

**Boston Legal**  
**Patriot Acts**  
**Season 4, Episode 20**  
**Broadcast: May 21, 2008**  
**Written By: David E. Kelley and Jill Goldsmith**  
**Directed By: Michael Hathaway**  
© 2008 David E. Kelley Productions. All Rights Reserved.  
Transcribed by Imamess for Boston-Legal.org; Thank you to olucy for proofreading, and Dana for the images.

**Clarence Bell is looking through a handful of letters when Alan Shore enters his office.**

Alan Shore: Clarence!

Clarence Bell: Alan. You might want to look at this.

Alan Shore: Paternity suit?

Clarence Bell: No.

Alan Shore: Sexual harassment?

Clarence Bell: No.

Alan Shore: Emperor's Club?

Clarence Bell: **He hands the letter to Alan.** Just read it.

Alan Shore: Oh. **He opens the letter which has a letterhead from the Auxiliary Coast Guard. He gasps.** I got in. I got in the Auxiliary Coast Guard! **He dashes off.** Denny! **Runs in to Denny's office.** Denny! Denny! Denny, I got in! I'm in the Coast Guard!!

Denny Crane: What?

Alan Shore: Yeah!

Denny Crane: Am I in?

Alan Shore: I don't know! Did you get a letter?

Denny Crane: I don't know. **He rifles through a stack of letters on his desk, finds one, opens it, scans it quickly.** I'm in!!! **They both yell with glee, hug and jump up and down!**

**Together:** Ahhhh, ha, ha!!! We're in the Coast Guard!!! We're in the Coast Guard! We're in the Coast Guard! We're in the Coast Guard! We're in the Coast Guard!



**Judge Harvey Cooper steps off the CP&S elevator and turns the corner. Further down Carl Sack and Shirley Schmidt are walking together.**

Shirley Schmidt: You mean they actually got in?

Carl Sack: We evidently need the soldiers. **They pass Judge Harvey Cooper.** Good morning, Your Honor!

Judge Harvey Cooper: I'm not interested. **He keeps on walking and stops at Clarence's desk.** I'm here to see Alan Shore. If he's busy, interrupt him.

Clarence Bell: May I tell him wha...?

Judge Harvey Cooper: No, you may not. You may tell him who. Judge Harvey Cooper.

**Judge Harvey Cooper enters Alan's office followed by Alan.**

Alan Shore: You mean it's not a social visit? **He closes the door.**

Judge Harvey Cooper: I will not suffer your sarcasm, Mr. Shore. I do not like you. **He takes a chair.** That having been said, I have enormous respect for your legal skills. I'm here to hire you in that capacity. **He motions to a chair.** Please sit.

Alan Shore: Why, thank you. **He starts to sit.** I'm in the Coast Guard!

Judge Harvey Cooper: **A beat.** Do you know where I hail from, Mr. Shore?

Alan Shore: Dark and scary places with enchanted creatures?

Judge Harvey Cooper: I'm from Concord, Massachusetts.

Alan Shore: Right.

Judge Harvey Cooper: There's a reason I choose to reside in Concord, Massachusetts. I'm an American.

Alan Shore: Ah.

Judge Harvey Cooper: Concord, Massachusetts is where the Minutemen fought off the British, personifying that heroism and patriotism are what it means to be an American.

Alan Shore: Well, I'm in the Coast Guard, so...

Judge Harvey Cooper: **He forces a smile.** I've come to you asking you to represent our historic town in a rather drastic cause of action.

Alan Shore: Which is?

Judge Harvey Cooper: We wish to secede.

Alan Shore: Secede?

Judge Harvey Cooper: From the Union. We want independence. The people of Concord do not like the direction of this country. In particular, its oppressive policies, both abroad and here at home. It was Thomas Jefferson who said, "Whenever any form of Government becomes destructive, it is the right of the people to alter or to abolish it, and to establish new Government. That is what we wish to do. The town council unanimously voted to approve it last night.

Alan Shore: You wish to secede from the United States of America?

Judge Harvey Cooper: We wish to secede from the United States of America.

**Carl, Shirley, Alan, Katie Lloyd, Jerry Espenson and Denny are in the conference room.**

Shirley Schmidt: You're not serious.

Alan Shore: They really wanna do it.

Carl Sack: And you agreed to represent them?

Alan Shore: Yes! And how's it going with that bomb for Nantucket?

Shirley Schmidt: Alan, come on.

Alan Shore: It's been done, Shirley. In 1820 a rather large chunk of Massachusetts seceded from the Commonwealth. Today we call it Maine.

Shirley Schmidt: That was 1820!

