

**Boston Legal**  
**Loose Lips**  
**Season 1, Episode 8**  
**Written by Jonathan Shapiro & David E. Kelley**  
**© 2004 David E. Kelley Productions. All Rights Reserved**  
**Airdate: November 28, 2004**  
**Transcribed by Sheri for boston-legal.org [version updated June 17, 2006]**

Conference Room of Crane Poole & Schmidt

**Alan Shore sits at the staff meeting in full Santa regalia**

Paul Lewiston: This is a staff meeting, Mr. Shore.

Alan Shore: I realize that.

Paul Lewiston: Why are you in a Santa suit?

Alan Shore: It's after Thanksgiving. Surely you're not suggesting I still dress as a pilgrim.

Paul Lewiston: And who is this? **gesturing at a little woman dressed as an elf**

Alan Shore: She's my elf. Sometimes, especially after Santa's been drinking, he needs a little helper.

Paul Lewiston: Have you been drinking today?

Alan Shore: No. Today I just brought her for amusement. My doctors are concerned these staff meetings could cause me to lapse into a coma.

Paul Lewiston: I see. Well, since privileged information is exchanged during these staff meetings, your helper will have to leave.

Alan Shore: **rolls his eyes, then addresses his elf quietly** Would you wait in my office, dear?

Elf: Sure.

**Alan Shore holds her chair for her as she gets off the chair and leaves**

Brad Chase: Actually, there's that, uh, walk-in. He's waiting in reception. Maybe Alan should take that.

Paul Lewiston: Perhaps you're right.

Brad Chase: A wrongful termination. A guy was fired as a department store Santa.

**Alan Shore laughs**

Brad Chase: I mean, since you seem to have such a connection with the subject matter . . .

Denny Crane: I'll do it.

**Paul Lewiston stares at Denny Crane**

Denny Crane: I've always wanted a Santa case.

Brad Chase: Oh, this is much more right for Alan.

Denny Crane: I said, I'll do it. Where is he?

Brad Chase: Uh, in reception.

**Denny Crane arises, and walks into the:**

Reception Area of Crane Poole & Schmidt

Denny Crane: Gil Furnald?

**A man and woman continue their conversation without looking up.**

Gil Furnald: **a man wearing a dress, reading a newspaper** That's me.

Denny Crane: No, it isn't.

Gil Furnald: Yes, it is.

Denny Crane: No, it isn't.

Gil Furnald: **sighing** Ho, ho, ho! Deal with it.

Hallway of Crane Poole & Schmidt

Tara Wilson: Alan.

Alan Shore: Tara.

Tara Wilson: What's with the woman?

Alan Shore: What woman?

Tara Wilson: What woman?! The one you brought to the staff meeting.

Alan Shore: She's my elf, Tara. I thought I was quite clear on that.

Tara Wilson: Yes. Very amusing. Why is she here?

Alan Shore: Well, it seems I've put on a few pounds since last year, so she brought me my new suit. I do some work with the Salvation Army. We work as a team, actually. Is there a problem?

Tara Wilson: Not at all.

Alan Shore: But?

Tara Wilson: Not that I've been doing background checks, but I have a friend who evidently knows an old friend of yours, and . . .

Alan Shore: And?

Tara Wilson: You once cohabited with a little person.

Alan Shore: Two lovely years. I lived with her for three.

Tara Wilson: Do you have a thing for little women?

Alan Shore: I have a thing for women. You've never fallen for someone shorter than you?

Tara Wilson: Well, I believe I'm involved with one now.

Alan Shore: **shifting his newspaper and posture to compare height to hers** Either you're mistaken, or I'm jealous. **And he ambles away.**

[credits]

Dr. Konigsberg's Office

Lori Colson: It's just very difficult to reconcile being drawn to a person I consider, well, repugnant.

Dr. Konigsberg: Oh, you think you're the first good girl to fall for a bad boy?

Lori Colson: Is my problem annoying you?

Dr. Konigsberg: No, I'm sorry. I—I just meant to convey it's very common for women to be attracted to men they don't admire. What could be at play here? There are qualities in yourself you don't like or qualities about Alan Shore you wish you had.

Lori Colson: That isn't it. I like myself just fine.

**Dr. Konigsberg laughs, shaking his head.**

Lori Colson: **chuckles** I saw that.

Dr. Konigsberg: Uh, look. This is not a great day for me. Perhaps we should reschedule?

Lori Colson: Okay. **They both arise.** Is everything okay?

Dr. Konigsberg: Yeah. **pause as Lori Colson picks up her purse and jacket** Could I speak to you as a lawyer?

