of EMFs on cancer?

A: None.

Q: Where did you get the material that you examined to prepare your testimony?

A: I first did a computer search of this area, and your office sent me various references.

Ryan motions to two of his assistants and they come forward with a ball and stick model of the DNA molecule. The balls, painted blue, yellow, green, or red, are connected together with sticks to form a complex twisted structure. Ryan requests the model be marked as Defendant's Exhibit Y.

Q: Before I get into the meat of this, I'd like to ask you a few basic questions about molecular genetics, just so we can understand this better. I don't want to make this too long or in too much detail, but maybe you could give us the benefit of a few principles that we need. Could you describe for us in simple terms what a cell is?

A: Sure. Of course. I love to talk about that. Cells make up our bodies. The cell has a nucleus, which is made of DNA. DNA is the genetic material.

When the cell divides the DNA doubles, and half goes to each of the two daughter cells. It's very important stuff.

THE COURT: Like little computers.

THE WITNESS: Actually like a little computer program.

Ryan, pointing to Exhibit Y.

Q: Tell the judge what this is.

A: It's a model of DNA, but enlarged. If you really had the entire DNA in our cells on this scale, it would stretch a hundred thousand miles. Watson and Crick got a Nobel Prize for discovering it.

The four kinds of colored balls form a ladder. The sequence of the colors determines what a gene will do.

THE COURT: The color of your eyes, or when your hair will fall out?

THE WITNESS: Exactly. Or you get farsighted.

THE COURT: You mean like Mr. Ryan.

Ryan and Judge McCabe exchange smiles. McGurk sits at the counsel table, reading a newspaper that is concealed in a law book.

Q: Let's come right back now and let me ask you how all of this relates to the research that you do at the National Cancer Institute?

A: Changes in that DNA molecule are responsible for making a normal cell become cancerous.

Q: If something, EMFs for example, can't change the DNA molecule, does that mean it can't cause cancer?

A: Yes, absolutely.

MR. McGURK: *(stirring slowly)* Objection, your honor, I think that's just speculation.

MR. RYAN: *(outraged)* He's the expert and that's his opinion, so it must be a fact.

THE COURT: Overruled.

Q: Now, just because a scientist is evaluating a pet idea about causes of cancer, does that usually tell us that where there is smoke, there is fire, something is going on here?

A: Not necessarily at all.

Q: Can you give us an example of a situation like that?

A: There was a report of a potential link between drinking coffee and pancreatic cancer. Then, better studies essentially knocked out that idea.

THE COURT: *(leans forward)* Doesn't that happen almost every day in the year? Some new substance that will cause cancer is announced by someone somewhere or another? I remember back far enough one time where they said mother's milk gave cancer.

THE WITNESS: Exactly! A lot of reports can come out, and what you

see is they go away, and you never hear about them again.

Q: This pancreatic cancer thing kicked around for awhile?

A: Probably, yes.

Q: *(with a wave of the hand)* Did the scientific community finally come to some conclusion that there really wasn't anything going on there?

A: Yes.

Q: Now, roughly, how long was it before that was decided, more or less – I guess it would be better to say that view came to be accepted – is that a fair way to say it?

A: Yes. The initial observations or report and the eventual knocking down of that report really occurred over a span of, say, three or four years.

Q: Well, now, when it was clear that it was accepted that nothing was going on there, can you give us some idea how much research had been done on that subject?

A: Only a few studies that were required to simply knock out that particular sort of red flag that was waved for a little while.

Q: You mentioned, I think, that some cancers are caused by environmental agents. Can you give us, just quickly, two examples?

A: Certainly. X-radiation and smoking. We try to tell people smoking is bad for you.

THE COURT: You just said "we" try to tell people.

THE WITNESS: I work at the National Cancer Institute, so I'm always trying to help people's health. I always tell people that smoking causes cancer.

THE COURT: Remember that, Mr. McGurk.

Ryan smiles broadly and McGurk clears his throat.

MR. McGURK: Yes, Judge.

Q: Let me ask you this: Can you quickly give me kind of a one-sentence summary that tells what all this comes down to?

THE COURT: Before you do that, could I ask something? If cells divide in a certain way, could changes inside the cell be a cause of cancer in future cells that would be then made from that?

THE WITNESS: That's where cancer comes from, your honor. It's got nothing to do with powerlines. If the change happens in a particularly critical place in a gene then the cell goes bad, and we get cancer.

THE COURT: In other words, it can just start by itself. It's what we laymen would say, well, it's just an act of God?

