

**The Practice**  
**Concealing Evidence**  
**Season 8, Episode 8**  
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***Eleanor Frutt, Alan Shore and Karen Evanson are sitting around a table in the J,F&B conference room.***

Karen Evanson: Nothing?

Eleanor Frutt: They just pulled the offer. Completely.

Karen Evanson: On the eve of trial?

Alan Shore: Karen. It seems I've been duped.

***Scene cuts to the street, several police cars are chasing after a car.***

***Scene cuts back to J,F&B conference room.***

Alan Shore: The defendant's lawyer is known to be underhanded. I now believe they led me to believe they'd settle only to string me along.

***Scene cuts back to the car chase. The car stops, a man gets out and runs away.***

Policeman: Police! Hold it! Freeze! Get em!

***Scene cuts back to J,F&B conference room.***

Alan Shore: We are very ready Karen. This lawyer? It's a setback, no doubt. But tomorrow? We are ready to proceed with this trial.

***The man from the car-chase comes running into the outer office. Tara gets up.***

Ted Grayson: I need a lawyer!

Tara Wilson: Ho, ho, hold on a second!

Ted Grayson: I need Bobby!

Tara Wilson: Sir? You need to...

***Eleanor comes out of the inner office.***

Eleanor Frutt: What's going on?

Ted Grayson: I need a lawyer.

Tara Wilson: It seems that he needs Bobby. I could be mistaken but...

Eleanor Frutt: Sir?

Alan Shore: ***Alan comes out and beckons.*** Sir. Come here. Eleanor, can you take Karen into your office please?

***Eleanor takes Karen away. Alan takes Ted into the conference room.***

Ted Grayson: There's no much time. There's not much time.

Alan Shore: Aw right.

Ted Grayson: Take it. ***Alan closes the door.*** Take it.

Alan Shore: That's very kind but I already have a knife.

Ted Grayson: Please. They'll be here any second. I need you to...

***Police barge into the outer office with guns drawn. Ted hides under the table. Alan looks under the table, then towards the outer office.***

Policeman: Police! Freeze! Get down now!

Tara Wilson: You get down! What the hell is this?

Policeman: Where is he?

***Alan Shore: Alan comes out of the conference room.*** What's going on here?

Policeman: Did anybody just come in here?

Alan Shore: Six people in fact. Dress in blue.

Policeman: We're lookin' for a man, mid thirties, jeans, blue jacket, he entered this building.

Alan Shore: Is he a criminal?

Policeman: He's a homicide suspect.

Alan Shore: Homicide! My God! Do you know what you've done? We represent murders here. It's quite possible the man you speak of, came into this building to hire us. With the six of you? Guns out? Now he'll never come

in. **Alan waves them away and turns away in disgust.** You may very well have costs us business, officer. **He turns back to them.** Bad policeman! Very bad!  
**The policemen look at each other then leave.**

**Alan and Ted back in the conference room.**

Ted Grayson: You've gotta help me.

Alan Shore: Mr. Grayson, I already have. It's a miracle the police didn't insist on searching the place, in which case...

Ted Grayson: I was hidin' under the table.

Alan Shore: I appreciate that, but trainees at the academy are not advised to look under the tables. It's been a giant leap for law-enforcement.

Ted Grayson: Look. I'm just asking you to hold the knife.

Alan Shore: And as I've explained. I'm not permitted to do that. This would be considered evidence.

Ted Grayson: Please. It's evil. Makes me do things.

Alan Shore: Mr. Grayson. If we were to assume possession of this weapon, and you were to be charged with a crime, we would have an obligation, a legal obligation to turn it over to the police.

Ted Grayson: Look! I'm telling you. It's evil. Makes me do things.

Alan Shore: **Alan thinks for a second, scratches his head, takes a deep breath.** (Dana get a screensnap of this. 4:20) You know what? Why don't you let me turn the evil knife over to the police? **Ted shakes his head.** So that they might incarcerate it.

Ted Grayson: No. They'll trace it to me. I'm not goin' to jail. I want it at a place where the police can't get it. Where I can't get it.

Alan Shore: Would you excuse me for a minute? (Dana get a screensnap of this. 4:50)

Ted Grayson: Are you gonna call the police?

Alan Shore: No. I just wanna discuss this matter with my colleagues. **Alan touches Ted on his shoulder.** I'll be right back. **Ted nods.**

**Tara, Alan, Eleanor and Eugene Young in the outer office.**

Eugene Young: Did he kill somebody?

Alan Shore: Well there's blood on it. I don't think he used it to puncture a tire.

Eleanor Frutt: Why doesn't he just throw it in a dumpster?

Alan Shore: That might make sense Eleanor. But I can't counsel him to do that. Unless you'd like me to?

Eugene Young: No! We can't advise the destruction of evidence.

Eleanor Frutt: Well! We can't keep it Eugene.

Alan Shore: If he leaves with it he might kill again. It's evil!

