

The Practice

Season 8, Episode 17

War of the Roses

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Airdate: March 21, 2004

Transcribed by Sheri for boston-legal.org [version: October 15, 2006]

The Practice: Common Area

Lucy Hatcher: Eugene, he struck again.

Eugene Young: What now?

Alan (TV): Hi. This message is for Eugene and Jimmy—especially Jimmy. I just want to say, I miss you all terribly, and I can't wait 'til I return, which should be very, very soon.

Jimmy Berluti: He's on my computer, too—brushing his teeth.

Eugene Young: Has he made any attempts to take files?

Lucy Hatcher: Not that I can tell.

Ellenor Frutt walks in.

Eugene Young: Ellenor. Tell your friend if he continues to break into our computers, we're going to the police.

Ellenor Frutt: Yes, Eugene. I've demonstrated such a fine ability to control him, haven't I? I'm off to court.

Tara Wilson's Home

Tara Wilson: **holding a check** You're giving me \$5000?

Alan Shore: **nods** Yes.

Tara Wilson: For what?

Alan Shore: What'll it get me?

Tara Wilson: A slap in the face, and it'll be free. **hands him the check**

Alan Shore: Tara, I got you fired.

Tara Wilson: No, you didn't. I made the choice to betray Eugene. You don't owe me anything.

Alan Shore: **putting the check in a basket on a table near him** That isn't true, and we both know that. Look. Let me at least try to get you rehired someplace else.

Tara Wilson: I've got my bar exam coming up in July. I should probably take time off anyway. I'm fine, Alan.

Alan Shore: I don't like being in someone else's debt.

Tara Wilson: So what are you going to do?

Alan Shore: Why, I'm going to get what's mine, of course—which is the real reason I'm here. If this should go to trial, witnesses will be called for both sides. May I call you to be on mine?

Tara Wilson: What did I witness?

Alan Shore: For starters, the conspiracy to fire me. I also suspect they may try to raise my ethical deficits as grounds for the discharge. You might be able to bolster my estoppel claims as well as—well, you're familiar with the doctrine of unclean hands, aren't you?

Tara Wilson: How messy is this gonna get?

Alan Shore: May I count on you, Tara? I need you.

[credits]

Courthouse Conference Room

Carrie Moses: I can't believe they're actually prosecuting me for this. This just isn't right, Ellenor.

Ellenor Frutt: Carrie, you did hit a police officer.

Carrie Moses: In self-defense.

Ellenor Frutt: Well, come on. It wasn't exactly—

Carrie Moses: You said you'd make this go away. Those were your exact words.

Ellenor Frutt: I thought I could. But they're choosing to make an example—

Carrie Moses: I will lose my job if I get a conviction. My boss wants to fire me already. And he says with an assault conviction, that's cause. And I may lose my kids, too. Oh, my ex is always revisiting custody, and he's lickin' himself over this. I cannot get a conviction, Ellenor. You promised me.

Ellenor Frutt: Carrie, listen to me. We are about to go into that courtroom. It is important—

Carrie Moses: Don't talk to me like I'm a child.

Ellenor Frutt: I am talking to a criminal defendant. Your demeanor will factor into the disposition. You need to rein yourself in. Do you understand?

Carrie Moses: You promised me.

The Practice: Conference Room

Eugene Young: Have you been dissatisfied with our performance to date?

Client: Far from it. I think you're superior lawyers, but I did come here because of Alan Shore, and now that he's gone—

Eugene Young: We certainly respect your relationship with Alan, and I realize our experience is primarily criminal, but we have become full-service with some remarkable results in civil cases against a tobacco company, against—

Client: Mr. Young, I run a securities firm. Alan Shore has much more experience with—

Eugene Young: Certainly, if you choose to go to another firm, we will honor that decision. But as your current lawyers, we have a fiduciary duty to advise you that, uh . . . **looks to Jimmy Berluti** There are many firms that can give you great service, but I must strongly caution you against going with Alan Shore.

Client: Why?

Eugene Young: It is our belief that he is unstable, that he has self-destructive personality tendencies, that he is also prone to committing unethical—sometimes even criminal—acts. You're in the securities business. You have to avoid even the appearance of impropriety. One false step can cost you and your shareholders millions of dollars. Now, of course, we would like you to stay with us. But, wherever you take your business, I would urge you again not to take it to Alan Shore.