THE WITNESS: Right. Long before we had pollution we had cancer. It was well known in the times of the ancient Greeks.

THE COURT: Like the poor have always been with us.

Ryan, ever ready to seize an opportunity, departs from his script.

Q: What the judge is referring to, is what you call spontaneous cancer, I guess?

McGURK: Objection. He's leading the witness.

RYAN: *(blandly)* Strike it out.

Q: Is that the area that, what the judge is saying, what's that called?

A: That would be spontaneous cancer.

THE COURT: How do x-rays or smoking cause cancer?

THE WITNESS: Your honor, think of x-rays as bullets that hit the DNA and blast it to smithereens. Think of smoke as some chemicals that get stuck inside DNA and block it from working.

THE COURT: Then if you don't do that to DNA, you don't get cancer?

THE WITNESS: Exactly. And I feel certain that powerline EMFs can't do that, your honor.

Q: Let's move on. What animal studies have been conducted with EMF? Have there been some?

A: Actually, there have been quite a few.

Q: For example, I think there are some studies by Marino and Becker dealing with mice, et cetera.

A: There was this initial report by Marino and co-workers that argued that mice exposed to electromagnetic fields showed some evidence of stunting of growth. That raised a question of whether there might be an effect of EMFs on these animals.

Q: Were there later studies to replicate these studies?

A: There have been a good number of very carefully performed studies that actually were better conducted and designed.

Ryan raises his left hand, with his index finger pointing up, the signal to Stuart to answer, "No."

Q: Were they able to replicate the results that were reported by Marino?

A: No.

Ryan, in mock surprise:

Q: No?

A: No.

Ryan looks directly at me, reproachfully.

Q: Let me ask you this: Rather than to go through all of these studies that were not able to replicate Marino's findings, just take them all together, roll all of the studies together, including Marino's and tell us, taken together, what do they show?

A: There is no scientific basis in these studies for concluding that powerline EMFs are health hazards.

Ryan is apparently not paying attention, so there is no immediate follow-up and the last answer hangs in the air. Then, he snaps back.

RYAN: I'm sorry. I didn't hear that. Would the stenographer read the last question and answer?

The stenographer reads the last question and answer. Ryan, with his back to the witness, ponders the answer. Then he suddenly whirls around, index finger up.

Q: Is there any scientific basis to think that powerline EMFs could alter white blood cells in adults or children, such that they produce, you know, leukemia, et cetera?

A: No.

Q: *(finger still up)* Are there any scientific facts that indicate in any way that powerline EMFs will lead to the development of any disease?

A: No.

McGURK: Objection. The witness has conceded that there are such facts, even though he might disagree with them.

RYAN: *(highly irritated)* Don't look at the facts, your honor, look at the meaning of the facts.

THE COURT: Well, Mr. Ryan, what do the facts mean?

RYAN: They don't mean anything, your honor, that's the point.

THE COURT: *(looking quizzical)* Well, overruled. Proceed.

Q: *(both fingers up)* Based on your experience and training, and position, and education as a physician and a cancer researcher in the field of molecular genetics, and your work at the National Cancer Institute, is there any scientific basis for people to be concerned about exposure to powerline EMFs?

A: No. That's the honest truth.

MR. RYAN: Well, that's all I care about, the truth.

MR. McGURK: Objection, Mr. Ryan is giving a speech, your honor.

THE COURT: Sustained.

Q: Do you believe there is any scientific basis for concluding that EMFs from powerlines can trigger or propagate cancer?

McGURK: Your honor, I object: what the witness believes is immaterial.

THE COURT: *(irritated)* Sustained.

Q: Is there any scientific basis for concluding that EMFs from powerlines can trigger or propagate cancer?

A: No.

Q: Have there been any accepted observations that powerline EMFs would harm someone's health, and particularly referring to causing cancer, if the person were exposed to them?

A: No.

Q: Do we need to do more on EMFs?

A: No.

RYAN: *(triumphantly)* Pass the witness, your honor.

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The days that followed brought more of the same. Margaret Tucker, a specialist in internal medicine and medical oncology at the National Cancer Institute, said under oath that EMF research "has yielded no persuasive evidence of increased risk of cancer in children or adults from exposure to EMFs." Her perspective was to require overwhelming evidence before assenting to the truth of any scientific fact, and otherwise to deny that fact. How Ryan loved that point of view!

