Flood of Lies: The St. Rita’s Nursing Home Tragedy
By James A. Cobb, Jr.


Reviewed by Pascal F. Calogero, Jr.

Do you remember why you went to law school? Would you like a reminder of how your practice can — indeed, should — embody the most noble aspects of our profession? Reading Flood of Lies: The St. Rita’s Nursing Home Tragedy by James A. Cobb, Jr., a fellow Louisiana lawyer, will inspire your inner Atticus Finch and fuel your passion for the practice of law.
My friend and colleague Jim Cobb has penned a page-turner about one of the most publicized tragedies of Hurricane Katrina: the death of 35 elderly patients at St. Rita’s Nursing Home and the subsequent prosecution for negligent homicide and elder abuse of the home’s owners, Sal and Mabel Mangano.

No doubt you know the havoc of Katrina because you and yours lived it. You probably also recall the news stories about the trial, and perhaps its outcome. Regardless, I can assure you will be riveted to Flood of Lies because Cobb cuts through the media’s imagination and invective to tell the real story of State of Louisiana v. Salvador Mangano et al. — from his own perspective as lead defense attorney for the Manganos.

That real story is about heroism, commitment and sacrifice — first by the Manganos, who faced life imprisonment despite having risked their own lives in the care of their residents, and then, too, by Cobb himself, who, in the face of great personal and professional sacrifice, led the defense team that undertook the desperate challenge of defending the Manganos, an elderly couple pilloried by the politicians, the press and the public.

Cobb’s telling of the story is masterful, and you will read into the wee hours because you will crave every twist and turn behind the scenes. But it is the essence of Cobb’s decision to undertake representation of Sal and Mabel Mangano, who were vilified as Public Enemy No. 1 in the wake of the storm, that makes this book essential reading for every lawyer and aspiring lawyer. Why?

Because Flood of Lies proves that advocacy matters. It matters to our clients, whether saints or scoundrels in the court of public opinion. It matters to justice, as its judges and officers of the court strive to uphold the law. It matters to the public, who rely on — and, indeed, deserve — professional representation to protect their rights. In sum, we members of the Bar are custodians of the law, those ideals of our society enshrined by the Legislature. We must not shirk our responsibility to enforce those ideals, even for — nay, especially for — unpopular causes and unpopular people.

Just as I hold up Cobb’s masterpiece Flood of Lies to you as an example to inspire all of us in our law practice, Cobb himself cites America’s founding father John Adams as his inspiration to represent the Manganos, despite facing public opprobrium himself. Recall your grade-school studies of the Boston Massacre — the 18th century one, not the recent act of terrorism at the Marathon. In 1770, the colonists were becoming restive under British rule, which led to the Crown stationing its troops in Boston. One fateful evening, a few patriotic colonists taunted the British sentries with insults, then snowballs. Their superior officer, Captain Preston, was summoned. Meanwhile, the crowd grew into a mob. Tensions mounted. The soldiers fired their muskets. Five colonists died and more were wounded.

Eight British soldiers were charged with murder of the five dead colonists. A propaganda war raged on both sides of the Atlantic. Supporters of the Crown decried the colonists’ refusal to recognize the British authority. The colonists rallied that redcoats could not quell the Spirit of Liberty. Against that backdrop of revolutionary fervor, few advocated for a fair trial of the men charged with murder. Indeed, several lawyers outright refused to represent Captain Preston or his men.

Then John Adams, ardent American patriot and future President of the United States, stepped up to defend Captain
Preston and his detachment of men. To do so, he first had to step away from his own political leanings and personal ambition. By all accounts, Adams did so because he believed fervently in the principle of a fair trial; certainly Adams had no interest in the British cause. Moreover, Adams acted in the absence of any constitutional imperative to do so. It was 1770: there was as yet no United States of America, no U.S. Constitution, no Sixth Amendment right to counsel. But Adams recognized that convicting a man for a crime — especially a crime as serious as murder — required a fair trial, and a fair trial required representation by a lawyer.

So where others stepped away, Adams stepped up. He advocated the law and the facts on behalf of his clients: the soldiers who had fired were not killing innocent bystanders, but rather were defending themselves against an angry mob of “saucy boys.” The jury of colonists who lived in a town steeped with revolutionary rhetoric against the British defendants ultimately agreed with Adams. Six soldiers were acquitted and two were found guilty of a lesser charge. But for Adams’ principled defense of the British soldiers, justice would not have prevailed on the eve of our revolution. As Mr. Adams recounted in his diary, “Judgment of death against those soldiers was displaced — with no income on the horizon. Financial security for himself and his family was in peril. Nonetheless, he fulfilled his professional duty — not only by wielding his legal acumen to provide diligent, competent representation of two criminal defendants, but, even more importantly, by his accepting an unpopular representation against seemingly insurmountable odds.

It is Cobb’s commitment to his clients and to our profession and its ideals that inspires me to recommend Flood of Lies to you. His prose is passionate and profane. He is irascible and charming in turns. He will make you weep. He will make you rail. But, most importantly, his gripping narrative of the St. Rita’s trial of the Manganos in St. Francisville reminds us of the nobility in law. Like John Adams, Jim Cobb proves that good lawyering is more than doing everything right; it is doing the right thing. We should all be so bold in our practice.

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