Judge Joseph Clarke's Courtroom

Police Officer Lawrence Kale: At first she was polite, but as I told her to relocate, she became abusive.

D.A. Albert Bellamy: And what did you do then?

Police Officer Lawrence Kale: I informed her that if she wouldn't move peacefully and willingly, I'd have to physically escort her.

D.A. Albert Bellamy: And how did she respond?

Police Officer Lawrence Kale: She said something about me having sex with my mother.

D.A. Albert Bellamy: And then what happened?

Police Officer Lawrence Kale: I proceeded to physically escort her, and that's when she assaulted me.

D.A. Albert Bellamy: Officer, I have a videotape made by a bystander which I would like to play.

Ellenor Frutt: Objection.

Judge Joseph Clarke: Overruled.

D.A. Albert Bellamy: **uses remote to start the videotape** Okay. We've highlighted you and Miss Moses to make it easier to make it easier to see. This is in fact you?

Police Officer Lawrence Kale: Yes, it is. She's arguing with me at this point. Right here, I put my hand on her elbow to escort her.

On the videotape, we see Carrie Moses first remonstrating with the Police Officer Lawrence Kale, then taking a rather powerful swing at him. Judge Joseph Clarke, Carrie Moses, and Ellenor Frutt all react in turn.

D.A. Albert Bellamy: Does this tape accurately reflect what happened?

Police Officer Lawrence Kale: Yes.

D.A. Albert Bellamy: Thank you, Officer.

Ellenor Frutt: **stands** Could you tell us why the crowd was gathered on Boylston Street?

Police Officer Lawrence Kale: There was a presidential motorcade.

Ellenor Frutt: President Bush was in town?

Police Officer Lawrence Kale: Yes.

Ellenor Frutt: And why did you object to my client being in this crowd?

Police Officer Lawrence Kale: She was carrying a placard that was critical of the President.

Ellenor Frutt: So you made the decision to relocate her?

Police Officer Lawrence Kale: Yes, ma'am, acting in concert with the Secret Service.

Ellenor Frutt: The Secret Service asked you to remove my client?

Police Officer Lawrence Kale: Not her specifically. When the President travels, the Secret Service scouts the location in advance and directs local law enforcement to set up "free speech zones" or "protest zones," where those who choose to protest can assemble.

Ellenor Frutt: So you told my client she had to go 3 miles away, down by the harbor?

Police Officer Lawrence Kale: That's where the designated protest zone was, down in—

Ellenor Frutt: So, to carry a placard to protest against the President, one would have to go to a place where the President couldn't possibly see it.

Police Officer Lawrence Kale: It's an anti-terrorist policy.

Ellenor Frutt: Terrorist?

Police Officer Lawrence Kale: Yes. Terrorists pose a security risk and obviously tend to be anti-U.S., so we relocate protesters to where they won't pose a risk to the President.

Ellenor Frutt: Just so I'm clear: People with pro-Bush signs were allowed to line the streets for the motorcade; people with anti-Bush signs were either taken away or arrested.

Police Officer Lawrence Kale: Basically.

Ellenor Frutt: And when you tried to explain this to my client, she became enraged.

Police Officer Lawrence Kale: Very enraged.

Ellenor Frutt: And as a result of her rage and you trying to physically escort her, she threw a punch.

Police Officer Lawrence Kale: *nods* Basically.

Bar

Ellenor Frutt: It's stunning. Recently, two grandmothers were arrested in Florida for waving tiny handwritten protest cards outside of the designated free-speech zone.

Alan Shore: What's the point?

Ellenor Frutt: What's the point?

Alan Shore: You didn't want to have a beer to lament the demise of free speech. What's the point?

Ellenor Frutt: I know you hired a lawyer. Alan, give it some time so tempers can . . . I'd like to work this out.

Alan Shore: So would I.

Ellenor Frutt: Then you can't be sending e-mails of yourself. If you antagonize Eugene and Jimmy . . . Look, you can't get fired by two firms in one year. As brilliant as you are, your career will never recover. You need to work this out.

Alan Shore: I land on my feet, Ellenor. I could show you the bunions to prove it.

Ellenor Frutt: I need you to work this out. I can't bear the idea of going back to work with you not being there. A fight hurts everybody.

Alan Shore: I'd need to be able to bring Tara back.

Ellenor Frutt: Let's get this to the table, and we'll work it out.