Next came Richard Bockman. He was head of the Endocrine Service at the Hospital for Special Surgery in New York, Professor of Medicine at Cornell University Medical College, and a member of the staff at the Memorial Sloan-Kettering Cancer Center. His training combined the best of both worlds, an M.D. degree from Yale University and a Ph.D. from Rockefeller University. He told the court that he had reviewed the work of a number of scientific organizations and government agencies that had reviewed EMF research, and that it was his opinion that it was their opinion there was "no confirmed evidence that EMFs have any deleterious effects on animals or man."

Then Edward Gelmann testified. He had been trained at Yale, Stanford, the University of Chicago, and the National Cancer Institute, and had published prolifically on urologic oncology, particularly prostate cancer. He told the court he had done EMF research – by which he meant

that he had studied the literature – and had concluded that subtle EMF effects had been reported, some of which might be true, but none of which related to health effects. He never explained how he or anyone else could know such a thing.

After him came Roswell Boutwell, Professor of Oncology at the University of Wisconsin, who strained to outdo the other tall tales, like a fisherman sitting around a fire. He believed that man-made chemicals didn't cause cancer, because cancer existed before man knew how to make chemicals, and he told Judge McCabe that the same thing was true for EMFs.

Herbert Terrace, a Harvard-trained psychologist and a professor at Columbia University, testified that effects of powerline EMFs were "barely detectable," and even those didn't matter because better research had shown that investigators had "failed to uncover any persuasive evidence that they are significant."

Jan Stolwijk, who had studied at Harvard and taught at Yale, said that he thought that EMFs were nothing more than a big fuss about nothing substantial. Stolwijk loved to speak in generalities and irrelevancies. Ryan usually had to school his witnesses so that their testimony did not focus on pertinent matters, but in Stolwijk's case he was already the finished product.

The last expert Ryan presented was Ken Zaner, who had a Ph.D. in physics and an M.D. degree. Ryan asked him how he would respond if one of his patients expressed concern about the issue of living or working near EMF sources, and Zaner replied as he might have when prescribing a drug for a patient to take on blind faith.

"My response," Zaner said confidently, "undoubtedly would be that he should have no concern of cancer or other effects of EMFs. If he would ask me why, if there's no reason for concern, he has nonetheless seen press reports raising the possibility of health effects, I would respond that this is the reflection of the concern expressed by a small group of scientists that receives a disproportionate amount of attention from the popular press simply because it makes a good story."

There it was. Eight experts who believed that there were EMF facts, and believed that they knew what the facts were – though they couldn't tell you *how* they knew. But that was the law. In court a scientific fact was nothing more nor less than what the expert pronounced. The law conjured up fairies, people who had no truth-seeking scheme but who knew things in mysterious ways, and then bound itself to their advice. Ryan understood

that ordinary people regarded scientists with awe and respect, and that this attitude would transform the conclusions of his experts into an effective defense of his clients. In this way he could exonerate the actions of the Masters and make powerlines socially acceptable, irrespective of whether they caused cancer. What a magnificent lawyer he was!

In his closing argument, McGurk told the court that there was an honest difference of opinion between me and the experts for the defendant, and that it wasn't the court's job to decide the scientific issues. He should therefore order the Power Authority to pay damages to his clients because it had saddled them with this problem and controversy. "You must decide whether you want to let another power company get away with it," he said.

Ryan told the court that all he cared about was the truth, and that if one looked at the number and quality of the experts he had presented, it was easy to see where the truth was to be found.

Judge McCabe then made his ruling:

"It appears to the court that claimants' expert *believes* that he sees smoke and concludes that fire, health hazards, might be present. The defendants' experts don't see any smoke. Neither do I. The claimants failed to prove that the EMF of the powerlines cause any health problems."

The other five trials were mirror images of Goshen, with the same result. As the war had worn on, Ryan built up such a momentum that he didn't need all his experts. By the time we got to the case in Australia, he needed fewer than half of those he used in Goshen, although he did add Michael Repacholi from the World Health Organization, because he was Australian.

It seemed like the end of the road for me, at least as far as establishing that powerline EMFs were health risks. I had no way to fight against the interwoven opinions of Ryan's strong men. I couldn't ignore them because then nothing would change; I couldn't shout them down because there were too many of them, and I couldn't use the same tricks they did because my perception of science was so different from theirs.

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The Masters had asked Patty Ryan to prove that powerline EMFs were innocent of all charges. I don't know exactly what happened, but it was probably something like this.

A group of Masters, worried, seated around a big table.

"All this crap about EMFs is coming out, and we've got a million miles

of powerlines."

"Jesus Mary Joseph."

"You're talking to the wrong people. What we need is Patty Ryan."