**Ted comes out of the conference room.**

Ted Grayson: Excuse me. Thank you for your help. I'm gonna look for another lawyer. **Ted turns and leaves.**

Eleanor Frutt: Well. It seems we dodged a bullet.

Alan Shore: Yes. It seems so. **He walks into the conference room, looks around, and bends slightly to look under the table, then around the room again. Eleanor follows him in.**

Eleanor Frutt: What are you doing?

Alan Shore: Gettin' back to work. We have a trial in the morning.

**Alan, Eleanor and Karen in the courtroom hallway.**

Eleanor Frutt: You'll testify first. And then we'll be calling our doctors.

Karen Evanson: Okay.

Eleanor Frutt: Just speak from the heart Karen. Emotion is the strongest part of our case.

Karen Evanson: We don't really have a case, do we Eleanor?

**A lawyer calls over to Alan.**

Atty. Robert Colby: Ah! Counselor?!

Alan Shore: Excuse me please. **Alan walks over to Atty Robert Colby.**

Atty. Robert Colby: I apologize for my client pulling the offer, last minute like that, ahh. We really didn't see it coming.

Alan Shore: Right. Three hundred thousand, sealed, we're done, we can get a drink, patch up our differences.

Atty. Robert Colby: **Shakes his head.** I can't go three hundred. But how about zero? Does zero work for you?

**Robert Colby walks away. Tara walks up.**

Tara Wilson: He's been arrested.

Alan Shore: Who?

Tara Wilson: Ted Grayson. Mr Knifeman. Victim was a CPA, staffed in an alley, witnesses evidently saw Teddy, and reported his license plate.

Alan Shore: So they've got him in custody?

Tara Wilson: Yes. And he called asking for you. Seems that he didn't find other representation.

Alan Shore: Did they recover the knife?

Tara Wilson: No. No sign of the knife.

Alan Shore: Okay. **He looks at his watch.** You might have to cover the arraignment. **Tara looks shocked.** I'm in trial here.

Alan Shore: But I'm not licensed.

Alan Shore: It's just an arraignment. Also, find out anything and everything you can about Mr. Grayson.

**Eleanor calls to Alan.**

Eleanor Frutt: Alan!

Alan Shore: **To Eleanor,** I'm comin'. **To Tara.** I'll see you at the arraignment.

### ***In Judge Louise Moreno's courtroom.***

Karen Evanson: My husband was very depressed about his job. He hated the insurance business to begin with and when his performance declined, he just went into a tailspin.

Eleanor Frutt: Did he get treatment?

Karen Evanson: Yes. He saw a doctor who prescribed Lairatol, an antidepressant.

Eleanor Frutt: Did that help?

Karen Evanson: No. Almost immediately after taking it, he became more agitated. Volatile. After about week after he was on it he struck me.

Eleanor Frutt: He struck you?

Karen Evanson: Which was so not him. Paul was... He never showed any signs of being hostile. Certainly not violent!

Eleanor Frutt: What happened then?

Karen Evanson: He started to getting into altercations at work, and was subsequently fired. That's when he started... That's when he said he wanted to kill his boss.

Eleanor Frutt: Did you think about calling the police?

Karen Evanson: No. Because as I said I couldn't even fathom that he would... Later that night he turned the gun on himself.

Eleanor Frutt: And you blame the drug Lairatol?

Karen Evanson: It transformed him from a kind, docile man, into a volatile, violent person, immediately after he started taking it. I know it was the drug.

Atty. Robert Colby: Your husband was very depressed over work?

Karen Evanson: Yes.

Atty. Robert Colby: Depressed before taking the Lairatol?

Karen Evanson: Yes but he...

Atty. Robert Colby: Thank you. Did he ever hurt anybody after taking the drug Lairatol?

Karen Evanson: He struck me once.

Atty. Robert Colby: He struck you? With his fist? Open hand?

Karen Evanson: Open hand.

Atty. Robert Colby: Were you injured?

Karen Evanson: Physically, no. But my children were...

Atty. Robert Colby: Thank you. Did he tell you that he purchased a gun to shoot his employer?

Karen Evanson: No! He said he bought it for personal protection. But this...

Atty. Robert Colby: Which you had encouraged. Am I right? There had been a rash of break-ins in your neighborhood?

Karen Evanson: Yes! But he was talking about committing murder! That isn't personal protection.

Atty. Robert Colby: Just so that we're clear. He bought the gun for personal protection, then he became very depressed, then he turned the gun on himself?

Karen Evanson: He turned the gun on himself after consuming your client's product.

Atty. Robert Colby: Your husband's insurance doesn't cover suicide, does it Mrs Evanson? With inexplicable tragedies people often find the need to asses blame, and sometimes they have the need to find money.

Eleanor Frutt: Objection!

Atty. Robert Colby: Withdrawn. Tell me Mrs Evanson. Why didn't you just sue the doctor who prescribed the medication? Pockets not deep enough?

