

**Boston Legal**  
**Whose God is It, Anyway?**  
**Season 3, Episode 5**  
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Courthouse Corridor

**Gracie Jane:** Gracie Jane reporting to you live from Boston with goosebumps. Tomorrow it happens. That low-life, adultering, judge-murdering defendant, Scott Little, who of course gets the presumption of innocence, goes on trial, and yours truly is here to cover it. And I will be right here, lapping it up like a St. Bernard. Am I panting too loudly?  
**exaggeratedly panting**

Denny Crane's Office

**Paul Lewiston:** Denny, there's a—

**Denny Crane is wearing a robe over his underwear, and quickly grabs and raises a briefcase to hide behind.**

**Paul Lewiston:** Why are you in your bathrobe?

**Denny Crane:** I just had a massage.

**Paul Lewiston:** Uh, why are you holding your briefcase?

**Denny Crane:** My checkbook's in it. I needed to pay the masseuse.

**Paul Lewiston:** **seeing a woman's toes and shoes** Who is that under there?

**Denny Crane:** What? Where?

**Paul Lewiston:** **singsong** Whoever's under there, come out..

**Bethany Horowitz:** Go away.

**Paul Lewiston:** I'm not going away. Come out now.

**Bethany Horowitz:** **stepping out from behind the briefcase** I was doing nothing untoward. I was just hiding because I didn't want to be seen in a room with him while he's dressed in a bathrobe.

**Paul Lewiston:** So better to be seen *under* the bathrobe?

**Bethany Horowitz:** Who are you? Columbo?

**Denny Crane smiles.**

**Paul Lewiston:** Gracie Jane?

**Denny Crane:** What about her?

**Paul Lewiston:** She's contaminating the jury pool. Anything you can do to shut her up . . . Delighted to see you again.

**Bethany Horowitz:** Don't you be sarcastic with me, you snoot. **throws her hands up** My reputation's ruined.

Restaurant

**Dr. Zachery Simon:** You know, uh, this is the big third date.

**Claire Simms:** **chuckling** Mm.

**Dr. Zachery Simon:** The kiss date. In modern times, some might say the *consummate* date.

**Claire Simms:** Yeah, uh, Zach. There's something you need to know about me.

**Dr. Zachery Simon:** What's there to know, you beautiful, funny lawyer?

**Claire Simms:** I'm a lawyer at Crane, Poole & Schmidt.

**Dr. Zachery Simon:** Why do I know that name?

**Claire Simms:** You know it because we represent Scott Little.

**Dr. Zachery Simon:** You represent Scott?

**Claire Simms:** I do, along with Jeffrey Coho, who you've met.

**Dr. Zachery Simon:** So all this time—

**Claire Simms smiles.**

**Dr. Zachery Simon:** **pulls his hand away** How dare you?

**Claire Simms:** Don't lecture me. The only reason Scott Little is going on trial is because his own doctor sold him out to the police. You've also revealed a few choice little nuggets to me that—

**Dr. Zachery Simon:** I've told you nothing.

**Claire Simms:** Zach, you're a chatty little guy. I will make a deal with your right now. Tell me the rest of the story, let me look at Scott's medical records, , maybe give me a glance at Judge Hooper's as well, and I promise Jeffrey won't shred you on the stand like a piece of linguini.

**Dr. Zachery Simon:** Let me tell you something about me, lady.

**Claire Simms:** **laughs** Yeah, you've kissed Giona Gershon.

Dr. Zachery Simon: I will *not* be blackmailed. Even if I were inclined to let you see those medical records, which I most certainly am not, I am bound by doctor-patient privilege.

Claire Simms: Oh, *now* you're bound.

Dr. Zachery Simon: Yes! It was my duty to reveal the other because a human life was in danger, you treacherous vixen.

**The waiter presents the check.**

Dr. Zachery Simon: **stands** You've made a big mistake making an enemy out of me. **stomps out**

Claire Simms: **tapping the check folder** Hey, I am not paying for this! scoffs

Dr. Zachery Simon: **suddenly very close to her ear** I will bury you.

[credits]

Alan Shore's Office

**Jerry Espenson is pacing, hands glued to thighs.**

Alan Shore: Jerry, you have got to calm down. I can't help you while you're in this state. Jerry—

**Jerry Espenson hoots.**

Alan Shore: Goodness. I've never heard that sound before.

Jerry Espenson: I've been sued. Oh, I thought I could handle it. We were in the process of effecting a mutually acceptable settlement, when suddenly he got himself a new, aggressive, awful, androgynous woman lawyer! Now he wants a million dollars! **squeaks**

Alan Shore: Jerry, what have you been sued for?

Jerry Espenson: One of my attorneys—As you know, I've been building my own quiet little firm. One of my attorneys—I terminated him, which I'm entitled to do. It's at-will employment, my will being dispositive. And then he filed a claim like a snively, horrible man!

Alan Shore: What did you fire him for?

Jerry Espenson: He turned out to be a Scientologist—full-blown!

Alan Shore: Jerry, we do have a little thing called "freedom of religion."

Jerry Espenson: Oh, I know that. But why should I have to work with one? I don't like this Scientology business. Yuck, yuck, yuck.

Reception Area of Crane, Poole & Schmidt

Sally Heep: Brad!

Brad Chase: Sally? You look incredible.

Sally Heep: I know.

**Jerry Espenson squeals.**

Alan Shore: Sally.

Jerry Espenson: It's her—Androgy-woman.

Sally Heep: How you doing, old man?

**Jerry Espenson squeaks.**

Alan Shore: This is opposing counsel?

**Jerry Espenson squeaks again. And shrugs.**

Jeffrey Coho's Office

**Scott Little is sitting, awaiting Jeffrey Coho.**

Jeffrey Coho: **enters** You ready?

Scott Little: Yep.

Jeffrey Coho: Look at me.