Alan Shore: Yes, and today there are five different groups who are trying to secede from the United States?

Jerry Espenson: In February the Secretary of State from Montana said they'd secede if the Supreme Court limited firearm ownership.

Katie Lloyd: Maybe we could have a tea party.

**Denny rises, then walks out.**

Carl Sack: Did they give you a reason for seceding?

Alan Shore: Yes. They want to hold some neglected truths to be self-evident. Isn't it exciting?

**Alan walks into Denny's office.**

Alan Shore: **He knocks.** You left the room rather abruptly, Denny.

Denny Crane: On the very day we get into the military.

Alan Shore: **He takes a seat.** What's the matter?

Denny Crane: I don't want you to take this case.

Alan Shore: Well, I already did.

Denny Crane: For years I've sat back listening to you criticizing the US of A. Accepting your premise that dissent is patriotic. But seceding? I'm a founding father of this firm, a senior partner, I'm asking you, drop this matter now.

Alan Shore: I can't do that.

Denny Crane: This will affect our friendship, Alan.

Alan Shore: I have great faith in our friendship. I trust it will survive my taking this case.

Denny Crane: Get out, Alan.

Alan Shore: Denny, this isn't personal, you have to know...

Denny Crane: Please! Get out!

**Alan leaves.**

**In the corridor, Denny meets up with Carl.**

Denny Crane: Carl?

Carl Sack: Denny!

Denny Crane: What do you think of this lawsuit Alan is bringing, that Concord secede?

Carl Sack: I'm against it.

Denny Crane: I have an idea.

Carl Sack: You have an idea?

Denny Crane: I get one. Every leap year.



**In the conference room, Mayor Thomas Steinbrenner and Judge Harvey Cooper are there with Alan, Katie and Jerry.**

Alan Shore: Before we get too far into this, I trust you've considered that you and your entire township will be deemed anti-American.

Judge Harvey Cooper: Yes.

Alan Shore: And that under The Patriot Act law enforcement is practically required to investigate your motives. Not just the Mayor and the Counsel, but the whole town! They get to dig into everything in your lives. Your political affiliations, your bank accounts, credit cards, your emails, phone records, the books you check out at the library, the videos...

Judge Harvey Cooper: Mr. Shore, we understand fully the provisions of the Patriot Act, and the litany of Governmental powers it bestows. That's one of the very reasons we want to secede!

Jerry Espenson: **He puts a wooden cigarette in his mouth. Brashly.** You won't likely win! You gotta know that, Judgey-boy! **He takes the cigarette out and pops.**



Alan Shore: You're right. There is no way any court is going to let a town secede from the United States.

Judge Harvey Cooper: You just bring the motion.

Mayor Thomas Steinbrenner: In an election year we'll settle for a shot heard around the world.

Judge Harvey Cooper: All we're looking for is to survive summary judgment. If we can just get to an actual trial...

Alan Shore: Right. There's your political podium.

Judge Harvey Cooper: You just bring the motion.

**In Judge Clark Brown's courtroom.**

Judge Clark Brown: Of all the ridiculous, absurd, preposterous, outlandish, far-fetched, incredulous...

Alan Shore: Bring it home now...

Judge Clark Brown: **He's seems about to burst a blood vessel.** Outrageous...!!!

Alan Shore: There we go!

Judge Clark Brown: ... cases you have ever brought!

Alan Shore: Your Honor, I believe if you just listen to us with that mind of yours which is so notoriously open one can hear huge gusts of wind swirling through...

Judge Clark Brown: **He pounds his gavel.** A town cannot bring a lawsuit to secede from the United States!

Judge Harvey Cooper: Of course we can. There's ample precedence for it, starting with the Declaration of Independence, you hack!

Judge Clark Brown: Mr. Cooper...!

Judge Harvey Cooper: I am still *Judge* Cooper, especially to you, sir.

Judge Clark Brown: And if you were a decent Judge you would understand that the jurisdiction belongs in Federal, not State court.

Judge Harvey Cooper: And if you were a decent Judge you'd know that the Federal Courts, wanting two bites at the apple to quash this would first kick it right back to State hoping you'll do their work for them.

Judge Clark Brown: And I plan to quash it, don't you worry.

Alan Shore: Whoa, whoa, whoa! Let's not do any rash quashing. Judge, all I ask is for you to listen to us before...

Judge Clark Brown: Why?

Alan Shore: Why? It's what Judges do. They typically weigh the merits before ruling on them. Did they not tell you this in judging school?

