

Sample Chapter

The Tipping Point: A Wainwright Mystery

By Walter Danley



One

"Of all the creatures that creep and breathe on earth, there is none more wretched than man." ~
Homer

SUNDAY—EARLY FEBRUARY—1978 | The flight took off thirty minutes late. Garth Wainwright left his home in the Los Angeles suburb of Playa del Rey at 6:10 a.m. to catch Continental's flight to Denver, where he'd change planes to Denver Airways Flight 441 into Aspen. He was supposed to arrive in Aspen at 4:10 p.m., but the delay out of Denver was going to make him late. That was only the most recent thing grating on Wainwright.

He had planned to spend this past weekend with Tim and Brian, his children who lived with his ex-wife, Debbie. Last Thursday evening, Debbie called to say the boys didn't want to go to their dad's house. She was clear it was their decision and a continuation of other anti-Dad comments made by the boys.

The disappointment he felt was palatable when Wainwright made his almost nightly phone-fest with Lacey Kinkaid in Boston. Wainwright's demeanor brightened some when Lacey said they had a last-minute invite to join the Burkes for a skiing holiday in Aspen. Wainwright was so happy; he couldn't get the acceptance out of his mouth fast enough. And late flight or not, he was on his way to Aspen to be with Lacey. He would deal with the declining relationship with his sons after this trip.

Lacey said she would meet him at the terminal in Aspen so they could drive to the ski lodge together. Now he was going to be late, and if there was anything Garth Wainwright hated more than being late, he didn't know what it was. Besides, a gentleman does not keep a lady waiting, certainly not a lady like Lacey. Would this be their fifth or sixth date? He'd have to—

"Ladies and gentlemen, as we start out descent into Aspen-Pitkin County Airport, please make sure your seat backs and tray tables are stowed in their full upright and locked position. Make sure your seat belt is securely fastened and all carry-on luggage is stored underneath the seat in front of you or in the overhead bins. Remain seated until the plane is safely parked at the gate. Thank you."

Wainwright had never been to Aspen, so he'd spent some time at the LA public library researching the skiing, the hot spots, and the best restaurants. He wanted to read about Aspen and its world-class mountain so this trip wouldn't make him look like a rube to Lacey and her client, his new business partner, Thomas K. Burke.

Before the merger with Burke's firm and Wainwright's, Lacey represented Burke as his legal counsel. A damn good one, too, as Wainwright learned sitting on the other side of the negotiating table from her. *Yeah, it must be our sixth date. I was in Boston for a week. I asked her to join me for dinner on the third day of negotiations, so this is our official sixth date, not counting the phone calls over the many months since. Why the hell did it take me that long to ask her out? Fear of failure, maybe. I hate being late, but I hate rejection just as much. Now, isn't that an exquisite emotional profile for a guy who earns his living selling office buildings and shopping centers?*

Wainwright glanced at his wristwatch. It was 5:03 and the Convair 580 was still on the taxiway approaching the gate area when he saw Lacey through the small Plexiglas porthole. She was bouncing up and down on the snow-covered tarmac to keep warm. *Wow! There she is. I feel like I've*

known Lacey forever, and yet, I know very little about her. She is the kind of woman that makes you feel so naturally relaxed around her. Well, maybe not in a business setting, I guess.

He felt like a seven-year-old on Christmas morning. Joy flooded through him, up his arms and onto his face, evicting the scowl that had been there since the Denver late takeoff. Standing in the snow and stomping her feet outside of Aspen's terminal building, no one ever looked more beautiful to Wainwright. *Is that the cutest picture, or what?*

Lacey had her long black hair done in a pigtail and it was bobbing up and down the back of her parka as she stomped the asphalt. Crowning her head was a white fur-trimmed hat that matched her parka and framed the most beautiful face Wainwright had ever seen. Her red painted full lips smiled at the plane and he knew it was just for him. *Come on, pilot, get this rig to the gate and let me outta here.*

As the passengers deplaned past the flight deck and the captain, it was always Wainwright's habit to thank the pilot for a great ride. The crew appreciated the sentiment and it made Wainwright feel good to offer his appreciation for a safe trip. On the tarmac, it was all he could do to keep from running to Lacey. A fast walk would have to do.

"Hello there, beautiful." He wrapped his arms around the parka-clad paramour. The kiss wasn't his best effort, but considering that his bladder was yelling for relief, an abbreviated embrace was all that circumstances would allow. Wainwright put his arm around her shoulders and guided her into the terminal. Explaining his urgent need, he left her near the passenger boarding lounge and ducked into the men's room.

Wainwright stood at the lavatory sink washing his hands and splashing cold water on his face. There was only one other person in the facility. With a salt-and-pepper gray goatee trimmed in a Van Dyke style, he was drying his hands on a paper towel when he addressed Wainwright.