Lori Colson: Uh, sure. **making a circular gesture with her hand** But you're gonna have to face the little clock towards me.

Dr. Konigsberg: This is all privileged, right? Lawyer-client?

Lori Colson: Of course.

Dr. Konigsberg: Look, I—I have a patient who's been with me for almost four years now. And he, um, he habitually speaks of fantasies, things he plans to do. They're typically idle ruminations, I suppose—make him feel better. Lately he's been talking about murdering his ex-wife. And at first I thought, harmless chatter again. But there seems to be such a resolve. Lori, I can't be sure that it isn't real this time. This man may very well be planning to kill his ex-wife, and I'm just not sure what to do.

Denny Crane's Office

Gil Fernald: **sigh** I just like wearing women's clothes sometimes. It's not a sexual turn-on. It . . . well . . . it just feels right sometimes.

Denny Crane: So, basically, you're a sicko?

Gil Fernald: I'm not sick.

Denny Crane: Lighten up, man. So, what? You got caught in a skirt and that was it?

Gil Fernald: My employer found out, and, yes, I got fired. They asked me a lot of questions, like whether I'm gay.

Denny Crane: Are you? Ah, not that there's anything wrong with it.

Gil Fernald: Yes. But that does not make me an unfit Santa.

Denny Crane: Criminal record?

Gil Fernald: No. No, no, no, no, no. And there's never been any incident. I have been a good Santa for eight years. A *great* Santa. I can show you the letters. There are kids and families who have specifically come back for me. And I thought, this is wrong. I should not lose my job because of how I like to dress.

Dr. Konigsberg's Office

**Dr. Konigsberg is putting a videotape in a TV with a VHS player.**

Lori Colson: Does he know you taped him?

Dr. Konigsberg: No. I'm just full of ethical violations. **turns on the VHS player**

Brian Stevens (TV): It's important that I do it with my hands. I don't know why. You could probably tell me why. But see, the thing is, I don't want to shoot her or, uh, poison her or hit her with a car. No. It needs to be by strangulation.

Dr. Konigsberg (TV): Do you have any guess as to why?

Brian Stevens (TV): Well, for one, I actually want to feel the life going out of her. I mean, with my hands, I want to *feel* her body go limp. Also, I want her to experience it. I want her to know that she's dying. And I want to see her eyes as I do it.

**Dr. Konigsberg turns off the tape with his remote.**

Lori Colson: And how do you know that this isn't just talk?

Dr. Konigsberg: I keep telling you, I don't know. I—I mean, he's often fantasized. L-last year he spoke of blowing up his boss. But his demeanor here—as I said, there's a certain resolve that really concerns me.

Lori Colson: Have you shown this to any other therapists or . . .

Dr. Konigsberg: No, no, no. I'm the only one who can make that call.

Lori Colson: And your call is it's possible he's going to do it?

Dr. Konigsberg: Do I tell the ex-wife?

Lori Colson: Well, I'm sure you know the law on this as well as I do. I mean, you have a duty to warn the victim if you're reasonably certain she's in physical danger.

Dr. Konigsberg: But falling short of being certain?

Lori Colson: You honor doctor-patient privilege.

Dr. Konigsberg: This just seems crazy to me. I—I—I mean which side is better to err on?

Denny Crane's Office

Gil Furnald: A trial today?

Denny Crane: Well, it's not exactly a trial. It's an evidentiary hearing.

Gil Furnald: But I'd need to testify?

Denny Crane: It's the only way you can get a restraining order. We'll lose the dress, by the way. Coat and tie.

**He sees Alan Shore walking down the hall.** Alan! Excellent! **gestures out the door** Alan, Gil Furnald, Alan Shore. **steps out the door, hand on Alan Shore's shoulder** Alan. Turns out that my Santa Claus is a sort of cross-dressing sicko. He's more . . . you.

Alan Shore: He is absolutely more me, Denny. But, unfortunately, my schedule . . .

Denny Crane: Alan, I have trouble with this sort of subject matter.

Alan Shore: You're homophobic.

Denny Crane: It's not that.

Alan Shore: What is it then?

Denny Crane: It's my father. Sometimes he wore dresses. He called it a kilt and sang all those Scottish songs, but we knew. Please, the hearing's at 2 o'clock.

**Denny Crane walks away. Alan Shore goes into his office and shakes hands with Gil Furnald.**

Alan Shore: Hello.

Gil Furnald: Hello.

Hallway of Crane Poole & Schmidt

Alan Shore: Sally. Could I trouble you to do a quick background check? I realize we haven't spoken much since we stopped having sex and, frankly, I'm dismayed by that. But what I need to know is everything you can find out about my new client. **handing her a blue sticky note** Here's his name, address, Social Security . . .