Judge Harvey Cooper: Go ahead and quash it now! That'll simply allow us to refile with another Judge. Preferably one with an IQ exceeding that of celery. So, go ahead. Dismiss it! We don't want you anyway!

Judge Clark Brown: **He pounds his gavel.** Well, you've got me. I will hear this case.

A.A.G. Norman Wood: Now wait, that's ridiculous.

Alan Shore: Of course you think it's ridiculous, you represent the Commonwealth. By the way, since the Attorney General's office is the Commonwealth, our first order of business would be to disqualify you. You're the State! The State is the defendant, Judge!

A.A.G. Norman Wood: That would be a very clever tactic if we weren't one step ahead of you. We've already hired outside, independent counsel! In fact, outside counsel came to us.

Alan Shore: Really? Who? I don't see anybody.

**A.A.G. Norman Wood nods to the clerk standing before the doors to the courtroom. The clerk opens the doors and Denny and Carl march in.**

Alan Shore: You must be joking.

A.A.G. Norman Wood: The Commonwealth has waived conflict.

Judge Clark Brown: Wait a second! The same firm for both sides?

Denny Crane: Saves on guest cast.

Judge Clark Brown: Mr. Shore?

Judge Harvey Cooper: Concord will waive conflict, Your Honor!

Judge Clark Brown: **He looks pained.** Five o'clock!

Carl Sack: **In an aside to Alan.** Isn't it exciting?

Alan Shore: Could be. Denny...

Denny Crane: Nothing personal, Alan.

**Carl and Denny are sitting in Shirley's office.**

Shirley Schmidt: This is a very bad idea.

Carl Sack: It was Denny's.

Shirley Schmidt: Oh! Well, then!

Carl Sack: Shirley, now it is good that we oppose. First, it will offset any fallout this firm will get for representing perceived traitors. Second, what they're doing is *wrong*, whatever one's problems with America. You should be telling Alan to withdraw, not Denny and me.

Shirley Schmidt: Who's arguing?

Denny Crane and Carl Sack: **In unison.** I am.

Carl Sack: But Denny, you specifically came to me.

Denny Crane: For backup! I'll first chair.



Carl Sack: Denny, I, I believe the client thinks they're getting me.

Denny Crane: Why would they think that? I'm Denny Crane!

Carl Sack: Ah.

Shirley Schmidt: The problem is Alan knows you so well he might be able to exploit your weaknesses.

Denny Crane: You forget I know him. I can exploit his weaknesses! Besides, I don't have any weaknesses. **To Carl.** I'll first chair.

**In Denny's office, he is peering intently into an aquarium at a large, lone fish.**

Alan Shore: **He comes in.** Denny! **A beat.** What's that?

Denny Crane: Rainbow trout. You'd know if you ever caught one.

Alan Shore: Can they survive in a tank like that?

Denny Crane: He won't have to live long. As soon as I catch him, I'm gonna eat him.

Alan Shore: You plan to fish for him?

Denny Crane: Why wouldn't I?

Alan Shore: Is that really sporting?

Denny Crane: **A beat.** What do you want, Alan?



Alan Shore: Denny, I think you and I trying a case against each other is a really, really bad idea.

Denny Crane: Fine. Recuse yourself.

Alan Shore: I can't do that. I've given my word to those people I'll represent them.

Denny Crane: And I'm defending my country against a traitor.

Alan Shore: This country was started by traitors, Denny.

Denny Crane: I'm preparing a case. Please leave.

Alan Shore: Denny, I don't wanna see you get hurt.

Denny Crane: Oh. You think you'll win?

Alan Shore: I'll certainly survive summary judgment.

Denny Crane: Fifty thousand dollars says you won't.

Alan Shore: I'm not going to bet you.

Denny Crane: Chicken! You know you'll lose.



Alan Shore: I won't lose.

Denny Crane: Fifty thousand dollars.

Alan Shore: Denny, I don't have to win on the merits here. All I have to show is that there's a possible case to be made.

Denny Crane: Fifty. Thousand. Dollars.

**Alan, Katie and Jerry are walking down the corridor.**

Katie Lloyd: How could you wager? We're certain to lose!

Alan Shore: Not in the summary judgment. All of the facts should be construed in our favor. We're on the side of the founding fathers here. The Constitution stands for everything that the town of Concord is advocating.

Jerry Espenson: **He puts the wooden cigarette in his mouth. Brashly.** Let's not overplay the founding fathers! Most of them had slaves! Mistresses. Maybe that's where Spitzer found his motivation! **He walks ahead of Katie.** Love the dress, by the way. You could stop traffic today, I tell ya. **He and Alan walk into the conference room.**

Katie Lloyd: **Stunned, stops.** What was that?

