

Boston Legal
Guantanamo by the Bay
Season 3, Episode 22
Broadcast: May 8, 2007
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Directed by James Bagdonas
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Transcribed by ToxicAngel and Imamess for Boston-Legal.org
Thanks to Olucy for her help with proofreading.
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At Crane, Poole and Schmidt, Jerry Espenson steps off the elevator and walks down the corridor cheerfully greeting various employees and the receptionist along the way.

Jerry Espenson: Morning! Hello! Family good? How 'bout those Sox? He continues on smiling broadly. When he comes around the corner he pauses for a moment to compose himself, takes a deep breath, bravely smiles again and continues on. He turns into Shirley Schmidt's office and imitates knocking on a door. Knock! Knock!



Shirley Schmidt: Jerry? Ha. Always a surprise!

Jerry Espenson: Shirley! First. I bear no ill will towards you for totally screwing me out of partner.

Shirley Schmidt: Thank you. And no hard feelings here for you trying to slit my throat.

Jerry Espenson: I'm very embarrassed over that.

*Shirley Schmidt: Don't beat yourself up. **Jerry nods.** Wha, what's on your mind, Jerry?*

*Jerry Espenson: I want my job back. **Shirley is speechless. Jerry takes some papers out of his briefcase and gives them to Shirley.** I've built myself a nice little practice. Here's a list of clients. Many are blue chip.*

Shirley Schmidt: Ah, having succeeded in building your own firm, why would you want to come back?

Jerry Espenson: I miss the camaraderie.

Shirley Schmidt: Jerry! You never spoke to anyone.

Jerry Espenson: I've improved in that department.

Shirley Schmidt: What is it really, Jerry?

Jerry Espenson: Well... last week I had a case, against Clarence Bell actually, a lovely man who works here. I was rather ugly in the trial. Cut-throat. I've become more and more aware that's what you must be sometimes in order to win cases. Which I can accept. But you have to be that way far too often in order to compete in the marketplace. Whether it's poaching clients or beating up vendors. It's a very cruel world out there.

Shirley Schmidt: I hadn't noticed.

Jerry Espenson: I don't want to be that way. It's not who I am.

A beat.

Shirley Schmidt: I'll tell you what. I will think about this. Any request this outrageous deserves attention, but I do have a rule of thumb when I hire people. I need to be convinced they could be happy here.

Jerry Espenson: Oh, I could be. Shirley, I assure you, just the thought of getting to come back here again puts a song in my heart. I actually walk about singing it in my head.

Shirley Schmidt: You, you sing a song in your head?

Jerry Espenson: Yes!

Shirley Schmidt: Could you hum a few bars?

*Jerry Espenson: **He chuckles self consciously.** Very good.*

Shirley Schmidt: No. Really. I, I would like to hear the song.

Jerry Espenson: Well....okay. **He bum-bums along with the credits. He even does the, "All right."**

At Crane, Poole and Schmidt, Alan Shore is in his office with Denny Crane and Benyam Kallah.

Alan Shore: On what grounds were you arrested, Mr. Kallah?

Benyam Kallah: I was suspected of having ties to Al Qaeda, which is ridiculous.

Alan Shore: I'm assuming you're not an American citizen?

Benyam Kallah: I'm British.

Denny Crane: Commie.

Benyam Kallah: My sister is an American citizen, through marriage. I'm applying for citizenship.

Denny Crane: Are you on a no-fly list? **Off Benyam's look.** I have been. Went to rehab. They love me now.

Alan Shore: Why were you in Afghanistan in the first place?

Benyam Kallah: I was there on a humanitarian effort, bringing food, medical supplies to some impoverished villages. I was arrested by US intelligent officers.

Alan Shore: And sent to Guantanamo?

Benyam Kallah: For two years.

Denny Crane: Who won the Super Bowl? **Off his look.** It'll be on the test. I'm just tryin' to help, son.

Alan Shore: Mr. Kallah, you're a Harvard-educated man, presumably well-informed. If you've so much as bothered to read the newspapers—which not everybody does I grant you, it can interfere with leadership skills—you know suing for abuse at Guantanamo is next to impossible.

Benyam Kallah: Which is why I've come to you.

Denny Crane: Commie.

Benyam Kallah: I was tortured by agents of the United States. I should get to sue the United States.

Denny Crane: I don't know what tribe you're from, sport, but this is America. Human rights are so yesterday here. Get with the program! **Alan stares at him.** What?

Alan Shore: Mr. Kallah, you can thank Denny Crane. He's just persuaded me to take your case.



In Judge Marianna Folger's courtroom. All parties present.

Judge Marianna Folger: Have you lost your mind?

Alan Shore: More times than I care to mention, Judge. And it seems like each time with a different woman. Are you free for lunch?

Judge Marianna Folger: Mr. Shore, it would not be wise to make sexual advances. I tend to accept them. Can we turn to the case?

Alan Shore: **A beat.** I've completely forgotten what it's about. Your Honor, perhaps you could refresh me. Over lunch.