**Scott Little sighs, slowly meets Jeffrey Coho's eyes**

Jeffrey Coho: I can probably get us out of here right now with Murder Two, eight to twelve years.

Scott Little: **another sigh** No.

Jeffrey Coho: Murder One means life.

Scott Little: Are we going to lose?

Jeffrey Coho: We may.

Scott Little: I didn't kill her, Mr. Coho, and I'm not accepting any plea that says I did.

Jeffrey Coho: Okay. Let's go.

Outside the Courthouse

**Jeffrey Coho, Denise Bauer, Claire Simms, Barbara Little, and Scott Little arrive via SUV limousine. There is quite a crowd of media-types awaiting them.**

Claire Simms: Oh, my God.

Jeffrey Coho: Stay tight. No comment.

Claire Simms: Okay.

**They exit the SUV, and start walking the gauntlet of the reporters descending on them, all shouting questions.**

Harvey Levin: Mr. Coho, one quick question.

Rikki Klieman: Rikki Klieman. Scott, is your father going to testify for or against you?

Joan Rivers: Jeffrey, Joan Rivers. Who are you wearing? [lost in the cacophony of questions, but per captioning: "Do you have your clothes made for you, or do you have them hand-made?"]

Barbara Little: **seeing Michael Schiller and confronting him** What are you planning to say?

Michael Schiller: Get out of my way, Barbara.

Barbara Little: This is your only son.

Michael Schiller: You would never let him be my son.

Barbara Little: You are going to give testimony against your own son—

Michael Schiller: If I had raised him, he wouldn't be here now.

Barbara Little: Just to get back at me.

Denise Bauer: Barbara!

Barbara Little: **whispering** I will not let you get away with this.

Denise Bauer: Barbara.

Judge Harvey Cooper's Courtroom

Dr. Zachery Simon: I really, really apologize.

D.A. Jonathan Winant: You apologize?

Dr. Zachery Simon: I didn't tell her anything that would compromise your case. I don't think.

D.A. Jonathan: You compromised yourself, which will compromise the case.

Dr. Zachery Simon: I really, really apologize. Look, I promise I will be the best witness you've ever had.

Judge Harvey Cooper's Courtroom—Later

Detective Frank Richmond: The driveway was a crushed gravel. We were able to lift various tire tracks, all of which belonged to the defendant's car, the victim's, and the victim's husband—nobody else.

D.A. Jonathan Winant: And, uh, what evidence did you find in the house?

Detective Frank Richmond: The only prints inside the house were Mr. Hooper's, none of the defendant, which is odd, since he was there. No prints of the victim, even.

D.A. Jonathan Winant: What did that tell you?

Detective Frank Richmond: That someone was meticulously wiping away the evidence. Even the body had been wiped with what appeared to be a towelette.

D.A. Jonathan: Any evidence at all on the body?

Detective Frank Richmond: Microscopic traces of his semen and oil secretions.

D.A. Jonathan Winant: The defendant's?

Detective Frank Richmond: And nobody else.

Denise Bauer: How did you first learn that my client was in the house that night?

Detective Frank Richmond: He told us.

Denise Bauer: He came to you on his own to volunteer the information.

Detective Frank Richmond: Yes

Denise Bauer: And other than Scott Little being in the house that night, you have no evidence, physical or otherwise, connecting him to the crime, do you?

Detective Frank Richmond: We have a video of him confessing to his therapist that he had dreams of killing her.

Denise Bauer: Yes, of course, the video. Once you saw that, Scott Little was your man, wasn't he?

Detective Frank Richmond: He was the main suspect.

Denise Bauer: The main suspect? Who were the other suspects?

Detective Frank Richmond: He was the only viable one.

Denise Bauer: Who were the others who turned out to be nonviable?

Detective Frank Richmond: He was the only one we considered seriously.

Denise Bauer: He was the only one you considered at all, wasn't he? Because once you saw that video, it was case closed. Because if a person dreams or harbors fantasies of killing somebody, well, that's foolproof evidence, case closed.

D.A. Jonathan Winant: Objection.

Judge Harvey Cooper: Sustained.

Detective Frank Richmond: We have more than the suspect's dreams of killing her. He was in the house the night of the murder.

Denise Bauer: But he left before the murder.

Detective Frank Richmond: We don't know that.

Denise Bauer: The coroner stated that after Mrs. Hooper was hit on the head, she likely died within minutes. The time of death was between 10:15 and 10:30, but Scott Little was at home in his house by 9:30.

Detective Frank Richmond: According to his mother.

Denise Bauer: Can you refute the mother? Can you prove that he was in the house after nine.

Detective Frank Richmond: No, but I don't need to—

Denise Bauer: Thank you, Detective. Now Mrs. Hooper was having other affairs, wasn't she? She wasn't committing adultery only with Scott Little.

Detective Frank Richmond: She was seeing two other men.

Denise Bauer: That you knew of.

Detective Frank Richmond: Both of whom had verified alibis.

Denise Bauer: Can you prove that these were the only two other men that Mrs. Hooper was seeing?

Detective Frank Richmond: Can I prove it? No.

Denise Bauer: Thank you, Detective. Nothing further.

Judge Harvey Cooper: Mr. Winant, I think we'll break here and resume again tomorrow with your next witness. Mr. Winant, who do you call?

D.A. Jonathan Winant: The prosecution calls Judge Brian Hooper.

Alan Shore's Office

Alan Shore: One million dollars?

Sally Heep: The job paid three and a quarter. When prospective employers ask him why he was fired, he's gonna—

Alan Shore: *chuckling, rising, smoothing down his tie and buttoning his jacket* We're not going to give you a million dollars, Sally.

Sally Heep: Then I guess we go to court.

Alan Shore: *walking toward her, in full seduction mode* Since the day you left, I've longed to go head-to-head. *deep breath and release*

Sally Heep: You can't win this, Alan. Freedom of religion—it's one of the biggies.

