

Boston Legal
Ass Fat Jungle
Season 2, Episode 8
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Close-up of Alan looking around. He seems troubled. He is sleep walking.

Man from next balcony: Hey! Hey! Hey pal! What, what are you doing?

Alan is standing on the ledge of his balcony. He turns to look back to his room, then forward again. He looks down at the street far below and is startled. He breathes deeply and slowly comes awake.

Alan Shore: Thank you. **He steps off the ledge and goes back to his room.**

Denny and Alan are in an office at Crane, Poole and Schmidt.

Denny Crane: Night terrors?

Alan Shore: I haven't had them in years. Usually it's brought on by distress. Maybe it's my breakup with Tara.

Denny Crane: You jump off balconies?

Alan Shore: I could, where I happen to be living. I see images of someone or something after me, and in my sleep I run. It's awful.

Denny Crane: Last week it was clowns.

Alan Shore: Denny? How would you feel about sleeping with me? Next to me. Until this passes. Just to make sure I don't leap off the fourteenth floor.

Denny Crane: You'll do anything to get me into bed.

Alan Shore: Denny? Night terrors, they can be potentially life-threatening. **Alan clasps Denny's hand.**

Denny Crane: Because we're friends I'm gonna tell you something that nobody else knows. **Denny lifts his hand and then takes Alan's hand and removes it from his.** I'm homophobic.

Alan Shore: I'm stunned.

Denny Crane: Look. I'd do almost anything for you. But I cannot share my bed. Be a man. Get a girl.

Tori Pines, Kiersten Blau and Denise Bauer are in Denise's office at Crane, Poole and Schmidt.

Tori Pines: Ass fat.

Denise Bauer: Pardon?

Kiersten Blau: Tori, let me. She gets upset. Okay. Tori and I have been friends since I won't even tell you how long. So when we decided to have our lips done.

Tori Pines: We had our lips done.

Kiersten Blau: We did our research, and we found the best lip-man in Boston.

Tori Pines: Reputed to be the best.

Kiersten Blau: You see he doesn't use collagen.

Tori Pines: Doesn't use collagen. Instead...

Kiersten Blau: Instead he sticks a hollow needle into you! You know, back there. And he removes a sample of fat from the buttocks.

Tori Pines: Lasts longer than collagen.

Kiersten Blau: Oh, totally natural. He then injects it into the lips making them youthful and lovely.

Tori Pines: Very hygienic. It was all good and fine until one day last week we got a call...

Kiersten Blau: We got a call from his physician's assistant. **Tori Pines:** She was present at all of the procedures. Not attractive. Not happy.

Kiersten Blau: And she told us that our doctor...

Tori Pines: Oh God.

Kiersten Blau: ...has been injecting his own ass fat into women's lips.

Denise Bauer: His own...? **Her face shows disgust.**

Kiersten Blau: Yes! We wanna sue Dr. Barry Glouberman... **Tori Pines:** For fraud!

Kiersten Blau: Or malpractice.

Tori Pines: Or something!

Kiersten Blau: I have the man's ass in my face!

Denise Bauer: Did you say Dr. Glouberman? Dr. Barry Glouberman?

Tori Pines: She's had work. I told you.

Kiersten Blau: Um.

Denise Bauer: Dr. Glouberman is a client at this firm. We structured his corporation among other things. So, we can't represent you in any action against him.

Tori Pines: Huh! Well that's stupid.

Denise Bauer: In fact! If you do sue him? I'll be the one he calls. I can't represent you.

Brad Chase, Denny, Paul Lewiston, Shirley Schmidt, Ronald Matheny and his son Jason Matheny are in the conference room at Crane, Poole and Schmidt.

Ronald Matheny: This whole think is absurd. Any number of people could have run over that old man.

Shirley Schmidt: But Jason's the one about to go on trial.

Ronald Matheny: With an alibi.

Paul Lewiston: Who happens to be his father.

Ronald Matheny: Are you saying that you don't believe me?

Denny Crane: Of course we believe you. We even believe the part about the car being stolen. We believe it all Ronald. That's why you pay us.

Paul Lewiston: We're not saying we can't win.

Ronald Matheny: How can you not win? My son has an alibi. There's no physical evidence linking him to the crime.

Shirley Schmidt: The car.

Ronald Matheny: Which was stolen!

Shirley Schmidt: Jason? Do you have anything to say?

