



JOHN  
GRISHAM

— A NOVEL —

THE  
EXCHANGE

AFTER *THE FIRM*

ALSO BY JOHN GRISHAM

A Time to Kill  
The Firm  
The Pelican Brief  
The Client  
The Chamber  
The Rainmaker  
The Runaway Jury  
The Partner  
The Street Lawyer  
The Testament  
The Brethren  
A Painted House  
Skipping Christmas  
The Summons  
The King of Torts  
Bleachers  
The Last Juror  
The Broker  
The Innocent Man  
Playing for Pizza  
The Appeal  
The Associate  
Ford County  
The Confession  
The Litigators  
Calico Joe  
The Racketeer  
Sycamore Row  
Gray Mountain  
Rogue Lawyer  
The Whistler  
Camino Island  
The Rooster Bar  
The Reckoning  
The Guardians  
Camino Winds  
A Time for Mercy  
Sooley  
The Judge's List  
Sparring Partners  
The Boys from Biloxi

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Theodore Boone: The Abduction  
Theodore Boone: The Accused  
Theodore Boone: The Activist  
Theodore Boone: The Fugitive  
Theodore Boone: The Scandal  
Theodore Boone: The Accomplice

JOHN  
GRISHAM



THE  
EXCHANGE

*After The Firm*



DOUBLEDAY

New York

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## CHAPTER 1

On the forty-eighth floor of a glistening tower on the southern tip of Manhattan, Mitch McDeere stood alone in his office and gazed out the window at Battery Park and the busy waters beyond. Boats of all shapes and sizes crisscrossed the harbor. Massive cargo ships laden with containers waited almost motionless. The Staten Island Ferry inched past Ellis Island. A cruise ship packed with tourists headed out to sea. A mega yacht was making a splendid entrance into the city. A brave soul on a fifteen-foot catamaran zigzagged about, dodging everything. A thousand feet above the water no fewer than five helicopters buzzed about like angry hornets. In the far distance, trucks on the Verrazano Bridge stood still, bumper to bumper. Lady Liberty watched it all from her majestic perch. It was a spectacular view that Mitch tried to appreciate at least once each day. Occasionally he succeeded, but most days were too hectic to allow time for such loafing. He was on the clock, his life was ruled by it, just like the hundreds of other lawyers in the building. Scully & Pershing had over two thousand scattered around the world and vainly considered itself to be the premier international firm on the planet. Its New York partners, and Mitch was one, rewarded themselves with larger offices in the heart of the financial district. The firm was now a hundred years old and reeked of prestige, power, and money.

He glanced at his watch and the sightseeing came to an end. A pair of associates knocked and entered for another meeting. They met around a small table as a secretary offered coffee. They declined and she left. Their client was a Finnish shipping company having problems in South Africa. The authorities there had embargoed a freighter packed with electronics from Taiwan. Empty, the ship was worth about a hundred million. Fully loaded, it was worth twice that, and the South Africans were upset over some tariff issues. Mitch had been to Capetown twice in the past year and



was not keen to return. After half an hour, he dismissed the associates with a list of instructions, and welcomed another pair.

At 5 P.M. sharp he checked in with his secretary, who was leaving, and walked past the elevators to the stairs. For short rides up and down he avoided the elevators to escape the mindless chitchat of lawyers he knew and didn't know. He had many friends in the firm and only a handful of known enemies, and there was always a new wave of fresh associates and eager junior partners with faces and names he was supposed to recognize. Often he did not, nor did he have time to pore over the firm directory and try to memorize them. So many would be gone before he knew their names.

Taking the stairs worked his legs and lungs and always reminded him that he was no longer in college, no longer playing football and intramural basketball and able to do so for hours. He was forty-one and still in decent shape because he watched his diet and skipped lunch at least three times a week while he worked out in the firm's gym. Another perk for partners only.

He left the stairwell on the forty-second floor and hustled to the office of Willie Backstrom, another partner, but one with the luxury of not billing by the hour. Willie had the enviable position of running the firm's pro bono programs, and though he kept up with his hours he did not send bills. There was no one to pay them. The lawyers at Scully made plenty of money, especially the partners, and the firm was notorious for its commitment to pro bono work. It volunteered for difficult cases around the world. Every lawyer was required to donate at least 10 percent of his or her time to various causes, all approved by Willie.