**Denny is in his office watching the news.**

Reporter: **On TV monitor.** The town of Concord has actually filed a motion seeking to secede from the United States and become its own sovereign nation! There is legal precedent for the unusual, if not extraordinary act...

**Shirley knocks.**

Denny Crane: Hey!

Shirley Schmidt: Hey.

Denny Crane: I'm preparing my case.

Shirley Schmidt: I can see that. **She comes all the way in. She seems to be looking for words.**

Denny? **She takes a deep breath.** You were once a brilliant attorney. You're... you're not anymore.

You're forgetful, you don't stay current on the law. The last time I even saw you open a law book was



because you had a copy of Rustler tucked inside. **Denny looks down at the law book in his lap where a magazine appears to be tucked inside.** Which I see you've found. Um. The thing... **She sits down. Just then Alan approaches the door/** ...about Alan is he's... **Alan turns to walk away.** ...not just a gifted lawyer... **Alan stops and turns to listen.** ... his competitive ego is extreme. As much as he loves you his first priority will be winning this case. And Denny, he will tear you up. You are absolutely no match for him. I don't want you to handle this case.

Denny Crane: It's not your decision. Now if you'll excuse me, I've got a case to prepare. **Shirley gets up.** You too, Alan! **Shirley realizes Alan had been standing there, Alan realizes he was caught listening and they both leave. Denny resumes reading his Rustler magazine, still between the covers of his law book.**

**In Judge Clark Brown's courtroom, Alan has Judge Harvey Cooper on the stand.**

Judge Harvey Cooper: This is not about the people of Concord hating America. Just the opposite. We are simply seeking to form our own Government. One that reflects the values of an America that used to be.

Alan Shore: Which values are those, sir?

Judge Harvey Cooper: Freedom of speech! Freedom of religion! Majority rule, for starters!

Alan Shore: You don't think America currently values those things?

Judge Harvey Cooper: Certainly much less so. Today, one does not even have the right to protest at a Presidential appearance! We have things called Free Speech Zones. News crews are not allowed to film the return of military caskets from Iraq lest the public get the awful idea that soldiers are being killed. This is censorship worthy of the Cold War Soviet Union, not the United States! Certainly not the America I love.

Alan Shore: Well, since we are in a time of war, maybe the rules...

Judge Harvey Cooper: Yes, and typically in war we observe the Geneva Convention. That's no longer the case. We torture. We lock people in prison camps like Guantanamo with no opportunity for a real



hearing. We are guilty of the very oppression the colonists reared up against to begin America.

Alan Shore: Thank you, sir.

**Judge Harvey Cooper takes a deep breath and waits for Denny to get up. So does Carl. Alan. And Judge Clark Brown. And A.A.G. Norman Wood.**

Carl Sack: **He leans over to Denny.** Denny? This would be the point where you get up and ask a challenging question. Do you have any?

**Denny rises.**

A.A.G. Norman Wood: **He leans toward Carl. Sotto.** What's going on?

Carl Sack: Not to worry... **He straightens his tie.** much.

Denny Crane: Your Honor...!

Judge Clark Brown and Judge Harvey Cooper: **In unison.** Mr. Crane.

Denny Crane: **He looks to Judge Clark Brown and points to Judge Harvey Cooper.** You miss old America?

Judge Harvey Cooper: That's exactly right.

Denny Crane: Oh yeah. In old America we would never censor free speech?

Judge Harvey Cooper: No, we would not.

Denny Crane: Even though Woodrow Wilson jailed five thousand Americans for speaking out against World War I?

Judge Harvey Cooper: That's one example. Would you like a lollipop?

Denny Crane: And locking people up without giving them a hearing like Guantanamo?

Judge Harvey Cooper: Many of them innocent people.

Denny Crane: FDR jailed a hundred thousand Japanese Americans. Almost all of them innocent. Many of them children.

Judge Harvey Cooper: The Japanese internment camps were an isolated incident for which we remain ashamed. One would hope we'd learn from it. Seems we haven't.

Denny Crane: Spying on our own citizens. That would never happen in the America you grew up in?

Judge Harvey Cooper: No.

Denny Crane: What about Nixon? He spied. Do I get a lollipop for Watergate?

Judge Harvey Cooper: Nixon did not represent the American...

Denny Crane: What about LBJ? He used the FBI to spy on reporters. Bill Clinton...

Judge Harvey Cooper: You're going to equate Bill Clinton with what goes on today?

Denny Crane: According to the ACLU, Bill Clinton expanded stealth surveillance far beyond any previous administration ever! And that was during a time of peace!

