

## The Practice

### New Hoods on the Block

#### Season 8, Episode 21

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Airdate: May 2, 2004

Transcribed by Sheri for boston-legal.org [version updated July 2, 2006]

Hallway of Crane Poole & Schmidt

**Sally Heep:** Alan, hold up. Yo.

**Alan Shore:** Did you just say, “yo”?

**Sally Heep:** I’m very upset. I thought we had a kinda—you know?—thing going?

**Alan Shore:** A thing?

**Sally Heep:** Yes, a thing. We kissed. That’s a . . .

**Alan Shore:** You kissed.

**Sally Heep:** And you received, and we danced, you grabbed my ass, you—you saluted my quest to be myself.

That at least adds up to a potential thing that needs to be dealt with.

**Alan Shore:** Sally, when I told you I was attracted to professional women I truly meant . . . professional women.

**Sally Heep:** I’m not accepting that.

**Alan Shore:** You’re not accepting it?

**Sally Heep:** You like me. I can always tell when a man has feelings for me. I don’t care how much you try to kid yourself, you’re not fooling me. **turns and walks away**

**Alan Shore, now in front of an office, sees Tara Wilson coming out of said office. Tara Wilson walks past him, exchanging looks of interest.**

**Denny Crane:** Tara? Denny Crane.

**Tara Wilson:** I’m ahead of you there.

**Denny Crane:** Wonderful news. Had breakfast this morning.

**Tara Wilson:** You must be beside yourself.

**Denny Crane:** Oh. No, that’s not the news. Had breakfast this morning with general counsel of perhaps one of the leading car manufacturers of this country. You know who that is?

**Tara Wilson:** America?

**Denny Crane:** We’re taking over their S.U.V. cases, which is beyond huge. I want Hannah, Alan, you—of course—in my office at 1400 hours.

**Tara Wilson:** Aye, aye.

**Denny Crane:** Denny Crane.

[credits]

Corner Deli

**Jimmy Berluti and Suzy Paponi are carrying their breakfasts to a table.**

**Cook:** *rings bell* Order up!

**Suzy Paponi:** I’m not gonna tell you your business, Jimmy, ‘cause I know that’s not my place. But you gotta stand up to this guy.

**They both sit down.**

**Jimmy Berluti:** I did.

**Suzy Paponi:** No, you didn’t. Manny did. You didn’t do anything.

**Jimmy Berluti:** And what should I have done, Suzy?

**Suzy Paponi:** Again, not my place. But this is the street. It’s not some fancy Beacon Hill office. I asked around. That fat slob has bullied every lawyer that’s tried to come in here, and he intimidates clients, too. I talked to my mother. She says he’s a coward.

**GiGi Cooley:** Excuse me, Jimmy? Excuse me. **sits down next to Suzy Paponi** I’ve been playin’ this interrogation thing over and over in my head, Jimmy, and, well, I think maybe the police did coerce me. I mean, what I said wasn’t totally voluntary.

**Jimmy Berluti:** Okay. How so?

**GiGi Cooley:** Well, they attached these tiny little electrode thingies to my privates, and they would zap me if they didn’t like my answers. It made me react all involuntary and . . .

**Jimmy Berluti sits back in his chair, nodding knowingly.**

GiGi Cooley: What?

Jimmy Berluti: Manny told you to say this.

GiGi Cooley: He said they torture, that they're doin' this kind of thing in the Guatemala Bay area.

Jimmy Berluti: Guantanamo Bay. GiGi, I am not going to lie. If the day comes I decide to lie, it won't be with one of Manny's ridiculous concoctions.

GiGi Cooley: I love him, Jimmy, and, well, he won't take me back, and if you can get this thing to go away, well then, maybe I can get him to forgive me.

The Practice—Common Area

Kevin Stadler: I just think you should have counsel.

Eugene Young: The commission wants to hear from *me*, not my attorney. Plus, you can advise me if I need help.

Kevin Stadler: No, I cannot. I'm on the Nominating Committee. It would be total . . .

**Ellenor Frutt is behind them, looking as if she wishes to speak.**

Eugene Young: Ah. Advise me now then.

Kevin Stadler: All right. It could get very political. The main thing for you is to impress them with the idea that you will uphold the law. As a defense attorney, you could be viewed as being potentially soft on crime. You do not want to be viewed that way.

Ellenor Frutt: I could come with you.

Kevin Stadler: I think that would be very wise. Also, the death penalty.

Eugene Young: What about it?

Kevin Stadler: If it comes up—and it may—you'll have to finesse this. Romney is looking to impose it.

Eugene Young: And what? I'm required to agree with that?

Kevin Stadler: No. You simply say that you're bound to uphold the law; that as a judge, you will uphold the law, and get out. This is critical, Eugene. Is finesse in your arsenal?

