

Boston Legal

Tabloid Nation

Season 4, Episode 15

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In Judge Byron Fudd's courtroom Spencer Hamilton is waiting patiently, his attorney's chair next to him is empty. The Judge looks at his watch. Alan Shore is sitting at the plaintiff's table with Jerry Espenson, Alan looks to back of the courtroom, then at his watch.

Alan Shore: I say we just leave.

Jerry Espenson: We can't just leave.

Alan Shore: He's doing this on purpose, not arriving on time. This just...

Jerry Espenson: Don't let him get to you.

Alan Shore: **He looks toward the defense's table.** Your Honor... **he gets up** ...given that the defense lawyer has failed to so much as appear, I ask the court to summarily direct a verdict for the plaintiff, and order World Wide Pictures to pay damages in the amount...

Attorney Melvin Palmer: **He comes in.** Sorry I'm late, Judge. Big Dig traffic. I need a hovercraft, that's what I need. **To Alan.** Hey, Al! **To the stenographer.** How we doin', Sunshine?

Judge Byron Fudd: Mr. Palmer, the court has repeatedly directed you not to refer to the stenographer as Sunshine.

Attorney Melvin Palmer: Well maybe she should stop brightening everybody's day with that smile of hers. That's what she should do.

Judge Byron Fudd: Mr. Palmer, for the last time I will ask you: Please stop wasting the court's time.

Alan Shore: Perhaps you should tell him he's a hoot.

Attorney Melvin Palmer: No, that's what you are, with a capital "H". **He walks up to the Judge.** Judge, as for your time, it was my hope to settle this little dispute, but my good friend, Al over here refused to even meet with me, that's what he did, hence...

Alan Shore: Yes. Because I've suffered the stench and revulsion of meeting with you before. And for the record, the idea of your friendship makes me wanna throw up.

Attorney Melvin Palmer: Looks like somebody's got a bug up. Am I right Jerry? Give me a pop ma man! **Jerry pops his mouth twice. Alan turns to give him a look. Jerry looks down.** Tell you what, Judge, my goal was to give Mr. Beckham here some money. Heaps of it, truth be told, but Mr. Bug-up-his-Snoot refused all offers...

Alan Shore: My client's daughter was murdered as a direct result of your client's conduct. Money is not about to make him whole. Nor will it have any...

Attorney Melvin Palmer: But, money is what lawsuits are about, Al. Am I right? Jerry, two pops for a, 'yes.' **Jerry pops twice.** This case could have settled, Judge, would have settled! But Mr. Tongue-flapper here likes to get on his soapbox. That's what he does. Your time is being wasted here, I agree, but not by yours truly.



Alan Shore: My client has the right to sue the party who wronged him. That's why we're here. And as for what lawsuits are about, Mr. Palmer...

Attorney Melvin Palmer: Flap! Flap! Flap! Only man I know who can fire up and shoot a breeze at the same time. You big hoot you. Put a button on it for me, Jerry! Bring it home. **Jerry pops three times. Alan turns to scold Jerry but stops when he sees that Jerry is contrite.**

At Crane, Poole and Schmidt, Carl Sack and Shirley Schmidt are walking down the corridor.

Shirley Schmidt: So? Are you two getting serious?

Carl Sack: No. Seriously, we just starting dating, Shirley.

Shirley Schmidt: You having sex?

Carl Sack: I don't think that's really a discussion we need to have. Do you?

Ethan Melman: Ah! **He gets up behind up Shirley and Carl.** Ah! **Carl and Shirley turn back.** I'll have it.

Shirley Schmidt: **She gasps.** Oh my God! **They hug.** Oh!

Ethan Melman: My God, you look exactly the same.

Carl Sack: Another old boyfriend?

Shirley Schmidt: The oldest! I can't believe it. What has it been? Thirty? Forty years?

Ethan Melman: Oh, I don't know something like that. I, I actually came because I could use your help, Shirl. I've gotten myself into a little bit of trouble.

Shirley Schmidt: **In her office she closes the door.** Tell me.

Ethan Melman: Ah... well... things haven't been going exactly... well for me lately, and by lately I should say since the war. The one in Vietnam.

Shirley Schmidt: I heard you hit a rough patch.

Ethan Melman: Yeah. **They both sit down.** I had my good times, bad times like most folks. At least I managed to stay out of jail, by God! **He chuckles.** Till... maybe now.

Shirley Schmidt: What happened?

Ethan Melman: Well! Police arrested me for... **he shrugs.** Seems I ate a seal.

Shirley Schmidt: **She lets this sink in for a moment.** You ate a seal?

Ethan Melman: I'm a fisherman. You know me, it's in my blood. I'm a lousy fisherman. And, well, see what happens is I go two, three hours without a nibble, and I pick up my double-aught and I go BOOM! Shot myself a seal! They're good eatin', they really are. Plus the cupboard's a little bare, truth be told.

