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Script #8L12

L.A. LAW

"I'm Ready For My Close-Up, Mr. Markowitz"

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L.A. LAW

"I'm Ready For My Close-Up, Mr. Markowitz"

CAST LIST

ARNOLD BECKER
LELAND MCKENZIE
ANN KELSEY
DOUGLAS BRACKMAN, JR.
GRACE VAN OWEN
STUART MARKOWITZ
ROXANNE MELMAN
JONATHAN ROLLINS
BENNY STULWICZ
CARA JEAN LAMB (C.J.)
TOMMY MULLANEY
ZOEY CLEMMONS
GWEN TAYLOR

Margaret Flanagan
Alex DePalma
Alvaro Campos
Ruby Thomas
Judge Robert Fellmeth
Russell Spitzer
Al Bremmer
Matthew Markowitz
Ned Barron
Dr. Marion Moore
Hotel Desk Clerk
Susan Bloom
Lilah Vandenberg
Dr. Harold Benson
Frank Kittredge

L.A. LAW

"I'm Ready For My Close-Up, Mr. Markowitz"

SET LIST

INTERIORS

MCKENZIE BRACKMAN:

CONFERENCE ROOM
MCKENZIE'S OFFICE
MARKOWITZ' OFFICE
MULLANEY'S OFFICE
KELSEY'S OFFICE
KITREDGE'S OFFICE

D.A.'s OFFICES

CLEMMONS' OFFICE
RUBY THOMAS' OFFICE
FLANAGAN'S OFFICE
HALLWAY

CIVIL COURT - JUDGE ROBERT FELLMETH
WITNESS ROOM

KELSEY/MARKOWITZ HOUSE
KITCHEN
BEDROOM

SANTA MONICA HOTEL LOBBY

LILAH VANDENBERG'S ESTATE
LIVING ROOM

EXTERIORS

LILAH VANDENBERG'S ESTATE

SANTA MONICA HOTEL

COURTHOUSE

L.A. LAW

"I'm Ready for My Close-Up, Mr. Markowitz"

FADE IN

1 INT. CLEMMONS' OFFICE -- DAY 1

CLEMMONS and MARGARET FLANAGAN come steaming in, mid-argument.

FLANAGAN

Leonard Myatt gets a seventeen year-old girl stoned, then beats the hell out of her and you want to offer him a deal.

CLEMMONS

The witnesses say she was high as a kite before he even got there. They heard her threaten to stab him--

FLANAGAN

Oh, so she deserved to have her teeth knocked out.

FLANAGAN

Why don't we just give him a medal and a parade and skip the plea bargain all together?

CLEMMONS

That is not what I'm saying! I don't believe this!

CLEMMONS

Margaret, even if we plead it out, Myatt still does jail time--

FLANAGAN

I just don't want to see this scum get a slap on the wrist because we're too lazy or too busy to prosecute.

CLEMMONS

You think that's why I want to bargain? Because I'm too lazy or too busy?

Beat. Flanagan takes a ragged breath.

FLANAGAN

No. I'm sorry. I didn't get enough sleep last night.

(CONTINUED)

1 CONTINUED:

1

CLEMMONS

What about last week and the week before that?

FLANAGAN

You're right about Myatt. Let's just plead it out.

She starts to exit, but Clemmons stops her.

CLEMMONS

This is exactly what I'm talking about. Two minutes ago you're ready to crucify the guy, and now you want to plead it. What is going on?

Flanagan shakes her head, fighting to keep from crying.

CLEMMONS

(softening)

Margaret, please.

FLANAGAN

It's personal.

CLEMMONS

Not when it affects your work.

Beat. Flanagan struggles with herself, then:

FLANAGAN

I've been seeing a therapist.

CLEMMONS

(that's it?)

That's good. This is a very stressful job. I mean, I've certainly considered --

FLANAGAN

It's not the job... I've been remembering things. About my sister, Colleen.

CLEMMONS

I didn't know you had a sister.

FLANAGAN

I don't. She died when I was eight. She was only fourteen.

Flanagan stops, clearly in a lot of pain.

(CONTINUED)

1 CONTINUED: (2)

1

CLEMMONS

I'm sorry.
(beat)
What happened?

FLANAGAN

My parents said she choked in her sleep on a piece of candy... but I could never really remember it. And we slept in the same room.

(in tears)
I should have saved her.

CLEMMONS

(gently)
You were just a child.

FLANAGAN

She used to tell me how smart I was. She paid a lot of attention to me.

(fighting emotion)
About a month ago, these images started popping into my head -- in the shower, eating dinner, when I was talking to a witness... I couldn't make them stop. He was standing over her, holding her pillow--

CLEMMONS

Who was?

FLANAGAN

I thought he was going to kiss her good night, but he didn't. He put the pillow over her face, and he... he...

She can't go on. Then she hardens and looks at Clemmons.

FLANAGAN

I've decided to prosecute him.

CLEMMONS

Who? Who are you talking about?

(CONTINUED)

1 CONTINUED: (3)

1

FLANAGAN
My father. I watched my father
murder my sister.

On Clemmons' stunned reaction, we:

SMASH CUT TO:

MAIN TITLES

2 INT. CONFERENCE ROOM - DAY

2

ALL present.

BRACKMAN
Next up. Campos et al versus
Halifax Chemical.

MULLANEY
We're going to trial.

BRACKMAN and MCKENZIE exchange a look.

VAN OWEN
This is the class action brought
by Hondurans?

MULLANEY
Yeah, I'm co-chair with Alex
DePalma, the attorney who brought
it to us. Farm workers down there
used a real nasty pesticide called
Trichlor, also known as "Wallop."
It made four hundred of them
sterile.

C.J.
Wallop indeed.

MULLANEY
Trichlor was suspended by the
E.P.A., but Halifax kept shipping
tons of the stuff to Honduras.

KELSEY
I thought the suit was dismissed
on jurisdictional grounds.

MULLANEY
We appealed. The State Supreme
Court ruled that since Halifax
is based in California, we can
try it here.

(CONTINUED)

2 CONTINUED:

2

BECKER

Foreign workers suing in our
courts? Good luck.

BRACKMAN

It's worse than you think.
DePalma is a solo practitioner
from East L.A. Halifax is
represented by Breech and Spitzer.

ROLLINS

Those guys are pit
bulls.

BECKER

You can kiss this one goodbye.

VAN OWEN

I don't know, I think
they have a chance.

KELSEY

You're saying they shouldn't
even try?

MULLANEY

Look. We know it's a long shot.
But what that company did to these
people was a crime.

BRACKMAN

We can't right every wrong in the
world. And this is eating up
billable hours--

C.J.

Hours aren't the point
here.

MARKOWITZ

This is about conscience.

BECKER

Come on, folks. We
have to have some
fiscal responsibility--

ROLLINS

Yeah, but how far are we
expected to go?

MCKENZIE

(to Mullaney)

Before this goes any further, I
want to talk to Mr. DePalma and
the class rep.

(to Brackman)

Anything else, Douglas?

BRACKMAN

No. We're adjourned.