Eugene Young's Office

Ellenor Frutt: All I'm asking, Eugene, is that you keep an open mind.

Eugene Young gives her a look that says, "Definitely not open."

Ellenor Frutt: Has it ever been open?

Eugene Young: I don't think it's *my* objectivity that's in question here, Ellenor.

Ellenor Frutt: Okay. I'm biased. I plead guilty. But I am speaking objectively when I say a war is bad for business—our business. Look at any law-firm divorce. Show me one where anybody has come out ahead.

Eugene Young: We'll talk to the man's lawyer.

Ellenor Frutt: Thank you.

Judge Joseph Clarke's Courtroom

Carrie Moses: I like President Bush. I voted for him before; I'll probably vote for him again. And I'm pro-war—I'm not one of those liberals. I cheered when they caught Saddam; so did my kids. They wanted to cut off his head and play soccer with it.

Ellenor Frutt: Carrie, what were you protesting that day?

Carrie Moses: The environment.

Ellenor Frutt: You're against the environment?

Carrie Moses: No, I'm *for* it. I'm very concerned about the air my kids breathe, and what I was protesting . . . See, the E.P.A. puts out some report to give the public warnings and stuff on the environment, and the Administration censored it so the public wouldn't know what they were trying to warn us about. What's up with that?

Ellenor Frutt: So you had a placard?

Carrie Moses: Saying, "Don't censor the E.P.A." And this policeman tells me that I've got to go somewhere 5 miles away from the motorcade.

Ellenor Frutt: So, when he told you this—?

Carrie Moses: I hit him. Not right away. We first had words. He said that my carrying a placard on the E.P.A. somehow made me a security risk. I said, "What about my right to assemble?" He said I got a right to assemble, but it's in another section of town. And then he got belligerent and dismissive, and that's when I made reference to him in an unfavorable light, and at that point, he grabbed me to pull me off, and on instinct, I lost it. Free-speech zone! I thought this whole country was a free-speech zone.

Courthouse Conference Room

Carrie Moses: W—what do you mean, I didn't do well?

Ellenor Frutt: You did great, but you came off a little bit gruff.

Carrie Moses: Gruff?

Ellenor Frutt: You could've left out the "Playing soccer with Saddam's head."

Carrie Moses: That doesn't make me gruff.

Ellenor Frutt: Carrie, I'm just afraid the jury is gonna read you as antagonistic. I could probably plead this out on a misdemeanor battery.

Carrie Moses: But, what about my right to protest?

Ellenor Frutt: Well, that right doesn't include punching a police officer and you don't want to go down on a felony.

Carrie Moses: You know what, Ellenor. I got rich relatives in Europe. They visit sometimes when they come to Boston to see musicians and stuff, and they're snooty.

Ellenor Frutt: I'm not sure that's relevant.

Carrie Moses: No, I'm getting to it. They're snooty about their money, about their country, about their intellectual whatever—and they look down on me. And you know what I tell them? What I say I got that they don't got? America: a true democracy. Real freedom. And I don't mean to sound like Patrick Henry and all those dead presidents.

Ellenor Frutt: Patrick Henry was never a president.

Carrie Moses: But to be able to vote, to protest, to do all the things we went to Iraq to give the Iraqi people the chance to do—it means something. I went to that motorcade to voice my opinion, nothing more. That cop told me that I couldn't do that. Now, maybe I shouldn't have hit him, but I will not plead out on this. I have not yet begun to fight. John Paul Jones or somebody said that. Was he a president?

Ellenor Frutt: No.

Carrie Moses: I can't walk away from this, Ellenor. This isn't right. And I need you to fight for me.

Conference Room: The Practice

Matthew Billings: I'm not necessarily defending him on the merits.

Eugene Young: How can that be? You're a lawyer. He hired you as his lawyer. How can you not defend him on the merits?

Matthew Billings: I don't know all the facts, Eugene, but let's assume for the sake of argument, the discharge was justified.

Eugene Young: It was.

Matthew Billings: From my understanding, some of the worst things he did, he did in the beginning, which you knew about, which means he may have some *estoppel* arguments.

Jimmy Berluti: Just because we may have known some of the stuff he was up to, that doesn't mean we sanctioned it.

Matthew Billings: I'm not suggesting that.

Eugene Young: Then what *are* you suggesting?

Matthew Billings: You took the money.