Brad Chase: Is it true, you're taking over the Santa case?

Alan Shore: Yes, I am, Bradley. Is it of interest to you?

Brad Chase: No. But it could be, if we, say, bet on it.

Alan Shore: Another wager.

Brad Chase: Why not?

Alan Shore: And would you already have stakes in mind?

Brad Chase: I keep thinking about your elf. How 'bout if you win, I become your elf for the day, but if you lose, you become mine? Complete with a costume, of course.

Alan Shore: And bells.

Brad Chase: Oh, can't leave out the bells.

Lori Colson: Alan? Hey. Can I steal you for a second?

Alan Shore: A second? A minute I could maybe do, but a second would be pushing it. Would you like me to push it?

Lori Colson: You are so disgustingly vulgar. It's important.

Lori Colson's Office

**Dr. Konigsberg is waiting in her office; he arises when Lori Colson enters, Alan Shore close behind.**

Lori Colson: This is Dr. Konigsberg. Alan Shore.

Alan Shore: Hello.

Dr. Konigsberg: Ohh, Alan Shore. **He looks meaningfully at Lori.** Hunh.

Lori Colson: Uh, Dr. Konigsberg has a patient who talks about killing his ex-wife and could be serious about it.

Dr. Konigsberg: "Could" is the operative word. I can't be sure.

Lori Colson: Obviously there are some exposure problems. I mean, if the guy does do it, and it was learned Dr. Konigsberg knew of the risks beforehand . . .

Alan Shore: The first thing I'd check is his malpractice policy. You don't want to do anything to void coverage.

Lori Colson: I have done that already.

Alan Shore: What's your specialty?

Dr. Konigsberg: Couples counseling. I first saw the client and his wife together. Since the divorce, I've been working with him alone.

Alan Shore: So they came to you to improve their relationship, and now one wants to kill the other. Not your best work, was it, Doctor? **turns to Lori Colson** And you're seeing Dr. Konigsberg for what?

Lori Colson: Uh, just to deal with the . . . as a lawyer. He hired me.

Dr. Konigsberg: **chuckling** He's a very mischievous man.

Lori Colson: Look, can we stick to the case, folks?

Alan Shore: Since the proposed victim was or is a patient, you've got real duty problems. If the threat is real, and you don't tell her . . .

Dr. Konigsberg: But I can't be sure it's real, which means my duty is to the patient.

Alan Shore: Can you have another therapist meet with him, perhaps get an objective opinion?

Dr. Konigsberg: I tried. No therapist will go near it for fear of potential liability.

Alan Shore: Well, if it were me, I'd meet with him myself, pretending to be one of your colleagues.

Lori Colson: That's hardly an option.

Alan Shore: Why? You need objectivity . . .

Lori Colson: You can't go there pretending to be a doctor.

Alan Shore: Of course I can't, because I'm in trial. But you can do it.

Lori Colson: Oh, sure. And get disbarred?

Dr. Konigsberg: I'd likely lose my license.

Alan Shore: Oh, well. Silly me. I was thinking about the ex-wife. If it's merely a bar card and a medical license you're looking to preserve, you first opine to Lori that you're not at all convinced the man intends to follow through on his threats. Then, you draft an opinion letter to the doctor telling him he need not disclose. Your respective asses will be covered, and everybody's happy, assuming you like your asses covered. Personally, I love the feel of a stiff breeze against my rosy cheeks. In any event, pardon my misunderstanding. I thought it was potentially human life at stake.

**Alan Shore walks out, closes the door, leaving Lori Colson and Dr. Konigsberg with a decision to make.**

Court Hallway

**Brad Chase is talking to another attorney.**

Brad Chase: Oh, excuse me. Sylvia.

Sylvia: What do you want now?

Brad Chase: Why do you always think I want something? Why couldn't it be that I just want to see the smiling face of the prettiest girl in the clerk's office?

Sylvia: What do you want, Brad?

Brad Chase: I need a small favor—tiny.

Sylvia: Mmm.

Brad Chase: But first, please, can I see that smile?

Sylvia: *laughs and smiles* God.

Brad Chase: If I were 10 years younger.

Sylvia: Or 10 years older. What's the favor?

Brad Chase: There's a motion scheduled for this afternoon—Furnald vs Gordon's Department Store. A lawyer named Alan Shore is seeking injunctive relief, unlawful discharge. I need this case to fall in Judge Hingham's docket.

Sylvia: Judge Hingham? Why would you want him?

Brad Chase: Because he's just right for this one.

Sylvia: Exactly what kind of case is this?

