

**Boston Legal**  
**Made in China**  
**Season 5, Episode 12**  
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**Transcribed by Dana for Boston-Legal.org**

**Hallway, Law Offices of Crane, Poole and Schmidt, Night**

***Denny Crane steps off the elevator and sees Shirley Schmidt approaching. Music: "Deck the Halls".***

Denny Crane: What's up?

Shirley Schmidt: All I know is they reached a tentative deal and need us to sign off before—

Denny Crane: We've merged?

Shirley Schmidt: ***She takes him by the elbow*** Evidently, we'll know more in a second.

Denny Crane: Where are we going?

Shirley Schmidt: Twenty-eighth floor, they're all waiting.

Denny Crane: Who? ***They step onto the elevator***

***Next moment, they step off the elevator, entering the lobby of the 28<sup>th</sup> Floor***

Denny Crane: Where's Edwin, doesn't he need to sign off?

Shirley Schmidt: I'm told he's been called.

Denny Crane: What will this mean to us? More specifically, *me*?

Shirley Schmidt: Denny, I don't know all the details, let's just hear what they have to say.

***They enter the 28<sup>th</sup> floor conference room and see Paul Lewiston, Atty. Walter Seymore, Atty. Marshall Kennedy .and twelve Chinese businessmen in suits, including Hyung Lee And Zhu Chang.***

Denny Crane: What the hell is this?

Paul Lewiston: Shirley Schmidt, Denny Crane, I'd like you to meet Hyung Lee and Zhu Chang.

Shirley Schmidt: ***confused*** Hello. ***She's a bit stunned and wasn't expecting this***

Denny Crane: They're all Chinese.

Paul Lewiston: ***cautioning him*** Denny. Mr. Chang is the CEO of the TSU Chang International Group, they recently acquired Finlay Cravette, a law firm you know well. They are now expanding to acquire Crane, Poole and Schmidt.

Denny Crane: What are you talking about?

Shirley Schmidt: I thought we were merging with Finlay, not-

Paul Lewiston: Yes, Finlay is now really TSU International.

Denny Crane: Any of you yahoos speak English?

Hyung Lee: I speak English, Mr. Crane.

Denny Crane: Oh, good for you, and (re: the others) who are these guys?

Paul Lewiston: ***(covering)*** Denny. Your abrupt litigation style is legendary. You need not put it on display.

Denny Crane: Are you telling me we're being bought out by the Chinese?

Paul Lewiston: The good news is they intend to keep on most of the attorneys here, so as transitions go, this will-

Denny Crane: Yeah, I saw their transition in Tibet, I'm not a fan. We're not selling out to a bunch of Communists.

Paul Lewiston: ***(warning)*** Denny.

Hyung Lee: How dare you?

Denny Crane: What, you're not a bunch of Communists? You're not getting my firm!

***The assembled express a bunch of angry protests In Chinese, directed at Denny.***

Denny Crane: What's this, war talk? Bring it on.

Zhu Chang: (in Chinese) I demand an apology!!

***Denny pulls out an automatic paint-ball gun; he begins to spray fire. We hear panic, all in Chinese, screaming from Paul Lewiston and Shirley Schmidt as well, as the businessmen duck for cover, tumult, as Crane fires away. It's madness!***

[Main Titles]

**Shirley Schmidt's office – Night**

***Shirley sits there alone. Finally, Paul enters.***

Paul Lewiston: I *think* I've managed to smooth things over. The deal is still-

Shirley Schmidt: Why didn't you tell me who we were negotiating with?

Paul Lewiston: It's an extremely reputable group, Shirley, not to mention liquid, and in this economy -

Shirley Schmidt: It's *Chinese!*

Paul Lewiston: It's an international--

Shirley Schmidt: It's *Chinese!*

Paul Lewiston: Do you know how many businesses in this country are owned and operated by--

Shirley Schmidt: We don't need to be one of them.

Paul Lewiston: Shirley. We don't have any other bidders. We have about three weeks before we can't make payroll.

Shirley Schmidt: Paul. This firm is my legacy. My name is on the plaque. I don't have to remind you China's track record on human rights, or --

Paul Lewiston: You're talking about the Government. This is a private company.

Shirley Schmidt: There have to be alternatives that—

Paul Lewiston: There aren't.

### **Shirley's cell phone rings**

Shirley Schmidt: (answering) Shirley Schmidt.

(then) What?

(then) What's the address? **She clicks off** Denny's been arrested.

Paul Lewiston: What? (**checks watch**) At one in the morning?

### **Penelope Kimball's house - Night**

**Police cars, crime scene. Shirley's car pulls up, she and Lewiston emerge, head for the house.**

**Schmidt and Lewiston enter, police abound. Penelope Kimball, forties, stands with several officers.**

**Detective Max Waters approaches.**

Shirley Schmidt: Shirley Schmidt, Paul Lewiston, we represent Denny Crane. Where is he?

Det. Waters: The den.

Shirley Schmidt: What's happened?

Det. Waters: He broke in, sexually assaulted the woman who resides here.

Shirley Schmidt: What?

Paul Lewiston: Sexually assaulted her?

Det. Waters: He climbed into her bed while she was sleeping. She broke free, called us.