Shirley Schmidt: You're under the impression they want actual jail time here?

Ethan Melman: Shot more than one. **A beat.** They're very good eating.



At Crane, Poole and Schmidt, Shirley and Carl walk down the corridor.

Shirley Schmidt: He served in Vietnam, forgoing college when he got home. I heard that he fell on hard times but I hadn't really kept in touch.

Carl Sack: How many seals are we talking about?

Shirley Schmidt: I'm don't know. I'm not sure he's altogether sound. He thinks Ashcroft Trojan-horsed the public defender's office. **They meet Denny Crane. He's pantless.** Denny!

Denny Crane: Shirley! **To Carl.** Carl.

Shirley Schmidt: Denny, I'm, I'm feeling a draft. Do you not feel it?

Denny Crane: Let me tell you something, if



we had a draft it would put a real surge on those terrorists in Bagdad and we wouldn't have to fight this war with mercenaries at a fraction of the cost. **To Carl.** You can quote me on that. **A beat.** How's it going? **Carl forces a smile. So does Shirley.** What? Oh, I bet you think I don't know that I'm walking around in my boxers. For your information, I know full well I'm not wearing pants.

Carl Sack: Here I was, underestimating you.

Denny Crane: I spilled something on them. The choice was to go around looking incontinent. Or eccentric. Which would you choose?

Carl Sack: You might choose not to walk around at all. Just a thought.

Denny Crane: Sit? On my own? In my room? Life's a cabaret, man! **He walks off.**

Carl Sack: **He watches with Shirley as Denny walks on waving to others in the corridor.** He is getting worse, you do realize that?

Shirley Schmidt: **She nods.** I'll talk to him.

In Judge Byron Fudd's courtroom, everyone is watching a television monitor where a young man named Steve is down on one knee, proposing to a young woman named Jody on a television talk show hosted by Dr. Ray.

Steve: ...and I want to spend the rest of my life with you, Jody. **Dr. Ray looks on encouragingly.** Will you marry me? **The audience oohs and aahs. Jerry is wiping tears.**

Jody Beckham: **totally thrown.** Steve, I don't know what to say. I... We broke up. It's the reason why I'm on this program. I, I'm trying to move on with my life.

Steve: I know, and I wanna start over. You and me.

Jody Beckham: I can't marry you, Steve. **The audience groans with sympathy.** It's time for me to move on. I've told you this.

Dr. Ray: It's okay. **He presses Jody's hand.** It's okay.

Alan clicks off the monitor. Jerry blows his nose, a loud honk.

Alan Shore: **He rises.** Mr Beckham, that was your daughter on the talk show?

Harry Beckham: Yes. She had been somehow convinced by the show's producers to go on and discuss her relationship problems in front of a national television audience.

Alan Shore: And Steve was her boyfriend?

Harry Beckham: Ex-boyfriend. And as you can tell she was totally unprepared for a marriage proposal.

Alan Shore: And what happened after the taping of this program?

Harry Beckham: After the airing of the program, Steve went to my daughter's apartment and he murdered her. He stabbed her sixteen times.

Alan Shore: Sir, to your knowledge, did Steve have any history of violence?

Harry Beckham: Yes, he's been physically abusive many times. That was the primary cause of their breakup. On two occasions Jody called the police because he got physical with her. Which she told the television producers.

Attorney Melvin Palmer: **He rises.** First of all, it should be said, my heart goes completely out to you.

Alan Shore: It also probably should be said there's no mileage on that heart. So in effect you'd be getting a new one.

Judge Byron Fudd: Mr. Shore.

Attorney Melvin Palmer: He's a quipster,



that's what he is. **He walks up to Harry Beckham.** Sir, your daughter knew this young man better than Dr Ray, or any of the television producers over at World Wide Pictures, am I right about that?

Harry Beckham: Probably.

Attorney Melvin Palmer: And after this television program was taped and aired, did she have reason to believe this young man might endanger her life?

Harry Beckham: I don't know.

Attorney Melvin Palmer: Well, she never called the police to say she was in fear. Did she call you?

Harry Beckham: She said that she was worried about how he might react. She told me that.

Attorney Melvin Palmer: Did you do anything? **A beat. Harry Beckham doesn't answer.** I mean, if a father thought his daughter was in danger, I assume he'd take steps. That's what I assume. What did you do? **He doesn't wait for a response.** The fact is, no reasonable person would have seen this coming. Right, Mr. Beckham? Not your daughter. Not you. Nobody.

Shirley is in her office with Ethan Melman.

Shirley Schmidt: So! I spoke to the US Attorney handling the matter...

Ethan Melman: And?

Shirley Schmidt: And, you've been arrested nine times! Each time you promise not to do it again, and then boom, there goes another seal.