Jason Matheny: I did it.

Ronald Matheny: Son.

Jason Matheny: Dad. I ran that guy over. I did it.

Melissa is on the phone in Alan's office at Crane, Poole and Schmidt.

Melissa: No! I, I paid that. On the ah, the ah fourteenth. Yeah, well my records clearly show that I did.

Alan comes in and overhears. Yeah. Well. Yeah, well maybe, maybe I'm the victim of, of identity theft. Okay, maybe, maybe I'm not who I am. Huh? Have you thought of that?

Brad, Denny, Paul and Shirley are in the conference room at Crane, Poole and Schmidt.

Shirley Schmidt: Obviously we can't call Jason to the stand. We'd be suborning perjury.

Denny Crane: I talked to the kid. He won't admit it again.

Shirley Schmidt: Denny? We cannot knowingly put a client on the stand to lie.

Denny Crane: Because?

Shirley Schmidt: Fortunately we may not have to. Our only eye-witness suffers from Alzheimer's. The state may well not be able to make their case.

Brad Chase: What about the other witness who saw the car?

Shirley Schmidt: Which was stolen.

Brad Chase: Ah. Right. I keep forgetting.

Shirley Schmidt: I'd like you to canvass the neighborhood one last time, see if anybody else saw anything. In the meantime Paul, maybe you could visit our eye-witness; see what we're dealing with.

Paul Lewiston: You're the one who'll be crossing her, Shirley.

Shirley Schmidt: Those assisted-living places. I'm sorry. I know heebie-jeebies isn't a legal term but...

Paul Lewiston: It needs to be you Shirley. You're trying this case. You need to interview this woman.

Dr. Barry Glouberman and Denise are in the conference room at Crane, Poole and Schmidt.

Dr. Barry Glouberman: This is ridiculous.

Denise Bauer: And the women claim that it's your old physician's assistant that's the whistle-blower.

Dr. Barry Glouberman: Helen? I had to fire her! The woman broke a needle three times in three different patients. She was a danger to my clients!

Denise Bauer: Barry, calm down.

Dr. Barry Glouberman: It was either fire her or send my malpractice insurance screaming through the roof. So then she turns around and sues me. Fired for wrongful termination.

Denise Bauer: And we took care of that.

Dr. Barry Glouberman: This kind of allegation alone will... **He sighs.** What am I gonna to do?

Denise Bauer: We need to meet with this woman. Your ex-nurse? Get her to recant. It's the best way to head this lawsuit off at the pass.

Dr. Barry Glouberman: She's a vicious, spiteful, treacherous, pig. That's what she is.

Denise Bauer: I'm not gonna lead with that. Do I need to meet with her alone? Or can you be civil?

Melissa is on the phone in Alan's office at Crane, Poole and Schmidt.

Melissa: Are you illiterate? Or you just can't read? Look. No! Final notice means that it's the final notice. Otherwise it would say final shut off. **Alan comes in and overhears.** Suppose I was in my apartment hooked up to respirator? I would be dead right now. Okay? You, you would be talking to a dead person.

Alan Shore: Melissa. **He looks at the secretary at the next desk.** Would you excuse us please?

She leaves. From what I gather, you seem to be having some financial difficulties.

Melissa: Oh! No, no, no, I'm just a, a shopper. You know there's a certain power to being able to buy anything you want. I don't know, have you been to the new Pottery Barrel?

Alan Shore: No.

Melissa: No. If you get their new catalog? Turn to page thirty-seven. That's my bedroom.

Alan Shore: Would you like to earn some extra money, Melissa?

Melissa: Ah, how?

Alan Shore: I have a condition it's called 'Night Terrors'. During the deepest levels of non-REM sleep, I hear voices, terrifying voice. And sometimes I run. Since I'm sound asleep when I'm running this puts me in significant physical danger.

Melissa: Uh huh?

Alan Shore: I need somebody to guard me at night.

Melissa: When you say guard?

Alan Shore: I need you to lie in the bed with me. Should I get up to run outside? Stop me.

Melissa: How stupid do you think I am?

Alan Shore: So you'll think about it?

Soothing music is playing softly. Toque leads Shirley into the room. Lydia Tuffalo is sitting at a table eating.

Toque: Lydia? This is Shirley Schmidt.

Shirley Schmidt: Hello Lydia.