**Eugene Young, arms crossed, is carefully considering this question.**

Conference Room at Crane Poole & Schmidt

Denny Crane: First thing we need to do is develop a strategy. These vehicles still roll. It's a growth industry, and I want to capture it. We need a strategy. Hannah, I'd like you to come up with an overall . . . What's the word? Uh . . .

Hannah Rose: Strategy?

Denny Crane: Exactly. Alan. Turns out, our first case comes up for trial in June. Your former colleague is handling it. That big-boned woman from your old firm—the one that scares me.

Alan Shore: Ellenor Frutt.

Denny Crane: Mmm. Our client will no doubt be evaluating us in this first case. I'd like you to take it, since . . .

Alan Shore: I'm afraid I can't.

Denny Crane: Why not?

Alan Shore: Ellenor's a friend. I'm not trying cases against her.

Denny Crane: Son, success is never so sweet as when we can crush a friend in the process.

Alan Shore: Just the same.

Denny Crane: Hannah? You don't have friends, do you?

Hannah Rose: None.

Denny Crane: Excellent. Tara, see that Hannah gets what she needs. I believe that covers it. Anything else?

Alan Shore: *whispers* Your name.

Denny Crane: Oh, yes. **pause as he readjusts posture and facial expression to give more import to the words** Denny Crane.

**Alan Shore nods, the same facial expression on his face.**

Denny Crane: Dismissed.

**Tara Wilson gives Alan Shore a look.**

Reception Area of Jimmy Berluti's Office.

**Clients are waiting to be seen.**

Jimmy Berluti: Manny.

Manny Quinn: I can't go flippin' Charlie Andretti, Jimmy. I mean, we need to come up with a solution that allows me to go on living.

Jimmy Berluti: I will not be saying the Feds attached electrodes to your girlfriend's genitalia. Now stop being an idiot!

**Manny Quinn looks hurt at being called an idiot.**

Jimmy Berluti: I'm sorry. I didn't mean that.

Manny Quinn: You know I got labeling issues.

Jimmy Berluti: I'm sorry. She wants you back, you know. GiGi.

Manny Quinn: **shakes his head; not this again** Aww . . .

Jimmy Berluti: Manny, sometimes the toughest thing in the world to do is forgive. And sometimes, the more you love somebody, the harder it is.

Manny Quinn: What are you "Dear Abby" now?

**Ralph "Spinny" Spinnachi enters, head and hand bandaged, elevating the hand.**

Jimmy Berluti: Spinny! What happened to your head?

Ralph "Spinny" Spinnachi: Ten guesses.

Jimmy Berluti: The Fish.

Ralph "Spinny" Spinnachi: Not personally, but his name did come up between kicks. I gotta fire you, Jimmy.

Jimmy Berluti: Spinny, I will talk to him.

Ralph "Spinny" Spinnachi: He's got me by the *cogliones*. I'm into this guy for 25 hundred, plus juice.

Jimmy Berluti: He's juicing you?

Ralph "Spinny" Spinnachi: Yeah, point and a half.

Jimmy Berluti: Well, does he do this with everybody?

Ralph "Spinny" Spinnachi: Hey! If I borrowed from a loan shark, I'd be payin' *five* points a week. That's, of course, if I was to pay him.

Jimmy Berluti: Suzy, cancel this afternoon's appointments.

Suzy Paponi: What appointments? People just walk in here.

Governor's Judicial Council Hearing Room

**A seven-person panel is occupying the bench.**

Woman Council Member: Do you see yourself bringing any particular judicial philosophy to the bench?

Eugene Young: I would like to see the courts, and specifically judges, show respect for the law.

Woman Council Member: You think that's currently a problem?

Eugene Young: A big one. We've got overcrowded dockets, and more and more judges are becoming slaves to expediency. More and more, the Constitution is being molded and manipulated to fit a judge's political or moral point of view. Uh, it has to stop.

Mr. Richmond: I can see your firm has handled several capital cases out of state, each time taking a position against the death penalty.

Eugene Young: **looking at Ellenor Frutt** Uh, we're a defense firm. Our clients tend to disfavor being executed.

Mr. Richmond: Fair enough, but as a judge, would you impose the death penalty, should it ever become law in this state?

Eugene Young: No.

Mr. Richmond: Why not?

Eugene Young: One—I consider human life to be intrinsically sacred, and I do not believe the state should engage in the systemized taking of human life. Two—Our judicial system is flawed. We wrongly convict over 10,000 people a year, some of whom are sentenced to die. Now, you can always release an exonerated man from prison, but bringin' him back from death has proven to be trickier. D.N.A. has already cleared a hundred men, many on death row. Clearly, something isn't working.

Woman Council Member: And what would you say, Mr. Young, to the mother whose five-year-old daughter has been raped and murdered?

