

***Scribbles Squibs* #27 (April 16, 2014):
Massachusetts Public Bidding Issues:
Forced Substitution of Filed Subbidders***

By Attorney Jonathan Sauer

I. INTRODUCTION.

This *Squib* deals with the issue of an owner's attempted forced substitution as to two restricted filed subbidders where a general bid both trades – along with the general work – and came in at more than one-half million dollars below the owner's estimate on a specialty (masonry repair) job. The owner wanted to force the general contractor to essentially give up 63% of the work by substitution for its two filed subbidders for masonry and waterproofing – itself – with two open unrestricted filed subbidders, which were lower. This would change the complexion of the job from having a profitable job go to one which looked as if it would lose several hundred thousand dollars. The general contractor – we'll call it 'General' – filed a bid protest against the owner's – we'll call it 'Owner's' – attempts to accomplish this patently unfair result for this masonry repair project (Project).

Massachusetts public construction represents many opportunities for construction work, which can be a great boon in getting started for a new contractor or growing fairly quickly for a smaller contractor. Still, the myriad different rules for 'public buildings', 'public work' and 'contractors-at-risk' seems designed only for lawyers and not that many of them are really clear on the substance of each and the differences among them.

In the 'public building' area of the law, there are eighteen trades with unique status, which allow and require them to bid directly to the owner in advance of the general's submission of bids. A general can bid any of the trades which it can demonstrate it ordinarily performs itself. For this Project, the work of the mason itself (using General's numbers) was more than 54% of the job. Waterproofing (using General's numbers) was 18% of the job. General typically does work like this – specialty general contracts involving masonry and waterproofing, not straight construction, such as a school. It bid Project for these two trades as 'restricted filed subbidders' (only General could use these bids) as compared with 'unrestricted filed subbidders', which any general contractor could use. The level of increased cooperation, lack of conflict, crew composition and ease of moving around the staging for the general contracting work and these two trades being done by the same company would save General substantial funds, causing General to bid this at more than one-half million dollars below Owner's estimate. It would be fair to say that these economies contributed to General being low. But, the party most benefitting from those economies would be Owner. Nonetheless, the Owner wanted to do forced substitution for General's bids for the restricted two trades (masonry and waterproofing) with unrestricted lower subbidders, which would give the Owner even greater savings.

A problem with this entire scenario is that the forced substitution statutory provision of the bid law does not contain any numerical limits as to how far down an owner can force a general contractor to substitute. Namely, can the substitution only be to an amount of 10% of the general's entire bid or could it be as much as 80% of the general's entire bid.

A bid protest hearing was held. A word on what a bid protest can accomplish. And, what it can't. A bid protest decision does not reflect the judgment of an administrative body, a so-called 'adjudicatory hearing'. (It has no testimony, no formal exhibits, no discovery.) As such, these decisions are essentially advisory only, having no impact on what a court would do with the issue subsequently. The court process is considered to be *de novo*, meaning, that the court is not bound at all by what the AG did or didn't do with one exception. That is that a decision by the AG may have, according to one court case, some impact on what a court might do if the court is considering whether or not to issue an injunction associated with a certain bid process.

The AG can go into court and enforce its decisions. This writer's experience is that it does so very infrequently, essentially depending on the parties to litigate such matters between themselves. At the same time, most subcontractors, general contractors and owners are willing to accept these decisions in the majority of cases as controlling what the various parties should do with regard to any specific procurement.

Hopefully, this *Squib* may be instructive as to those subcontractors and general contractors who perform public work but are not very familiar with the bid protest process. (We have several articles on different aspects of bid protests in the 'Construction Articles' section of our website.) A bid protest is largely a situation where the vast majority of the presentation and rebuttal is nearly exclusively legal in nature: a discussion of statutes, court case law and prior AG decisions. Candidly, this is something that a company considering a bid protest should only seldom do by itself.

II. THE GENERAL'S ARGUMENTS.

In a bid protest, just as in court, one makes as many arguments as one can think of. Some of them might work. Others might not. One way to evaluate your counsel's capability is her/his familiarity with bid law principles *in detail*. This being a very technical subset of construction law, your counsel should be able to demonstrate significant familiarity with bid law issues, the bid protest process, the statutory framework and those cases interpreting what the statutes mean, both decided in court and as decided by the AG. Here are the arguments that General made:

A. Once the Owner saw the filed subbids, if it intended to do a forced substitution, it should have instructed the bidders to either carry the lowest filed subbidders for these two trades or to carry their numbers as allowances. It was stressed that this might be against the bid laws. But, at least, this would offer some protection to general bidders in the position of General. Of course, the consequence of such Owner action would be that General might not bid the job at all. Or, it might bid the job at a number to compensate it for the lost overhead and profit and various crew and staging economies spread among the General general bid and its two restricted filed subbids by adding such to the general bid alone.

B. A key case in bid law work is Interstate Engineering v. Fitchburg. This case is widely cited for two propositions: “We construe G.L. c. 149, ss 44A—44L, as we must, in the light of the legislative objectives which were served by its enactment so as to effectuate the purpose of the framers. (cases cited). We discern two fundamental, complementary legislative objectives underlying the competitive bidding statute. First, the statute enables the public contracting authority to obtain the lowest price for its work that competition among responsible contractors can secure by binding subbidders (statute cited) and general contractors (statute cited) to their original filed bids, the statute encourages them to file their lowest profitable bid in the first instance. A subbidder who hopes to win a portion of a contract cannot expect to modify his subbid in the future to meet competition. Second, the statute establishes an honest and open procedure for competition for public contracts and, in so doing, places all general contractors and subbidders on an equal footing in the competition to gain the contract.” General argued that this case is generally cited for two propositions: (1) that the public owner get the lowest price for its work as possible: (2) that the statutory framework provides for an open and honest procedure, placing all bidders on an equal footing to get the job.

But, as was pointed out in the quotation, this case also says that bidders should include ‘their lowest profitable bid’ in the first instance, meaning that the Supreme Judicial Court envisioned that bidders should be able to submit profitable bids. And, that the actions of Owner in this case not only precluded that but would force General to go from what would have been a reasonably profitable job to one with a loss of several hundred thousand dollars. General argued that neither the statutory framework nor the case law interpreting the bid laws envisioned a situation where a public owner already enjoying more than one-half million dollars of savings below its estimate - precisely because one general bidder could take advantage of these economies, nearly all of the savings going to the owner, would consider this an appropriate vehicle to literally drive the general contractor out of business by greedily seeking even greater savings where there were none remaining to be had.