Both Eugene Young and Jimmy Berluti remain silent.

Matthew Billings: It doesn't seem fair that you would profit from the very conduct you're now citing as the cause.

Eugene Young: I'm done.

Matthew Billings: Done? You just sat down.

Eugene Young: Let the man sue if he thinks he has a case. I'm ready.

Matthew Billings: That kind of emotion suggests that you might be personalizing this a little.

Eugene Young: Take a look around, Mr. Billings. This is a firm I've given the last 15 years of my life to. Your client, Alan Shore, devalued that. I take it personally. I'm not ashamed to take that personally.

Eugene Young turns to walk out, and opens the door to find Alan Shore on the other side.

Alan Shore: All you need to know, Eugene—I won't lose.

Eugene Young: As senior partner, I recognize it would be in the best interest of the firm to work this out quietly and quickly. But you know what? Let's fight, Alan. I want to go to court, lower myself into the trenches, and have the kind of street war I'm capable of. But not to worry. **punctuates by pounding Alan Shore's arm** 'Cause you won't lose.

Tara Wilson's Apartment

Tara Wilson: My advice is to walk away. **obviously drunk** Hey, you and I could start a firm! Assuming I pass the bar, that is. Think of how exciting that would be! What is with my head? I'm feeling drunk. Is it possible to get drunk on one shot of liqueur?

Alan Shore: Probably not, but I've been pouring vodka in your drink, so—

Tara Wilson: Alan . . .

Alan Shore: I was hoping it would lead to intercourse. In times of stress, I find solace in warm, dark places.

Tara Wilson: Slipping me liquor to get me into bed—that's date rape.

Alan Shore: *laughing* Oh, don't be so trendy.

Tara Wilson: No, really; it's not funny. Is that the reason why you showed up here?

Alan Shore: I wouldn't have actually slept with you, Tara. It's more about knowing I can. It's the conquest with no fear of infection.

They trade looks.

Tara Wilson: Alan, are you interested in a relationship with me? You needn't worry about it happening. I'd never actually let it. So I'm offering you a rare bite at honesty. Are you interested in me?

Alan Shore: I find you very interesting. You and I would last a week, Tara. It would be an absolutely glorious week, but no. **downs an entire glass of vodka** I'm only here now because Ellenor's in trial, and I hate getting drunk alone. I do have a friend, though.

Tara Wilson: A friend?

Alan Shore: She saw me with you one night, and she couldn't stop going on and on about what it must be like to kiss you.

Tara Wilson: Your friend's a she, even.

Alan Shore: She had some ridiculous idea that . . . I don't know . . . those lips were different from . . . "Lips are lips," I said, "And since most people close their eyes while kissing, it really doesn't matter who or what—"

They are very close, and very drunk, and gazing at each other, and—

Alan Shore: More vodka? **pours some for himself, breaking the mood**

Tara Wilson: You seem a little fragile.

Alan Shore: **downing the whole finger or so of vodka he poured** Paul did it, you know.

Tara Wilson: I'm sorry?

Alan Shore: Paul Stewart. He killed Brenda Wilbur. Everything turns out badly in the end. That's the only life lesson one needs. Anyway, I'm sorry to have intruded. **gets up to leave**

Tara Wilson: **shocked** I don't think you should drive.

Alan Shore: **putting on his overcoat** I took a car. It wasn't mine, so I'm sure the police are out there, but they'll give me a lift.

Tara Wilson: You do know that you and I wouldn't work.

Alan Shore: I do. You're not nearly tawdry enough for me. Good night.

They kiss goodnight.

Tara Wilson: For your friend, and whoever else might be curious. **opens the door** Good night.

Alan Shore: **walking out, he turns once he is past the threshold** Tara. Relax—I don't want the key to your heart—just the office.

Tara Wilson: Excuse me?

Alan Shore: They changed the locks, but the master key should still work. And you have it—don't you, Tara?

The Hallway Outside of the Practice

Jamie Stringer: Did you call Eugene?

Lucy Hatcher: I had to; I can't get in. I considered calling the police.

Eugene Young, followed by Jimmy Berluti, exits the elevator at the end of the hallway.

Lucy Hatcher: I got here at eight. It was already like this.

We see the name on the door: 306 ALAN SHORE and Associates, Attorneys at Law. As Eugene Young tries to open the door:

Lucy Hatcher: It's a new lock, and a new master.