**Crane sits there with Police, he's wearing a woman's bathrobe. Schmidt and Lewiston enter.**

Shirley Schmidt: Denny?

Denny Crane: I called Alan, couldn't get him.

Shirley Schmidt: Denny, what have you done?

Denny Crane: It's just a misunderstanding. This is Penelope Kimball's house, we're friends, neighbors, we kind of have a flirty relationship. I thought I'd give her a Christmas surprise. Surprised her too much, I guess.

Paul Lewiston: You climbed into her bed?

Denny Crane: Look, I thought she'd like it, we ... we have a kind of chemistry.

Shirley Schmidt: Not anymore, you don't.

Denny Crane: Can't I just apologize to her and go home?

Shirley Schmidt: I don't think it's going to be that easy. You've been charged with breaking and entering, and sexual assault.

Denny Crane: Oh, please. Who do I make the check out to?

Paul Lewiston: Denny. You are in serious trouble here.

### **Denny Crane's Office – Next Day**

**Denny is at his desk. Decorated Christmas tree. Alan Shore enters. Stares.**

Alan Shore: Are you *kidding* me?

Denny Crane: Oh please ... Everybody's overreacting.

Alan Shore: Overreacting, you broke into a woman's house in the middle of the night, climbing into her bed, *naked* –

Denny Crane: I do that all the time.

Alan Shore: *Denny* --

Denny Crane: Plus, I did not break in, the kitchen door was open ~ plus, she's a friend, as for being *naked*, I was just trying to save a little time. **Alan gapes.** Look. The last time she and I spoke, we were talking about Christmas, gifts, the economy, I said something like 'this year, I'm going as the little drummer boy.' Instead of

buying presents, I'd just show up and play my little instrument. She said, 'oh, I'd like that.' I mistook that for an invitation of sorts. Sorry.

**Alan Shore:** For God's sake, we're scheduled to go to the Supreme Court on Friday.

**Denny Crane:** We've got much bigger problems, Alan.

**Alan Shore:** What?

**Denny Crane:** We're being bought out by the Chinese.  
(a beat)

**Alan Shore:** What are you talking about?

**Denny Crane:** It's hush-hush, but I'm telling you. A Chinese company has reached an agreement in principle to buy us. The place was crawling with Chinamen last night, it looked like Ho Chi Minh City, I kid you not.

**Alan Shore:** Why would a Chinese firm want to buy an American law firm?

**Denny Crane:** They're buying everything. They're taking over.

### **Schmidt's Office - Day**

**Carl Sack:** How could you not be kept in the loop on what was –

**Shirley Schmidt:** I was told it was a parent company of Finlay. I had no idea ... Carl, I want to stop it.

**Carl Sack:** Can we?

**Shirley Schmidt:** The only thing I can think of is an injunction, trying to block it on public policy grounds.

**Carl Sack:** Public policy?

**Shirley Schmidt:** It can't be a good thing for Chinese corporations to be scooping up American law firms. It's definitely not good for us.

**Carl Sack:** So all in all ... we picked a really bad week to get married.

***A knock on the door. Penelope Kimball enters.***

**Penelope Kimball:** Ms. Schmidt. I'm Penelope Kimball, we didn't actually get to meet last night, but ...

**Shirley Schmidt:** Yes, yes, come in. This is Carl Sack. Carl, Ms. Kimball was the ... victim in ... Denny's ... last night.

**Carl Sack:** Ah.

**Penelope Kimball:** You know, I feel really, really terrible about all this.

**Shirley Schmidt:** Well ... we all do. Denny's maintaining it was some sort of misunderstanding. Is that ... possible?

**Penelope Kimball:** Denny didn't seem to understand anything last night.

**Shirley Schmidt:** What do you mean?

**Penelope Kimball:** He seemed extremely disoriented. And confused. It wasn't ... it didn't really seem like an assault of any kind so much as ... he seemed really, really confused. Like he didn't really know where he was.

### **Denny's Office - Day**

**Denny Crane:** That's ridiculous. I was in Penelope Kimball's bed, looking to play my instrument. She's a very sexy lady, be glad I didn't crawl into yours.

***Shirley looks to Alan.***

**Alan Shore:** Denny. There's no point in lying to *us*.

**Denny Crane:** I'm *not*.

**Alan Shore:** Denny, look at me. Tell me what happened last night.

**Denny Crane:** I told you already.

**Alan Shore:** Denny.

**Denny Crane:** (a beat, admitting) I don't know what happened. (a beat) All of a sudden, the police were there and ... I was in the wrong house and I... wasn't wearing anything. (a little scared) I don't know what happened. I remember being upset at home. I couldn't sleep, I was so worried about the Communists invasion.

Next thing ... I'm naked, talking to police officers. I don't even remember talking to Penelope.

(a beat)

I want that drug.

**Alan Shore:** We go to The Supreme Court on Friday.

### **Conference Room**

***Katie Lloyd and Jerry Espenson sit at the table; nine cut-out posters are perched around it, each depicting one of the Supreme Court Justices.***

**Katie Lloyd:** The question becomes, if they refused to hear almost exactly the same case before, why are they suddenly doing so *now*?