C. That the ‘forced substitution’ process was only intended to be a zero dollar event for the general contractor. Meaning, where there is a typical job with the general not bidding the filed subbid trades in any significant way, the ‘forced substitution’ process simply means that the general contractor’s bid is adjusted up or down to reflect the use of the various filed subbidders. As such, the general itself in the usual job would not have any real impact by the forced substitution as all of its costs would be included in its ‘Item 1’ bid, the general contractor’s own bid. But, in a situation such as the one present, where the general contractor would have performed 63% of the job itself through two filed subbids and as much as 85% in all three capacities (general bidder, two filed subbid bidders), the forced substitution would seriously damage General. And, that the public bidding system does not really contemplate a job such as this one, where the general would be performing 63% of the job itself through two restricted filed subbids for a total of 85% of the job through its own forces. And, that while Owner generally has the right to seek the lowest price it can get, this is not intended by the statutory scheme to be at the cost of literally breaking a general’s financial back. That Owner has not been able to point out even one case giving it the power to do this under these circumstances (other than two cases to be discussed immediately below) because no such case exists.

D. There are two cases everyone cites as to these issues: the *Johnson Controls* (JC referencing both the name of the party and of the case) case and the *Roblin Hope* (RH referencing both the name of the party and of the case) case.

Of the two, only JC is a forced substitution case. In that case, for a preventative maintenance contract, JC had carried itself as the ATC subcontractor. The owner was allowed to make a forced substitution, substituting a competitor as the ATC subcontractor because JC made no objection to the proposed substituted party as to ‘standing and ability’, a statutory exception to the owner’s right to substitute. As to that case, General made these arguments. First, this is not a *construction* case; it is a *preventative maintenance* case. Meaning, the construction has already been completed. While the legal principles might be identical, in the JC case the costs of the ATC subcontractor wouldn’t be as high as in a construction case, as the ATC subcontractor was not going to be building anything, which would require proportionately a much larger expenditure of labor hours. General also pointed out that this case was a ‘rescript’ decision, meaning the decision itself was very short: barely one and one-half pages of text. That doesn’t mean that the case isn’t just as binding. Still, because it is a rescript decision, the Court felt that the issue didn’t deserve any significant discussion, as would occur with a usual decision. This could mean that the Court intended this case to deal only with these very specific facts, rather than becoming a grand pronouncement on the subject matter. The General also argued that in the JC case, JC never contested the owner’s good faith, unlike this case where the Owner’s claimed lack of good faith was General’s first argument. In addition, JC *had* argued that: (a) an owner could not do a forced substitution without JC’s concurrence; (b) an owner could not make a forced substitution unless it had an objection to JC’s ability to do the work; and (c) JC had been required to carry itself based on its understanding of the law (ED: if the case at that time, not the case presently.) General never made any of these arguments. JC never argued that the forced substitution caused it financial harm. ‘Financial harm’ was the most basic of the arguments made by General.

The second case is *Roblin Hope*. This is not a forced substitution case. The general contractor – J. A. Sullivan (Sullivan) - had carried itself for the window filed subbid but the Bureau of Building Construction and, later, a judge ruled that Sullivan did not ordinarily perform this work and, therefore, its filed subbid for this trade had to be thrown out. (The Owner never contended that General was not qualified to do the masonry and waterproofing work. General had, in fact, performed two jobs satisfactorily for Owner.) Sullivan ended up doing a substitution where it picked a filed subbidder which was not the lowest filed subbidder. In other words, Sullivan spent more than it had to to get this work done. Sullivan never argued financial harm. After all, it substituted a more expensive filed subbidder. Roblin Hope sued seeking damages against Sullivan because it, as the lowest window filed subbidder, should have gotten the job. This case had more than one appellate proceeding. Ultimately, the Court did award Roblin Hope lost profits against Sullivan that it would have earned had it been able to perform this job.

In short, these two cases are distinguishable from the case in question.

E. Various cases say that an owner is bound by the terms of the bid submission. And, that a bid based on the owner’s bid documents creates an implied contract obligating the owner

to perform in accordance with its own conditions. And, were Owner allowed to do what it wishes to do, this principle would be violated.

F. General also argued that a variety of cases have held that there is an implied covenant of good faith and fair dealing which requires that neither party to a contract shall do anything that will have the effect of destroying or injuring the right of the other party to receive the fruits of the contract. And, that every contract imposes upon each party to the contract a duty of good faith and fair dealing, which was being ignored by Owner in this case.

G. General made the argument that this approach by Owner was very short-sighted. Once it became known that Owner was perfectly willing to simply destroy a contractor in this kind of situation, fewer companies would be willing to bid its work. Reduced competition necessarily means increased prices. A case of being ‘penny-wise’ but definitely ‘pound-foolish’.

H. Lastly, General made the argument that the AG is the gate-keeper of the entire bid law system. To allow Owner to ‘get away with this’ would be destructive to the entire process, causing fewer companies to be willing to participate in the public procurement process with increased prices. To allow Owner to accomplish this result, in fact, would be detrimental to any number of future procurements to come.

III. THE OWNER’S ARGUMENTS.

The Owner’s arguments, to this writer, were not overwhelming. Initially, the Owner said that General had to accept the forced substitutions because: (a) this was Owner’s statutory right; (b) the only recognized exception to the forced substitution rule is when the general has a substantive objection to the proposed filed subbidder’s ‘standing and ability’, not made by General with regard to Project. Secondly, the fact that General contends that the forced substitution will bring it financial loss does not meet the statutory standard for grounds to object to the substitution. Also, that General’s position gives its two filed subbids for masonry and waterproofing preferential treatment if it is allowed to carry and use them under all circumstances where by a statutory standpoint, the General’s own filed restricted filed subbids “shall be considered on a par with other subbids.” Fourthly, if General will sustain financial harm, General has brought the harm upon itself. For, General submitted its general bid with full knowledge that its waterproofing and masonry filed subbids were subject to substitution. Another argument made was that General’s contention that no substitution should be forced because the job came in below pre-bid estimates “flies in the face of logic and statutory intent.” Lastly, with the forced substitution, the Owner will save \$180,063.00 of taxpayer funds. With that additional money, the Owner said it could perform other necessary work. The Owner said that monies it receives from other governmental sources – including federal – is not sufficient to allow it to perform the work that needs doing. And, of course, the Owner argued that the forced substitution law has no limitations in it as to how far down an owner can go to force a substitution to a lower unrestricted filed subbidder. And, the Owner argued that it was within its rights to do this because of the two cases generally considered to be controlling, the *Johnson Controls* case and the *Roblin Hope* case, both described above.

