

## **D-U-WHY?! By Mike Birbiglia**

Two years ago I'm in Los Angeles, and I'm at my friend Andy's house and we're watching TV. And earlier in the night I'd gotten in a fight with my girlfriend, Jenny. You ever get in a fight with your girlfriend that's so bad that afterwards you don't know where you are or what year it is? I was just like, well, let's just watch Bagger Vance.

She had been at the wedding of one of her friends. And she was annoyed because people she hardly knew kept asking about our status as a couple. So annoyed, that she called me to ask about our status as a couple. And this is problematic because I'd always been against the idea of marriage.

I'd decided I wasn't going to get married until I was sure that nothing else good could happen in my life. Basically, I didn't see the upside of there being one person you're assigned to and who's assigned to you. Because I never looked at my parents' marriage, or really anyone who had been married 30 years and thought, "I gotta get me some of that."

Well, this is something that Andy and I had rallied behind together. And we knew we were right. This is important for me to point out-- that sometimes when I think that I'm right, it can be a real source of contention between me and people who I'm close to. And the reason it's a source of contention, is that I'm right.

So not only did Andy and I not believe in marriage for ourselves, but we made it our mission to discourage other people from getting married, and people we cared about most. Andy and I stopped or put on hold four to seven marriages. We were pretty good. We weren't amazing, but we were solid.

I'm at Andy's house and it's 1:00 AM, and I get into my rental car and I head back to my hotel. And I make a right turn out of Andy's street and I am T-boned. That's the culinary way of describing it. It means that I am hit, driver's side, at a 90-degree angle, like a T-bone steak. And it was by a drunk driver, who probably would have enjoyed that.

And being hit by a car is hard to describe. I'm sure some of you have experienced this, but you know those water slides where you lie on your back and then you fall at a vertical angle at like 1,000 miles an hour? It's like if you went on one of those, but no one told you you were going on the slide. It's like if you were taking a shower, and then you're on that slide.

So in one and a half seconds, my car spins around 180 degrees and I hear nothing. And I think I'm dead, there's no weight. I'm paralyzed. And then I hear nothing. And then I hear the other car skid out and drive away.

And I have that Elie Wiesel moment where I think, "Human beings are animals." I think that's how he said it. And 20 minutes later, I'm sitting on the curb. Andy had shown up, as well the police and the paramedics, and that's when I start crying.

You know how when you drop a baby on the ground? It doesn't start crying right away because it doesn't understand the concept of dropping a baby on the ground. Until it sees your face and then it's like, oh I guess I should be crying or something.

And I am crying because I'm looking at my totaled car, and it hits me that in that moment I might have ceased to exist. A police officer walks over to me and he says, "What happened?"

And I say, "I was hit by this car and then I heard nothing and then I heard it skid out and drive away."

And he says, "Well, he didn't get too far." He points to the intersection 100 yards away and the other car has made a right turn and driven into a small tree.

And I can't help but think, "That is karma, sucka." That is a hit and run, and hit.

I'm on the curb, and the cop asked me to sign a piece of paper and I say, "What's it for?"

And he says, "It's a statement saying you're OK and that we can leave."

And I said, "I don't know if I'm OK."

And he says, "Just sign it."

And I said, "No, I actually-- I'm a little shaken up."

And he says, "Just sign it." And he holds it in my face, and it occurs to me that he's not going to move.

And so I sign it. And Andy drives me to the hospital just as a precaution. And we had to wait an hour because the doctor is treating the drunk guy. He beat us there. Eventually we're with the doctor and he apologizes for the wait. And Andy says, "Was the other guy drunk?"

And the doctor says, "I can't answer that."

And Andy says, "Was he?" He uses the tactic we had learned earlier from the cop. And it works!

The doctor says, "Well, he's heading to jail now." And Andy and I flash each other a look like the Hardy Boys. Case closed.

Andy and I get back to the house at 4 or 5 o'clock, and I have one of those cliché revelations a lot of people have when they have near death experiences. And I'm like, I think I have to call Jenny and tell her that we need to get married. And Andy says, "Sleep on it."

And I say, "No, no. I figured it out. I mean this all makes sense. I need to call her right now."

And he says, "Mike, sleep on it." He saves me.

And the next morning, I fly back to New York and I get a call on my voice mail from the rental car agency telling me that the accident report found me at fault. And I owed \$12,000 for the repairs on the other guy's Mercedes SUV. And I called back right away, and I explained that this is a mistake and the woman says, "Unless they change the accident report, you owe \$12,000."

