

The King of Torts

John Grisham



About the author

When John Grisham was a young boy his family had financial problems and he and his four siblings moved from town to town in the south of the United States. Grisham graduated in law in 1981 and in the same year married Renee Jones. He writes mainly about legal cases, but also includes social history and commentary in his books. He is widely recognized as one of the world's best-selling novelists. He continues to write, and in 2010 published a new novel, *The Confession*, and a book of short stories entitled, *Ford County*. He has maintained a life-long passion for baseball and devotes much of his time to charitable causes.

Summary

Chapters 1–3: The book opens with the apparently motiveless murder of Ramon Pumpkin, shot in the head in a side alley. The police arrest Tequila Watson, a young black man with a police record, and he is brought before the judge. Because he can't afford a defense lawyer, the judge appoints the unwilling Clay Carter, who happens to be in the court at the time. Clay works as a public defender, a dead end, low paid job, which he has been intending to leave for years. Later, Clay interviews his client. Tequila confesses, but adds that he doesn't know why he did it. Clay then visits the rehab center where Tequila had been staying. The boss tells him that Tequila had a history of petty crime but that violence was not in his nature. The next night, Clay meets his girlfriend, Rebecca, and her parents for dinner. Rebecca's father is a loud, controlling self-important man who is trying to get Clay a better job. Clay is not interested, and this causes arguments with his girlfriend. Back in his office, Clay's

colleague tells him of a similar case to that of Tequila, a now docile young black man suddenly turning violent after a spell in rehab. Clay receives a phone call from a man called Max Pace and arranges to meet him to talk about a job offer. Mr. Pace says he is employed by big companies to sort out any problems they have with their products. He is representing a company that has produced a drug (whose assumed name is Tarvan) which can cure drug addiction. Trials were done in several cities in the United States and although the drug was 92% effective, they discovered it had a terrible effect on some users. It turned them into extremely violent killers. Pace wants Clay to set up a business as an independent lawyer. He wants Clay to approach the families of the victims and to offer them a lot of money to keep quiet and go away. For this Clay will be paid handsomely and set up in a luxury office.

Chapters 4–6: The firm begins to contact their potential clients, and Ramon's mother, Adelpha Pumphrey, is the first to sign, followed by six others. The next day Max Pace arrives at the office with news of a new case. It involves another drug called Dyloft, which is manufactured by Ackerman Labs. The company Pace is working for makes a similar drug, but has lost sales since Dyloft came on the market. Dyloft works well but has a negative side effect in 5% of users. It creates small tumors in the bladder. Although the tumors are not dangerous, Pace wants the news put out that there is something wrong with it so that the bad publicity will bring down the price of the shares in the already troubled company. Because of the huge numbers of potential clients the firm expects to get following a TV advertising campaign, Clay is set to earn \$33 million and the rest of his team more money than they ever dreamed of. They begin work and Clay signs his first client, Mr. Worley. The TV campaign brings in more clients and Clay's firm files the lawsuit against Ackerman Labs, causing the company's shares to drop in price. Sometime later, Patton French, a very famous and successful lawyer, suggests they team up on the case, Clay handling the Washington clients and he the Biloxi, Mississippi ones. Clay agrees to the deal after consulting with Pace. In a bar, Pace advises Clay to buy back the shares he had sold in Ackerman, as they were soon to go up. He does, and that same day a company called Philo Products declares it will buy the rest of the Ackerman shares. Clay begins to think that the whole Dyloft business was just a way of devaluing Ackerman. At

The King of Torts

a meeting between Ackerman and the lawyers, Ackerman agrees to pay \$62,000 per client which computes into \$106 million for Clay. During the meeting Clay is approached by a man about a possible new case involving a company that had produced faulty cement. Mr. Worley receives a settlement for his case far lower than he had been promised because Clay's fees had been deducted. He is a very angry man.

Chapters 7–9: Clay decides to attend Rebecca's wedding uninvited and he brings along Ridley, a Russian model, as a companion. He wants to show Rebecca he is doing fine without her, but while dancing with her he reveals he is still in love with her. He causes a scene and is told to leave. Just after Christmas, Max Pace outlines another class action scenario and says this time he wants to be part of it. A company called Goffman makes a drug, Maxatil, which is taken by older women to relieve menopausal problems. The problem is that it causes cancer in some users. Pace has a copy of a report which proves this. He also knows of one individual lawsuit that has been filed in Arizona by a lawyer called Dale Mooneyham, a man who has never lost a case. Pace wants Clay to put in a class action quickly, handle the case, and put up the money. The next day, the ad campaign begins, informing the public of the dangers of the drug. At the same time, Patton French calls to warn Clay to be very careful because the Goffman case could be a very difficult one, and one that he personally had refused to take on. Clay begins to worry, and travels too see Dale Mooneyham in Arizona. Mooneyham is an old-fashioned lawyer who despises large class action cases and their lawyers. He casts doubt on Clay's ability to manage the case.