Judge Marianna Folger: It's about you suing the government for Guantanamo abuses. Doing it in State Court no less, instead of Federal, where it belongs. And the courts have ruled it doesn't even belong there, it's barred on jurisdictional grounds.

Alan Shore: My father used to say to me, "Never accept 'no' for an answer." Of course he'd spank me if didn't accept it from him. Do you spank, your Honor?

Judge Marianna Folger: I jail. Thirty seconds as to why I should entertain this lawsuit.

Alan Shore: Okay. I realize that jurisdictional barriers are prohibitive, but your Honor, we don't let little things like the law stand in our way in this great country. The law, for example, recognizes the Geneva Convention, but we say, "The hell with it." The law has very strict regulations on domestic wiretapping. We say, "The hell with it." The law says if you shoot somebody with a shotgun, mistaking him for a quail, you really should call the police.

Judge Marianna Folger: Mr. Shore!

Alan Shore: We're cowboys, Judge! We do what we want. Whether it's starting wars, changing Daylight Savings time. We like to play it fast and loose in this country. Making it up as we go along.

Judge Marianna Folger: You're not helping yourself.

Alan Shore: Your Honor, there's a rumor about you. Several actually. But the rumor I speak of is that you give a damn. That's why I'm here. If I'm wrong, no hard feelings. I'm still free for lunch.

Judge Marianna Folger: I will listen to your client just to determine if I will even accept this case on jurisdictional grounds.

US Attorney Mark Freestone: You're not serious!

Judge Marianna Folger: Two o'clock. Adjourned. ***She pounds her gavel.***

In chambers, Judge Gloria Weldon is sitting behind her desk facing Alan, sitting across from her.

Judge Gloria Weldon: Don't you be taking your pants off for her.

Alan Shore: You read my mind.

Judge Gloria Weldon: I'm serious, Alan! She's famous for telling lawyers to drop trou in her chambers. ***She gets up and walks around to the front of her desk.*** And more times than not? They do it. ***She leans against her desk.***

Alan Shore: ***He lifts his legs to embrace her ankles.*** I'll only be dropping trou for you.

Judge Gloria Weldon: You are so sweet. Are you becoming a romantic, Alan?

Alan Shore: Well! ***He brushes/caresses her thigh.*** Now that you mention it. ***He gets up, walks over to his briefcase, opens it and takes out a bouquet of flowers, which he presents to Gloria with a flourish.***

Judge Gloria Weldon: ***She laughs delightedly.*** My God! Did you know yellow roses were my favorite?

Alan Shore: I asked around.

Judge Gloria Weldon: Six. You know I just lost six yellow roses. This is perfect. ***She looks toward a bouquet of yellow roses, on a small table in front of the window.*** I had a dozen in my office...

Alan Shore: ***He looks to the vase.*** Oh?

Judge Gloria Weldon: ... and six mysteriously disappeared.

Alan Shore: Hm.

Judge Gloria Weldon: And wow! ***Alan chuckles at the coincidence.*** This is fate, I guess. You're the best. ***She moves in to kiss him.***

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

Denny Crane: She's not good for you.

Alan Shore: Why not?

Denny Crane: She just isn't. A woman knows these things, trust me.

Alan Shore: Denny, you're not a woman.

Denny Crane: Whatever.

Alan Shore: Hm.

Denny Crane: I don't like her.

Alan Shore: You're jealous.

Denny Crane: Not jealous.

Alan Shore: Denny?

Denny Crane: It isn't that. But it's where you'll be going now for all of your sleepovers.

Alan Shore: Not all, I promise.

Denny Crane: I don't like you representing a Commie terrorist.

Alan Shore: He's not a terrorist.

Denny Crane: Can't you just once be for this country?

Alan Shore: I am for this country. I love this country.

Denny Crane: And can't you just once love George Bush?

Alan Shore: Well... that presents a slightly bigger challenge. But I'll tell you what. Invite him to go fishing with us.

Denny Crane: The President?

Alan Shore: Why not?

Denny Crane: I doubt he knows how to fish.

Alan Shore: Denny? He's leader of the free world! Surely he must be capable of outsmarting a salmon. **Denny gives him a look.** No?

Denny Crane: I don't want you sleeping with that woman. **He shifts in his chair, his back is now towards Alan.** And I don't want you attacking my country. **A beat.** Stop looking at me.

Alan Shore: Denny...

Denny Crane: I know you're looking at me. I asked you to stop.

Alan Shore: **He looks away.** Fine.

Denny Crane: Fine.

At Crane, Poole and Schmidt, Jerry is sitting in front of Shirley's desk, his hands on his thighs. Shirley closes her office door.

Shirley Schmidt: Okay. I've thought about it, and I still have a few questions. **She sits down in the chair behind her desk.** First. Really, Jerry?

Jerry Espenson: **Earnestly.** Really. The best times of my life were here.

Shirley Schmidt: Which part exactly? Being ostracized? Turned down for partner? The arrest for attempted murder? I realize it was all good.