Off McKenzie, we:

TIME CUT TO:

3 INT. MCKENZIE'S OFFICE - DAY

3

MCKENZIE, BRACKMAN and MULLANEY, with ALEX DEPALMA and ALVARO CAMPOS, Hispanic, mid-thirties.

BRACKMAN

When we took this on, you both agreed we should settle.

DEPALMA

We asked for four million, they shot it down.

MCKENZIE

So try again.

DEPALMA

Mr. McKenzie, we're ready for trial. We've got a solid case on the facts. Mr. Campos spent six years gathering data and overseeing medical tests down in Honduras.

CAMPOS

Thirty percent of workers at my plantation are like me -- we can never have children.

McKenzie and Brackman share a look.

BRACKMAN

You still have to prove a link to the pesticide. We all know how hard that is, look at our own veterans and Agent Orange.

MCKENZIE

The firm is in no position to carry this through a trial and appeals that could take years.

DEPALMA

I didn't come here so you could broker a settlement and walk away with a big fee. I needed Tommy Mullaney to win--

BRACKMAN

You needed an experienced firm to back you. And we're telling you to settle.

(CONTINUED)

MULLANEY

Halifax isn't interested in settling. They want a verdict that discourages other foreign suits. The whole chemical industry is behind them.

BRACKMAN

Great. Now we're taking on the chemical lobby.

MCKENZIE

Look, why don't you make another offer, try asking for two million?

DEPALMA

That's a joke! After fees, it's barely three thousand per man.

MCKENZIE

If you ask me, you'd be lucky to get that for Third World workers.

CAMPOS

Third World? Does that mean our lives have less value than yours?

MCKENZIE

(after a beat)

I wasn't saying that.

DEPALMA

Yeah, then what were you saying?

To defuse the situation, Mullaney steps in.

MULLANEY

Guys, give me a few minutes here, okay? I'll meet you in my office.

Beat. DePalma and Campos exit. Mullaney closes the door.

MCKENZIE

I'm sorry I let you talk us into this.

MULLANEY

Listen. We're lookin' at fifteen million in damages here, with possible punitives beyond that. Our split would be at least two million five.

(CONTINUED)

3 CONTINUED: (2)

3

BRACKMAN

If you win and if it holds up on appeal.

MULLANEY

We already beat jurisdiction, almost nobody's done that before. We got a solid expert and a damn good chance of proving the link to the pesticide.

MCKENZIE

Even if you do, they'll appeal--

MULLANEY

We get a trial record in our favor, they'll settle big before they appeal. I'm tellin' you, we can pull this off.

Off this, we:

CUT TO:

4 INT. RUBY THOMAS' OFFICE - DAY

4

THOMAS and CLEMMONS, who's reading a document.

THOMAS

Flanagan made that statement to the Attorney General. Did you know about it?

CLEMMONS

I told her to talk to you first.

THOMAS

Well, she didn't. She went straight to the A.G. Then he called me, and asked what the hell was going on.

CLEMMONS

We can't prosecute, it's a conflict of interest--

THOMAS

Zoey, she's asking the State to charge her father with a thirty-year old murder that may never have happened. The A.G. wanted to know if she was a burn-out case.

(CONTINUED)

4 CONTINUED:

4

CLEMMONS

I know it's bizarre, but she really believes it--

THOMAS

She believed Earl Williams was a murderer, too. She was so convinced she suppressed evidence that he was innocent.

CLEMMONS

Have you talked to Margaret?

THOMAS

I tried. You know what she said? She wants a police investigation -- but she won't let it interfere with her work, unquote.

CLEMMONS

She's trying to cope, Ruby--

THOMAS

I could see that. She was calm, she was rational and I had the distinct impression she was going off the edge.

CLEMMONS

(after a beat)

Are you going to put her on leave?

THOMAS

Give me a good reason why I shouldn't.

CLEMMONS

She's one hell of a prosecutor. And in spite of the garbage she deals with every day, she still cares. You need her.

THOMAS

Then what do you suggest I do?

CLEMMONS

I think I can talk her out of going to the police right away. I'll pull the sister's death certificate myself.

(CONTINUED)

4 CONTINUED: (2)

4

THOMAS

And if there is no evidence of
a murder? What then?

Off Clemmons, unable to answer, we:

CUT TO:

5 INT. CIVIL COURT - DAY

5

DEPALMA is at plaintiff's table. JUDGE ROBERT FELLMETH presides. RUSSELL SPITZER is at the defense table with Halifax C.E.O. AL BREMMER, 50s. MULLANEY has CAMPOS on direct.

MULLANEY

Mr. Campos, when did you find out
you were sterile?

CAMPOS

Seven years ago. My wife and I
were married three years and still
no children. The doctor said I
had no sperm.

MULLANEY

Did the doctor offer any hope that
you could ever have children?

CAMPOS

No. He said this part of me is
dead. I was twenty-eight years
old.

MULLANEY

What made you think the pesticide
Trichlor caused sterility in
yourself and the other men?

CAMPOS

We worked in the banana fields
of the Del Sol plantation, putting
Trichlor on plants. Before
Trichlor there were many children.
This year, only five new students
at the village school.

DePalma hands Mullaney what looks like a lightweight,
three-foot jackhammer with a cannister attached.

MULLANEY

Can you tell us what this is?

(CONTINUED)

5 CONTINUED:

5

CAMPOS

The machine we use to push
Trichlor into the ground.

MULLANEY

You inject the pesticide into the
roots of the plants, like this?

Mullaney points the device toward the floor, pushes.

CAMPOS

Yes. Sometimes, you hit a stone,
it comes back in your face and
eyes, on your legs. It is like
fire to the skin. It makes you
so sick you vomit.

MULLANEY

Did anyone ever warn you or the
other workers that Trichlor could
make you sterile or was in any
way harmful to your health?

CAMPOS

No, never.

MULLANEY

Mr. Campos, what does it mean to
a Honduran man to know he can
never father a child?

CAMPOS

(after a beat)

Nothing is worse. This is not
losing a hand or an eye. If you
cannot make children, you are not
a man.

MULLANEY

Thank you. Nothing further.

Mullaney sits. Spitzer is on his feet.

SPITZER

Mr. Campos, did you ever have
gonorrhoea?

MULLANEY

Objection! Irrelevant!

(CONTINUED)

5 CONTINUED: (2)

5

SPITZER

I'm exploring other potential causes of Mr. Campos' sterility, your Honor.

JUDGE FELLMETH

Overruled. The witness will answer.

CAMPOS

Yes. I was seventeen years old. But the doctor said I was cured, there were no long-time effects. And I am not the only one sterile, there are four hundred others!

SPITZER

Isn't it common for men in your culture to visit prostitutes?

DEPALMA

Objection! Irrelevant and racist!

JUDGE FELLMETH

Sustained. Watch it, Mr. Spitzer.

SPITZER

I'm sorry, your Honor. Mr. Campos, alcohol abuse can make men infertile. How many cantinas are there in your little village?

CAMPOS

I don't know.

SPITZER

Thirty-five, by my information. That's one bar for every forty men in town. Sounds like a pretty happy place.

MULLANEY

Objection!

JUDGE FELLMETH

Mr. Spitzer--

SPITZER

I'll move on, your Honor.

Spitzer hands a piece of paper to Campos.

