

# Wrongful Death: A Novel

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When unbeatable attorney David Sloane agrees to help Beverly Ford sue the United States government in the mysterious death of her husband in Iraq, he confronts the biggest challenge of his career. With little hard evidence to go on, Sloane tracks down the other men serving with Ford the night he died. Alarming, two of them returned home alive, but didn't stay that way for long. The elusive final-and youngest-soldier is his only shot at discovering the truth, if Sloane can keep him alive long enough to tell it.

As Sloane propels his case into a federal courtroom, a relentless killer stalks his wife and stepson. Now he must race to uncover what really happened on that fatal mission, not only to bring justice to a family wronged but to keep the people closest to him from becoming the next casualties.

Robert Dugoni has practiced as a civil litigator in San Francisco and Seattle for seventeen years. In 1999 he left his law practice to write full time. He graduated Phi Beta Kappa from Stanford University with a degree in journalism and worked as a reporter for the Los Angeles Times before obtaining his doctorate of jurisprudence from the University of California at Los Angeles School of Law. A two-time winner of the Pacific Northwest Writers Association Literary Contest, he lives with his wife and two children in the Pacific Northwest.  
PROLOGUE  
MARYSVILLE, WASHINGTON

Phillip Ferguson set his Ruger over-under shotgun on the kitchen table and felt for the stock of the Remington Wingmaster. He racked back the fore end, stuck his finger into the receiver to ensure the gun was not loaded, unscrewed the magazine cap, and removed the barrel.

So far, so good.

He had cleaned his shotguns so many times he had once bragged he could do it with his eyes closed.

"Here's your chance," he said to the darkness.

He put down the barrel and felt along the tabletop for the can of Hoppe's No. 9 cleaning solvent, held a wet patch over the top, and turned the can over to saturate the swab. He sensed that he spilled a few drops of solvent, but he'd covered the table with newspaper to protect it. He'd never professed to being neat. The familiar pungent chemical odor made him reconsider slipping on a pair of rubber gloves, but he dismissed the thought; he needed the dexterity to feel what his eyes could no longer see.

He picked up a cleaning rod, found the end of the barrel, and pushed the wet patch through the tube. Then he set the barrel down to give the solvent time to loosen the powder. He couldn't rush the process, though anxious to get finished and lock the guns back in the cabinet; if Katherine were to walk in at that moment and see him sitting with his shotguns, she'd likely scream. His wife wouldn't admit it, but Ferguson knew she harbored doubts about his ability to cope with being blind. Hell, so did he. Living in the dark wasn't exactly how he'd expected to spend the rest of his life, but at forty-three he also wasn't

ready to check out. He had moments of self-pity, but he would never abandon his wife and kids. Getting the shotguns ready for duck season would prove he intended to stick around. He might not be able to shoot anymore, but that didn't mean PJ had to give up the sport. Come the fall, they'd go out together with his brother, Joe, and bring home some duck.

Using the cleaning rod, he alternately ran wet and dry patches through the tube. After several passes he brought a dry patch to his nose to try and detect the amount of residual powder, since he could no longer see when the patch came through clean.

The dogs began to bark out front.

Ferguson froze, listening for the sound of an approaching car. When he did not detect the crunch of tire on gravel, he sighed in relief and went back to work. Given the ferocity of the dogs' yapping, they had likely treed another raccoon, or squirrel.

He set down the barrel, about to oil it, when he heard the front door open. "Damn." He stood quickly, bumped the table, and knocked over the can of Hoppe's. Fumbling to find it, he righted the can, and called out, "Katherine?"

He'd purposely waited until she went to work. What was she doing home?

Ferguson grabbed his cane and tapped the linoleum to the doorway, stumbling over something on the floor. He reached for the door frame to regain his balance. "What are you doing home?"

He stepped into the hall to block her access to the kitchen and give himself a chance to explain. A breeze brushed cool against his skin and he heard the weight sewn into the fabric of the lace curtains that covered the sidelight knock against the wainscoting.

"You left the door open. Katherine?"

A floorboard creaked to his left. Ferguson turned. "Joe?"

The front door latch clicked closed across the doorplate. The breeze stilled. "Who's there?" he asked, no longer certain.

Sensing someone behind him, Ferguson spun and whipped the cane, but the tip struck the wall, knocking a picture frame to the floor, glass shattering. He drew the cane back and coiled to strike again when something thick and solid struck him across the calves, knocking his feet out from under him. He fell backward, his head hitting the floor with a dull thud. Before he could recover, the intruders had flipped him onto his stomach. A knee pressed between his shoulder blades, driving his sternum into the hardwood. They yanked his left wrist behind his back, then his right, binding them.

"Get off me!"

One on each side lifted him to his feet. He heard noise coming from the kitchen, a third person in the house.

"What do you want? Just take it and leave."

The front door shuddered open. The breeze again blew stiffly in his face. They tugged and pulled him toward the door. This was not a burglary. There was a familiarity to the swiftness and efficiency of the assault. Snatch and grab, they had called it.

He planted his feet, fighting for traction, but his heels slipped on the hardwood, offering little resistance. Using the men on each side for leverage, he reared back and kicked out, wedging a foot against the doorjamb. A blow to his shin knocked it free, sending needles of pain radiating up his leg.

The men pulled him across the threshold onto the porch and down the steps, the boards creaking beneath their weight. The dogs continued to bark. From the direction of the sound, Ferguson realized they had been penned. Gravel jabbed the soles of his feet. Behind him shoes crunched rocks, the third person following.

He yelled over his shoulder, "Just tell me what you -- "

A jab to the lower back, the butt of a rifle, silenced him. The sharp pain flared down both legs, but Ferguson knew the force had been tempered, a warning to shut up and cooperate. Not that yelling would do him any good. The farm was set well off the main road, and the wind, blowing in gusts, would swallow his voice along with the dogs' barking. No one would hear him.