Lydia Tuffalo: Hello. **They shake hands.** Who is she, Toque?

Toque: Shirley Schmidt. She was going to talk to you about Albert being hit by the car.

Lydia Tuffalo: Yes. I know. Where's my apple juice.

Toque: I'm getting it now.

Shirley Schmidt: Your violets are lovely.

Lydia Tuffalo: Ceramic pots. Never terra cotta, they collect salt.

Shirley Schmidt: Ah.

Lydia Tuffalo: But you're not here for that.

Shirley Schmidt: No I'm afraid I'm not. **She sits down and picks up a framed picture.** Ha, here's a little one all dressed up.

Lydia Tuffalo: My granddaughter.

Shirley Schmidt: Oh. She's adorable. What's her name?

Lydia Tuffalo: You're testing me.

Shirley Schmidt: I'm afraid I am.

Lydia Tuffalo: Her name is Julie. She's dressed as Groucho Marx, from my favorite movie of 1939, *At the Circus*. And that boy committed the crime. People think I don't remember things, and a lot of things I don't, like names and so forth. But traumatic events? I'll never forget what happened outside that window that night. It was horrible.

Shirley Schmidt: I'm sorry; it must have been awful for you.

Toque places a glass of juice on the table.

Lydia Tuffalo: Toque? This is orange juice.

Toque: Oh, they were out of apple, Honey.

Lydia Tuffalo: But it's always apple for lunch.

Toque: It's okay Lydia! Orange is okay.

Lydia Tuffalo: No it's not. Orange is for breakfast. Apple is for lunch. It's always apple! Oh. **Her flailing hand knocks the juice on to the floor. She starts to cry.**

Shirley Schmidt: Can I help? Here. Let me help her.

Toque: There's nothing to do but calm her down. Its okay, Honey. It's okay. It's okay. It's okay.

In Judge Swink's courtroom.

James Nasland: I was out walking my dog when suddenly I heard this screech and then a thump. I turned around; I saw a white sedan speed off, ah with a body at the side of the road.

D. A. Chelios: Were you able to get a license-plate number?

James Nasland: Yes. ZXL34. Massachusetts plates.

D. A. Chelios: The record will reflect the parties stipulate that the license is registered to the defendant Jason Matheny. Thank you Mr Nasland. **She goes to sit down.**

Denny Crane: **He whispers.** Don't go rough. He just lost his grandfather for God's sakes.

Shirley Schmidt: That wasn't his grandfather who died, Denny. He's just a witness who was walking his dog.

Denny Crane: Whatever.

Shirley Schmidt: **She gets up.** Sir, were you able to see who was driving the car?

James Nasland: No.

Shirley Schmidt: Thank you. For the record the parties stipulate the car was reported stolen the night of the accident. **She whispers to Denny.** Too rough?

Alan is curled up on the couch in his office. He is asleep. Melissa comes in, she slaps down a pen and sheet of paper on the coffee table.

Alan Shore: Huh?

Melissa: Standard service agreement contract, mostly boiler plate. The language of what I will and will not do is quite specific. So there won't be any Clintonian mishaps. Is means is.

Alan Shore: No touching! No cuddling. No sex. You've taken out all the fun.

Melissa: These are my terms. For that, I will sleep in your bed. I will make sure you don't wig-out and that's it.

Alan Shore: I'm not sure the term 'wig-out' has legal teeth.

Melissa: But it is extremely Xeroxable for all the partner's windshields.

Alan Shore: **He signs the paper.** Thank you, Melissa. I give you my word I'll honor all your terms, and... Thank you.

Melissa: Hm. **They shake hands.** I'll see you at ten o'clock.

Dr. Glouberman, Denise and Helen Gershen are in the conference room at Crane, Poole and Schmidt.

Helen Gershen: Wait a second. You're denying this?

Dr. Barry Glouberman: Of course I'm denying it.