Ethan Melman: **He shrugs.** I'm trying to quit.

Shirley Schmidt: Ethan, I'm going to say this as your lawyer and your friend. I, I don't think you're entirely stable.

Ethan Melman: Is anybody?

Shirley Schmidt: Have you thought of seeing a doctor to get any help?

Ethan Melman: No. I have no insurance.

Shirley Schmidt: How can that be? You're a veteran!

Ethan Melman: There's over two million of us without insurance, Shirl. George, our fearless leader, he cut enrollment for veterans earning more than \$28,000.00 for some families.

Shirley Schmidt: When was the last time you saw a doctor?

Ethan Melman: Three years ago. I was diagnosed as bipolar. Likely suffer from post traumatic stress. Was put on Lithium, which helped. But since my insurance lapsed I haven't taken anything for, you know, for a few years. **He wiggles his finger and smiles charmingly.** But...I'm still charming.

Shirley Schmidt: **She smiles bravely.** I'd like to go with the diminished capacity defense.

Ethan Melman: No! I'm not crazy. I mean, I might have issues, but I am not insane. I needed to eat. Now what would be crazy... what would be crazy is if I just let myself starve to death.

Alan is pacing in his office, talking to Lorraine.

Alan Shore: It's not that I can't handle defeat, but if I lose to Melvin Palmer...

Lorraine Weller: Have you ever lost to him?

Alan Shore: No. But no matter how hard I smack him down he just keeps getting back up again. It reminds me of this inflatable Bobo doll I had as a kid. I'd knock it down and it would come back up smiling! I hated that Bobo doll the way it just kept popping back up, mocking me. One day I finally... **he makes a stabbing motion** ...stabbed it.

Lorraine Weller: You stabbed your Bobo doll?

Alan Shore: I murdered several of my toys. Is that bad?

Lorraine Weller: Well...

Alan Shore: I sank some boats in a lake, buried a truck, I abandoned Mr. Machine in a park.

Lorraine Weller: Did you have any stuffed animals?

Alan Shore: I only had one. A teddy bear when I was very young.

Lorraine Weller: Did you kill him?

Alan Shore: No! **He laughs.** Of course not! **His smile slowly fades.** We did part on bad terms... he would always judge me in such a... I donated him to one of those used toy banks. **Lorraine doesn't respond.** What?





Denny is in his office, boxing the empty air.

Shirley Schmidt: She comes in. What are you doing?

Denny Crane: Boxing. **He points at a screen.** Interactive video.

Shirley Schmidt: She looks at the screen. It is blank. Uh, Denny, the game's not on.

Denny Crane: I'm in training. I can never beat the black guy.

Shirley raises her eyes to the heavens. I gotta be ready.

Shirley Schmidt: Oy.

Denny Crane: What?

Shirley Schmidt: It just sounded a little racist.

Denny Crane: Oh please! I'm not

racist. It's the game. At the easy levels they give you a scrawny white guy. At the more difficult levels? Big black killer thug! Or a Muslim terrorist. **He continues boxing.**

Shirley Schmidt: Denny, do you wanna grab dinner sometime?

Denny Crane: Why?

Shirley Schmidt: Nothing. I just thought we'd catch up a little.

Denny Crane: What's the catch?

Shirley Schmidt: There's no catch! It's... Well, it's my New Year's Resolution. Try to reconnect with people I care about and since I care about you, Denny. Just yea, or nay.

Denny Crane: Yea.

Shirley Schmidt: Great. And, um, if you think of it, wear pants. **She leaves.**

Denny Crane: She loves me. I knew it.

In Judge Byron Fudd's courtroom, Spencer Hamilton is on the stand, Attorney Melvin Palmer is on direct.

Spencer Hamilton: There was no indication anywhere that this young man could be homicidal.

Attorney Melvin Palmer: Well, let's be fair now, he had been violent.

Spencer Hamilton: But he never endangered anybody's life. Plus, Ms. Beckham had been warned that these tapings were often volatile and that they evoked strong emotional responses from guests. She signed a waiver.

Attorney Melvin Palmer: Did she know that you planned to bring her ex-boyfriend on?

Spencer Hamilton: She was told that we may.

Attorney Melvin Palmer: Oh.

Spencer Hamilton: But this was a staple of our programming, we're always bringing the exes on. The abusive fathers. This is what Dr. Ray is all about. Cathartic confrontation.

Attorney Melvin Palmer: Now, when you told her that you were gonna bring on her ex-boyfriend, did she object?

Spencer Hamilton: No. Absolutely not.

Alan Shore: He is now up. So she assumed the risk of being murdered?

Spencer Hamilton: That's a cheap shot!

Alan Shore: Oh, come on. Mr. Hamilton, the staple of your program, as you readily admit, is to inflame, to stir up cathartic confrontation. Here you had a volatile ex-boyfriend who had a history of abuse and physical violence...