Judge Harvey Cooper: Bill Clinton certainly never tortured people!

Denny Crane: No. He practiced rendition. Shipping suspects off to other countries like Saudi Arabia and Egypt. And they tortured for us. During the Cold War we did human experimentation on innocent people. College students. Mental patients. Government run experiments on unknowing victims. We tested everything from LSD to nerve gas. We exposed unwitting black men to syphilis trying to discover a cure. We used them as guinea pigs. No, Judge, you haven't named one thing America's doing today that we haven't been doing for a long, long time.

**Alan is in his office with Jerry.**

Jerry Espenson: He was good.

Alan Shore: He's very good.

Jerry Espenson: Never would know he's dying from Alzheimer's. Not with that little performance.

Alan Shore: He's not dying!

Jerry Espenson: I'm sorry, I just meant...

Alan Shore: Why would you say that?

Jerry Espenson: Well, people with Alzheimer's... there's no cure.

Alan Shore: I know there's no cure! But people can live with it, Jerry. Sometimes for a very long time! That was a terrible thing to say!

Jerry Espenson: I'm sorry. **He stands up, places his hands on his thighs and rushes out to his office, where Katie is working.**

Katie Lloyd: What's wrong?

Jerry Espenson: **He places the wooden cigarette in his mouth. Brashly.** I'll tell you what's wrong. I'm not his whipping boy. Ich fuhle machtig. Dami, dami, damino.

Katie Lloyd: What language was that?

Jerry Espenson: Swiss German.

Katie Lloyd: Oh dear. It's come to Swiss German.

Alan Shore: **He comes in.** Would you excuse us for a minute, Katie? **She leaves.** Jerry, I'm sorry. I've been stressed out with this trial. I guess I've gotten so used to calling it Mad Cow, I forget what it really is. **He sees Jerry fiddling with his wooden cigarette.** You seem to be going to the wooden cigarette a lot more lately. Is anything wrong?

Jerry Espenson: Nope.

**A beat.**

**Alan Shore:** I feel as if I haven't seen much of you over the last year. We haven't really spoken since the troubles with Dana.

**Jerry Espenson:** Well, you've been really busy, Alan. So have I. With work. Work has... **He places the wooden cigarette in his mouth. Brashly.** Hey! That's the beauty of being friends, isn't it? Relationships with long shelf lives. You can just stick 'em on the shelf. I tell you! **Alan gazes at him.** What?

**Alan Shore:** I have never ever considered myself someone who puts work before friendships. Seems I do.

**Jerry Espenson:** We all do, Alan.

Friendships are a little like back yard gardens. We plan to tend to them. We just always seem to put it off till next week.



**Denny sits comfortably on his couch, flicking his fishing rod which has been cast into his aquarium.**

**Alan Shore:** **He comes in.** Catch anything?

**Denny Crane:** Not yet, but I will.

**Alan Shore:** You were quite something in court yesterday.

**Denny Crane:** Oh, thank you. Appreciate it.

**Alan Shore:** Denny could you stop fishing for a minute? **Denny puts the rod aside.** I'm feeling uncomfortable about the bet. We don't need the kind of competition or animosity that a bet

like that can fuel. Plus...

**Denny Crane:** You're losing.

**Alan Shore:** I'm not losing.

**Denny Crane:** Oh yes, you're losing.

**Alan Shore:** Do you understand how summary judgment goes? The burden is totally on the defense. You must prove there are no credible facts whatsoever upon which relief can be granted. It's all but impossible for defendants to win summary judgments.

**Denny Crane:** Double it?

**A beat.**

**Alan Shore:** Fine.

**Denny Crane:** Fine.

**Alan Shore:** Just know doing your closing in that Minuteman outfit with the musket? Remember how the jury just loved that? Especially with money riding on this thing, it would be unfair for you take advantage like that. Promise me you won't wear the Minuteman outfit?

**Denny Crane:** **He smiles knowingly.** Nice try.

**Shirley is in her office when Carl comes in.**

**Shirley Schmidt:** He's doing well?

**Carl Sack:** Extremely. Denny may have Mad Cow, Shirley, but I don't think the cow is winning.

**Shirley Schmidt:** Where are you now?

**Carl Sack:** We've got a retired general testifying, then we close.

**Shirley Schmidt:** Denny's closing?

**Carl Sack:** He must be on some kind of medication. I don't know. All I can say is he's actually good.



**In Judge Clark Brown's courtroom, Denny has General Robert Seagram on direct.**

**General Robert Seagram:** Old America? Are you kidding me? We don't live in old America. This is a new world. The enemy isn't countries or states or governments. It's terrorists! Capable of attacking us here! Hell, they *have* attacked us here! This is new warfare requiring new tactics!