IV. THE AG'S DECISION.

The law business can be like the soldier business in certain ways. Sometimes, one has to 'hurry up and wait' for judicial opinions. We haven't received the AG's decision yet but will report further on this in a future *Squib*. As was said many years ago when kids went to the movies on Saturdays to see weekly segments of ongoing serials, stay tuned!

V. CONCLUSION.

This case is very disturbing. If an owner can substitute down to lower unrestricted filed subbidders with impunity, how can any general contractor bid a specialty job where it is intending on using itself as the filed subbidder performing the majority of the work? How can the 'lowest, responsive, responsible and eligible' bidder even be determined under these circumstances? Conceivably, an owner could use forced substitution to get a general it was more comfortable and familiar with rather than the lowest general bidder that it was already stuck with. (The law says if the forced substitutions affect bid order of the general bidders, whoever is low after the substitutions will get the job.) The public bid laws – like almost any complex statutory system – has a lot of 'holes' in it. In other words, any number of situations can arise in the bid process where there is no clear statutory or case law controlling principles.

In most cases, these problems are dealt with using one of the overriding principles of both contract law and the bid laws: good faith. Both provide that one party should not be able to take some action which would deprive the other party from achieving its anticipated 'benefit of the bargain': what it hoped to accomplish by submitting a bid and performing the job. In this case, Owner has not done this, taking a blind eye towards General's protestations as to financial harm.

One possible strategy would be for the general bidder to artificially lower its bids for the specialty trades, bidding them below their actual cost. Since they are restricted filed subbids to itself, putting more money into the general bid and less into the restricted filed subbids is of no financial consequence whatsoever. And, when the filed subbidder tabulations come in, there is a better chance that the restricted filed subbids a general files will be lower than any of the unrestricted filed subbids other bidders bid, not knowing which general bidder ultimately will use its number and award it the subcontract. For a general bidder, what difference does it make where it puts the costs in such a situation? In the end, the bottom line number is what is important and that number will remain the same irrespective of how the general bidder's costs are allocated among its general work and such filed subbid trades it chooses to bid on.

Therefore, there would be no incentive for the owner to try to force a substitution down to a lower unrestricted filed subbidder because the general's bid for that trade is probably low or so close to low that this wouldn't make any appreciable difference. The key thing to keep in mind is that such a bid can't be *so* low that another bidder could contend that such bid didn't cover the bidder's actual costs or that the filed subbid has to be discarded because it isn't an actual legitimate filed subbid. In attempting to avoid bid protests with the owner, one doesn't want to substitute in their place bid protests from other bidders. As with so many other things in

life, employing good judgment and common sense should be enough to protect against this type of situation in the majority of cases.

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* A 'squib' is defined as 'a short humorous or satiric writing or speech'. Wiktionary defines *squib* as: "a short article, often published in journals, that introduces empirical data problematic to linguistic theory or discusses an overlooked theoretical problem. In contrast to a typical linguistic article, a squib need not answer the questions that it poses." Aren't you sorry you asked? What is that you say: you *didn't* ask? As Roseanne Roseannadanna used to say, 'never mind!' Or, as Steve Martin might say: 'excuse me!'

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This article is not intended to be specific legal advice and should not be taken as such. Rather, it is intended for general educational and discussion purposes only. Questions of your legal rights and obligations with regard to the public bidding laws are best addressed to legal professionals familiar with this somewhat arcane corner of construction law. Our firm has handled more than one hundred bid protests over a period of more than thirty-five years. Sauer & Sauer, concentrating its legal practice on only construction and surety law issues, sees as part of its mission the provision of information and education (both free) to the material suppliers, subcontractors, general contractors, owners (including homeowners) and sureties it daily serves, which will hopefully assist them in the more successful conduct of their business. Articles and forms are available on a wide number of construction and surety subjects at www.sauerconstructionlaw.com. We periodically send out 'Squibs' - short articles, such as this one - on various construction and surety law subjects. If you are not currently on the emailing list, please contact us and we'll put you on it. We welcome reader comments and feedback of any kind as to our Squibs. Positive comments may be rewarded. Those with negative comments will probably be shot. If we can't tell whether the comment is positive or negative, I think you can guess how that will turn out. Uh, that would be poorly.



COFFEE WITH THE COUNSELOR

Editor: *Hola!*

Scribbles: (Looks surprised). I didn't know that you can speak Spanish!

Editor: Of course I do! I went to a Spanish law school.

Scribbles: (Looking down). The official resume I have here says that you went to Suffolk Law School in Boston.

Editor: Just goes to show that you can't believe everything you read.

Scribbles: But, it also says that on our website. And, everyone knows that, like TV, everything on the internet is true.

Editor: Then, I'll have to get back to you on that, then. (Pausing in reflection). You gotta blame stuff like this on Al Gore, the guy who invented the internet. (Looking over confidentially). That was *after* he had invented Global Warming but *before* that SNL gig where he spent like three hours kissing his wife. Sure, I know that love is grand. But, did he ever hear of, like, *germs*? Unfortunately, just like Johnny the skater (who also tried some competitions on the only news source we trust, The Food Channel), at some point, I think they more or less went their separate ways. Like usual, don't hold me to the details. Sometimes I'm not so good with the details. Being old has its limitations! Going on Medicare soon, I am trying to understand Part A, Part B and Part D, which is harder than understanding the Rule Against Perpetuities, which is kind of a legal thing they forced us to learn in law school after the mandatory course of 'There Are More Than 24 Hours In A Day'. And, I had to learn it in Spanish! *Anyhoo*, I wasn't smart enough to get into Suffolk Law School. I had to go to a law school in the Third World because there, their only concern is whether the check clears. I missed the chance to go to one of those schools advertised on the back of the book of matches 'cause Massachusetts made going to that kind of school sorta illegal a few years previous. Going out of the country, however, and travelling broadened my horizons, as did being exposed to another culture. I learned all kinds of stuff. I think they call it 'miscellany'.

Scribbles: Like what?

Editor: (He shrugged). I know lots of useful stuff, maybe not so important to know.

Scribbles: So, give me an example.

Editor: Like, do you know the history of California?