Alan Shore: I suppose we could wager. Loser has to slather the winner in maple syrup and then lick it off. Winner gets to slather the loser with maple syrup and then lick it off.

Sally Heep: I'll see you in court.

Hallway of Crane, Poole & Schmidt

Sally Heep: Brad.

Brad Chase: Sally. It's really nice to see you again. Would you like to grab some dinner sometime, catch up?

Sally Heep: I was never behind. I'm not the same girl you went out with, Brad.

Brad Chase: I'd love to get to know the new girl.

Alan Shore: *whispering in her ear* I think he's making his move.

*Sally Heep sighs, exits; Alan Shore shifts to watch her exit, eyes somewhere south of the border. Brad shifts to face Alan.*

Brad Chase: *holding up a finger* I used to date that woman—that gives me the first right to re-date her.

Alan Shore: I see. Well, since we're playing by high school rules, I dated her after you did.

Brad Chase: No, you had a prurient affair with her when she was on the rebound from me and that doesn't count. What do you wanna do—you wanna wrestle me for her? Hands off my ex-girl.

*Alan Shore laughs.*

Men's Room of Crane, Poole & Schmidt.

*Jerry Espenson is washing his hands.*

Denny Crane: Hands, how's it going?

Jerry Espenson: Fine. I prefer to be called "Jerry."

Denny Crane: Of course you do. And may I ask you a question?

Jerry Espenson: *nods* Mm.

Denny Crane: Well, this may be the Mad Cow speaking, but didn't we fire you?

Jerry Espenson: I left under unfortunate circumstances.

Denny Crane: Oh, well. Not to worry.

Jerry Espenson: Actually, it caused me a lot of worry, Mr. Crane, but now I've managed to re-establish myself. I've started my own firm.

Denny Crane: Ohhh, well, there you go.

Jerry Espenson: But now I've totally blown it. I've lost it all, so not to worry.

Alan Shore: Jerry, you're not going to lose your firm.

**Jerry Espenson:** Of course I am, Alan. I fired a man because of his religion. I went to three lawyers before you, because I so didn't want to bother you again, and they all told me I can't win.

**Alan Shore:** *one hand on each of Jerry Espenson's elbows* You're not going to lose your firm.

Judge Willard Reese's Courtroom

**Douglas Karnes:** He never had a problem with my work. Just the opposite—he told me I could make partner, then suddenly he fired me.

**Sally Heep:** Did he give you a reason?

**Douglas Karnes:** He said my being a Scientologist wasn't commensurate with the image he wanted his law firm to project. He called my religion "yuck." Your exact words.

**Jerry Espenson nods in agreement, silently repeating "yuck."**

**Sally Heep:** Mr. Karnes, he claims you were *outspoken* about your religion.

**Douglas Karnes:** That's not true. I talked about it—I did not get on any soapbox.

**Sally Heep:** Talked about it in the office?

**Douglas Karnes:** Yes, but I wasn't trying to convert anyone. I certainly wasn't a zealot. He just had a problem with my particular faith, and he said so.

**Jerry Espenson hoots.**

**Sally Heep:** Thank you. *sits, and moves a bottle of maple syrup off her legal briefs*

**Alan Shore:** Scientology was invented by—

**Douglas Karnes:** L. Ron Hubbard—

**Alan Shore:** Who started out as a science fiction writer. He said, and I quote, "Writing for a penny a word is ridiculous. If a man really wanted to make a million dollars, he'd start his own religion."

**Douglas Karnes:** You know, people like you take that quote way out of context.

**Alan Shore:** People like me? Does that mean nonbelievers? Or lawyers? Foot-fetishists?

**Sally Heep:** Objection.

**Judge Willard Reese glares at Alan Shore.**

**Alan Shore:** Mr. Karnes, what's an engram?

**Douglas Karnes:** An engram is basically a psychic scar. It's the, uh, origin of illness.

**Alan Shore:** And as I understand it, life, according to Scientology, is all about ridding yourself of these, uh, engrams. You do this by pursuing a path of enlightenment, known—uh, help me out—

**Douglas Karnes:** The bridge to total freedom.

**Alan Shore:** And at each stage of the bridge, you are audited by a senior church member, who hooks you up, uh, to some, eh, electronic device—

**Douglas Karnes:** An electropsychometer.

**Alan Shore:** Is it painful?

**Douglas Karnes:** *shaking his head* No.

**Alan Shore:** Ah. And after you go through all the stages, uh, you become an operating *playing with different ways of pronouncing the word* Thetan? Thetan? Thetan.

**Douglas Karnes:** That's right.

**Alan Shore:** And O.T.s, as they're called, are said to be able to communicate with animals, move inanimate objects, leave their bodies at will. You hope to do that?

**Douglas Karnes:** One day.

**Alan Shore:** Are Thetans immortal?

**Douglas Karnes:** It's been said.

**Alan Shore:** Well, in fact, uh, most Scientologists believe Brother Hubbard will return.

**Douglas Karnes:** And Christians believe Jesus will come again. Are they all nuts?

**Alan Shore:** *nodding* Most.

**Judge Willard Reese glares at Alan Shore again.**

**Alan Shore:** Scientologists also believe that 75 million years ago, an evil galactic warlord—and here's where I can almost taste the maple syrup—an evil warlord by the name of Xenu dumped 13 trillion aliens from different planets into the earth's volcanoes and then vaporized them with H-bombs. You're familiar with this?

**Douglas Karnes:** Yes.

**Alan Shore:** And the radioactive souls of these poor, vaporized alien creatures continue to enter into our bodies, implanting engrams and false ideas about Christ and God and psychiatry. And that's why we have to purge ourselves of all of these engrams.

**Douglas Karnes:** Yes.

**Alan Shore:** And when one releases an engrams, the erasure is often accompanied by yawns or tears, sweat, odor, panting, urine, vomiting, and other excreta. You've heard that?