Eleanor Frutt: Objection!

Judge Louise Moreno: Sustained.

Atty. Robert Colby: Nothing further. (Dana get a screensnap of this.10:45)

***Alan and Ted sitting across the table from each other in the jailhouse.***

Ted Grayson: I didn't do it. I promise you.

Alan Shore: Can you tell me why you were spotted in the area?

Ted Grayson: I was there, but it wasn't me.

Alan Shore: Who was it then?

Ted Grayson: It was... It was the knife.

Alan Shore: The knife.

Ted Grayson: I held the knife. It was in my hand. But I swear all I meant to do was to threaten him. To get money. This knife is evil. It's done this before.

Alan Shore: The knife has killed before?

Ted Grayson: It's tried. Yeah. Which is the reason I can't have it in my hand. You know where it is don't you?

Alan Shore: If I were to know where it is, Mr. Grayson, I would be duty-bound to tell. Let's not have me know. Are we clear? **Ted nods.** Listen. You talk to nobody other than my assistant Tara Wilson and me. This is important.

Ted Grayson: Okay.

***Alan and Tara are sitting on a bench in the courtroom hallway.***

Tara Wilson: Two robberies and one prior assault. On each occasion he claims to have heard voices. He's been fired from every job he's ever had.

Alan Shore: What's his diagnosis?

Tara Wilson: He's never been treated.

Alan Shore: I beg your pardon? (Dana you gotta get a screensnap of this expression! 12:06)

Tara Wilson: For his prior crimes they just threw him into prison. I talked to his mother. She says that he's been crazy since he was three. Apparently she couldn't afford a doctor, but that's a little unclear because she seems fairly unstable herself.

Alan Shore: Are you telling me this man has never been treated? Ever?

***In Judge Louise Moreno's courtroom.***

Dr. Bernard Gorman: I don't prescribe Lairitol anymore.

Eleanor Frutt: But you did with Paul Evanson?

Dr. Bernard Gorman: Yes. But, after his suicide I began to dig around and uncovered anecdotal evidence of patients becoming violent.

Eleanor Frutt: Doctor after Paul Evanson started taking the drug, what did you observe?

Dr. Bernard Gorman: He definitely became more agitated, erratic. I didn't suspect the drug until it was too late.

Atty. Robert Colby: In your patient notes, you never described Mr. Evanson as becoming more violent?

Dr. Bernard Gorman: I believe I noted the agitation as well as...

Atty. Robert Colby: Did you ever observe any acts of violence?

Dr. Bernard Gorman: No.

Atty. Robert Colby: As a matter of fact you attributed his increased agitation to his depression. His despondency over his job. Did you not doctor?

Dr. Bernard Gorman: I changed my position on that after uncovering the anecdotal evidence.

Atty. Robert Colby: Anecdotal evidence. How many instances did you uncover where Lairitol caused the patient to become more violent?

Dr. Bernard Gorman: Thirty-three.

Atty. Robert Colby: Thirty-three. And in those thirty-three cases, how many stated to a medical conclusion that Lairitol was the cause of the violence?

Dr. Bernard Gorman: None were medical conclusions because...

Atty. Robert Colby: Thank you doctor.

Dr. Bernard Gorman: Wait! I would like to finish.

Judge Louise Moreno: Go ahead.

Dr. Bernard Gorman: In all of those cases there were other variable which prevented a conclusive finding. But Lairitol was the common denominator. And it in each case it was cited as the likely cause.

Atty. Robert Colby: How many times in your best estimate has Lairitol been prescribed?

Dr. Bernard Gorman: Thousands.

Atty. Robert Colby: Perhaps hundreds of thousands?

Dr. Bernard Gorman: Yes.

Atty. Robert Colby: And with these hundreds of thousands of usages you were able to find thirty-three. None of which conclusively found a nexus between Lairitol and violence. Is that correct doctor?

Dr. Bernard Gorman: Correct.

Atty. Robert Colby: How many studies are you aware of that conclude the drug is unsafe.

Dr. Bernard Gorman: None. But...

Atty. Robert Colby: How many studies are you aware of that conclude the drug is safe?

Dr. Bernard Gorman: Many. Most funded by the manufacturer, your client.

Atty. Robert Colby: Do have evidence to suggest that these studies were not conducted fairly?

Dr. Bernard Gorman: No.

***Karen Evanson, Alan and Eleanor in the courtroom hallway.***

Alan Shore: The problem is we have no scientific evidence. Even if we could prove the drug is unsafe. Proving it's unreasonably unsafe. Given the good it's done many people.

Karen Evanson: What about the negligence theory?

Eleanor Frutt: The problem there is there's nothing to show they could foresee any danger. We barely survived summary judgment.

Karen Evanson: What are you asking me to do here? It's not like I have an offer to accept. What am I supposed to do?