(CONTINUED)

5 CONTINUED: (3)

5

SPITZER

Mr. Campos, you said you were never warned about potential health risks from using Trichlor. This is a label from a drum of Trichlor. As you can see, it's in Spanish. Could you please translate for the jury?

CAMPOS

(reading)

"Do not swallow, inhale vapors or contact with skin and eyes."

SPITZER

So you were warned. But you ignored the warning and used the pesticide carelessly--

CAMPOS

We did nothing careless! And many men cannot read.

SPITZER

But you can, Mr. Campos. And as a crew leader, weren't you obligated to make sure everyone wore protective clothing and face masks when applying this pesticide?

CAMPOS

I asked the fruit company for these things. They told me to use my bandana across my face. And they said if I ask more questions, I could lose my job.

SPITZER

It sounds to me like your complaint is with the Del Sol plantation. But I guess a Honduran fruit company doesn't have the deep pocket dinero of an American chemical giant--

MULLANEY
Objection!

JUDGE FELLMETH
Sustained.

SPITZER

Withdrawn. Nothing further.

Spitzer turns his back on Campos.

(CONTINUED)

5 CONTINUED: (4)

5

CAMPOS
This is not about money!

SPITZER
Move to strike!

JUDGE FELLMETH
Mr. Campos...

CAMPOS
This is about the
killing of four hundred
families! About the
sons and daughters we
will never have!

SPITZER
Your Honor.

JUDGE FELLMETH
Mr. Campos, please step
down--

CAMPOS
This is about justice!

On Campos' rage, we:

CUT TO:

6 INT. KELSEY/MARKOWITZ KITCHEN - NIGHT

6

MATTHEW, in his high chair, wields a stuffed Kermit as big as he is, as NED feeds him. MARKOWITZ, jacket off but tie still on, is going through the mail as KELSEY consults her filofax.

NED
(to Matthew)
C'mon, one more spoonful. Frogs
love this too, trust me...

KELSEY
Stuart? I just realized, I've
got a deposition tomorrow till
five, I'll have to come home from
there to change.

MARKOWITZ
(blankly)
Change for what?

KELSEY
The AIDS benefit? In Santa
Monica?

MARKOWITZ
That's tomorrow?

KELSEY
Seven o'clock. I told you about
this weeks ago--

(CONTINUED)

6 CONTINUED:

6

MARKOWITZ

Oh boy.

(off her look)

I've got the world's greatest
excuse. I'm supposed to meet with
Lilah Vandenberg tomorrow night.

KELSEY

(deadpan)

Oh, good. I'm meeting Tom Cruise,
we can double-date.

MARKOWITZ

Ann, I'm serious. She's a client
of Bloom's.

NED

Wow. Really?

MARKOWITZ

Bloom wants me to take a look at
her finances. We're supposed to
go over to her house after work.
Around seven-thirty.

KELSEY

Can't you go earlier?

MARKOWITZ

She likes evening meetings. She
says they're more civilized.

(off her look)

Ann. She's Lilah Vandenberg.
I've seen every movie she ever
made.

KELSEY

(sighs)

So I go alone to the dinner?

MARKOWITZ

I'm sorry. Why don't you ask
someone from the firm? Maybe C.J.
would like to go.

(off her look)

Okay, how about Douglas?

KELSEY

I'd rather go with C.J.

NED

I could take you.

(CONTINUED)

6 CONTINUED: (2)

6

KELSEY

That's very sweet of you, Ned,
but--

MARKOWITZ

No, that's a great idea.

KELSEY

Who'd take care of Matthew?

MARKOWITZ

The Haileys next door. Matthew
loves Chelsea, he wouldn't even
know we were gone.

KELSEY

(don't help, Stuart)
This is black tie--

NED

No problem. My roommate used to
be a maitre d'. He actually owns
a tux.

MARKOWITZ

(to Kelsey)
See? It's no problem.
(picks up Matthew)
Is it, Mattie? No, the only
problem is where's the bathtub,
right?

Kelsey can't come up with another excuse. She smiles at
Ned.

KELSEY

Okay. Sure. I guess we should
leave around six-thirty.

NED

I'll be ready.

That's what Kelsey's afraid of. Off this, we:

FADE OUT

END ACT ONE

ACT TWO

FADE IN

7 INT. KELSEY/MARKOWITZ BEDROOM - DAY 7

MARKOWITZ, looking great in a three-piece suit, checks himself in the mirror as KELSEY holds up an elegant, if low-cut, evening dress. Two more are on the bed.

MARKOWITZ

I remember the first movie of hers I ever saw. Venus Rising. I was eleven, I went in by mistake. I thought it was about astronomy.

KELSEY

What do you think of this one?

MARKOWITZ

I like it, too. I like them all.
(and)
Lilah Vandenberg was really beautiful back then. I fell hopelessly in love, must've been for all of three weeks.

KELSEY

(frowning)

This is too... frivolous. Maybe something more sedate--

MARKOWITZ

Ann, it's fine, you'll look gorgeous.

Exactly what she doesn't want. She drops the dress on the bed. Then she looks at Markowitz adjusting his tie.

KELSEY

You look pretty good yourself. You really are excited about this, aren't you?

MARKOWITZ

I'm going there to work. It's strictly business.

KELSEY

(with a smile)

Uh-huh.

She kisses him and exits. Off Markowitz, we:

CUT TO:

8 INT. CIVIL COURT - DAY

8

DEPALMA takes DR. MARION MOORE, 40s, through her direct.
CAMPOS sits with MULLANEY at Plaintiff's table.

DEPALMA

Dr. Moore, in a University study you exposed lab rats to Trichlor. What happened to these rats?

DR. MOORE

At moderate levels of exposure, the male rats showed a marked reduction in sperm count. At high doses, ninety percent of the rats had a sperm count of zero.

DEPALMA

How did the Environmental Protection Agency respond to your study?

DR. MOORE

They immediately suspended Trichlor's registration pending further studies.

DEPALMA

And what did these studies find?

DR. MOORE

They were never done. Halifax withdrew Trichlor from the U.S. market, so no more tests were required. The E.P.A. only regulates pesticides in this country.

DEPALMA

So, Halifax was free to sell Trichlor overseas, in spite of your tests?

DR. MOORE

Yes. There are almost no restrictions on exported pesticides. One quarter of our pesticide exports are either restricted or illegal in the U.S.

DEPALMA

And before its suspension, were there restrictions on Trichlor?

(CONTINUED)

8 CONTINUED:

8

DR. MOORE

Yes. The E.P.A. required protective clothing and air filtration masks. Not for fear of sterility, which they never tested for, but because Trichlor is a known animal carcinogen.

SPITZER

Objection! Irrelevant. The issue here is sterility.

JUDGE FELLMETH

Sustained.

DEPALMA

How do toxicologists like yourself apply animal data to humans?

DR. MOORE

It's done on a weight-adjusted basis. The rats became sterile after three months of exposure to one milligram of Trichlor a day. An equivalent dose in humans would be seventy milligrams a day.

DEPALMA

Could these Honduran workers have received such high doses?

DR. MOORE

If it was splashing on their skin day after day, they could have absorbed hundreds, even thousands of milligrams.