**Douglas Karnes:** Yes.

**Alan Shore:** So, basically every time you piss, puke, or crap, you're a step closer to immortality.

Sally Heep: Objection.

**Alan Shore supplies sound effects of “passing gas.**

Alan Shore: Getting closer as I speak.

Sally Heep: **laughing silently and shaking her head** Objection.

**Alan Shore sits, and Judge Willard Reese shakes his head.**

Courtroom Corridor

Gracie Jane: Judge Brian Hooper, the husband of the victim, is on the stand as we speak. You’ll remember he discovered the body. We play his frantic 911 call for you on an average of 36 times a night—it never gets old.

**Someone walks into her, interrupting her “report.”**

Gracie Jane: Hey! I’m standing here.

Joan Rivers: Well, drop dead, crime slut.

Denny Crane: **parting them** Huh. Take five. Ladies—?

Gracie Jane: Denny Crane, as I live and drool.

Denny Crane: Got your own TV show. Wow.

Gracie Jane: Yes, I do. And I don’t need the likes of you, I’ll tell you that.

Denny Crane: Oh, come on, Gracie. You’re on this campaign to convict me client. **shakes his finger at her** A little residual anger.

Gracie Jane: **chuckles** Don’t flatter yourself, you big goat!

Denny Crane: Come on. You and me. Ten minutes of chubby sex.

**Gracie Jane rolls her eyes, but looks interested.**

Judge Harvey Cooper’s Courtroom

D.A. Jonathan Winant: Where had you been, sir, prior to coming home that night?

Judge Brian Hooper: I’d been out to dinner. I stopped by my chambers to get some materials, and I proceeded home, arriving there around eleven o’clock.

D.A. Jonathan Winant: Do you know the defendant, Scott Little?

Judge Brian Hooper: Yes, I do. He was my wife’s law clerk.

D.A. Jonathan Winant: You know him personally?

Judge Brian Hooper: Some. He always struck me as extremely unstable.

Denise Bauer: **low voice, to Jeffrey Coho** Object.

D.A. Jonathan Winant: You’ve learned that Mr. Little and your wife had been carrying on an adulterous affair?

Judge Brian Hooper: Yes.

D.A. Jonathan Winant: When did you learn this, sir?

Judge Brian Hooper: The day of her death. My therapist, who is also the defendant’s therapist, informed me.

D.A. Jonathan Winant: What occasioned your therapist to tell you this, betraying Scott Little’s patient confidentiality?

Judge Brian Hooper: He suddenly feared Mr. Little might harm Marcia. He gave me a disc. It showed the defendant fantasizing about killing her.

**Crowd murmurs.**

Judge Brian Hooper: He thought it was nothing more than a fantasy, but he couldn’t be sure, and he became concerned.

D.A. Jonathan Winant: After you saw this disc, what did you do?

Judge Brian Hooper: I called Marcia; told her of the threat. We argued over the affair, and we agreed to talk that night **voice breaks** when I got home. But—that talk obviously never took place. **starts to sob** When I got home—um, I’m sorry.

D.A. Jonathan Winant: Your Honor, perhaps a short break?

Judge Harvey Cooper: Yes.

Courtroom Corridor

Jeffrey Coho: “A short break”? He wants to give the jury time to absorb the testimony.

Denise Bauer: I don’t think we should cross him.

Jeffrey Coho: We have to cross him, Denise.

Denise Bauer: This whole thing could just blow up in our faces.

Jeffrey Coho: He’s a viable suspect. We have to take the shot.

**Jeffrey Coho opens the door to a conference room, only to find Denny Crane and Gracie Jane having sex.**

**Jeffrey Coho closes the door quickly.**

Hallway of Crane, Poole & Schmidt

Alan Shore: Now comes the difficult part. You can plan on her cross-examining you quite vigorously, Jerry.

Jerry Espenson: I'm ready. Last night I practiced in a mock trial setting.

**They enter:**

Alan Shore's Office

Jerry Espenson: I'm ready.

Alan Shore: You practiced?

Jerry Espenson: Mm.

Alan Shore: Who questioned you?

Jerry Espenson: Well, Patty.

Alan Shore: Patty? The doll?

Jerry Espenson: She didn't really question me. I supplied the questions, but she looks like Androgynous-Woman a little. It was very helpful.

Alan Shore: Okay.

Jerry Espenson: Alan, don't you think the resemblance is uncanny?

Alan Shore: **head tilt** Well, it hadn't occurred to me.

Jerry Espenson: Joanna, the sex therapist, told me that one day, I'd encounter a real, live Patty. Perhaps it's Sally.

Alan Shore: Oh, dear.

Judge Willard Reese's Courtroom

Jerry Espenson: I liked him personally, but his ramblings were becoming more and more aberrant.

Alan Shore: Could you give us an example, please?

Jerry Espenson: Well, he impugned me for taking medication. Then there was the business about the aliens. He'd request time off to get his body audited by these electropsychometer machines. They believe man evolved from a clam.

Alan Shore: A clam?

Jerry Espenson: The problem is he'd talk about it openly. He was losing credibility as a lawyer, causing my firm to lose credibility. The law business is tough. He was making a mockery of mine.

Sally Heep: He ever commit any legal malpractice?

Jerry Espenson: No, he's an excellent attorney, but when he talked about religion—

Sally Heep: It reflected poorly on the firm.

Jerry Espenson: I believe in religious freedom.

Sally Heep: What if one of your associates was Hindu, and worshipped a cow? Would that be all right?

Jerry Espenson: Uh, I think so.

Sally Heep: What about Christianity? What if one of your associates believed that Jesus actually walked on water, or that Moses parted the Red Sea, or that Noah's ark actually held 60 million animals?

Jerry Espenson: I don't take everything in the Bible literally.

Sally Heep: What if one of your lawyers did?