Denise Bauer: Barry.
Dr. Barry Glouberman: It never happened.
Helen Gershen: I was there!
Denise Bauer: Hold on. Barry. When you say you were there?
Helen Gershen: I helped him remove his own fat cells from his buttocks.
Dr. Barry Glouberman: To use on myself.
Helen Gershen: That's what you said Barry. Look. I removed the cells, I harvested the fat, and I marked the vials. Then I saw him go to the vials to use that fat to inject into other women.
Dr. Barry Glouberman: Then why didn't you say something if you...
Helen Gershen: Because I first thought it was with the patient's consent and then I asked a few.
Denise Bauer: Asked them what?
Helen Gershen: Where the harvested fat for their procedures came from? They said their own buttocks.
Dr. Barry Glouberman: Which is the truth.
Denise Bauer: Barry.
Helen Gershen: Oh please.
Dr. Barry Glouberman: You're just trying to ruin me.
Denise Bauer: Barry! Ms Gershen. Obviously this kind of charge, when it goes to a person's profession is liable per say. We wouldn't even have to show actual damages.
Helen Gershen: I'm no lawyer but on the TV shows they say truth is a defense to liable.
Denise Bauer: I see. And are you prepared to prove the truth of these allegations?
Helen Gershen: Sure.
Denise Bauer: May I ask how?
Helen Gershen: Do DNA on him, do it on their lips. You'll see a match. Won't she Barry?
Dr. Barry Glouberman: I'm not giving any DNA samples. That's uhm, unconstitutional. Right?

Paul and Shirley are in the lounge at Crane, Poole and Schmidt.

Paul Lewiston: You met with the woman, Shirley. Certainly...
Shirley Schmidt: I don't wanna do it. It's that simple.
Paul Lewiston: No it is not that simple. We have an obligation as attorneys...
Shirley Schmidt: Oh spare me the speech, Paul, would you please?
Paul Lewiston: Well evidently you need the speech. Like it or not, this job gets dirty from time to time. What the hell is going on here?!

Shirley Schmidt: It's just...Preying on somebody with Alzheimer's when... Obviously I'm a little sensitive, given...
Denny Crane: **He comes in.** Given what? I say if a woman's brain has turned to oatmeal let's throw in a few raisins and have her for breakfast. What? You think you have to handle me with kid gloves Shirley?
Shirley Schmidt: This case has nothing to do with you, Denny.
Denny Crane: Don't lie to me.
Shirley Schmidt: Would you excuse us for a second, Paul? **He leaves.** I know how terrified you are.
Denny Crane: I'm afraid of nothing.
Shirley Schmidt: Denny? Whether or not you have some mild form of Alzheimer's, and maybe you don't, there is no denying you're denying. You walk around saying you have Mad Cow disease, God forbid people think you have Alzheimer's. It took your father. You're afraid it'll take you.
Denny Crane: You don't know me Shirley. Hell, I don't even know...
Shirley Schmidt: Have you talked to Alan about this?
Denny Crane: Why should I?
Shirley Schmidt: Because he's your best friend.

Melissa and Alan are in bed. Alan is reading a book, Melissa is reading from a sheet of paper.

Melissa: *Do not grab the afflicted. Do not chase the afflicted.*
Alan Shore: I'm the afflicted.

Melissa: You think? *Use soothing tones. Say the afflicted's name gently. Use comforting phrases such as, "Come back to bed." "You are safe." "Everything is alright." "I am here."* So how long have you had these episodes? Are they, you know, bad?

Alan Shore: Have you ever read *Oroonoko* by Aphra Behn? **He shows her the book he's reading.**

Melissa: No.

Alan Shore: Neither have I.

Melissa: La de da.

Alan Shore: By the way Melissa, as immune you are to any sexual advances on my part, I have had the occasional fantasy about the Michelin man.

Melissa gets out of bed and takes of the puffy white coat she was wearing. She gets back into bed.

Melissa: People know where I am if anything happens to me.

Alan and Melissa are in bed. Alan sits up, he looks over at Melissa, then at the clock on the night table. Melissa sits up. Alan pats the top of her blanket.

Alan Shore: Good work! You can go.

Denise and Dr. Glouberman are in her office at Crane, Poole and Schmidt.

Denise Bauer: How many patients?

Dr. Barry Glouberman: Not too many.

Denise Bauer: Lie to me again Barry and you can get yourself a new attorney. How many women did you inject your fat into?

Dr. Barry Glouberman: Nine? Ten? Thirty? You can see there's an endless supply.

Denise Bauer: You injected your fat into as many as thirty women?!

Dr. Barry Glouberman: What do I do? If this gets out... It's not like I'm a multi-dimensional person with a family, a... All I have is my job, my reputation.

Denise Bauer: Before we go any further, uhm, the injections you gave me for my chicken pox scars? Do I have extractions from your buttocks in my face? **He doesn't answer.** Oh my God!

