

**Boston Legal
Tea and Sympathy
Season 3, Episode 21**

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**Transcribed by Sheri for boston-legal.org [version updated May 11, 2007]
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Recaps

Mark Valley: Previously on Boston Legal.

Bethany Horowitz: You're a lawyer?

Clarence Bell: I went to law school.

Alan Shore: Did the judge know you've never practiced before when he assigned you this?

Paul Lewiston: Clarence, I think you did an excellent job.

Denise Bauer: Why do you think it's so ridiculous that I'm gonna marry Brad?

Shirley Schmidt: You don't love him enough.

Denise Bauer: When I look at you through *my* eyes, I realize I *do* love you, and I can't wait to be your wife.

Alan Shore: Before we get started, I would ask that your Honor recuse herself.

Jerry Espenson: Yes, Alan, and the wheels of justice would grind to a halt if we recuse every jurist you've slept with.

Alan Shore: I'm ready to be disciplined now.

Judge Gloria Weldon: I'm gonna hate myself in the morning.

Reception Area: Crane, Poole & Schmidt



Simon Griffin: *clears throat* I want to see a name partner, like—

As the camera pans across the corresponding names on the wall:

Simon Griffin: Crane's probably dead. Schmidt's some kind of minority, so, uh, Poole. I'll take Poole.

Denny Crane: Denny Crane—still alive.

Simon Griffin: I was told your firm was the best. I need the best.

Denny Crane: That would be me. Who are you?

Simon Griffin: Simon Griffin. Don't worry; that name will soon be embedded in your head forever. Like Jonas Salk, or Paris Hilton.

Denny Crane: Can't wait.

Denny Crane and Simon Griffin hold out their hands to shake.

Simon Griffin: I had HIV.

Denny Crane snatches his hand away quickly.

Simon Griffin: I beat it. I'm a walking AIDS cure. Now I wanna cash in, hmm?

Shirley Schmidt's Office



Shirley Schmidt: Is this for real?

Simon Griffin: I tested HIV positive for the first time in 2005, and then once a month the year after. I just didn't want to accept a death sentence. I kept thinking a miracle would happen, and then, three months ago, it did. I went negative.

Denny Crane and Shirley Schmidt exchange looks.

Shirley Schmidt: You've had that rechecked?

Simon Griffin: Every other week since. Dr. Freemont, my internist, just confirmed I'm spontaneously cured.

Shirley Schmidt: Actually, I've heard of spontaneous cures for cancer, but never for HIV.

Simon Griffin: Well, you need to keep up. I'm the first *American* whose blood seroconverts without treatment. No medications; nothing. There's one other guy in England. In the States, my body is the first to fight off HIV.

Shirley Schmidt: A—assuming you check out, how exactly can our firm help you?

Simon Griffin: I need a team to negotiate book deals, TV appearances—not to sound materialistic.

Shirley Schmidt: *taking off her reading glasses* Not to. Shouldn't you be letting doctors examine you on the chance that, you know, you could help others? Just a thought.

Simon Griffin: I'll get to that, but how I see myself in the big picture is as an ambassador, someone everybody knows about and probably desires to be like, somebody who inspires others.

Denny Crane raises his eyebrows.

Simon Griffin: Mainly, I see myself rich.



[credits]

Reception Area: Crane, Poole & Schmidt



The elevator dings, and Judge Gloria Weldon, in her stiletto heels, gets out and walks to the Receptionist's desk, to the accompaniment of Esthero's "Wicked Lil' Grrrls":

*Wicked lil' grrrls,
With curves and kisses and pearly whites,
You better keep an eye on your boys—
Lock 'em up tight, tight, tight, tight, tight,
You better keep an eye on your boys,
Lock 'em up tight.*

Judge Gloria Weldon: I'm here to see Alan Shore.

Receptionist: Okay. Is he expecting you?

Judge Gloria Weldon: They never expect me. They always see me. I'm Judge Gloria Weldon.

Receptionist: Mr. Shore should be in any moment. Would you like to wait?

Judge Gloria Weldon: **to the cue of the elevator ding, she drops her purse on the floor** Thank you. **and bends to pick it up, as Alan Shore enters the area**

Alan Shore: Your Honor!

Judge Gloria Weldon stands, and turns.

Alan Shore: It was a pleasure to see you.

Alan Shore's Office



Alan Shore enters, escorting Judge Gloria Weldon, pulls a chair into position, and gestures for her to sit as he sits in a nearby chair.

Alan Shore: Please.

Judge Gloria Weldon: Are you familiar with the Amazonian plants *Psychotria viridis* and *Banisteriopsis caapi*?

Alan Shore: No.

Judge Gloria Weldon: You brew the two together, and you arrive at a tea called, *hoasca*. They call it, "The Vine of the Soul." You get a 2-minute peak, followed by a 30-minute brain cruise. Also, illegal. After work, I imbibe—in my chambers, privately. Last Wednesday evening, without my knowledge, one of my clerks managed to help himself. Got high as a kite, did a naked

dance on the courthouse steps. Caught, scared, he led the police back to me. I have been arrested for importation and possession of a Schedule I narcotic.

Alan Shore: That's a buzz kill.

Judge Gloria Weldon: I love my job, Alan. I am good at my job. You have to be creative.

Alan Shore: Assuming I take the case.

Judge Gloria Weldon: You already took the case.

Alan Shore: Says who?

Judge Gloria Weldon: Says me. I'm the judge.



Corridor: Crane, Poole & Schmidt

Simon Griffin and Shirley Schmidt are walking, discussing his case.

Simon Griffin: Once we make a deal with a pharmaceutical company, then I'll have the resources to launch my new persona as a spokesperson—talk shows, reality shows, uh, photo ops in Africa—a constant reminder of the message of hope that I represent.