DEPALMA

Doctor, is it your medical opinion that Trichlor made these men sterile?

DR. MOORE

Yes. What happened to my rats happened to them.

DEPALMA

Nothing further.

SPITZER rises to cross.

(CONTINUED)

8 CONTINUED: (2)

8

SPITZER

In this study of yours, what happened to rats receiving low doses of Trichlor?

DR. MOORE

There were no observable effects.

SPITZER

So, at certain levels, Trichlor is harmless?

DR. MOORE

I would hardly call it harmless. There's a threshold, below which there are no immediate effects.

SPITZER

Exactly what level were the farm workers exposed to?

DR. MOORE

No field tests were done at the time--

SPITZER

So you don't know. Tell me, Doctor, have there been any studies showing Trichlor causes sterility in people?

DR. MOORE

Of course not. We don't experiment on people. But the results of my rat study--

SPITZER

I'm asking about people, not rats.

DR. MOORE

The rat is the accepted surrogate of the scientific community--

SPITZER

But isn't it true that before concluding a chemical has a probable effect on humans, the effect must be shown in two different animal species?

DR. MOORE

That is generally accepted.

(CONTINUED)

8 CONTINUED: (3)

8

SPITZER

Has Trichlor been shown to cause sterility in animals other than rats?

DR. MOORE

I don't know of any such tests--

SPITZER

So you can't conclude Trichlor made these men sterile, can you?

DR. MOORE

(heated)

When four hundred men in the same village suddenly start shooting blanks, there's a reason. The common factor is clearly their exposure to Trichlor!

SPITZER

Is it? Plantation records show that, along with Trichlor, the workers used a fungicide called Lizene, not made by Halifax. Have you heard of Lizene, Doctor?

DR. MOORE

Of course.

SPITZER

Are you aware it's been shown to cause sterility in rats also?

DR. MOORE

Only at extremely high doses.

SPITZER

What levels of Lizene were these workers exposed to?

DR. MOORE

As I said, no field tests were done. There's no way to know.

SPITZER

Doctor, if you don't know how much of either pesticide these men were exposed to, how can you say which one made them sterile?

DR. MOORE

In all probability--

(CONTINUED)

8 CONTINUED: (4)

8

SPITZER
I'm not asking probabilities,
Doctor. Can you say for sure
which one made them sterile?

DR. MOORE
(a beat)
No.

SPITZER
Thank you.

Off Mullaney, DePalma and Campos, we:

CUT TO:

9 EXT. SANTA MONICA HOTEL - NIGHT - ESTABLISHING 9
10 INT. SANTA MONICA HOTEL LOBBY - NIGHT 10

KELSEY and NED enter. Ned looks handsome and much more
adult in his tux; Kelsey is gorgeous. They go to the desk.

KELSEY
Excuse me. We're looking for the
AIDS benefit.

A DESK CLERK just looks at them.

DESK CLERK
It was very nice. It was also
last night.

KELSEY
That can't be. Are you sure?

DESK CLERK
(dry)
No, Elizabeth Taylor and Magic
Johnson drop by every night. Now,
if you'll excuse me...

He moves o.s. Off Kelsey and Ned, we:

CUT TO:

11 EXT. VANDENBERG ESTATE - ESTABLISHING - NIGHT 11

A sprawling Beverly Hills mansion fronted by a lawn that's
doing a great imitation of a golf course.

12 INT. VANDENBERG LIVING ROOM - NIGHT

12

Opulent, very Old Hollywood. One corner is piled with cartons, framed lobby cards, and wardrobe racks of costumes. BLOOM and MARKOWITZ enter on the cut.

BLOOM

Lilah's donating some of her memorabilia to U.S.C. She's been going through it for weeks.

MARKOWITZ

(looking around)
Nice little place.

LILAH (O.S.)

It once belonged to Errol Flynn.

ANGLE - LILAH VANDENBERG

She's seventy-something, regal but earthy.

LILAH

He used to swing stark naked from the ballroom chandelier.

TIME CUT TO:

13 INT. VANDENBERG LIVING ROOM - NIGHT

13

BLOOM, MARKOWITZ, LILAH. Drinks have been served.

LILAH

Susan tells me you're one of the best tax attorneys in the state.

MARKOWITZ

(blushing)
Well, that may be a slight exaggeration.

LILAH

So was my last one -- and I warn you, he took one look at my taxes and turned to stone. That's him in the sculpture garden out back.

MARKOWITZ

(laughs)
I'm sure I can straighten things out.

(CONTINUED)

13 CONTINUED:

13

LILAH

(to Bloom)

Cute and naive. I like this one.(to Markowitz;
pleasantly)

I never had a good head for business. My third husband embezzled from me for five years and I never found out till after the son of a bitch was dead. I wanted to dig him up and put him on trial, but I was told it wasn't practical.

Markowitz laughs.

BLOOM

Well, I'd like to stick around, but I'm meeting Diller at nine.

(stands)

I can find my way out. Stuart, take good care of her. Hasta la pasta.

She exits. Markowitz looks at Lilah.

MARKOWITZ

Susan gave me your corporate spreadsheets, but she said you had your personal statements here?

LILAH

So I do. I took them back when I fired my last business manager. I think they're over here.

She crosses to a stack of carton past wardrobe racks, Markowitz in tow. Markowitz looks at the tag on a beautiful old gown.

MARKOWITZ

Wow. You wore this in Summer Serenade?

LILAH

(barely a glance)

Mm. Back when I had cleavage. You know, when I stipulated in my contracts that I got to keep my wardrobe, I never counted on the humbling effects of gravity.

Markowitz smiles. Lilah picks up a fork.

(CONTINUED)

13 CONTINUED: (2)

13

LILAH

Good heavens. I haven't seen this
in forty years.

MARKOWITZ

What is it?

LILAH

The fork I used to fend off Howard
Hughes. He lunged at me once, over
dinner.

Markowitz examines a wedding gown on one of the racks.

MARKOWITZ

What movie is this from?

LILAH

(beat; clouding)

I bought that for my wedding.
To Kent Taylor.

MARKOWITZ

I didn't know you were married
to Kent Taylor.

LILAH

I wasn't. He was going to leave
his wife, we planned to elope.
He got as far as filing the
divorce papers... before he
backed out.

(a beat)

Are you married, Mr. Markowitz?

MARKOWITZ

Yes. Her name is Ann.

LILAH

Is she the only person you've
ever really loved?

MARKOWITZ

Yes.

LILAH

I envy you.

Off Markowitz, we:

CUT TO:

14 INT. KELSEY/MARKOWITZ KITCHEN - NIGHT

14

NED, still wearing his tux shirt and tie, is grating parmesan as KELSEY, still in her elegant dress, drains the pasta.

KELSEY

The pesto smells wonderful. How did you learn to cook?

NED

Sophomore year, college. After a year of dorm food I decided the only way to make it out alive was get an apartment, with a stove.

KELSEY

That's when you learned to cook, not how.

NED

(hesitates; shrugs)
Old girlfriend. We were poor, so we ate in a lot.

KELSEY

You still see her?

NED

No, we broke up about a year ago.
(tastes)
Mm. Here. What do you think?

