

CHAPTER ONE

A PERFECT SPRING DAY DAWNED OVER MANHATTAN PALM Sunday, April 13, 2003. Low morning temperatures rose into the 60s and there wasn't a cloud in the sunny blue sky. The tall buildings blocked direct light from most of the sidewalks until the sun reached its pinnacle at noon.

Maria Pilar Cruz emerged from her luxury high rise on West 50th Street to greet the glorious morning. She was a small Filipina—only 4'11" weighing just 90 pounds—but she was large in energy and ambition. Workouts at Crunch Gym and jogs in Central Park made her as fit as a 35-year-old woman could be.

Her drive to succeed led her out of the Philippines eleven years earlier eventually taking her to New York City in 1998 where she earned an MBA in finance and international banking as well as U.S. citizenship. By 2003, she was a highly regarded financial analyst for Barclays bringing in an annual salary that approached \$200,000.

That year was full of promise. Maria planned to go back to school to study for an additional advanced degree. She conspired with family members to plan a fabulous celebration for her parents' fiftieth anniversary later. And she anticipated a Christmas visit to the Philippines—her first trip home since arriving in America.

She did not have work or exercise on her mind when she left her apartment building that morning. Her thoughts were on higher plane. It was time to pay homage to God for the many blessings in her life. She walked a couple of blocks to Malachy's Church for 11 A.M. mass.

After the service she stopped by a Duane Reed pharmacy near the corner of 50th and Broadway. She then headed across town past the flapping contingent of flags at Rockefeller Center, across Fifth Avenue and then turned right heading south on Park Avenue. Directly in front of her, the elaborate Helmsley Building blocked the forward progress of the avenue. Looming behind it was the towering Met Life building.

When she reached the Helmsley, she took the pedestrian tunnel to the other side to reach her office building at 200 Park Avenue. She took the elevator and entered the offices of the Barclay's Capital Asset Management Group at 1 that afternoon. She went to her desk to retrieve a few files she needed for a team meeting on Monday morning.

At 1:30, she left, stopping in the upscale lobby mall to withdraw \$400 from an ATM machine. She would need a big part of that for an appointment on her schedule later that day. Her medical provider asked her to bring cash.

Maria used her credit card at Grand Central Terminal leaving one more indication of her day's activities and walked back home. At her apartment, she spread out her files on the dining table and immersed herself in preparation for the next day. Engrossed in her work, she lost track of time and had to hurry off leaving her home in greater disarray than usual.

She headed down to Chelsea for her appointment. She arrived in the area sooner than she anticipated. With time to kill, she stopped to shop at Loehmann's on Seventh

Avenue at 16th Street. At 5, she bought a new blouse—size 2—and a pair of size six shoes.

She walked a couple of blocks down 16th Street to her appointment with Dean Faiello. It was not in a conventional medical office—Dean worked out of a friend's apartment. There he had a laser machine to treat a recurring growth in Maria's mouth called black hairy tongue syndrome. She'd paid visits to a number of other doctors and endured numerous scrapings. She found Dean on the internet early in 2003. She was impressed with his meticulousness and his professional bedside manner. She was beguiled by his charm.

That day, prior to the removal process with the laser, Dean administered a Lidocaine injection into Maria's tongue. Like all local anesthetics, this drug had a small tolerance spectrum. Too low a dose and it would not provide the numbness needed. To high a dose could result in serious complications.

The site of the injection exaggerated the necessity for accuracy. The tongue is a vascular structure—spongy, absorbent matter criss-crossed with an amazing network of capillaries that rush any substance throughout the body at lightning speed.

Reclining on the treatment table waiting for the drug to take effect, Maria heard a ringing in her ears. It was annoying but did not cause concern. Then she became light-headed. She closed her eyes to stop the room from spinning. It was an unpleasant sensation but she thought it would pass.

In her mouth, she tasted something acrid and metallic as if she'd bitten down on a piece of aluminum foil stuck to a morsel of barbecued food. An uncomfortable heat surged through her body from head to toe as a bright red flush radiated across her face.

The treatments had never made her feel like this before—she didn't like it but she didn't complain.

At this point—without a word from Maria—a trained anesthesiologist would have known that the patient was in trouble. Either Dean did not notice the heightened coloration in her face or he did not understand its significance.

He didn't know there was a problem until the seizures began. Maria was no longer aware of her surroundings. Without volition, her body tensed and shook. Dean knew that he had to do something but had no idea of what to do.