More important, Ferguson now knew the men were armed. Why? What could they possibly want from him?

The gravel ended. He felt dirt beneath his feet, but the familiar soil did not bring comfort. Stored images re-created the layout of his farm, and the intruders' path. They were dragging him to the barn.

Panic brought another rush of adrenaline, and with it, strength. He dug in his left heel and jerked free his right shoulder, lunging at the spot on his left where he'd heard heavy breathing. The top of his head struck solid. A man groaned and swore.

Ferguson spun and kicked, missing, shuffling around the yard like a blind rooster. He hit another mark, drawing another grunt, then bull-rushed forward. The butt of the gun crashed into the small of his back. This time, it was no warning. The pain buckled his legs and he collapsed, rolling on the ground, fighting to get back to his feet. A kick drove the air from his lungs. Another caused him to bring his knees to his chest and curl into a fetal position.

"Enough." The voice was deep, authoritative. The beating stopped. "Get him up."

The men lifted him by his arms and carried him the remaining distance. His shoulders burned from the strain. His ribs felt like they were on fire. The barn door creaked open. After a few more steps the men dumped him on the ground.

Ferguson lay curled in a ball, coughing and wheezing, struggling to catch his breath while smelling the odor of damp straw, sawdust, and manure. His daughter's horse thumped about its stall, anxious. Overhead, pigeons disturbed from the rafters flapped and fluttered.

The intruders lifted him to his knees, but the searing pain in his side caused him to slump, head bowed. Despite the cool temperature inside the barn, perspiration dripped down his forehead, stinging his eyes. He envisioned the barn as he once could: the slatted light and shadows through the plank siding, wood support beams carved with initials, the leather saddles and blankets resting on sawhorses, reins and hackamores hanging from hooks alongside pitchforks and shovels, and the tractor parked in the back, its engine cold.

"Who are you?" Ferguson asked, his breathing still labored. "What do you want from me?"

The leader spoke again. "Why did you file a claim, Sergeant?"

The man's use of Ferguson's rank did not catch him completely off guard, though it further alarmed him. "I'm not a sergeant. I'm just a farmer."

"Why did you file a claim?"

From the sound of the man's voice, Ferguson sensed him circling, keeping a deliberate pace.

"I don't know what you're talking about."

The pacing stopped. The man now knelt directly in front of him, his breath a bitter, acrid odor. "The claim for your injuries, Sergeant. Why did you file it?"

"I told you I'm not..." Katherine had mentioned talking to an attorney, something about a claim to get money. "What do you care?" he asked. "What does that have to do with this?"

Something jammed under his jaw, forcing his body upright. Ferguson stiffened at the familiar shape. Two barrels, one positioned over the other, the distinct odor of the Hoppe's. His Ruger shotgun.

"Answer the question."

The pressure of the barrels made it difficult to move his jaw. His mouth was bone dry. "An attorney..." He sputtered, swallowing with difficulty. "An attorney told us to do it."

Wind whistled between the cracks in the wood slats, a high-pitched wail like the sound of a distant scream.

"Bad advice," the man said.

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## CHAPTER ONE

SEATTLE, WASHINGTON

SIX MONTHS LATER

Theresa Gonzalez squeezed David Sloane's biceps as each juror responded to King County Superior Court Judge Anthony Wartnik's question.

"Is this your verdict?"

"Yes."

After the twelfth and final juror confirmed her decision, Wartnik adjusted his black-framed glasses, made a few notes, and thanked the members of the jury for their service before dismissing them. Turning, he spoke briefly to the attorneys, complimenting them on having tried a fine case, and for their professional demeanor in his courtroom. Then he, too, stood and left the bench.

Sloane walked to where his young adversary remained slumped in his seat. Frank Martin was not gathering his documents or shoving binders into briefcases. He was not talking to his client, who sat looking just as forlorn in the chair beside him. Martin wasn't moving at all. Pale, he looked stunned.

Martin looked up at Sloane as if he were from Mars. His client, apparently in no mood to be collegial, shoved back his chair, and brushed past Sloane, already pulling his c...

### Other Books

Wrongful Death, New York Times bestselling author Robert Dugoni tackles hot-button issues in this riveting legal thriller featuring attorney David Sloane. When a widow asks Sloane to take her case against the military, Sloane knows it's a lost cause but can't turn her down, even if it puts his own life--and the lives of his family--in dire jeopardy. Just minutes after winning a \$1.6 million wrongful-death verdict, attorney David Sloane confronts the one case that threatens to blemish his unbeaten record in the courtroom. Beverly Ford wants Sloane to sue the United States government and military in the mysterious death of her husband, James, a national guardsman killed in Iraq. While a decades-old military

doctrine might make Ford's case impossible to win, Sloane, a former soldier himself, is compelled to find justice for the widow and her four children in what is certain to become the biggest challenge of his career. With little hard evidence to go on, Sloane calls on his friend, reclusive former CIA agent turned private investigator Charles Jenkins, to track down the other men serving with Ford the night he died. Alarming, two of the four who returned home alive didn't stay that way for long, and though the mission's wheelchairbound commander now works for a civilian contractor, he refuses to talk. The final -- and youngest -- soldier is also the most elusive, but he's their only shot at discovering the truth -- if Sloane and Jenkins can keep him alive long enough to tell it. Meanwhile, Sloane isn't the only one on a manhunt. As he propels his case into a federal courtroom, those seeking to hide the truth threaten Sloane's family, forcing his new wife Tina and stepson Jake into hiding, where they become the targets of a relentless killer. Now Sloane must race to uncover what really happened on that fatal mission, not only to bring justice to a family wronged but to keep himself and the people closest to him from becoming the next casualties....

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