

Boston Legal
Squid Pro Quo
Season 2, Episode 25
Written by David E. Kelley
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At Crane, Poole and Schmidt, dozens of workers are standing at attention, their right hand over their hearts quoting the Pledge of Allegiance. Included are Denny Crane, Shirley Schmidt, Paul Lewiston, Brad Chase and Denise Bauer.

All: As **Glory Hallelujah** plays. I Pledge Allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Shirley and Paul walk with Denny as all the others leave.

Shirley Schmidt: Well! Denny. That was refreshing and patriotic. What gives?

Denny Crane: I, Denny Crane, am going to court to represent the United States of America.

Paul Lewiston: **He and Shirley share a look.** And what has our country done to deserve you?

Denny Crane: The US Attorney and the DOJ had to recuse themselves so, Alberto appointed me to carry the ball for team USA. The greatest lawyer in the world representing the greatest country in the world. A match made in heaven. **He walks off.**

Shirley Schmidt: Did you know about this.

Paul Lewiston: I did not.

Shirley Schmidt: Where's a sitter when you need one.

At Crane, Poole and Schmidt, in the conference room the morning meeting is in session. Over a dozen people are sitting around the conference table. Recognizable are Shirley, Paul and Denise. Large plates of fresh fruit and pastry are scattered on the table.

Shirley Schmidt: ...and we're back in court in the Aero Lake Waters case, opposing counsel is relentless. Yet another evidentiary hearing. **Denise is paying attention, Marlene Stanger sitting next to her slightly shifts forward in her seat, blocking Denise's view.** Denise? Per your status report, you had your mandatory settlement conference DateMistake dot com last week? **Denise leans forward to get a better view. Marlene shifts further forward.**

Paul Lewiston: DateMistake dot com?

Denise leans back, so does Marlene. Denise is getting suspicious.

Shirley Schmidt: Oh, it's an internet site where women can vent their ill feelings about men they dated, as a warning to other women. **Denise leans forward, so does Marlene.** Our client Derek Roth has been defamed by them.

Denise Bauer: **She hits Marlene on the arm.** Oh! I'm sorry. I, uhm, you were just a little in my space. Yes! Shirley. We did reach a settlement.

Paul Lewiston: As for Denny, the judge denied the government's motion to dismiss, so the spectacle of Denny Crane representing the United States will continue to play out in Federal Court. God save us all.

Across the table Brad, who is also present, stares at Marlene. She stares back. He continues staring. Marlene wins the stare-off.

Denise Bauer: What Judge did Denny get?

Paul Lewiston: Judge Kimberly Ohlund.

Marlene Stanger: I used to clerk for her. Her current clerk, Dan Jinx and I, play squash. I'm emailing Dan now. **She's punching keys on her hand-held computer.** He'll give me everything from the Judge's political leanings to her basal temperature after breakfast.

Paul Lewiston: Thank you, Marlene.

Alan Shore: **He comes in.** Sorry I'm late! But as usual, I'm here only for the fruit. **He reaches for an apple, and then starts to sniff the air.** Mmm? Something new.

Shirley Schmidt: Alan! Marlene Stanger. Marlene, Alan Shore.

Alan Shore: A pleasure, Ms Stanger.

Marlene Stanger: Mr Shore.

They stare at each other.

Shirley Schmidt: Marlene comes to us from Howard and Brock.

Marlene Stanger: Your name came up frequently at my old firm.

Alan Shore: I hope amid a torrent of obsanities.

Marlene Stanger: Always.

Alan Shore: Good. **The staring continues. And continues. Till... Marlene blinks.** I look forward to working with you Ms Stanger. It's not often you meet someone with such ocular precision. **He stares. She blinks.**

Alan, Denny and their client, Edward Broden, step off the elevator and walk down the courthouse hallway, surrounded by a minimum of photographers.

Denny Crane: Why won't you try this case with me?

Alan Shore: Personal reasons.

Denny Crane: It's because you're red. That's the old red, not the new red, which is the opposite of blue, that's good, it's the old red, that's bad, and pink!

Alan Shore: Regardless of my pigmentation, I promised I'd sit with you. That's the best I can do.

Denny Crane: Denny Crane doesn't need any sitters. What are these personal reasons anyway?

Alan Shore: It's the Global Gag Rule.

Denny Crane: Nonsense. Gags are dangerous. Locally or globally.

Alan Shore: You don't even know what the Global Gag Rule is, do you?