Courtroom

Judge Harry Hingham: A ho-mo-sexual? That's where we're at now? Santa Clauses being played by ho-mo-sexuals?

Alan Shore: I believe "homosexual" is one word, Judge. But to avoid confusion, let's say, "gay."

Atty. Phillips: Let's say, "transvestite," because that was the stated reason . . .

Alan Shore: Well, if dress code is the issue, my client promises to comply with . . .

Judge Harry Hingham: A ho-mo-sexual transvestite?

**Brad Chase is sitting in the gallery, watching the proceedings.**

Judge Harry Hingham: You want me to allow children to sit in his lap?

Atty. Phillips: Exactly.

Alan Shore: Oh, boy.

Atty. Phillips: Gordon's Department Store certainly supports Mr. Furnald's right to choose who or what he . . .

Alan Shore: That's a lie. You fired him as soon as he told you he was gay.

Atty. Phillips: No, we fired him for cross-dressing, which is considered a fetish.

Alan Shore: He's played Santa for eight years without incident. In fact, he's received glowing praise from both parents and employers.

Judge Harry Hingham: Would you sit in his lap?

Alan Shore: Sure. Why not? **And he does.** And he hasn't gone *homo erectus* on me, if that was your fear.

Judge Harry Hingham: You're making *entendres*. Disgusting, sick, innuendo *entendres*.

**Alan Shore mouths the word, "Entendres" to ADA.**

Judge Harry Hingham: I'm not going to put an innocent child in the lap of an unnatural Santa Claus who dresses in female attire. There is a sanctity to the tradition of Christmas. It is perhaps *the* most sanctimonious holiday there is.

Alan Shore: Then clearly, you should be its poster boy.

Judge Harry Hingham: Motion for T.R.O. denied.

Alan Shore: I'd at least like an evidentiary hearing so that I may present . . .

Judge Harry Hingham: Denied. Denied, denied, denied. **bangs gavel**

**Brad Chase is clearly quite pleased with this decision; he waves at Alan Shore**

Gil Furnald: Why'd you do that? You antagonized him.

Alan Shore: Actually, he antagonized me.

Gil Furnald: This job means something to me, Mr. Shore.

**Alan Shore steps toward the bench, as Judge Hingham is headed out the door.**

Alan Shore: Your Honor . . .

Judge Harry Hingham: I have made my ruling.

Alan Shore: Yes, based on what *you* think my client is or what the defense has presented him to be. I ask you to at least hear from him before you take away his livelihood. Ten minutes as to why he'd make a good Santa. Please.

Judge Harry Hingham: I'll give you 10 minutes—5 for direct, 5 for cross.

Dr Konigsberg's Office

Brian Stevens: I don't understand why she's here.

Dr. Konigsberg: I explained it, Brian. When a patient makes a credible threat to commit violence, my colleague is here to observe because I may need counsel.

Brian Stevens: Why? You should've told me this before.

Dr. Konigsberg: Brian, would you tell Dr. Harper why you want to kill your ex-wife?

Brian Stevens: I have no intention of killing her.

Dr. Konigsberg: You don't?

Brian Stevens: Of course not. Murder is illegal in Massachusetts.

Lori Colson: So when you were saying these things to Dr. Konigsberg . . .

Brian Stevens: I never said them. Dr. Konigsberg is mistaken. I also have absolutely no intention of paying for two therapists. Good-bye. **Takes his coat and walks out.**

Lori Colson: Clearly, he's a little hostile.

Dr. Konigsberg: Well, he's angry over you being here, and I . . . I can't say that I blame him.

Lori Colson: Well, I don't know if there's enough to go to the police, but I think you should at least tell his ex-wife.

Dr. Konigsberg: Will you go with me?

Lori Colson: Me?

Dr. Konigsberg: Lori, I'm about to break privilege, and I could very well be sued for it. This is treacherous ground, and I would like my lawyer present. So, please, do this with me.

Buddha Bar

Alan Shore: I'm afraid my words are having little impact. Yours'll have to.

Gil Fernald: Okay.

Alan Shore: You said this job means something to you, and you seemed rather impassioned.

Gil Fernald: I am.

Alan Shore: You have a college education, Mr. Fernald. You do well in your computer job. Why is this part-time employment so important?

Gil Fernald: I don't know.

Alan Shore: Yes, you do.

Gil Fernald: I suppose . . . As a kid—a gay kid who liked to wear dresses—that club is very small, by the way—most cross-dressers are heterosexual . . . Anyway, um, as a kid who felt like he didn't belong anywhere, I would throw myself into all the make-believe that goes with Christmas. Hmm. As safe retreats go, I suppose it helped me survive . . . and it still does. Shall I say that tomorrow?