Eleanor Frutt: Nothing. I guess we're just bracing you.

Karen Evanson: ***Looks at Alan.*** You said you'd get something.

Alan Shore: I thought we would.

Karen Evanson: I have no money. It's like he said, the insurance doesn't cover suicide. I have three children to raise. ***She is distraught.*** I have three kids.

***In Judge Rodney White's courtroom.***

Tara Wilson: We waive reading your honor and request a probably cause hearing. We'd also ask for a reasonable bail.

Judge Rodney White: Excuse me Ms Wilson, but I'm informed you're not a member of the bar.

Tara Wilson: I'm only here to enter a plea. ***Alan walks in.*** And to file Alan Shore's appearance.

Alan Shore: No need your honor. I'm here. ***To Tara.*** What I miss?

Judge Rodney White: Mr. Shore. This is a homicide case. You have better things to do?

Alan Shore: Actually I was searching for the real killer your honor. With OJ.

Judge Rodney White: Probable cause hearing is scheduled for tomorrow. Ten o'clock.

A.D.A. Martin Beckham: Your honor. Before we adjourn, we have a subpoena for Mr. Shore. ***Alan looks up in surprise.*** Mr. Grayson was pursued by the police, into Mr. Shore's building, Tuesday night. Mr. Shore denied to the police that the suspect entered his office. Today by the most stunning of coincidences we find Mr. Shore representing the defendant.

Alan Shore: Your honor, I have no obligation to tell the police anything about a client so...

A.D.A. Martin Beckham: We believe Mr. Shore may have information as to the whereabouts of the murder weapon. Mr. Grayson was overheard talking in jail, about an evil knife that was in his lawyer's office.

Alan Shore: Overheard? Where was that? Standing around the water cooler?

Judge Rodney White: Chambers.

Alan Shore: ***Whispers to Ted.*** What'd we say about talking Ted?

***Judge Rodney White, A.D.A. Martin Beckham and Alan in Judge Rodney White's chambers.***

Judge Rodney White: Do you have the murder weapon counsel?

Alan Shore: We don't admit there was a murder your honor. And if there was? We don't admit that it was accomplished with a knife. And if it was? We don't admit the knife exists. And if it does? We don't admit that we have it.

Judge Rodney White: You don't have the right to conceal evidence.

Alan Shore: I have the duty not to incriminate my client.

A.D.A. Martin Beckham: We're asking for evidence. Not testimony.

Alan Shore: The case law says, "A defendant cannot be forced by subpoena to turn over a weapon."

Judge Rodney White: But we can force the lawyer. Do you have the knife, Mr. Shore?

Alan Shore: Frisk me!

Judge Rodney White: Is the knife in your office?

Alan Shore: I don't know.

Judge Rodney White: You don't know?

Alan Shore: If there is a knife your honor. And I'm not saying there is. I have no actual or constructive knowledge as to it's whereabouts.

***In the Y,F&B office.***

Eugene Young: Do you have it.

Alan Shore: I do not.

Eugene Young: Where is it?

Alan Shore: It may be in the conference room. So I would encourage us all not to go in there. Because if we have actual knowledge that it's in our possession we of course, would have a duty to turn it over.

Jimmy Berlutti: So, what? Your going, 'wink, wink' and pretending you don't know?

Alan Shore: I don't know Jimmy. Not for a fact.

Jamie Stringer: And you're purposely not looking for it?

Alan Shore: Exactly. Ignorance is not only bliss, it happens to be constitutional.

***A man comes in the door.***

Michael Lee: Alan.

Alan Shore: Mike! Hello. Thanks for coming. ***To Eugene and Jimmy.*** Would you excuse me please. ***To Mike.*** Right this way Mike. ***Alan and Mike go into an office.***

Jimmy Berlutti: I do not approve of this person.

***Mike and Alan coming into an office.***

Michael Lee: Could you do me a favor and call me Michael in front of other people? I'm tryin' to come off, you know, more respectful.

Alan Shore: Respectable. Certainly.

Michael Lee: Well. What can I do for you?

Alan Shore: I'd like to avail myself of your 'Silent Deploy' program.

Michael Lee: Is this for something illegal?

Alan Shore: Michael. How could you ask me such a thing?

Michael Lee: Ah, yeah. You got the email address?

Alan Shore: I have several.

Michael Lee: I mean how illegal is it? What we're plannin' to do here?

Alan Shore: Michael. You know me.

***Alan and Tara in the outer office at Y,F&B.***

Alan Shore: Just stall them for as long as you can.

Tara Wilson: Stall them. But he didn't like it that you were late the last time.

Alan Shore: I'll be there.

Eleanor Frutt: ***She comes in.*** What's goin' on?

Alan Shore: Eleanor, I have marvelous news.

Eleanor Frutt: They're suddenly offering to settle?

Alan Shore: Not yet. But they will. Mr. Colby is in your office, as we speak. ***To Tara.*** Off you go Tara. I'll be there shortly.