Donny Crane: I can tell you. **His back had been towards Denny up to now. Denny is pleasantly surprised when he recognizes Donny. Donny's voice is slightly raised to make sure the reporters catch every word.** The Global Gag Rule forces other countries where abortion is perfectly legal, to stop performing them, or even uttering the word, 'abortion.' Otherwise the United States cuts off their funding.

Denny Crane: Donny!?

Donny Crane: Denny.

Denny Crane: Alan?

Alan Shore: Donny.

They continue into Judge Kimberly Ohlund's courtroom.

Denny Crane: What are you doing here?

Donny Crane: I'm with Lawyers Without Borders. They heard you were brought in after the Judge denied the government's motion to dismiss.

Denny Crane: Liberal pinko.

Bailiff: Please rise. The Honorable Judge Kimberly Ohlund presiding.

Denny Crane: Denny Crane, for the Unites States of America, Your Honor!

Donny Crane: Donny Crane, for the defendant Kavita Pokharel.

Judge Kimberly Ohlund: I take it you two know each other.

Donny Crane: He's not my father.

Denny Crane: He's like a son.

Judge Kimberly Ohlund: This will be a delight.

At Crane, Poole and Schmidt, Melissa is walking into the break room. Denise is there.

Melissa Hughes: I can't believe The Squid is working here now.

Denise Bauer: The Squid?

They both watch Marlene, hand-held computer in hand, walk by break room window where she stop to talk to someone.

Melissa Hughes: In old mythology they say the squid is the only animal that can kill a shark. I used to work with her at Howard and Brock. And like the mysterious giant squid, the only evidence of her existence were the whopping sucker marks left on her victims. **Marlene looks up from the folder in her hands and stares at Melissa. Melissa stares back. Just for moment, then blinks and looks away.**

Denise Bauer: I take it you didn't get along.

Melissa Hughes: You don't get along with The Squid. She used to tap into the computer network, steal everyone's research memos and then claim them as her own.

Denise Bauer: Why the hell did we hire her?

Melissa Hughes: Ha. Beats me. **She sighs.** I only hope she doesn't get my Alan.

In Judge Kimberly Ohlund's courtroom, all parties are present. Alan sits in second chair. Kavita is on the stand. A translator is present. Kavita speaks in Nepali, as the translator translates it into English.

Kavita Pokharel/Translator: I was pregnant with my second child. When I went into labor, my husband took me to the district clinic in Khotang, this is in Nepal.

Denny Crane: Objection! The witness isn't speaking English.

Judge Ohlund: We're aware of that Mr Crane. She's being translated.

Denny Crane: **To Alan.** Is that legal?

Alan Shore: Shocking. Isn't it?

Denny Crane: Hmm.

Judge Ohlund: **To Kavita/Translator.** Continue.

Kavita Pokharel/Translator: It was the same clinic where I had my first child only this time the doctor was gone. The medical assistant said I had an obstetric fistula and I needed a Caesarean section, but because they had no equipment or medicine or a physician, they said there was nothing they could do. I began to hemorrhage, I almost bled to death, and my baby boy died. I am not the only one. Thousands are dying.

Donny Crane: Why weren't there any supplies?

Kavita Pokharel/Translator: They told me the United States had taken away all the clinic's funding. And the man responsible for making that decision was Mr Edward Broden.

Denny Crane: **Points to Broden.** That man?

Kavita Pokharel/Translator: Yes.

In Judge Kimberly Ohlund's courtroom, Dr Harati Patel is on the stand. All parties present. Donny on direct...

Dr Barati Patel: I was a physician in Khotang from 2001 until last October. Our clinic had been funded primarily by the United States.

Denny Crane: **He leans over to Alan.** Notice he didn't say thank you.

Alan Shore: He's got a lot on his mind, Denny.

Donny Crane: And Dr Patel, did your clinic perform abortions?

Dr Barati Patel: No. Even though it is legal in Nepal, our clinic made the decision not to in order to receive US funding. However, we hung up a poster that said, "We Believe That A Woman Has A Right To Control Her Own Body." The poster was meant to promote women's rights, and to prevent rape, as well as spousal abuse, but the USAID representative, Mr Broden, felt the poster was pro-abortion and that was that. We lost all of our funding.

Donny sits. Denny rises. He picks up a two-inch thick manual from the table.

Denny Crane: You're looking thin. You should eat more.

Donny Crane: Some of us don't have fancy expense accounts to pay for our meals. Hmm?

Denny Crane: You should get one. They're awesome.