Shirley Schmidt: I'm welling up.

Simon Griffin: I can see you're cynical. We'll make a good team.

They enter:

Conference Room: Crane, Poole & Schmidt



Simon Griffin: Dr. Freemont?

Dr. Malcolm Freemont: Hello, Simon.

Shirley Schmidt: You two know each other?

Dr. Malcolm Freemont: We know each other quite well, don't we, Simon?

Shirley Schmidt: Who is this man, Simon?

Simon Griffin: My internist. Have I got it again?

Dr. Malcolm Freemont: No, uh, that's not it.

Shirley Schmidt: Okay, will *somebody* tell me what the hell is going on here?

Attorney Regina Williams: Mr. Griffin is trying to sell his blood. That can't happen.

Simon Griffin: Why not?

Dr. Malcolm Freemont: Because I own it.

Simon Griffin: You own my blood?

Dr. Malcolm Freemont: I applied for a patent on your DNA, and I got it. So, yes, I own it.

Clarence Bell's Desk

Marcie Cooper: I go to Newton College; it's an excellent school. I have no issue with them. It's the sorority I belong to? Or used to, I should say? Gamma Kappa Tau? It's a national sorority and recently the national officers visited campus and conducted some sort of campus survey. If I start to talk too fast, just tell me; I tend to speed up towards the middle of paragraphs.

Clarence Bell: It's fine.

Marcie Cooper: Anyways, according to this campus poll, the members of Gamma Kappa Tau at Newton were perceived as socially awkward. As a result, the national officers sort of directed the campus chapter to "clean up its image," so to speak. Mint?

Clarence Bell: No. Thanks.

Marcie Cooper: Anyway, we all got interviewed, after which about half of us were invited to leave—*told* to leave, I should say. Mainly, it was a group of thin, pretty, popular girls who got to stay. The rest of us got bounced.

Clarence Bell: What reason did they give for, uh, kicking you out?

Marcie Cooper: They said that we failed to live up to the sorority's criteria, and when I pushed them on it—I can be a little pushy—they added that to my list of offenses! "Too pushy!" I think it's wrong. Can you help me?

Clarence Bell: *angry; nodding* I'll help you.

Marcie Cooper smiles.

Denise Bauer's Office

Denise Bauer is sitting at her desk; Brad Chase is standing with his back to her, arms crossed, with dead silence between them, when Paul Lewiston enters.

Paul Lewiston: Denise, um, I—I have this, uh—

Paul Lewiston takes off his glasses, looks at the obviously silently feuding young people.

Paul Lewiston: *knowingly* Ahh. *exits*

Alan Shore's Office



Alan Shore: Under the law, you're completely guilty. I wish I could be more optimistic. *sits on the couch*

Judge Gloria Weldon: *sitting next to him* Alan, do you think I came to you for an interpretation of the law? I hired you because you get people off. I would like you to get me o— I know you can come up with something.

Alan Shore: Can we offer any medical reason for you needing to drink this tea?

Judge Gloria Weldon: Stress?

Alan Shore: *shakes his head, and staring into space* Hmm—mm.

Judge Gloria Weldon: The D.A.'s immediate boss, um—there's a possibility that he may be on a little witch-hunt. We were once involved, briefly.

Alan Shore: *she has his full attention* Now we're getting somewhere. It ended poorly?

Judge Gloria Weldon: For him. But he's not the guy handling this. The case went to somebody who would love to make a name for himself by nailing—

Alan Shore raises his eyebrows.

Judge Gloria Weldon: *Convicting me.*

Denny Crane enters, spots Judge Gloria Weldon, and rushes to sit in a chair directly facing her, while:

Alan Shore: Denny! This is—

Denny Crane: Hello!

Alan Shore: Judge Weldon. She's in some legal trouble. We may need to trade on some of your connections.

Denny Crane wrinkles his nose at her and growls.

Denny Crane: Mmm!

Alan Shore: Yes. Now that your legal analysis is out of the way, let's turn to politics. Who do you know in the D.A.'s office?



Denny Crane: I know everybody. I'd like to get to know you better.

Alan Shore: Denny, we have a bit of a situation here.

Denny Crane growls, obviously quite taken by Judge Gloria Weldon.

Alan Shore: Denny? **purposefully places his head between Denny Crane's and Judge Gloria Weldon's** Denny?

Denny Crane: Mmm.

Shirley Schmidt's Office

Simon Griffin: You need to fix this. You people are supposed to be so . . . fancy and good.

Claire Simms: Uh, from what I can tell, the law is not definitive. Anything in your body belongs to you. Once it's excised, the legal status is debatable.

Simon Griffin: That's ridiculous. It's *my* blood.

Claire Simms: Yes, but Dr. Freemont has a patent on the DNA.

Simon Griffin: It's my blood! God knows I'm the one who had to suffer with it! Why can't I be the who . . .

Shirley Schmidt: Go ahead; you can say it. "Profits." Wh—the pharmaceutical companies think that's a lovely word.

Simon Griffin: What are my options?

Shirley Schmidt: Well, first thing, we could go to court and challenge the doctor's claim—although as crazy as it may seem, public policy may side with him, since he's in it for the cure, and you, as you say, mainly just want to be rich.

Simon Griffin looks to Claire Simms, who shrugs.

Hallway: Crane, Poole & Schmidt

Clarence Bell and Marcie Cooper are walking to the Conference Room.

Clarence Bell: For the purposes of this meeting, let me do the talking.

Marcie Cooper: Oh, of course. I would never—

They enter:

Conference Room: Crane, Poole & Schmidt

Clarence Bell: **clears throat** Hello, my name is C-C . . . You?

Jerry Espenson: **growls quietly** Good morning, Jerry Espenson. **nods toward Pat Ontario** Pat Ontario.

Pat Ontario wiggles her fingers in greeting.