Chapters 10–12: The Hanna Portland Cement Company, a family business employing many people in a small town, receives a lawsuit from Clay's company suing them for \$50 million. Clay attends a very uncomfortable meeting with Patton French as the talk revolves around how difficult it will be to win against such an opponent as Goffman. At another meeting with the cement company, the representatives of the company suggest a cheaper way of solving the problem, and one which would give the company a chance of survival. One day, the FBI call at Clay's office and question him about Max Pace, who has a reputation for dishonest share dealings, and about whether he had sold shares in the Goffman Company. Mr. Worley, the plaintiff in the Dyloft case, becomes seriously ill and is treated in hospital. Several other people

have also become ill and one has hired a lawyer, Helen Warshaw, to sue Clay's firm. When the news comes out, Clay begins to worry about the high number of people who could possibly sue him. Then, the two FBI officers return and question him about selling Ackerman shares. He avoids the question but later, his own lawyer tells him that if the police can prove he had seen the medical information about the Ackerman drug before he sold the shares, he was in trouble.

Chapters 13–16: The Hanna Cement Company, declares itself bankrupt and blames Clay's excessive fees. Before the big Goffman trial, Clay has a conversation with Rebecca and is confident they will get back together. Clay attends the beginning of the trial but is ejected by the judge because he had talked to some reporters. He leaves his colleague, Oscar, behind to cover the trial and goes home. Back home things are going from bad to worse for Clay. The press is blaming him for the Hanna bankruptcy and the list of Dyloft claimants against him is growing. One night, he is badly beaten up in the street and put into the hospital by two men incensed about the Hanna failure. Oscar keeps him informed of developments in the trial by phoning the bedridden Clay. The trial appears to be going well and the Goffman lawyers are thinking of settling near the end. However, the jury finds in favor of Goffman. This spells disaster for Clay. He leaves the hospital and returns home, a penniless, but relieved man. His colleagues, old and new, look after him and insist they want to give him some of their money. Rebecca leaves her husband and comes to nurse him. They have only two wishes left: to be together and to leave Washington. They board his private jet for the last time and fly to London.

Background and themes

Greed: The destructive power of unbridled greed runs throughout the book. Clay's life is almost destroyed by his pursuit of money and fame. However, one could sympathize with him because he was carried away on a tide of greed and did feel guilty, whereas Max Pace, Patton French, and the drug companies are cynical exploiters of situations.

The impotency of the weak: The young black offenders and the families of their victims, ordinary people like Mr. Worley, and the representatives of the cement company are portrayed as helpless victims of a legal system populated by people whose primary concern is their own interests.

The King of Torts

Escape: Many of the characters dream of escaping to a better or safer place than where they are. Clay and Rebecca find their retreat, as do Clay's colleagues. People like Max Pace simply disappear. Patton French can escape to his yacht anytime, and has enough money to deal with the authorities.

Discussion activities

Chapters 1–3

Before reading

- 1 **Quiz:** After the students have read the Introduction tell them they are going to answer some questions about facts contained in the Introduction. Then read out the following questions which the students have to write the answer to: *What did Grisham's father do for a living? Why did Grisham give up wanting to play professional baseball? When did he graduate from law school? How long did he work as a general lawyer? What was the title of his first book? In which year was the book, The Firm, the best-selling novel? What is the title of his non-fiction book published in 2006? Who starred in the movie The Pelican Brief?*

While reading (p. 3, after "Mr. Watson, you are charged with murder," the judge said loudly.)

- 2 **Write and discuss:** Put the students in small groups and ask each group to write a list of all the words in English they know that are names of crimes. Put their suggestions on the board and add some of your own. Then ask them to discuss how many years in prison a person should get if convicted of one of the crimes.
- 3 **Role play:** (p. 14, after "My father's worried about you, that's all.") Put the students in pairs and tell them they are going to act out a conversation between Clay and Rebecca. Clay insists her father is an interfering, self-important man and Rebecca defends her father and criticizes Clay's lack of ambition.

After reading

- 4 **Write and ask:** On the board, write *How many people heard the gunshots?* Elicit the answer (eight). Ask students to write other questions about something in Chapters 1–3. Now have students walk around the classroom, asking and answering each others questions.
- 5 **Discuss:** Remind the students that Max Pace has persuaded Clay to set up a business by promising him a lot of money. Then put them in small groups to discuss the following questions about money: *How important is money to you? Would you like to be a millionaire? Would you marry somebody just because they were rich? Do you think people like footballers and music stars really earn the money they get? Have you ever given money to charity? Have you ever lost a lot of money?*

Chapters 4–6

While reading (p. 31, after "It works very well and patients love it.")