Jerry Espenson: Most office places, everybody's mired in their computers, or Blackberries, on their cell phones, even in the bathrooms. Most exchanges take place by email, text message, or IM. It's become such an impersonal universe. Here, everyone is so in each other's faces! I realize now, it's quite magical.

Shirley Schmidt: Personally, I could do with a little less magic.

Jerry Espenson: How joyous that you people actually know one another. Could it be any more human? No matter where you look. One's got Mad Cow, you've got the funny one who salutes and does pushups. There's the transvestite and the girl who loves him. A dwarf who comes and goes. And how to begin to explain Alan? Certainly you can make room for one lawyer who keeps his hands on his thighs. And purrs. And then there's you. Who's actually considering rehiring a man who held a serrated cake knife to your throat. Such compassion for forgiveness. That makes you the most human of them all.

Shirley Schmidt: Okay. First, that was very good. Second, it was actually moving. Let me see if I can run this up the flagpole. **Jerry lifts his hands in the air and waves them victoriously.** It is not a 'yes' yet, Jerry. **Jerry brings down his hands and tries to contain his joy. He isn't successful and he wiggles in his chair.** Maybe I can cause some of the others here to also lose their mind.

Jerry Espenson: Thank you, Shirli!

Shirley Schmidt: It's Shirley. **Jerry nods vigorously.** You can go now.

Jerry Espenson: **He gets up happily, walks to the door, opens it and turns back.** My hopes are so high I have to do a higher hop just to see them!

Shirley Schmidt: I know the feeling.

Jerry steps out the door, plants his feet, jumps, lands and walks off.

At the courthouse, a mob of reporters and photographers are waiting for Alan, Denny and Benyam to get off the elevator.

Alan Shore: I'm sorry, I have no comment. **He turns back to Denny.** Denny, do you have any comment?

Alan and Benyam walk on as Denny stays.

Denny Crane: I have nothing against Guantanamo by the Bay. I happen to like resorts. And as for suing the country, well I think it's wrong, but the client paid the money. But let me say this. In no other country can you challenge the government like you can in the US of A. And that's what freedom is all about. The right to express unpopular opinions. Except if you have A-rab blood. Then it's straight to Cuba you go. We're in a war here, guys. Come on! Denny Crane. **He walks away as the reporters shout his name.**

In Judge Marianna Folger's courtroom, Alan is questioning Benyam.

Alan Shore: Did anybody tell you why you were being arrested?

Benyam Kallah: No. I was grabbed, taken to a cell. A day later I was interrogated. I was able to deduce from the questions that I was believed to have connections to either Al Qaeda or the Taliban.

Alan Shore: What evidence did they present to support this suspicion?

Benyam Kallah: I have never ever been presented with any evidence. Two years later, after being abused and tortured, I was released. There again, no reason was ever given.

Alan Shore: Did you have a lawyer?

Benyam Kallah: We were not allowed to have lawyers.

Alan Shore: You told them that you had been living in the United States on a visa while attending Harvard University?

Benyam Kallah: They were not impressed.

Alan Shore: Mr. Kallah, you stated that you were tortured. Can you give us an example?

Benyam Kallah: I was beaten. Repeatedly deprived of sleep. I was forced to wear a hood over my head, sometimes for days. I was sexually humiliated.

Alan Shore: How so?

Benyam Kallah: I'd rather not go into it.

A beat.

Alan Shore: And what else?

Benyam Kallah: I was forced to lie in a fetal position. My eyes and my mouth duct taped. The worse part, was that we felt it was forever. We were never gonna be released. We were gonna get a trial. One man, Ali Mar...a friend, he was arrested with me...

Benyam pauses.

Alan Shore: What happened to your friend, sir?

Benyam Kallah: Finally he couldn't take it. He hung himself.

Alan Shore: He committed suicide?

Benyam Kallah: The Pentagon called it "manipulative, self-injurious behavior" an act of "asymmetric warfare" engaged against the United States.

Alan Shore: Was your friend a terrorist?

Benyam Kallah: *Struggling.* No, he was a doctor.

At Crane, Poole and Schmidt, Paul is in his office with Shirley.

Paul Lewiston: He tried to kill you

Shirley Schmidt: Not really. And let's face it, we did sort of screw him.

Paul Lewiston: No. We denied him partnership, which is our right. He pulled a knife. Not his right.

Shirley Schmidt: Look, I know its nuts, but there were mitigating circumstances, his Asperser's being one. He's become a pretty good litigator and we're about to lose Denise to maternity any day now. We could use the help. Let's just do it on a trial basis, if for no reason than to assuage my conscience.

Paul lifts his hands in defeat.

In Judge Marianna Folger's courtroom, US Attorney Mark Freestone is questioning Benyam.

US Attorney Mark Freestone: The charitable organization you were working for was based out of Pakistan?

Benyam Kallah: Yes.

US Attorney Mark Freestone: You're aware that the organization has been linked to Al Qaeda?

Benyam Kallah: We were trying to do aid work and in a Taliban-controlled area. Deals have to be made.

US Attorney Mark Freestone: As in Al Qaeda?

Benyam Kallah: The Taliban and Al Qaeda saw humanitarian efforts as part of a US offensive. We saw hungry kids. We did what was necessary to feed them.