Jerry Espenson: She's the National President of the sorority, Gamma Kappa Tau. How may we help you?

Clarence Bell: Well, uh . . . **motions for Marcie to sit as he, Jerry and Pat also sit** Your client or an agent thereof expelled my client for being socially awkward.

Pat Ontario: **wiggling her fingers** Uh, that's not exactly true.

Jerry Espenson: Pat? **To Clarence.** That allegation is without basis. I'm sorry, but leaving the merits aside, what remedy is your client seeking here? Does she long to become a member of a club that's not terribly enthusiastic to have her?

Clarence Bell: That was mean.

Jerry Espenson: My intent is only to be pragmatic. Lawsuits are very costly. I'm just looking to appreciate what it is your client is specifically after.

Clarence Bell: **thinking, as he holds back rage** Ten million dollars.

Jerry Espenson hoots anxiously, as Pat Ontario sniggers.

Jerry Espenson: Be serious, please.

Clarence Bell: *Fifteen* million.

Jerry Espenson: **chuckles** Clarence. May I call you Clarence?

Clarence Bell: Twenty!

Pat Ontario: *taps Jerry Espenson on the shoulder* Let's go. I'm done. *rises to exit*

As Jerry Espenson and Pat Ontario exit:

Clarence Bell: You are a mean, mean, mean woman!

With an evil glance at Clarence Bell and Marcie Cooper, Pat Ontario takes Jerry Espenson's elbow and they exit, leaving Clarence Bell and Marcie Cooper to their outrage.

Alan Shore's Office

Denny Crane is playing with Judge Gloria Weldon's hands; the playfulness is not being reciprocated.

Alan Shore: It seems Denny has struck out with his connections.

Denny Crane: Unless I'm making one here.

Alan Shore: My only play is to convince this district attorney not to bring charges.

Judge Gloria Weldon: How do you plan to do that?

Alan Shore: Well, you say he's a political creature. You're a very influential judge.

Judge Gloria Weldon: Alan, if these charges stick, I won't be a judge any longer!

Denny Crane tries to take her hand again, offering a reassuring pat. Not a chance! Gets a sharp slap for his efforts.

Alan Shore: Gloria, I don't know what else to tell you. We face a very difficult row here. Who else have you slept with?

Denny Crane's not giving up. Judge Gloria Weldon gives HIM a look, before giving Alan Shore one.

Alan Shore: Didn't Mitt ever want to make you one of his wives?

Judge Gloria Weldon: Okay. *That* you'll get letters for.

With that, she gives Denny Crane's hand another sharp slap, which, of course, only seems to invigorate the challenge for him.

Judge Robert Sanders' Courtroom

Judge Robert Sanders: Hold on just a second here. You're saying that man **points at Dr. Malcolm Freemont** owns that man's **points at Simon Griffin** blood?

Attorney Regina Williams: Not exactly, your Honor.

Judge Robert Sanders: What is he, a vampire?

Shirley Schmidt: Oh, we're in for an adventure!

Judge Robert Sanders: I heard that!

Shirley Schmidt holds her tongue and rolls her eyes.

Attorney Regina Williams: My client got a patent on Mr. Griffin's blood, which—

Shirley Schmidt: Is ridiculous.

Attorney Regina Williams: Under the law, once someone removes blood or tissue from your body, you no longer have legal ownership of it. So, my client tested it, got a patent—

Judge Robert Sanders: Now, hold on just a second! You can't take his blood without his consent—unless you're the government.



Shirley Schmidt: If this blood is used to find a cure for AIDS, my client should be entitled to profit participation.

Attorney Regina Williams: And the cost of drug research would be so exponentially multiplied, we won't develop cures for anything.

Shirley Schmidt: Yes! And then we can all go to the Academy Awards and wear new ribbons that say, "Let's save Big Pharmaceutical!"

Judge Robert Sanders: Hold on just a second. Did this man win an Oscar?

Shirley Schmidt: Judge! This is a very complicated case. He is using my client's excised blood and tissue. Moreover, he's basically gotten a patent on the DNA, which prevents my client from ever marketing his own blood.

Judge Robert Sanders: I wanna hear from this vampire doctor. Get him up on the stand.

Hallway: Crane, Poole & Schmidt

An Assistant hands Clarence Bell a brief, as Jerry Espenson walks past. Clarence Bell rushes to catch up.

Clarence Bell: How could you, of all people, take this case?

Jerry Espenson: What's that supposed to mean? I'm socially awkward? Or does it mean a lawyer should never take a side he doesn't personally agree with? That would quite limit the field of opportunity, wouldn't it? And, for a *socially awkward* lawyer—well! He should grab any case he can get, shouldn't he?

Clarence Bell: **grabbing Jerry Espenson's arm, stopping him in his tracks** I thought you were a nice person.

Jerry Espenson: I am. Look, my client doesn't want this kind of publicity. Make me a reasonable offer, and let's go home.

Clarence Bell: **thoughtful** Fifty million!

Jerry Espenson pushes the elevator call button, hoots and hops.

Denise Bauer's Office

Paul Lewiston: Denise?

Denise Bauer gives him her attention, but looks sad/distracted.

Paul Lewiston: Thanks for the, uh, antitrust research. It was very helpful.

Denise Bauer: Good. **returns to her paperwork**

Paul Lewiston: **clears throat** I couldn't help but overhear the deafening silence. Is everything all right between you and Brad?

Denise Bauer: He wants to get married in full military uniform. He wants us to take our vows with a sword at his side.