**Denny Crane:** Including torture?

**General Robert Seagram:** Absolutely! Look, if we have a suspect who has information that a bomb is about to go off, possibly killing thousands of Americans, are you really suggesting we treat him gently? That we don't do everything we can to save American lives?

**Denny Crane:** I'm not saying it. **He turns to Alan.** He is!

**General Robert Seagram:** Look, I long for yesterday myself. We used to know how to fight a war and not trip over ourselves. But we still stand for the same principles. That hasn't changed.

**Alan is now up.**

**Alan Shore:** I'm confused. Those principles you say we still stand for, do they include human rights? The fair and humane treatment of prisoners?

**General Robert Seagram:** I'm saying, while those values remain important, we have to put them in perspective given the world we now live in.

**Alan Shore:** And what world is that?

**General Robert Seagram:** One of terrorism!

**Alan Shore:** Right.

**General Robert Seagram:** One where the Muslim world, much of it, hates us and would love to see the destruction of the United States!

**Alan Shore:** Tell me. Do you make any room for the possibility, any room whatsoever, that the conduct of our country, be it starting a war under false pretenses...

**Denny Crane:** Democrat!

**Alan Shore:** Move to strike! This isn't Republicans versus Democrats.

**Denny Crane:** Oh, right!

**Alan Shore:** The Democrats, virtually all of them have supported the worst of Bush's policies. Only one Democrat in the Senate opposed the Patriot Act when it was first proposed. They stumbled over each other rushing to sign a blank check. I hardly stand here as a proud Democrat.

**Denny Crane:** Where do you stand as a loyal American?

**Alan Shore:** Oh, come on!

**Denny Crane:** We don't question our country in a time of war!

**Alan Shore:** Why the hell not? That to me seems like an especially apt time to ask questions.

**Judge Clark Brown:** Mr. Shore!

**Alan Shore:** I don't know who the hell came up with the notion that one can't criticize this country and still be patriotic. I bet it was Cheney. Well, he was wrong! Some of our most noble patriots were dissenters. Henry David Thoreau. Susan B. Anthony.

**Denny Crane:** Are we doing closings now?

**Alan Shore:** Would you like to? I'm ready!

**Denny Crane:** Would have worn the outfit!

**Alan Shore:** Why don't you just shut up instead?



**Judge Clark Brown:** That's enough! Both of you! **Alan and Denny are in a stare-off.** Mr. Shore? Do you have anything else?

**Alan Shore:** **He looks at Denny for a moment.** No.

**Denny is in his office when Alan knocks and comes in.**

**Alan Shore:** Denny.

**Denny looks up from the law book he's reading.**

**Denny Crane:** Working on my closing! Later! **He looks down.**

**Alan Shore:** I'm sorry about telling you to shut up. **A beat as Denny doesn't look up.** Can we agree just to try this case and not let it get personal?

**Denny Crane:** **He puts down his book.** Come in, Alan. Sit down. **Alan does so.** Something I thought you understood, but you clearly don't understand. For people of my generation, being an American is personal.

**Alan Shore:** I realize...

**Denny Crane:** No. You don't. You don't. In your life, growing up, you just took for granted that America would always be. Why not? It's a super power, the strongest country in the whole. In my lifetime with Hitler trying to take over the world and having the means to do so, we went to bed scared at night that America would end. Imagine that feeling, Alan! The tragedy for me here is, you have no idea how deeply offended I am by the idea of a town wanting to secede! You have no... **He takes a moment to collect himself.** Which means you don't know me, Alan. Not really. Our friendship has all the depth of a jigger of scotch. I really need to work on my closing right now. **He picks up his books and starts paging through it. Alan leaves.**



**In Judge Clark Brown's courtroom.**

**Judge Clark Brown:** Why are you wearing that ridiculous costume?

**Denny Crane:** **He is standing next to the defendant's table wearing his Coast Guard uniform.** It's not a costume, Your Honor. I'm a member of the United States Auxiliary Coast Guard. I stand ready to defend my country against enemies, high crime and treason.

**Alan Shore:** Objection. **He rises.** I object to the implication...

**Judge Clark Brown:** Oh, Mr. Shore. Sit down!

**Alan sits down.**

**Denny Crane:** Thank you, Your Honor. I'll make this short. It's my belief that

the best closing arguments are short. There's a lot to criticize about America today, I realize that. The truth be told, I'm embarrassed by the current administration. Who isn't? But whatever one wants to say about George Bush, there can be no question that he loves his country. He once made the simple statement that simply put reflects who and what he is.