**Jerry Espenson squeaks.**

Alan Shore: Your Honor, she's making fun of Christianity. It's unpatriotic. I'm concerned it'll hurt the troops.

Judge Willard Reese: Mr. Shore, sit down.

Sally Heep: What if one of your employees believed, instead of the soul of an alien entering our bodies, it was the devil? Would you fire somebody from your firm because they spoke openly about that?

Alan Shore: I am sorry, your Honor. This woman is clearly a Jew.

Judge Willard Reese: You object to her being Jewish?

Alan Shore: **chuckling** I'm sure somebody here must.

Alan Shore's Office

Jerry Espenson: I don't mean to tell you how to practice law, but at least some of those people in that jury box go to church or temple. You can't be launching a broad attack on religion like that. It'll alienate us.

Alan Shore: Jerry, I have to launch a broad attack.

Jerry Espenson: Why? This is my career on the line.

Alan Shore: If we single out Scientology, it'll make us bigots. Are we bigots, Jerry?

Shirley Schmidt's Office

Gracie Jane (on TV): The widower reportedly will be cross-examined not by Jeffrey Coho, but Claire Simms, the little princess who sits next to him. Ask me, I don't know why they're crossing him at all. It was a—

**Denny Crane turns the TV off.**

Shirley Schmidt: Did you talk to her?

Denny Crane: I gave her my best shot.

Shirley Schmidt: You had sex with her.

Denny Crane: Cheap sex—the best kind.

Shirley Schmidt: What about Bethany? Wouldn't she object?

Denny Crane: A gentleman never tells.

Shirley Schmidt: A gentleman might want to look down.

Denny Crane: No way.

Shirley Schmidt: *nodding* Way.

Denny Crane: *smiling down at Bethany Horowitz* I knew you were there. I was just trying to make you jealous.

**Bethany Horowitz looks very hurt, and exits angrily.**

Shirley Schmidt: Denny, if she's going to be the seventh one, you might want to go after her.

Denny Crane: *facing the inevitable, turning to follow her* Pumpkin—

Courtroom Corridor

Lincoln Meyer: I testify next, after Judge Hooper's cross-examination. I'm very nervous, of course, being a *chief* prosecutorial witness.

Harvey Levin: What do you plan to say?

Lincoln Meyer: Mr. Winant has asked me not to make any anticipatory remarks. He doesn't want me to defuse my thunder, of course. Suffice it to say, I'm a very bid cog.

Judge Harvey Cooper's Courtroom

Claire Simms: Your Honor, my name is Claire Simms, and first let me convey my sympathy for your loss.

Judge Brian Hooper: Why don't you direct that sentiment to the jury, since it's for their benefit that you express it.

Claire Simms: Okay. *clears throat* You said that you regarded my client as unstable. Did your wife share this view?

Judge Brian Hooper: I wouldn't know.

Claire Simms: Well, would it be like her to have affairs with unstable men? Did your wife have affairs with other men, your Honor?

Judge Brian Hooper: Not to my knowledge.

Claire Simms: You never heard rumors that she did?

Judge Brian Hooper: I never lend credence to rumors, counsel.

Claire Simms: You say you relayed Scott's fantasy to your wife the afternoon of her death?

Judge Brian Hooper: Yes.

Claire Simms: And she understood you clearly?

Judge Brian Hooper: What is that supposed to mean?

Claire Simms: Well, she made love to him that night.

Judge Brian Hooper: He probably raped her.

Claire Simms: There was no sign of forced intercourse.

Judge Brian Hooper: Perhaps she didn't take his fantasies seriously. We'd have to ask her.

Claire Simms: *turns, and walks toward the defendant's table* Hmm. He's got keys to your house, her chambers—*turns back to face Judge Brian Hooper* And you felt he was unstable, emotionally troubled, and now you learn of this fantasy. I don't know. If it's someone I love, I tell the police. You tell the police, sir?

Judge Brian Hooper: No.

Claire Simms: And that night, you just went out to dinner. Now you said you got home at 11 o'clock that night.

Your neighbor, Lincoln Meyer, said he saw you drive into your garage between 10 and 11.

Judge Brian Hooper: He's wrong.

Claire Simms: Your dinner ended at nine.

Judge Brian Hooper: I had to go to my chambers.

Claire Simms: Anybody see you there?

Judge Brian Hooper: I don't know. Maybe a security guard at the courthouse.

Claire Simms: I checked. I couldn't find anybody. I've gotta ask you this question, Judge. Did you kill your wife?

**Gallery murmurs.**

Judge Brian Hooper: How dare you.

Claire Simms: Well, you learned she's having an affair, and you're told the kid she's having it with fantasizes about killing her. And what do you do? You go out to dinner that night. Nobody can account for your whereabouts between 9 and 11. Is it possible that you waited for Scott Little to go to your house and leave a little semen at the scene, after which you went in and killed her?

D.A. Jonathan Winant: Objection!

Judge Brian Hooper: You're disgusting.

Claire Simms: You and your wife were having marital problems, were you not? The reason she left Dr. Simon's practice—he felt he couldn't ethically treat both of you, because it posed a conflict of interest.



Denny Crane's Office

**Denny Crane:** It's not like I'm attracted to her. It's that sometimes I have to take one for the team.

**Bethany Horowitz:** I think you have serious mental problems.

**Denny Crane:** Bethany, you and I aren't even seeing each other yet.

**Bethany Horowitz:** And I'm not going to see somebody who throws his penis around like it's going out of style, which it probably did 50 years ago.