There was an even split down the middle of the firm on the issue of pro bono work. Half the lawyers enjoyed it because it was a welcome break from the stressful grind of representing high-pressure corporate clients. For a few hours a month, a lawyer could represent a real person or a struggling nonprofit and not worry about sending bills and getting paid. The other half paid lip service to the lofty notion of giving back but considered it wasteful. Those 250 hours a year could be better spent making money and improving one's standing with the various committees

that determined who got promoted, who made partner, and who eventually got the boot.

Willie Backstrom kept the peace, which wasn't really that difficult because no lawyer, regardless of his or her ambition, would ever criticize the firm's aggressive pro bono programs. Scully even gave annual awards to its lawyers who went beyond the call of duty in service to the less fortunate.

Mitch was currently spending four hours a week working with a homeless shelter in the Bronx and representing clients who were fighting evictions. It was safe, clean office work, which was just what he wanted. Seven months earlier he had watched a death row client in Alabama utter his last words before being executed. He'd spent eight hundred hours over six years trying in vain to save the guy, and watching him die was heartbreaking, the ultimate failure.

Mitch wasn't sure what Willie wanted, but the fact that he'd been called in was an ominous sign.

Willie was the only lawyer at Scully with a ponytail, and a bad one at that. It was gray and matched his beard, and just a few years before someone higher up would have told him to shave and get a haircut. But the firm was working hard to shed its fossilized image as a white-collar club filled with white men in dark suits. One of its radical changes was the ditching of a dress code. Willie grew hair and whiskers and went about his work in jeans.

Mitch, still in a dark suit but with no tie, sat across the desk as they went through the small talk. Willie finally got around to it with "Say, Mitch, there's a case down south I want you to take a look at."

"Please don't tell me the guy is on death row."

"The guy is on death row."

"I can't do it, Willie. Please. I've had two of those in the past five years and both got the needle. My track record is not very good."

"You did great work, Mitch. No one could have saved those two."

"I can't take another one."

"Will you at least listen?"

Mitch conceded and shrugged. Willie's fondness for death row cases was legendary and few lawyers at Scully could say no to him. "Okay, I'll

listen.”

“His name is Tad Kearny and he’s got ninety days. A month ago he made the strange decision to fire his lawyers, all of them, and he had quite a team.”

“Sounds crazy.”

“Oh, he is. Off-the-charts crazy, probably legally insane, but Tennessee is pushing hard nonetheless. Ten years ago he shot and killed three undercover narcotics officers in a drug bust that went haywire. Bodies everywhere, total of five died at the scene. Tad almost died, but they managed to save him so they could execute him later.”

Mitch laughed in frustration and said, “And I’m supposed to ride in on a white horse and save the guy? Come on, Willie. Give me something to work with.”

“There’s virtually nothing to work with, except insanity. The problem is that he probably won’t agree to see you.”

“Then why bother?”

“Because we have to try, Mitch, and I think you’re our best bet.”

“I’m still listening.”

“Well, he reminds me a lot of you.”

“Gee thanks.”

“No, seriously. He’s white, your age, and from Dane County, Kentucky.”

For a second Mitch couldn’t respond, then managed to say, “Great. We’re probably cousins.”

“I don’t think so, but his father worked in the coal mines, same as yours. And both died there.”

“My family is off-limits.”

“Sorry. You caught a lucky break and had the brains to get out. Tad did not and before long was involved with drugs, both as a user and a dealer. He and some pals were making a big delivery near Memphis when they were ambushed by narcotics officers. Everybody died but Tad. Looks like his luck has finally run out.”

“No question about his guilt?”

“Certainly not for the jury. The issue is not guilt but insanity. The idea is to have him evaluated by some specialists, our doctors, and file a last-

minute Hail Mary. First, though, someone has to go in and talk to the man. Right now he's not accepting visitors."

"And you think we'll bond?"

"It's a long shot, but why not give it a try?"

Mitch took a deep breath and tried to think of another way out. To pass the time he asked, "Who's got the case?"

"Well, technically, no one. Tad has become quite the jailhouse lawyer and he filed the necessary papers to terminate his attorneys. Amos Patrick represented him for a long time, one of the best down there. You know Amos?"

"I met him once at a conference. Quite the character."

"Most death row lawyers are real characters."