He holds the spoon out to Kelsey, who tastes it.

KELSEY

Mm. Perfect.

She looks up to see him looking at her with a quietly smitten look. She looks uncomfortable, but she doesn't look away.

KELSEY

(a beat)

You're being such a good sport about all this. I mean, I drag you out on your night off, I get the day wrong--

NED

I can't think of anything I'd rather be doing.

(CONTINUED)

14 CONTINUED:

14

A beat... and Ned very tenderly, kisses her. Tender but passionate. Ann kisses back. Then she pulls away, quickly.

NED

(quiet)

Ann, I really care for you.

KELSEY

Ned, I'm married. Happily married, last time I looked.

NED

Yeah. I know.

(and)

I don't know what to do with everything I feel for you.

KELSEY

(gently)

Not this.

She turns, quickly, starts to move o.s.

KELSEY

I think you should go home now.

She exits. Off Ned, we:

FADE OUT

END ACT TWO

ACT THREE

FADE IN

15 INT. KELSEY/MARKOWITZ BEDROOM - DAY

15

KELSEY and MARKOWITZ are getting ready to leave for work.

KELSEY

Stuart, I... I think we may have a problem with Ned.

MARKOWITZ

What, is he sick?

KELSEY

No. He has sort of a... crush... on me.

MARKOWITZ

Of course he does. Who wouldn't?

KELSEY

I'm serious. I think he's... in love with me.

MARKOWITZ

Ann, c'mon, he's twenty-three years old. You're old enough to be his...

He stops as he sees the look on her face.

KELSEY

Sister?

MARKOWITZ

Right. Sister. Young sister.

KELSEY

Stuart, the other night he--

She almost says, "He kissed me," but holds back:

KELSEY

--he was acting like I was his... date.

MARKOWITZ

(amused)

Well, you were.

KELSEY

You know what I mean.

(CONTINUED)

15 CONTINUED:

15

MARKOWITZ

Well, what do you want me to do,
challenge him to a duel?

KELSEY

You're not taking this seriously.

MARKOWITZ

Do you want to fire him?

KELSEY

Of course not. We'd never find
anybody else as good with Matthew.

MARKOWITZ

(kissing her)

So if he does have this crush,
let's ignore it and, as a former
adolescent male, I guarantee it'll
go away.

And Markowitz exits. Off Kelsey's exasperation, we:

CUT TO:

16 INT. CIVIL COURT - DAY

16

SPITZER takes BREMMER through direct.

SPITZER

Mr. Bremmer, as C.E.O. of Halifax
Chemical, how did you respond to
this rat study we've heard about?

BREMMER

I was very concerned -- until I
saw the data. The levels those
rats were exposed to were so high
a man would have to bathe in the
stuff to get that kind of dose.

MULLANEY

Move to strike, your Honor. Mr.
Bremmer is not a scientist.

JUDGE FELLMETH

The answer will be struck.

SPITZER

What about the tests on Trichlor
done in your own laboratories?

(CONTINUED)

BREMMER

They showed that at reasonable doses, there is no evidence Trichlor caused sterility.

SPITZER

If you believed Trichlor was safe, why did you withdraw it from the U.S. market?

BREMMER

We were planning to replace it. Our research team had come up with a new pesticide that was cheaper and more effective.

SPITZER

So, the decision to stop marketing Trichlor here was purely economic?

BREMMER

Purely economic.

SPITZER

And when you sold the remaining stock of Trichlor overseas, you felt it was safe?

BREMMER

When used responsibly, yes. You know, chemical companies are always the bad guys. No one ever talks about how a pesticide like Trichlor benefits agriculture in developing nations. At the plantation where these men worked, the banana yield tripled the year after Trichlor was introduced. That meant more food and more jobs for the whole area.

SPITZER

Thank you. Nothing further.

Spitzer sits, DEPALMA rises.

DEPALMA

When the E.P.A. suspended Trichlor, how much of it did you have in stock?

(CONTINUED)

16 CONTINUED: (2)

16

BREMNER

I don't know. Maybe eight hundred thousand barrels.

DEPALMA

What kind of investment did that represent?

BREMNER

Roughly seventy million.

DEPALMA

A lot of money. And the only place you could sell the stuff was to countries with little or no pesticide regulation, correct?

BREMNER

We sold it to countries who needed and wanted it.

DEPALMA

Did you tell your foreign buyers Trichlor made rats sterile?

BREMNER

I don't recall.

DEPALMA

Did you inform foreign regulatory agencies that, in the U.S., applicators needed protective clothes and respirators?

BREMNER

Who are we to tell foreign governments how to regulate use in their own countries?

DEPALMA

(thin smile)

Yeah, real considerate, aren't you? The fact is, you knew Trichlor would never pass the next round of E.P.A. tests, didn't you? Wasn't that the real reason you withdrew it from the U.S. market?

BREMNER

No.

(CONTINUED)

16 CONTINUED: (3)

16

DEPALMA

Didn't you stop production because you were afraid it could make your own workers sterile?

BREMNER

Absolutely not.

DEPALMA

Didn't you ship eight hundred thousand barrels of this poison overseas, knowing it could sterilize foreign workers?

SPITZER

Objection! No foundation and badgering!

JUDGE FELLMETH

Sustained.

BREMNER

The answer is no.

DEPALMA

(beat; frustrated)
Nothing further at this time.

SPITZER

Your Honor, the defense rests.

MULLANEY and DePalma confer briefly, then:

DEPALMA

Your Honor, we'd like to call a rebuttal witness, Dr. Harold Benson.

Bremner whispers urgently in Spitzer's ear.

SPITZER

We object, your Honor. The witness was never on their list.

MULLANEY

Your Honor, Dr. Benson was a staff toxicologist at Halifax for five years. We were only able to locate him recently.

Judge Fellmeth considers a moment.

(CONTINUED)

16 CONTINUED: (4)

16

JUDGE FELLMETH
I'm going to allow it.

SPITZER
Your Honor, this man is obviously
a disgruntled former employee--

JUDGE FELLMETH
I said I'd allow it. We'll hear
from Dr. Benson this afternoon.

Off Mullaney, CAMPOS and DePalma, we:

CUT TO:

17 INT. MARKOWITZ'S OFFICE - DAY

17

BLOOM enters on the cut. Markowitz looks somber.

MARKOWITZ
I've been going over Lilah
Vandenberg finances. They make
the Wreck of the Hesperus look
like a fender bender.

BLOOM
(concerned)
What are her assets?

MARKOWITZ
That's just it. She doesn't have
any.

(off her reaction)
Oh, the house is paid for, and
it's worth three million.
But most of her stocks were
liquidated years ago. There's
maybe two thousand dollars in her
savings account, a little more
in checking. But in terms of
liquid assets -- nothing.

BLOOM
What about liabilities?

MARKOWITZ
Those she's got. Credit cards
overextended by eighty thousand.
That interest alone is twelve
grand a year. She's also in the
(MORE)

(CONTINUED)

17 CONTINUED:

17

MARKOWITZ (Cont'd)
middle year of a ten-year pay-out
to the I.R.S. -- another seventy
thousand a year. And there's an
audit pending for nineteen
eighty-three.