Judge Kimberly Ohlund: Mr Crane?

She nods her head toward Dr Patel sitting in the witness chair.

Denny Crane: Yes, yes, yes, yes. **He walks toward the witness.** Dr... uhm?

Dr Barati Patel: Patel.

Denny Crane: I have in my hand here a copy of the rules that clinics must follow in order to get USAID. You've seen this manual?

Dr Barati Patel: Yes, I have. But the rules in it are so vague! They are left to the interpretation of the USAID representative.

Denny Crane: And that representative is hired by an appointee of the President of the United States, is that correct?

Dr Barati Patel: Yes.

Denny Crane: **Calmly.** So doctor, in your expert opinion as a physician... **Then.** Who the hell are you to question the President of the United States?

Donny Crane: Objection. Badgering.

Judge Ohlund: Sustained.

Denny Crane: You know that the President is against abortion. So in following the rules, it would seem that you would err on the side of caution. But you didn't. You put up an inflammatory poster.

Dr Barati Patel: We didn't feel it was inflammatory to protect the rights of women.

Denny Crane: Well, it got me mad. You have other clinics that get our money, right?

Dr Barati Patel: Yes.

Denny Crane: The ones who are able to follow the rules?

Dr Barati Patel: The point, is Mr Crane, while you allow abortion in your country, you're trying to deny it to the rest of the world.

Denny Crane: The people in this country never decided on abortion. The elected officials never voted on it. It was nine justices of the Supreme Court. The people are still angry about it!

Donny Crane: Objection! He's not asking a question, he's debating!

Denny Crane: What are you talking about?
Donny Crane: The reason why the Supreme Court exists...
Denny Crane: Yeah?
Donny Crane: ...is to protect people from their own mob mentality, which this issue triggers.
Denny Crane: No, I disagree. Objection! I disagree.
Donny Crane: Fine! Objection right back.
Denny Crane: I object to your objection!
Judge Ohlund: All objections are sustained! Move on.
Denny Crane: So, Dr... ah...
Dr Barati Patel: Patel.
Denny Crane: If you want American money? Don't kill babies!
Dr Barati Patel: **Re: Kavita.** She wasn't trying to.

At the courthouse Denny and Donny walk out together, flanked by the others and the media.

Denny Crane: This is so disrespectful. You don't come home to papa by suing his government.
Donny Crane: You're not my papa. Your sperm never touched my egg. And someone has to sue the government. Look, our policy denies thousands of people life-saving medical care, based on the personal religious views of our leader. **He scoffs.** Nothing says democracy like imperialism.
Denny Crane: Why can't you come to town for once and we just toss the pig skin around? That's American. Dinner?
Donny Crane: Eight o'clock.
Denny Crane: **To the photographer and reporters.** Denny Crane.
Donny Crane: Donny Crane.
Denny Crane: **Surprised, he agrees.** Donny Crane.

At Crane, Poole and Schmidt, in the conference room with Marlene and her client Derek Roth are John Lennox and Nancy Moran CEO of DateMistake.com.

Atty John Lennox: We had this settled!
Marlene Stanger: Upon further review of the agreement, Mr Roth didn't approve.
Nancy Moran: **To Roth.** I don't know what game you're playing here, but you're not getting another dime from us.
Marlene Stanger: Please don't address my client directly. Talk to me. **Staring Nancy down. Nancy blinks and looks away.**
Atty John Lennox: Your client should know that our original offer was more than generous.
Marlene Stanger: That's not the way I see it. **Reviews a file.** Thirteen months ago, Derek went out on a few dates with one Monique Foster, otherwise known on your website, DateMistake dot com as "Anonymous." Things didn't work out and he broke up with her. A few months later, he met someone else, fell in love and got engaged. Things looked rosy.
Derek Roth: Yeah. Until "Anonymous" found DateMistake dot com and started posting all these lies about me!
Marlene Stanger: His fiancée found him prominently displayed on the site and broke up with Derek two days later.
Atty John Lennox: We all know what happened, Ms Stanger. We reached the original settlement.
Marlene Stanger: What we didn't know was the rest of the story.
Derek Roth: Now, anytime someone tries to Google my name or my company, Roth's Plumbing Supply, instead of finding my website, yours is the first site that comes up. My sales have dropped forty percent since this posting!
Atty John Lennox: You could have posted a rebuttal. Responded to Anonymous' opinion s of you.
Derek Roth: But why should I have to!
Marlene Stanger: You destroy my client's reputation, his business; you humiliate him in public, then force him top to fix the damages you caused. That's like a glass company throwing rocks through your window, then saying, "Hey, need to buy a new window?"
Denise walks by the conference room and stops in her tracks, stunned to see who Marlene is talking to. She enters.
Denise Bauer: David, Nancy, Derek. I didn't realize we had a meeting scheduled.
Marlene Stanger: Denise. Right. You know everyone.
Denise Bauer: I do. May I see you?
Marlene Stanger: **She gets up, hand-held computer in hand.** Of course.
They step outside.