Dr. Barry Glouberman: You didn't want to harvest your own fat. The synthetic stuff has only been FDA approved for a year. Some cells are better than others. This may sound funny, but I've built my reputation on my ass. It's why they all come to me, however unwittingly. I would never do anything to harm a patient. My fat, Denise, it's the good stuff.

Denise Bauer: First. We're gonna try to settle with these women before they sue. Or else your fat ass is history. Then I will decide whether I sue you myself.

In Judge Swink's courtroom.

Lydia Tuffalo: I saw Mr Bellows crossing the street and then this big white car came racing through the intersection and hit him. The car stopped for a moment and then sped away. People came running out screaming. Mr Bellows was just lying there.

D. A. Chelios: And did you get a good look at who was driving the white car?

Lydia Tuffalo: Yes I did. It was that boy over there. I saw him through the windshield. The streetlight was shining on his face.

D. A. Chelios: One final question. Have you been diagnosed with stage four Alzheimer's?

D. A. Chelios: That's what my doctors tell me. So I get a little distracted at times. But I know what I saw. That boy hit Mr Bellows and then drove away.

D. A. Chelios: Thank you Mrs Tuffalo.

Shirley Schmidt: **She whispers to Paul Lewiston.** The fact that she's stage four could give us reasonable doubt right there, do we really wanna risk alienating the jury?

Paul Lewiston: Don't be ridiculous. We cannot let that testimony stand.

Shirley Schmidt: Just a thought. **She gets up.** Hello Mrs Tuffalo. I'm Shirley Schmidt, we met the other day.

Lydia Tuffalo: Yes dear. How are you today?

Shirley Schmidt: I'm fine. Thank you. You say you get a little distracted. I'm wondering how little is little?

Lydia Tuffalo: I know what I saw.

Shirley Schmidt: I'm sure you think you do. But it was dark and overcast the night of the accident, wasn't it?

Lydia Tuffalo: It was dark, as for being overcast, it's seldom sunny at night.

Shirley Schmidt: The driver never got out of the car, did he?

Lydia Tuffalo: I saw him through the windshield.

Shirley Schmidt: What's my name Mrs Tuffalo? **She waits for two seconds.** It's Shirley Schmidt.

Through the glare of a windshield, on a dark night, from a window well over a hundred feet away, you were able to see my client speed by?

Lydia Tuffalo: I have very good eyesight.

Shirley Schmidt: Don't your nurses have to lay out your medication every night so that you don't take the wrong pills?

Lydia Tuffalo: Those pills are so small.

Shirley Schmidt: They're right in front of you, and you can't tell them apart?

Lydia Tuffalo: I can tell them apart.

Shirley Schmidt: What are the names of the pills?

Lydia Tuffalo: Wha... I don't know or care. I take what they tell me to take.

Shirley Schmidt: What's my name?

Lydia Tuffalo: It's Shirley.

Shirley Schmidt: Shirley what?

D. A. Chelios: Objection!

Shirley Schmidt: What time do you typically take your pills?

Lydia Tuffalo: Eight.

Shirley Schmidt: Eight? You take eight pills everyday?

Lydia Tuffalo: Yes

D. A. Chelios: Objection.

Shirley Schmidt: Who is the president of the United States?

D. A. Chelios: Objection, Your Honor!

Judge: Overruled.

Shirley Schmidt: What day is it today?

Lydia Tuffalo: I don't know or care what day it is.

Shirley Schmidt: You don't know what day it is? How did you get here today?

Lydia Tuffalo: Uh, uh. I took the bus!

Shirley Schmidt: You were driven by car. What's my name?

Lydia Tuffalo: Stop asking me that! I saw that boy!

Shirley Schmidt: What's that boy's name?

Lydia Tuffalo: Shirley!

Shirley Schmidt: No, it's my name. My first name. What's my last name?

Lydia Tuffalo: I don't know. I don't know. Your last name is whatever it is. Dammit!! **She starts to cry.**

Shirley Schmidt: It's Schmidt.

Denny and Alan in Alan's office at Crane, Poole and Schmidt.

Denny Crane: She couldn't remember Shirley's name. Alan. If I'm ever like that... Am I like that now? Sometimes?

Alan Shore: Of course not. Denny, if you're really this concerned you should get tested.