An injection of Pentothal, Versed or Diazepam could have readjusted the electrical potential in her brain and stopped the manic motion in her muscles. But Dean did not have the education to know. He did not have the drugs he needed. All he knew was that Maria was convulsing again and again as he stood helpless by her side.

He grabbed his phone and called his friend Patty Rosado. She would have the number of the emergency room director at NYU Downtown Hospital, Dr. David Goldschmitt, who lived just a block away from Dean's home in Newark. Patty called David and asked if it was okay to give Dean his home number. Then she called Dean with the number. Dean wasted no time. He explained the nature of his emergency to David, claiming that the convulsing woman was his friend and asked what he should do.

The doctor was blunt. "Call an ambulance and get her to the hospital," he said. "She's regaining consciousness now," Dean said. "I'll ask her if she wants to go to the hospital."

"Don't ask her," Dr. Goldschmitt insisted, "Just take her. The seizures will start again. This time they could kill her. Get her to the hospital now."

Without response, Dean hung up the phone. He'd been pushing the boundaries of acceptable behavior for years. He lived his life as if rules were made for others and did not apply to him. He now stood on the precipice of the line he should not cross but lunged over it anyway. He demonstrated a reckless disregard for Maria's life and a conviction that he was above paying the price for his sins.

This was the most pivotal moment of Dean Faiello's life. It was the ultimate test of his character. The right course of action blazoned before him as clear and obvious as the lights on a runway on a clear, dark night. At this point, he faltered and he failed—he failed Maria Cruz and failed himself.

Call the authorities and face the consequence of his actions? He was too scared to follow Goldschmitt's advice. He had to ride this out. He could not afford to take her to the hospital. He was in trouble already. Taking Maria in for help would make everything so much worse. As soon she survived the crisis, they would ask her who did this to her. The moment she uttered his name he was doomed.

David wanted to call for an ambulance but all he knew was that Dean and this woman were in an apartment in Manhattan. He punched star-69 into his phone to reconnect with Dean but the number was blocked. David was concerned—he didn't think he'd convinced Dean of the situation's urgency.

He felt helpless and frustrated. His career as a physician was founded on saving lives—he worked to that end every day in the emergency room. In the aftermath of 9-11, David had been in the eye of the storm, working unending hours at a hospital close to ground zero. And now he feared a woman was dying and there was nothing he could do.

The thought brought back visions of the dead and the dying on that dreadful day less than a year and a half earlier.

Meanwhile, in the makeshift office, Maria's seizures ceased. Dean sighed out his relief, thinking he had weathered the crisis—until he realized that her chest was not rising and falling as it should. She was not breathing. He put his fingers to her wrist, to her throat. She had no pulse. He checked for a heartbeat. He heard not a sound.

He stabbed the number of his accountant, financial advisor and friend Martin Mannert into the telephone. "She had a reaction to Lidocaine," he said. "There are no vital signs. No respiration. No pulse. I don't know what to do."

"I'll call 9-1-1," the friend offered.

"No. No, don't do that. I'll take her to St. Vincent's right away."

There was a trauma center at St. Vincent's hospital and it was only four and a half blocks away from Dean's makeshift office. Maria never made it there. Dean never made the effort.

Instead, he panicked at the thought of the cost he would pay—the repercussions that he would suffer—if he did the right thing. He thought of life behind bars. He knew his six-month plea bargained sentence on an earlier charge would vanish in thin air if the authorities knew he was still treating patients. Consumed with his own personal peril, he did not spare a moment's concern for the woman who paid the highest price of all.

He pulled a carry-on suitcase from a closet. It was too small to hold most adults but Maria was a tiny woman. Now that her natural vivacity was extinguished, she looked even smaller than ever. Dean had little trouble folding her still pliable body into the bag and zipping it shut.

The little wheels whirred smoothly down the hall and clunked as Dean eased the suitcase into the elevator. He descended and then jarred the contents again as he exited the lift pulling the beloved daughter of Rodolfo and Ireana Cruz over the gap.

He rolled the suitcase outside to his green SUV. Even with Maria inside, it still weighed less than 100 pounds. For a strong guy like Dean heaving it into the back of his '96 Jeep Cherokee barely raised a sweat.

He drove through the Holland Tunnel to New Jersey taking the tiny Filipina's body to his elegant old home in Newark, the former residence of opera diva Madame Maria Jeritza.

Maria Cruz would not rest in peace.