"Look, Willie, I have no desire to become known as a death row lawyer. I've been there twice and that's enough. These cases eat at you and become all-consuming. How many of your clients have you watched die?"

Willie closed his eyes and took a deep breath. Mitch whispered, "Sorry."

"Too many, Mitch. Let's just say I've been there. Look, I've talked to Amos, and talked and talked, and he likes the idea. He'll drive you to the prison, and who knows, maybe Tad will find you interesting enough to have a chat."

"Sounds like a dead end."

"In ninety days it will certainly be a dead end, but at least we will have tried."

Mitch stood and walked to a window. Willie's view was westward, over the Hudson. "Amos is in Memphis, right?"

"Yes."

"I really don't want to go back to Memphis. Too much history."

"Ancient history, Mitch. Fifteen years ago. You picked the wrong firm and had to leave."

"Had to leave? Hell, they were trying to kill me down there. People were dying, Willie, and the whole firm went to prison. Along with their clients."

"They all deserved prison, didn't they?"

"I suppose, but I got the blame."

“And they’re all gone now, Mitch. Scattered.”

Mitch returned to his chair and smiled at his friend. “Just curious, Willie. Do people around here talk about me and what happened in Memphis?”

“No, it’s never mentioned. We know the story but no one has the time to gossip about it. You did the right thing, got away, and started over. You’re one of our stars, Mitch, and that’s all that matters at Scully.”

“I don’t want to go back to Memphis.”

“You need the hours. You’re kinda light this year.”

“I’ll catch up. Why can’t you find me some nice little foundation in need of pro bono counsel? Maybe an outfit that feeds hungry kids or delivers clean water to Haiti?”

“You’d be miserable. You prefer action, drama, the ticking clock.”

“Been there, done that.”

“Please. I’m asking for a favor. There’s really no one else. And there’s an excellent chance you won’t get in the prison door.”

“I really don’t want to go back to Memphis.”

“Man up. There’s a direct flight tomorrow at one-thirty out of LaGuardia. Amos is expecting you. If nothing else, you’ll enjoy his company.”

Mitch smiled in defeat. As he stood, he mumbled, “Okay, okay,” and headed to the door. “You know, I think I do remember some Kearns in Dane County.”

“Attaboy. Go visit Tad. You’re right. He might be a distant cousin.”

“Not distant enough.”

## CHAPTER 2

Most Scully partners, along with many of their rivals in Big Law, as well as countless money runners on Wall Street, scurried from the tall buildings around 6 P.M. and hopped into black sedans driven by professionals. The more important hedge fund stars sat in the spacious rear seats of long European cars they actually owned and were driven by chauffeurs on their payroll. The truly essential masters of the universe had fled the city altogether and lived and worked quietly in Connecticut.

Though he could afford a car service Mitch took the subway, one of his many concessions to frugality and his humble past. He caught the 6:10 train at South Ferry, found a seat on a crowded bench, and, as always, buried his face behind a newspaper. Eye contact was to be avoided. The car was packed with other well-heeled professionals headed north, none of whom had any interest in chatting. There was nothing wrong with riding the subway. It was quick, easy, cheap, and, for the most part, safe. The rub was that the other passengers were, in some fashion, Wall Streeters, and as such were either making plenty of money or on the verge of it. Private sedans were almost within reach. Their subway days were almost over.

Mitch had no time for such nonsense. He flipped through the newspaper, patiently squeezed even closer to other passengers as the car took on more riders, and allowed his mind to drift away to Memphis. He had never said he would never return. Between him and Abby, that promise did not have to be expressed. Getting away from the place had been so frightening that they could not imagine going back for any reason. However, the more he thought about it, the more intrigued he became. It was a quick trip that would probably lead nowhere. He was doing Willie a huge favor, one that would undoubtedly lead to a nice payback.

After twenty-two minutes, he emerged from underground at the Columbus Circle station and began the daily walk to his apartment. It was

a splendid April evening, with pleasant skies and temperature, one of those postcard moments when half the city's population seemed to be outdoors. Mitch, though, hurried home.