"I likin' you country miten da paper. They be sanitary more over da hanging dirty cloth ones towels," the stranger said in broken English.

Smiling at the man, Wainwright said, "I agree. But it hasn't been all that long ago those public restrooms still had a loop-towel on a rod. I hated that and rarely used them. Paper is better."

"You are up for da ski?"

"I am. Just got here for a week of schussing the slopes of Aspen Mountain. How about you? Are you a downhiller?"

The stranger chuckled. "Ya, I do da manage da vertical, most da times." He deposited his used towels in the waste bin, reached his hand in greeting to Wainwright, and introduced himself. "Mine nam Schwartz, Gambol Schwartz. I be from Oberstdorfer in Bavaria. I looking good to ski da big mountain. Mine town mountain, she—half dis ones, only 2,200 meters. Sorry, mine English, she not so good."

"Pleased to meet you, Gambol. My name is Garth Wainwright. Welcome to America." Wainwright smiled and then said, "Herr Schwartz, your English is far superior to my German, I assure you."

He was smiling strangely at Wainwright.

“Nice talking with you. Maybe we’ll be on a chairlift together. Have fun in Aspen. Good-bye,” he said and hurried into the terminal to find Lacey.

“Is everything all right? You were in there longer than a woman’s visit.”

“Yes, everything is fine. I met a visitor from Bavaria, who is here to test our mountain. Strange chap. We just got into a bit of conversation, that’s all. I wanted to show him our best US of A friendliness rather than brushing him off. Okay?”

“Garth Wainwright, you are one class act, I must say. Come on; let’s get your gear from baggage. I’ve got a rental waiting outside. And I’ve been waiting for your strong warm body since Boston.”

Holding hands, Lacey and Wainwright picked up his ski gear and luggage, climbed into the big Land Cruiser, and headed to the lodge for their dinner date with Thomas and Sonja Burke.

The skier rested for a minute at the top of Aspen’s aptly named ski trail, *Bad Decision*. He could see the mogul field blanketed steep trail in front of him. Moguls were man-killers and knee breakers. The field looked like an earthquake hit it.

Moguls form when skiers repeatedly ski the same line. Snow climbs away from the back of the ski on every turn, and piles into a mound. People ski around the pile, pushing more snow onto the top of that mound. Now you have a mogul field, a series of high random mounds with dangerously deep depressions fronting them.

There was no way to avoid this route to the resort. He had to ski directly through the moguls. He knew he was risking severe injury to try it, but he had to go for it. *Bad Decision, my ass. I love moguls!* A happy smile slowly spread across his face in anticipation of a welcomed challenge. This was just one of the reasons he had come to Aspen Mountain. Called Ajax by the locals, it certainly had the best runs, the best snow, and the best of everything. Burke was having the best time of his life. With a grin, Thomas Burke pushed off the ridge and let loose with a rebel yell as loud as his forty-six-year-old lungs would produce.

Winded, with knees that threatened total collapse, Burke leaned over his ski poles and looked back at the incline he had beaten and smiled. His hot breath steamed in the frigid mountain air. He was a happy man.

That last run was symbolic, in a way, for his reason for arranging this skiing holiday. Burke was celebrating his first year as a partner in the largest real estate investment firm in the country. Capital Vested Corporation of Bellevue, Washington—or CapVest, as everyone referred to it—had acquired Burke Properties last year. Burke now ran the Boston division, once his company. One year and counting. Burke thought himself a truly blessed man...and he was.

Burke invited his attorney, Lacey Kinkaid, and Garth Wainwright, a CapVest partner, to join them in Aspen. Wainwright was Los Angeles-based and had been in a bi-coastal relationship with Lacey for almost a year. Sonja suggested he ask Wainwright and Lacey. Burke was glad she did. The four of them were having a marvelous time; at least, Burke presumed so, as Wainwright and Lacey shared the same suite at the lodge.

Burke liked Wainwright, even more since Lacey had apparently placed her own stamp of approval on him, and Burke trusted her judgment implicitly. He'd gotten to know Wainwright better since the companies merged. Wainwright was very effective and highly respected by his partners in Bellevue. Burke recognized Wainwright was one of the Young Turks at CapVest. He was a comer, one of the anointed who would soon be leading the firm. It was good to have someone like Wainwright, with his stellar reputation and executive leadership potential, in his corner. Corporate America was a scary place for a middle-aged guy. Having a good friend on the corporate board with him was a definite benefit in the ceaseless battle for corporate turf.

He hid deep in the Aspen trees' orange and brilliant golden foliage fifteen yards off the ski trail—waiting. His skis pointed across the downhill slope through a small breach between the large stand of Quaking Aspen. He would be ready when the time came to make his downhill run from his concealment. There was no breeze, and the pungent, yeasty Aspen scent surrounded him where he bent low over his skis. He'd been waiting for twenty minutes; fresh, crisp snow crunched under his skis as he shifted his body in the wait. He knew his victim would come soon. His target made this his last run every day.