Paul Lewiston: Well, if it's important to him—

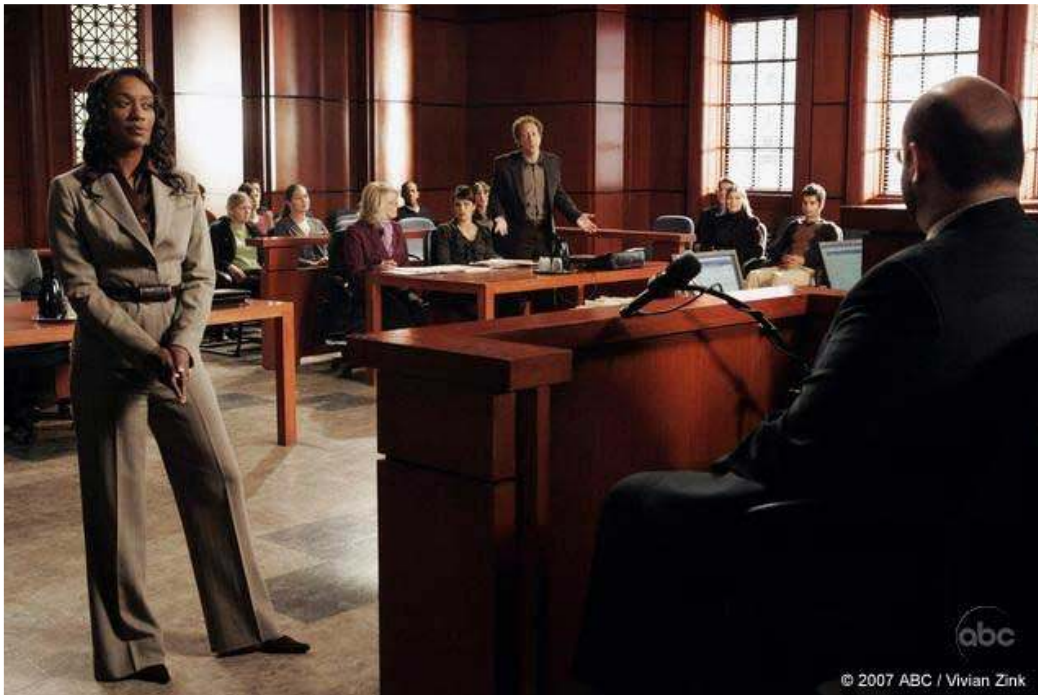
Denise Bauer: Paul, my family is very antiwar. The whole *country* . . . Pro-war or not, it's a very painful topic and I don't want it to cast this huge pall over my wedding ceremony.

Paul Lewiston: The country is not antimilitary.

Denise Bauer: I know this. But, look . . . I am proud of Brad being a Marine, Paul. I am. But, I don't want a full color guard at my wedding. I just . . . I don't.

Paul Lewiston raises his eyebrows signaling understanding, and exits.

Judge Robert Sanders' Courtroom



Dr. Malcolm Freemont: There are over 350 million tissue samples from 180 million Americans stored in labs and hospitals in this country. They've been used to develop everything from the HIV test to vaccines, cancer treatments.

Attorney Regina Williams: You don't have to get permission from the patient to use their tissue?

Dr. Malcolm Freemont: We do. It's part of the standardized form you sign when you get medical treatment. He signed that form, by the way.

Simon Griffin: **rising** Along with a zillion others you jammed in front of my face!

Judge Robert Sanders: Sit down, you!

Attorney Regina Williams: Doctor, if Mr. Griffin is allowed to reclaim the rights to his discarded blood and tissue, and sell them to a pharmaceutical company, what will happen?

Dr. Malcolm Freemont: Well, I work under a federal grant, which means any fruits of my work belong to the government. The cures we come up with will belong to the public, as they should.

Attorney Regina Williams: You think this could lead to a cure?

Dr. Malcolm Freemont: I don't know; it could. His blood seroconverted. The HIV vanished. That's only happened once before. If we could find out *how*—imagine!

Attorney Regina Williams: Okay, but Mr. Griffin wants to let the research teams from the pharmaceutical companies figure out how.

Dr. Malcolm Freemont: If the pharmaceutical company does the research, it'll be a trade secret, and they won't have to share with anyone. And they *won't*. Not 'til they've got all their patents in place. And they'll be able to charge whatever they want. It won't be a nickel a pill.

Shirley Schmidt looks at Claire Simms. This is not going well for their client.

Alan Shore's Office

Alan Shore: It's just not appropriate, Denny. To privately lust after a woman, fine; to send a signal conveying as much, okay; but, growling and clawing at her crosses a line.



Denny Crane: But I love this woman.

Alan Shore: I thought you loved Bethany.

Denny Crane: Well, I love this one now. I have a fickle heart.

Alan Shore: Well, you need to stay away from her.

Denny Crane: Why? Give me one good reason.

Alan Shore: Okay. Dibs.

Denny Crane: But that's not fair. I growled first.

Alan Shore: Denny! I have a prior relationship with her.

Denny Crane: Prior, but not current.

Alan Shore: Well.

Denny Crane: Well, what?

Alan Shore: Maybe I'd like to . . . keep current.

Denny Crane: You like this woman?

Alan Shore: Well . . . yes.

End scene as camera focuses on Denny Crane's silent, "Ohhh."

Hallway: Crane, Poole & Schmidt

Paul Lewiston: So, did you tell Denise why wearing the uniform is important to you?

Brad Chase: That's the whole point. I shouldn't have to. The fact that I wanted to—that should be enough.

Paul Lewiston: Well, that is not exactly the way that marriage works, Brad. You need to communicate.

Brad Chase: I did. I told her that I want to wear it.

Paul Lewiston: No, you need to tell her why. You need to *communicate* your feelings.

Brad Chase: Look, Paul, I'm not gonna get all girlie, okay?

Paul Lewiston: Oh, dear God, Brad! If you cannot tell Denise what and how you're feeling, you should *not* be getting married.

