

**Oh what a tangled web we have when first
we practice to deceive**

William Shakespeare or Sir Walter Scott

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Illustrative drawings by K.J. Bathe

Preface

For me to write a book, even a short book, I need to ask myself, “Why do I write this book, I am not a writer but an engineer, a Professor at MIT, so what do I want to achieve with writing the book?”

The answers are multifaceted.

Today, there is so much division between people, so much arguing and fighting, even causing anxieties and sicknesses, when life is actually very beautiful, or certainly can be very beautiful, if we distance ourselves from fighting but focus on what is really of value; namely, living with strong moral and ethical values in love, harmony, with valuable work, and focusing on enjoying nature and the beauty we have been given.

In particular, life can be very satisfying if we feel we made a contribution to better the life of other people, helping those who have been less fortunate than we are — this is a wonderful aim to pursue.

I went through some very valuable and eye-opening experiences with lawyers. Since I am the founder of a small US company, I had to work with a lawyer to establish the company and with some lawyers thereafter on company related matters. As a Professor at MIT, I had some contact with lawyers, and in personal matters I had further interactions with people in that profession. I will be telling about many of these experiences, because I think they are valuable to hear about, in particular for younger people who surely at some stage in their lives will be confronting a lawyer or work with one.

I should also mention that a few experiences that I talk about in the book are mentioned in a number of sections, but with slightly different views. This is deliberate because these events belong to each of these sections.

The most dangerous situation to experience is a contentious behavior from a party who has a weak moral and ethical compass, has little or no humility and is greedy for power or wealth. This is particularly unpleasant when that party is bent on conflict and is willing to spend money and time on this aim.

With hindsight, if I had read this type of book decades ago — telling about real experiences with lawyers but distilled to their essence — I would have been much better equipped to confront them and work with them, when it was necessary. In particular, all my interactions with them would have been much less costly in terms of time and money spent.

Hence I believe that my experiences may help someone to achieve a more peaceful life and hence more happiness.

I would like to quote here Eric Sevareid, the famous American author and news journalist, who mentioned so wisely —

“The biggest big business in America is not steel, automobiles, or television. It is the manufacture, refinement and distribution of anxiety”

Unfortunately, the lawyers in the US contribute much to this level of anxiety, and thus prevent in many cases a more peaceful life.

It is not my aim to elevate or advocate any specific lawyer and also not talk against or put down any specific lawyer or person. Hence I will not give any actual names, but will use *generic* names for

lawyers. Since I will use generic names, the same name will be applicable for a number of lawyers that I had to communicate with, and these names will be descriptive, so that the names are easily remembered.

Lawyers are clearly needed in some circumstances. My sole aim is to humbly describe my experiences with lawyers — experiences I largely had in the US — in general terms that may be valuable to someone when there is need to be involved with a person of that profession.

However, I should point out that I will only talk about lawyers involved in resolving civil issues such as company matters, immigration, property and family issues. I have never been involved in a court case involving a jury and have no experience with lawyers working on criminal or such cases. Hence my experiences are probably not those that one may have in many other cases.

The people in the US now experience much arguing, in personal situations and in politics. The society is now on a dangerous path, in the US and other countries, and it is important that we speak out against such behavior and try to improve our living together. If we

do not speak out, honestly and widely, telling personal experiences, the society we live in, as a whole, will hardly improve and that would be very disappointing. I hope that this thin book will contribute a little towards thinking about our current situation and improving our living together in the US and the world.

We are only for a relatively short while on this beautiful planet earth and should be thankful for and strive to enjoy all the time we are given — it is with this aim that I thought to write this book.

An important message, which I want to convey with this book, is that when we are in a *seemingly bad situation* — such as confronting an aggressive lawyer with unreasonable and even terrible requests — we should and can take it as a challenge and thus turn all into a personal *good situation*. In this way we grow in our minds and attitudes to face life's challenges.

Altogether, I would like to stress that while I have been very disappointed with some people, regarding their attitudes and endeavors, as indicated in this book, I have never been sad or depressed but instead overall happy throughout my life, including the days of confronting opposing lawyers. Of course, this does not mean that I was happy in all regards and on all matters of my life

all the time. Instead, I looked at difficulties as challenges to overcome but also, which was not always good, lived in denial.

In any case, I always tried to look at all that happened to me in an optimistic way and tried to make the best out of any situation — and I always felt tremendously blessed.

In closing, I would like to thank Victor Lee of my company ADINA R & D for his help in formatting the text and arrangements for the publication of this book.

Klaus-Jürgen Bathe

Chapter 1 Introduction

Recalling W. Shakespeare's famous statement, "In jest, there is truth", I would like to share with you this story about lawyers, told to me by a friend.¹

A farmer went to see a lawyer, and the lawyer's son, to complain about the cow of the neighbor. The farmer complained that the cow always comes to his grounds to eat the grass, hence he believes that the cow having become fat on his grounds, should now belong to him. Lawyer Sr. told him "Yes, of course, the cow is yours".

Thereafter, when the farmer had left, also the neighbor came to see these lawyers, and said that although his cow is grassing on the farmer's grounds, surely the cow is still his, since he paid for the cow and cared for it. Lawyer Sr. answered again "Yes, of course, the cow is yours".

When the neighbor had left, Lawyer Jr. said to his father "Dad, you told the farmer and the neighbor, both, that each of them is the owner of the cow, I can't understand".