BLOOM
Come on, it can't be that bad--

MARKOWITZ
Susan, that's not counting her
everyday expenses. She throws
huge parties, shops on Rodeo Drive
like she's got the Pentagon
budget, and she owns three cars
-- two Jaguars and a Mercedes.

BLOOM
Has she made all her payments?

MARKOWITZ
Yeah. By taking out a second
trust deed on her house. She's
been living on that for the last
five years. She's got two hundred
thousand in annual expenses, but
only two or three thousand of real
income -- mostly residuals --
coming in.

BLOOM
(sighs)
Great. So what do we do?

MARKOWITZ
I see no way out short of
liquidating the house. And maybe
her art collection.

BLOOM
She'll never agree to that.

MARKOWITZ
She may have no choice. She's
playing a pyramid game here. It's
all going to fall apart on her.
(a beat; sighs)
You're her lawyer; how do we tell
her?

BLOOM
I don't know.

(CONTINUED)

17 CONTINUED: (2)

17

Off Markowitz's grim expression, we:

CUT TO:

18 INT. CIVIL COURT - DAY

18

MULLANEY has DR. HAROLD BENSON, 40s, on direct.

DR. BENSON

I did a study on rats in the summer of nineteen-eighty. On August fifteenth of that year, I turned in the results.

MULLANEY

To who?

DR. BENSON

The then Vice President of Operations, Al Bremmer.

MULLANEY

What did your rat study find?

DR. BENSON

Within three months, males exposed to moderate-to-high doses of Trichlor were sterile. I then did similar tests on rabbits and got the same results.

BREMMER

That's a lie!

JUDGE FELLMETH

Please control your client, Mr. Spitzer.

MULLANEY

(to Benson)

Did you give Mr. Bremmer the results of your rabbit study?

DR. BENSON

Yes, along with a recommendation that the production and sale of Trichlor be halted.

MULLANEY

That's pretty extreme.

(CONTINUED)

18 CONTINUED:

18

DR. BENSON

Trichlor was shown to cause sterility in two animal species. There was a strong probability it would do the same in humans.

MULLANEY

What did Halifax do with your test results, Doctor?

BENSON

Nothing. Three months later, I was fired.

MULLANEY

Thank you, Doctor.

Mullaney sits. SPITZER confers with BREMMER, then:

SPITZER

Your Honor, if I can have leave to continue cross after deposition, I'd like to ask the doctor a few questions now.

JUDGE FELLMETH

Go ahead.

SPITZER

Isn't it a fact, sir, that you were fired from your position at Halifax because of incompetence?

DR. BENSON

That's what Halifax claimed, but it was because I wouldn't falsify my data--

SPITZER

Isn't it true that there's no written record whatsoever of these experiments of yours?

DR. BENSON

Of course there isn't. They got rid of it to cover their asses--

SPITZER

What have you been promised by the plaintiff or his counsel to deliver this testimony?

(CONTINUED)

18 CONTINUED: (2)

18

DR. BENSON

Nothing.

SPITZER

Who paid for your air fare?

DR. BENSON

I did.

Spitzer decides to cut his losses.

SPITZER

Your Honor, I'll continue with
Dr. Benson after his deposition.

JUDGE FELLMETH

Good idea.

Bremmer doesn't look happy. Off Mullaney and DEPALMA, we:

TIME CUT TO:

19 INT. WITNESS ROOM - DAY

19

MULLANEY, DEPALMA, CAMPOS, SPITZER and BREMMER file in.

MULLANEY

I hope this is a serious offer,
Russ. It's been a long day.

SPITZER

Ten million serious enough?
That's double your last offer.
Assuming you take a one-third cut,
that leaves nearly seven million
for the workers. That's roughly
seventeen thousand dollars -- or
eighty thousand Honduran lempira
-- per man.

Campos looks to DePalma.

MULLANEY

Sounds better in lempira.

SPITZER

Of course, we'll want a standard
release from all injuries and
diseases, present and future.
We also want the class bound by
the settlement terms to be
expanded.

(CONTINUED)

19 CONTINUED:

19

DEPALMA

You want to include other workers?

SPITZER

We want to include everyone in the province.

A beat. This is completely unexpected.

CAMPOS

I don't understand.

DEPALMA

They want all the people in the province to join you in the suit. That way they settle for all claims now and no one can sue them in the future.

MULLANEY

Yeah, but the whole idea of a class is the members all got somethin' in common. Are you saying the whole population's been exposed to Trichlor?

SPITZER

Like most pesticides, Trichlor persists in the environment at low levels. We've all seen the studies -- there's not enough to cause any damage, but that won't keep people from suing my client. Especially after word gets out we've given ten million to these farm workers.

BREMNER

I'm willing to resolve this, but not if it opens me up to fifty bogus lawsuits down the line.

Mullaney considers.

MULLANEY

I'm not sayin' we're interested, but if we are, you're gonna have to up the ante.

(to Campos)

What's the population of the province?

(CONTINUED)

19 CONTINUED: (2)

19

CAMPOS

There are many small villages but only one town. In all, less than one hundred thousand.

SPITZER

We'll set up a fund: an additional two million to cover any future claims of sterility from exposure to Trichlor. This would include any workers outside your group who find out they're sterile in the future. They can go to the fund for compensation.

DEPALMA

(after a beat)

Give us a minute.

Spitzer and Bremmer go outside to the vending machines.

DEPALMA

It's good. It's not fifteen but it's close.

MULLANEY

Yeah, but this expanded class thing. For twelve million they get a liability release from a hundred thousand people.

DEPALMA

Tommy, I've seen the data. The levels the community is exposed to are well below accepted safety standards.

MULLANEY

So what are they worried about?

A beat. DePalma doesn't have an answer.

MULLANEY

We got 'em on the ropes. I say turn 'em down. Go for fifteen million and a clean win.

CAMPOS

(suddenly)

No! If you reject this, I may go home with nothing.

(CONTINUED)

19 CONTINUED: (3)

MULLANEY

If we accept it, nobody in your province will ever get another dime from Halifax--

CAMPOS

Alex, tell him. This is too good to reject.

DEPALMA

(to Mullaney)

It's more than I ever thought we'd get. I think we should go for it.

MULLANEY

Look, Dr. Benson hurt 'em. The jury is sympathetic, there's no reason to give up--

CAMPOS

I'm not giving up!

(passionate)

This settlement will give each worker seventeen thousand dollars. That may not be much to you, but to us it is almost a lifetime of earnings. And there will be more money for others in the future.

MULLANEY

Two million's not much, for a hundred thousand people.

CAMPOS

They may never be hurt by this. We've been hurt, Mr. Mullaney. Our families end with us. Without this money, our village will die.

(then)

I want to take their offer.

Off Mullaney, we:

CUT TO:

20 EXT. COURTHOUSE - ESTABLISHING - NIGHT

21 INT. FLANAGAN'S OFFICE - HALLWAY - NIGHT

21

CLEMMONS stands in front of FLANAGAN's office door, holding a file folder. She takes a deep breath, then knocks.

FLANAGAN (O.C.)

Come in!

Clemmons waits a beat, then enters.