And so I just start freaking out. And I'm like, I need to fix this. I get the accident report and it's a mess. I can see why there's a misunderstanding. An accident report is kind of like homework for cops. And Officer Timson, not so good with the homework. The report mixes up vehicle one and vehicle two, driver one and driver two. I actually want to show you this.

This is the actual report, and it mixes it up so badly that it says P-1, that's me, started to go, but all of a sudden V-1, that's also me, came at a high rate of speed, crashing into him. They're saying I crashed into my own car. I mean I'm pretty self-destructive, but I would never crash into my own car, with my own car. Nor would I understand how to do that.

I also love this. The statement of the other driver at the scene of the crime. I was going on Venice. I'm not too sure. I was going away from the beach. I was driving. I don't know what happened. Did I hurt anyone? I don't know where I was going, but I came from home. I had a sip of beer.

Which is really everyone's favorite quantity of beer-- is the sip. That's what they serve at the pubs these days-- a pint, a pitcher, a sip, a tablespoon. People are like, aw man, I had a sip of beer. I don't know where I'm driving from, or where I'm driving to.

Well, the problem is that even with all that, Officer Timson made one key mistake. He checked the box that said that I was at fault. So I called the police station to get the captain on the phone, and he ducks my calls for days. And I can't get in touch with him, and then finally I get him on the phone. And I'm so relieved. I'm like, I explained that I was wronged, I was nearly killed, and I tell him the whole story.

And he says, "You made a bad turn, now do the right thing, and pay for the guy's car. I know."

And I explained like this is just an easy thing to fix. Its just a mix up. And he's not hearing any of it. And finally I'm like, please I mean can we just discuss this for a second like just as people, just as like one human being to another?

At this point I'd become Adam Sandler in one of his more sentimental films. I was like can you see how crazy this is? This guy who is drunk crashed into my car, he nearly killed me. I mean inches from where he hit I'd be dead, and you're saying that my parents would have had to pay for his car.

And he says, "Do the right thing, and pay for the guy's car."

And I hang up the phone, and this is when it becomes about principle. This isn't about money. This is about stopping a man who has no regard for people or the law. This is China Town.

I start printing out Google maps of the scene of the accident and California state driving laws. I pore over the police report, circling inconsistencies, and scrolling notes in the margins. Like, are you kidding me? And this makes no sense and what is this blacked-out part? There was a blacked-out part next to his blood alcohol level. I'm calling lawyers and private investigators. There's only one lawyer who will even consider my case. He's an accident lawyer, and he says, "Did you have any loss of income from the accident?"

I said, "No."

And he says, "Did you have any loss of income-- from the accident?" And I say, "No, this isn't about money." And it gets very quiet.

I said, "I shouldn't have to lie. I'm right."

And he doesn't take the case. And this is when I start going crazy. I start obsessing over the actual driver. I'm like, who is this man who nearly killed me and wants my \$12,000? I know his name, it's Jim Bosworth.

That's not his name, but I do know his name. And I register for an online account at netdetective.com, which is a great site for vigilantes who have \$29.95. And so I know where he lives, what he does. My inner monologue becomes like a movie trailer for a revenge thriller like, "Jim Bosworth thought he was going to get away with this, but he didn't count on one thing-- Mike Birbiglia."

So I'm up until 3:00 in the morning every night. It's hard when you know that you're right. And I start coming up with these illogical plans like, I'm going to quit my job and work on this full-time. I'm going to sue the LAPD. And I will track down Jim Bosworth.

At this point people stop talking to me. I mean my friends would call me and they'd be like, "Hey, what's going on?" I'd be like, "I'll tell you what's going on."

They'd be like, "You should get a lawyer." And I snap. I'm like, "This is way past lawyers!"

One night Jenny and I are out to dinner and she's talking, but I'm not listening because I'm writing down ideas I have about the case on my napkin. This is the actual napkin. I don't know if you can see this, but it's a very carefully laid-out argument about my situation.

And she says, "Why don't you do that in the morning?"

And I say, "This is serious. Which part of this napkin don't you understand?"

She says, "I don't know what to tell you Mike because you're right, but it's only hurting you. And I'm just so glad that you're alive, and I think that we should focus on that."

She only has to say it once, and I dropped the case and I pay for the guy's car. And a few months later Jenny and I go to City Hall and get married.

I still didn't believe in the idea of marriage, and I still don't. But I believe in her, and I've given up on the idea of being right.