Paul Lewiston turns, exits

Judge Gordon Kolodny's Courtroom

Marcie Cooper: The same thing supposedly happened at DePauw University. The campus survey said the sisters of Gamma Kappa Tau were considered socially awkward. Apparently, "misfit" wasn't the image the sorority wanted to project. That is exactly what happened with us.

As the camera pulls back to show Clarence Bell and the rest of the Courtroom, we see Pat Ontario carrying on quite the dramatic conversation with Jerry.

Clarence Bell: You mentioned you pressured them for a specific reason.

Marcie Cooper: Yes, they said we failed to fulfill our recruitment duties, but nobody in our sorority ever did much in the way of recruiting. What they meant by "recruitment" was "Be pretty and popular," so that other girls would wanna join.

Jerry Espenson: Objection! Speculation! Foundation! Argumentative!

Clevant/Clarence Bell: Make up yo' mind, Jerry!

Judge Gordon Kolodny: The objection is overruled.

Clarence Bell: Th—thank you, Marcie.

Jerry Espenson: I could be wrong, but when one goes about trying to join a sorority, you basically hope the girls there like you enough to invite you to be a member, am I right?

Marcie Cooper: I suppose.

Jerry Espenson: Did you know what the specific criteria were when you initially interviewed?

Marcie Cooper: No. I—I figured—

Jerry Espenson: They either liked you, or they don't.

Marcie Cooper: Right.

Jerry Espenson: And they did.

Marcie Cooper smiles, nods.

Jerry Espenson: Now, they don't.

Marcie Cooper: **smile disappears** They bounced me for being socially *off*.

Jerry Espenson: Did anyone say that to you?

Marcie Cooper: I'm not stupid. After the campus survey, they wanted to change their image, so—

Jerry Espenson: What was the image before you initially interviewed, if you know?

Marcie Cooper: Well—

Jerry Espenson: That this was a place for the "socially off"?

Marcie Cooper: No.

Jerry Espenson: So when you said, "Change their image," did you really mean, "Conform with their image"? I'm confused.

Clevant/Clarence Bell: Sit down.

Jerry Espenson: **spins to face Clarence Bell** Objection!

Judge Gordon Kolodny: You're objecting to your own question?

Jerry Espenson: He just told me to sit down—in a menacing tone.

Judge Gordon Kolodny: I didn't hear anything.

Marcie Cooper: Oh, my. If you hear voices, they'd never let you into Gamma Kappa Tau. **chimpanzee-like laugh**
Pat Ontario barely looks up from checking her make-up in a mirror, while many of the jurors laugh or smile at Marcie Cooper's laugh. Judge Gordon Kolodny doesn't seem to know quite what to think, and Clarence Bell looks rather sheepish.

Marcie Cooper: Sorry. I have a funny laugh.

Jerry Espenson looks a bit credulous.

Marcie Cooper: They didn't like that, either.

A.D.A. Frank Ginsberg's Office



A.D.A. Frank Ginsberg: Drop the charges?

Alan Shore: Yes.

A.D.A. Frank Ginsberg: She had a 20-ounce bag of hallucinogens in her chambers.

Alan Shore: It was tea. Not to mention, there's no real proof it was hers.

A.D.A. Frank Ginsberg: I have the confession of the clerk!

Alan Shore: That's it? The linchpin of your case is the naked, hallucinating, dancing man who will say just about anything to temper his embarrassment, let alone criminal charges.

A.D.A. Frank Ginsberg: Are you really gonna challenge this?

Alan Shore: Look, you've had *many* cases before Judge Weldon. She's a fair and talented jurist. In fact, you've *won* many cases before Judge Weldon, as you've amassed your impressive record, which, as I see it, is about one high-profile conviction away from political advancement.

A.D.A. Frank Ginsberg: Not about that.

Alan Shore: Well, here's what it *could* be about, and please stop me if you've already considered this, and said, "Hell, it's only my career." A judge with a criminal conviction, one for using hallucinogens, no less, presents all kinds of problems. One might have to wonder—Was she on the whoopee tea while presiding over previous cases? Imagine all the felons sitting in jail, salivating at the chance to overturn their convictions. Quite a few of *your* convictions, maybe. So much for the impressive record. **sits forward, conspiratorially** But I am a little concerned about your boss. You do know he and the judge used to be romantically entwined?

A.D.A. Frank Ginsberg suddenly sits up; now very interested in negotiation. Starts to speak, but—

Alan Shore: **sits back again, hands giving emphasis** But who really worries about that? Given your larger concern of alienating all those other state court judges, who tend to get constipated and vengeful whenever one of their own is targeted. What needs to come first here is principle. Certainly not political pragmatism! If that were in play, we never would have gotten this far—would we?

A.D.A. Frank Ginsberg looks entirely defeated.



Judge Robert Sanders' Courtroom

Simon Griffin: First of all, I signed a stack of papers. I didn't read any of them.

Claire Simms: Why not?

Simon Griffin: Does anybody? Doctors say, "Sign here, or we won't treat you." That isn't duress? Plus, I had just gotten news I was HIV positive. I was in total shock.

Claire Simms: And if you maintained ownership of your discarded blood tissue, what would you do with it?

Simon Griffin: I would sell it to a pharmaceutical company, which would likely increase the chances of discovering a cure. Private enterprise vs the government? It's not even close. Look how the government has spent our money!

Attorney Regina Williams: Did you take time out to be grateful for this cure? Or did you immediately phone your accountant?

Simon Griffin: When was the last time you had a deadly disease?

Attorney Regina Williams: I didn't, and I count my blessings. Just wonder if you count yours.

Simon Griffin: If I strike you as having a psychological deficit or two, if I come off as being a little bitter—

Attorney Regina Williams: You're bitter? You just dodged a death sentence. Maybe it's me, but I'd think your heart might be instilled with some sense of charity.