Scribbles: (She brightened.) I can take a shot at that one. They discovered gold at Sutter's Mill sometime around 1847 or 8. That caused a gold rush. Heretofore, California had had a lot of mission settlements, which figures into a lot of the names of the towns. Let's see! Surfing. The Beach Boys. Hippies. Late sixties in Haight-Asbury in San Francisco. Very health conscious, favoring eating light with things like sprouts and smoothies. That sound about right?

Editor: Well, let's take the Beach Boys, as an example. Brian Wilson – kind of like a rock Beethoven - wrote songs like Surfer Girl, Surfin USA, Surfin Safari, Catch a Wave, bunch of others. If you don't recognize these titles, ask one of your grandparents 'cause you might be overly young. Assuming that one of them might still be here on this side of the dirt. He was absolutely *terrified* of the water. For one of the album covers, they *insisted* on getting him into the water and it took all they could do to get him in it.

Scribbles: Well, I know he suffered from depression and stuff.

Editor: Saw a biography on TV and it said he spent like 25 years in bed or something. That goes *way* beyond being simply tired. Now, California? That's another story.

Scribbles: What? Did I get it wrong?

Editor: (A small half-smile). Only if you said it was on the East Coast. The rest is mostly pure fabrication.

Scribbles: How's that?

Editor: Well, did you hear how Australia got its start?

Scribbles: Yeah. England created it as a place to send its prisoners. Basically, a penal colony. With kangaroos. And that cute little teddy bear kind of a guy.



Editor: Well, after a while, they realized it was taking them too long and using up too many resources to send people that far away. Wearing out *way* too many sails. And, this is the day *before* 'frequent sailing miles' so nobody benefitted. Even before Stop & Shop gave you the discount on the gasoline which, of course, we all depend on. I've got my little doodad right here (he said, pointing).

Scribbles: I really appreciate that! Being someone underpaid for her services, hint, hint.

Editor: Take that up with HR. Going back to the British, exactly how much hard tack do you think any human being can *stand*? Or, that their ship could carry? So, they looked at establishing *another* colony a good deal closer and decided to put a penal colony there. That's what California's intended purpose was: an English penal colony. Although not completely understood, it's not really an American state at all – The Arnold was a governor and he doesn't even speak English - and it is still part of the United Kingdom's Commonwealth, although secretly. And, even today, that's California's primary purpose: as an English penal colony. The Arnold was head warden for a while. They called him the governor but he really was appointed head warden. That Germanic background helps to set the right tone. Conan the Barbarian? Attila the Hun? Probably their families are inter-related. Possibly in the Old Country. You give The Arnold any guff, he's liable to just haul off and drop a 100 pound barbell plate on your head.



Scribbles: That's hard to believe! That the entire state is nothing but a prison. I mean like they have a population of over thirty million people and stuff.

Editor: Not really that hard to understand. The movie 'Escape from New York' appears to be loosely-based on the California penal experience. They put it in New York City because most anyone who has ever been there simply hates it. They say the malevolence of the site added to the dramatic tension in the movie. Whatever that means.

Scribbles: Does the UK really have that many criminals it needs to get rid of?

Editor: Absolutely! England has always been kind of a lawless land (he replied). Possibly, because they are all more or less in-bred to one extent or the other. Almost can't help it when you live on a fairly small island. I mean, how can you tell second cousins from fourth cousins? (Lowering his voice). You ever notice how they all kinda' look alike, particularly the men? And, that they talk funny? Like The Arnold does, only different?

Scribbles: Uh, no! What about the other stuff I said? What of that isn't true?

Editor: They wanted to locate this colony on some essentially worthless piece of land. Anyone who has ever visited San Bernardino County knows what I am talking about.

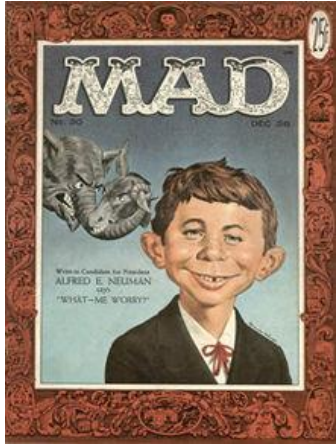
Scribbles: But San Bernardino is on the way to Big Bear. And Big Bear is kinda reminiscent of New England. Nice lake. Mountain views. Last time I was there, they even had a Sizzler. What else could anyone want?

Editor: Well, from a Massachusetts perspective, not having to drive three thousand miles to get there. All true, though, but this doesn't apply to the prisoners. They *might* have put it in a desert state like Arizona or New Mexico but it might have had some water supply difficulties. Even worse, had they put it in Arizona, let's be honest, would you really want to put up with John

McCain for all that long? The man who brought us Sarah Palin? Who or what will he come up with *next* for President or Vice-President? Alfred E. Newman?

Scribbles: Who is Alfred E. Newman?

Editor: (Looks disgusted, but not in any way that might cast aspersions on a person because she was of a different gender than you). Lord, you make me feel old! He was the face of “MAD Magazine”, kinda like SNL or Second City, only in the form of a comic book/magazine. He was famous for the expression: “What – me worry?” Since his initial unsuccessful run for



President in 1956, he has periodically been re-offered as a candidate for President with the slogan, "You could do worse... and always have!" Somehow this resonates clearly as to our last two presidents. The first one's greatest accomplishment to commit the United States to two wars at a countless cost in lives lost and damage, all to kill just *two* people at a cost of one trillion dollars!? I'd have done it for one-half trillion! And, the current one, whose greatest accomplishments seem to be: borrowing one and one-half *trillion* dollars per year; being an authority on March Madness, knowing more about this than any person should; and, having a nice smile and looking very good in suits. And, of course, posing for pictures with David Ortiz. As part of a Samsung commercial. The facts are a bit unclear on that one. Has a pretty cool dog, though.

Scribbles: 'You get what you pay for' my Daddy always says. And, the crazy way elections are held in this country that's all any one of us ever does. Pay and pay. Then pay some more. All so that we can watch the same exact advertisements over and over and over, the premise being that if we didn't get the message on the 649th time, we might on the 650th?

Editor: (Looking surprised.) Such wise thoughts! Especially so early in the morning.

Scribbles: (Blushing, but looking pleased, nonetheless).

Editor: So, where was I?

Scribbles: You were saying that California is a penal colony.