Spencer Hamilton: She's the person that knew him best, and she never once...



Alan Shore: And you were more than tickled to exploit her bad judgment. By the way, how many times have you rerun that particular episode where he proposed marriage? The one that led to her murder?

Spencer Hamilton: I don't know.

Alan Shore: My count is three. Including once after he killed her.

Attorney Melvin Palmer: Whenever something bad happens we all feel the need to blame somebody. Hell. I do it. You do it. We all do it.

Alan Shore: I move that this man be sanctioned for continuing...

Attorney Melvin Palmer: Sanctioned?

Alan Shore: ...to disrupt my cross-examination! It's a deliberate attempt to belittle my questions... **Both of them are shouting at the top of their lungs now. Jerry's popping just adds to the mayhem.** ... distract the jury. It's willful, illegal... **He turns to Melvin Palmer.** Shut up!!! You Bobo head!!!



Jerry stops popping. Melvin stops shouting. Alan smiles gamely.

Alan is in Denny's office. Denny is holding an onion.

Denny Crane: You called him that in open court?

Alan Shore: It's like he... I seem to regress to a child when... **A beat.** Denny, did you ever murder any of your toys as a child?

Denny Crane: I shot my flat screen Super Bowl Sunday.

Alan Shore: No, but growing up, did you ever visit your toys with violence?

Denny Crane: Well, my war toys, I'd blow them up, and some of my sister's dolls, I twisted their heads off after I finished... ah... you know, touching them, and... **A beat as Alan stares.** Why are you looking at me like that? Why is everyone looking at me funny these days?



Alan Shore: What are you doing with the onion?

Denny Crane: Oh. Well, I'm having dinner with Shirley. I plan to cry.

Alan Shore: Sorry?

Denny Crane: Well I remember when she first fell in love with me she thought I was vulnerable. So tonight, I plan to cry. Like Robert Frost said, "No tears for the writer. No sex."

Alan Shore: He said, "No tears for the writer. No tears for the reader."

Denny Crane: Whatever. I'll pull a Muskie. It worked for Hillary for about a week. The only problem is, I can't cry without an onion. **A beat.** Tear ducts are all shot.

In Judge Vincent Kimball's courtroom USAG John Sciarra has Officer Michael Bardo on the stand.

Officer Michael Bardo: We got reports that some old guy was shooting seals... we went down to the pier and we saw him.

USAG John Sciarra: In the Boston Harbor?

Officer Michael Bardo: Yeah. In this five-foot rickety old skiff with a fishing rod and a shot gun.

USAG John Sciarra: Did you ever actually see him shoot a seal?

Officer Michael Bardo: On more than one occasion.

Shirley is now up.

Shirley Schmidt: He told you he was fishing in order to eat?

Officer Michael Bardo: Yes. But the Marine Mammal Protection Act expressly makes seals a protected species, which we informed him of many, many times.

Shirley Schmidt: I saw in your police report you made mention of my client's mental status.

Officer Michael Bardo: Yes.

Shirley Schmidt: Do you remember what you said?

Officer Michael Bardo: I said he appeared mentally unbalanced.

Inside Shirley's office.

Ethan Melman: You deliberately defied me.

Shirley Schmidt: No, I did not.

Ethan Melman: I asked you not to make it about that! And you did.

Shirley Schmidt: No. I was laying the groundwork to negate mental intent which is one element of this crime.

Ethan Melman: I don't wanna be called crazy.

Shirley Schmidt: I'm not doing that.

Ethan Melman: You are! I am a war hero. I have a right to be proud. I'm not a victim! I'm not a victim. I don't need anybody to feel sorry for me.

Shirley Schmidt: Okay. I hear you. Now you need to hear me. You must let me fight this case on the elements. One element being mental intent.

Otherwise you're looking at prison.



Denny is sitting in his office in front of a mirror while someone is placing what a wire on his face, under his eye.

Carl Sack: ***He comes in.*** Denny! You know what...? ***He stops and looks at the paraphernalia in front of Denny.*** I'm afraid to even ask.

Denny Crane: Keep a secret? ***Car nods.*** This waterpack goes in my pocket, I hit this remote, the water comes through the tubes, into the wires... tears.

Carl Sack: And the point is?

Denny Crane: To show I'm vulnerable. I need to impress Shirley with my sensitivity. Tip her off, and you're fired.

Carl Sack: Well! Might the desired effect be blunted by the sight of all the technology on your cheeks?

Denny Crane: Oh, we'll cover it with makeup. And if my face is swollen I'll tell her I've been drinking.

Carl Sack: Denny, this is preposterous, even for you. This is grounds for the rubber room even.