**Alan Shore:** Simple?

**Judge Clark Brown:** Mr. Shore!

**Denny Crane:** He said, "You're either with us or against us." Town of Concord comes in to court and says they no longer choose to be with us. They want to abandon America. It is the most unpatriotic act of heresy imaginable. It's treason! Your Honor, if you allow this case to continue a week, a day, an hour, you're saying that abandoning America in a time of war is conceivably acceptable. If you love this nation just one fraction of what George Bush does, or I do, or most Americans do, you cannot find that acceptable.

**Denny sits. Alan is now up.**

**Alan Shore:** Not too long along we set the example for the world on civil liberties and human rights. Today... **He scoffs.** ...today we have this bipartisan piece of legislation, the Patriot Act, that criminalizes free speech, authorizes warrantless searches, allows for wiretaps without probable cause. People can now be locked up on suspicion alone, denied due process or even a hearing. As for foreign



nationalists, forget it, they can be deported for what they say or think, even if they're completely law-abiding they can be kept from ever entering this country under the ideological exclusion rule. Again, based on what they say or think. All this accomplished by a Bill that our leaders rushed to pass just six weeks after those towers came down. Did you read the Patriot Act, Judge? **He doesn't wait for a reply.** Members of Congress certainly didn't. It was pushed through with so

much haste there was almost no deliberation because few, if any, members of the House or Senate had bothered to read it. Most still haven't! A Bill that mocks our Constitution and moves us ever closer to tyranny. We now round up suspects and throw them in detention camps, claiming they're not prisoners of war so that we may torture them in violation of the Geneva Convention. We set up these camps in Cuba and other foreign locations. This is not something done by a Government with moral integrity. It does not reflect a nation with a conscience. And let's talk about the torture. This isn't slapping around some suspect who knows of a ticking bomb. We now use torture as a matter of course. We use it against people just to see if they have information. Any information! Torture is no longer the exception, but the rule. It's systemic. Water-boarding. Sexual humiliation. Extreme psychological and physical abuse. We all know the horrors of Abu Ghraib. And those orders came from the very top! George Bush knew and approved of these tactics, as did Rummy, Condi, Dick, Ashcroft, Tennent, even Colin Powell. They all knew and participated in creating the policy, as did many others, and yet not one high ranking officer or member of this administration has been held accountable. Not one! We set up these secret prisons using techniques modeled on the dungeons of Egypt. We chain prisoners to ceilings! We subject them to simulated drownings or sexual abuse. This is not moral leadership! This is not the conduct of a country that regards the law or respects human rights. And the country I speak of is not Egypt or Saudi Arabia, or even North Korea. It's the United States of America. My country! **To Denny.** Your country! Denny Crane said to me that I cannot know the experience of lying down at night and facing the idea of losing America. Since September 11th, 2001, I think most of us have laid down and imagined exactly that! But I wonder, "What is it about America that we most fear losing?" and I wonder, "How much of that have we lost already?" The town of Concord--what can it really do? Stage a protest? Have a rally? A parade? Call a press conference? Would that even make the news? But threaten to secede! That would get some attention! And if you look at all the facts here you'll see Concord isn't really seeking to leave America at all. It's America that has left them! And ultimately Concord will not be allowed to secede. We all know that. But if you quash this at the summary judgment stage you will in effect be ruling that their concerns are not even legitimate. And how can any true American conclude that? We stand here today asking you to defend a democracy that our Congress and our President refuse to defend. We're asking you to stand up for the Constitution which every Judge is duty-bound to protect. We ask you to stand up for an America that sixty years ago our soldiers stormed a beach at Normandy to defend. **To Denny.** This case is personal to you, and it's personal to me, it's personal to everyone in this courtroom. I love this country, Denny. I just... sometimes I just don't recognize it anymore.

**Alan sits down.**

**Later in Judge Clark Brown's courtroom, he comes out of his chambers.**

**Clerk:** All rise. **Everybody rises. The Judge sits.** Be seated.

**Judge Clark Brown:** I, like many Americans, am horrified that our Government tortures prisoners of war. That we have turned our police powers, many of them illegal, against our own citizens. If the goal of the terrorists on nine-eleven was to knock down democracy, then they surely have succeeded. But I, like

many Americans, care more about the protection of our children, grandchildren, than I do our nation's ideals. I do not doubt for a moment that the Government is acting in good faith to make us safe. Nor do I doubt that if there's any time in our nation's history when we must simply stick together, it is now. The concerns and questions you have raised, Mr. Shore, are indeed legitimate, but I cannot and I will not allow to stand, Concord's motion to secede from this country. **He pounds his gavel.** We're adjourned.