Editor: (He shudders). The thought of even *going* there gives me the willies. So, they looked at their maps and saw that along the Colonies' west coast there was a strip of so-called arable land between ocean and the mountains. Enough fertile land to support California's population, food-wise. Their biggest contribution to American society? Carl's Jr. Also, a whole mess of 'spa' stores, pretty much one on every single block. Must be a kind of legal requirement or something. But, still, plenty of desert. The desert formed a natural wall to the east and south, saving the Penal Colony Board a ton of money. California has plenty of water. They have two nearly limitless supplies of water, like in Massachusetts we have with the



the

Quabbin Reservoir. In California, they are known as Washington State and Oregon. The California Penal Colony Board didn't know about the frequency of earthquakes when they started their project. But this turned out to be just a happy surprise.

Scribbles: How's that?

Editor: Because they figured, every few years or so, in the words of Ebenezer Scrooge, it would help to thin out 'the surplus population'. Meaning, this big hole would just kinda open up in the earth and whoever was above it would, shall we say, fall a good distance. For some, parole might come rather *suddenly*. Saves the state all of the medical, housing and food costs. And, it's not bad for the parolees, as they don't now have to deal with that difficult parole issue of finding a job.

Scribbles: And falling violently, I should think. (Looking at her notes) And, there's still the question of 'The Big One'. (Looking down) What about the hippies? Healthy living? Stuff like that?

Editor: Isn't the Big One that drink you get with 64 ounces of Coke somewhere? As to your questions. Haight-Ashbury is actually located in Des Moines, Iowa. They figured, put it in a really boring place that nobody would *ever* want to travel to. That way, you kind of round up the hippies, put them in more or less one place so decent society doesn't have to deal with them much. (Looking confidentially). Cartman simply *hates* hippies. Have you ever been to Des Moines?

Scribbles: Uh, that would be a *no!* I want to just experience first spending three months living in Camden, New Jersey. During the summer. When it's really hot. And, then, after I live in downtown Detroit for a full six years.

Editor: I understand that they don't even have many working street lights in Detroit cause they say that they can't afford them. May not be a completely bad thing, though.

Scribbles: How's that?

Editor: Hard to mug someone when you can't seem 'em. Also, a guy might start mugging another guy, all of a sudden to realize that the 'muggee' is a lot bigger and stronger. A good way to reduce

Scribbles: I know, I know! The 'surplus population'.

Editor: That way, no one would ever find out about the hippies. Putting those two streets in Des Moines, I mean. So, all of those buildings and those two streets were actually built there. Almost like a movie set. In San Francisco, there is no such section of the city. But, since being in San Francisco County is a felony for a non-prisoner, no one would have actually gotten to see it but the prisoners. The seals on Fisherman's Wharf? That's really nothing but a photo shop from Kansas City. Besides, their union is on strike just now. Holding out for a better grade of fish. And, more of it.

Scribbles: Which one? Kansas or Missouri?

Editor: (Looking surprised.) Does it really make any difference? How many different ways do you know to spell the word b-o-r-i-n-g? I don't want to leave you with the wrong impression. They've got any number of civilians living there, too, in California. Among the prisoners, which isn't the safest thing in the world. That's why all adults pack heat, you catch my drift. For their own protection. Don't even have to have a license to own one. Just have to be able to demonstrate that you know out of which end the bullets come. And, they give you three tries to guess.

Scribbles: I'm having a hard time accepting all of this. About California. What about, like, Alcatraz?

Editor: That is actually true to life and the prison contains actual buildings in San Francisco Harbor.

Scribbles: I'm glad I got *something* right!

Editor: The English kinda built it in an unenlightened moment. Without benefit of any MBA in marketing and without considering all of the possible ramifications. As a kind of amusement park. 'Alcatraz Park'. It didn't work out so good, though.

Scribbles: Why not?

Editor: Too hard to get to. Not enough rides. Some real problems with one of the rides.

Scribbles: How does someone have an amusement ride at a maximum security prison?

Editor: Carefully. *Anyhoo*, they thought that their best ride would be 'Hanging Around'. But, it seems, there were problems with public acceptance.



Scribbles: What was that about?

Editor: Well, although they deny it, at Alcatraz they weren't above stretching a neck every now and again. Especially, if it *really* needed stretching.

Scribbles: You mean they hung people.

Editor: Geez! That's kinda cutting right to the chase. *Anyhoo*, this ride was kinda a little play using real people based on that experience. You know, just adding up those experiences of stringing folks up and then like dividing it by the number of certain experiences to reach a kind of lowest common denominator.

Scribbles: You know? I wasn't ever so good at math.

Editor: Neither was I! Also, details. I'm not so good with details. That's why I went into estimating! Anyway, the ride. Guy walks over to the gallows. All nervous-like. Climbs some stairs. Walks over to one of the gallows, all ominous-looking and scary. The hangman puts the rope around his neck. Then, the prisoner gives a short speech based on one of the guys who had actually swung in the breeze some time earlier. You know. Stuff like 'I'm sorry I did this.' Or, 'I'm *not* sorry I did *that*.' Or, 'What's for lunch today?' Hangman puts the black hood on his head. Hangman goes to the lever on the wall and pulls it down. Makes this big 'spring' noise, like a release of some metal under a *lot* of tension. Sort of like a diving board. That noise was the scariest part of the ride.

Scribbles: I can imagine! So *final* sounding!

Editor: Yeah! The hanged guy silently drops into the pit under 'the stage'. You'd hear this kinda snapping noise. Audience hears all kinda strangling noises and, after a while, things go quiet-like. Hangman comes out and takes a bow when it's over. Says the hanged guy couldn't join him. 'Cause he was busy doing something else *elsewhere*. After that, two guys with a gurney would go to the base of the gallows and pull this guy up, putting a sheet on him and wheeling him away. They ran this show every hour on the hour. Towards the end of Alcatraz, interest in this attraction really dropped off. Except for some families, the Dad in a jersey and shorts. He goes: 'I paid for this. I don't care if this sucks. I want to get my money's worth. I wonder what they got to eat at the snack stand? I'm sure this will give me a *big* appetite.' But, generally, women and small children reacted kinda poorly to this ride.

Scribbles: *Yuk!*

Editor: Yeah! They got a lotta that kind of response. Women would leave the small theater screaming, some even pulling their hair out. Little kids. Having hysterics. People puking *everywhere*. The owners of "Alcatraz Park" couldn't understand it. They had a very realistic 'ride' educating the watchers as to this element of penology. And, during design, they had a buncha focus groups and everything. It seemed as if there would be a demand for this kind of ride. (Pausing) Before they closed down the Hanging Around ride, they tamed it a bit.

Scribbles: What did they do?