Denise Bauer: What the hell are you doing with my client?

Marlene Stanger: Well, Denise, I was looking over some of your settlement agreements, just to see how things worked around here. Some firms are quite formal and sticklers for grammar and language. I see, around here anything goes, which is fine. I just needed to know.

Denise Bauer: What are you doing with my client?

Marlene Stanger: I looked at the settlement figure you had. I thought we could do better. I saw Denny was the assigned partner in the case...

Denise Bauer: You, you went to Denny behind my back to steal my case?

Marlene Stanger: Ah, no, no. God no! I just told him my thoughts; he was very encouraging and told me to go for it. So I held the documents from being published, made a few calls, and well, here we are. Our client is really, really happy, and I think we can ring these people up for some big bucks.

Denise Bauer: There's only one problem with that, Marlene. Derek in there doesn't have a case. The ten thousand dollar settlement I got him was a gift from DateMistake dot com to make him go away.

Marlene Stanger: I think we could get more. And if you agree with me, I would love to share this case with you.

Nancy and Lennox come out of the conference room.

Atty John Lennox: We're leaving. As is our original offer.

And they're gone. Marlene turns confidently to Denise.

Marlene Stanger: They'll be back.

Denise, angry, moves off. Marlene is about to walk in the other direction, but through the window sees Alan walking by. She stops. Alan continues around the corner, then stops, taking her in. Marlene, flustered, looks at him. He stares. She stares. She blinks, looks away and sighs. Alan continues looking at her and then moves off. She moves off too.

At Crane, Poole and Schmidt, Shirley is in her office. Denise is with her.

Denise Bauer: She just went to Denny and stole my case. Just stole it!

Shirley Schmidt: Okay.

Denise Bauer: Did you know that at her old firm, they called her, The Squid?

Shirley Schmidt: The Squid? Ah ha! The only thing that can kill a shark? Ha, ha, ha!

Denise Bauer: What really gets me about these people is how they're so obvious and manipulative.

Shirley Schmidt: And you're trying to manipulate our friendship to get me to do something about this?

Denise Bauer: Yes.

Shirley Schmidt: Uh hum.

Denise Bauer: After she stole my case, she had the nerve to tell me we could share it.

Shirley Schmidt: Marlene is a first-rate lawyer, she brings in a lot of money, she almost made partner at Howard and Brock. We recruited her with the understanding that if she does as well here as she did there, she would make partner in the next vote.

Denise Bauer: And you're okay with that?

Shirley Schmidt: I am, yeah. Look, Denise, you have a very bright future here, but I'm going to put this as gently as I can. Toughen up!

In a restaurant, Denny and Donny are sitting at a table looking at the menu.

Denny Crane: You seeing anyone?

Donny Crane: Not really. You?

Denny Crane: I got married.

Donny Crane: Ha. Married?

Denny Crane: For a day. We tried to contact you for the wedding, but you were nowhere to be found.

Donny Crane: Ahm. Question. Do the girls actually talk? I'm not quite sure of the etiquette here.

Denny Crane: I, I don't think this a question of etiquette, son. They're escorts.

The girls sitting across the table from them giggle.

Denny Crane: So you like flying around the world, picking up strangers, bringing them to our courts?

Donny Crane: It isn't a matter of liking. I'm trying to make people understand. All these clinics forced to close their doors by the simple stroke of the pen of our president. Now here we are in Boston where there are eight world-class hospitals within a ten mile radius. We don't see it. I'm hoping Kativa will help us see it.

Denny Crane: Yeah, yeah, yeah, yeah. I get the picture now. This is all about beating your old man. Isn't it, son?

Donny Crane: **He scoffs.** For once, this isn't about you.

Denny Crane: Then you won't mind losing. **Donny chuckles.** Got the law on my side, plus the United States government and Denny Crane, two equal and unstoppable forces.