Alan Shore: **To Denny.** Still undefeated.

Denny Crane: Never in doubt.

Alan Shore: How about our friendship?

Denny Crane: **He places his hands on Alan's shoulders.** Alan, a man's never so rich as he is with friendship. Except when he's got fifty thousand dollars.

Alan Shore: I thought we doubled it?

Denny Crane: I gave you half off because I like you. **Alan nods. Denny picks up his hat.** Walk out with me?

Alan Shore: Please.

**In the men's room, Denny is at the sink when Shirley comes in.**

Denny Crane: Men's room!

Shirley Schmidt: I got it wrong.

Denny Crane: No biggie. The stalls are empty.

Shirley Schmidt: I got it wrong about your no longer being a brilliant attorney. Seems you still are.

Denny Crane: Sex?

Shirley Schmidt: **She chuckles.** Not tonight.

Denny Crane: Oh. I had a dream, you and I were swimming in my pool, buck naked, we began to make ferocious love, you screamed so loudly the police came and looked over the fence and said, "Ah, that just Crane, pool and Schmidt."

**They both chuckle.**

Shirley Schmidt: And on that lovely note, good night Denny. And way to go! **She gives him a quick kiss and leaves.**



**On the balcony, Alan and Denny are smoking cigars and drinking scotch.**

Denny Crane: She's still in love with me.

Alan Shore: **He chuckles.** Everybody loves a winner.

Denny Crane: You were pathetic. Trying to get me to wear that Minuteman outfit.

Alan Shore: **He laughs.** You've worn it before.

Denny Crane: Hm. I actually did listen to your closing. Almost made me cry.

Alan Shore: Really?

Denny Crane: Yeah. Cause for a second there I thought you'd win. Let me ask you a question. Don't you get tired of going on and on and on like that?

Alan Shore: Yes. When you think of the hours and hours I've spent standing in front of a jury.

Denny Crane: Let's not.

Alan Shore: Jerry said something about how we don't tend to the friendships in our lives.

Denny Crane: We do! Every night, right here.

Alan Shore: Yes. But when I consider my job with all those closings...

Denny Crane: Endless closings.

Alan Shore: ... many of them quite personal...

Denny Crane: Long-winded closings.

Alan Shore: All right!

Denny Crane: What's your point?

**Alan Shore:** My point is I've spent perhaps most of my adult life talking and talking and talking to strangers. Why don't people take more time to be with the ones they love? Why don't we take more vacations? We keep talking about going fishing again. My God, you brought a trout from a pet store!



**Denny Crane:** Alan! Let's go! Now!

**Alan Shore:** I'm being serious, Denny.

**Denny Crane:** So am I! Let's hang the "Gone Fishing" sign on the door and go!

**Alan Shore:** Where?

**Denny Crane:** We start with the Charles River! Go from there! Road trip, you and me.

**Alan Shore:** Don't tease me, I'll do it.

**Denny Crane:** I'm not teasing. Let's go. We'll camp! Fish! Toast marshmallows!

**Alan Shore:** Same tent?

**Denny Crane:** Separate sleeping bags. Come on. Nature awaits.

**Alan Shore:** Oh! God! Why'd you have to bring up nature? You know I hate nature.

**Denny Crane:** I'll hold your hand! What was that quote you said from Ralph Waldo Emerson?

**Alan Shore:** He said quite a few things.

**Denny Crane:** A friend may well be reckoned a masterpiece of nature. Can't remember what I had for breakfast but that I remember.

**Alan Shore:** You constantly surprise me.

**Denny Crane:** Keeps the love fresh. Alan. **He rises.** Let's go fishing!

**Alan Shore:** **He rises.** Let's go fishing.

**They touch their glasses and drink up.**

**On the streets of Boston, Alan and Denny are walking, both wearing their Coast Guard uniform, hip waders, carrying a fishing rod, smoking a cigar and laughing as they walk towards the Charles River. Different areas at Crane, Poole and Schmidt, are shown as the Beatles sing:**

*There are places I remember.*

*All my life.*

*Though some have changed.*

*Some forever, not for better!*

*Some have gone and some remain.*

*All these places have their moment.*

*With lovers and friends.*

*I still can recall.*

*Some are dead and some are living.*

*In my life I've loved them all.*

*In my life I've loved them all.*

**Ending with a handwritten sign saying:**

***Gone Fishin'***

