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A judge helped a quadriplegic man become a lawyer.
Could he help her recover from a catastrophic fall?

THE WAY FORWARD



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IT WAS the beginning of a summer that promised to be one of his best ever. ¶ Josh Basile loved his new job as a lawyer at a top medical malpractice firm in Washington. He was smitten with a pretty, dark-haired young woman he'd started dating. And he was planning a big party to mark a momentous milestone: the 10-year anniversary of the day a wave slammed his body head-first into the hard sand of a Delaware beach, crushing the fifth vertebra

Above,
Basile uses a
joystick on his
wheelchair.

below his skull and transforming him instantly from an 18-year-old college tennis player into a young man who could not brush his own teeth. ¶ Then, on a June day in 2014, an e-mail appeared on his iPad screen. It was from a clerk for U.S. District Judge Ellen Huvelle, a prominent federal justice who had hired Basile for an internship more than four years earlier and remained a friend and mentor to him. Basile figured the note might be an invitation to lunch. ¶ It wasn't. The e-mail to the judge's friends and colleagues said she'd suffered a horrible accident: *Ellen fell down a flight of stairs in Boston on Friday evening...* ¶ The injury to her spine was severe. She'd already had emergency surgery, and her prognosis was unknown.

Basile stared at the words, sitting in his wheelchair at his home in Potomac, Md. For a moment, dread overwhelmed him. Then, his thoughts turned practical.

Where exactly, he asked, was she hurt? Basile's own injury was concentrated at the C4 and C5 vertebrae — fourth and fifth from the top of the spine. The higher an injury, the more devastating the consequences. Please, he thought, let it not be that bad for her.

The answer came two days later: Huvelle had damaged her C4, C5 and C6 vertebrae. The same part of the spine where Basile was injured.

In a sense, Basile had prepared for this moment for 10 years. He'd made it his mission to help people devastated by sudden, serious spinal cord injuries, and he'd established himself as a widely recognized advocate. Basile's nonprofit foundation, Determined2Heal, had assembled lists of resources and instructional videos and



A 2004 accident left Josh Basile with no sensation below his chest. Helping others with spinal injuries became his mission.

created a vast social mentoring network — called “SPINALpedia” — where the injured could connect with one another and learn to navigate the transformed landscape of their lives. Basile had survived, in part, by helping so many others do the same.

But this was personal. He'd never been a mentor to someone he'd known before he or she was injured, let alone someone who had been a mentor to him.

A sickening crack

“These early days are so confusing and are filled with so many unanswered questions,” he wrote the judge. “These questions will be answered with time and should not be your focus.”

Basile doesn’t let himself think much about the very beginning — how he awoke in a hellscape of beeping hospital machines, rendered mute by the ventilator plugged into his windpipe. He revisits that place only to help guide others out of it.

“I would love to hear your voice and share with you some of my personal experiences from the early days and discuss with you anything that’s on your mind,” he told her.

Huvelle read Basile’s e-mails as she lay in her bed at Lahey Hospital and Medical Center in Burlington, Mass., where she’d undergone emergency surgery to ease the pressure on her spinal cord and stabilize the three damaged vertebrae. Her husband, Jeffrey Huvelle, and their children, Nikki Milberg and Justin Huvelle — who first introduced Basile to the judge — stayed by her side.

Because he couldn’t visit, Basile offered encouraging messages and inspirational accounts of other survivors. He sent lengthy charts filled with equipment he recommended, complete with images and links for every item: a cup holder with a hand strap, a wheelchair ramp that fits in the trunk of a car, a voice recognition pro-

gram with a legal vocabulary.

The judge was a formidable woman, and Basile knew she would struggle with the indignity of being utterly dependent on other people. But the uncertainty of her circumstances would be hardest to bear. She’d built a distinguished career dealing in clear information, firm answers. Now, there would be none.

Still, there was reason to hope: Huvelle was able to wiggle a toe, a crucial indication that a signal from her brain had forged

“I’m a big believer in hope. Some people might define it as ‘false hope,’ but I don’t. Hope is hope.”

Josh Basile, on his belief that he’ll walk again someday

a path through the damaged nerves in her neck to the muscles in her foot.

“Over the next few weeks and months it is so important to focus on what you can do rather than dwelling on what you cannot,” he e-mailed. “The fact that you have some movement below your level of injury provides so much hope, and I don’t want you to forget that.”

As he sought to reassure Huvelle, his thoughts kept returning to the days when he lay immobilized in a hospital bed at the University of Maryland Shock Trauma Center.