Denny Crane: I did a couple of years ago.

Alan Shore: Understood. But to see if things have progressed. It could give you peace of mind.

Denny Crane: Or not.

Melissa: **She comes in and hands Alan some papers.** This ah, motion thingy needs to be signed before we can file it. **She waits for Alan to sign it then leaves.**

Denny Crane: Let me get this straight. She slept with you because of the, the nightmares?

Alan Shore: Night terrors. There's a difference.

Denny Crane: Wow. Would you do it with me?

Alan Shore: I'm sorry?

Denny Crane: If I agree to get tested. Would you do it too?

Alan Shore: I really don't think I have Alzheimer's, Denny.

Denny Crane: You're afraid of clown's, you got the night terrors, there's something screwy going on up there.

Alan Shore: But the problem isn't likely neurological.

Denny Crane: Oh. Okay. I get it. It was a stupid idea.

Alan Shore: Denny. Make an appointment. We'll get tested together.

Atty. George Klein, Tori, Kiersten, Denise and Dr. Barry Glouberman in a conference room.

Denise Bauer: First of all, we do not admit that the fat cells harvested and injected in your respective lips were derived from my client's buttocks.

Tori Pines: That's a horrible opener!

Kiersten Blau: Horrible.

Atty. George Klein: Sorry...

Denise Bauer: If I may be allowed to finish. Even assuming the truth of your allegations...

Tori Pines: She's tricky.

Kiersten Blau: Very.

Atty. George Klein: Tori.

Denise Bauer: George?

Atty. George Klein: Ladies. It's your opposing counsel before you jump to any...

Tori Pines: She was supposed to be our lawyer.

Atty. George Klein: Tori!

Denise Bauer: My point is that even had you known the origin of the cells you may very well have consented to the injections anyway.

Dr. Barry Glouberman: It's the good stuff.

Denise Bauer: Barry!

Tori Pines: I'm sorry, but did you say what I think you said? That we would have said okay to this?

Denise Bauer: Tori. Kiersten. There was nothing in the contract that stipulated it would be your own tissue.

Atty. George Klein: Alright. This is nonsense, Denise.

Denise Bauer: What nonsense? This is what people do everyday. Especially these two. They agreed to have human fat cells injected in their bodies. Or collagen made from rendered cow skin. Hyaluronic acid extracted from rooster combs, they shoot botulism in their foreheads!

Kiersten Blau: But we're not talking about botox. We're talking about this man's buttocks.

Denise Bauer: And I agree. It's not a pretty picture. But neither are the blood clots, infections and scarring you risk from your tummy tucks. Or the bleeding, bruising and deflation from your saline breast implants! How about possible nerve damage from your face lifts? The risk of blindness from eyelid surgery? It's all pretty ugly, but you did it.

Kiersten Blau: **She sighs.** You know, Ms Bauer? You've just painted a pretty pathetic picture of us. And maybe we're every bit as... **She sighs.** That didn't give you the right. **She and Tori get up.**

Denise Bauer: We're offering you three hundred thousand dollars each. **Tori and Kiersten sit back down.** Now, you might get more if you go to trial, but you might not given your propensity to yes to any and every procedure. My client is also willing to treat you for free for the rest of your lives. You might not wanna have anything to with him now, but given that he is reputedly the best cosmetic plastic surgeon in Boston. Money and services, this is an offer potentially worth more than a million dollars, but if you go public, or sue the offer is rescinded.

In Judge Swink's courtroom.

D. A. Chelios: She had Alzheimer's disease. She has trouble remembering a lot of things, including names. Little things. The catastrophic events, traumatic ones, those sink in. Which is why she

remains steadfast that Jason Matheny was driving the car that night. And consider this, if Jason weren't driving that night what a monumental coincidence then that Lydia picked him out of a police lineup! She just happened to pick the guy who owned the offending vehicle! Please! Lydia picked out the defendant because she saw him that night through the windshield. And that's not changed by the fact she had trouble remembering Shirley Schmidt's name.