Simon Griffin: Charity?

Shirley Schmidt: Simon.

Simon Griffin: Let me tell you something. For two years, I was shunned, discriminated against, made to feel like a leper.

Shirley Schmidt: Simon.

Simon Griffin: Do you have any idea how society treats people with HIV? It's not charitable. And if you're expecting me to s—
trails off, speechless and near tears.

Clarence Bell's Work Area

Alan Shore knocks, enters.

Alan Shore: Clarence, how's your trial with Jerry going?

Clarence Bell: He's mean.

Alan Shore: I'm sorry?

Clarence Bell: Jerry Espenson. He's not a nice person. Maybe he's just acting how he thinks lawyers should act, but . . . It's mean.

Alan Shore: Ohh.

Clarence Bell: Clevant spoke today . . . in court.

Alan Shore sits on a chair nearby.

Clarence Bell: I didn't mean to really speak as him; I just . . . did. I can be tougher as him. I have to cross the sorority woman tomorrow. I think I'll do better as Clevant.

Alan Shore: Clarence, I'm not gonna tell you what to do, but, if you start speaking as Clevant, you could lose credibility with the judge. That won't serve your client.

Clarence Bell: I'm not sure I can cross this woman.

Alan Shore: I think you can.

Clarence Bell chuckles, and returns to his brief.

Alan Shore: Clarence?

Clarence Bell turns back to face Alan Shore.

Alan Shore: I think you can. **rises, picks up his briefcase, and exits**

Judge Gordon Kolodny's Courtroom

Pat Ontario: Sororities are like any club. You choose people you want for members.

Jerry Espenson: Some of these people, like Ms. Cooper, had been chosen, and were then disinvented.

Pat Ontario: And, like any club, sometimes you choose the wrong members. This goes on in country clubs, bridge clubs. Look, if they're social in nature, which sororities are, their social skills come into play.

Jerry Espenson: So you're admitting their social awkwardness was the cause for their discharge?

Pat Ontario: It was a factor.

Jerry Espenson: Bad for the image.

Pat Ontario: **chuckles** In so many words. And before you all wave your arms in dismay, let me tell you—every fraternity, every sorority works exactly the same way. You populate the franchise with kids who socialize well together. In success, it becomes a place where incoming freshmen want to join. They *all* trade on image.

Clarence Bell: And your image is beautiful people?

Pat Ontario: Attractive is perhaps a nicer image than unattractive, but mainly, the image is social. Antisocial people don't best accomplish that.

Clarence Bell: You didn't get rid of my client for being antisocial. It was because she was socially awkward.

Pat Ontario: Look, I didn't make that decision personally, so I can't be sure, but if somebody is standing at a party not talking to anybody, the distinction between socially awkward and antisocial is a tough one to draw.

Clarence Bell: And looks? You like your sorority sisters to be pretty.

Pat Ontario: That's not necessarily a criterion. I think if you were to do an analysis, you'd probably discover good-looking people tend to be more socially outgoing.

Clarence Bell: What about values?

Pat Ontario: Of course we want people with good values!

Clarence Bell: You consider it good values to throw somebody out of your club because she's shy?

Pat Ontario: As I said, the main point of the club is social, fun to be around.

Clarence Bell: If a member suddenly suffered from depression, out she goes?

Pat Ontario: That isn't fair.

Clarence Bell: Well, if she were no longer fun to be around—

Jerry Espenson: Objection! He's totally twisting her words, your Honor.

Judge Gordon Kolodny holds up a hand to halt Jerry Espenson's objection

Clevant/Clarence Bell: Would you ever take somebody with Asperger's?

Jerry Espenson: Objection!

Clevant/Clarence Bell: If they made funny sounds and walked around with their hands on their thighs?

Judge Gordon Kolodny is rubbing his forehead, as if trying to stave off a headache.

Jerry Espenson: Cheap shot! Cheap shot!
and we cut to:

Courthouse Corridor

Clarence Bell: I was just asking what—

Jerry Espenson: You made it personal against me!

Clarence Bell: No, no; I was—

Jerry Espenson: Yes, you did, you—you—you fatboy!

Clarence Bell: What did you call me?

Jerry Espenson: You attack me; I'll attack you right back! **shoulder butts Clarence Bell, hands still plastered to thighs**

Hiyah! I won't be attacked! I won't be offended! I won't be picked on like that, do you hear me?

Clevant/Clarence Bell: Now you lookie here, you—! **back to his Clarence persona** I will try my case. You try yours.

Wooden Cigarette Guy/Jerry Espenson: **popping the wooden cigarette in his mouth** Yeah, well, here's the thing about that, pal. Once I get done with you, I— **takes the wooden cigarette out of his mouth, drops it on the floor and stomps on it, then exits**

Clevant/Clarence Bell: Don't forget your little hop, bro!

And Jerry Espenson turns the corner with a hop and a hoot.

Alan Shore's Office

Judge Gloria Weldon sips tea, sets down the cup.

Denny Crane enters, seeing no sign of Alan Shore.

Judge Gloria Weldon: I'm supposed to meet Alan.

Denny Crane: He asked me to take over.

Judge Gloria Weldon: Did he tell you to take my hand?

Denny Crane: Gloria, I know a fantastic little rehab, very romantic. And if the hallucinogens don't get you in, I know some wonderful ethnic slurs.



Judge Gloria Weldon: Do you think it's right to be hitting on me?

Denny Crane: It feels right.

Judge Gloria Weldon: And what would Alan think?



Denny Crane: Alan who?

Alan Shore: Greenspan—a man considerably sexier than you.

Denny Crane: I knew you were there.

Alan Shore: I need to talk to my client, Denny. Get out.

Denny Crane: Your client is my client.

Alan Shore: Please, get out.