The Aug. 1, 2004, accident happened



Josh Basile meets with his mentor, U.S. District Judge Ellen Huvelle, at her chambers in Washington, where he worked as an intern more than four years ago. Last year, she fell and injured her spine in almost the exact same place as Basile. He was determined to help her as she recovered.

so suddenly, with such merciless finality. The sound has stayed with him, the sickening crack of bone shattering, how he heard it through the swirling water and from inside his skull. He still remembers the way the impact reverberated down the length of his body as the nerves went dark, like a string of lights blowing out.

The future of a life is sometimes determined by fractions of millimeters. If the brunt of the impact had shifted slightly one way, Basile might have fully recovered. A slight shift the other way, and he might be dead.

There is only what did happen: a burst

C5 vertebra and a displaced C4, the bone crushed against the spinal cord and its vital nerve pathways that travel from the brain to the lower extremities. Basile was left with no sensation below his chest. He can shrug his shoulders. His left arm can move somewhat at the shoulder and the elbow. His right hand can push a joystick, but his fingers can't grip a pen.

In the immediate aftermath of the accident, Basile's mind was a heavily medicated haze of anguish and confusion. The temperature of his body fluctuated wildly, his nervous system in chaos. Asleep, he dreamed of running down steep hills,

faster and faster until he lost control and knew there was nothing to do but fall.

But being alone was the worst thing — worse than the fevers and nightmares, even worse than not being able to breathe. So, in the sterile silence that settled long after visiting hours had ended, Basile would slip his chin beneath his neck brace and wiggle until the ventilator popped out of his neck with an angry hiss. The machines blared, and his chest tightened; it felt like drowning. But his desperate ploy was always successful. The nurses would come running, and then they would be beside him, touching him, putting the ventilator back in place. When they left, he clicked his tongue frantically, a voiceless plea: *Come back, come back.*

‘The luckiest one’

Basile had hoped that Huvelle would be here, among the 30-some people gathered in a cozy back room of an Italian restaurant in Bethesda, Md., where his long-planned anniversary party was finally underway.

But as Basile celebrated a decade’s worth of hope and healing, Huvelle was enduring the early weeks of her own grueling recovery.

He sat facing his guests, a perpetual smile on his round, boyish face. His tall frame was secured in his wheelchair with straps, woven through slits in the sides of his button-down shirt. Beside him, his girlfriend, a 30-year-old analyst for the U.S. Department of Education, gently lifted a straw to his lips when he gestured toward



Basile enjoys a tender moment with his then-girlfriend at a party in Bethesda, Md., to mark the 10-year anniversary of his injury and to celebrate a decade’s worth of hope and healing.

his water glass.

“If you were invited here tonight, it’s because you are a VIP in my life,” Basile said in a faintly raspy voice, a permanent result of weakened lungs.

He was surrounded by the people who’d helped him become who he is: a magna cum laude law school graduate and associate at Jack H. Olender & Associates, where he represents victims of catastrophic injury; an inventor who patented a device that allows wheelchair-using golfers to putt a ball; the founder of Determined2Heal who has advocated for stem cell research on Capitol Hill and has spoken at conferences across the country.

He thanked his mother, Nedra Basile, for sleeping in his room for two and a half months while he lived at National Rehabilitation Hospital in the “darkest days” of his recovery. He thanked his father, John Basile, who renovated his stately home to make it fully wheelchair-accessible and had lived with his son since he came home from the hospital. Their relationship, Basile said, “is one of the best things my injury has given me.”

Basile thanked his devoted big sister and his rotating staff of three round-the-clock aides. He thanked the old friends who’d pulled his limp body onto the sand, and the new friends with whom he had a spinal injury in common.

He turned finally to his new girlfriend, who smiled as their eyes met. “We’ve really connected, and I’ve really fallen for her. I love every single moment we spend

together.”

He faced the group, his face flushed and his voice almost gone. “I’m the luckiest one,” he said.

The moment was everything he’d hoped for, despite the few important people missing — his former tennis doubles partner, a few dear friends from rehab. And Huvelle.

Basile knew what he would have said if she had been there, how he would have paid tribute to her for offering him a coveted internship in her chambers, where the conference room was transformed into a wheelchair-accessible workspace and her office door was always open to him. He’d already sent her the words: *I can never thank you enough for all that you have done for me. ... I would not be where I am today without you in my life.*

‘I’ve hit the wall’

At 67, Ellen Huvelle was long accustomed to getting things done a certain way and at a certain speed. During her 16 years as a federal judge, Huvelle had built a reputation for moving with machine-like efficiency through her cases, which have included several high-profile antitrust disputes as well as the public corruption scheme orchestrated by Republican lobbyist Jack Abramoff.