¹ See K.J. Bathe, "To Enrich Life", 2nd edition, 2019

Mr. Hope may charge a quite high hourly fee but, apart from all that, may otherwise be a pleasant person.



Well, Mr. Jones, as a lawyer, I believe in “trial and error” — so don’t worry, we surely will win very quickly

In addition, there is Mr. Argue, Esq. with some or all of these characteristics, he may “argue”, be aggressive, not respectful, may even not tell the full truth, and is quite difficult to deal with.

Chapter 2 What is a good lawyer?

An important point to address is “What do we consider to be a good lawyer?”. There will surely be some differences in our opinions since different people are looking for different qualities when hiring a lawyer. But the difference may be very large if the one party is angry with the opposing party, the angry party may look for a Mr. Argue.

I had no interest ever to hire a Mr. Argue, and so my opinion given here focuses on what I consider to be a good lawyer.

The lawyer should be forthright, clear in his communications, with no hidden reservations, and try to close the case as soon as possible, with the least amount of time, effort and expense. Clearly, the lawyer you hired should of course only represent you and not the opposing party. Everybody probably expects such behavior by a lawyer; however, in practice, you may find a different situation in a dispute.

I was surprised to see that some lawyers, who I encountered, refer to each other as “sisters” and “brothers” whichever is applicable.

Chapter 3 Some of my experiences with lawyers

My aim in this section is to describe in simple and brief terms my experiences with lawyers.

3.1 Good lawyers to help me

A colleague in Sweden and I had opened, in 1981, two companies under the names ADINA Engineering AB in Sweden and ADINA Engineering, Inc. in the USA. The aim with these companies was to further develop the ADINA program, license the program to users worldwide and maintain and support the program for the users. I had worked to develop ADINA on my own time in Berkeley, CA and while a Professor at the Massachusetts Institute of Technology². Then at my promotion at MIT, my department head told me that colleagues had asked “Why — with the success of his program ADINA — does he not open a company?” When my department head suggested that I open a company, I went ahead doing so.²

At the opening of these companies, I much valued my colleague and fully trusted him. However, I was probably quite naïve in

² See K.J. Bathe, “To Enrich Life”, 2nd edition, 2019

Chapter 4 The fallacious opinion “Let the law take its course”

Based on my above experiences, it is clear that the opinion of “Let the law take its course” is in many cases wrong — and I knew that already long before more experiences.

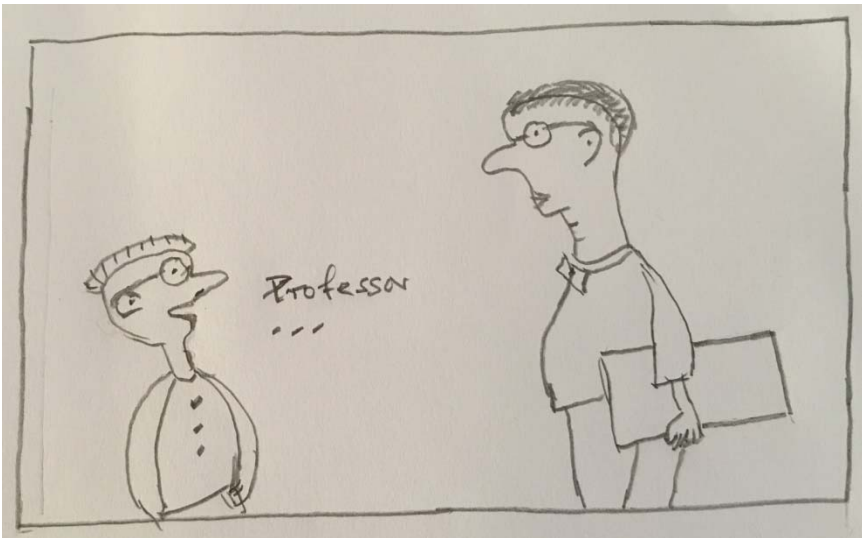


Ahhh ... it is so easy to let the law take its course

Lawyers may not be fully honest in a circumstance, for example by not giving all of the facts that are needed. Hence, they may not be totally truthful, not necessarily straightforwardly but cunningly, in

Chapter 5 Striving for better

It is probably quite well known that the number of lawyers in the US is high, much higher per 100,000 people than in many other developed countries. Of course, all these lawyers look for work. Hence once a lawyer sees that there is a possibility of a case of work, including to defend or attack, the lawyer will likely want to have the case and charge, sometimes very high fees. This is also reflected in the advertisements we find on television, where lawyers offer their services.



Professor, I didn't pass the exam, but I can talk, talk ... and argue!

Epilogue

With all the criticisms, and it seems bad experiences, I told about above, I would like to now emphasize once more, as I mentioned in the Preface, I have been overall a very happy person, and looked at difficulties as challenges to overcome, but also, which was not always good, lived in denial. This happiness has extended also through the times when I had to work with or against a lawyer.

I have looked at a difficulty with a lawyer always as a challenge for another great day given to me by God Almighty. The day was filled with experiences that I was able to handle — and that was beautiful. Hence I looked even at these challenging days as a gift from God who had blessed me to meet these challenges.

Let me recall an interesting event when I was under oath in a deposition. With a smile during a coffee break, I told the stenographer, who transcribed all we had said for the Court, “This deposition is really interesting”. She answered “Well, I rather sit in my chair than in yours”, all off the record of course. I surely understood her very well, but this event describes my general attitude. We all grow with experiences and can, in particular, grow