**Denny Crane:** I promise you, once I enter into an exclusive relationship, I sleep with very few people.

**Bethany Horowitz:** You know what the problem is? You're a dirty old man. **stands and walks toward the door**

**Denny Crane:** Bethany!

**Bethany Horowitz turns back to face Denny Crane**

**Denny Crane:** I like you. Can we give this a try?

**Bethany Horowitz:** You would have to seriously clean up your act. **exits**

Judge Willard Reese's Courtroom

**Sally Heep:** We're talking about freedom of religion—the most basic of individual liberties. Scientology may seem a little wacky to Mr. Espenson. So what? We never hold religion up to standards of reasonableness. If we did, what religion could pass? Christian Scientists won't go to the doctor. Jehovah's Witnesses forbid singing the national anthem and buying Girl Scout cookies. Radical Islamists blow themselves up to meet virgins in heaven. The Hindus have their cow. People believe in all kinds of things. It is their right to do so under the First Amendment. But the defendant doesn't want to afford that liberty to Douglas Karnes, because he believes that Scientology is just a little too out there, I guess. Come on. Freedom of religion means just that.

**Alan Shore:** Ugh, please. It's a dumb freedom. An employee's behavior reflects on their employer, for God's sake. In this case, we're talking about a law firm, a business in which clients look for good judgment, sound and sane counsel. This guy's running around saying man evolved from a big clam after galactic warlords invaded our volcanoes. He's a nutjob. And I don't know about you, but I'm getting a little tired of this freedom of religion thing. When did religion get such a good name, anyway? Be it the Crusades, the Reformation genocides, the "troubles" in Northern Ireland, the Middle East, mass slaughters supposedly in the name of Allah, and then, of course, the obligatory reciprocal retribution. Hundreds of millions of people have died in religious conflicts. Hitler did his business in the name of his Creator. 9/11 was an act of religious extremism. It's our greatest threat today—a Holy Jihad. If we're not ready to strip religion of its sacred cow status, how 'bout we at least scale back a little on the constitutional dogma exalting it as all get-out?

**Sally Heep:** Your Honor, I would love to know what this has to do with my client being fired?

**Judge Willard Reese shrugs, and raises his hands in question.**

**Alan Shore:** Your client was fired because he entered into an at-will employment contract, he acted like a complete loon, and he now tries to cloak himself in a constitutional amendment that is as overplayed as it is misapplied. Everybody should get to believe in God. Pray to his God, worship his God—of course. But to impose him on others, to victimize others in His Name, the Founding Fathers of *this* country set out to *prevent* persecution, not to *license* it. And for Jerry Espenson, struggling with his law practice to make ends meet, don't tell me he's not victimized when one of his lawyers bounces around, telling clients and other attorneys that, according to his most recent electro-*psycho*-meter reading, he's getting closer to immortality, at which point he'll be able to leave his body and talk to zebras. At a certain point, we have to say, "Enough with this freedom of religion crap. Yuck. Yuck, yuck." **marches back to his chair, sits, then stands again** Yes, I know. I'll get letters. **nods, and sits again**

Courthouse Corridor

**Lincoln Meyer:** **to the brace of reporters crowding the hallway** Not going to steal my thunder. She was a lovely woman; that's all I'll say. I hope I can be a cog in convicting her killer. Not going to steal my thunder.

Judge Harvey Cooper's Courtroom

**Lincoln Meyer:** He had his very own clicker.

**D.A. Jonathan Winant:** "Clicker"?

**Lincoln Meyer:** A remote so he could covertly pull into her garage. I'd see him pull in, and I'd watch him pull out.

**D.A. Jonathan Winant:** "Him" being?

**Lincoln Meyer:** The boy. The boy was her favorite.

**D.A. Jonathan Winant:** And by, "boy," you mean the defendant, Scott Little?

**Lincoln Meyer:** Many times I'd look through the window and see them and see them doing it like apes.

**D.A. Jonathan Winant:** You'd see the defendant and Mrs. Hooper make love?

**Lincoln Meyer:** It was often angry.

**D.A. Jonathan Winant:** Angry?

Lincoln Meyer: Oh, yes. Sometimes it would look like he was *trying* to hurt her, and she seemed to take pleasure in the physicality of his wrath. In fact, I think she rather got off on feeling punished. He seemed to enjoy hurting her, so it made for some very passionate, ape-like sex.

Denise Bauer: **low voice** This isn't good.

D.A. Jonathan Winant: Now, you didn't actually see them make love the night of the murder?

Lincoln Meyer: No, but I definitely saw him arrive at 8-ish.

D.A. Jonathan Winant: Did you see *anybody* else?

Lincoln Meyer: No. I'd seen others on various occasions. Some had their own clickers. But on the night of the murder—only him—and the husband, who arrived about 11, I think.

D.A. Jonathan Winant: Thank you, sir. **sits**

Denise Bauer: **quietly, to Jeffrey Coho** We'd better get this guy.

Jeffrey Coho: You and I have had several conversations, haven't we, Lincoln?

Lincoln Meyer: We have. I don't like you.

Jeffrey Coho: You never told me the love-making was angry.

Lincoln Meyer: Didn't I? Sorry.

Jeffrey Coho: I have to wonder if you were saving this for trial. You're very excited about being a big cog, aren't you, Lincoln?

Lincoln Meyer: I'd say anxious. Anxious to see her brutal murderer brought to justice.

Jeffrey Coho: You told Denise Bauer you saw the husband get home between 10 and 10:30.

Lincoln Meyer: I said no such thing. She's obviously twisted my words.

Jeffrey Coho: She twisted your words?

Lincoln Meyer: Yes. That's what all lawyers do.

Jeffrey Coho: Were you obsessed with Marcia Hooper?

Lincoln Meyer: I was enamored. She was lovely.

Jeffrey Coho: Were you in love with her?

Lincoln Meyer: I adored her.

Jeffrey Coho: Why'd she get a restraining order against you?

Lincoln Meyer: Her husband.

Jeffrey Coho: In her affidavit, she called you, "Sick."

Lincoln Meyer: He made her write those things.

Jeffrey Coho: I'll bet it was kinda hard to watch her make love to all those men.

Lincoln Meyer: Peepies love watching.

Jeffrey Coho: You brought her flowers a lot.