**Jerry Espenson:** I don't know.

(then)

It's a bit daunting, being in a room with them. Even when they're just cut-out posters.

Alan Shore: **clipped, poking his head in** How we doing?

Katie Lloyd: Well, there's no Constitutional right to experimental treatment, we're going to have to locate authority elsewhere.

Alan Shore: What about right to privacy, we could extend by analysis--

Katie Lloyd: You can, but it's been tried before and rejected.

Alan Shore: Medical self-defense?

Katie Lloyd: Also tried with marijuana for medicinal purposes, also rejected.

Alan Shore: What *have* you got?

Katie Lloyd: We're still looking. **As Alan starts out --**

Jerry Espenson: Alan. There are rumors about the firm being sold.

Alan Shore: I haven't got time for rumors right now, Jerry.

**And he's out. Espenson shoots a Bronx cheer at the door.**

### **Shirley Schmidt's Office**

**It's heated between Schmidt and Lewiston.**

Paul Lewiston: Look, Shirley, no one *likes* it, but --

Shirley Schmidt: Why can't we just get a line of credit to make payroll-

Paul Lewiston: Line of *credit*, have you been living on this planet? *Credit* --

Shirley Schmidt: We've got assets into the millions --

Paul Lewiston: And liabilities into *tens* of millions.

Shirley Schmidt: So we just make deal with the devil, that's your way --

Paul Lewiston: They are not the *devil*, they're --

Shirley Schmidt: *Yes, they are!!*

Paul Lewiston: Because they're Chinese?!

Shirley Schmidt: *Yes!*

Paul Lewiston: You're a bigot.

Shirley Schmidt: I'm entitled to my opinion. I realize I *wouldn't* be if I were in China.

Paul Lewiston: You're out of line.

Shirley Schmidt: If this merger goes through --

Paul Lewiston: You can make your case to the partners --

Shirley Schmidt: I'll take my name off. The firm will *not* be called --

Paul Lewiston: Your name is firm property. You do not own it.

Shirley Schmidt: I'll go to court.

Paul Lewiston: Fine, I'll wave to you from the other side. **Paul leaves.**

Shirley Schmidt: Thanks for having my back, Carl.

Carl Sack: **calmly** Shirley, dear, if you expect to have any success, either with the partners or in court, you'll need to check your prejudice at the door.

Shirley Schmidt: I have no problem with the Chinese people. Or Chinese-Americans or ... but the Government, which a lot of these companies ....

Carl Sack: Yes, you know what? I think you should check the anger at the door as well.

### **Denny Crane's Office – Night – Scotch in hand**

Alan Shore: I spoke to the D.A. They're dropping the charges against you.

Denny Crane: How'd you do that?

Alan Shore: It wasn't difficult, really. Penelope also spoke to them, so ...

Denny Crane: Deep down, that woman wants me.

Alan Shore: Do *not* go there tonight.

Denny Crane: Thank you, Alan. (a beat) I'm going to ask you something. And you may think it's crazy. But I want you to at least *think* about it.

Alan Shore: Okay.

Denny Crane: Will you marry me? **Alan stares back, incredulous, wondering if he's serious**

I know, the sex is lousy, but ... it is legal in Massachusetts, same-sex marriage. There are going to be decisions ahead. *Medical* decisions ... that a spouse gets to make if I should become ...

Alan Shore: Denny, you can stipulate that in a living will, or by proxy, we don't need to get married.

Denny Crane: There are other reasons. Last night, I climbed into a neighbor's bed. I also shot a few Chinese, though I don't apologize for that. How many times have I been arrested?

Alan Shore: A lot.

Denny Crane: And the odds of me getting arrested again for who-knows-what ... I need to be able to tell you things. 1340

Alan Shore: You can always—

Denny Crane: Let me finish, please.

(then)

Though I know you'd resist ... the police can subpoena you and try to force you to reveal whatever I tell you.

Alan Shore: I'd never —

Denny Crane: And they could hold you in contempt if you refused. You could end up in jail. On the other hand, if you have spousal privilege ... I can talk to you without worrying about you incriminating yourself later if —

Alan Shore: Denny ....

Denny Crane: For my peace of mind. What little piece I have left.

Alan Shore: Let's be serious.

Denny Crane: I *am*.

Alan Shore: And let's talk about your legacy, the Denny Crane machismo ... if you were to marry a man.

Denny Crane: I can think of no greater legacy than being your partner.

**As crazy as it sounds, it's probably the greatest compliment Shore has ever been paid, and we can see he's moved.**

Denny Crane: And I can transfer property to you without having to pay a gift tax, which, since the rate is a hundred percent ...

Alan Shore: Denny. What we've got now is so good. Why ruin it with marriage?

Denny Crane: Who knows how long I have left, Alan.

Alan Shore: You have a long time left. we're going to The Supremes. And we're getting you that drug.

### **28th Floor, Conference Room - Night**

**All the partners are present, including Adams, Duncan, Evans, Reid, Thomason, Underwood, Xavier and Zinberg, except for Crane. The vote is being taken; we're in the middle of a roll-call. As we go around the room, there are far more 'ayes' than 'nays.' Lewiston calls the names.**

Paul Lewiston: Seymore?