Eugene Young: I would say, if it were my daughter, I'd like to kill whoever did it myself. And if I ever came face-to-face with the guy, I couldn't guarantee any of you that I wouldn't kill him. But if I did, it would be wrong. And for the state to kill reflectively, absent emotion, on ceremony, it is not right. And if I might add, one of the biggest problems we have today—our children are being raised in a culture that not only condones revenge, but perhaps even celebrates it as a societal good. It's wrong.

The Practice: Common Area

**Eugene Young and Ellenor Frutt enter.**

Ellenor Frutt: I don't understand, Eugene. Do you not want to be confirmed?

Eugene Young: I want to be confirmed for who I am, not who they want me to be.

Ellenor Frutt: Come on. You can't possibly be so pigheaded that you . . .

Eugene Young: What did you say?

Ellenor Frutt: Eugene. Can we please have an honest conversation here? Do you want this judgeship or not?

Eugene Young: *sighs; long pause* I want it desperately.

Ellenor Frutt: Then why behave so . . . I truly don't get it.

Eugene Young: My brother went to jail for a crime he didn't do. You know this. He died in prison.

Ellenor Frutt: And?

Eugene Young: *rolls his eyes* But . . . And since that day, I made a vow. Ah, the best way to fix the justice system is up there on the bench, and . . . eh . . . I think the reason I want it so bad, Ellenor, it's because . . . it's the same thing that makes me so angry when I think of what happened to my brother and . . .

Ellenor Frutt: Then get there, Eugene. Get there for your brother.

***They are interrupted by knocking on the door; Hannah Rose enters.***

Hannah Rose: Hello. Uh, I'm looking for Ellenor Frutt.

Ellenor Frutt: I'm Ellenor Frutt.

Hannah Rose: Hi. I'm Hannah Rose. We just took over the Lansing Motors case. We now represent the defendants. ***unzips her briefcase and pulls out a business card***

Ellenor Frutt: Oh. ***takes her business card; reads it***

Hannah Rose: I'm from Crane Poole & Schmidt, where Alan Shore works. And while I know things ended badly between Alan and this firm, and I thought to avoid getting off on an acrimonious foot, I'd just come by and introduce myself.

Ellenor Frutt: Actually, Alan and I remain friends.

Hannah Rose: Oh, well, that's a relief to know. I am not a huge fan of contention.

Ellenor Frutt: And you chose a career in litigation.

Hannah Rose: I look at it more as dispute resolution. Anyway, toward that end, I was reviewing your motion to compel productions of documents. I believe prior counsel was a little withholding, as you suspected, and I intend to have all documents delivered by the close of business.

Ellenor Frutt: ***a bit surprised*** Thank you.

Hannah Rose: Anyway, it was nice to meet you. ***shakes Ellenor Frutt's hand and exits***

Ellenor Frutt: ***turns to Eugene Young*** She seemed nice.

Reception Area of Crane Poole & Schmidt

Sally Heep: Alan. Yo. Again. ***chuckles*** Tonight's lousy for me. Hannah assigned me some research on the S.U.V. case, so we'll have to make it tomorrow night.

Alan Shore: Make what tomorrow night?

Sally Heep: Our dinner. Didn't I tell you we were having dinner?

Alan Shore: No, Sally, you forgot to mention that.

Sally Heep: Well, now you know.

Alan Shore: Wait a second. Yo!

***Tara Wilson is standing in front of a desk and looks at Alan Shore.***

Alan Shore: I swear. I had nothing to do with that.

Tara Wilson: Go to dinner with her, Alan.

Alan Shore: I—I thought you wanted me to ask you to dinner. ***starts walking toward the desk***

Tara Wilson: Perhaps I do. But I'm speaking in your interests now, and your interests seem to lie with her.

Alan Shore: Don't be ridiculous. She's a child—it would be a violation of my parole to have dinner with her.

Tara Wilson: You see, here's what you need to know. ***walking around the desk toward Alan Shore*** Is that you like her and you don't like yourself. With her, you get to remake yourself—at least somewhat.

Alan Shore: ***squinting, as he struggles to understand Tara Wilson's last statement*** I thought you wanted me to ask you to dinner.

Lenny Pescatore's Office

**There are men sitting on chairs on the sidewalk outside of Lenny Pescatore's office. Jimmy Berluti walks briskly to the door, opens it, and enters the office, where more potential clients are sitting.**

Eileen: All right. I'll give him the message.

Jimmy Berluti: Is he in there?

Eileen: He's with a client.

Jimmy Berluti: Tell him Jimmy Berluti is out here, and he's very angry.

Eileen: I know who you are.

Lenny Pescatore: Go on. I'll call you if I hear anything.

Man: Thanks, Len.

Lenny Pescatore: You got an appointment?

