

'Fargo' meets 'Perry Mason' in Minneapolis federal court

By JON TEVLIN, Star Tribune

To hear Harvey Duranseau tell it, a debt collection agency that was looking for his brother to repay a \$300 debt hounded him so relentlessly over several months that it caused him to lose sleep, have health problems and start hearing phantom door knocks and strange voices at his home in Big Falls, Minn.

The calls were so maddening they even turned him from a docile 70-year-old with a bad ticker into an angry, foul-mouthed lout who screamed racist and sexist epithets at the debt collectors from Portfolio Recovery Associates (PRA), the firm hired to dun his brother, Thomas. He also claims one of the debt collectors called him the "N word" and told him to commit a sexual act.

"This bothers me very much as I am of the white race and do not engage in such behavior," he wrote in a complaint to the Minnesota Attorney General.

For that alleged slur, Duranseau would like some money, please. Lots of money.

The trial, being held this week in U.S. District Court in Minneapolis, features witnesses seemingly from central casting and dialogue that reads like a Coen brothers script. It will likely produce the most profanity-filled transcript ever seen in District Court because not only were calls to Duranseau recorded by PRA and played in court, but lawyers and witnesses read many of the filthy transcripts aloud, causing a few nervous giggles.

Duranseau's attorney, Matthew Gilbert, argued Monday that there were two rounds of attacks on his client through harassing phone calls. Initially,

Gilbert said, Duranseau tried to be nice and explain to PRA that they had the wrong guy. He said Duranseau counted more than 200 calls during "round one," calls made to a workshop phone.

Duranseau said on the witness stand that he believes the company destroyed all early phone calls that would benefit his case.

When PRA agents started calling his phone in his living room, "Those calls caused me to react in a bad way," Duranseau said in court.

Indeed.

Duranseau, who has a long criminal history that includes breaking and entering, receiving stolen goods and pointing a gun at someone, said before the annoying phone calls, he rarely swore or used racial epithets.

If true, Duranseau proved to be a fast learner. In the audiotapes collected by the agency, Duranseau displays an amazing, almost professional level proficiency with both cuss words and racist and sexist terms.

Those conversations usually started with a phone call from PRA, often a soft-spoken woman with a Southern lilt.

"Hello, Thomas?"

Duranseau's replies typically began with a terrible sexual slur, a scold about the woman's use of the English language, a racial epithet, an invitation to commit a sexual act with him or someone else, a reference to his private parts and finally to the words: "Quit calling me!"

The calls usually ended with the PRA representative cutting Duranseau off with a polite "You have a good day now" or even one time, "God bless you." In one case, after being subjected to a string of screamed racist epi-

thets, one PRA caller said simply: "Do you feel better, sir?"

Gilbert, who said Duranseau told collectors he wasn't Thomas and asked them to stop calling 39 times, argued the calls turned his client into a monster. "The point is, Harvey Duranseau felt he had to be mean" so that creditors would stop calling.

PRA's attorney, Chris Madel, said before trial started that it was "one of the strangest cases I've ever had." That's saying something. Madel is a high-profile attorney who has investigated former Vikings punter Chris Klewe's accusations of anti-gay statements by a coach, and he represented a college coach wrongly accused of having child porn.

Madel argued that his client had records of only about 50 calls to Duranseau over a much shorter time period. He said that PRA kept calling because they believed Harvey was indeed "Thomas" because never once in 20 recorded calls did he say his name was Harvey. Madel also showed that Duranseau not only had once shared an address with his brother, but that at times his brother cited Harvey's phone number as his own.

On Tuesday, Madel asked Duranseau if he'd used the name "Thomas" as an alias to register a car and open a bank account.

"I have," said Harvey.

Madel also noted that Duranseau began keeping a notebook recording the phone calls from PRA, but only after he'd written complaints to government agencies in which he threatened to sue PRA. In almost every instance, he wrote down the phone number of their calls. But he didn't do so for the two calls in which a debt collector al-