Seymore: Aye.

Paul Lewiston: Zinberg?

Zinberg: Aye.

Paul Lewiston: Kennedy?

Kennedy: Aye.

Paul Lewiston: Underwood?

Underwood: Aye.

Paul Lewiston: Evans?

Evans: Aye.

Paul Lewiston: Duncan?

Duncan: Nay.

Paul Lewiston: Xavier?

Xavier: Aye.

Paul Lewiston: Espenson?

**Espenson pops twice. They all look at him.**

Espenson: Nay.

Paul Lewiston: Adams?

Adams: Aye.

Paul Lewiston: Reid?

Reid: Nay

Paul Lewiston: Thomason?

Thomason: Aye.

Paul Lewiston: Sack?

Sack: Nay.

Paul Lewiston: Schmidt?

Shirley Schmidt: Nay. By proxy, I have Denny Crane's nay.

Paul Lewiston: Okay. We have eight ayes, five nays.

Shirley Schmidt: The nays have it.

Paul Lewiston: The motion to approve the merger —

Shirley Schmidt: (hardened) The nays have it.

Paul Lewiston: The merger is approved.

Shirley Schmidt: I'll get an injunction.

Paul Lewiston: We can get injunctions on our own, Shirley.

Shirley Schmidt: Take your shot, Paul.

Paul Lewiston: Shirley. There are many ways to go out. On your ass isn't one of the better ones.

Carl Sack: You might keep that in mind, Paul.

### Crane, Poole & Schmidt Offices

**Crane steps off the elevator. Eight Chinese businessmen, suits, are present, they recognize Crane from the conference room incident. Crane stops, glares, and the businessmen begin to talk, in Chinese, 'that's the crazy man,' 'he's the one who shot us,' 'Denny Crane.' It sounds a little threatening to Crane, he pulls out his paint-ball gun. They yelp, scatter.**

Carl Sack: (approaching) Denny. Come on.

Denny Crane: Are you for this merger, Carl?

Carl Sack: No. But this is a bit of a duress sale. We don't want to see assistants and secretaries losing their homes, God forbid you should have to sell your Gulfstream.

Denny Crane: Is Shirley going into court?

Carl Sack: She is, and --

Denny Crane: I'm coming with.

Carl Sack: Well ...

Denny Crane: It's my name up there, too.

Carl Sack: Understood, and we need to present a rational front if we're --

**Denny, in a flash, shoots Sack in the thigh. Sack doesn't even blink. Instead--**

Carl Sack: Give it to me.

**Denny hands the gun over.**

### Shirley Schmidt's Office

**Shirley is being fitted for her wedding gown. Denny enters.**

Denny Crane: ah. Am I not supposed to see you before the big day?

Shirley Schmidt: You're not the groom.

Denny Crane: There's still time. (off her look) I'm coming with you to fight the Chinese.

Shirley Schmidt: ah, no, no, no, no, no, no,--

Denny Crane: Shirley. My absence would be *conspicuous*.

Shirley Schmidt: And appreciated by all, since—

Denny Crane: I won't shoot anybody. I'll keep my clothes on, I'll ... (then) Well, I won't shoot anybody.

Shirley Schmidt: Denny, I can't risk—

**Denny takes her hand**

Denny Crane: Shirley. I'll behave. I should be at your side, I'm the name partner, I ... **He stops, realizing he's holding the bride's hand ... almost as if he's marrying her. It's an awkward moment. Then--**

Denny Crane: You look beautiful.

Shirley Schmidt: Thank you.

Denny Crane: I'm going to go pack.

(then)

My *trial* bag.

### Corridor of Crane, Poole & Schmidt

**A cluster of Chinese businessmen ... suddenly, here comes Espenson, dashing toward them. Not knowing what's coming, they freeze again as Espenson runs by, does a little hop.**

### Alan Shore's Office

**Alan is at his desk, as Espenson explodes in. And he's up on the sofa.**

Jerry Espenson: Yes! Yes!

Alan Shore: Don't tell me, you love Katie.

**He does a Tom Cruise jump and hops off.**

Jerry Espenson: A Federal case in Newark recently granted a plaintiff the right to use an experimental drug, it's the most recent case on point, I found it, Katie helped, it's not binding but it could explain why the Supreme Court agreed to hear us.

Alan Shore: A new case?

Jerry Espenson: I found it, Katie helped. **Two pops, and he dashes out. A beat. He dashes back in, gives the case to Shore.**

Jerry Espenson: New case. I found it. **And he's gone**

### Court Corridor

**Schmidt, Crane, and Sack emerge from the elevator, head to court. A different elevator opens, out comes Lewiston, with a few partners and several Chinese businessmen.**

### Judge Fudd's Courtroom – Later

**All parties are present; Judge Byron Fudd presides**

Judge Fudd: Wait just a second. (to Lewiston) You're here representing Crane, Poole and Schmidt. (to Schmidt) And *you're* here ...

Shirley Schmidt: Also representing Crane, Poole and Schmidt, and I would remind the court, I'm Schmidt.