Their building was on Sixty-Ninth Street at Columbus Avenue, in the heart of the Upper West Side. Mitch spoke to the doorman, collected the daily mail, and rode the elevator to the fourteenth floor. Clark opened the door and reached up for a hug. At the age of eight, he was still a little boy and unashamed to show his father some affection. Carter, his twin, was slightly more mature and already outgrowing the rituals of physical contact with his father. Mitch would have hugged and kissed Abby and asked about her day, but she had guests in the kitchen. A delicious aroma filled the apartment. Some serious food was being prepared and dinner would be another delight.

The chefs were the Rosario brothers, Marco and Marcello, also twins. They were from a small village in Lombardia in northern Italy, and two years earlier had opened a trattoria near Lincoln Center. It was a hit from day one and was soon awarded two stars by the *Times*. Reservations were hard to get; the current waiting time was four months for a table. Mitch and Abby had discovered the place and ate there often, anytime they wanted. Abby had the clout to get a table because she was editing the Rosarios' first cookbook. She also encouraged them to use her modern kitchen to experiment with new recipes, and at least once a week they descended upon the McDeere apartment with bags of ingredients and a near riotous approach to cooking. Abby was right in the middle of it, rattling away in perfect Italian as Carter and Clark watched from the safety of their stools near a counter. Marco and Marcello loved performing for the kids and explained their preparations in thickly accented English. They also chided the boys into repeating Italian words and phrases.

Mitch chuckled at the scene as he tossed his briefcase, took off his jacket, and poured a glass of Chianti. He asked the boys about their homework and received the standard assurances that it was all finished. Marco presented a small platter of bruschetta, placed it on the counter in front of the boys, and informed Mitch that he should not worry about homework and such because the boys were doing important work as taste-

testers. Mitch pretended to be sufficiently chastised. He would check the homework later.

The name of their restaurant was, not surprisingly, Rosario's, and it was embroidered in bold letters across red aprons worn by the chefs. Marcello offered one to Mitch, who, as always, declined on the grounds that he could not cook. When they were alone in the kitchen, Abby allowed him to peel and chop vegetables, measure spices under her watchful eye, set the table, and handle the garbage, all grunt work she deemed acceptable for his talents. He had once elevated himself to the position of sous chef but was rather harshly demoted when he burned a baguette.

She asked for a small glass of wine. Marco and Marcello declined, as usual. Mitch had learned years earlier that Italians, in spite of their prodigious production of wine and the presence of it at virtually every meal, actually drank little. A carafe of their favorite local red or white would satisfy a large family over a long dinner.

Due to her knowledge of Italian food and wine, Abby was a senior editor at Epicurean, a small but busy press in the city. The company specialized in cookbooks and published about fifty of them a year, almost all of them thick, handsome editions loaded with recipes from around the world. Because she knew many chefs and restaurant owners, she and Mitch dined out often and seldom bothered with reservations. Their apartment was a favorite laboratory for young chefs dreaming of success in a city crowded with fine restaurants and serious gourmards. Most of the meals prepared there were extraordinary, but since the chefs were free to experiment, there was the occasional dud. Carter and Clark were easy guinea pigs and were being raised in a world of cutting-edge recipes. If the chefs couldn't please them, their dishes were probably in trouble. The boys were encouraged to pan any dish they didn't like. Their parents often joked quietly about raising a couple of food snobs.

Tonight there would be no complaints. The bruschetta was followed by a small truffle pizza. Abby announced that the appetizers were over and directed her family to the dining table. Marco served the first course, a spiced fish soup called cacciucco, as Marcello found a seat. All six took a small bite, savored the flavors, and thought about their reactions. It was



slow eating and this often bothered the kids. The pasta course was cappelletti, small ravioli in beef broth. Carter in particular loved pasta and declared it delicious. Abby wasn't so sure. Marco served a second pasta course of risotto with saffron. Since they were conducting research in a lab, a third pasta course of spaghetti in clam sauce was next. The servings were small, only a few bites, and they joked about pacing themselves. The Rosarios bickered back and forth about the ingredients, the variations of the recipes, and so on. Mitch and Abby offered their own opinions, often with the adults all talking at the same time. After the fish course the boys were getting bored. They were soon excused from the table and went upstairs to watch television. They missed the meat course, braised rabbit, and the dessert of panforte, a dense chocolate cake with almonds.

Over coffee, the McDeeres and Rosarios debated which recipes should be included in the cookbook and which needed more work. It was months away from completion, so there were many dinners to follow.