Jimmy Berluti: I just saw Spinny.

Lenny Pescatore: Good for you. **to Eileen** Who's next?

Eileen: Mr. Terranova.

Jimmy Berluti: He's got seven stitches above his eye.

Lenny Pescatore: Some people shouldn't drink and walk. **turns away from Jimmy Berluti and motions for Mr. Terranova to follow him** Come on in, Mr. Terranova.

Jimmy Berluti: What kind of a lawyer are you? You're supposed to be helping people, not . . .

Lenny Pescatore: Look. I'd like to hear you pontificate, but as you can see, I've got clients to take care of.

Jimmy Berluti: Do they know that you charge interest on what they can't pay up front?

**Gasps from potential clients in the waiting room.**

Jimmy Berluti: **handing out business cards** Here. Whatever he's chargin' you, I'll do it for half.

Lenny Pescatore: **walks to the door and opens it** Rocco!

Jimmy Berluti: No juice.

Rocco: **enters** Okay, everybody out! Come back in an hour.

Woman Council Member: Why?

Rocco: Vermin infestation. Come on. Let's go. Andiamo!

Mr. Terranova: What about my appointment?

Lenny Pescatore: We plead no contest. You pay the fine and me, it all goes away.

Jimmy Berluti: What are you doin'?

Lenny Pescatore: Eileen, wait in the office.

Eileen: Lenny . . .

Lenny Pescatore: Now! And close the door.

Jimmy Berluti: Raise a finger, and I'll have you before the B.B.O. before you can light your next cigar.

Lenny Pescatore: We'll see how much speech you got when your jaw's wired.

Jimmy Berluti: Wait. Just wait a second. I want to be perfectly clear as to what's about to happen here.

Lenny Pescatore: You haven't been away from the neighborhood that long, Jimmy. You know what's about to happen! Get him.

**Jimmy Berluti sprays pepper spray in both their eyes, and runs out of the office.**

Lenny Pescatore: You're a dead man, Jimmy! You're dead! You don't know who you mess with!

Governor's Judicial Council Hearing Room

Mr. Richmond: Now where I'm troubled is in your own firm—if I'm to believe statements made by you under oath—you had an attorney who engaged in egregiously unethical, if not criminal, conduct.

Eugene Young: I assume you're referring to Alan Shore?

Mr. Richmond: **nods** "Concealing evidence . . . **Eugene Young looks at Ellenor Frutt** . . . blackmail, extortion, assuming false identity, suborning perjury."

Eugene Young: We certainly did not authorize Mr. Shore to commit these infractions.

Mr. Richmond: But you let it go on.

Eugene Young: No. No; we fired him.

Mr. Richmond: After several months of this behavior, after profiting from this conduct—profit in the amount of nine million dollars. Now, that's dirty money, Mr. Young.

Eugene Young: We attempted to sanction Mr. Shore's behavior many times and . . .

Mr. Richmond: But you let it go on, and only after you got rich from this unethical behavior—only then did you attempt to shut it down.

Eugene Young: That is totally false. And maybe this would be a good time to point out that if I were to become a judge, my style would be to hear evidence before I started making conclusions, especially the unfounded kind.

Woman Council Member: You seem to have a temper.

Elevator

Eugene Young: It's over, Ellenor.

Ellenor Frutt: Not necessarily. Especially with that positive attitude.

Eugene Young: The idea that they want me for a judge—with everything that's goin' on at our firm?

Ellenor Frutt: Your personal reputation has . . .

Eugene Young: Look, don't handle me, please.

Ellenor Frutt: If this is about your brother and vindicating an injustice done to him, then rise up with your best in that room. You haven't done that yet.

Eugene Young: Whatever I say is self-serving. Let's forget it.

**They have arrived at:**

The Practice

**Eugene Young opens the door, and walks in; looks shocked at the number of boxes piled up in the Common Area.**

Eugene Young: What in God's name?

Jamie: Document production on the S.U.V. case. And this isn't all. Storage is full, too.

Street

**Jimmy Berluti and Manny Quinn are walking on the sidewalk.**

Jimmy Berluti: What was I supposed to do? There was two of them, one of me. Plus, they were bigger.

Manny Quinn: It's just pepper spray. I mean, it's kinda feminine, Jimmy.

Jimmy Berluti: **swats Manny Quinn** Hey, I got news for you. I gotta be alive to keep your fat ass out of prison. You think about that? **sees Manny Quinn looking down** What now?

Manny Quinn: Well, I know it's fat. You don't gotta say it. You don't gotta label it.

Jimmy Berluti: **walking away** For God sakes. I can't even . . . **trails when he sees his car on fire** Oh, no! Not my car!

Rocco: Shame. Bet you could use a good lawyer. Oh, right, you are a lawyer.