Jimmy Berluti: This is trespassing. We can arrest him for this.

Alan Shore: **opening the door** Oh, hello. Gosh, we're not open yet. Please come back at nine. **slams door**

Jimmy Berluti: **looking at his watch** It's almost nine.

Eugene Young: Jimmy, file a trespassing report with the police. Jamie, Lucy, let's draft a T.R.O. He's in there collecting client files.

Alan Shore: Now, then. Who has business? **pause as he faces down Eugene Young and Jimmy Berluti** Perhaps a slight explanation is in order. I'm invoking the doctrine partnership by *estoppel*. It's a well-defined theory under Massachusetts law; I'm sure you know it. Given the huge imbalance with respect to billables, I took it upon myself to declare me senior partner. Imagine. Good news is: I've decided to keep you on, Eugene, in an associate position. Bad news, Jimmy—it's not working out.

Eugene Young: Get out of my firm.

Alan Shore: *Your* firm? You pay office rent, Eugene. You lease the equipment. As for the clients—keep yours; I’ll keep mine. Let’s do the math.

Eugene Young: I will physically throw you out.

Alan Shore: Please do.

Jamie Stringer: Hey, come on. Look, Alan, obviously you’re trying to provoke something. What? You think you have a better legal case if Eugene attacks you?

Alan Shore: It wouldn’t get worse.

Jamie Stringer: This is ridiculous. Challenge the firing if you want, but you can’t just break in, change the locks, and take over the firm.

Alan Shore: I did take over the firm while I was here, so— *shrugs*

Jamie Stringer: Okay, fine. If that’s true, have a judge declare it. But this is like some military coup. Be reasonable.

Alan Shore: I’m persuaded. *turns and picks up his overcoat from a chair next to the door* I’ll let the judge decide. *exits past them to the elevator*

Jimmy Berluti: What the hell—

Eugene Young: He obviously got what he came for.

Judge Joseph Clarke’s Courtroom

Ellenor Frutt: On March 7th, there was a Presidential motorcade in Boston. Hundreds of thousands of people came out, some carrying signs in support of the Commander-in-Chief, some waving placards in protest. The ones protesting were removed under the threat of arrest. The ones in support were allowed to stay. What’s happening to us? I realize we live in a different world since 9/11. Certain liberties we just have to forfeit. Search our luggage at airports, conduct racial profiling, put up cameras to watch us on street corners—none of us like any of it, but we have to understand. But silence our voices? Make it a crime to engage in political dissent? Segregating people based on the content of their ideas? And it’s not just going on in the government. Let’s look at television—the Super Bowl, for example. They bombarded us with ads on beer, erectile dysfunction. It’s okay to see dogs biting crotches, and farting donkeys, let alone the half-time show. But a spot containing political content—that has to be shut down. What is happening to this country? Historically, we have always been a nation that has championed the idea. Today, if the government doesn’t like your idea, you can be cordoned off to a designated zone, where it is guaranteed to get no exposure. It goes against America, against the Constitution, against the principles we fought for in every war throughout our nation’s history. Of course, Carrie Moses felt rage! Where’s yours?! Where’s yours, and yours? Edward R. Murrow once said, “We must never confuse dissent with disloyalty.” We have either become a country of oppression, or we are just very, very confused. As Carrie herself said, “Free-speech zone? Why isn’t the whole country a free-speech zone?” *turns and walks back to table*

D.A. Albert Bellamy: Miss Moses punched a police officer. The crime she committed was assault, for which she has no defense, by the way. Which, of course, is the reason Miss Frutt just filibustered all of us on the principles of individual freedoms. But since Miss Frutt has raised the constitutionality of the free-speech zones . . . We live in a country where presidents get attacked. In my lifetime, I saw President Kennedy get shot; his brother, Robert, assassinated running for President. President Ford was *nearly* shot. President Reagan *was* shot—and that was before 9/11. The whole terrorist world would love to see President Bush dead. Vice President Cheney has to live in secret hiding, so real is the threat. Are we really being that unreasonable to impose strict security measures—perhaps even over-reaching ones? Now, just like Miss Frutt, I would love to go back to the world that we used to live in. Where we didn’t have yellow, orange, and red alerts. We didn’t have to x-ray people’s shoes at airports, where we didn’t have to guard bridges. The New York police force currently is going through training in preparation for a nuclear attack. Of course it’s nice to lament the loss of our old world. But we have to live in this one.