From her hospital bed in Massachusetts, Huvelle kept watch over her docket and welcomed a steady parade of visitors, holding fast to the familiar. But her physical recovery lacked any predictable sense



Josh Basile and his father, John Basile, stroll through their neighborhood in Potomac, Md. After Josh's injury, the two were inseparable. "He's my best friend," Josh often says of his father.

of order. Basile had cautioned her to expect a two-steps-forward, one-step-backward rhythm in her rehab. Still, she felt betrayed by muscles she'd honed over years of regular yoga and pilates, strength that had vanished so quickly.

Later, she would remember the patience of the therapists who pushed her a little harder each day, the exhausting repetition of exercises, and the whiplash between hope and disappointment with each small success or failure.

"Each day I would do something a little better, but we're talking about very small, incremental-type changes," she said.

"It's when you can't do something that you feel like, 'Now I've hit the wall.'"

Basile knew how critical and all-consuming this stage could be. When he'd learned that Huvelle would transfer to Spaulding Rehabilitation Hospital, where several victims of the Boston Marathon bombing had been treated, he called one of the hospital's staff administrators. What kind of facilities did they have? What was their patient-to-therapist ratio? Did they offer restorative therapy, which could help her regain movement that had been lost in the accident?

The administrator was bemused. He

said he'd never had someone ask these sorts of detailed questions for a new patient.

"I'm a quadriplegic," Basile told him. "I'm looking out for a friend."

'Hope is hope'

Of the more than 12,000 spinal cord injuries that occur every year in the United States, car crashes are the most common cause, followed by falls. Acts of violence — guns, mostly — and accidents account for most other cases.

Cristina Sadowsky, who treated Basile at the Kennedy Krieger Institute's International Center for Spinal Cord Injury, has seen some patients arrive on stretchers, completely paralyzed, seemingly beyond hope — and then, weeks or months later, walk out.

"There are miracle patients; there are exceptions to the rule," said Sadowsky, clinical director at the center in Baltimore.

"We try to study those individuals as much as we can, to learn why they are different."

There is little certainty when it comes to spinal injury. Within the 33 vertebrae of the spine is a vast range of possible prognoses. Diagnosis is clearer: a "complete" injury means the spinal cord was severed, while "incomplete" — which applies to both Basile and Huvelle — means the damage was not absolute.

The location of a spinal injury matters. Damage to the thoracic vertebrae, in the middle of the back, could mean paralysis of the lower limbs. High in the cervical range at the top of the spine, and the patient might not ever be able to breathe without a ventilator. A broken C1 vertebra — as was the case with the late actor and stem cell research advocate Christopher Reeve — is the worst scenario.

A spinal injury also can be financially devastating. More than a quarter of a mil-



Basile takes a sailing lesson at Baltimore's Inner Harbor. He has learned to savor moments like these.

lion Americans are living with spinal cord injuries, and the cost of managing their care is about \$3 billion per year, according to the National Institutes of Health.

Basile is quick to note that he is luckier than most in this regard. His father is a successful urologist, and Basile's family could afford the \$60,000 van, the \$35,000 wheelchair, the extensive home renovations and the team of aides.

For two years after the accident, rehab was Basile's full-time job. He was determined to walk again within a few years, a goal that proved unattainable.

"The improvements he made ... weren't the magical ones, they weren't the miracle ones," Sadowsky said.

But he hasn't stopped working to keep his muscles alive. Basile remains confident that science hovers on the cusp of a breakthrough, whether it comes through stem cell research or the development of a sophisticated exoskeleton or something he can't even imagine yet.

"I'm a big believer in hope. Some people might define it as 'false hope,' but I don't," he said. "Hope is hope. And I'm excited for the day when I get to keep my mind — the maturity that my injury has given me, the mindfulness and awareness and the appreciation of this world — but also have the physical ability to experience life at that next level."

He paused for a moment, seemingly lost in thought. "I can't wait."

A miraculous moment

Through e-mails and phone calls, Basile relentlessly cheered Huvelle's progress and her emotional resilience. She was already thinking about cases awaiting her back in Washington, speaking with the no-nonsense tone Basile had always known, and asking lots of questions: Where to find a wheelchair in Washington? What about in-home help? And how exactly does this voice-activated software work?