Jimmy Berluti: Did you do this?

Rocco: Didn't do nothin'. I was just walkin' with my marshmallows, seen the fire, thought there was a roast goin' on. **laughs** But you know, if I was gonna do somethin', it would be because somebody had somethin' comin'.

What goes around comes around. That's like an old Latin saying, isn't it? I bet you know Latin. *Res ipsa*.

That's lawyer lingo. **Hit from behind with a shovel, he falls, groaning, to the sidewalk**

Manny Quinn: *Veni, vidi, vici!* That's serious Latin.

Jimmy Berluti: Manny!

Manny Quinn: It was an accident.

Reception Area of Crane Poole & Schmidt

**Elevator arrives with a ding; Ellenor Frutt gets out.**

Tara Wilson: Ellenor. Hey!

Ellenor Frutt: Do you know where I can find Hannah Rose?

Tara Wilson: **pointing** Yeah. Her office is just over . . . there.

**Ellenor Frutt keeps walking.**

Tara Wilson: How are you doing, Tara? You look just smashing in your uniform, Tara.

Hannah Rose's Office

**Ellenor Frutt enters without introduction.**

Ellenor Frutt: You sent me about 400,000 pages of documents.

Hannah Rose: Oh. I thought it better to give you too much than too little.

Ellenor Frutt: Did you now? The trial starts in June. It would take me six months with a staff of 20 to go through all those boxes.

Hannah Rose: I believe the request went to any and all documents pertaining to design as well as documents discovered in previous lawsuits. My client has been sued tens of thousands of times, Ellenor. We produce millions of documents.

Ellenor Frutt: I know all about your client's tactics. Tactics judges and prior trials have labeled reprehensible, disgusting.

**Hannah Rose:** Yes, and I'm trying to turn over a new leaf. That's why I'm giving you everything.

**Ellenor Frutt:** You're hiding evidence in a mountain of papers, knowing full well it would be next to impossible for me to find what I need.

**Hannah Rose:** I'm shocked you could make such an accusation.

**Ellenor Frutt:** This is a blatant abuse of the discovery process, and I'm going to the judge.

**Hannah Rose:** I certainly hope you don't do that, Ellenor. But if you do, I might be forced to share a concern of mine.

**Ellenor Frutt:** *crossing her arms* Which is?

**Hannah Rose:** Your firm is understaffed and ill-equipped to handle major product liability litigation. The fact that our document production has so crippled you is a testament to your limitations. I think you should refer your client to a larger firm, and my conscience might compel me to share my concern with the judge. I suppose, if we were to settle this now, we could avoid all this unpleasantness. We'll offer you \$210,000 today, no admission of liability.

**Ellenor Frutt:** Two hundred and ten thousand. Three people died.

**Hannah Rose:** I bet you could use that money, Ellenor. Money you might not see if the client is properly advised to retain other counsel.

**Ellenor Frutt:** This is disgusting.

**Hannah Rose:** That's harsh.

**Ellenor Frutt:** My firm is quite capable of prosecuting this case.

**Hannah Rose:** Excellent. You will be sure to pass on my concern to your client, just the same?

**Ellenor Frutt turns and exits, without another word.**

Jimmy Berluti's Office

**Suzy Paponi:** Right on the head?

**Jimmy Berluti:** He regained consciousness. He'll be fine.

**Suzy Paponi:** Jimmy, things are getting out of control here. You gotta do something. Not that it's my place to tell you that.

**The door opens. Lenny Pescatore enters, carrying a baseball bat and closes the door.**

**Jimmy Berluti:** Suzy.

**Suzy Paponi pulls a baseball bat out from behind her desk, hands it to Jimmy Berluti, and arms herself with another one. Jimmy Berluti and Lenny Pescatore walk slowly toward each other.**

**Lenny Pescatore:** First, whatever our differences, for somebody from my neighborhood— . . . *pointing at Jimmy Berluti* . . . YOUR neighborhood—to use pepper spray—I would sooner you whacked me, Jimmy, than to shame our people that way. Second, you knocked unconscious a man very dear to me. Best man at my wedding.

**Jimmy Berluti:** He set my car on fire.

**Lenny Pescatore:** You're talkin' about property. Rocco is a human being. Now, I gotta bash your head.

**Jimmy Berluti:** Lenny, you and I grew up on the same block. I've seen you on the baseball field. You swing a bat like my mother.