US Attorney Mark Freestone: So, would you describe yourself as being cooperative with the officials that detained you? Or hostile?

Benyam Kallah: Well, I protested my innocence, if you call that uncooperative.

US Attorney Mark Freestone: Thank you. And sir, you were initially detained by Afghani tribesmen, were you not? They turned you over to US authorities, alleging that you were Al Qaeda.

Benyam Kallah: Afghani tribesmen were offered cash rewards to turn people in. The CIA has posters promising millions of dollars. Afghani tribesmen were surrendering their own mothers.

US Attorney Mark Freestone: Well, can you present any evidence that would prove you were not connected to Al Qaeda?

Benyam Kallah: Can I prove a negative? Are we being asked to do that now?

At Crane, Poole and Schmidt, Alan and Denny are smoking cigars just inside the balcony.

Denny Crane: You're making a big mistake.

Alan Shore: Tell me.

Denny Crane: Nobody cares. Guantanamo. Schwantanamo. This is America. We don't care.

Alan Shore: Why is that, Denny? The United States is torturing people, denying them any semblance of due process. How did we suddenly become a people who don't care?

Denny Crane: Nine eleven.

Alan Shore: Ha! Nine eleven just gives us carte blanche to abolish human rights? How can that be so?

Denny Crane: First it's so because God said so. He told Bush. Second, we don't care 'cause it's happening in some third world country. **Alan scoffs.** We can't relate.

Alan Shore: It's happening in Cuba! A few hundred miles off the coast of Florida. You remember Florida, Denny? God told them to punch their own chad.

Alan Shore: Alan. Today it's "Help the Cubans." Tomorrow it's "Let's go to Darfur and help the Dafurians." We can't be there for everybody!

Alan Shore: That can't make sense, even to you.

Denny Crane: You wanna makes sense of it all? Here it is. We don't care about human rights. That's the old America. Now? We just don't wanna get blown up! Simple as that. We torture a few Cubans along the way. Big deal. They're not Americans. It's not happening here, so we don't care. And the Judge won't either. Oh, she's sexy. I'll give you that. And nasty too, I'll bet. You think she's nasty? She's nasty.

In Judge Marianna Folger's chambers, she is at her desk when Alan comes in.

Alan Shore: You asked to see me.

Judge Marianna Folger: Yes. **She stands up.** Take your pants off.

Alan Shore: I beg your pardon?

Judge Marianna Folger: You heard me. **A beat.** Counselor, do you want me to consider jurisdiction here, or not?

Alan Shore: Do you mean to say you'll dismiss my case if I don't drop my trousers? **He sits down on the couch.**

Judge Marianna Folger: No. But most of the lawyers are happy to do it, by the way. I called you in to tell you I'm allowing the government to put on a witness. An army colonel.

Alan Shore: To say what?

Judge Marianna Folger: The other side. He'll be taking the stand. You officially have notice. That's all.

Alan Shore: Do most lawyers really take their pants off for you?

Judge Marianna Folger: Why not? It's exciting.

Alan Shore: For them?

Judge Marianna Folger: Yes, actually. The thought of me looking at them, perhaps getting aroused, it titillates them. Imagine for a moment, me looking at you, Mr. Shore. Privately getting aroused. Perhaps I even give myself away with a look. Does it not excite you? Are you not getting a little thrill just thinking about it right now?

Alan Shore: Not so little.

Judge Marianna Folger: Four p.m.. Be on time.

Alan takes a cushion and holds it front of himself as he get up to leave the room.

At Crane, Poole and Schmidt, Alan and Denny are walking in the corridor.

Denny Crane: She asked you to drop your pants?

Alan Shore: She likes to play mind games. I think it's a way for her to gain dominion over lawyers.

Denny Crane: She wants me.

Alan Shore: Really?

Denny Crane: Oh yeah. She's going through you to get to me. Alan, oh! She's a chess player. It's so obvious! I'm three moves ahead of her. I want her. I'll say that. She's so nasty.

Alan Shore: I want her!

Denny Crane: You're already in a relationship!

Alan Shore: It's not fair! I'm very attracted to older women. And this woman is particularly... she's there for me. All I have to do is go to her and I can have her. And I can't!

Denny Crane: That's why monogamy, if it's not against mankind, is certainly against man. You've already got a Judge, let me take this one.



Alan Shore: No! I don't want you compromising my case.

Denny Crane: Me? Velvet gloves man...

Alan Shore: Stay away from her, Denny. And you're in a relationship too, by the way. With Bethany.

Denny Crane: Well, it's on-again off-again. Today I'll make it off-again, no problem...

Alan Shore: Stay away from Judge Folger.

At Crane, Poole and Schmidt, Shirley enters her office with Jerry.

Shirley Schmidt: Good news is, Paul Lewiston signed off. Potentially bad news: Denny.

Jerry Espenson: Denny? Denny likes me. He sometimes pats me on the head like I'm a labradoodle.

Shirley Schmidt: Denny has some issues, Jerry. It seems you've become close with his special friend.