- 6 **Discuss:** Put them in small groups to discuss the following questions: *Do you think that pharmaceutical companies make too much money? Do you think that some medicines don't work and they are only to make money for the companies that make them? What do you think about the new, natural medicines? What do you think about some groups of people who refuse to take any medicine? How often do you take medicine? Do you think all medicines should be free? Do you think that in the future medicine will be able to cure all illnesses?*
- 7 **Write:** (p. 32, after "At the same time you put out a series of TV advertisements soliciting more cases.") Put the students in pairs and tell them they are going to write a fifteen-second advertisement warning people about the drug. Tell them to make it as dramatic as possible. The students then read out the advertisements to the rest of the class and they vote for the best one.
- 8 **Discuss:** (p. 41, after "Ackerman Labs shares fell to \$26.25.") Put the students in pairs and ask them to discuss the following questions about the stock market: *Have you or anyone you know ever bought shares? Would you consider buying shares as an investment for the future? Some people think the stock market is really a big casino for gamblers and doesn't serve society in any way. What do you think?*

After reading

- 9 **Role play:** Mr. Worley calls the lawyers criminals and thieves. Put the students in pairs and tell them to act out a conversation between Mr. Worley and a lawyer at Clay's firm. Mr. Worley wants more money and the lawyer argues that Mr. Worley wouldn't have received anything if it wasn't for them. See Discussion activities key for an example start to the conversation.
- 10 **Write and guess:** Put students in pairs and ask them to choose a short paragraph from Chapters 4–6. Tell them to write it again, making five changes to words in the text. Students then read out their paragraphs to the other students who have to identify the mistakes.

Chapters 7–9

Before reading

- 11 **Discuss:** In Chapter 7, Rebecca is going to get married. Put the students in groups and ask them to consider the following questions about marriage: *What is the best age to get married? What qualities in a partner are important to you? Do you think good looks are important in choosing a marriage partner? Do you think money is important to a happy marriage? Would you marry somebody from another country and go and live in that country?*

The King of Torts

While reading (p. 52, at the end of Chapter 7)

- 12 Write:** Ask the students to write a summary of Chapter 7. Tell them the summary must be exactly 50 words long, not one more or less. They then read out their stories to the rest of the class who vote for the best summary.
- 13 Game:** (p. 58, at the end of Chapter 8) Put the students in pairs and tell them there are 24 words in Chapter 8 that be used to describe a person's character or how they are feeling. Tell them they have up to ten minutes to find the words. Tell them they may have to change the form of some of the words. The pair which finish first with all 24 words, wins, or the pair with most words after ten minutes. See Discussion activities key for list of words.
- 14 Discuss:** (p. 60, after "Mass torts are a fraud, a form of robbery fuelled by greed that one day will harm us all.") Put the students in small groups and ask them to discuss the following questions: *Do you agree with the above quote? Do you think today's compensation culture is out of control? Do you know anyone who has sued a company for compensation? Do you think some people cheat the system by inventing accidents to claim money?*

After reading

- 15 Write and guess:** On the board, write *Clay was on the cover of the January edition of Capitol magazine*. Elicit which word is wrong from the students (December not January). Now students choose a sentence from Chapters 7–9 and rewrite it changing one word. Students move around the classroom, reading out their sentences and the other students have to identify and correct the mistake.

Chapters 10–12

While reading (p. 62, after "It was unusual for people to lose their jobs, and the contented workers never joined a union.")

- 16 Game:** Put the students in groups of four and tell them they are going to play the twenty questions game. Student A thinks of a profession in English. The other students have to guess the profession by asking questions. Student A can only reply "yes," "no," or "sometimes." If the others can guess the profession in less than twenty questions, they win. See Discussion activities key for example questions.
- 17 Discuss:** (p. 65, after "The company was short of cash, but was willing to borrow heavily to compensate the victims.") Put the students in pairs and ask them to discuss the following questions: *Would you prefer to borrow money from a bank or from a friend? Have you ever lent money to somebody and they haven't paid you back? Would you ever consider borrowing money to start a business/buy a house/invest in shares?*
- 18 Research:** (p. 66, after "FBI.") Ask the students to look on the Internet for information about this

organization and to prepare a short presentation of what they have found out. Ask them to consider the following: *When was it established? Where are its headquarters? How many people work for it? What are its principal functions? What famous incidents has it been involved in? What controversies has it caused?*

- 19 Discuss:** (p. 70, after "During five hours of surgery, the doctors removed all the tumors they could find.") Put the students into groups and ask them to discuss the following questions about health care: *Have you or anyone you know had to have an operation in a hospital? Do you think the standard of health care in your country is good? Do you think health care should be free or should people have to insure themselves? Do you think public and private health care systems can exist side by side?*
- 20 Write and say:** (p. 73, after "MASS TORT LAWYER IS SUED BY THE MASSES.") Put the students in pairs and tell them they are two television reporters covering the story of the case against Clay. Tell them to write a sensational news story and then to deliver it the form a TV news show, with each student taking turns to talk about Clay's lifestyle and the details of the case against him.