Donny Crane: Uh, huh. And I've got a sympathetic Judge, and an honest woman who lost her child. You always taught me, emotion wins.

Denny Crane: **To the escorts.** Isn't he something? **The escorts giggle in agreement.**

At Crane, Poole and Schmidt, Denny walks into Alan's office. Alan is sitting on a couch reading the newspaper.

Denny Crane: We're late!

Alan Shore: You're late. I'm not going.

Denny Crane: **He sighs.** That time of the month? Come on. We're having fun.

Alan Shore: You're having fun. Sweeping into court, trying a monumental case, about which there is much to be thoughtful, much to articulate, about which you know almost nothing. And you're using nothing but easy jokes, a swell suit, and blind patriotism.

Denny Crane: You're jealous of my son!

Alan Shore: Denny, you don't have a son. And the truth is you're making a complete ass out of yourself in that courtroom about something you shouldn't. I don't care to see it or support it.

Denny Crane: There's a difference in being an ass and being effective. When you win, they say you're effective. When you lose, which I never do, they call you an ass. I don't need you, Alan. I don't need anybody. Never have. Never will.

In Judge Kimberly Ohlund's courtroom, Broden is on the stand. Denny is on direct. All parties present.

Edward Broden: I was in charge of the USAID office in the Northeastern region of Nepal. Part of my job was to enforce the rules of the Mexico City Policy.

Denny Crane: What policy? Everything comes with rice and beans? **He chuckles.**

Edward Broden: No. The name of the policy in question is the Mexico City Policy, but opponents erroneously refer to it as the Global Gag Rule.

Denny Crane: Alright. So, what are we doing in Mexico?

Edward Broden: That's where President Reagan first enacted the policy in 1984. It was enacted as a reaction to forced abortions in China as a means of population control.

Denny Crane: Chinese, Mexican. **To jury.** Anybody hungry?

Donny Crane: Objection!

Judge Ohlund: Sustained.

Denny Crane: Alright, let's get back to America. Are you saying that these policies were enacted as a humanitarian gesture?

Edward Broden: Yes, it was.

Denny Crane: And is it in the United States' discretion to decide which clinics get funding?

Edward Broden: As a part of our governmental function, yes.

Denny Crane: **He turns to Judge Ohlund.** Determining funding is a purely governmental function. And governments are immune under the uhm... under the... **He searches for words.**

Judge Kimberly Ohlund: Federal Tort Claims Act.

Denny Crane: Right. Therefore... **He searches for words.**

Judge Ohlund: You will move for dismissal, and I will again deny the motion. Move on.

Denny Crane: Nothing further, Your Honor.

Denny sits. Donny rises.

Donny Crane: **He is slightly distracted.** You ah, you say this was done as a humanitarian effort, however the rule was instituted by President Reagan, continued under the first President Bush, then rescinded during the Clinton Administration.

Edward Broden: That's true.

Donny Crane: And the day George W. Bush took office, reinstating the Global Gag Rule was one his first official pieces of business. That sounds political to me.

Denny Crane: Objection.

Judge Ohlund: Sustained.

Donny Crane: So the policy was designed to stop abortion as method of family planning?

Edward Broden: Yes.

Donny Crane: Even though by withdrawing funding from those clinics they no longer have money for any family planning which could stop unwanted pregnancies and the need for abortions. Mr Broden, you're not the only USAID representative that has to deal with this issue, are you?

Edward Broden: No, I'm not.

Donny Crane: The truth is that our Global Gag Rule is affecting, well... the globe. The Balkans, Africa, South America, Asia. Any place dependent on U.S. funding is not allowed to even utter the word, "abortion."

Edward Broden: Yes, that's true.

Donny Crane: So don't you think it's curious that in our Administration's quest to stop abortion, we're actually restricting free speech which is a hallmark of democracy?

Denny Crane: Objection. Irrelevant and unpatriotic. **He shakes his finger at Donny.**

Judge Kimberly Ohlund: Sustained.

At Crane, Poole and Schmidt, Marlene is on the internet, at DateMistake dot com.

Alan Shore: DateMistake dot com. Thank goodness technology has progressed to the point where we no longer have to deal with our issues privately. So any of my misadventures chronicled there?

Marlene Stanger: No. Surprised?

Alan Shore: At little. As to the fact that you checked on me. No. **He leaves.**

Marlene Stanger: **She follows Alan into his office.** Just so you know, that little incident would be considered sexual harassment.

Alan Shore: You're quite intoxicating. Oops. Did it again. But you won't report me to the bosses.