Eleanor Frutt: He's in my office?

Alan Shore: I think you'll be very pleased. Let's go.

***Tara leaves. Eleanor and Alan go into Eleanor's office.***

Atty. Robert Colby: If this is a waste of my time.

Alan Shore: I assure you it isn't. I'm doing you a favor Mr. Colby. You'll perhaps wanna buy me that drink after all.

Atty. Robert Colby: I'm not a morning person.

Alan Shore: Yes. I was going through the voluminous discovery late last night, and I found this included among the multitude of various medical studies. It's quite helpful. Though, not to you.

Atty. Robert Colby: What is this?

Alan Shore: It's a letter! Addressed to you in fact, from your client concerning Lairitol. Acknowledging a small percentage of violent ideations and suicidal tendencies. ***Eleanor looks surprised.*** Tick. Tick. Boom.

Atty. Robert Colby: How did you get this?

Alan Shore: I just told you.

Atty. Robert Colby: This is from general counsel, to me. It's work product. We never turned this over.

Alan Shore: You must have. I have it.

Atty. Robert Colby: I asked you question before. How did you get this?

Alan Shore: Your client acknowledged a violent, possibly suicidal nexus between the drug...

Atty. Robert Colby: This is privileged.

Alan Shore: **He grimaces.** Gee. If you're right it would be malpractice then, for you to give it to me? Ouch! And your reputation has been so spotless to now.

Alan Shore: Two million dollars Robert. You don't want the jury to hear that your people knew about the inherit dangers. Think of the punitives, Robert.

Atty. Robert Colby: This is inadmissible. I'm bringing a motion in limonene to squash it. **He gets up from his chair.** And I will not be blackmailed.

Alan Shore: Mmm. Strategic mistake.

**Atty. Robert Colby leaves.**

Eleanor Frutt: Alan? Where'd you get that document?

Alan Shore: I'm late for a probable cause hearing on Mr. Knife. I'd love it if you could start to prepare our response to Mr. Colby's motion. Could you help me on that?

**In Judge Rodney White's courtroom.**

Sylvie Winslow: I saw him running.

A.D.A. Martin Beckham: The defendant?

Sylvie Winslow: Yes. He jumped into his car and he just sped off.

A.D.A. Martin Beckham: Are you absolutely sure that this is the man you saw running.

Sylvie Winslow: Yes.

Alan Shore: Did you see him run out of the alley or simply on the street.

Sylvie Winslow: Just on the street.

Alan Shore: And when the police pulled up seconds later, you said, "That's him in that car."

Sylvie Winslow: Yes. And they took off after him.

Alan Shore: And when you said, "That's him." Why did you think the police wanted him?

Sylvie Winslow: Well. Because he was running away. So when the police screeched up I put two and two together.

Alan Shore: Ah ha! Two and two.

Police Officer: We entered his apartment. He immediately tried to flee. He shouted, "It wasn't me."

A.D.A. Martin Beckham: It wasn't me?

Police Officer: We apprehended him; we noticed a bruise on his face. We also found seven hundred dollars in cash on his kitchen table.

**Alan gets up.**

Alan Shore: A bruise and money? Is that all?

Police Officer: That, and a prior record for armed robberies.

Alan Shore: I see. Did that factor into your making the arrest? His prior record? Your honor at this time, I ask that you dismiss the charges with prejudice and an apology.

Judge Rodney White: You can step down officer. **A.D.A. Martin Beckham gets up.** Do you have anything else?

A.D.A. Martin Beckham: Your honor the suspect's prior record can factor into reasonable suspicion.

Alan Shore: Perhaps to search him.

A.D.A. Martin Beckham: He was spotted running from the scene! He then ran from the police.

Alan Shore: The prosecution had no case. Running down a street is not evidence of a murder. You don't even have enough to call him a person of interest. I could be wrong on that.

Judge Rodney White: Alright. Look. There are several issues in play here. I'm going to take this under advisement. We'll reconvene at three o'clock.

Ted Grayson: What does that mean?

Alan Shore: It means he's gonna think about it. In meantime, you do not speak to anybody.

Ted Grayson: Okay. It's just that sometimes it helps for me to talk.

Alan Shore: You cannot do that. **Ted nods.** Ted, if I succeed in keeping you out of prison, I need you to promise me you'll go to a hospital.

Ted Grayson: A mental hospital?

Alan Shore: We need to make you safe from the voices. From the knife.

**Eleanor, Atty. Robert Colby and Alan with Judge Louise Moreno in her chambers.**

Atty. Robert Colby: I don't know how he got it, but clearly it's privileged. It's not discoverable. And for it to be admitted...

Judge Louise Moreno: You disclosed it?

Atty. Robert Colby: He's saying we did. It's my suspicion however...

Judge Louise Moreno: How did you get the letter, Mr. Shore?

Alan Shore: Discovery.