**Lenny Pescatore:** Oh, is that what you think? **bounces the bat on his own hand to practice**

**Suzy Paponi:** I think you two need to have a sit-down with Raymond.

**Lenny Pescatore:** Raymond Fachetti?

**Suzy Paponi:** His neighborhood. He settles the beefs.

**Jimmy Berluti:** I think that's a good idea. Wonder what Raymond's gonna think of you juicing clients.

**Lenny Pescatore:** Jimmy. I come in here seekin' peace.

**Jimmy Berluti:** Yeah. I see the olive branch in your hand.

**Lenny Pescatore:** Let's you and I have a sit-down. Private. See if we can work it out.

**Jimmy Berluti:** *nodding* Tomorrow. Here. Two o'clock.

**Lenny Pescatore turns around, opens the door, exits and closes the door behind him.**

**Suzy Paponi:** You handled that very well.

Governor's Judicial Council Hearing Room

**Mr. Richmond:** The background checks more than once refer to a strategy of yours known as "Plan B." What is "Plan B," Mr. Young?

**Eugene Young:** It's an offensive strategy where we try to implicate another suspect in a crime.

**Mr. Richmond:** A suspect you have a good-faith belief committed the crime?

**Eugene Young:** No.

**Mr. Richmond:** So, it's a strategy designed purposely to mislead the jury, to steer them away from the truth?  
**Eugene Young:** It's an adversarial process, Mr. Richmond. The state must prove guilt beyond all reasonable doubt. The defense attorney tries to create reasonable doubt, doing so zealously within the bounds of the law. "Plan B" is within the bounds.

**Mr. Richmond:** Barely.

**Eugene Young:** Anything more than "barely" would be less than zealous.

**2<sup>nd</sup> Male Council Member:** You've tried to convince juries somebody else did it—somebody you know to be innocent?

**Eugene Young:** It may strike you as morally unethical, and I might agree. But legal ethics require that we . . .

**2<sup>nd</sup> Male Council Member:** That's a distinction without a difference.

**Eugene Young:** No. It's a distinction with a big difference. And if you don't get that . . .

**Woman Council Member:** To knowingly accuse innocent people—even prosecutors don't do that. You have to understand how this commission could have questions about your character.

**Bobby Donnell:** Excuse me. May I be heard?

**Eugene Young and Kevin Stadler turn around to face Bobby Donnell, who has entered the Hearing Room.**

**Bobby Donnell:** My name is Bobby Donnell, and I used to work with this man.

**Mr. Richmond:** Thank you, sir, but we're not taking testimony today.

**Bobby Donnell:** Testimony? You make it sound like a trial. Is somebody on trial here? Actually, I just thought we could all use a good laugh. Talking about Eugene Young's character—it's actually a little funny.

**2<sup>nd</sup> Male Council Member:** You find it funny?

**Bobby Donnell:** We've got a President lying to us about weapons so he could start a war. The President before that lied under oath about sex he was having in the Oval Office. We have a Supreme Court Justice going duck-hunting with the Vice President while presiding over a case involving the Vice President. Our biggest pop star is an alleged pedophile. Some of our athletes are up on murder and rape charges, while the author of The Book of Virtues gambles millions of dollars in Vegas. And you're making character an issue?

**Mr. Richmond:** I hate to shock you, Mr. Donnell, but it still counts.

**Bobby Donnell:** Well, if so, you sure as hell picked the wrong man to make an example of. This is a man who could go to a big firm and command a salary upwards of million dollars. He works for a fraction of that. Why? Because he sees the erosion of civil rights, and he fights to stop it. He sees high courts forsaking the Constitution, and he rails against it. He sees an Attorney General rounding up suspects like poker chips.

**2<sup>nd</sup> Male Council Member:** We do not need a speech about . . .

**Bobby Donnell:** You need this speech. The reason the justice system is so unfair in this country is because the benches are stacked with former prosecutors. We need to see *your* character here. How 'bout you confirm a man who cares more about civil liberties than throwing bodies in prison? Eugene Young hasn't forgotten why he went to law school. Eugene Young clings to the ideology that a defendant—every defendant—is entitled to a fair trial. Now, you wanna cast him off because you don't like his politics, or his views on the death penalty? Fine. But don't you dare cite as a pretext his character.

Break Room at Crane Poole & Schmidt

**Sally Heep is pouring a cup of coffee.**

**Denny Crane: entering** Denny Crane.

**Sally Heep:** Sally Heep. How's it hangin'?

**Denny Crane:** How's what hanging?

**Sally Heep:** It's just an expression. Sally Heep.

**Denny Crane exits; Alan Shore enters from the doorway opposite to Denny Crane.**

**Alan Shore:** Sally.

**Sally Heep:** Make up your mind about tonight?

**Alan Shore:** Sally, you look like a hooker. Now, if you were a hooker, we might have a future, but you're intelligent, you have self-respect, you're even sweet. Those are deal-breakers.

**Sally Heep:** Yeah. Okay. Fine. But, while you continue to mull it over, just keep in mind that 25-year-olds don't just snap back physically. Emotionally, we recover fast, too, which means by this time tomorrow, I'll have moved on.