Hallway of Crane Poole & Schmidt

Matthew Billings and Alan have just arrived by elevator.

Matthew Billings: You tell me want to settle, then you break into their office.

Alan Shore: Only to download the books.

Matthew Billings: That’s illegal. And why did you change the name on their door?

Alan Shore: Okay. That part was fun.

Matthew Billings: I’m not going to represent you, Alan, if this is how you’re going to behave.

Denny Crane: What with the red tie, soldier?

Matthew Billings: Denny.

Alan Shore: I beg your pardon?

Denny Crane: Around here, we were cold ties—blue, black. Hard colors, tough colors. Red is soft. Soft does not work around here, sailor.

Matthew Billings: This is Alan Shore, Denny. He's not an attorney here; he's a client.

Alan Shore smiles a little.

Denny Crane: Oh. Red's a soft color, pilgrim. **shakes his head; walks away**

Alan Shore: That's Denny Crane? *The* Denny Crane?

Matthew Billings: Don't be fooled. Once he's in the courtroom, he's every bit the icon. Now, can we get back to you?

Alan Shore: They moved for a T.R.O. before Judge Gleason tomorrow.

Denny Crane: What's this I hear on Ryan?

Matthew Billings: He's holding at 120. His attorney's due in any second.

Denny Crane: Send him into my office, will you?

Matthew Billings: Yeah.

Denny Crane: Good man—Gleason. Shot ducks with him on Saturday. He's a good man. **exits**

Matthew Billings: As you can see, I'm in the middle of something, so maybe we should just resched—

Alan Shore: **following Denny Crane down the hallway** Mr. Crane—Denny. Hello. **shaking Denny Crane's hand** Alan Shore. **pointing at his red tie** Warm tie.

Denny Crane: Oh, sure. I know who you are. I just spoke to you.

Alan Shore: Excellent. I wasn't sure I made an impression. Did I hear you say you duck hunt with Judge Gleason?

Denny Crane: Yeah. Good man. Great shot. You shoot?

Alan Shore: Do I shoot?

Denny Crane: Mm.

Alan Shore: Huh, let me tell you. Do I shoot. Can I talk to you for a minute?

The Practice

Ellenor Frutt enters, noticing the "name on the door."

Ellenor Frutt: **pointing over her shoulder** Why does the door—?

Lucy Hatcher: Don't ask.

Ellenor Frutt: What happened?

Lucy Hatcher: He got the master key—we think from Tara. He downloaded the financial records and accounts receivables. He also—

Ellenor Frutt: Also what?

Lucy Hatcher: All of our clients go this e-mail.

Lucy Hatcher double-clicks on an e-mail account screen on her laptop. It's a cartoon of Jimmy Berluti, trousers going up and down, to reveal boxer shorts, with the voice over: Alert! Wardrobe malfunction! Alert!

Ellenor Frutt: Where's Eugene?

Lucy Hatcher: He's in his office. We have a T.R.O. scheduled for tomorrow.

Eugene Young's Office

Eugene Young is studying and preparing files and legal briefs. Ellenor Frutt enters; closes the door.

Ellenor Frutt: He took records?

Eugene Young: Yep, and he mangled our system so we're having trouble pulling stuff up.

Ellenor Frutt: I'm sorry for . . . **sighs** Do you blame me for this?

Eugene Young: You vouched for the man.

Ellenor Frutt: I certainly didn't think—

Eugene Young: You vouched for his character, and after all the crap he's pulled—he's now broken into our office, stolen files—

Ellenor Frutt: Eugene—

Eugene Young: You spoke for that man's character, and he's held us up to disgrace. Now we're going to have to endure a big public spectacle of— **chuckles ironically**

Ellenor Frutt: I certainly didn't see this coming.

Eugene Young: That's the difference between us. I did. And I still— **shakes his head**

Ellenor Frutt: So, what's happening now?

Eugene Young: What's happening now is we're going into court, trying to enjoin him from taking any of our clients. What's happening now, Ellenor, is the beginning of a war. And what's happening now—you have to choose a side. You can't be on the fence anymore.

Ellenor Frutt: Eugene, you know I'm on your side.

Eugene Young: Do I? We need to vilify this man in open court, Ellenor. Look me in the eye and tell me you're prepared to do that.