Lincoln Meyer: She adored my flowers.

Jeffrey Coho: Yet she called you, "Sick, unbalanced."

Lincoln Meyer: His words.

Jeffrey Coho: When's the last time you brought her flowers, Lincoln?

Lincoln Meyer: I don't really recall.

Jeffrey Coho: **projecting an image of flowers from his notebook computer to a large screen** You grew these flowers?

Lincoln Meyer: In my garden. They're lovely.

**Jeffrey Coho switches to a photo of the crime scene with a pointer indicating flowers on the nightstand**

Jeffrey Coho: Your flowers again, Lincoln?

**Gasps from the gallery.**

Jeffrey Coho: Sure look like yours. You were in the house, Lincoln. You go in after Scott left?

Lincoln Meyer: Don't be ridiculous.

Jeffrey Coho: These are your flowers.

Lincoln Meyer: I gave them to her outside, that afternoon.

Jeffrey Coho: Oh, now you suddenly remember. You kill her, Lincoln?

Judge Harvey Cooper: Mr. Coho—

Jeffrey Coho: Clearly, she made you angry.

Lincoln Meyer: She did *not* make me angry.

Jeffrey Coho: She called you, "Sick."

Lincoln Meyer: No.

Jeffrey Coho: "Unbalanced."

Lincoln Meyer: His words.

Jeffrey Coho: No; Marcia's.

Lincoln Meyer: She was drawn to me.

Jeffrey Coho: Drawn to you? An effeminate loser who plays in his garden all day. You're a peeping Tom, for God's sakes! You should be a registered sex offender! You're a weird little pervert.

Lincoln Meyer: You watch your mouth, you dirty mouth! You watch your mouth!

Jeffrey Coho: Or what? You'll kill me?

D.A. Jonathan Winant: Objection!

**Judge Harvey Cooper holds up his hand.**

Lincoln Meyer: Somebody oughta wash your dirty mouth out with soap.

Judge Willard Reese's Courtroom

**Jerry Espenson is pacing, hands glued to thighs.**

Sally Heep: Does he always pace like that?

Alan Shore: If they come back with a number above the policy, he's out of business.

**Jerry Espenson hoots.**

Sally Heep: Which is why you should have settled.

Alan Shore: And waste all that syrup?

Judge Willard Reese: Madam Foreperson, the jury has reached a verdict?

Madam Foreperson: We have, your Honor.

Judge Willard Reese: What say you?

Madam Foreperson: We, the jury in the matter of *Karnes vs Espenson*, find in favor of the defendant.

Jerry Espenson: Oh, thank God! Oh, my God! **rushing over to the jury** Thank you! Thank you all! Thank you!

Judge Willard Reese: The court thanks the jury for its service. You are dismissed. **bangs gavel**

**Alan Shore, smile on his face, meets Jerry Espenson in the center of the room; pats him on the shoulder.**

Jerry Espenson: **while Alan Shore is shaking his head in modesty** And thank you. Some day I'm going to pay you back for your continued kindness, you kind, kind man. **pats Alan Shore's shoulder**

**Alan Shore mouths, "Thank you."**

Jerry Espenson: I'm going to go now. Would that be all right?

Alan Shore: It would.

Jerry Espenson: Okay. **exits quickly, after a glance at Sally Heep**

Sally Heep: Congratulations. **turns to face Alan Shore** I will beat you one day.

Alan Shore: I'd much rather be flogged.

**Sally Heep steps closer to Alan Shore**

Alan Shore: If memory serves me, according to our wager—

**Sally Heep holds up the syrup bottle.**

Alan Shore: Ahh.

Sally Heep: **pushing the bottle into his chest** You lick.

Judge Harvey Cooper's Courtroom

D.A. Jonathan Winant: Would you describe your relationship with your son as estranged?

Michael Schiller: I would describe it as almost nonexistent. My wife saw to that.

D.A. Jonathan Winant: You and your wife were divorced when Scott was 3.

Michael Schiller: Yes, and I was granted very little access. She controlled him; she dominated him, isolated him.

D.A. Jonathan Winant: Mr. Schiller, you told police you visited your ex-wife two months ago.

Michael Schiller: It wasn't a visit so much as an encounter. She brought a civil action to garnish my wages. I went to confront her, and as I approached the house, I heard them arguing.

D.A. Jonathan Winant: Who?

Michael Schiller: Scott and his mother.

D.A. Jonathan Winant: Could you hear what was being said?

Michael Schiller: Yes. She was, uh, screaming at him, saying that adultery was a sin and so forth. She was accusing him of loving whoever the woman was, and he was denying it.

D.A. Jonathan Winant: So, according to his mother, Scott was in love with this woman.

Jeffrey Coho: Objection; calls for hearsay.

D.A. Jonathan Winant: Excited utterance.

Judge Harvey Cooper: I'll allow it.

Jeffrey Coho: Your Honor!

Judge Harvey Cooper: I'll allow it.

D.A. Jonathan Winant: Mr. Schiller, prior to the day you heard the arguing, when was the last time you saw your son?

Michael Schiller: Two years ago. It was a futile attempt on my part to reconnect. We went on a trip together to New York.

D.A. Jonathan Winant: It didn't go well?

Michael Schiller: No, we had to end it abruptly.

D.A. Jonathan Winant: Could you tell us what happened?

**Michael Schiller:** *long pause to consider, haltingly* Um. I, uh, I was out, and when I returned to the hotel room, I inadvertently walked in on him.

**D.A. Jonathan Winant:** What was he doing?

**Michael Schiller:** He was gratifying himself.

**D.A. Jonathan Winant:** He was masturbating.

**Michael Schiller:** Yes. He jumped up. We pretended I didn't see what I saw, and he went into the bathroom, and I noticed on the bed a picture and a woman's sweater.