Shirley Schmidt: I don't doubt she remembered Jason's face. The police picked him up as the owner of the car, plopped him in a lineup and brought Lydia in. Now we can't know whether the police nudged or influenced Lydia to select the man they felt committed the crime but, it's been known to happen. Especially with a witness who needs a little assistance. And that's where Lydia's Alzheimer's comes in. Her brain plays tricks on her. She takes Jason's face from the lineup and transfers it to the car. Stage four Alzheimer's is a form of dementia. We have an eyewitness who not only couldn't remember my name, she didn't know what day of the week it was, thought she had come here by bus when she had been driven by car. She suffers from dementia. I know we all feel for her. How could we not? She's adorable, seemingly trustworthy, and our hearts have to go out to anyone who has this insidious disease. One day we or someone we know will be her. More than 1.5 million Americans suffer from Alzheimer's. By the year 2015 that number could increase to 14 million. This is not someone else's disease. It has or will affect every single one of us. And of course our heart goes out to Lydia. But this trial is about proving guilt beyond all reasonable doubt. And that hasn't happened here. All the prosecution has given you is a lone witness who suffers from terminal dementia. Beyond all reasonable doubt? You know better.

Melissa and Alan are in bed. Alan is sitting up breathing heavily. He seems distressed.

Melissa: *She sits up.* Alan? Alan? **Alan continues panting.** What, what are you...? **He stumbles out of bed.** Alan? What? What? You hear me? Alan? **He goes to the doors leading out to the balcony and tries to open them.** Alan? Oh God. Oh God. Oh God. **She goes back to bedside table and gets a sheet of paper.** Okay. Okay. Here we go. Alan? **She runs back to him as he continues trying to open the doors.** Okay. Alan? Okay. Alan, come back to bed! Calm down! Everything's alright Alan! Everything's all right. You're safe! You're safe, Alan! **He stops trying to open the door.** Okay? That's right. I'm here now. Okay? I'm here. Everything's gonna be okay. Okay, you hear me now? Okay? I'm here, okay? Okay, you're safe. Okay. **He turns back to bed.** Okay. That's good. No, no worries. Nothing's wrong. Okay. **He climbs into bed and curls up.** Okay. Yeah. Yeah. Just relax. **She sits on the bed next to him and strokes his arm as he goes back to sleep.** I'm here. I'm not going anywhere.

Denny is on the stretcher of an MRI machine.

Technician: You'll hear a knocking sound while we're taking the images. Main thing is remain as still as possible. **A cage moves over Denny's head.**

Denny Crane: Why couldn't Alan have gone first?

Alan Shore: **He is sitting off to the side in a hospital gown.** I'm right over here Denny.

Technician: Okay. Still as possible, sir.

Denny is being moved into the body of the MRI machine.

Alan Shore: You doing okay?

Denny Crane: Fine.

Technician: **From the back.** Here we go. Still.

Denny Crane: Maybe I should have removed my ... **his wrist is pulled onto the machine. A chair flies through the air and sticks to the machine too.** ... watch. I'm okay.

Alan, Denny and Dr Marks are in an examination room. Dr Marks is looking at a chart of MRI images.

Dr Marks: Your glutamate levels are about the same. So is the evidence of plaque.

Denny Crane: But nothing's got worse?

Dr Marks: I don't believe so. You do show precursors, so it's important that you continue to exercise your brain. Different areas of the brain. Try writing with your other hand, do the crosswords.

Denny Crane: Is it possible I have Mad Cow disease?

Dr Marks: We can't rule it out. They do have some identical symptoms. There could be countless numbers of people we've diagnosed with Alzheimer's who really have Mad Cow disease.

Denny Crane: **He looks at Alan.** See? **He looks at the doctor.** Do him now.

Dr Marks: I'm afraid a CAT scan isn't going to tell us why he's afraid of clowns.

Denny Crane: What about the night terrors. He had one last night.

Dr Marks: Again...

Alan Shore: That's okay. I can come back later. After a few hamburgers.

Denny Crane: You promised you'd get tested too.

Alan Shore: Denny, those machines can't test with the stuff I've got going on.

Denny Crane: You tricked me.

Alan Shore: Hey! Denny. You haven't gotten worse.

Denise and Dr. Glouberman are in Denise's office at Crane, Poole and Schmidt.

Dr. Barry Glouberman: They agreed to all the terms? Confidentiality? All of it?

Denise Bauer: Apparently the offer of free laser-peels in perpetuity was just too good to pass up. You dodged a nuclear bullet, Barry.

Dr. Barry Glouberman: Thank you.

Denise Bauer: That still leaves open the question as to whether I will sue you.