Denny Crane: Gosh, Carl. That hurts my feelings. ***He clicks the remote. Tears start pouring down his cheeks. Carl leaves, and Denny is all smiles,***

In Judge Byron Fudd's courtroom.

Attorney Melvin Palmer: ***He rises.*** You know what I love about the human spirit? Our compassion. Our capacity to feel sorry for those in pain. Hell, we had a case last year where a woman sued a department store because she tripped over a toddler. The jury handed her a six-figure verdict. Never mind that the toddler she tripped over was her own child! I kid you not. Juries can get nutty with compassion sometimes. That man lost his daughter. Now you wouldn't be human if you didn't wanna lessen his pain any way you could. But, let's be fair. No one could have predicted this. Not even the victim, the one who knew him best. And by the way, she was the one who rejected his proposal on national television. She could have said, "Let's talk about this later." But she chose

to turn him down with cameras rolling. And even after it all went wrong, she never said to the police, or even to her own father, "Hey! I think he's a risk to my safety." Why? She couldn't predict that. Neither could my client. As much as you feel for this man, and you all should, he lost his little girl. Cry for him! Pray for him! But don't get nutty. **He sits.**

Alan Shore: He rises. I remember the movie, *Network*, by Paddy Chayefsky. It depicted the extremes and perversities that television would resort to for the sake of ratings. It was a film way ahead of its time, and yet now it seems dated given the depths to which television has sunk. I doubt even Chayefsky could ever have imagined putting contestants on a program to eat worms or raw animal parts, or women humiliating themselves to marry fake millionaires. One network made a deal for OJ Simpson to do a Prime Time Special on how he might have killed his ex-wife. Television is a noble beast, isn't it? Well, the shame is it once was. To many it still should be. Television took us to the moon. It let us cry together as a nation when a beloved president was assassinated. Its unflinching and comprehensive coverage of Vietnam served to end that war. Television gave us Edward R. Murrow, Walter Cronkite, Rod Serling, Ernie Kovacs. We had shows like *The Defenders*, *All in the Family*...



Attorney Melvin Palmer: I'm a nostalgia buff myself, but maybe we could stick to current events here. How about that?

Alan Shore: He chuckles. Current events? How fitting! One could argue that the steep decline of TV began with a show called *A Current Affair* which introduced tabloid journalism...

Attorney Melvin Palmer: Headed down memory lane again!

Alan Shore: Will you shut up?!! **A beat.** There used to be standards of excellence in television. I'm not talking only about Emmys and Peabodys, but not so long ago broadcasters had a real sense of responsibility. They took their statutory obligation to operate in the public interest very seriously. Now the networks look for our guilty pleasures and morbid curiosities and pander to those with the hope that they'll get us addicted. Once you get people hooked, you've got 'em! And you have to get people hooked because everything today is ratings, demographics, market share, money. Even the news divisions are now profit centers which means that if good-looking, white-toothed anchors have better TVQs than credentialed journalists, you get the eye-candy! And if positive coverage of the war in Iraq reaches more households, you get Fox News. In fact today you can switch back and forth between the right-wing news and the left-wing news. Whatever happened to Huntley? Brinkley? John Chancellor? To news that was just the news? Now we have partisan junk appealing to the lowest common denominator which brings us currently to...



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Attorney Melvin Palmer: Your Honor?

Alan Shore: ... the program at issue, *Dr Ray!* Mr. Palmer said his client couldn't possibly have seen this coming. Well, that simply isn't true. This tragedy was inevitable. It's practically scripted! It's happened before. Talk show ambushes have gone awry leading to murder or suicide. This isn't a first. But here's what's truly horrifying. A tragedy occurred here, a woman was killed, but for the show--for the show--the real tragedy was that the killing didn't happen *on* the show!

Attorney Melvin Palmer: Look, Your Honor! I object. ***The Judge points his finger to shush him.***

Alan Shore: *That* would have been the ratings blockbuster. That would have been the big score everybody was hoping for. But they had to settle for the next best thing which was that the murder became news. The nightly news was perfectly happy to do the job for them. They gave *Dr. Ray* all the promotion it could possibly want airing sensational clips and graphics from the show again and again and again. You see how it all works so beautifully together! The girl was killed! The show benefits! The news benefits! And we eat it up!

Psychologically damaged people are paraded on stage to be exploited, ridiculed, taunted. Of course this is what we get! And we stand to get a lot more of it because it sells. And it costs almost nothing to produce. And what's not to love? Here we have an emotionally unstable ex-boyfriend with a history of violence, armed with a marriage proposal certain to be rejected in front of the world. And the fact that an innocent young woman ended up butchered was good business for all. Just business. Well, so is a lawsuit.

The most memorable part of the movie *Network* was when Howard Beale started shouting on national television, "I'm mad as hell, and I'm not gonna take it anymore!" And the country joined in with him. You need to join in now. You need to go back to that room and say you're not going to sit quietly and let these networks assault decency for profit. You're not going to stand for the exploitation of the disenfranchised. You're sick of the networks debasing a medium they're supposed to be guardians of. Don't take it anymore.