After reading

- 21 Pair work:** Write the following numbers on the board: 1946, 18, 4000, 5 million, 33%, a dozen, 62,000, 750. Ask the students talk and write in pairs to say how these numbers were used in Chapters 10–12.
- 22 Write:** Ask the students to respond to Paul Watson's letter to Clay. Tell them to make the letter very apologetic and to hint that Clay really is in trouble.

Chapters 13–16

Before reading

- 23 Predict:** Put the students in pairs and ask them to choose the correct answer from the following alternatives regarding what happens in Chapters 13–16.
- a** The Hanna Company ...
 - 1 pays Clay the money.
 - 2 go bankrupt.
 - 3 pays the homeowners itself.
 - b** Rebecca ...
 - 1 stays with her husband.
 - 2 divorces her husband and goes back to Clay.
 - 3 kills herself because Clay is put in prison.
 - c** The jury find in favor of ...
 - 1 Goffman.
 - 2 Mooneyham.
 - 3 nobody.
 - d** Clay is beaten up by some people ...
 - 1 paid by Goffman.
 - 2 paid by Patton French because Clay told the police about him.
 - 3 who were angry about the Hanna Cement Company.

The King of Torts

- e At the end Clay flies to ...
 - 1 a quiet town in Mississippi.
 - 2 South America.
 - 3 London.

While reading (p. 81, after "We're still working on the settlement," Clay lied.)

24 Game: Put the students in groups of three and tell them they are going to play the truth and lies game. Choose a word for each group that the students are unlikely to know. The words can be very colloquial. Avoid choosing scientific words which are often similar in their own language. Put the words on the board and ask the students if they know what they mean. If they don't, give a word to each group and tell each group what their word means without letting the other groups hear. Then ask them to write one true definition and two false ones for their word. Encourage them to write imaginative descriptions and to make the false definitions realistic. Each person in the group then reads out their definition. The rest of the groups can ask questions and then must decide on who is telling the truth.

- 25 Discuss:** (p. 86, after "I don't know—20 million maybe.") Put the students in small groups and ask them to consider the following questions: *If you had 20 million dollars would you give any to your friends? Would you give any to charities? What would you buy with it? Would you travel around the world? How long would it take you spend that amount?*
- 26 Discuss:** (p. 98, after "The divorce papers would be filed in two days.") Put the students in pairs to discuss the following questions: *Is the divorce rate going up or down in your country? What are the main reasons people get divorced? Do you think it's a good idea to remarry after a divorce? Should the couple's money be divided 50/50 after the divorce? Who should look after the children?*

After reading

27 Write and ask: On the board, write *How much had the Hanna Company offered per plaintiff?* Elicit the answer (\$17,000). Ask students to write other questions about something in Chapters 13–16. Now have students stand up and walk around the classroom, asking and answering each others questions.

- 28 Quote quiz:** Put the students in pairs and ask them to make a list of all the characters in the book. Then read out the following quotes and have students write down the author of each quote. The pair with the most correct answers wins.
- a "When we got him off drugs, and he was healthy again, he felt so good about himself." (Talmadge X)
 - b "More money, better work. Wake up boy!" (Bennett Van Horn)
 - c "The judge wanted me to defend him, but I didn't want to." (Clay Carter)
 - d "A top lawyer can't live without his own jet." (Patton French)
 - e "I don't know who is worse—the company that made the drug or the lawyers who are robbing me of a fair settlement." (Mr. Worley)
 - f "And I'd like an advance payment of a million dollars." (Max Pace)
 - g "I haven't lost a jury trial in twenty years." (Dale Mooneyham)
 - h "We're sure it will cost a lot less than that to fix each house." (Joel Hanna)
 - i "Did you own any shares in the company before you filed the lawsuit." (FBI agent)
 - j "It happens all the time, I'm afraid. Our marriage isn't working ..." (Rebecca)
- 29 Discuss:** Using the list they have made of the characters in the book, put the students in groups and tell them they are movie producers engaged in making a movie of the book. Tell them to think of actors and actresses they would cast in each part and to give reasons for their choices.
- 30 Write and act:** Put the students in groups of four and ask them to choose a scene in the book and to rewrite it as if it was a scene from a movie. They can make changes to the story line if they want to. Then the groups act out their scene in front of the rest of the class.
- 31 Discuss:** Ask the students in their groups to discuss the following questions: *Did you like the book? Do you think the book would make a good movie? Did you think the book was very realistic and that the events portrayed in it do happen?*