Then, around the time of Basile's anniversary party, Huvelle's physical therapists introduced her to Spaulding's therapy pool. With the burden of gravity relieved, Huvelle balanced her weight against a floating dumbbell — and moved her legs forward through the water.

Six weeks later, as the summer heat gave way to early autumn, Huvelle came home to Washington.

Basile knew that Huvelle had been able to take steps with the help of sophisticated therapy equipment. But that alone didn't tell him much — he'd known other quadriplegics who were able to move their limbs in a harness or a zero-gravity environment. It was always an encouraging sign, but movement in the real world was an entirely different matter.

So he had no idea what to expect the first time he saw Huvelle, three weeks after she returned to the District and settled into a temporary, wheelchair-accessible apartment. When he arrived one October evening with his aide, Huvelle's husband opened the door.

Huvelle was sitting in a rocking chair, with a walker in front of her. She rose from the chair, pushed the walker to where Basile sat, and wrapped him in a hug.

In his life before the accident, this kind of moment might have made Basile weep; he was always an emotional kid, he said. But he's taken antidepressants since his injury, medication that helps him maintain a zenlike equilibrium at the cost of dulling his most powerful feelings.

Still, as he stared at the woman almost 40 years his senior, standing before him against all odds, his eyes were wet.

"Amazing," he kept saying, "amazing."

Moving on

It wasn't the first time Basile had watched a quadriplegic make such remarkable progress. He still remembers the moment he saw an injured boy he had mentored take steps with a walker. These miracles fill him with happiness and hope: They mean that recovery is possible, both for the people he cares about and — maybe, someday — for him.

He admits that he sometimes looks at paraplegics and thinks, *if only I had my hands* ... But he doesn't succumb to jealousy, he said, not in the nine years since he was asked to visit a quadriplegic who'd suffered a blood clot during an emergency surgery. When the young man woke up, he was blind as well as paralyzed.

"I came home that night and all I could think is, 'I have nothing to complain about,'" Basile recalled. "That moment

changed my life."

Still, Basile is constantly aware of the way his injury affects his daily existence. It's not that he denies the limitations or frustrations of his reality; he just invests his greatest energy and attention in everything else.

Basile practices what he calls "The Three-Second Rule": In the midst of a happy moment, he counts, slowly, to three, absorbing every detail of his surroundings and his feelings. He carefully archives the memories and makes sure there is always something to look forward to, another memory to be made.

And so, in October, he took a group of young paraplegics and quadriplegics to fly in glider airplanes in southern Virginia. He relished their wide-eyed joy after soaring above the Appalachian foliage, with the help of a co-pilot.

In December, he gave his girlfriend a heart-shaped necklace for their six-month anniversary, and they talked about how he should move out of his father's house and try living on his own.

In January, he wheeled into a brand-new model apartment in Bethesda, its floor-to-ceiling windows filled with sky.

Basile had lived with his father for 10 years. The two were inseparable, sharing dinners together in the lush backyard garden, Netflix marathons, video games over tumblers of scotch. He'd never felt ready to move toward independence before — until now.

"This is it," Basile told his father, sis-

ter and girlfriend during a final tour of the apartment building.

The next day, his girlfriend asked if he had time to talk.

In tears, she told him that the relationship was over. She adored him, but the complications of his injury were just too great, she said. She'd wanted him to know before he made any decisions or signed a lease.

Basile was heartbroken, though not entirely surprised. She had voiced certain concerns before — about the things Basile couldn't do, the places he wouldn't be able to go. Basile had begun to brace himself.

After she was gone, he missed her. Even more, he missed the ability to grieve as deeply as he knew he needed to, his sorrow numbed by medication. "I wish I could have a good cry," Basile said. "It's been so long."

His father was no longer convinced it was the right time for him to move out. John Basile urged his son to wait.

But his girlfriend wasn't the only reason Basile wanted to leave. He'd once hoped to be free of his wheelchair by the time he lived on his own. But he knew by now that forward movement couldn't depend on the ability to walk.

Basile took three days to deliberate.

"It's time to go," he told his dad.

'You're beating it'

Basile told Huvelle about the move during a visit in February. He also told her — quickly, with a pained wince — about

the breakup.

The judge's expression immediately softened.

"Oh, I'm so sorry to hear that," she said. "Oh. That's too bad."

Basile shrugged. "So, that was ..." he trailed off.