Dr. Barry Glouberman: Denise, I am so sorry.

Denise Bauer: I just wanna know why? Why would you risk your career? Your... I don't understand.

Dr. Barry Glouberman: Look at my face. In high school everybody called me fat-ass. I think the idea that it could ever be associated with beauty. I'm obsessed with beauty, Denise. Obsessed with the thought that these beautiful women would be walking around with a tiny bit of Barry Glouberman inside them. And that when people look at them, and admire them? They'd be admiring a microscopic fracture of my physicality.

Denise Bauer: Hmm. You need help. If you do not agree to get help I will do so much worse than sue you. You could go to jail. I'm not kidding, Barry. I will see you in jail.

Dr. Barry Glouberman: I give you my word.

In Judge Swink's courtroom.

Judge Swink: **He hands a piece of paper back to the clerk.** The defendant will please rise. **Shirley, Jason and Paul rise.** Madame Foreperson have you reached a unanimous verdict?

Foreperson: We have Your Honor.

Judge Swink: What say you?

Foreperson: In the matter of the Commonwealth versus Jason Matheny, on the charge of vehicular homicide, we find the defendant, Jason Matheny, not guilty.

Judge Swink: Members of the jury, the court thanks you for your service. You are hereby excused.

Ronald Matheny: Thank you, Shirley.

Shirley Schmidt: Welcome. Congratulations, Jason.

Jason Matheny: Yeah. Thanks. So, ah, that's it?

Shirley Schmidt: That's it. **She walks over to Lydia.** Lydia I know what I did was... It's my job.

Lydia Tuffalo: Yes. Your job was to secure the freedom of a boy who killed somebody.

Shirley Schmidt: I... wish you well.

Lydia Tuffalo: You too, Ms Schmidt.

Denny Crane: I'm sure by this time tomorrow she won't have any memory of how despicable you were. Can I buy you dinner, or something, Shirley?

Shirley Schmidt: Some other time. Thank you.

Denny Crane: Thing is I'm having these night terrors? I'm afraid to be alone at night?

Alan and Melissa are in the lunch room at Crane, Poole and Schmidt.

Melissa: I don't doubt that you're afraid. But Alan, as much as I appreciate you vesting so much responsibility so early into my job. I, I just can't handle being in charge of saving your life. After last night I don't think I could fall asleep.

Alan Shore: Okay. Thank you, Melissa. You may very well have saved my life last night. **He kisses her on the cheek.**

Melissa: I know. You're a really weird man. Aren't you?

Alan Shore: Seems so.

Shirley walks down a hospital hallway. She knocks on a door and goes in.

Shirley Schmidt: Asleep?

Nurse: Sort of. Difficult day. I wish I could say there's been improvement, but... **She shakes her head and walks out.**

Shirley Schmidt: **She pulls up a chair to the bed. A man is lying in the bed.** Hey dad. It's Shirley. **He looks at Shirley but doesn't speak. She strokes his hair and then places her hand on top of his.** I won my case in court today. Not my finest hour. Not even close. Well. What shall we read tonight? How about *A Tale of Two Cities*? Haven't read that one in a while. **She opens the book. It was the best of times; it was the worst of times. It was the age of wisdom; it was the age of foolishness. It was the season of light; it was the season of...**

Alan and Denny are out on the balcony.

Denny Crane: It isn't right. I tried that night terror routine on six different women.

Alan Shore: No takers?

Denny Crane: It isn't right. Thanks for coming with me today. Thanks for making me do it.

Alan Shore: I've always felt friends should encourage friends to have their heads examined.

Denny Crane: You okay?

Alan Shore: Melissa quit her moonlighting job.

Denny Crane: Oh. You're really scared?

Alan Shore: Just concerned. Not to worry.

Denny Crane: Oh alright! I'll sleep with you in your room, but not in the bed.

Alan Shore: **He chuckles.** Denny, you sleep like a log. I'd have to step on your head for you to stir.

Denny Crane: Tie a rope around me.

Alan Shore: You mean it?

Denny Crane: It'll be like a sleepover. Friends have sleepovers.

Alan Shore: We could watch a movie.

Denny Crane: Popcorn.

Alan Shore: Root Beer floats.

Denny Crane: Tell ghost stories.

Alan Shore: Talk about girls.

Denny Crane: Yeah. Pretend we're kids.

Alan Shore: Pretend we're kids?