22 INT. FLANAGAN'S OFFICE -- CONTINUOUS

22

The place is a mess -- files and books and papers everywhere. FLANAGAN sits at her desk, looking haggard.

FLANAGAN

We may be able to nail Myatt after all. I spent last night going over the witness statements, and I think we missed something.

CLEMMONS

Margaret, let's talk about it later.

Margaret finally really looks at CLEMMONS.

FLANAGAN

You got the death certificate.

CLEMMONS

It's not what you want to hear.

Flanagan sits back in her chair.

CLEMMONS

Your sister wasn't murdered.

FLANAGAN

Then the death certificate's wrong, because it wasn't an accident.

CLEMMONS

Margaret, Colleen overdosed on alcohol and a tranquilizer called Miltown. It was suicide.

FLANAGAN

That's ridiculous.

(CONTINUED)

CLEMMONS

Maybe... maybe your parents thought the choking story would be easier for you and your brother to accept... I'm so sorry.

FLANAGAN

It's not true. Colleen always looked out for me... she never let me cross the street by myself. She wouldn't have left me.

CLEMMONS

There was an autopsy and a police report, Margaret--

FLANAGAN

He must have made it look like a suicide!

CLEMMONS

Your father wasn't even in town the night she died. He'd gone on a business trip--

FLANAGAN

(a child again)

I saw him! I saw the pillow! It was still warm from where she was laying on it. It smelled like Breck shampoo. He pushed on it with all his weight, and I tried to take little breaths because I was afraid the feathers would go up my nose and into my brain.

CLEMMONS

You said it was your sister.

But now the memory takes on awful clarity in Flanagan's mind.

FLANAGAN

He told me not to tell and he put the pillow over my face, to show me what would happen if I did. And then he got in bed with me, and he pushed my nightgown up around my waist, and he told me to be very quiet...

Flanagan stops, terrified. She's looking into a very old, deep well, filled with terror and pain.

(CONTINUED)

22 CONTINUED: (2)

22

FLANAGAN

...and I knew he was going to hurt me. He was going to do the things he did to Colleen. When she would cry and beg him not to. He did them to me, too. Oh God, Zoey. He did them to me, too...

Flanagan breaks down. Clemmons tries to comfort her, as we:

FADE OUT

END ACT THREE

ACT FOUR

FADE IN

23 INT. MULLANEY'S OFFICE - DAY

23

MULLANEY'S working when DEPALMA comes in, looking grim.

MULLANEY

Good, you're on time. I got a rough on the papers and some news.

DEPALMA

Yeah. Me, too.

MULLANEY

Leland and Doug did cartwheels when they heard about the settlement. They've been asking questions about you.

DEPALMA

(sharply)

What do you mean, questions?

MULLANEY

(reacts, then)

They hadda let a guy go, so we got an opening.

DePalma looks slightly confused.

MULLANEY

A job, Alex. If you're interested, I think they want you. Could be a big step.

(off his look)

You always take good news like this?

DEPALMA

Who says it's good news? They probably think I'm some first year flunky they can get cheap and work hard--

MULLANEY

Nobody was talking money yet--

DEPALMA

I'm doing okay on my own. I don't need to take orders from a bunch of downtown stiffs--

(CONTINUED)

23 CONTINUED:

23

MULLANEY

They're impressed with you, but
I'm startin' to wonder why--

DEPALMA

Impressed? Get off it. To them
I was a Third World charity case.
But as soon as we land a big
settlement, man, they can't wait
to get on the gravy train--

MULLANEY

Hey! What the hell is the matter
with you?

DEPALMA

(long beat)

I gotta tell you something.

Off Mullaney, we:

CUT TO:

24 INT. MARKOWITZ'S OFFICE - DAY

24

MARKOWITZ opens the door. LILAH sweeps in, preceeded by
two tiny terriers.

MARKOWITZ

Lilah, I apologize. Susan got
hung up at Paramount--

LILAH

You're all late these days. We
prided ourselves on punctuality.
I was never late for a call.

MARKOWITZ

Sit down, please.

Markowitz hurriedly clears a place for her to do so.

MARKOWITZ

I, uh, I've looked over your
records... and... well... to be
blunt... you're in debt. Deeper
than some countries.

LILAH

(beat; regal)

I thought you were advising me
about my taxes.

(CONTINUED)

24 CONTINUED:

24

MARKOWITZ

(after a beat)

I am. 'Eighty-three is a problem. But I think we can reach an accommodation with the I.R.S. It'll mean another pay-out, though, probably over five years.

LILAH

Fine.

MARKOWITZ

Lilah, it's not fine. You have no income coming in, you're already making massive interest payments, and you're--

He hesitates, but Lilah just smiles.

LILAH

Broke?

MARKOWITZ

You know?

LILAH

Of course.

MARKOWITZ

Then you must know how urgent it is that you reduce your expenses--

LILAH

Nonsense. I'll just take out another trust deed on the house.

MARKOWITZ

You can't get out of debt by getting in deeper. You've got to minimize your bottom line--

LILAH

Stuart. When I started out in this business, I was told a star did certain things. You maintained a certain image, you lived a certain life, and that was just as important to your career as the career itself.

(CONTINUED)

24 CONTINUED: (2)

24

MARKOWITZ

(as gently as he can)

Lilah, you don't... have a career anymore.

LILAH

All the more reason to keep up appearances.

(and)

I'm not going to live forever. I have no family left. When I die, my house will be sold, my belongings auctioned off, and my creditors paid. Until then... I'd like to spend the last of my days... in the same manner I spent the best of them.

She stands, outstretches a hand. Markowitz takes it.

LILAH

Contact the I.R.S. and work out that accommodation. I'll make the arrangements to pay them.

(a beat)

And thank you... for your concern. You're a very sweet man. If I were twenty years younger...

She kisses him on the cheek, then exits. Off Markowitz, we:

CUT TO:

25 INT. KELSEY'S OFFICE - DAY

25

KELSEY at her desk. A knock at the door, she doesn't look up.

KELSEY

Come in.

NED enters.

NED

Hi.

KELSEY

What's wrong? Is Matthew all right?

(CONTINUED)

25 CONTINUED:

25

NED

He's fine, he's still over playing
with Chelsea.

(a beat)

I figured maybe we could talk
better here.

Kelsey steels herself, but before she can say anything...

NED

I want to apologize for the other
night. I was way out of line.
God, I feel like an idiot.

KELSEY

You don't have to--

NED

I do. But I can't...

(half-beat)

I can't deny I have feelings for
you. But that's not your problem,
it's mine. I'll deal with it.

(and)

Ann, I need this job. I don't
want to lose it -- or your
friendship. Or Stuart's. Can
we just go on with our lives, and
pretend I didn't make such a fool
of myself?

Kelsey is touched -- and vastly relieved.

KELSEY

Of course. No harm done.

NED

Thanks. You're the best.

(then)

Well. I guess I'll see you
tomorrow.

KELSEY

Yeah. See you tomorrow.

Ned leaves. Off Kelsey, we:

CUT TO:

26 INT. CONFERENCE ROOM - DAY

26

SPITZER and BREMMER are there, MULLANEY, CAMPOS, DEPALMA enter.

MULLANEY

First, let's talk about revising the figures.