**Alan Shore nods, smiling his Mona Lisa smile.**

**Sally Heep:** You had a window, Al. Just because girls in your age bracket wait around, don't be thinking I will.

**Alan Shore watches her walk out, and takes a sip of his orange juice.**



Jimmy Berluti's Office Conference Room

Lenny Pescatore: First, you gotta apologize.

Jimmy Berluti: / gotta apologize?

Lenny Pescatore: Yes. Manny Quinn was actin' under the scope of you and him bein' friends when he whacked Rocco unconscious with the shovel.

Jimmy Berluti: You torched my car!

Lenny Pescatore: You pepper-sprayed me!

Jimmy Berluti: After you mugged Spinny!

Lenny Pescatore: Which is what I'm gonna do to you!

Suzy Paponi: Hey! We got clients out here! You guys either work it out, or take it outside.

Jimmy Berluti: Or to Raymond.

**Suzy Paponi walks out; Jimmy Berluti and Lenny Pescatore sit down again, on opposite sides of the table.**

Jimmy Berluti: You can't be juicing your clients. That's how you'll get whacked for real. Raymond finds out you're loan-sharking—That's *their* business, Lenny. You should know better.

Lenny Pescatore: I'm under a lot of pressure. My wife wants a house in Florida, business has been tight. To be losin' some of it to you? Can't you go someplace else?

Jimmy Berluti: This has always been my dream, to come back here. This isn't an arbitrary thing for me, Lenny. This is where I grew up.

Lenny Pescatore: *sighs* Maybe we should form kind of a partnership.

Jimmy Berluti: Me and you?

Lenny Pescatore: Yeah. I got connections. I could help you, you could help me—get me some more of the high-end stuff instead of competin' with each other.

Jimmy Berluti: Lenny, I'm an honest lawyer.

Lenny Pescatore: Totally? *laughs* Can't you just be honest most of the time?

Jimmy Berluti: Me and you, as partners? Come on. *shakes his head*

Lenny Pescatore: I represent Charlie Andretti, Manny's supplier. I could sorta slip the Feds some information they could use to put him away in exchange for droppin' the case against Manny.

Jimmy Berluti: You'd turn in your own client?

Lenny Pescatore: I only do it when I can be sure it don't get found out.

Jimmy Berluti: Look. I'm certainly not gonna go into a business with a corrupt attorney.

Lenny Pescatore: Suppose I change? My wife wants me to improve myself. I was hopin' maybe you could be a good influence. I can get Manny off. Come on, Jimmy. I got street creds, you got integrity. How 'bout, you know, a trial basis?

Bobby Donnell's Private Office

Bobby Donnell: *on phone* You want to go to court, Milton? Fine. But don't be waving that flag like it's some big threat. I'm in court every day; you're not. I like court; you don't. *sound of a door opening* I'm comfortable in court; you're not. So I want you to hang up the phone, call me again, and be honest.

**Eugene Young has entered the outer office, smiling, and is quietly following the sound of Bobby Donnell's voice.**

Bobby Donnell: Tell me you want to settle, because you don't want to go to court.

**Eugene Young shakes his head.**

Bobby Donnell: Good-bye, Milt. Hope to hear from you.

Eugene Young: *entering the private office* You look like you havin' fun.

Bobby Donnell: Hey.

Eugene Young: Hey, how did you even know about . . .

Bobby Donnell: Ellenor called me. I figured I'd save your ass like old times.

Eugene Young: *laughs* Haha. Now, I remember a lotta ass-saving, but I think you might have things mixed up a bit.

Bobby Donnell: Any word?

Eugene Young: Not yet. You know, I don't have my hopes up.

Bobby Donnell: That isn't true, Eugene. Your hopes have been up on this for many years.

Eugene Young: Yeah. Look. I—I've been meaning to call you about, um . . . When you gave me the firm, I know you expected . . . Bein' a judge is somethin' I've always wanted.

Bobby Donnell: Eugene, I know that.

Eugene Young: I feel like . . . if I ever get this . . . I'd be walkin' out on something you left in my charge.

Bobby Donnell: Now it's you mixing things up. I walked. Remember?

Eugene Young: I just wish I'd done a better job running the firm.

Bobby Donnell: Don't even go there. You led that firm the same way you've always served it—with honor.

**Eugene Young's cell phone rings.**

Eugene Young: One second. *answering his cell phone* Eugene Young. *pause* Yeah. Yeah. Okay. Thank you. *closes cell phone* I got it.

Bobby Donnell: Got what?

Eugene Young: The judge thing. The council confirmed me. I got it.

Bobby Donnell: Eugene, that's . . .