Paul Lewiston: Your Honor, the partnership voted overwhelmingly to approve this merger, it is lawful, it is pursuant to a valid partnership agreement entered *into* by Ms. Schmidt –

Shirley Schmidt: And it's against public policy.

Judge Fudd: Why, to have a business acquired by Chinese interests? You're a little late on the protest wagon, if *that's* --

Shirley Schmidt: It is one thing for them to acquire manufacturing or software companies. It's quite another to allow them a death-grip on our law firms,--

Paul Lewiston: *Death* grip?

Shirley Schmidt: --which are in the business of safeguarding individual liberties and –

Judge Fudd: Counsel --

Shirley Schmidt: This doesn't scare you, Judge?

Paul Lewiston: (to Schmidt) Shame on you.

Judge Fudd: Hold on. (to Schmidt) Counsel. The law is the law. If the Chinese buy companies here, they have to play by our rules. I don't see your problem –

Shirley Schmidt: And if they *don't* want to play by our rules, what more effective, insidious way to circumvent our laws than to gain control of America's major law firms so--

Paul Lewiston: That is just—

Shirley Schmidt: *May I finish?*

Carl Sack: Shirley. **Shirley takes a breath to gather herself.**

Shirley Schmidt: China is a lovely country, I've always wanted to visit their walls. But the idea of China coming over *here*, however, is terrifying, I'm *sorry*. We know their atrocious record on human rights. They do not support freedom of speech, freedom of religion, they do support Sudan, thereby contributing-to the genocide in Darfur, they turn a blind eye to female infanticide, they force abortions, they practice torture —

Judge Fudd: Okay, I need to stop you. They cannot do any of that here, and the notion that they're somehow going to change our laws by wresting control of our law firms, you should know better.

Shirley Schmidt: Your Honor. With all due respect, *you* should know better. China's *economy* will overtake ours, that's not even-a--question any more. They have so much money now invested here, add to that the devaluation of our dollar, they pretty much own us already. Their goal is to become a civilizational power, they have the wealth to achieve it, and if we let them buy up all the lawyers here, watch out.

Judge Fudd: I agree with Mr. Lewiston, your argument and your tone smack of racism.

Shirley Schmidt: I don't give a damn *what* it smacks of. I don't want to *fall* into their hands, and by the way, it is *folly* to think we'll control them with our laws, it is ludicrous to say we'll be tough on their human rights violations because the fact is, we haven't been. *Why?* Because they own us. As Hillary Clinton said, 'how do you get tough on your banker?' The United States may very well work for China one day, I get that, it's a new world order, but as law firms go ... (checks her emotion) ...my name is on *this* one. My life's work has gone to build-up ... (a beat) Let them start with somebody else's firm.

**Shirley sits. A beat.**

### Alan Shore's Office

Alan Shore: Did he rule?

Denny Crane: After lunch.

Alan Shore: And suppose we lose. Has anybody made clear how the firm will change?

Denny Crane: Paul Lewiston says it won't, but Shirley is convinced otherwise. (then) Jerry was hopping around, said he found a new case on point?

**Alan Shore:** There was a recent Federal Court ruling in support of giving experimental drugs. District Court, it won't be binding, but it'll help. (then) I'm also presently trying to get you into one of the clinical trials on Dimebolin, but I'm not confident on that.

**Denny Crane:** Have you given any more thought to my idea?

**Alan Shore:** What idea? (off Crane's look) *Marrying* you?

**Denny Crane:** We're committed to each other. Why not make it legal?

### **Shirley Schmidt's Office**

**Shirley Schmidt:** I didn't mean to get emotional, I just ... (then) ...maybe it's a bad sign that my personal legacy is so tied to my profession, instead of ... (a beat) I hardly ever speak to my daughter, I *don't* to my sister, I just ...

**Carl Sack:** We could always start a family. ***Shirley just looks at him.*** Shirley, are you even the least bit excited about getting married?

**Shirley Schmidt:** Of course I am. Why do you ask that?

**Carl Sack:** Well, most brides are obsessed with their wedding day.

**Shirley Schmidt:** Oh, please, I've had too many of them.

(pauses)

I didn't mean it to sound like that. This merger thing has just rattled me a little.

**Carl Sack:** You want to postpone the ceremony?

**Shirley Schmidt:** No, no, let's just get it over with before ...

(off his look)

I *definitely* didn't mean for that to sound like *that*.

**Carl Sack:** This is when I get insecure and want to run back to New York.

**Shirley Schmidt:** Hey. I cannot wait to marry you. And I do not want to delay it for anything. In all this ... madness, do not let my love for you get lost. Okay?

**Carl Sack:** Okay.

***And as they start to kiss, Denny enters.***

**Denny Crane:** Judas Priest, again with the kissing. Is it just for my benefit?

**Shirley Schmidt:** No, Denny. It's for mine. Do you need something?

**Denny Crane:** What happened in court?

**Shirley Schmidt:** We're still waiting for— ***And Paul Lewiston enters.***

**Paul Lewiston:** (to Schmidt) The judge ruled. Your injunction was denied, the merger is valid. Look, none of us wanted this to happen, Shirley. But we have responsibilities to others and ... like it or not, this firm is bigger than all of us.