Jerry Espenson: Alan?

Shirley Schmidt: Denny doesn't like to share what's his. He doesn't even like to share what's not his. He sees you as a threat.

Jerry Espenson: That's ridiculous!

Shirley Schmidt: Bottom line is I can't push this through without Denny's okay. You and he need to have a sit-down. You need to convince him that you are not out to steal his man.

In Judge Marianna Folger's courtroom, US Attorney Mark Freestone has Colonel George Hegarty on the stand.

Colonel George Hegarty: The public may not like Guantanamo. They probably don't understand it, but it's necessary.

US Attorney Mark Freestone: Why?

Colonel George Hegarty: Because it's the only way we can successfully screen for terrorist threats. Do innocent people get caught in the net sometimes? Sure. It happens. If so, we release them.

US Attorney Mark Freestone: You didn't release Mr. Kallah.

Colonel George Hegarty: Mr. Kallah wouldn't cooperate. Because of that we couldn't successfully screen him.

Denny makes eyes and waves his fingers at the Judge. She looks away.

US Attorney Mark Freestone: He says you tortured him.

Colonel George Hegarty: Discomfiture tactics are employed. They happen to work. In this day there's a paramount need to get information quickly, before we have another attack like nine eleven. And I might point out that since Gitmo and the application of the Patriot Act we have not had another such an attack on American soil. The American public should be grateful for that instead of waving their arms about screaming, "Human rights!"

Alan gets up.

Alan Shore: You just don't see any grey area here, do you?

Colonel George Hegarty: You know the grey I see, Counselor? Fragments of human brains that used to belong to our soldiers. What we do at Guantanamo is designed to save their lives too.

Alan Shore: Oh, I've been waiting for that. It's good for the troops. You win. Tell me, have you ever seen any brain matter from a prisoner at Guantanamo?

Colonel George Hegarty: That is an offensive question. **To the Judge.** I will not answer it.

Alan Shore: So? Rounding up suspects from various nations, interrogating them at facilities in other countries or on ships, then sending them off to a remote US naval base that's been repurposed as a dumping ground for people whose civil rights we'd really rather not consider. It's necessary. And it works! Excellent! I suppose the Boston police department is necessary and effective as well. As are most other police departments in this country. Would you agree?

Colonel George Hegarty: I would.

Alan Shore: And if they were to arrest an innocent man, torture him, hold him for two years, they would be sued, and they'd pay. Why shouldn't the American government compensate Mr. Kallah?

The Judge looks towards Alan's table. Denny tries to catch her eye, but she looks away. Denny is crestfallen.

Colonel George Hegarty: Because this is different. We have to be overzealous to have a chance against the terrorists. It's a war we already can't afford. And if we have to start paying out judgments every time we get it wrong, that means that more kids don't get the armor and equipment they need. More kids die. More civilians die. **Under his breath.** Snide ass.

Alan Shore: **To the Judge.** Move to strike. He's never seen my ass. **To the Colonel.** Her Honor would like to, though. It's a sensitive...

Judge Marianna Folger: Mr. Shore!

Alan Shore: Under the Geneva Convention prisoners of war can't be tortured. Isn't that right, Colonel?

Colonel George Hegarty: They're not considered prisoners. They're enemy combatants. The Geneva Convention doesn't apply.

Alan Shore: They're not prisoners?

Colonel George Hegarty: They're more like criminals than soldiers.

Alan Shore: Criminals? Well! The Constitution gives very specific rights to criminals, am I correct? Such as a lawyer, a trial...

Colonel George Hegarty: He is not a United States citizen. The constitution doesn't apply.

Alan Shore: Ah! So no Geneva Convention. No Constitution. It all works out. Do they have any rights we need to bother with?

Colonel George Hegarty: We are trying to defend a country against terrorists.

Alan Shore: Oh yes! For the good of the troops.

Judge Marianna Folger: Mr. Shore!

Alan Shore: Yes, your Honor. Chambers? Discipline?



Judge Marianna Folger: *She motions Alan to the bench. He walks up, she places her hand over her mic.* You think you're funny?

Alan Shore: It's just all this talk of corporal punishment excites me. Does it not you?

Denny wiggles his fingers to get the Judge's attention. She looks at him, he smiles suggestively.

In Alan's bedroom, he is reading in bed, Gloria sighs as she plunks her head on his pillow.

Judge Gloria Weldon: Whatcha reading?

Alan Shore: You know what Cheney said about the Guantanamo prisoners? He said, "They're living in the tropics, they're all well fed, they've got everything they could possibly want."

Judge Gloria Weldon: *She lifts her head off the pillow.* Has she asked you to drop your pants yet?

Alan Shore: What?

Judge Gloria Weldon: Judge Folger. Has she asked you yet? **Alan groans noncommittally.** Are you attracted to her?

Alan Shore: No. If I were attracted to her, or any other woman, would that... be a problem?

Judge Gloria Weldon: Of course you're going to be attracted to other women. And you can lust after whomever you want. As long as you channel it toward me.