Alan Shore: Say all of it.

Lori Colson's Office

Lori Colson: Would you tell?

Brad Chase: I don't know. I mean, if it's a fantasy . . .

Lori Colson: What if it's not?

Brad Chase: The benefit of the doubt has to go to privilege.

Lori Colson: Even when the downside is death?

Brad Chase: I'm not saying that it's an easy call. **gets out of his chair and walks over to the couch to sit next to Lori** He got a hearing.

Lori Colson: Sorry?

Brad Chase: Shore. The cross-dressing Santa Claus. He actually got a hearing.

Lori Colson: Don't you think you're taking this bet thing a little too far?

Brad Chase: I'm not making a big deal about this. I'm just making conversation here.

Lori Colson: Brad, you don't like Alan, do you?

Brad Chase: I don't give the guy a thought one way or the other.

Lori Colson: Can I say something to you as a friend?

**Brad Chase shrugs.**

Lori Colson: You've seemed kind of knotted up ever since he got here. It might help you if you just let your feelings out a little. Come on. It's late at night. You're having a beer with a buddy. Tell me how you feel about Alan Shore.

Brad Chase: I don't like him.

Lori Colson: You can go deeper than that. What do you feel, Brad?

Brad Chase: I hate him. He mocks me.

Lori Colson: Deeper.

Brad Chase: He mocks our Commander-in-Chief.

Lori Colson: Deeper.

Brad Chase: He's got a putty ass and a flabby body and I can't understand why women would rather sleep with him than me.

Lori Colson: There. It's out.  
Brad Chase: And that includes you, by the way.  
Lori Colson: First of all, I don't sleep with colleagues.  
Brad Chase: You're ducking the issue.  
Lori Colson: I am not. I have no interest in ducking either one of you. We've gone deep enough.  
Brad Chase: I really need to win this bet.

The Break Room at Crane Poole & Schmidt

Alan Shore: According to employees at Gordon's, Gil Fernald gets nothing but raves as Santa.  
Denny Crane: Oh, come on. Would you sit in his lap?  
Alan Shore: Why does everybody keep asking me that?  
Brad Chase: Tough break drawing Judge Hingham. Who'd ever imagine that?  
Alan Shore: Brad? Did you have something to do with my drawing Judge Hingham?  
Brad Chase: That would be dirty pool.

Mary Stevens' Home

Brian Stevens (TV): I actually want to feel the life going out of her. I mean, with my hands. I want to feel her body go limp. Also, I want her to experience it. I want her to know that she's dying. And I don't want it to be instant. I want her to actually have the thought, "My God. He's killing me." And I want to see her eyes as I do it.

Mary Stevens: What's happened to him?

Dr. Konigsberg: Let me reiterate. He's talked like this before without ever going through with it, obviously. Many people fantasize.

Mary Stevens: For him to even speak this way . . . This is not Brian. He is a docile person.

Dr. Konigsberg: I realize that. This might also simply be talk. Safe talk that allows him to feel strong. Sometimes, the weaker the person's constitution . . .

Mary Stevens: Is he going to kill me?

Dr. Konigsberg: Mary, I'm here because I don't know. I really don't think so. But you are the one person that knows him better than I do.

Mary Stevens: I've never heard him talk like this, ever. Did you tell the police?

Lori Colson: Uh, it's tricky, Mrs. Stevens. This is doctor-patient privilege stuff. We shouldn't even be telling you this.

Mary Stevens: He plans to kill me, for God's sake!

Lori Colson: Which is why we are telling you, on the possibility that these threats are . . .

Mary Stevens: I'm calling the police.

Lori Colson: I'm not sure that they could do anything at this point. I mean, they certainly can't arrest him for things he told a therapist in confidence. What I would suggest: Let Dr. Konigsberg continue to monitor he situation. He's seeing your ex-husband every day. If things progress further, we will call the police. In the meantime, maybe you could stay with a friend.

Mary Stevens: I have animals. I can't do . . .

Lori Colson: Or get a friend to stay with you.

Courtroom

Gil Fernald: I've been sitting in that chair as Santa for eight years, and I've been an exemplary Santa. People will tell you, even if they don't shop at Gordon's, they come to see me.

Alan Shore: For how many of those eight years have you been dressing as a woman?

Gil Fernald: All of them.

Alan Shore: And in all this time, had your cross-dressing ever been an issue at work?

Gil Fernald: No. I was always in the Santa costume. People never even knew. It was always my intention to keep my worlds separate. So, it's been my secret.

Alan Shore: But your secret got out.