Marlene Stanger: Why not?

Alan Shore: **Motions for her to sit on the other couch.** Marlene, while I haven't known you long, I get the feeling your best work is done behind your colleague's back. **She sits on the table, crossing her legs to reveal much.** If you were to report me, you certainly wouldn't have warned me first. And besides, what you'd really like to do is wrap your legs around me and scream at the top of your lungs. You're a loud one, aren't you?

Marlene Stanger: Excuse me?

They are engaged in another stare-off.

Alan Shore: How about I just clear everything off this desk? **He starts to clear off the desk.** We can take care of things right now. Then afterwards you can write me up and send me on my way.

Marlene Stanger: You're repulsive.

Alan Shore: You're right. And yet I can see in your eyes see you're not completely repulsed. And therein lies the rub.

At Crane, Poole and Schmidt, Denise, Marlene, all parties present in a heated debate.

Atty John Lennox: You can't hold someone liable for expressing an opinion. And besides, truth is a defense. There are no objectively false facts here.

Derek Roth: Oh! You gotta be kidding me. 'Anonymous' called me cheap.

Atty John Lennox: Where did you take 'Anonymous' to dinner?

Derek Roth: Jimmy Changes.

Atty John Lennox: And is it true that you used a coupon?

Derek Roth: That's not cheap. That's smart.

Denise Bauer: And did you pay?

Derek Roth: Yes, I did.

Atty John Lennox: Did she pay, too?

Derek Roth: ...Yes.

Marlene Stanger: He treated her as an equal, which only proves he's a feminist as well as resourceful. 'Anonymous' didn't post that on there.

Derek Roth: And she says I have no sense of humor. I make jokes all the time.

Atty John Lennox: Those aren't jokes. They're puns. Puns aren't funny.

Derek Roth: Well, that's just your o-opinion. Isn't it?

Denise Bauer: Oh, dear God.

Atty John Lennox: Look, Denise, we agreed to return to the table in good faith based on your reputation. But you haven't given us any reason to even go back to the original agreement. All the facts are on our side.

Denise starts to speak, but Marlene jumps in.

Marlene Stanger: But we may have more plaintiffs on our side. **Lennox and Nancy stop in their tracks, as does Denise.** With just a quick search on your website, we've found ten men willing to come forward who were defamed with false statements of fact, not opinion.

Atty John Lennox: You never mentioned these men in your previous negotiations.

Marlene Stanger: We were just focusing on our client, and we were hoping you would be reasonable. But you're not being reasonable, so we're expanding this case to a class action suit. As to the facts... **She lays**

out a picture of a man from the website. Brett Doran does not still live with his mother. **Lays out another.** Jack Bostick does not have a one inch Johnston. Even on a cold day. I could go on. There are three hundred thousand more postings and plenty of eager associates to review them. **Marlene and John have a stare-off. John blinks first.**

Denise Bauer: We'll give you a chance to talk this over. Marlene? **They step outside.** You posted these complaints yourself, didn't you?

Marlene Stanger: I'd have to be an idiot to do that.

Denise Bauer: So you had someone else do it for you? A sister? A girlfriend?

Marlene Stanger: Denise, while you were out on a date last night I was here until three o'clock in the morning hunting these guys down. All it took was some hard work and long hours. But I was willing to do it. Now we go to court, the reward is potentially bigger, but so are the risks. Or we can go back in there and get a bigger settlement than you originally negotiated. Your call.

Denise Bauer: I talk. You don't say anything. **They go back inside.** So? Had a chance to talk things over?

Atty John Lennox: As a matter of fact we have.

Denise Bauer: And?

Atty John Lennox: I don't like the way you do business.

Denise Bauer: And I don't like the way Ms Moran does business. Your company trades on the misery and pettiness of others. Ms Moran, there are two ways to make money in a business like this. The first is the short term cash you make before someone like us comes in and shuts you down with a major lawsuit. The other is the real money that comes when you grow your business large enough that of the big media companies buys you out. But nobody is going to buy a company with a potentially huge class action lawsuit hanging over its head. And that's why you were willing to settle in the first place. Thirty thousand dollars and this all goes away.

Atty John Lennox: **He writes 20 /25 on a piece of paper and shows it to Nancy. She nods.** Twenty thousand.

Denise starts to speak. Marlene jumps in.

Marlene Stanger: Twenty-five.

Atty John Lennox: Done.

Marlene and Denise look to Derek.

Dan Rice: **He nods.** Yeah.