**D.A. Jonathan Winant:** A picture of?

**Michael Schiller:** A naked woman.

**D.A. Jonathan Winant:** Did you recognize the woman in the photo?

**Michael Schiller:** *nodding* Yes. It was his mother.

**Murmurs from the gallery.**

**Michael Schiller:** And it was one of her sweaters. And that's when I knew for sure what I'd suspected for a *long* time.

**D.A. Jonathan Winant:** Which was?

**Michael Schiller:** Scott was s—s—sexually attracted to his mother.

**Murmurs from the gallery.**

**Michael Schiller:** And he was deeply in love with her.

**Jeffrey Coho:** Uh, objection.

**Judge Harvey Cooper:** Overruled.

**D.A. Jonathan Winant:** Scott Little was in love with his own mother?

**Michael Schiller:** Yes. And when I saw a picture of the victim, how much she looked like Barbara, I realized that Scott was probably carrying on some sick, twisted version of the love affair he'd always wanted to have with his mother. I blame her.

**Jeffrey Coho:** Objection; speculation! Foundation.

**Judge Harvey Cooper:** Sustained. The jury will disregard that last statement.

**Michael Schiller:** My son is very ill.

**Jeffrey Coho:** Objection!

**Judge Harvey Cooper:** Sustained. Mr. Schiller, you will not offer psychological testimony.

**D.A. Jonathan Winant:** I have nothing further.

**Jeffrey Coho:** Your Honor, I need more time.

**Judge Harvey Cooper:** We'll adjourn and resume at 9 o'clock tomorrow morning. *bangs gavel*

**Denise Bauer:** You can't let the jury sleep on that.

**Jeffrey Coho:** Denise, I need more time.

Courtroom Corridor

**Jeffrey Coho, Denise Bauer, Barbara and Scott walk the gauntlet of reporters, all talking and taking photos at once. They enter:**

Courtroom Conference Room

**Jeffrey Coho throws his briefcase on the table, as Scott and Barbara, Denise Bauer and Claire file in.**

**Scott Little:** I'm not in love with you. Not, uh, not like that.

**Barbara Little:** How did you get a naked picture of me, Scott?

**Scott Little:** You were sunbathing once by the pool. You didn't know I was home. *clears throat* And I photographed you.

**Barbara Little:** Why?

**Scott Little:** You just, um—the sun, the way the light, uh—I just thought it would make for a good picture.

**Denise Bauer:** Scott, is this what you were afraid we would discover if we opened Dr. Simon's files—that you, um, have feelings for your mother?

**Claire Simms:** Okay. Ick and double ick.

**Denise Bauer:** I think we should move for a mistrial on unfair surprise. We won't get it, but we should at least preserve it on appeal.

**Scott Little:** What happens now?

**Jeffrey Coho:** What happens now? You fill out your change-of-address forms!

**Scott Little:** I didn't kill her!

**Jeffrey Coho:** *sarcastic* Oh, gee, there's some rage.

**Scott Little:** You shut up! *clears throat*

Elevator

**Jerry Espenson arrives at his floor, large bouquet of flowers in hand. There is a blonde woman with a little dog behind him. He exits the elevator into:**

Hallway

**and walks to Apartment 602, taking deep breaths. He knocks on the door.**

Jerry Espenson: You can do this; you can do this. Mm. **knocks again; hoots**

Sally Heep: **opening the door; wearing a man's shirt** Mr. Espenson?

Jerry Espenson: I realize this is extremely, extremely forward of me, and I apologize deeply for any intrusion, but you remind me so very much of—

**Alan Shore, wearing one of Sally's silk robes, is coming out of the bedroom to see what's going on.**

Jerry Espenson: Alan?

Alan Shore: Jerry!

Jerry Espenson: I'm terribly sorry. Good-bye. **runs down the hallway to the exit**

Alan Shore: Jerry, wait! Jerry—

Denny Crane's Office

Alan Shore: I feel so badly for him.

Gracie Jane (in background): . . . a prosecutor's wet dream. Trust me, I know.

Alan Shore: The courage it took for him to actually go to her door.

Denny Crane: Awful.

Gracie Jane (background): . . . falls in love with his mom look-alike, and . . .

Denny Crane: He still has the doll as back-up, right?

Gracie Jane (on TV): Please, let's keep in mind he gets a presumption of innocence, 'cause nothing says, "Not guilty," like a pervert, mama's boy who dreams about committing murder.

Denny Crane: **shutting off the TV with his remote** My God!

Alan Shore: I thought you wielded some influence with this woman.

Denny Crane: Well, she's—she's always had that problem. She surrenders, and then she's ready to go back to war again the minute I withdraw my soldier.

Alan Shore: Maybe you should take her to dinner.

Denny Crane: No can do.

**They both step out onto the balcony**

Denny Crane: I'm involved.

Alan Shore: Sorry?

Denny Crane: I asked Bethany out. We're a couple.

Alan Shore: The little person?

Denny Crane: Yeah. She's so brazen, and ballsy, and she takes no prisoners. She reminds me of somebody I used to know, years and years ago.

Alan Shore: Who?

Denny Crane: Me. Ohhh, I like her, Alan. Something special's happening here. I feel giddy.

Alan Shore: The only thing more exciting than meeting a new woman is running into an old one.

Denny Crane: Sally Heep.

Alan Shore: What is it about young girls?

Denny Crane: Mm.

Alan Shore: We look at ourselves through their eyes and feel relevant instead of—

Denny Crane: Old and fat.

Alan Shore: I must admit, Denny, I don't like it that there's a huge trial going on in this firm, and you and I aren't front and center.

Denny Crane: Mm.

Alan Shore: It makes it difficult to remember that in life, it's all about me. **takes a sip of Scotch** We haven't lost it, have we?

Denny Crane: Don't be silly. Oh, we may be less relevant, but we're rich and famous. We still got it, Alan.

Alan Shore: Of course, we do.

Denny Crane: What is it we still got?

Alan Shore: Young girls.