Eugene Young: Look, it's no big deal. It's just . . . I got it! *big smile, laughs*

**Bobby Donnell and Eugene Young embrace; Bobby Donnell pats Eugene Young's back and they rock.**

Reception Area—Crane Poole & Schmidt

**Elevator arrives with a “ding,” and Ellenor Frutt gets out, striding through the area.**

Receptionist: Crane Poole & Schmidt.

Denny Crane: Denny Crane.

Ellenor Frutt: Good for you.

Denny Crane: That woman scares me. It's titillating.

**Sally Heep is nearby, standing in front of a desk and reacts to Denny Crane.**

Hannah Rose's Office

**Ellenor Frutt enters, again unannounced.**

Ellenor Frutt: For the record, your offer is rejected.

Hannah Rose: I'm disappointed.

Ellenor Frutt: I'll bet. Rather than steer my client toward accepting an unsatisfying offer, I steered her toward the firm Fine & Ambrone which specializes in design defect product liability. I've also filed with the judge and the bar a complaint concerning your client's dishonest stonewalling tactics.

**Hannah Rose nods.**

Ellenor Frutt: And on a personal level, it's one thing for a corporation to engage in systemic discovery abuse—but for an attorney? These are real people. This is real suffering, injured by your client's vehicles, and for you . . . never mind. I've already filed my notice of withdrawal. And, as I said, the offer is rejected. **turns toward the door, and begins to walk out**

Hannah Rose: Ellenor?

**Ellenor Frutt turns to face Hannah Rose from the door.**

Hannah Rose: I know you've defended criminals—people you have no sympathy for. In civil cases, defendants are entitled to representation as well.

Ellenor Frutt: It's not the same, and you know it.

Hannah Rose: Yeah, I suppose I do—which is why I'm feeling particularly bad about myself. I think I need to go shopping, and not just for something little. I am so ashamed, I'm gonna buy a car. Something really, really . . . redemptive. Would you like to come with me? 'Cause I'd like that—watching you watch me buy a hundred thousand dollar car.

Ellenor Frutt: Can you excuse me a second? *sighs, turns, flips a coin* Hmm.

**Ellenor Frutt turns back to face Hannah Rose, and punches her so hard, Hannah Rose flies across the room to hit the wall.**

Ellenor Frutt: Oh, gee. Now I need to shop.

**Ellenor Frutt exits, as Hannah Rose groans, passing out.**

Alan Shore's Office

**Alan Shore is studying a brief, sitting on his couch. Tara Wilson enters.**

Tara Wilson: Oh, what happened to your date?

Alan Shore: There isn't going to be a date. And I'd appreciate you not counseling me toward statutory crimes.

Tara Wilson: Alan, do you want to end up an old lech?

Alan Shore: Why are you so invested in this? Tell me that.

Tara Wilson: Well, I suppose that when I see you alone, I worry about the company you're keeping.

Alan Shore: *laughs* Let me tell you something. The most lonely I've ever *been* has been in a relationship. I'm happiest alone. Conversation's better; certainly the sex is—albeit heavy-handed. **sips Scotch from a glass**

Tara Wilson: Oh, that's a funny bit. An entertaining one, too. But as bits go, it's a bit.

**Alan Shore:** Tara, I've indulged your pop psychoanalysis with good humor for some time now, but to set the record straight, you do not know me . . . **shaking his head** . . . not even as bits go, a bit.

**Tara Wilson:** I know that you're afraid to let yourself feel for people . . .

**Alan Shore:** I'm quite capable of letting myself feel . . .

**Tara Wilson:** . . . to look at yourself through other people's eyes 'cause you don't like the view.

**Alan Shore:** . . . especially disenchantment. That one comes up easily.

**Tara Wilson:** And there you go turning it into a word game.

**Alan Shore:** It's you playing games, telling me I can't feel. That's quite an indictment of a person. Knowing my privacy is misrepresented.

**Tara Wilson:** Then prove me wrong with evidence the last time you felt for a woman in any relationship.

**Alan Shore:** **loudly, to be heard** I feel for you!

**Long pause as they stare at each other, surprised.**

**Alan Shore:** That doesn't mean I . . . ever . . . I have feelings for you. **half laugh/half sigh, and he lifts his glass to take another sip of Scotch** Now I'd appreciate it . . . **sips, then puts the glass on the end table next to him, and picks up the brief again** Contrary to the rumors, I do practice law here, and I have a lot of work to do. Would you excuse me, Tara?

**Tara Wilson:** Alan?

**Alan Shore:** Would you excuse me, Tara?

**Tara Wilson exits his office, walking into the hallway. We can see Hannah Rose, on a gurney, being escorted to the hospital by ambulance.**

Courtroom at Night

**Eugene Young enters, tie askew. He walks to the Judge's bench, straightens his tie, sits at the bench, bangs the gavel once, then puts it down. He looks up, sits back in the chair, and is overcome by emotion at being named a judge.**