The Assassin glanced over his left shoulder and saw skiers glide off the chairlift to begin their run down *Walsh's Trail*. They made a sharp left turn at the watchers' stand where the trail led down the mountain's steepness. He flexed his stiffening knees and felt them pop. Snow-stacked sprigs above his head dripped onto his neck, running cold down his spine. It made him shiver. Considering what he was there to do, the Assassin thought, *Shivers, how appropriate is that*. And he continued his wait.

It had been snowing soft dry powder all week, but today was bright and warm; the summit temperature registered just above freezing. The snow had iced up on the sunny runs. The Assassin had been shadowing his target for six days—Thomas K. Burke, a competitive skier who pushed himself hard, taking the steepest and longest runs on the mountain. All week, Burke made *Walsh's Trail* his last run for the day. The Assassin was sure he would come.

The ski patrol closed the high double black diamond runs at 4 p.m. That was fewer than thirty minutes away. The sun dropped early behind the 11,212-foot elevation of Aspen Mountain. Burke would die before twilight. The Assassin continued his wait.

The Assassin received this contract assignment as he usually got them. A phone called instructions to get a package from some obscure place—an out-of-the-way phone booth or an envelope taped to the underside of a coffee shop table. His client, a man who called himself Dallas, instructed him to pick up the briefing materials from a dumpster outside the back door of a Denver restaurant.

Stinking of garbage and fried fish, the dirty envelope contained background information on the target, together with his photo and the specifics needed to fulfill this contract kill. Most importantly, the envelope contained his offshore bank's wire transfer deposit slip confirming

payment for services. The Assassin learned long ago, you better be paid up front before doing any heavy lifting.

He looked with satisfaction at this contract, but not the killing to come. The pleasure he anticipated was skiing Aspen. His client paid him to spend time at one of the best world-class ski resorts. *Yeah, sure, a paid vacation.* Of course, it was not anything like a vacation, but it was handsomely paid. Killing was not pleasing to his temperament. He never felt good about the ultimate outcome, so he was pretty sure he was not a psychopath. The Assassin was capable and competent. Successful? You bet—at the top of his profession. Nevertheless, he did not enjoy the act of homicide. He tried to keep an objective view of it as a professional, but how do you justify ending a life?

Most of his contracts involved people the world was better off without—drug kingpins, a few foreign spies, and even the occasional fellow professional killer. Most of the targets were notorious, evil, and powerful men—like his clients that hired him—which helped to justify the action in his mind. The Assassin was constantly aware of his precarious psychological vulnerability. He did these contracts for the money. If he started to enjoy how he earned a living, which would be the time to quit...if he was able.

This past week, the Assassin had observed Burke, unnoticed by the target. That was the easy part, basic tradecraft stuff. The Assassin was a highly trained professional, thanks to the Israeli Army and Mossad. Like many veterans, his military training led to a civilian career. Mossad had trained him to be a professional killer. That is what he was. His choices were to pursue a profession as a politician or an assassin. To his way of thinking, there was little difference.

Hitting a target with a high-powered rifle at a thousand yards was not easy, but it was impersonal. His instructions were that this hit must appear to be an accident. This task would put him very near his target, close and personal. *Shit!* This was not how he wanted to operate. He didn't know much about Burke, nor did he want to. From several days of watching, Burke seemed to be an okay kind of guy. The Assassin cautioned himself—arbitrating a contract was not his responsibility. Dallas is wearing the judge's robes on this one. This is just another job.

On Aspen Mountain, the most challenging trails—one of every four runs—was designed EXPERT ONLY. Shadowing Burke was testing the Assassin's skiing skills, which he had perfected during the intensive mountain survival training courtesy of the Israeli Army. The Army made certain you completed the program. None failed, and his squad all graduated as experts on the slopes. Growing up in a small village near Tel Aviv provided few opportunities to ski, and he found the years since training had not dulled his skills much. He was just as expert on the slopes as his prey.

The briefing materials mentioned Burke's wife, but nothing about Garth Wainwright and the lady lawyer. He'd learned she and Wainwright were sleeping together from talking to hotel staffers. The fact that his client did not know they were going to be here was troubling. Maybe that means there are other faults in the briefing materials. It is a big mistake to give the Assassin wrong information. He did not allow himself the luxury of mistakes and was intolerant of any who did.