Eleanor Frutt: Your honor. Even if you were to find this correspondence to be work product, the opinion has to be based on some study. We wasn't that study turned over to us?

**Judge Louise Moreno leans back in her chair and looks at Atty. Robert Colby questionably.**

Atty. Robert Colby: I don't know.

Judge Louise Moreno: You don't know. Did you ask general counsel?

Atty. Robert Colby: No.

Judge Louise Moreno: Because what you don't know helps you.

Atty. Robert Colby: This is a letter written from lawyer to lawyer, black and white work product.

Judge Louise Moreno: I am more troubled by your client concealing evidence. I don't know what you do and don't have Mr Colby, but the letter is admitted.

Alan Shore: **Leans over to Atty. Robert Colby.** Now might be a good time to chat.

**Eleanor and Alan come into the Y,F&B office. Eugene is there.**

Eugene Young: What's goin' on?

Eleanor Frutt: Opposing counsel is meeting with the defendant. We're expecting an offer at two o'clock.

Eugene Young: Really?! That's fantastic!

Eleanor Frutt: Yes. It is. **Turns back to Alan.** Alan can I talk to you for a second? **She motions toward the conference room.**

Alan Shore: **Alan looks at her, then toward the conference room, then back to her.** Well, not in that room, it might contain evil.

Eleanor Frutt: **She sighs.** My office. She walks into her office. **Alan follows and closes the door.** Where did you get that document?

Alan Shore: You don't wanna know.

Eleanor Frutt: Dammit Alan. I've had enough of not knowing. You and I are friends, in addition to being colleagues, so I'm asking you to be straight with me. Where did you get it?

Alan Shore: There's a software program called 'Silent Deploy'. Basically you can target somebody else's computer; all you need is their email address. I went into Mr. Colby's computer last night and hit pay dirt.

Eleanor Frutt: You broke into somebody's computer and you stole their private correspondence?

Alan Shore: I feel ashamed.

Eleanor Frutt: Ah!

Alan Shore: But compared to concealing evidence that a drug is potentially lethal?

Eleanor Frutt: Alan! I don't even know what to do with you!

Alan Shore: Eleanor? You are my friend. I want you to be a friend to Karen Evanson here. If you insist on exalting your ethical duties as a member of the bar? I need you to excuse yourself from this case.

Eleanor Frutt: Because, swiping this document? Is just the beginning.

Eleanor Frutt: What are you gonna do now? **Alan chuckles.**

**Alan and Eleanor in an elevator in Atty. Robert Colby's office building.**

Alan Shore: I can't urge you enough not to be present for this.

Eleanor Frutt: Oh I will be very present.

Alan Shore: In that case I need you to make me a promise.

Eleanor Frutt: What?

Alan Shore: Don't speak.

Eleanor Frutt: If I have something to say Alan...

Alan Shore: You'll have nothing helpful to say in that room.

**They leave the elevator. Alan marches pass the outer desk, with Eleanor following.**

Receptionist: I'm sorry. Can I...

Alan Shore: I know where the room is. Thank you. **They march around the corner, down a long hallway. The door to a conference room opens, Alan and Eleanor come in. Atty. Robert Colby plus four other people are sitting at the far end of a long table.** Who are these people?

Atty. Robert Colby: Members of my firm.

Alan Shore: Excuse them.

Atty. Robert Colby: They're part of my legal team.

Alan Shore: Excuse them.

Atty. Robert Colby: **He winks at the other lawyers.** Sorry. You can go. Thank you.

**Alan and Eleanor settle down.**

Alan Shore: I presume you have a number?

Atty. Robert Colby: One three. Sealed. No admission.

Alan Shore: Very nice. But for a billion dollar pharmaceutical company?

Atty. Robert Colby: That's as high as they'll go. One three.

Alan Shore: That isn't true Mr. Colby and we both know it. If that document becomes public, it could generate a plethora of new lawsuits. I typically loathe the word plethora, but when it can be used aggressively...

Atty. Robert Colby: Look...

Alan Shore: I'm speaking now. Sir. A plaintiff victory would be devastating for you. And a settlement sealed or otherwise? Would be perceived as a victory. That's your worst nightmare! What you're desperate for here is a favorable verdict. That sends a most chilling message of all to future plaintiffs. Does it not? **Alan takes a document out of his folder.** I will sell you this document for eight million dollars. **Eleanor seems startled.**

Atty. Robert Colby: I beg your pardon.

Alan Shore: It becomes yours again. I won't introduce it. No doubt you'll get your verdict. And even more importantly nobody gets foul wind of a very damaging admission.

Atty. Robert Colby: Am I to understand you're offering to lose this case for eight million?