Marlene Stanger: I'll draw up the paper work.

At Crane, Poole and Schmidt, Alan is in his office. Denny comes in.

Denny Crane: You like Hot Fudge Sundaes? Ah, who knows what you like. You're a weirdo. But my point is, people like Hot Fudge Sundaes. Well yesterday in court I gave them a Hot Fudge Sundae. I was brilliant. But, after you've had a delicious Hot Fudge Sundae, it's a while before you want another one. Are you with me so far?

Alan Shore: Let's say that I am.

Denny Crane: Great. I want you to do the closing argument.

Alan Shore: I'm sorry?

Denny Crane: I gave the jury a great big, Denny Crane Sundae with chocolate sauce and nuts and a cherry on the top. Now they're full. You can't stuff another one down their throat so soon.

Alan Shore: Denny, how did it really go in court yesterday.

Denny Crane: Magnificent. That being said, if the jury heard from someone that wasn't me, it might refocus them in a way that would guarantee victory. Not that victory is in doubt.

Alan Shore: I see.

Denny Crane: Alan, I need to stay undefeated. I don't wanna look a fool in, in, in front of... I need you to do this. Friend, helping friend?

In Judge Kimberly Ohlund's courtroom. Donny is giving his closing.

Donny Crane: This case is not about abortion. It isn't about freedom of speech. It isn't even about what foreign policy the United States chooses to conduct. This case is about hypocrisy and the arrogance of power. Now, under the laws of the United States, abortion is legal. But we tell other countries that if they want USAID, they cannot perform, encourage, or even mention abortion. We look the world in the eye, and say, "Do as I say, not as I do." It's the very essence of hypocrisy. So, the clinic that Kavita Pokharel went to had had its funding cut off by a USAID representative who mistakenly believed that a poster in the clinic advocated abortion. Now she had been to the clinic before, and everything had been fine. She had the reasonable expectation that the clinic would continue to function. How could she? How could anyone be expected to know that United States policy is as changeable as the political winds? A political hack made a brutal, thoughtless decision that could not be

appealed. And Ms. Pokharel's baby died. At a time when we're trying to spread democracy around the globe, let us show the world that we are not hypocrites. Let us show the world that when the government of the United States makes a horrible, tragic mistake, the courts of the United States will make that government pay for it.

Alan Shore: I'd like to begin with a cheer. We're number one! We're number one! We're number... It's not much of a cheer. It's repetitive and rhythmically uninteresting. But it does succinctly apply to our country, and has for quite some time. In fact, we've been number one so long that the rest of the world has come to rely on us. And we don't let them down. We're the world's largest donor of development assistance. All in all, as a nation, we donate over fifty-five billion dollars a year in foreign aid. Money, money, money, money, money, money, money, money, everything is about money. But, we must never forget that there is a terrible human tragedy at the center of all this. Ms Pokharel lost her child. The loss of any child's life is an incalculable horror. It is for that reason that I would ask you to award the plaintiff piles and piles of money. After all, we have so much to give away. Why not? Piles and piles. Thank you. **Turns and walks toward the defendant's table.** Oh, come to think of it, maybe we don't have that much to give away, do we? Our national debt is now over eight trillion dollars. Eh, who cares? Give 'em piles, anyway. What the hell? Never mind that we have thirty-seven million people living below the poverty line right here at home. What does it matter that our own literacy rate doesn't even rank in the top fifty countries? Just keep shelling out the foreign aid. Does it really bother anyone that we don't have the resources to help the Katrina victims? Of course not! What's really important is that the United States continue to be that big ATM machine to the world, doling out wads of cash to every country who wants it. Money, money, money, money, money, money, money, money, never mind that we don't have it. These other nations, they're entitled, aren't they? Even the ones who vilify us for protecting their freedom. By the way, listening to plaintiff's counsel, I couldn't help but concur how horrible we Americans are. Okay, so we donate fifty-five billion dollars a year in foreign aid. But then, we impose certain conditions on those gifts. Imagine our awfulness! And here, my God, we promise money to a clinic so long as they promise not to promote abortion. So they did. How dare we not give them the money just the same? We should have given them that and then some. We have the duty to provide these hand-outs. We have an absolute duty, because we are the United States of America. And these other nations, well, they're entitled, whether they keep their promises or not. **He nods to the jury and walks back to the table.**
Denny Crane gives him the thumbs up, then the jury.