Please. Please. Get mad as hell! And don't take it... anymore.

Alan sits down. Jerry nods approvingly.

In Judge Vincent Kimball's courtroom, Ethan Melman is on the stand, Shirley is on direct.

Shirley Schmidt: Did you go to college, sir?

Ethan Melman: No. I was drafted right out of high school. When I got back from my tour of duty... uh...

Shirley Schmidt: You were diagnosed as bipolar suffering from Post-Traumatic Stress Disorder. You were prescribed lithium?

Ethan Melman: **A beat.** I'm not crazy.

Shirley Schmidt: Ethan let's, let's talk about the seals.

Ethan Melman: Mainly I tried to fish. I was starving, I harvested some seals.

Shirley Schmidt: Did you ever apply for welfare?

Ethan Melman: I don't believe in handouts. If a man can provide for himself, he should, and I could. Only the federal government wouldn't let me.

Denny and Shirley are having dinner at a restaurant.

Shirley Schmidt: I don't know what to argue really. He's a serial seal killer.

Denny Crane: He won't let you argue insanity?

Shirley Schmidt: Well, I couldn't even if he would. We, we didn't plead it. All I can say really is he lacked the capacity to form the necessary intent to commit the crime.

Denny Crane: **He reaches over to grasp Shirley's hand.** I'm sure you'll be fine.

Shirley Schmidt: Can you imagine? He's out in the harbor in a five-foot skiff, trying to fish. **Denny nods sympathetically.** A sixty-year-old man.

Denny Crane: It's awful. **He reaches under his napkin and presses a button on a remote.** I feel so badly for him. A war veteran. **His tears start to flow.**

Shirley Schmidt: **She is taken in.** Denny, are you okay?

Denny Crane: Well, it's just the thought of a man starving. **His tears are really flowing.**

Shirley Schmidt: **Puzzled by the heavy flow of Denny's tears.** What the...?

Denny Crane: And a fisherman to boot. I hate it when people starve. Those little babies in Africa.

Waitress: **She comes up.** Is everything all right?

Denny Crane: No! World hunger? Darfur? AIDS? **He puts his hands on his face and weeps.** Sad. **Oops! He realizes Shirley can't see his tears now so he quickly looks up again.** Sad. **The tears are now shooting across the table and onto Shirley.**



Shirley Schmidt: Oh! **The tears continue to squirt across the table.** God! For God's sake! What have you done?

Denny Crane: Nothing! **Shirley bats at the water now squirting at her.** I just listened to you. **He fumbles with the remote under his napkin.** I found my own voice!

Shirley Schmidt: Stop it! **She ducks behind part of the tablecloth.** **Denny hits the remote with his fist. He hits it again. After more hitting and some pops and whistles the squirting stops.** **She comes out from under the tablecloth.** Why do you have little hoses on your face? The truth?

Denny Crane: Well, it's just that I... I...

just...

Shirley Schmidt: The truth, Denny, or I'm leaving!

Denny Crane: No, no, no. **A beat.** It's just that I wanted to make you love me again.

Shirley Schmidt: Excuse me?

Denny Crane: I, I wanted you to be reminded of the soft, sensitive me. You said you wanted to rekindle the old... so I thought I'd cinch the deal with a few tears.

Shirley Schmidt: Denny, I... I'm not looking to rekindle that.

Denny Crane: You weren't?

Shirley Schmidt: No. Is that what you thought this dinner was about?

Denny Crane: **A beat.** No! **He laughs.** I was just kidding around. Don't be silly.

Shirley Schmidt: Denny, you're, you're a, a dear friend whom I...

Denny Crane: I gotta go. **He gets up and leaves.**



At Crane, Poole and Schmidt, Alan and Denny are walking down the corridor.

Alan Shore: **He's laughing.** What were you thinking?

Denny Crane: I don't know.

Alan Shore: You wired your face for tears?

Denny Crane: Oh! Lay off, would you? In hindsight it's always easy.

They part and Denny walks off. Alan walks into his office still chuckling. A Bobo doll is sitting on his desk. Alan is startled and quickly backs away.

Lorraine Weller: I thought maybe you were experiencing issues of guilt over the murder and... well... You could maybe start over.

Alan Shore: You think you're funny?

Lorraine Weller: It's the clown issue too, isn't it?

Alan Shore: No, no, no. No. It's simply a mocking issue. Look at the way... **He points at the Bobo doll.** Take it away, would you please? Take it away!