Alan closes his book and places it on the night table, then he snuggles up nose-to-nose with Gloria. She caresses his face.

Alan Shore: Actually I do find Judge Folger somewhat attractive. For, you know, an older woman.

Judge Gloria Weldon: *She stops smiling, turns away, picks up her book and opens it.* Fine. Glad to hear it.

Alan Shore: You just said you wouldn't care!

Judge Gloria Weldon: I don't! *She sits up and settles herself more comfortably against the headboard.* It's fine.

Alan Shore: **Stunned.** I would never act on it, of course.

Judge Gloria Weldon: Good for you.

Alan Shore: **He reaches over to take her hand.** Gloria...
Judge Gloria Weldon: Don't... touch me.
He lifts his hand in puzzlement and turns onto his back.

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

Alan Shore: You get punished for being honest.

Denny Crane: Of course you do. The key to any good relationship is lying. You tell her she's the only one you find attractive, the only girl you wanna sleep with, the only one you really wanna spend time with. All kinds of garbage they can't possibly believe. Women count on us to lie to them. How else can they convince themselves that they still look young if we don't help?

Jerry Espenson: **He comes in.** Hello Alan! Mr. Crane.

Alan Shore: Jerry? What brings you?

Jerry Espenson: I've reapplied for my old job. I want to come back.

Alan Shore: What? Why?

Jerry Espenson: I miss it here. Mr. Crane, I was wondering if we could speak.

Denny Crane: Call me Denny. No.

Jerry Espenson: It would just take a minute. Shirley Schmidt has conditioned my re-entry on your opinion.

Denny Crane: I'll give it to you now. No.

Alan Shore: Denny.

Denny Crane: He's too weird. **Jerry starts purring.** You see?

Alan Shore: We're off to court right now, Jerry. Denny will see you at eleven-thirty.

Jerry Espenson: Thank you!! **He leaves.**

Denny Crane: You disrespected me.

Alan Shore: You can see the man for five minutes.

Denny Crane: That isn't the point. You overruled me in his presence. It's as if your friendship with him means more than...

Alan Shore: Here we go. Denny, for God's sake.

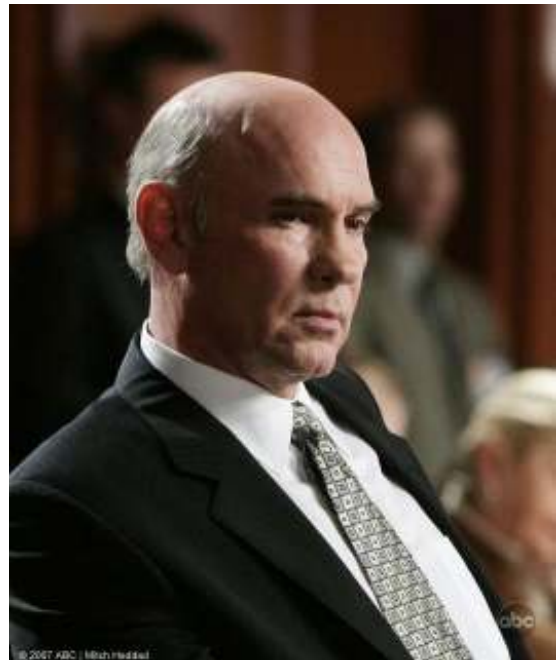
In Judge Marianna Folger's courtroom, US Attorney Mark Freestone makes his closing.

US Attorney Mark Freestone: Nobody knows how to fight this war. It's like no other we've ever encountered. The one thing that we do know is that we have to be extremely proactive with our intelligence. It's the only way that we can prevent another attack such as nine eleven. That's why Guantanamo exists. And it works. We've learned how Bin-Laden has evaded capture. Now we didn't get this stuff by saying, "Pretty please." Torture sometimes has to be used when you're talking about saving the lives of the masses. Both civilians at home and soldiers abroad. Now, do innocent people sometimes get captured? Yes. Mr. Kallah was evidently one. It was difficult to determine that initially because he refused to cooperate, but once it was so determined, he was let go. The question here is whether the government should be forced to stand trial every time it makes a mistake. As Colonel Hegarty stated, that would burden the war effort beyond measure. Not just financially. But militarily. The discovery process alone would unearth information that would aid the enemy. Come on! A little common sense here! We're in a war for God's sake.

He sits down. Alan pauses a moment and gets up for his closing.

Alan Shore: Your Honor, I believe a lawyer should put his country before his client, and for that reason I'm gonna take the unusual step of asking you to dismiss my client's lawsuit. **He sits down.**

US Attorney Mark Freestone: **He scoffs.** Objection. It's a trick.



Alan Shore: It's not a trick. Even though you argue and I would agree... **He stands**....that nobody knows how to fight this war. We should nevertheless defer to the Executive Branch who have indeed demonstrated a particular expertise. I, for one, just can't wait to see what they do next. **He sits down.**

Judge Gloria Weldon: Mr. Shore! I told you I would not allow this case to become a political football.