Denny Crane's Office

Alan Shore: Partnership by *estoppel*—we get the court to declare me as a partner. There's precedent under Massachusetts law.

Denny Crane: Are you Jewish?

Alan Shore: Am I Jewish?

Denny Crane: Best bet—we argue they fired you because you're a Jew. No defense against that.

Alan Shore: Well, I would ordinarily agree, but they didn't fire me for that, and I'm not Jewish.

Denny Crane: I didn't hear that.

Stanley Brenner: **knocks on the door, then enters** Mr. Crane? Stan Brenner. Matthew Billings said you wanted to see me?

Denny Crane: Yeah. Come in.

Stanley Brenner closes the door.

Denny Crane: I'm told you're holding at 120. The man died, son.

Stanley Brenner: Well, as I explained to Mr. Billings, there are some serious liability problems.

Denny Crane: I don't want to hear about liability problems. Did Mr. Billings explain that Marie Sinett is one of my oldest and dearest friends? That I'm like a brother to her late husband?

Stanley Brenner: It was actually the brother who died; not the husband.

Denny Crane: Really? You know what? Medical records aside, if Denny Crane tells the jury it was the husband, they'll believe it was the husband. I play poker with Charlie Levine. Charlie still head up litigation at your firm?

Stanley Brenner: Yes, he does.

Denny Crane: **to Alan Shore** Hell of a guy, Charlie.

Alan Shore nods, smiles.

Denny Crane: **arises, walks around desk** Listen. We're going to raise your last counter to 142, and I'm going to whisper in Charlie's ear what a fine young associate he's got in you. And Charlie respects my opinion. You know why? Not because we're friends, but because I'm Denny Crane.

Alan Shore looks surprised.

Denny Crane: You knew that, didn't you? Denny Crane? **chuckles and squeezes Stanley Brenner's cheeks** Good-looking kid. I'll bet later tonight you'll be on some barroom stool trying to finesse your way into some legal secretary's panties. You wanna get there faster, son? Tell her earlier you held court with Denny Crane. **nods** Denny Crane. **chuckles**

Hallway Outside Denny Crane's Office

Denny Crane is sitting on his desk, talking on the phone.

Alan Shore: He's a whack job.

Matthew Billings: He's eccentric.

Alan Shore: Eccentric? He's asking me to plead Jewish.

Matthew Billings: You hired him.

Alan Shore: Why didn't you stop me?

Matthew Billings: You went running off before I even—

Alan Shore: You need to argue this motion.

Matthew Billings: Alan, I promise you, once he stands up in court—

Alan Shore: What? Once he stands up in court what?

Matthew Billings: He's Denny Crane.

Alan Shore: Oh, my God.

Matthew Billings: No, really.

Alan Shore gives Matthew Billings quite a look.

Matthew Billings: He's Denny Crane.

Denny Crane's Office

Denny Crane: What do you mean, *you'll* do the arguing?

Alan Shore: Since I know the case best, I thought—

Denny Crane: You hired Denny Crane.

Alan Shore: I did, and I want to reserve your thunder for later. For now, I want you to sit there as the big cannon. I want your aura. I want you to exude the power of esteemed, noble duck hunter.

Denny Crane: You don't want me to talk?

Alan Shore: Not this early in the case. It would be premature. For today—look, I’ve got my dark tie on. I’m ready.
Denny Crane shakes his head once., and looks skeptical.

Judge Joseph Clarke’s Courtroom

Carrie Moses: I’m feeling nervous. How much longer?

Ellenor Frutt: Soon.

Carrie Moses: I’m feeling nervous.

Judge Joseph Clarke: Madam Foreperson. The jury has reached a unanimous verdict?

Madam Foreperson: **arises** We have, your Honor.

Judge Joseph Clarke: Will the defendant please rise?

Ellenor Frutt and Carrie Moses stand together.

Judge Joseph Clarke: What say you?

Madam Foreperson: Case number 75421, in the matter of the Commonwealth vs. Carrie Moses, on the charge of aggravated assault against a police officer, we find the defendant, Carrie Moses, guilty.

Carrie Moses: Piss!

Judge Joseph Clarke: Miss Moses, you’ve been found guilty. Now on a matter of sentencing—

Ellenor Frutt: Hold on. We’re doing sentencing *now*?