Lorraine Weller: **She gets up.** I think you two will eventually work this out. As you say, there's no harm with pretending. **She leaves.**

Alan Shore: **He looks at the doll, then back to departing Lorraine.** Ah... **Lorraine turns the corner. He**

turns back to the doll in resignation, and then slowly, bravely, walks up to the doll. He punches it. The doll falls back, Alan nods smugly. The doll bounces right back up and Alan quickly steps back in fright. Ahh!!!

Denny Crane: **He comes in.** What are you doing?

Alan Shore: You see? No matter... You can't hit... It always comes up smiling! Taunting me! It won't stay down!
Denny takes a gun out of his pocket and shoots the doll. Oh! Gee! Denny!



Denny Crane: It's what you wanted, isn't it?

Alan Shore: What, you carry a gun on you?

Denny Crane: So what? I know exactly... **He accidentally fires a shot at the ceiling. He watches as debris falls down.** Judas Priest. **They both watch as the doll wheezes as it falls and deflates down.**

Inside Judge Vincent Kimball's courtroom.

USAG John Sciarra: It's not like we're out to get Mr.

Melman, but he willfully, repeatedly, overtly broke a federal law. In a dangerous manner I might add. How many times are we gonna let go before we finally say, "Enough. We're gonna prosecute and put you in prison"? **He sits.**

Shirley Schmidt: When I drive to work I periodically come to street corners where homeless Vietnam vets or Gulf War vets beg for food money. I try not to look. It makes me uncomfortable. Just easier to look the other way, and boy, have we as a nation done that. **She gets up.** Thousands and thousands of Vietnam vets have been lost to poverty, drugs or suicide in this country, and our statistics in the military in Iraq are even worse. With repeated tours of duty soldiers are fifty percent more likely to suffer serious mental illnesses, including Post-Traumatic Stress Disorder. We've all heard about the 4,000 kids we've lost in battle in Iraq, but here at home, in the year 2005 alone we had 6200 suicides among those who serve in our armed services. It is an epidemic.

USAG John Sciarra: Excuse me, but this case is not about the plight of soldiers that fight in Iraq.



Shirley Schmidt: It's about soldiers period, of which my client was one.

Judge Vincent Kimball: Yes, but are you suggesting special treatment for soldiers who break the law?

Shirley Schmidt: Special treatment? **She scoffs.** Judge, these veterans sacrificed their lives. Some of them are maimed, some of them are rendered mentally ill and we can't even guarantee them soup! They hardly get special treatment. The seal seems to! We can shoot coyotes, hunt moose, slaughter cattle, let's not even discuss what we do to chickens. But we actually have a law protecting the seal. Why? They're not endangered? Is it because they're cute? Easy to look at as opposed to starving mentally ill war veterans? We're the United States. The richest nation in the world, and we abandon our vets. We let them starve. We do not take care of them. But, hey! As long as we slap a bumper sticker on our car that says we support our troops, I guess it's okay. Ethan Melman is a war-decorated hero! He returned suffering from Post-Traumatic Stress Disorder, it made holding down employment difficult so his insurance lapsed and he didn't get treatment and he began to starve. He didn't rob anybody, he didn't break into a bank or knock over a liquor store or snatch a popsicle out of someone's hand. He went fishing. Perhaps hunting. And the federal government, instead of offering him a meal, decides to spend \$30,000--money we do not have--to offer him a jail cell. Special treatment, no. Decent treatment might be nice.

Inside Judge Byron Fudd's courtroom.

Attorney Melvin Palmer: **He turns back from whispering with his client and turns to Alan.** Seven-fifty. Take it or leave it.

Alan Shore: **A beat as he watches the jury filing in.** Leave it.

Jerry Espenson: **Sotto.** Alan! If they find under contributory negligence we could get nothing. Plus unforeseeability...

Alan Shore: Jerry.

Attorney Melvin Palmer: Tick tock.

Alan Shore: **He looks to Spencer Hamilton.** Your call. I think we'll get more.

Jerry Espenson: Alan!

Alan Shore: I think we'll get more.

The clerk hands the verdict to the Judge.

Attorney Melvin Palmer: We're at the buzzer.

Spencer Hamilton: **He thinks for a moment. Jerry nods encouragingly.** Rejected.

Jerry gulps.

Alan Shore: You heard him, Mr. Palmer.

Judge Byron Fudd: Members of the jury have you reached a verdict?

Foreman: We have, Your Honor.

Judge Byron Fudd: What say you?

Foreman: We the jury, in the matter of Beckham versus World Wide Pictures, find in favor of the plaintiff. **Jerry raises his hands.** And we order the defendant to pay damages in the amount of four point three million dollars.

Jerry hops.

Spencer Hamilton: Did, did he just say...

Attorney Melvin Palmer: Your Honor! I ask that the verdict be set aside on grounds of being excessive.

Judge Byron Fudd: Mr. Palmer? **Melvin Palmer nods.** Shut up! **Alan chuckles.**

Alright! The jury is excused with the court's thanks. We are adjourned.