Alan Shore: **standing** And I give you my word, your Honor, not a single toss of the pigskin. And, by the way, if one were to condemn Guantanamo, which I would never, it certainly wouldn't be an indictment of just the administration but of the entire Congress, Hilary Clinton and Barack Obama included. Congress's silence can only be attributed to consent, acquiescence, or disinterest, take your pick. But it's at least safe to say they don't much care. I should mention Joe Biden because he wants people to know he's running too.

Judge Marianna Folger: Tell me why you care.

Alan Shore: I don't. I say, "Dismiss." My client cares, but come on, he's a whiner. So he got beat up a little. Duct taped. Sexually violated. He never should have been over there offering humanitarian aid in the first place. And then what? He expects to be heard? Get a trial? A lawyer? He wants the government to show evidence. **He turns to Benyam and yells.** We're in a war! We need to make sacrifices! **He turns to the Judge, shakes his head and makes a "get a load of this guy" gesture at Benyam.** And we should start with the little things. Like human rights. I agree that the Executive Branch has a particular expertise. In fact, I think they've been brilliant. Calling the prisoners enemy combatants instead of prisoners so we can end run the Geneva Convention, and torture them? Brilliant! Basing the camp in Cuba so the Constitution won't really get in our way? Brilliant! And under the Pentagon's new draft guideline, this is my favorite, I'm sure it will be yours, we'll have little tribunals in Guantanamo that allow suspects to be jailed for life. Or even executed on evidence that would never be admissible in civilian or military court. Imagine being able to execute somebody on triple hearsay, or on totally coerced confession. Brilliant! **He sits down.**

US Attorney Mark Freestone: I object. Counsel doesn't wanna take this seriously.

Alan Shore: Why should I? Who does? The American public? The media? Who might give it mention if only there weren't so many starving actresses with drug problems to focus on. Congress? Why should any of us take it seriously? We're torturing people. We're holding them indefinitely. Many with no evidence. Giving them no trials. No lawyers. It's laughable. And then when they finally kill themselves we call it "manipulative, self-injurious behavior" an act of "asymmetric warfare" waged against us. It's all very funny! Very funny! Maybe the only reason we aren't having a really good laugh is because the little Gitmo tricks have started popping up close to home. The recent revelations of FBI abuses of the Patriot Act. All those bogus subpoenas and manufactured evidence against American citizens. Maybe it's just ruined some of the fun of Gitmo. Oh well. We're in a war. We all need to lighten up a little. **He sits down.**

Denny smiles proudly at Alan and then he turns and smiles suggestively at the Judge. She looks at Denny as he continues smiling.

At Crane, Poole and Schmidt, Denny sits stonefaced behind his desk. Jerry sits across from him, his hands on his thighs.

Denny Crane: What are your intentions towards Alan?

Jerry Espenson: Denny, my friendship with Alan could not now or ever be a threat to yours. Not to mention, I'm not going to do anything to alienate you. You're senior patient. **He catches his mistake.** Partner! **He starts to purr.** Look, Shirley won't hire me unless you okay it.

A beat.

Denny Crane: You still got the doll?

Jerry Espenson: **A beat.** Patty?

Denny Crane: Well, I wanna spend some time with her.

Jerry Espenson: **He gets up.** Forget it!

Denny Crane: I won't do anything untoward. Dinner? Maybe a movie? I give you my word I will not touch her.

Jerry Espenson: No offense, but your word...

Denny Crane: I'll give you something of mine that I hold dear. **A beat** Please. Jerry. My new friend.

Jerry Espenson: One night.

Denny Crane: Welcome back to the team, son.

Jerry Espenson: Are you serious?

Denny Crane: The truth is, I've missed you.

Jerry Espenson: Oh! Thank you!

Denny Crane: **He pats Jerry's arms.** Give me one of them little hops on your way out.

Jerry Espenson: Thank you! Thank you! **He hops, runs to the door, hops again as he runs off while Denny watches him, grinning.**

In Judge Marianna Folger's courtroom, she is giving her ruling.

Judge Marianna Folger: They say when people get scared the first thing they'll give up is their civil liberties. That's why after nine eleven we were only too happy to get frisked at airports. Some of us enjoyed it more than others. **Denny reacts with a smile.** But when it gets to a point where people are captured, then tortured, not because there is evidence, but rather just to see if there's evidence. When they are jailed in perpetuity, afforded no trial, my God, the court has a duty to step in. The government's motion to dismiss is denied.

Alan pats Benyam's arm.

Benyam Kallah: **He sighs deeply.** Oh my. Thank you, Mr. Shore.

Alan Shore: Thank you, Benyam. I wouldn't expect a jury to give you much. I'd recommend settling. Not to mention, this will probably be appealed.

Benyam Kallah: Yes. Thank you so much. **He turns to Denny's chair.** Ah. Where's Mr. Crane?

Alan Shore: **He looks to Denny's empty chair, then to the Judge's bench.** Oh dear.

In Judge Marianna Folger's chambers, she is sitting behind her desk, Denny is standing in front of it.

Judge Marianna Folger: Why are you here?

Denny Crane: I just wanted to salute your ruling. Very ballsy.