The Assassin sensed he should be keeping an eye on this Wainwright guy as well as Burke. Something about Wainwright made the hair on the back of his neck stand at attention. Wainwright looked like he was thirty-five, maybe early forties. While he would not be trying out for an Olympic ski team berth, Wainwright was a reasonable recreational skier. The Assassin judged Wainwright to be close to his own size and build, just short of six feet and about 180 pounds or so. Wainwright moved with deliberate confidence, although he walked with a slight limp in his left leg. He dressed in designer ski suits on the mountain. Off, he wore custom-made monogrammed dress shirts and Tony Lama boots. Boots with jeans or with trousers and sports jacket ... the boots seemed to be an affectation. The Assassin was intrigued. *This is no office weenie, but a West Coast cowboy. What fun is this?*

The Assassin admired Burke for always interrupting his ski time to meet his wife for a late lunch and a glass or two of wine every day. Burke was a man of routine; a late lunch with Sonja, then they would ski from the mid-slope eatery to the lodge at the bottom of the mountain. *That's nice. He's a good man.* After that daily ceremony, Burke would take the chairlift to challenge the mountain's 3,333-foot vertical drop once again. On this Tuesday morning, the Assassin saw Burke's routine was the same as the other five he'd watched. *Consistency, that's what makes for a good contract,* the Assassin considered, waiting in the lift line, six back from Burke.

Assassin sat in the restaurant two tables away from the Burkes, Wainwright, and the female lawyer, who were enjoying their noontime meal. Burke said to his companions, "Is this snow fantastic or what?"

"It could only be improved if it were warmer," Wainwright said. "But I will admit the ski trails are exhilarating. I've never had such a good time." He took Lacey's hand in his, gave it a little squeeze, and then said, "Of course, I've never had such a wonderful companion before, either."

Wainwright's highest priority seemed to be with the captivating woman.

"Well, for Sonja and I, the fun has too soon come to an end, I'm afraid. I've got to get back to the office."

"Oh? When did you plan on leaving?" Wainwright asked.

"Today will be our last day skiing. We'll take the air shuttle to Denver in the morning. Our plane leaves Stapleton at one thirty, so I'm afraid we won't have time to meet you two for lunch. But we would like to make up for the abruptness of leaving by asking you to join Sonja and me tonight for dinner. I've made reservations at Gisella at nine. It's one of the best five-star restaurants on the mountain. I think you'll both enjoy it."

Overhearing Burke describe their travel plans, the Assassin forced himself to suppress a smile. They would be gone tomorrow, Wednesday. The assignment would conclude today with no more skiing, no more watching and waiting. The time had come to execute the contract and Burke unknowingly had chosen his own death sentence. When Burke skied off the lift at *Walsh's Trail* this afternoon, his last run of the day would be his last run...forever.

The time was a quarter to four; the Assassin continued to wait in his hidey-hole. He looked over his shoulder again. This time, he saw Burke was alone and calm as he expertly executed a neat slide-step off the chairlift, skidding into the run-up area. Hooking his pole straps around his wrists and under his thumbs, Burke looked around for anyone he might know. Recognizing no one, he pushed off the flat with great excitement and joy and headed down the hill. When Burke neared the sharp left turn and the sheer drop-off, the Assassin poled out of his hiding place in the tree stand. Kicking hard, he traversed the slope. He was twenty feet behind Burke, tracking to his left, perfectly matching his target's pace.

Burke crested the ridge and shot down the exposed slope at top speed. The trail's steepest section was a windblown, naked mountainside where icy wind crusted the snow into a slick, slippery stretch. Burke concentrated hard to keep his skis under him on the sheer incline. He leaned low, edging his skis into the hill. Burke heard the wind in his ears and the chattering steel cutting ice. He skied toward the spot where the trail turned back into the forest, across the ridge, and through a stand of mature Aspen.

The Assassin was close behind his target. Both skiers were going very fast on a narrow trail through the old growth Aspen. The wind in the Assassin's face was freezing, but he felt exhilaration joined with his anticipation of the hunt. His eyes watered. It was hard to keep his target in focus. Burke wore a pair of goggles. Advantage, prey, but that was not going to save his butt.

Skiing from the sun-streaked slopes onto softer snow, Burke heard the skier behind him. *Some moron is trying to pass me, and on my left! Does this guy know nothing?* Burke couldn't believe it. *Wrong side, asshole.* The thought had just crossed his consciousness when cold, wet gloves encircled his neck, covering his ears. The weight of another body pushed Burke suddenly to his right. In that split second, Burke's face smashed into immovable tree bark at over fifty miles an hour.

The Assassin skied on, down the track, and was gone before the rooster-tail of snow spitting from his skis settled over the crumpled corpse of Thomas K. Burke.

Amazon Reviews: http://www.amazon.com/Mystery-Suspense-thriller-intrigue-International-ebook/product-reviews/B00BKP6CFQ/ref=cm_cr_dp_see_all_summary?ie=UTF8&showViewpoints=1&sortBy=byRankDescending

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