### **28<sup>th</sup> Floor, Conference Room**

***A roomful of Chinese businessmen, including Lee and Chang. Schmidt enters.***

**Lee:** Thank you for joining.

***Schmidt sits. Throughout the following, Lee goes back and forth from Chinese to English as required, translating for both Chang and Schmidt.***

**Lee:** Obviously, your remarks about China are deeply disturbing. In a time when China is embracing capitalism and American ideals, we expected to be welcomed more graciously.

**Shirley Schmidt:** Mr. Chang, the dirty little secret on China is the capitalism you so embrace primarily consists of Stateowned enterprises. Most of the companies, including *this* one, are not really all that private, they are often tied to your Government. There is nothing American about that ideal.

**Lee:** Many of your banks today are owned by your Government. Our hope was that you would remain with Crane, Poole and Schmidt. We now have deep concerns over whether you will serve our interests with fidelity. If you feel you cannot, we would appreciate you acting with honor and submitting your resignation.

**Shirley Schmidt:** You'll have my resignation by the end of business.

**Lee:** Please do not act in haste, Ms. Schmidt.

**Shirley Schmidt:** Mr. Chang. The truth is, I'd probably resign no matter who bought us out. The fact that it's you just makes it a little easier. As long as we're into doing things honorably, please do me the courtesy of removing my good name from these walls.

**Chang:** (in English) Bitch.

***And they all agree, echoing 'Bitch'.***

### **Carl Sack's Office**

**Carl Sack:** You *quit*?

**Shirley Schmidt:** Carl ... I just can't do this. Not--



**Carl Sack:** Whoa, whoa, whoa. First of all, you should never be making this kind of decision while you're emotional. Second ... Shirley, there are a lot of people here who now more than ever will be looking to you for reassurance. This is not how a leader reacts.

**Shirley Schmidt:** You can lead.

**Carl Sack:** I don't enjoy the loyalty you do. And we most certainly don't want Denny in charge. (a beat) Do *not* be submitting your resignation, at least not *yet*.

**Chang and Lee enter.**

**Shirley Schmidt:** Oh, gee, it's Laurel and Hardy.

**Lee:** Ms. Schmidt, you have been very rude to us. We will not respond in kind. Mr. Sack. May we meet with you, please?

### Conference Room

**Shore and Crane sit facing Espenson, Katie and The Supreme Court cut-outs. Mock session in progress.**

**Alan Shore:** I would submit there are four factors the Court must look at. First --

**Jerry Espenson:** (cigarette in mouth) Whoa, whoa, who, you don't get to tell us what we must do. Sorry, start again.

**Alan Shore:** Jerry, which Justice are you playing?

**Jerry Espenson:** I was kind of a composite.

**Alan Shore:** Okay. I would like the Court to consider four factors in determining whether my client qualifies for the compassion exception to the ban on experimental drugs.

**Jerry Espenson:** Whoa, whoa, whoa, you've come to The Supreme Court looking for *compassion*, boy, did you walk into the wrong room, I tell you. **Jerry laughs.**

**Alan Shore:** Jerry. They won't do that. Can you lose the cigarette and play this straight, it's kind of an important case. **As Carl and Shirley enter. Ominous.**

**Alan Shore:** What's going on?

**Denny Crane:** Am I already dead? **Silence.**

**Shirley Schmidt:** Effective as of January first, the litigation department of Crane Poole and Schmidt ... will be replaced. **A stunned beat.**

**Alan Shore:** What are you talking about? We've all been fired?

**Carl Sack:** 'Fired' is an ugly word, Alan. It's an accurate one, but ...

**Shirley Schmidt:** I am so sorry. This is no doubt because I antagonized them.

**Katie Lloyd:** *Fired?* All of us?

**Denny Crane:** Even me?

**Carl Sack:** Especially you. They fired you twice.

### Boston Pub

**They're all seated around a table. Long silence.**

**Denny Crane:** We've been dead before. Then, suddenly, from like the planet Mars ... Life.

**Shirley Schmidt:** We could just open up a new firm. But frankly, I'm not sure I have the energy ... or the will.

**Denny Crane:** You can't surrender, Shirley. Especially to the Communists.

**Shirley Schmidt:** It's not about surrendering, Denny. It's time for me to marry a man I love ... and to start a real life.

**Denny smiles and takes her hand.**

**Shirley Schmidt:** *points to Carl Sack* I mean him. **And Denny releases her hand. A long beat.** If you could permit an old lady to peddle a little advice ... whatever you do next ... just be sure ... it's something you love. A life, professional or personal, without passion ... you're dead.

**Alan takes that to heart. Jerry has tears in his eyes.**

**Shirley Schmidt:** Jerry. This can be the start of a good thing.

**Jerry Espenson:** I just don't do well with goodbyes. I suffered PTSD when Dorothy bid farewell to the Tinman.

**Katie takes Jerry's hand.**

**Shirley Schmidt:** We will all go on. And we'll start by focusing on what's immediately ahead. For me ... my wedding. It's at St. Christopher's on Saturday. You're, of course, all invited. We're keeping it fairly small.