SPITZER

Revising? We had an agreement.

DEPALMA

That was before we knew we were set up.

SPITZER

(to Mullaney)

What the hell is he talking about?

MULLANEY

The settlement was rigged. Right, Mr. Bremmer?

Bremmer does his best to look blank.

DEPALMA

It was a real attractive offer, wasn't it? Money for the workers, money for us. But whenever I thought about the expanded class, I got nervous. So I made a call to Honduras -- to the toxicologist who did the environmental study we based the suit on.

DePalma picks up a large, dog-eared, bound report.

DEPALMA

Only thing is... there's a section missing from our draft. A section describing tests of fifteen water wells in Mr. Campos' province.

MULLANEY

All fifteen show levels of Trichlor nearly one hundred times E.P.A. safety standards.

Mullaney pulls out a fresh copy of the study.

MULLANEY

This is the complete copy. Check out the numbers, Russ.

(CONTINUED)

26 CONTINUED:

26

Mullaney opens the study and slides it across to Spitzer.

DEPALMA

It's in the water table. That's why you wanted the class expanded. You knew you had a lot bigger problem than four hundred farm workers. You poisoned the whole damn province!

BREMMER

That's absurd--

MULLANEY

And we're not just talking about fertility damages. Ten, fifteen years from now, this place could have cancer rates twenty times the norm. But you'd be insulated from liability, 'cause you settled back in nineteen ninety-two.

BREMMER

I categorically deny these charges.

Spitzer looks up from the study, dumbfounded.

SPITZER

Tommy, I had no idea. I'd never go along with anything like this--

DEPALMA

(to Campos)

But you would, wouldn't you?

Campos looks sick.

DEPALMA

You brought us the data, Alvaro. You're the only one who could have pulled out the well tests.

MULLANEY

Bremmer made a deal with you to keep us in the dark. If he had to settle, you'd agree to expanding the class and that would get him off the hook for everything.

SPITZER

Jesus Christ.

(CONTINUED)

26 CONTINUED: (2)

26

DEPALMA

How much did he pay you, Alvaro,
to sell out your people?

CAMPOS

He told me I could never win!

BREMNER

Shut up! For
Chrissake!

CAMPOS

No foreigner
ever won before!

CAMPOS

My duty was to my workers. He
said if I take out the water
tests, we'd be paid a million even
if we lose! If we help them
settle, we get much more.

SPITZER

(to Bremmer)

You sonofabitch.

DEPALMA

The question is what are we gonna
do about this?

MULLANEY

The way we see it, there's two
ways to go. Option one, we tell
the judge we've uncovered a fraud
on the court. Then we have a
well-publicized mistrial and a
re-filing of the class action,
to include the entire province and
punitive damages for malicious
and outrageous conduct.

DEPALMA

That should do wonders for Halifax
stock, not to mention Mr.
Bremmer's job security.

MULLANEY

And there's also the possibility
of the D.A. filing criminal
charges against Mr. Bremmer under
California's new corporate
criminal liability act.

DEPALMA

Then, there's option two.

(CONTINUED)

26 CONTINUED: (3)

26

BREMNER

Let's hear it.

MULLANEY

We settle. Fifteen million for the sterilized workers, thirty million for the fund to cover any future sterility and cancer claims, plus we add another ten million for cleaning up the contaminated wells.

DEPALMA

Bringing the grand total to: fifty-five million. That puts a dent in Halifax's first quarter earnings, but I'm sure you'll come up with a creative explanation for your shareholders.

A beat. Bremner rises and turns to Spitzer.

BREMNER

Do what you have to do.

Bremner exits. Mullaney looks at DePalma, then at Spitzer.

MULLANEY

Let's hammer it out in my office.

Mullaney and Spitzer exit. A long beat.

DEPALMA

I believed in you. I really thought you were out to do something for your people.

CAMPOS

I was. Alex, we fought this thing for six years.

DEPALMA

That's right, we fought. I was right there with you.

CAMPOS

I started to think we could never win. When they offered me a million, guaranteed... I had to take it.

(CONTINUED)

26 CONTINUED: (4)

26

DEPALMA

You used me! And you sold out
a hundred thousand of your
neighbors.

CAMPOS

I was trying to help men whose
lives are ruined today, not some
maybe cancers in ten years! And
look what we came away with--

DEPALMA

Oh, I understand why you did it.
(really hurt)
But I don't understand why you
couldn't trust me.

DePalma brushes past Campos.

CAMPOS

Alex!

DePalma keeps walking, out the door. Off Campos' shame,
we:

CUT TO:

27 EXT. MCKENZIE BRACKMAN BUILDING - ESTABLISHING - NIGHT 27

28 INT. KITTREDGE'S OFFICE -- NIGHT 28

KITTREDGE and FLANAGAN.

KITTREDGE

Two days ago you were ready to
charge your father with murder.
Now you've realized that didn't
happen -- but you claim you're
a victim of incest.

FLANAGAN

I know how it sounds, but it's
the truth.

KITTREDGE

As you suddenly remember it.

A look passes between them.

KITTREDGE

I don't have to tell you how hard
it is to base a case on repressed
memory.

(CONTINUED)

FLANAGAN

They changed the law. A civil suit can be filed when the memory surfaces, no matter how long after the crime--

KITTREDGE

It'll still be his word against yours, about things that may or may not have happened thirty years ago. It'll come down to who the jury believes.

FLANAGAN

Are you saying you won't take the case?

KITTREDGE

What can you win, Margaret? He won't go to jail. He probably won't even admit molesting you. All you can get is money--

FLANAGAN

My father started raping me when I was eight-years-old. He raped my sister, he drove her to suicide. I want him exposed for what he is.

KITTREDGE

Have you told this to anyone in your family?

FLANAGAN

My mother and my brother.
(then)
They don't believe me.

KITTREDGE

That's only the beginning. If you take him to court, they'll be angry and resentful, not of him, but of you--

FLANAGAN

I've prosecuted incest cases. I know what happens.

(beat)

It doesn't change my mind. My father is a criminal. I'm not letting him get away with what he did.

(CONTINUED)

KITTREDGE

When was the last time you saw him?

FLANAGAN

Four years ago. We were close after my sister died, but when I started dating, my father got very possessive. I moved out right after graduation. Since then, we've stayed away from each other.

KITTREDGE

His lawyer will say you have a grudge. He'll paint you as a frustrated, divorced woman with long-standing animosity towards your father. Your so-called memories are fantasies, the delusions of a sick mind. Your father will be the innocent victim of a daughter out to smear him--

FLANAGAN

You don't get it, do you? Nothing can happen to me that's worse than what he already did. I've never been able to trust a man, I've never had a healthy relationship. My God, I can't even look at myself in the mirror. I'm going ahead with this, whether you represent me or not.

Kittredge studies her for a moment.

KITTREDGE

All right. I'll take the case.

FLANAGAN

(rising)

Good.

KITTREDGE

Margaret? Why me?

(CONTINUED)

28 CONTINUED: (3)

28

Flanagan looks at him for a long beat.

FLANAGAN

Because you're ruthless. And
charming and dangerous. Just like
my father.

Off this, we:

FADE OUT

THE END