"Right," she said, knowing what he meant. "I'm sure."

The two sat in the living room of her apartment, bathed in late afternoon sunlight. Outside the courtroom, Huvelle still maintained a certain judicial poise and authority, her expression stoic, her reddish hair cut short. She had walked — a halting stride, without a walker — to the front door to greet Basile, his aide and a visiting reporter. Now she sat in her wheelchair, tapping her foot against the wood floor.

Even this mundane reflex wasn't lost on Basile: "You don't hear many stories with this amazingness," he said, lifting his wrist to gesture toward her feet.

Basile and Huvelle had commiserated about their shared experiences — the eerie coincidence of having two of the same damaged vertebrae, the misery of total immobility in a hospital bed. But as they sat together, the vast differences of their circumstances were also apparent.

"I have a ways to go, especially with the functionality of my hands," she said. "I can't write. I can walk unassisted, but mainly inside."

Still, she considers herself very lucky, not only because the injury wasn't as bad as it could have been, but also because of

its timing. "I was hurt when a good deal of my life was behind me," she said. "I don't have to worry about 'Am I going to find a job, or am I going to have kids, am I going to live here or there'... a lot of my life's road is not ahead of me."

She was still working hard to reclaim as much of her body as possible, with rehab therapy sessions several times per week.

"There's this notion of one to three years, and after that you're not getting much better," she said. "In some ways, it motivated me to think I could beat it. I'm not sure I can beat it, but —"

"You're beating it," Basile interrupted, his voice firm. "You're beating it."

Huvelle shook her head. "Josh is very generous, really," she said. "I can imagine other people not being so interested in other people's functionality, especially if it's better than theirs."

She turned to him. "But you take such joy in seeing other people get better."

When the visit ended, Basile paused at the door. "I don't want to make you get out of your chair," he said, "but I'd love a hug."

"Anything for you, Josh," Huvelle said. She wheeled toward him, then rose to her feet, draping an arm over his shoulders as she kissed his forehead.

"You'll find another good person," she said softly. "I know you will."

Basile smiled. "Thanks, Judge."

A life resumed

At the Potomac house, wheeled metal shelves were packed full with supplies and

belongings — towels, latex gloves, catheters, gauze pads, sprays, ointments, paper towels. There were dog treats and a plush bed for Stella, Basile's devoted papillon, and a decorative wooden sign: "Some succeed because they're destined to. Most succeed because they're determined to."

Jose Lopez, one of Basile's three caretakers, helped him sort through piles of clothes. They found a seventh-grade soccer jersey and a Skidmore College tennis team shirt; vestiges from another life. Basile kept them.

Since the accident, Basile had been terrified by change. He'd started having restless dreams about moving, about trying to make all his belongings fit in such a small space. He'd never been so simultaneously scared and excited, he said.

Basile's bedroom in Potomac would remain as it was, his father had decided, ready for his son anytime he came back. But time would prove that Basile didn't need this safety net. He was ready.

The day before the move, Basile visited the judge in her chambers as she took a break from her first trial since her fall.

"Look at you!" he cried, as Huvelle walked out of her office, her long, dark robes cascading to her ankles. She smiled and raised her arms to strike a pose.

The visit was cut short when the judge was summoned back to the courtroom. The trial, a workplace harassment case, was nearing its conclusion.

"You're staying or going?" Huvelle asked Basile.

“Staying!” he said. “I want to see you in action.”

In the high-ceilinged courtroom, Basile sat near the back door as the defense called its final witnesses. Behind the bench, Huvelle was her typical impassive presence.

“Back to business as usual,” Basile murmured, pleased.

Huvelle rested her chin on her palm as the attorney questioned his client. She was mostly quiet, piping up occasionally when the attorneys started to squabble — “Wait a minute, don’t talk over each other,” she scolded. She offered occasional dry commentary — “I always find these examples to be rather stupid” — as she recited the requisite instructions to the jury.

There was nothing particularly special

about any of it, which was precisely what made it special, Basile knew. Of the dozen people sitting in the courtroom, he was the only one who could fully appreciate the quiet victory of normalcy, the meaning of a life resumed.

The court recessed for lunch. Basile watched as the judge rose, slightly unsteadily, turned, and — slowly, methodically, miraculously — walked away from the bench.

Basile grinned. Then he tremulously raised his curled fingers to the joystick of his wheelchair, and the machine swiveled with a quiet whine, carrying him down the hallway, out of the courthouse and toward his own next step.

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