Shortly after eight, the brothers were ready to pack up and leave. They needed to hustle back to their restaurant and check on the crowd. After a quick cleanup and the usual round of hugs, they left with serious promises to return next week.

When the apartment was quiet, Mitch and Abby returned to the kitchen. As always, it was still a mess. They finished loading the dishwasher, stacked some pots and pans by the sink, and turned off the light. The housekeeper would be there in the morning.



With the boys tucked in, they retired to the study for a nightcap, a glass of Barolo. They replayed the dinner, talked about work, and unwound.

Mitch couldn't wait to deliver the news. "I'll be out of town tomorrow night," he said. It was nothing new. He was often gone ten nights a month, and she had accepted the demands of his job a long time ago.

"It's not on the calendar," she said with a shrug. Clocks and calendars ruled their lives and they were diligent with their planning. "Somewhere fun?"

"Memphis."

She nodded, trying and failing to hide her surprise. “Okay, I’m listening, and this better be good.”

He smiled and gave her a quick summary of his conversation with Willie Backstrom.

“Please, Mitch, not another death row case. You promised.”

“I know, I know, but I couldn’t say no to Willie. It’s a desperate situation and it’s probably a wasted trip. I said I would try.”

“I thought we were never going back there.”

“So did I. But it’s only for twenty-four hours.”

She took a sip of her wine and closed her eyes. When they reopened she said, “We haven’t talked about Memphis in a long time, have we?”

“No. No need to, really. But it’s been fifteen years and everything has changed.”

“I still don’t like it.”

“I’ll be fine, Abby. No one will recognize me. All the bad guys are gone.”

“You hope. As I recall, Mitch, we left town in the middle of the night, scared to death, certain the bad guys were after us.”

“And they were. But they’re gone. Some are dead. The firm imploded and everybody went to prison.”

“Where they belonged.”

“Yes, but there’s not a single member of the firm still in Memphis. I’ll ease in and out and no one will know.”

“I don’t like the memories of the place.”

“Look, Abby, we made the decision a long time ago to live normal lives without looking over our shoulders. What happened there is old history now.”

“But if you take the case your name will be on the news, right?”

“If I take the case, which looks doubtful, I won’t hang out in Memphis. The prison is in Nashville.”

“Then why are you going to Memphis?”

“Because the lawyer, or ex-lawyer, works there. I’ll visit him in his office, get briefed, then we’ll make the drive to the prison.”

“Scully has about a million lawyers. Surely they can find someone else.”

“There’s not much time. If the client refuses to see me, then I’m off the hook and back home before you even miss me.”

“Who says I’ll miss you? You’re gone all the time.”

“Yes and I know you’re miserable when I’m out of town.”

“We can hardly survive.” She smiled, shook her head, and reminded herself that arguing with Mitch was a waste of time. “Please be careful.”

“I promise.”

## CHAPTER 3

The first time Mitch had stepped into the ornate lobby of the Peabody hotel in downtown Memphis, he was two months shy of his twenty-fifth birthday. He was a third-year student at Harvard Law and would graduate the following spring number four in his class. In his pocket he had three splendid job offers from mega firms, two in New York and one in Chicago. None of his friends could understand why he would waste a trip to visit a firm in Memphis, which was not exactly in the major leagues of Big Law. Abby was also skeptical.

He'd been driven by greed. Though the Bendini firm was small, only forty lawyers, it was offering more money and perks and a faster track to a partnership. But he had rationalized the greed, even managed to deny it, and convinced himself that a small-town kid would feel more at home in a smaller city. The firm had a family feel to it, and no one ever left. Not alive anyway. He should have known that an offer too good to be true came with serious strings and baggage. He and Abby lasted only seven months and were lucky to escape.

Back then they had walked through the lobby, holding hands and gawking at the rich furnishings, oriental rugs, art, and the fabulous fountain in the center with ducks swimming in circles.

They were still swimming and he wondered if they were the same ducks. He got a diet soda at the bar and fell into a thick chair near the fountain. The memories came in a torrent: the giddiness of being heavily recruited; the relief that law school was almost over; the unbounded certainty of a bright future; a new career, new home, fancy car, fat salary. He and Abby had even talked of starting a family. Sure, he'd had some doubts, but they had begun to dissipate the moment he entered the Peabody.