Editor: After the guy got hanged? They had him sit up and wave at the audience from the gurney with a big smile on his face. Then he would throw hard candy at the kids. Too late, though. The damage had already been done. It seemed as if there would be some demand for this kind of ride. After all, Disney didn't actually have a criminal-type experience in any of their parks. (Thinking further.) Except for one.

Scribbles: What is that? Maybe, the Pirates of the Caribbean?

Editor: Not so much of a ride I was thinking about. But, when the guests hit the turnstiles and see how much they're gonna have to pay. That ride? Called, the 'Hold Up'. And, then they are told that anyone over six months old would be considered an adult. Even pushing the little sucker around in a stroller. Still able to mess a diaper more or less at will. I mean, how many

baby boys have you seen who smoke cigars? If they're adults, they should be able to do this. And, drive, too. Assuming they're big enough to see over the wheel. But, Disney is not like *Alcatraz Park* in San Francisco Harbor. Where the focus was entertaining, but with penology.

Scribbles: Isn't that the study of. . . ?

Editor: Nah! But, I can see where you might draw that conclusion. Young, healthy person such as yourself. Old guy like me? It's more or less just a word in the dictionary. I'm more interested in whether or not Similac is coming out with a new flavor or two. And, if Depends will be coming out with any new models that are, like, less obvious to the non-wearer. (Muttering under his breath) I sure go through a *lot* of baby powder. (Squirring around in his chair. Attempting to get more comfortable).

Scribbles: The food in California, though? Healthy?

Editor: Nah! All propaganda. True, they *do* eat a lot of vegetables. But, that's only to kinda' keep the prisoners' muscles smaller so that might have fewer fights.

Scribbles: I supposed that there's something wrong with surfing.

Editor: Absolutely not! The English introduced it, selling the convicts on the idea that it was healthy exercise. Out in the sun. Vitamin D. That sort of thing.

Scribbles: I'm waiting for the other shoe to drop.

Editor: Well, it's a proven scientific fact that 2/3 of all surfers get eaten by sharks in the first hour of surfing. *Really* helps keep the numbers down. Brian Wilson at different times might have been crazy. But, he never was stupid. Why do you think he's so afraid of the water? First line of *Catch a Wave*: 'Catch a wave and you're sitting on top of the world.' But, that's not how the original score read. They deleted, for commercial purposes, the next line: 'So you won't get et by a shark'. Too controversial. The Beach Boys were about cars, surfing, teenage *angst*. That kind of thing. Sharks? Not so much.

Scribbles: I suppose you are going to tell me they don't have a lot of problems with the Mexicans.

Editor: No, you're right about that.

Scribbles: And, you're not going to tell me that they don't have the big fence?

Editor: No, they have the big fence. Some say that George Bush built it because there was no jungle gym at his elementary school and he couldn't satisfy the natural urge to climb. That he was *thwarted*. Even though, by then, he was too old to climb it. They say he just enjoyed the *idea* of it. I understand that he'd sit in one of those patrol vehicles they use right up against the fence and just look at it. For hours at a time. He especially liked it when they ran the blue lights

and sounded the siren every couple of minutes. (Looking confidentially). He had this way of pointing to that oval decal on his windbreaker. Generally, they would get the idea.

Scribbles: So, I did get *some* stuff right about the Mexicans?

Editor: You did. Only, you got it *backwards!*

Scribbles: How so?

Editor: The Mexicans aren't trying to escape *into* California. They're actually trying to break prisoners *out!* So, they try and help the prisoners *escape*. Everyone knows that Mexicans are great humanitarians. On *Chopped?* A Mexican has all the eggs and another contestant needs a few? The Mexican is Pablo on the spot. Even delivers them himself to that person's station. Personally.

Scribbles: Is it working? You know, are they getting prisoners out?

Editor: Not so much.

Scribbles: Why not?

Editor: Well, the Mexicans get there. Into California. They're tired from the trip and stuff. Takes them a while to rest up. A lot of them get lost on the freeways. Not so many freeways in Mexico so they're not really used to this kind of driving. So, instead of taking 5 North, say, they end up taking 405 North. Since the San Fernando Valley is about as hot and inviting as Death Valley, for a while they think they reached their destination. Only to find out after a few months that hardly anyone actually lives there. On account of how hot it is in the summer. Some of them head east and find themselves in Vegas. After a few days of gambling, eating and drinking and stuff, they forget all about breaking the prisoners out. Heck, the drinks as big as they are out there, some of them even forget their own names! Point is, though, that except for the American civilian population – who have to wear special identity cards with their picture on it and everything - the only thing most of the people get to eat in California is sprouts, alfalfa, cactus, hot peppers, green stuff like that. The Mexicans aren't so used to this kind of food. Slowly, they start losing weight and find that they are sapped of their strength, as naturally any man would eating that s. . .

Scribbles: Careful! The Server Police! The Mexicans do get *some* out?

Editor: Occasionally. But, pretty rare.

Scribbles: How do you know all of this weird stuff?

Editor: (He shrugs). The value of a liberal education. I have a liberal arts degree in political science.

Scribbles: What does that train you for?



Editor: To be unemployed. That is, if you don't like working as a *barista*. (He shrugs) I used to be able to do that kind of work. But now? I just can't?

Scribbles: (Looking sympathetic). You had trouble keeping up with the fast pace of high volume fast food?

Editor: Not at all! But, since my three gastric by-pass operations? I'm lactose intolerant. I just can't *stand* being around all of that steamed milk.

Scribbles: Well, at least you went to law school and graduated, getting a good education. So, you now have, you know, like a trade or profession.

Editor: Who ever said I graduated? (After five minutes of an uncomfortable silence.) I did graduate. Mostly. Sort of. (Rueful grin). At my school, there wasn't so much attention paid to graduating. Mostly we were working at various business establishments. To, you know. Have some spending money. Pay tuition. Keep you in *fajitas*. That kind of thing.

Scribbles: So, what other things do you think I don't know? You know, like more or less useless trivia.

Editor: I bet you don't know much about Hades.

Scribbles: So, what don't I know about Hades?

Editor: Well, to put a nice spin on it, a lot of the folks who show up at the front door are at least feeling poorly. They more or less understand, by this point, that they didn't live such a Mr. Clean type of life. So, they see that sign

Scribbles: (Looking excited) I know! I know! 'Abandon Hope all Ye Who Enter Here'.

Editor: Well, that's partly right. That's the first line of the sign.