Gil Fernald: Last week, I had a boy in my lap—eight years old. I asked him what he wanted for Christmas. He said, "Santa, please make me normal." He was starting to cry as he said it.

Alan Shore: He said, "Make me normal"?

Gil Fernald: Yes. He said, um—He said he was sick. He said that he liked to wear girls' clothes, and he was sure he'd go to hell. And I said, "Son, you're not alone, and you're not sick." And I told him about me.

Alan Shore: Thank you, sir.

Atty. Phillips: So, while on the job, you told an eight-year-old boy that Santa is a cross-dresser?

Gil Fernald: Yes.

Hallway of Crane Poole & Schmidt

Tara Wilson: Did the judge rule?

Alan Shore: No. Miraculously, I persuaded him to let me give a final statement, though I have no idea what to say. The fact that he told a child he's a cross-dresser . . . I never should have put him on the stand. I've got to somehow make this a gay issue.

Tara Wilson: Personally, I think you'll look very sexy in the elf outfit.

Alan Shore: I have no doubt. Yet, I don't want to lose. I've grown attached to this Santa.

Denny Crane: Brad seems pretty happy. Does he have reason?

Alan Shore: Denny, you said if I ever had another Hail Mary emergency, you'd make the call.

Denny Crane: Really. Are you sure?

Alan Shore: I need you to make the call.

Lori Colson: And what's this about?

Paul Lewiston: It's extremely delicate. Though privilege typically extends to the whole firm, I have assured him that this would go no further than you and me.

Lori Colson: Okay.

Paul Lewiston's Office

Paul Lewiston: Meet Brian Stevens. Brian, this is the attorney I . . .

**Brian Stevens and Lori Colson recognize each other.**

Paul Lewiston: What's going on?

Lori Colson: This is your client?

Brian Stevens: You're an attorney?

Lori Colson: Um, yes.

Brian Stevens: You said you were a doctor!

Paul Lewiston: What the hell is going on?

Lori Colson: Uh, Paul, we have a conflict. I represent the therapist who is treating Mr. Stevens.

Brian Stevens: She's the one who went to my ex-wife. She's the one who told Mary I planned on killing her. She pretended to be a doctor.

Reverend Al Sharpton's Office Reception Area

Administrative Assistant: He can see you for about five minutes. After that, his day is completely . . .

Alan Shore: Five minutes is more than enough.

Administrative Assistant: You can go in.

Alan Shore: Thank you. **enters Reverend Al Sharpton's office** Thank you so much for agreeing to see me. My name is Alan Shore, and . . .

Reverend Al Sharpton: **holds up an index finger, as he reads papers on his desk** Go.

Alan Shore: My name is Alan Shore. Perhaps you'll remember . . .

Reverend Al Sharpton: **holds up an index finger again** Everyone has a name, son. I'm not interested in yours. You have five minutes because you know him. **gestures at pictures on the wall behind Alan**

Alan Shore: **turns to look at a picture of Reverend Al Sharpton with Bill Clinton** Bill Clinton?

**Reverend Al Sharpton gestures again at the wall. This time, Alan sees a picture of Reverend Al Sharpton with Denny Crane**

Alan Shore: Ah, well, you'll remember at the behest of Mr. Crane, you made an appearance in one of my cases involving an African-American Little Orphan Annie. And you were extremely effective. "Give us a black Spiderman. Give us a black Superman who can leap tall buildings." All the big icons. Now I have another case featuring a gay man who's being discriminated against. And this one involves the biggest icon of them all—Santa Claus. My problem is the judge. His tiny brain has been calcified by intolerance. However, he's certainly a slave to public opinion, as judges tend to be. But I can't really move the public. You can. Do you understand what I'm asking?

Reverend Al Sharpton: You want me to be your rabbit.

Alan Shore: I want you to be Reverend Al Sharpton in all his massive glory. I want you to charge in there, say, "Give us a gay Santa Claus," and button it with three "God Almightyes!"



Reverend Al Sharpton: Stop. I don't do things big. I'm subtle.

Alan Shore: Yes. Three "God Almighty's." Look, I've written it all out for you. Give that a look-see. I've seen you move mountains, Reverend. I need you to move this one tiny-brained judge. Please. Pretty please.

**Holds his right hand over his heart, as he gestures with the other hand at the picture of Reverend Al Sharpton with Denny Crane** Denny Crane.

Hallway at Crane Poole & Schmidt

Tara Wilson: You got to Sharpton?

Alan Shore: I don't know. He said he'd think about it.

Tara Wilson: Does he just do this kind of thing now for lawyers?

Alan Shore: He does it for Denny. Let's hope he does it for me.