**Denny Crane:** Kind of a rush thing, don't you think, you just got engaged.

**Shirley Schmidt:** I'm knocked up, Denny. **Carl swallows a smile.** And I'm kidding. As for the four of you ... you need to concentrate all your focus and energy on a Supreme Court argument. How do we stand?

**Jerry Espenson:** I found a new case on point, Katie helped, there is precedent for allowing an experimental drug.

**Shirley Schmidt:** Alan? You've been quiet.

Alan Shore: We'll be ready by Friday.

Shirley Schmidt: What are you thinking about?

Alan Shore: We'll be ready by Friday. I think we should fire *them*.

Shirley Schmidt: Excuse me?

Alan Shore: Our new bosses. It isn't right that they fired us, I think we should fire *them*

Carl Sack: I know you're good. But how exactly would that work?

Alan Shore: Get us a meeting.

### **Law Offices, Elevator**

Alan Shore: Let me remind you all, especially you Denny. I will do *all* of the talking, every bit of it.

Denny Crane: But if you strike out, at least let me shoot 'em again.

Alan Shore: *No*. Game faces on? Good.

Denny Crane: Play nice. The Chinese are not intimidated.

### **28<sup>th</sup> Floor Lobby**

**The elevator opens. Out come Shore, Schmidt, Sack, Espenson, Crane and Katie, they briskly march toward the conference room where we can see Lee and the Chinese Management gathering. They're still standing.**

Alan Shore: (clipped) Greetings, Chinese people, I'm told it's customary to bow.

Shirley Schmidt: That's the Japanese.

Alan Shore: (bowing anyway) Greetings, hello, greetings, good to see you. (to one businessman)

How's the wife, (to another) Love the tie.

**And Sack, Schmidt, Espenson, Katie, are all bowing, as the businessmen bow in return, it's a mad bowing fest. The only one not bowing is Crane.**

Alan Shore: (taking charge) Okay, this concludes the bowing and kow-towing portion of my presentation, I'm told we need translator. Who would that be?

**As Schmidt et al. take their seats in the back --**

Lee: Actually, Mr. Shore, almost everybody here can *understand* English, and since this is a unilateral presentation, why don't you just talk.

Alan Shore: Not a good sign for listening, no matter, I'm used to that, **(to one businessman)** I lied about that tie, by the way. It's hideous -- **And the man looks --**

Alan Shore: **And off he goes; a whirlwind** Oh, good, he does understand, where do I start, how 'bout welcome to Crane, Poole and Schmidt, you're all fired. Nothing personal, you seem like fine people, love the discipline, but, it's not working out, so sorry, out you go, single file, please! Bye bye.

**They all speak in Chinese, "what's he talking about?" etc.**

Lee: Mr. Shore. We now own the firm.

Alan Shore: Oh, that doesn't much matter, Mr. Lee, this is America, and in America it all comes down to who does the jury like better, I don't think an American jury will side with the Communists, do you, jurors typically frown on giants, even when they're capitalists, so the idea of *China*, of course—

Lee: On what possible grounds could you prevail—

Alan Shore: Who cares about grounds, unless we're drinking coffee, the cases come down to "who does the jury like better," did I *not* just say this, I think I did, *see* this group, we are a fine, very *likeable* group, infectious smiles, **(to the others)** Smile, group – **(as they all do)** Add to that, we are *good*, did you check out our win/loss record, better yet, did you note the kinds of cases we argue week after week, typically preposterous, mostly unwinnable on their face, and yet we do win them, whether we have grounds-or not, maybe it's the smiles, (to the others) smile, group,-- **(as they smile)** and here we actually *do* have grounds, for you to summarily *Schmidt-can* an entire litigation department, a successful one, because, well, I guess 'cause you don't like us, that's arbitrary, capricious, *actionable*, *winnable*, of all things. It doesn't really seem fair, I suppose, for us to have both the merits *and* our smiles, **(to the others)** smile, group – **(as they smile)** but we do, a wrongful discharge, subject to compensatory and *punitive* damages, could be lots and lots of money, not to mention think of the fallout here at the firm, we're not just *good* litigators, we're *popular*, again *could* be the smiles, and your firing us/ well, that would be a terrible way to introduce yourselves, I mean, come on, *Denny Crane, Shirley Schmidt*, are you *joking*, I know the Chinese like to kid, you could have a mass exodus long before we could even *get* to court, which we *will* get to just the same, and when we do, watch out -- here's a little tip. We Americans love to trade on fear, ask *W/* ask Dick, ask Rummie, fear *sells*, fear *works*, the fear I'll be trading on is *China*. Communist China, taking our jobs, first over there, now over here, and where you used to be *passive* investors, now you want active control, that scares us/ active Communists made in China, seeking control, one last thought: we *slay* giants here, it's what we do, be it the United States Government, be it the President, okay, that

was piling on, be it Big Pharmaceutical, Big Tobacco, Big Oil, it never gets old, and just when it seemed we were fresh out of Bigs, along comes you. China, poster child for oppression, oh, to parade *you* in front of an American jury, *ka-ching*, ka-ching, ka-chang, here's your out. We'll agree *not* to fire you/ not to sue, on one condition. We stay, and we stay in charge. Do what you want with Corporate or Tax, but in litigation, we run the show, Shirley Schmidt, Denny Crane, Carl Sack, me. It's *our* party. Stay out of our way. We stay out of yours. That's your deal.