"Who?"

"Patty Ryan. The best toxic-tort lawyer in the country. He knows about judges and science."

"Sounds like our kind of guy."

"Let's get Patty Ryan!"

"What luck, because here he is, the silver-tongued prince of the courtroom. The one and only Patty Ryan!"

Ryan dances in. He is wearing tight black pants, a red coat with tails, and a top hat, and carrying a baton.

"Gentlemen, got a problem?

"Patty, we're facing a lot of trials, and we're scared."

Ryan, confidently:

"Don't be. I've been around a long time. Believe me, you've got nothing to worry about. It's all a circus. A three-ring circus. A trial is only show business."

Ryan glances at a contract on the table. It calls for half a million as a retainer and half a million for each case he wins. He smiles and nods.

The Masters, apprehensively:

"Judge McCabe is a tough old bird. What are you going to do?"

Ryan doffs his top hat and resumes dancing.

"The plan is simple.
It's the old razzle-dazzle.
Razzle-dazzle him,
And all he'll see are stars!
I'll give him an act with a lot of splash and dash.
The best I can get when I tap your cash.
I'll sweep him away with my top-drawer talent.
How can he see with rhinestones in his eyes?
What if you don't smell like a candy dancer?
What if your powerlines do cause cancer?
When I razzle-dazzle him,
He'll never catch on!"

Ryan dances to the other side of the room. The Masters turn their heads slowly, in unison.

"I'll do the old razzle-dazzle.

Fool and distract him with expert palaver.
Witnesses so scientific,
They'll seem beatific.
As expert after expert grows more certain,
The old boy will smile and bring down the curtain!
I'll razzle-dazzle him,
And he'll never know the score.
I'll razzle-dazzle him,
And he'll plead for more."
The Masters smile and nod to each other, but Ryan's not done.
"My boys will earn their pay.
No causal relationship, is what they'll say.
No confirmed evidence.
No ill effects.
No scientific base.
That will end the case.
How could he resist such a roar?
I'll do the razzle-dazzle and he'll plead for more."
The Masters, in a worried tone:
"What about Marino? What about Marino?"
Ryan, with a wave of his hand:
"Plexiglas!
Mr. Plexiglas,
That will be his name.
Mr. Plexiglas,
Mr. Plexiglas,
'Cause McCabe will look right through him,
As if he wasn't there.
After Harvard and Yale spout mumbo jumbo,
Who's gonna believe Marino's gumbo?"
The Masters smile but then suddenly seem to remember something unpleasant.
"We got other problems too, Australia and the rest."
Ryan smiles broadly.
"I'll give them the same razzle-dazzle,
I'll razzle-dazzle 'em all!
The Aussie judges in the powdered wigs,
Will never catch on when I do my jigs.
No persuasive evidence, no genetic damage,
I'll stuff all that in a tucker-bag.
I'll razzle-dazzle them."

The Masters, in chorus:
"Then what?"
Ryan, smiling and winking:
"I'll stay on the road with my dogs and ponies,
Who will know they're only phonies?
New Jersey, Texas, Pennsylvania, Connecticut,
I'll give 'em all the old double whammy,
Daze and dizzy 'em.
Shock and stagger 'em.
When cancer's the topic I'll just dance.
Though I'm stiffer than a girder,
I'm sure to get away with murder.
I'll give 'em the old razzle-dazzle,
And what they'll see is romance."
Ryan does a buck-and-wing, winding up in the front of the room. The Masters nod and grin. Ryan plants his feet, stretches out his arms, leans back, and belts out his last chorus.
"Ever since the time of old Methuselah,
Everybody's loved the big bambooz-a-la.
Give 'em the old three-ring circus.
Show 'em the first-rate sorcerer you are.
Long as you keep 'em way off balance,
How can they spot you've got no talents?
Razzle-dazzle 'em,
Razzle-dazzle 'em,
Razzle-dazzle 'em."
The Masters, purring in unison:
"Understandable, understandable,
Yes, it's perfectly understandable.
Comprehensible, comprehensible,
Not at all reprehensible.
Defensible, defensible,
It seems so sensible."
Purring more loudly:
"Isn't it grand?
Isn't it great?
Isn't it swell?
Isn't it wonderful?"
Suddenly the Masters exhibit uncharacteristically somber expressions. In a serious tone:

"But nothing stays the same.
In 50 years, or maybe less,
Things will change, that's our guess."
Just as suddenly the Masters recover their composure and joyously proclaim:
"But this is what we want,
At least nowadays."