Brad Chase: All set? You don't want me to miss the ruling, do you? Got the costume. **holds up a gym bag, bells jingling**

Paul Lewiston's Office

Paul Lewiston: My God. To impersonate a doctor.

Lori Colson: I thought a human life was at stake, and I didn't . . .

Paul Lewiston: It doesn't matter, Lori. You're suddenly gonna start playing Solomon and break rules—sacred rules—whenever you see fit? I could be disbarred for this.

Lori Colson: You? Why?

Paul Lewiston: For not turning you in.

Lori Colson: **sigh** I'm sorry, Paul. I just . . . I'm sorry.

Paul Lewiston: I think it's this Alan Shore character. Ever since he got here . . .

Lori Colson: This has nothing to do with Alan Shore. I'm not influenced by him.

Paul Lewiston: You used to be influenced by me.

Lori Colson: Tell me what you want me to do. I'll resign if you . . . Just tell me what you want.

Paul Lewiston: First, I want you to apologize to Mr. Stevens.

Lori Colson: I did that.

Paul Lewiston: Well, you need to do it again. And hope to God he doesn't sue us.

Lori Colson: How long have you known this man, Paul?

Paul Lewiston: Years. Only through work. But he doesn't strike me as being capable of violence, if that's what you're asking. I'll get him back in here. And on the chance that he could be violent, when you apologize, I will be in the room. And for the sake of humoring me, let's stay completely away from Alan Shore.

Courtroom

Brad Chase: What's all the media doing here?

Tara Wilson: I have no idea.

Bailiff: All rise.

Alan Shore: Uh, oh.

Gil Furnald: What?

Alan Shore: We're 10 minutes early. **looks at the door**

**Judge Harry Hingham enters, noticing the media**

Bailiff: Please be seated.

Judge Harry Hingham: Mr. Phillips, have you got anything to say before I listen to *him*?

Atty. Phillips: Mr. Furnald was fired mainly because my clients feared he'd share his secret proclivity with a child, which, by his own testimony, is exactly what he did.

Alan Shore: I object to that summation; it was entirely too short.

Judge Harry Hingham: What?

Alan Shore: I'm only worried for you, your Honor. If you're inclined to rule against us, he's got to at least give you a good argument to hang your hat on, so it looks good to all this media. Did you notice the media here?

Judge Harry Hingham: Are you on drugs? You've got 30 seconds.

Alan Shore: That's what I was afraid of. Your Honor, the child in question, whom my client shared his secret with—that child was in pain. Being a good Santa Claus, Gil Furnald sought to relieve that pain.

Judge Harry Hingham: By telling him he was a ho-mo-sexual.

Alan Shore: Those three little words again. **checking the door again** He did not tell the boy he was gay. He only said that he also liked to dress in female attire. And that, only after the child himself broached the subject.

Brad Chase: Why does he keep looking back here?

Tara Wilson: I have no idea.

Alan Shore: He encouraged the boy not to feel that he was sick. He urged him not to feel alone. It was a one-time occurrence strictly intended to speak to the heart of this one child. There is no evidence that this man has committed any wrongdoing, nor is there any compelling evidence that cross-dressers are inherently lascivious, and the defendant knows that. Cross-dressing is but a pretext that the defendant has hung its hat on to disguise the fact that Gil Fernald was terminated because he is gay. Last time I checked, it was not a firing offense for a civilian to be either ho, mo or sexual.

Judge Harry Hingham: All right, already. I've heard enough. I'm going to rule on this.

Alan Shore: You can't rule yet.

Judge Harry Hingham: Why not?

Alan Shore: I don't know. Well . . . What if, say, some big celebrity were to come charging through the door?

Reverend Al Sharpton: Sorry, I'm late, Judge. I'll make this quick.

Alan Shore: And subtle.

Judge Harry Hingham: Who the hell are you?

Reverend Al Sharpton: The image of Santa Claus has been crafted for hundreds and hundreds and hundreds of years, but we're supposed to be in a different day. Give the world a black Santa Claus. Let the people have an African-American come down the chimney bearing joy and good will.

Alan Shore: **soto voce to Al Sharpton** Gay, not black.

Reverend Al Sharpton: The prejudice against gay people must stop. We all say we're for gay rights. We all say we accept homosexuality. But give a gay man a hug, sit in his lap . . .

Judge Harry Hingham: Who is this man?

Reverend Al Sharpton: Let the bells of tolerance ring out this Christmas.