Judge Joseph Clarke: Yes, we are, Miss Frutt. The crime for which you have been convicted is very serious, and the court takes it seriously, and accordingly, I sentence you to eight years to be served at Cedar Junction.

Ellenor Frutt: Eight years, maximum security?

Judge Joseph Clarke: People need to know they just can’t go around openly criticizing our government, eroding our national unity. This is America, Miss Moses. You dissent, you go to prison. Eight years; Cedars. Adjourned.

bangs gavel

Ellenor Frutt and Carrie Moses look shocked. Even D.A. Albert Bellamy looks somewhat taken aback.

Carrie Moses: Ellenor, I’ll lose my kids. I mean, how could he do that? How can I—

Ellenor Frutt: Take it easy, Carrie. That ruling was tailor-made for a reversal. It’s almost as if he wanted to—

Ellenor Frutt suddenly realizes why the judge assessed that severe a penalty, and she looks at Judge Joseph Clarke. Ellenor Frutt nods acknowledgement, and Judge Joseph Clarke nods to her, then goes to his chambers.

Judge Harvey Gleason’s Courtroom

Eugene Young and Alan Shore are standing before Judge Harvey Gleason.

Eugene Young: The fact that Mr. Shore broke into our offices during the dark of night to illegally access our computer records, to steal and download financial information—this conduct is evidence of his moral turpitude, and accordingly—

Alan Shore: Objection to the word, “turpitude.” I don’t know what it means, and I especially don’t like “moral.” It’s ambiguous.

Judge Harvey Gleason: Mr. Shore, you’ll get your turn.

Eugene Young: He’s mocking these proceedings the same way he mocked our firm—the way he mocks the law.

Alan Shore: Objection to the term, “law-mocker.”

Judge Harvey Gleason: Mr. Shore, are you taking this seriously or not?

Alan Shore: Your Honor, the firm was dying. Its name partner, Bobby Donnell, walked out the door. They were hemorrhaging. I saved their collective asses.

Eugene Young: That is categorically false.

Alan Shore: I’ve seen the books, Eugene. You remember—I stole them.

Eugene Young: Our firm has always been financially viable. Our financial health has now been jeopardized by byt him. **gestures at Alan Shore**

Alan Shore: **gesturing in kind** Your Honor, this man is a chest-thumper. Watch.

Eugene Young: Yes, I chest-thump over ethics. Yes, I do.

Denny Crane: **standing** Hold on there, son. Denny Crane.

Eugene Young: I’m not finished.

Denny Crane: Nine million dollars.

Judge Harvey Gleason: I beg your pardon.

Denny Crane: Al Shore’s billables exceeded \$9 million—that in a period of seven months—beating all the other lawyers combined by about 6.5. After they accepted the money, after Al brought in clients amounting to 80% of the corporate business, they threw him out. No profit participation; just a check for \$15,000. It will be a testament to Mr. Young’s power of persuasion if he can make that sound good. So I, like you, am looking forward to what he has to say. Denny Crane. **sits**

Courthouse Conference Room

Alan Shore: It's not that I didn't appreciate your riveting performance, but I've mainly retained you to sit at the table as honorary friend of judge.

Denny Crane: Let me tell you something, tiger.

Alan Shore: Tiger?

Denny Crane: You want Denny Crane to talk. When Denny Crane talks, E.F. Hutton listens. My presence alone—my presence is so powerful, I don't even have to talk. Sometimes I'm better when I don't talk.

Alan Shore: This was my thinking.

Denny Crane: I'm Denny Crane, damn it!

Alan Shore nods, gestures "See? There you have it."

Matthew Billings: *opens door and walks in* The judge is back.

Judge Harvey Gleason's Courtroom

Judge Harvey Gleason: Well, Mr. Shore, your going into the files, changing the name on the door, futzing up the computers so they can't access records—that was real low, dirty, sneaky, sleazy thing to do.

Alan Shore: *quietly* But . . .

Judge Harvey Gleason: But it begs the question: Whose firm is it really? A law firm isn't just a name; it's a business. Most of the business seems to be Alan Shore's. Without a contract, we need to hear evidence. I haven't got enough before me to find likelihood of success on the merits for either side, so no injunctive relief will be ordered today. I'm scheduling an evidentiary hearing for next week. We'll reconvene on Monday, ten o'clock. We'll take off our gloves and have at it. After that, I suspect some of you will be in business, and others won't. Until then.