Alan Shore: Disappointed, Melvin? Three pops for a "yes."

Attorney Melvin Palmer: I gotta hand it to you, Al. A hoot till the end!

Alan Shore: That's me.

Attorney Melvin Palmer: Hell! I get paid, win or lose. Hell! Now that we get to appeal, I just made more money! That's what I did. **He clicks and leaves.**

Alan thinks about this and frowns.



Denny is in his office when someone knocks on the door.

Denny Crane: Busy! **He starts rifling around the papers on his desk.**

Shirley Schmidt: **She comes in.** Denny.

Denny Crane: **A long beat.** Shirley. Why did you invite me to dinner?

Shirley Schmidt: Because I adore you. I've let some friendships either atrophy or... and well, I suppose I'm worried about you.

Denny Crane: That's it? You're worried about me?

Shirley Schmidt: Denny, you're walking around without your pants on, your face wired for tears.

Denny Crane: I explained the pants.

The tears were for you. You don't see us getting back together at all? It's so far beyond the bucket.

Shirley Schmidt: Pale.

Denny Crane: What?

Shirley Schmidt: It's beyond the pale, not the bucket.

Denny Crane: Shirley! We love each other.

Shirley Schmidt: I do love you, Denny! But not in a romantic way.

Denny Crane: Oh come on, Shirley! At our age, if our heart skips a beat it could kill us. You gotta give up on this

romance thing.

Shirley Schmidt: Nobody ever gives up on it.

There is a knock on the door.

Carl Sack: **He comes in.** Judge is back.

Denny Crane: Thank you.

Denny and Shirley both rise.

Shirley Schmidt: Denny. You're not in trial. It's my Judge.

Denny nods. Shirley leaves. Carl is about to.

Denny Crane: Had a little malfunction on the tear machine. Gotta get the kinks worked out. Once I do I... **He is overcome with emotion. Carl leaves. Denny blinks away tears. Real tears.**



Inside Judge Vincent Kimball's courtroom.

Judge Vincent Kimball: I realize our nation has a deficit and we can't feed everybody. Nor get them health insurance. But it seems to me if a soldier risks his life in battle for this country, this country owes him something in return. If not legally, morally. I find Mr. Melman, not guilty.

Ethan Melman: **He gasps.** Oh my!

Judge Vincent Kimball: We are adjourned.

Ethan Melman: Thank you, Shirley. **He hugs Shirley.** You saved my life.

Shirley Schmidt: How about I take you to dinner to celebrate?

Ethan Melman: Oh.

Shirley Schmidt: I know a cozy place that serves marine mammals.

Ethan Melman: I... If you don't mind I think I'm gonna pass.

Shirley Schmidt: **She nods.** Okay.

Ethan Melman: Okay. **He gives her a peck on the cheek.** Thank you, Shirley. **He turns to leave.** Oh! **He walks in front of the table and reaches over to take Shirley's hand.** I, I will pay my bill.

Alan and Denny are having cigars and scotch on Denny's balcony.

Alan Shore: He just continued to smile as if he'd won. That same horrific grin as the Bobo doll. Much as I wanted to help my client in this case, I'm ashamed to admit my overriding drive was to beat Melvin Palmer. I know it sounds crazy but he really did bring back memories of the Bobo doll. He would just keep popping back up with that expression, "You lose!" Lorraine thinks it's self-loathing on my part.

Denny Crane: We're all victims of our childhood, one way or another.

Alan Shore: I'm sorry about things with Shirley.

Denny Crane: Yeah. Que saran, saran.

Alan Shore: Sera.

Denny Crane: Really? I thought it was saran.

Alan Shore: No. Sera.

Denny Crane: What's saran?

Alan Shore: It's a wrap. Keeps sandwiches fresh.

Denny Crane: **A beat.** See, if I had been the one to break it off with Shirley... Ahhh! It's all male ego anyway. Like you having to prove yourself in court. We're hard wired. We just don't wanna be seen as losers.

Alan Shore: I think we live our lives so afraid to be seen as weak that we die perhaps without ever having been seen at all. Denny, do you ever think that when you die people will never have truly known you?

Denny Crane: I don't want 'em to know me. I want them to believe my version. Besides, you know me. That's enough.

Alan Shore: Lorraine thinks until I get professional help I will forever be disabled when it comes to forging a truly intimate relationship with somebody. Who needs one?

Denny Crane: I'll tell you something. You got one with me. You have met somebody who likes you for who you are. And cigars. Scotch. That's a true relationship! And...! I love you. Bonus points!

Alan Shore: So I'm alright?

Denny Crane: Yeah. We both are. That why we like to sit out here. It reminds us: we're alright.

Que sera, sera.

Whatever will be, will be.

The future's not ours to see.

Que sera, sera.