**Alan Shore, having written this speech, is mouthing the words with Reverend Al Sharpton**

Reverend Al Sharpton: Let people open their minds as they open their presents underneath the tree. We need your mind, judge, today. Let the gay man be my brother, be your brother, be the schoolteacher, be the construction worker! Give the world a gay Santa Claus! God Almighty . . . **Alan Shore is counting them on his fingers** . . . God Almighty, God Almighty. Leave out the cookies and the milk this Christmas Eve for a holly, jolly homosexual! God Almighty!

Alan Shore: And cut.

**The gallery breaks into applause and cheers.**

Reverend Al Sharpton: I threw in one extra.

Alan Shore: Thank you.

**Brad Chase looks stricken as Tara Wilson pats his back, knowing Alan Shore has won the bet.**

Paul Lewiston's Office

Brian Stevens: One of the reasons why I've been such an even-tempered businessman is because I've been able to find an outlet. A safe confidential outlet with my therapist.

Lori Colson: But you must admit, threatening to kill your ex-wife like this, it isn't . . .

Brian Stevens: Miss Colson, I've been in therapy since I was 16. I spent most of those sessions planning on how to kill my father. They're rants. They help me get the anger out. **sighs** This is gonna ruin me. Mary acts on hysteria. She's gonna panic, and this is going to get out.

Paul Lewiston: Let us talk to Mary. Perhaps we can settle her down.

Brian Stevens: I'll lose my job if this goes public.

Paul Lewiston: Let us try to unring this bell a little.

Brian Stevens: Okay.

Paul Lewiston: We need to fix this.

Lori Colson: How?

Paul Lewiston: We go to the wife, and we explain that you overreacted.

Lori Colson: She saw the tape for herself, Paul. It's not gonna . . .

Paul Lewiston: We further explain that people say things to their therapists that sometimes . . .

Lori Colson: We did that.

Paul Lewiston: Well, we'll do it again. Where does she live?

Lori Colson: Weston.

Paul Lewiston: Well, we'll leave here at five.

Hallway at Crane Poole & Schmidt

**Elevator door opens, and we see Brad Chase in his elf costume, Alan Shore, Tara Wilson and Gil Fernald behind him. They get out, Elf Brad Chase in the lead, bells jingling. He meets Sally Heep first.**

Brad Chase: I don't want to talk about it.

Sally Heep: You won!

Alan Shore: Judge Hingham, whore that he is, bowed to public sentiment, reinstated Gil as Santa.

Gil Fernald: And if you don't mind, I would like to get back to work as soon as I can. Could I steal you for just a minute, in private?

Alan Shore: Sure.

Alan Shore's Office

**Alan Shore and Gil Fernald enter**

Gil Fernald: Listen. Um, thank you. Not just for getting my job back, but, well, it's not often that you meet a lawyer with a soft spot for cross-dressers.

Alan Shore: Well, now you have, Mr. Fernald. It wasn't that so much. It's just from everything I've heard, you are a magnificent Santa Claus.

Gil Fernald: Thank you.

Alan Shore: You're quite welcome.

Paul Lewiston's Car

Lori Colson: I guess you should take the lead with her since you know her.

Paul Lewiston: Yeah. I also know her lawyer. All I can say is I hope she hasn't contacted him yet, because if he should get a hold of this . . . **interrupted by a loud siren**

Lori Colson: What the . . . **radio chatter** Oh, dear God, no.

**Paul Lewiston parks in front of Mary Stevens' home. Lori Colson and Paul Lewiston get out of the car, and walk to the porch.**

Mary Stevens' Home

**Buzzing with police officers and activity**

Lori Colson: What happened?

Detective Lowe: Homicide. The ex-husband just showed up and . . .

Paul Lewiston: Where is he? **showing his bar card** He's represented.

Detective Lowe: I don't think a lawyer's gonna help him, counsel.

Paul Lewiston: I want to speak with him.

Detective Lowe: I don't think that's gonna happen either. He's over there.

**Detective Lowe steps aside to reveal Brian Stevens in the corner of the room, dead, with a bullet wound in the middle of his forehead.**

Paul Lewiston: Wh—what happened?

Detective Lowe: He showed up. She says he came here to kill her. Says she fired in self-defense.

**Mary Stevens is in shock, sitting on the couch. Lori Colson sits down next to her.**

Lori Colson: Mary?

Mary Stevens: Am I gonna need a lawyer?

Lori Colson: What happened?

Mary Stevens: He showed up, said we needed to talk. I didn't trust it, you know, after what I saw on that tape. I got the gun out of the drawer, told him to leave. He said he just wanted to talk. I told him, "Get out." And then he started walking toward me.

Lori Colson: And you shot him.

Mary Stevens: He was gonna kill me, right? You told me. He was gonna strangle me. Promise me I had to do it. Promise me!