Judge Marianna Folger: Thank you. You can go.

Denny Crane: Anything else?

Judge Marianna Folger: No.

Denny Crane: Nothing else at all?

Judge Marianna Folger: Nope.

Denny Crane: Because if there is...

Judge Marianna Folger: Mr. Crane, please leave my chambers.

Denny Crane: Yes. **He goes to the door.** Thank you. **He leaves and closes the door. In a split second he is back without his suit pants.** I forgot my briefcase. **He picks it up.** I just wanted to congratulate you again on the ruling. Ballsy. **He goes to the door and looks back questioningly.**

Judge Marianna Folger: Thank you. **She points to the door. Denny leaves.**

At Crane, Poole and Schmidt, Paul and Shirley are on the elevator.

Paul Lewiston: So Hands Espenson is officially back.

Shirley Schmidt: I did a little checking. He's become an excellent litigator and a solid citizen.

Paul Lewiston: We hope.

The door opens and they step out. Jerry walks past, carrying Shirley Schmidt-Ho.

Jerry Espenson: Shirley. Paul. Have a nice evening. **He enters the elevator. The door closes.**

In Judge Gloria Weldon's chambers, Alan knocks and enters.

Alan Shore: Glor—ah.

Judge Gloria Weldon: Alan?

Alan Shore: I'm new at this relationship game. Not so much new, I guess, as...

Judge Gloria Weldon: Rusty.

Alan Shore: Just so I'm clear... if I'm ever even slightly attracted to another woman, I should just lie about that?

Judge Gloria Weldon: Through your teeth.

Alan Shore: Hm. Really? Why would you tolerate dishonesty from your partner?

Judge Gloria Weldon: I wouldn't. If I ever catch you lying to me, it's over.

Alan Shore: But you just...

Judge Gloria Weldon: No. It's very simple, Alan. When you tell me that you're not attracted to anybody else but me, it needs to be the truth.

Alan taps his fingers as he lets this sink in.

At Crane, Poole and Schmidt, Alan and Denny are having drinks and a cigar on the balcony.

Alan Shore: I forgot how much they can befuddle you.

Denny Crane: Alan, would you listen to me when it comes to women? Can you do that, please?

Alan Shore: Why should I trust you? You're jealous of her. You'd be glad if it ended.

Denny Crane: I'm not jealous of her anymore.

Alan Shore: You're jealous of Jerry.

Denny Crane: Well. Women I can compete against. Other men... let's face it, you go for the soft sensitive type.

Alan Shore: That's why I fell for you. **Denny give him a look.** Why are relationships with women so much more complicated?

Denny Crane: Oh, women...come on, Alan! Women have hormones. Much as I love 'em, they're unstable. Which is why they can never be President.

Alan Shore: You don't think a woman should ever be President?

Denny Crane: Oh, come on. Do you? In time of war? How would a woman handle a nine eleven? She'd cry.

Alan Shore: You think Hilary Clinton would have cried?

Denny Crane: Well...maybe not Hilary. **Alan chuckles.** But she has a few chromosome issues, let's face it.

Alan Shore: What are you talking about?

Alan Shore: Alan? Don't you ever look at her at times and think, "That's a guy!"

Alan Shore: No. I find her sexy in a praying-mantis-in-a-knee-length-skirt kind of way.

Denny Crane: You ever mentally undress her?

Alan Shore: I was talking about my relationship issues. How did we get to mentally undressing Hilary Clinton? And so quickly, I might add.

Denny Crane: Because it's all related. I'm gonna tell you something right here and now about women and relationships. We would never be in Guantanamo if it weren't for Hilary Clinton.

Alan Shore: **A beat.** I know the reason's obvious, but give it to me just the same.

Denny Crane: Bill Clinton would never have lied in a deposition. He wouldn't have risked impeachment. So what if the sexual indiscretion came to light? The public would have forgiven him. But...Hilary! **Alan chuckles.** The reason he lied is because he was afraid Hillary would find out. That's why he was impeached. That's why Al Gore didn't win. And after all that impeachment scandal crap the public would have elected any fool... **Alan chuckles.** ...other than a Democrat. Cut to...

Alan Shore: George W.

Denny Crane: All because of a woman scorned. And...they're unstable.

Alan Shore: All women?

Denny Crane: Every single one of 'em.

Alan Shore: All shapes and sizes.

Denny Crane: Oh! The fat, the thin, the big and the sss... **He sees Alan motioning to look down.** Oh, for God's sake. **Alan nods. Denny looks down. Bethany Horowitz is standing between them.** All right. Don't tell me. **Mimicking Bethany.** Denny! I never wanna see you again! **Bethany walks away.** Ooh. The little ones are the most unstable. Women!

Alan Shore: Can't live with them.

Denny Crane: Can't take them quail hunting. Alan, you're best off with me. I'm rock steady.

Alan Shore: Yes, you are.

Denny Crane: Uncomplicated.

Alan Shore: Couldn't be simpler.

Denny Crane: Denny Crane.

Alan Shore: Denny Crane.