Alan Shore: You're going to accept my offer Mr. Colby, not because you're dishonest, or ethically challenged like me, but because you're human. Because you know this document, should it become public, would easily cost West Pharmaceuticals in the tens of millions. Because you know, once your client, your biggest client, learns you inadvertently disclosed this to me. They will leave you. The career flashing before your eyes is your own Mr. Colby. Eight million dollars. I'll rest my case now, we all go home winners. And because you are an ethical man? You'll convince your client, to hereafter warn doctors and consumers that studies show violent ideations as a rare but possible side-effect. How about that Mr. Colby? You get to keep your client, and possibly save a life or two. All for the one time offer of eight million dollars. Ah. I'd want the cheque today.

**In Judge Rodney White's courtroom.**

Judge Rodney White: Where is he?

Alan Shore: He'll be here any second your honor. He's currently in trial on another matter.

Judge Rodney White: Ms. Wilson, I said three o'clock!

**Alan come in, walks briskly to his table and takes off his coat.**

Judge Rodney White: Step up here Mr. Shore. **Alan walks up to the bench.** I'm going to ask now as an officer of the court and you will answer me subject to the pains and penalties of perjury. **Alan nods slightly.** Do you have possession of the knife?

Alan Shore: I do not.

Judge Rodney White: Do you know where it is?

Alan Shore: I do not.

Judge Rodney White: Is it possibly in your office?

Alan Shore: Possibly.

Judge Rodney White: Did you look for it?

Alan Shore: I did not.

Judge Rodney White: **He pauses for a moment.** Sit. **Alan goes to sit down. He squeezes Ted's arm in assurance.**

Judge Rodney White: If a lawyer knows he's been handed a murder weapon, he's got to give it to the police. That's the law. But he doesn't have to go looking for it. I cannot order Mr. Shore to provide privileged information leading to the knife's discovery. Without the weapon, the Commonwealth has offered nothing. The defendant was seen running in the area. Period. The murder charges are dismissed without prejudice. The reckless endangerment as well as evading the police, those charges stand, I'll grant Mr. Grayson bail on that. I do however issue a bench warrant to search Mr. Shore's law office immediately. If you find the knife, we can start this whole process again. Until then, case dismissed. We're adjourned.

Alan Shore: Okay then. Ted? We made a deal. You get help.

Ted Grayson: They're gonna find the knife. I wedged it under that conference table. They'll find it.

Alan Shore: You hid the knife under the conference table?

Ted Grayson: Yeah.

Eleanor Frutt: **She walks up to Alan.** Alan?! The judge has just called us back in. Have we heard from Colby?

Alan Shore: Give me a second. **He turns back to Ted.**

Ted Grayson: They'll find it.

Alan Shore: All we can do is hope they don't find it. In the meantime, Tara's gonna take you to a hospital. I'm arranged for you to be admitted.

Ted Grayson: The police will come and get me.

Alan Shore: If we get you committed, perhaps they won't. Tara? There a car in front with security.

Tara Wilson: Let's get you processed out of here.

Alan Shore: I'll visit you tomorrow. **He nods to Eleanor.** Let's go.

**In Judge Louise Moreno's courtroom. Alan and Eleanor walk in.**

Judge Louise Moreno: Glad you could make it counsel? I took the liberty of bringing the jury in without you. You may proceed.

**Alan moves to sit down. Eleanor leans over.**

Eleanor Frutt: I'm not doin' this. You're on your own. **She sits down.**

Alan Shore: The plaintiff rests your honor.

Judge Louise Moreno: What do you meant you rest?

Alan Shore: We've presented our case in full. We rest.

**Judge Louise Moreno looks puzzled.**

**Eleanor and Alan with Judge Louise Moreno in her chambers.**

Judge Louise Moreno: What's goin' on?

Alan Shore: Your honor, I feel conflicted about introducing that document. Clearly, the disclosure was inadvertent, as well as privileged. If the shoe were on the other foot? If this was ever done to me? By other lawyer?

Judge Louise Moreno: You have evidence that could further your client's case. Likely win it. You have an obligation to use that evidence, Mr. Shore.

Alan Shore: I'm afraid it will make look unscrupulous, and the jury will punish us.

Judge Louise Moreno: What's going on here? Ms. Frutt?

Eleanor Frutt: I disagree with Mr. Shore. But, it's his client and ultimately his call.

Judge Louise Moreno: Without that document this doesn't even get to a jury, counsel. I will direct a verdict for the defendant.

Alan Shore: Well. I certainly hope you don't do that!

Judge Louise Moreno: Oh, I will do that! You haven't even made a primary face of showing. You've introduced no scientific evidence. How in God's name could you even think of resting?

Alan Shore: Your honor. We hoped for a settlement. They didn't blink. I tipped my hat, but... Using this document? **He shudders.** Ugh. I... Ah. As an officer of the court? I can't bring myself to take advantage of it.

Judge Louise Moreno: If you don't introduce it, I will direct a verdict against you. And I will recommend that your client pursue a claim for malpractice.

Alan Shore: **He sighs.** The plaintiff rests your honor.