Scribbles: *Huh?*

Editor: Well, they're pretty sick by the time they get there, as I said. Gravely ill, you might say. Like most of us, they always wondered about all that heaven-hell stuff; was any of it true. Only, now, they're starting to think that they didn't use their earth time very wisely. They're so scared, they don't bother reading the whole sign. All four lines.

Scribbles: So, what does the whole sign say?

Editor: Well it gets scarier after the first line. These are the remaining lines:

“Hades was designed by four architects
One of the architects did not have e&o insurance.
He’s the guy who designed the HVAC.”

Scribbles: HVAC? Hell’s hot! What would they need with HVAC?

Editor: I’ve seen the plans. (He shrugged.) You can find anything these days on the internet. Hades was *originally* designed to be like Siberia. Like the Artic. Or, the Antarctic. So cold that all its inhabitants could do would be to shiver violently for all of eternity. Seeing that they didn’t have the option of freezing to death. Eternal punishment, that kind of thing.

Scribbles: Some readers might get the idea you don’t like architects so much. Or, maybe don’t respect them and stuff.

Editor: You couldn’t be more wrong! Why, you have the Parthenon, the Guggenheim Museum, the Kremlin, the original McDonalds in Chicago! All kinds of interesting buildings. Pyramids, they didn’t turn out so much. Not for what they were intended.

Scribbles: How’s that?

Editor: Actually, they were to be built to be summer homes. Only, because they used far too much stone, it took like fifty or sixty years to build each one. So, by the time the thing was built, the guy was dead. Architect’s blaming the contractor: ‘means and methods’. Contractor’s blaming the architect: ‘the guy’s an *idiot*. He wears a bow-tie.’ One of the Egyptian guys hears the architect talking, all scared like: “We are *so* over-budget. We need to find some way to bury all of these costs.’ This guy, not hearing so good, dumped the owner in the pyramid, sealed that sucker up and that’s how they got *that* use.

Scribbles: They don’t look like any summer home I’d ever want. (She said, doubtfully.)

Editor: Tell me about it! Nowhere near enough windows! But, you gotta give the devil his due. I’ve seen some of the plans for the gardens and the in-ground pools. They would have been beautiful! Only, the building itself took so long to build, they never actually got around to building those parts of it. Not a real problem, though, as being over budget, there wouldn’t have been any money to put them in.

Scribbles: So, how are we doing with the “BUILD MR. ED’S MEMORIAL” fund?

Editor: (Looking grim) Collected 41 million dollars from over 9,000 readers. Our readers are simply the best! We’ve funded Mr. Ed’s Memorial many times over, all in just a bit over one month.

Scribbles: So why the grim face?

Editor: (Pacing). So, a bunch of NY shysters call me up and say they've formed the 'Mr. Ed Corporation' and, as such, they are entitled to all of the money we have raised. So, send it over or you'll be sorry. Words to that effect.

Scribbles: Does that have something to do with those papers I see in the middle of your desk? (She said, pointing.)

Editor: (He nodded.) Yeah, The Mr. Ed Corporation has sued *Scribbles Enterprises International* along with a few individual defendants – including *moi*. They sued us for theft, embezzlement, having bad breath, an accounting, impersonating a chimpanzee, negligence, bad breath, riding a tricycle backwards, unfair and deceptive trade practices, thinking lewd and lascivious thoughts and not changing our underwear frequently enough. Stuff like that.

Scribbles: Would the firm be one that I would know?

Editor: I doubt it. They're out of New York City. The firm of Saltzman, Cohen, Berger, Heimlich, Schneider, Feinstein, Goldman and O'Reilly.

Scribbles: (She raised her eyebrows). O'Reilly?

Editor: (He shrugged.) Must be a minority hire. They probably had run out of all of the best females and blacks available, so they had to start slumming with the male white guys. Coupla weeks ago, this Feinstein character calls me up and asks for the money. I go, so what kinda project you gonna build? So, he goes, first thing we did was fire all of the architects. So, I go, 'that's a good way to get any construction project off to a good start'. So, what are you going to build? He said that because of all of the extra money, they're gonna do the statue with Wilbur talking to Ed, have the movie theater, the gift shop, the collectibles.

Scribbles: Did you get Gene Simmons yet? To help you with the collectibles?

Editor: The Board of Directors suggested we use the videophone and have that girl from accounting make the call. You know her. She's the girl with the big b . . .

Scribbles: Careful!

Editor: But, here's where it gets a bit weird.

Scribbles: Since weird is the norm around here, how would anyone be able to tell?

Editor: He said they're gonna bury Ed in his own *theme park*.

Scribbles: A Mr. Ed theme park?

Editor: Yeah! 'Mr. Ed Land'. I don't have a really big problem with that. It's gonna have 'Edtronic' figures, kinda like the figures they got at Disney World doing all the work in the rides. And, as I said, I really don't have any problem with that at all.

Scribbles: Okay?

Editor: And, this guy's talkin about producing a Mr. Ed Movie. And, bringing back Mr. Ed to TV using Ed's great grandson, Leo, to play Ed. Only problem is that Leo kinda stutters some and speaks with a lisp. He wouldn't be bringing honor to the Mr. Ed name. Ed enjoyed having folks laugh *with* him. He'd be horrified to think that people were actually laughing *at* him. A guy's gotta stand up for what he believes. So, I drew a line in the sand and told him to go pound sand. I gotta *big* problem with that! Leo isn't half the horse that Ed was! Nowhere near as smart. (Looking confidentially). As a practical matter, I think he'd have problems learning dialogue quickly enough. Ed? He'd take one look at the script as he was eating sugar or carrots or *whatever* and then they'd begin shooting. He not only knew his lines. He knew *everyone else's* lines. He knew where the 'marks' had to be put on the stage. Camera angles. Which camera had to be used for which shot. Everything.

Scribbles: So, the problems, then?

Editor: Well, like I said, Leo stutters some and speaks with a lisp. Not as big as Ed. Not as smart as Ed. And, if that all isn't bad enough, he features that he's some sorta stand-up comic. He goes through life acting like a real horse's as . . .

Scribbles: Careful! And, *huh?*

Editor: Yeah, he does Open Mike most Wednesdays at the Comedy Club in LA.

Scribbles: *HUH?*

Editor: (He shrugs). Anybody can come up. This is California, baby. If you're not a little nuts or weird, you're not trying hard enough. Or, you got lost going to some other state. A few of the regulars, though, let it be known that they're not so wild about listening to stand-up from a horse. But, he goes up there with his 'Back in the Saddle' line of jokes and another segment, 'Just Horsin' Around'. He's actually pretty funny. I've seen him perform a lotta times. He wears this beanie with pink polka dots with this red propeller thing on top. (Leaning confidentially). It runs off of batteries. Uses a bunch of props. Kinda like Carrot Top without the red hair but with two additional legs.