At Crane, Poole and Schmidt Denise is getting a bottle of water out of the refrigerator, as Marlene enters, a check in one and a hand-held computer in the other.

Marlene Stanger: Our settlement check came in. Twenty-five G's.

Denise Bauer: I'm just glad everything worked out.

Marlene Stanger: Me, too. Look, for all this sturm and drang, we really did make a pretty good team. I'm so glad we're not like those women in the workplace who feel compelled to compete with every pair of legs in a skirt.

Denise Bauer: You know, Marlene? You're not gonna get very far at Crane, Poole, and Schmidt pulling the kind of crap you did with this case.

Marlene Stanger: Denise, the only crap I pulled was to believe in this case, and invest myself in it. That's why we more than doubled our money. And I think that's why they hired me at Crane, Poole and Schmidt. Why did they hire you? **Denise doesn't answer.** Anyway, see you later. **She flounces off.**

Denise Bauer: Squid.

In Judge Kimberly Ohlund's courtroom.

Judge Kimberly Ohlund: Has the jury reached a verdict?

Foreperson: We have, Your Honor.

Judge Kimberly Ohlund: How say you?

Foreperson: In the matter of Kavita Pokharel versus the United States we find in favor of . . . the United States of America.

Judge Kimberly Ohlund: Thank you for your service. We're adjourned.

Denny Crane: Still undefeated. I think my closing made all the difference.

Alan Shore: Denny, if I wrote it and delivered it, how did it become your closing?

Denny Crane: My case. I'm the lead attorney. And, of course, I'm...

Alan Shore: Yes, you are.

Denny Crane: The United States of America.

Donny Crane: Of course, we'll appeal.

Denny Crane: Of course, you'll lose.

Donny Crane: Dinner, Denny?

Denny Crane: Delighted, Donny?

They shake hands.

Denny and Donny are in a bar seated n barstools.

Denny Crane: Son, let me ask you something. These lost causes, why do you do it?

Donny Crane: I suppose the struggle gives me comfort. Why do you do what you do?

Denny Crane: I don't actually remember. **Donny chuckles.** It may have something to do with the massive amounts of money I make.

Donny Crane: My mom died. A few months ago. I, I was gonna tell you the other night, but the... well... the hookers made it a little uncomfortable.

Denny Crane: Hmm.

Donny Crane: I went looking for my real father.

Denny Crane: And...

Donny Crane: He lives in Maine. He works on a cranberry bog. Good man. Wears waders. Most days he's up to his knees in water and little red fruits.

Denny Crane: Sounds like a very moist man.

Donny Crane: **He laughs.** He's not you. Not the man I imagined growing up. Not the man I pictured in my mind when I was studying at law school.

Denny Crane: So you're all alone?

Donny Crane: **He nods.** Yepper. So? Any interest in being my fake father again?

Denny Crane: I never stopped being your fake father, son.

At Crane, Poole and Schmidt, Denny passes Marlene.

Marlene Stanger: Good night, Mr Crane.

Denny Crane: Good night, Ms Stanger. **Walks away, saying "wow" silently.**

At Crane, Poole and Schmidt, out on the balcony Alan is sitting just out of the rain smoking a cigar.

Denny comes out and hands Alan a glass of Scotch.

Denny Crane: Your closing was very convincing. Almost as if you believed it.

Alan Shore: I did.

Denny Crane: You do love America.

Alan Shore: Of course I do. I didn't agree with the string our government attached to the money in this case, but we have every right to attach strings to the funds we give.

Denny Crane: That's my boy.

Alan Shore: I'm your friend, Denny, but I'm not your boy. That's what troubles me. This notion that we have to take sides in this country now, you're either with us or against us, Republican or Democrat, red state or blue state.

Denny Crane: I can't believe I live in a blue state. I mean...

Alan Shore: No one looks at an issue and struggles over the right position to take anymore. And yet, our ability to reason is what makes us human. Lately, we seem so willing to forfeit that gift of reason in exchange for the good feeling of belonging to a group. We all just take the position of our team. I've certainly done it and hated myself for it.

Denny Crane: I've never heard you make so much sense.

Alan Shore: I make sense all the time; you just listen intermittently.

Denny Crane: Could be. **Takes a sip of Scotch.** Ahh, I like that new girl.

Alan Shore: Marlene.

Denny Crane: She's got an aggressive eye. Bet she's magnificent in bed.

Alan Shore: Oh, I bet she's at her best with her back against the wall.

Denny Crane: Mmm. Oh, I can't wait till next week.