Denny Crane: **shocked look on face, he rises, and walks toward Alan Shore and the door** You upset with me? **tapping his temple** Alan, sometimes the Mad Cow just—

Alan Shore: Out.

Denny Crane, like a 5-year-old boy with his hand caught in the cookie jar, backs out slowly, as Alan Shore herds him out the door, and closes it. Alan Shore raises his eyebrows at Judge Gloria Weldon, and walks toward the desk.

Judge Sanders' Courtroom

Attorney Regina Williams: The plaintiff wants to make this case about: Did Simon Griffin, who has a graduate degree, know what he was signing when he allowed Dr. Freemont to use his blood in medical research? Let me tell you what this should really be about. Three numbers: 40, 4, and 3. Like a locker combination. Forty million people have AIDS worldwide. Four million were newly diagnosed last year alone, and 3 million died. Simon Griffin's blood has the potential to make that locker combination zero, zero, and zero. Now we don't often get the chance to make someone do the right thing. Most of the time, people do the wrong thing, like pharmaceutical companies charging \$15,000 a year for AIDS medication that costs them \$350 to make. India brought them to task for that, and now it's sold there at cost. This is AIDS, your Honor. The world is standing up, and saying, "You don't get to make your fortune off the impending deaths of 40 million people."

Shirley Schmidt: Taking something from someone else for the greater good—we have a name for that. It's called "eminent domain." If you have a property, a—a home that's in the way of a planned freeway, the government can just come right in and take it. If we can do that to facilitate traffic, then why don't we do it to cure AIDS? Why don't we just say, "Too bad, Simon, but

the laws that protect *everybody* else don't protect you because **laughs** well—you have something that we really, really want, so we were just gonna come in and take it. Does anyone here remember the flu vaccine crisis a couple of years ago? That was the government's baby. The flu kills 36,000 Americans a year, and yet, the government left 30 million without vaccinations. Oops. So, even if you don't like Simon Griffin. You may think—

Judge Robert Sanders: He's an ass.

Shirley Schmidt: Yes, he is. And, if you were in his position, maybe you would be totally selfless, but Simon Griffin isn't saying *no one* can test him; he's just saying he wants to *choose* who does it. And he doesn't want to choose the same bunch that was in charge of the flu.

Claire Simms smiles.

Alan Shore's Office

Alan Shore: I imagine, in a moment of calm reflection or sound judgment, the District Attorney simply saw his way to dropping the charges.

Judge Gloria Weldon: Oh, thank God!

Alan Shore: Let's leave God out of it. You can thank me, Gloria.

Judge Gloria Weldon: How 'bout I invite you over for a cup of tea?

Alan Shore: I'm not a great fan of hallucinogens. That commercial with the frying egg had a profound effect on me.

Judge Gloria Weldon: **laughs** So what . . . what would you like me to do? **pushes her teacup aside, clearing space on Alan Shore's glasstop desk** Would you like me to do it right here?



Alan Shore: I would like you to have dinner with me. **rises** And, if it goes well, perhaps another one. **begins to walk around the desk** And if that one goes well, maybe a third, after which I might kiss you at your front door.

Judge Gloria Weldon: You want to—

Alan Shore: Date.

Judge Gloria Weldon looks surprised.

Alan Shore: I'd . . . like to go out with you.

Judge Gloria Weldon: **rises, and walks to face him** Are you sure you wouldn't rather just rip my clothes off?



Alan Shore: **stroking the shoulder of her suit jacket** Positive.

Judge Gloria Weldon: Could I at least give you an advance on that third date?

Alan Shore: Well, if you must.

As they kiss rather sedately, Denny Crane spies them through the window, and there is a great slamming of his office door.

Alan Shore: Guess Denny didn't like it.

And they Eskimo kiss, as Denny Crane glares from his office window.

Judge Gordon Kolodny's Courtroom

Judge Gordon Kolodny: Mr. Bell, we'll hear from you.

Jerry Espenson growls, Clarence Bell barks back, and Jerry Espenson hoots. Pat Ontario just looks bored, resting her chin on her hand, and Marcie Cooper looks . . . awkward.

Clarence Bell: **smiles sheepishly, rises and stands to face the jury; clears throat** College is a place where we teach our children, believing they are our future. Do we really want a future of social intolerance, where people are ostracized for being shy?

Alan Shore enters the Courtroom, and sits in the back of the visitors' gallery.

Clarence Bell: Where the beautiful and the popular are celebrated, and the less attractive and the awkward are scorned.

Gamma Kappa Tau is a national club promoting a message that is as intolerant as it should be unacceptable. I suppose it's one

thing if they never wanted to invite Marcie Cooper in, but having invited her, to throw her out on grounds of social unfitness . . . Shame on them. **walks back to table and sits**

As Clarence Bell sits, we see Pat Ontario is lounging casually in her chair; she perks up a little as Jerry Espenson rises, walks characteristically with his hands glued to his thighs, and in his usual straight lines and sharp angles, to face the jury.

Jerry Espenson: College is also about preparing students for the outside world. Last time I checked, it's pretty tough out there. There's the old adage, "Nice guys finish last." There's some truth to that. I happen to know opposing counsel is a fundamentally kind man. Sensitive. He chose to exploit my Asperger's syndrome to win this case.

Clarence Bell clearly regrets his actions.

Jerry Espenson: My very best friend, a lawyer I had a case against not too long ago, he, too, exploited my Asperger's. He's a very good man, who opted for cruelty as a strategy.

And, just as clearly, Alan Shore is remorseful.

Jerry Espenson: If Marcie Cooper comes out of this experience thinking that people can be cruel—even the kind, sensitive ones—if she's learned that she will be judged not simply on merit, or the content of her character, but on how she looks and socializes with others, she's gotten an education, one that will serve her in life. This is a free society. People get to choose their friends, clubs get to choose their members. Sometimes it's very ugly and unfair. **looks at Pat Ontario, who nods in agreement** That's . . . life.