Scribbles: So, we all kinda got sued?

Editor: Got served with it today. (He snorts) I'd like to see the process server get good service on The Founder. Where exactly he is in the universe right now, I would not know. Above my pay grade.

Scribbles: So, are we all done looking for donations for the Build Mr. Ed's Memorial Fund?

Editor: Not exactly. Only, any checks should be made payable to the 'Build Mr. Ed's Memorial Defense Fund'. Bill and Hillary did something similar some time back when they

were poor. To deal with the pressing costs of a couple dozen of his lawsuits. Worked really good for him. Only hopes it does that well for *us*.

Scribbles: One last question. I mean, like, you *did* go to law school, didn't you?

Editor: (He turned towards her, grinning.) Now, that's a *good* story! You know, the doctors that aren't smart enough to get into an American school go to school in South America or some other such place. Of course, I had the same problem. (Looking confidentially). My mother always enjoyed telling me that I was the 'slowest' of her three kids. Took a while to get *that* message out of my head.

Scribbles: Probably, she wasn't a finalist in the 'American Best Mothers' competition.

Editor: (He snorts.) Hardly! So, I finally got accepted into The University of Tijuana Law School. They did make me learn Spanish before they would admit me. I'm actually pretty good with languages. And, Mr. Ed would spend a lot of hours tutoring me. (He shrugs) He had a lotta time to burn up. On account of the fact that the other actors needed so much more time to learn their lines.

Scribbles: Spanish. An important language to speak these days in the United States.

Editor: I agree. The way things are going, pretty soon we'll all be speaking Spanish and they'll have to send school age kids to Pimsleur to get tapes on how to speak that *other* language. English.

Scribbles: Still, being able to speak Spanish must have its advantages.

Editor: (He shrugged) Some. I can understand Aaron Sanchez's comments about the food on *Chopped*. More than just '*autentico*'. (Looking thoughtful). Come to think of it, maybe he used that word in a commercial or something. (Brightening). Especially, I understand the words he utters under his breath when he cuts himself and stuff Like when he's a contestant. I'd swear one time I heard him refer to his knife under his breath as a *hijo de pootahh*.

Scribbles: I don't think that's how it is spelled. And, isn't that like some kind of swear word?

Editor: (Grinning broadly.) I know! After all, I speak Spanish! But, I figured I'd mess around some with The Server Policemens' heads. And, maybe I can fool some of those Google Spiders who check out my website pretty regular. I mean, what kind of an attention span does a spider have for extraneous issues? If you had to support yourself on a messa legs, all kinda goin in different directions and everything at any given time, just staying upright is more than enough work to do, even on a good day. (Looking thoughtful). But, as money languages, I'd say Mandarin, Cantonese, Japanese and various Arab languages have been more useful to me.

Scribbles: (Looking innocent). Arab languages like Persian, like they speak in Iran?

Editor: (Wagging a finger at her). Iran is not an Arab country.

Scribbles: So, where do they speak these Arab languages?

Editor: That one's easy! Switzerland. Where most of those guys keep their money.

Scribbles: You really speak all of those languages?

Editor: (He shrugged.) Those and a few others. Again, the advantages of a liberal education. Anyway, I was on the co-op plan at Law School. Sorta like Northeastern. The school was right next door to a barroom, which the school owned. So, for some of our co-ops, we had to tend bar, mop out the bathrooms, break up fights, help mug the *anglos*. You know, the usual things. But, our more interesting co-ops were on the *other* side of the school. A gentlemen's club. Which actually owned the school.

Scribbles: (Looking confused) So, the gentlemen's club owned the bar?

Editor: Nah! You're not paying close enough attention! The school owned the bar. The gentlemen's club owned the school.

Scribbles: Well, did the bar get to own anything?

Editor: Sure! The bar owned all of the taxicabs that went from the border up Avenida Revolución to the tourist areas, even though the more interesting places are a few blocks either south or west from there. I'm surprised you asked about the taxi business. We haven't even discussed it.

Scribbles: I wasn't asking about the taxi business.

Editor: Then why are we talking about it?

Scribbles: I'm sure I wouldn't know!

Editor: Anyway, one night, they had this raid just after three in the morning on a Saturday night at the gentlemen's club. It was wild! *Vaqueros* firing their *pistolas* in the air and at each other! The girls not actually involved in the jello or mud wrestling at the time, breaking beer bottles over each other's heads! Someone called the police. In an hour, it seemed like half of the Mexican army was getting ready to storm the place! The boss had us quickly move all of the knock-off handbags, shoes, watches, booze from the back room of the gentlemen's club over to the warehouse. Which you could get to only through this very long underground tunnel underneath the gentlemen's club. With this miniature little railroad, a hundred watt light bulbs every hundred yards or so. (He shivered). It sure was spooky down there.

Scribbles: That sounds like what the drug dealers use to cross the border with the United States.

Editor: Could be. I *do* know I could see lights on in the railroad at various times – mostly in the middle of the night - when *we* weren't using it.

Scribbles: An underground railroad. Sorta reminds me of Steve McQueen in *The Great Escape*. I just can see him now in my mind, bouncing that ball off of the wall when he was in stir, that insolent look on his face, all defiant-like. And – she said fanning herself with a towel – the way he stood up on the foot pegs of that motorcycle, getting ready to jump all of those fences, flexing his legs and everything, being chased by those Nazis. (She looked at the front window, a gentle spring breeze blowing into the room.) Did it all of a sudden get pretty *warm* in here?

Editor: Geez, I hadn't noticed.

Scribbles: (She grinned) And, before this story is over, it'd be good to know what the taxi cab company owned.

Editor: (He grinned.) What else is left? The gentlemen's club! Anyway, apart from all of those police and soldiers outside, the *other* half of the Mexican army was inside being, well, being *gentlemen*. As in customers. But, now I have to tell you the *really* exciting part of the story. (Leaning forward confidentially). You see, the place was little more than just a low-down, pretty sleezy who. . . (He sees her walking over to the tape recorder.) *Hasta luego!* (He says)

Scribbles: What does that mean?

Editor: I think it's Spanish for 'don't let your meat loaf'.

Scribbles: I guess what they say is true. You *do* learn something new nearly *every day*. (At this point, she turned off the recorder.)