***And he sits. The businessmen just stare back. Then they break into big smiles, applauding.***

Carl Sack: Not sure you got the desired effect there, Al.

***And the businessmen laugh and applaud more, they really enjoyed the show.***

### **Jerry Espenson and Katie Lloyd's Office - Night**

Jerry Espenson: My father used to say, after watching the Bruins with Bobby Orr, it just wasn't the same after. I think I'll feel that way about watching Alan Shore practice law. There will never be anyone ever like him. If we break up ...

Katie Lloyd: Do I need to reach for the oil can? ***Jerry smiles.*** We're still on for dinner, right?

Jerry Espenson: Yes.

Katie Lloyd: This will be like our third date, Jerry.

***Jerry nearly stops breathing***

Jerry Espenson: Hello. Welcome. Hello.

Katie Lloyd: Relax. We do not need to kiss.

### **Alan Shore's Office**

***Alan sits by himself. Shirley enters.***

Shirley Schmidt: They have decided to reinstate us. They evidently agree it would send a bad message to summarily broom us.

Alan Shore: Which means they probably plan to do it more gradually.

Shirley Schmidt: Perhaps. They are bringing in somebody new to oversee the litigation department.

Alan Shore: Who?

Shirley Schmidt: I don't know. But for now ... more life from Mars, I guess.

Alan Shore: And do we want it, Shirley? We can now leave on our terms.

Shirley Schmidt: Well, right now, let's concentrate on the Supreme Court. And my wedding. Then we'll go from there. ***(a beat)*** Thank you, Alan. You are really something.

Alan Shore: Usually when women tell me that, it's to get inside my –

Shirley Schmidt: Alan. ***(a beat)*** See you tomorrow. ***(then)*** Feels good to say that.

### **Denny Crane's Balcony at night**

***Denny sits there. Alan eventually enters and sits.***

Alan Shore: How you doing?

Denny Crane: Better days. Worse, too. So we live again.

Alan Shore: For now.

Denny Crane: Helluva speech, Alan. I even listened this time.

Alan Shore: To all of it?

Denny Crane: Don't be ridiculous.

Alan Shore: Denny, I've been thinking about what Shirley said. Loving life, loving your job.

Denny Crane: We've always done both.

Alan Shore: But *will* we? Under this new regime? If I could do *anything* ... I think it would be to open up my own legal aid firm.

Denny Crane: What the hell is that?

Alan Shore: Basically, it's a firm where you give your services away for free.

Denny Crane: What's the point?

Alan Shore: In this economy ... those are going to be the *first* services cut. Legal aid to the poor.

Denny Crane: Do you think ... I might like poor people? I've never taken the time to get to know one.

Alan Shore: Oh, they can be very nice once you get to know them. ***(then)*** Problem is, funding it. Plus ... I must admit, I enjoy having money, to travel, fish, eat well --

Denny Crane: Hookers. You know where this discussion is headed, don't you?

Alan Shore: Where?

Denny Crane: Straight to the altar. ***(off his look)*** Alan. I've got more money than God, unless he timed the market. I can't just *give* it to you, the Government takes half with a gift tax. I can't die and *leave* it to you, 'cause

then there's the estate tax, don't get me started. If you're my spouse, I can *give* it to, I can *leave* it to you, what's mine is yours, the Government can't touch it.

Alan Shore: Well ... for that matter, you could open a business with it, or start a foundation,--

Denny Crane: In which case you can't use it for the incidentals like travel, fishing ... plus ... the way you go after the Government, they already audit you every year, they'll find a way to nail you for commingling, malfeasance, whatever. The cleanest, simplest, most efficient transfer of property is marriage. Plus ... all those *other* reasons, the medical, the spousal privilege, *immunity* ...

Alan Shore: (***softening on the idea***) It's beyond ridiculous, even for us.

Denny Crane: I've always wanted to re-marry before I die.

Alan Shore: Really? Why?

Denny Crane: I just have. And like it or not ... you're the man I love. **Alan just stares.** Think of all the ... what did you call 'em, 'poor people?'

Alan Shore: Yes.

Denny Crane: Think of all the poor people you could help. Being able to allocate my wealth to them instead of the Iraq War or a Wall Street bailout. Take my hand, Alan. And take my money.

Alan Shore: I always thought, when I married, it would be for love. And romance.

Denny Crane: You love me. Romance never lasts. Money can.

Alan Shore: Okay, Denny. I'll marry you.

Denny Crane: Really?

Alan Shore: Why not? I suppose it had to come to this.

**As they embrace -**

Denny Crane: It'll be great.

Alan Shore: Yes, it will.

Denny Crane: Like jumping a shark.

Alan Shore: How bout we do it on the dock at Nimmo Bay?

Denny Crane: Perfect. A salmon in one hand.

Alan Shore: And me in the other. Let no man tear asunder.

Denny Crane: This could be a television series.

Alan Shore: On a new network.

Denny Crane: One that cares.

Alan Shore: Denny Crane and Alan Shore. Husband and Mad Cow.

**We hear 'Going to the Chapel'**

**Fade Out**