Alan Shore is near tears, as he nods. Jerry Espenson nods too, and walks back to his table. Alan Shore, Jerry Espenson, and Clarence Bell are all choking back tears of regret.

Denise Bauer's Office

Brad Chase: enters Hey.

Denise Bauer: Hey.

Brad Chase: nods and closes the door M—my dad served in Vietnam. He put his life on the line. But instead of coming home to a hero's welcome, he found a country that was either ashamed of the war, or just wanted to deny it; deny *him*, and I fear that our soldiers in Iraq could face the same thing. And we seem to be in such a hurry for this thing to be over with, so we can go back to pretending . . . See, in Vietnam, soldiers didn't survive. But today, they do. And they come home missing legs and arms and eyes, you know, and not much to cling to. They need us to be proud of them, you know? And they need us to show it . . . every chance we get. **He opens the door and exits**

Judge Robert Sanders' Courtroom



Judge Robert Sanders: Truth be told, I couldn't understand what the hell anybody was talking about in this case. It was clear to me that Mr. Griffin, as I said, was an ass. The idea of one person getting a patent on somebody else's DNA—! **chuckles** Well, you don't have to be a senile old goat to be befuddled by that! **chuckles** But the most confusing thing of all is the idea that AIDS maybe can be cured, and progress is repeatedly being stalled by a bunch of drug companies and scientists going for patents and fighting over profits. I don't doubt the sincerity of the doctor. Legally, I suppose, he does have a patent, but I keep coming back to—this is Simon Griffin's blood. And he's an ass. I rule in favor of the doctor. **bangs gavel** Adjourned.

Dr. Malcolm Freemont and Attorney Regina Williams shake hands, Judge Robert Sanders gets confused about which way to go to get to his chambers, Simon Griffin looks shocked, and Shirley Schmidt and Claire Simms smile knowingly.

Simon Griffin: What the—? What just happened?

Shirley Schmidt: He played the ass card.

Judge Gordon Kolodny's Courtroom

Judge Gordon Kolodny: Has the jury reached a verdict?

Foreman: We have, your Honor. In the matter of Marcie Cooper vs Gamma Kappa Tau sorority, we the jury find in favor of the defendant.

Jerry Espenson gives a triumphant hop 'n' hoot.

Judge Gordon Kolodny: Ladies and gentlemen of the jury, thank you for your service. **bangs gavel** You're dismissed.

Clarence Bell: to Marcie Cooper I'm sorry.

Marcie Cooper: Well, you tried.

Clarence Bell: You fought, Marcie. That's what's important. You didn't sit back and take it.

Marcie Cooper: Yeah. I sure could've used that fifty million, though. **chimpanzee laugh as they exit the Courtroom together**

Balcony Scene

Denny Crane sits alone with his cigar and scotch. Alan Shore enters, and Denny Crane looks a bit surprised to see him.

Denny Crane: So . . . Hands beat Clarence. Were they any good?

Alan Shore: They were both excellent—tough, shrewd, mercenary—all the ideals we aspire to. It saddened me beyond belief.

sips his scotch

Denny Crane: Well, look on the bright side. Judge Gloria Weldon.

Alan Shore: You know, Denny, I didn't appreciate you hitting on her after I specifically told you I was interested in her.

Denny Crane: Alan, I wouldn't move in on your girl. I was just trying to get there first to make her *my* girl.

Alan Shore: Well, she *is* my girl. Got it? **clears his throat and sits in his chair**

Denny Crane: You went after Shirley when I told you not to.

Alan Shore: Fine, I'll stay away from Shirley; you keep away from Gloria.

Denny Crane: Mm-hmm. M—m. **pause** You like this woman?

Alan Shore noncommittally nod/shakes his head.

Denny Crane: Do you love her?

Alan Shore: **chuckles** Denny, I haven't even had a date with her!

Denny Crane: But you think you *could* love her—that's what this is all about.

Alan Shore: **shaking his head** It's been so long since I let myself love a woman, I wouldn't even know.

Denny Crane: It's . . . terrifying. But that's the best part. Being on the high wire. It's good to be in love, Alan.

Alan Shore: You aren't just saying that?

Denny Crane: It's everything. Just don't let her cut into our special time.

Alan Shore: I would never.

Denny Crane: 'Cause that's what they like to do—women, you know? First thing, just cut you off from your friends.

Alan Shore: Not gonna happen.

Denny Crane: You tell her right from the start—I come first.

Alan Shore: Done.

Denny Crane: If I need a sleepover—

Alan Shore: You get priority.

Denny Crane: Promise?

Alan Shore: Promise.

Denny Crane: She's a beautiful woman, Alan.

Alan Shore: Yes, she is.

Previews

James Spader: Next on Boston Legal.

Alan Shore: I've completely forgotten what it's about.

Judge Marianna Folger (Bernadette Peters): It's about you suing the government for Guantanamo abuses.

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

Judge Marianna Folger: Take your pants off.

Alan Shore: I beg your pardon?

Denny Crane: You've already got a judge. Let me take this one.

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

Shirley Schmidt: **surprised** Je—Jerry!

Jerry Espenson: I want my job back.

Shirley Schmidt: Why would you want to come back?

Jerry Espenson: I miss the camaraderie?

Paul Lewiston: He tried to kill you!

Shirley Schmidt: Wh—not really.

Jerry Espenson: Shirley Schmidt has conditioned my re-entry on your opinion.

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

For a scientific article on the effects of *hoasca*, go to: <http://www.psychedelic-library.org/hoasca.htm>

For a report on the Supreme Court's experience with *hoasca*, go to: <http://faculty.washington.edu/chudler/hoas.html>