**At the Y,F&B office Karen Evanson is looking at a piece of paper in disbelief as Eleanor and Alan look on.**

Karen Evanson: I, I, I don't believe this.

Alan Shore: Slip that into your purse Karen. This whole thing is sealed. We don't want anybody to find out. Especially the judge.

Karen Evanson: The case is over?

Alan Shore: They wouldn't be paying us eight million to continue.

Karen Evanson: Hah. I, I don't know how thank you.

Alan Shore: **Alan brushes her arm.** Just go take care of your kids. **He turns and starts to walk away.**

Karen Evanson: Alan?! **He stops and turns back.** Can I... hug you?

Alan Shore: No. Ha. I don't hug clients. I grope them on occasion, but I never hug... **Karen jumps up to hug him. She holds him for a moment as she squeezes back tears. He sighs.**

**At the Y,F&B office police are searching files and drawers while Jimmy, Jamie and Eugene pace around.**

Jimmy Berlutti: This is that man, Eugene. Ever since he's been here. Look at this!

Jamie Stringer: Jimmy, could you perhaps lay off the guy?

Jimmy Berlutti: No! I'm sick of this.

**Eleanor and Alan arrive. As the door opens it bangs into filing cabinet causing a file of paper to fall down, Eleanor tries to catch them. Alan steps over some stuff on the floor.**

Alan Shore: A party! Where's the punch?

Eugene Young: Alan? Can you come into my office please?

Jimmy Berlutti: Let's all go. **Eugene, Jimmy and Jamie go into Eugene's office.**

Alan Shore: What? Are they gonna beat me up?

Eleanor Frutt: Come on. **Alan and Eleanor go into Eugene's office. Eleanor closes the door.**

Eugene Young: For the last two hours our office has been turned upside down while the police look for a murder weapon. Myself, Jamie and Jimmy well... We've been unable to do our work, because once again you have caused this place to be disrupted. Last week I was at the point of firing you. So tell me Alan, if you were in my position, running this firm, how would you deal with an employee like yourself?

Alan Shore: **He takes a deep breath.** That's a tough one. On the one hand, if someone's a liability, I say, "Get rid of em." On the other hand, I... Oh! **He reaches into his breast pocket, pulls out an envelope and hands it to Eugene.** Here's a cheque made out to the firm for two million. **Eugene stares in surprise.** A contingency on the case we just settled. **Jamie looks on in disbelief, Eleanor almost suppresses a smile. Eugene continues to stare. The Chief of Police knocks on the door and comes in.**

Chief of Police: We're done. We'll be out of here in five minutes.

Eugene Young: Did you find anything?

Chief of Police: **He shakes his head.** No.

**In a hospital hallway, Ted Grayson is in a wheelchair being pushed by an orderly. Tara is walking next to them.**

Ted Grayson: But, I don't get to leave when I want.

Tara Wilson: No. If you're committed, you can't leave until they say your better.

**They walk into room.**

Ted Grayson: What if I never get better?

Tara Wilson: **To the orderly.** Could you excuse us? For a second?

Orderly: I'll be at the door. **He leaves and closes the door.**

Tara Wilson: Okay. Two things. First. We'll make a list of all the doctors that you can speak to about the evil knife and so forth. Outside of privilege you can't talk to anyone about these things. Only the doctors.

Ted Grayson: You already explained that.

Tara Wilson: Second. You will get better Ted. You will.

**Eleanor and Alan are sitting on barstools in a bar.**

Alan Shore: He's been mentally ill his entire life, Eleanor. He's in thirties for God's sakes. This is the first time he's seen the inside of a hospital.

Eleanor Frutt: Well. He won't be seeing it for long, Alan, if the police find that knife. **Alan takes a drink from his glass of beer. Eleanor takes a deep breath.** Can we talk about the other case now?

Alan Shore: No.

Eleanor Frutt: **She leans close to him.** Alan. I know you. Are you trying to get disbarred? As self-destructive as...

Alan Shore: Alright. Alright. On that note. **He gets off his stool.**

Eleanor Frutt: Alan! **They share glances.**

Jimmy Berlutti: Hey!

Alan Shore: **Alan turns toward Jimmy.** Jimmy! Hello! Can I buy you beer? You're right. Baby steps. My mistake. **He takes another sip from his glass of beer and places it in front of Jimmy.** Half a beer.

Alan Shore: **He touches Jimmy's arm, kisses Eleanor on the cheek.** Good night my friend.

Eleanor Frutt: Good night. **Alan leaves.**

Jimmy Berlutti: I don't get it Eleanor. I see nothing redeeming about that man.

Eleanor Frutt: You have to know him Jimmy. You just... You have to know him. **She sighs.**

**Alan is walking out on the street. He looks around, walks up to a dumpster, takes a package out of his coat pocket, looks around again, and throws the package, a plastic bag with a knife in it, into the dumpster. As he walks away he looks around.**