

"THE VERDICT"

Screenplay by

David Mamet

Shooting Draft

**INT. FIRST FUNERAL PARLOR - DAY**

an  
A working-class funeral in progress. THIRTY PEOPLE and  
inexpensive bier SEEN from the back of the hall.

**ANGLE**

suit;  
next to  
and  
hands.  
A MAN's back FILLS the SCREEN. He is dressed in a black  
his hands are clasped behind him. ANOTHER MAN stands  
him. The Second Man reaches behind the First Man's back  
puts a discreetly folded ten-dollar bill into his

**ANGLE**

early  
funeral  
parlor.  
These Two Men from the front. Both somber, in their  
fifties. They begin to walk down the aisle of the

**ANGLE**

bier  
First  
Man (the recipient of the money) speaks:  
The WIDOW. A woman in her late fifties sitting by the  
receiving condolences. The Two Men approach her. The

**FUNERAL DIRECTOR**

Mrs. Dee, this is Frank Galvin -- a  
very good friend of ours, and a very  
fine attorney.

**GALVIN**

It's a shame about your husband,  
Mrs. Dee.

The Widow nods.

**GALVIN**

I knew him vaguely through the Lodge.  
He was a wonderful man.

(shakes head in  
sympathy)

It was a crime what happened to him.  
A crime. If there's anything that I  
could do to help...

and  
"Take  
card.  
GALVIN removes a business card from his jacket pocket  
hands it to her as if he were giving her money. (i.e.,  
it. Really. I want you to have it..." She takes the

Beat.

**GALVIN**

(thoughtfully realizes  
he is usurping her  
time)

Well...

He shakes her hand and moves on.

**INT. COFFEE SHOP - DAY**

raincoat.  
Galvin sitting in the deserted coffee shop in his

Reading a section of the paper. He picks up his teacup,  
drinks. Lowers it to the table.

**ANGLE - INSERT**

drops  
table.  
Galvin twists tea bag around a spoon to extract last  
of tea. His hand moves to his felt pen lying on the

section.  
He moves his hand to the paper, open at the obituary

funeral  
listing.  
We SEE several names crossed out. He circles one

**ANGLE**

around  
Galvin sitting, raises cup of tea to his lips. Looks  
deserted coffee shop. Sighs.

**INT. SECOND FUNERAL HOME AND STREET - AFTERNOON**

PEOPLE  
Galvin outside a second funeral home. WORKING-CLASS  
entering, Galvin enters the home.

**ANGLE**

shrugging  
WIDOW  
from  
WIDOW'S  
himself  
Galvin, coming down the aisle toward the front,  
himself out of his overcoat, he approaches the BEREAVED  
sitting by the front of the home, he extracts his card  
his pocket, starts to speak. He is stopped by the  
SON, a hefty man in his mid-forties, who interjects  
between Galvin and the widow.

**SON**

(of the card)  
What is that...?

**GALVIN**

I...

**SON**

What the hell is that...

**GALVIN**

...I was a friend of your fa...

**SON**

You never knew my father.  
(hits card out of  
Galvin's hand)  
You get out of here, who the hell do  
you think you are...

The FUNERAL MANAGER hurries down the aisle, and starts  
extricating Galvin from the commotion.

**GALVIN**

(to Funeral Manager)  
I'm talking to this man...

**FUNERAL MANAGER**

Excuse me, Mrs. Cleary...

He is manhandling Galvin toward the back of the funeral parlor. The Son calls after him:

**SON**

Who the hell do you think you are?

**EXT. SECOND FUNERAL PARLOR - AFTERNOON**

The Funeral Manager and Galvin standing in the cold.

**FUNERAL MANAGER**

I don't want you coming back here.  
Ever. Do you understand?

**GALVIN**

I was just talking to...

**FUNERAL MANAGER**

Those are bereaved people in there.

goes  
mourners.  
The Funeral Manager gives Galvin a small shove, and  
back to his post at the door, greeting the entering

"Good evening..."

**ANGLE**

watching  
Galvin, the ground cut out from under him. Standing  
the mourners enter.

**EXT. SECOND FUNERAL STREET - DUSK**

walking  
stoplight  
traffic.  
Galvin walking down a residential street. He has been  
a while in the cold, snowy night. He stops for a  
at a corner, waits for the light although there is no

ways  
checks  
Lights a cigarette. The light changes. He looks both  
and irresolutely starts across the street. He stops. He  
his watch. He sighs, and starts back in the opposite  
direction.

**INT. O'ROURKE'S BAR - NIGHT**

man's  
around  
Galvin holding forth at the bar of a seedy drinking-  
establishment, THREE DRINKERS, acquaintances, standing  
him, appreciative.

**GALVIN**

Pat says, 'Mike... there's a new  
bar, you go in, for a half a buck  
you get a beer, a free lunch, and  
then take you in the back room and  
they get you laid.'

The bartender, JIMMY, comes up to Galvin.

**JIMMY**

Another, Frank...?

**GALVIN**

(gestures to include  
group)  
...everybody. Mike says, 'Pat, you  
mean to tell me for a buck you get a  
free lunch and a beer, and then you  
go in the back and get laid?' 'That's  
correct.' Mike says, 'Pat. Have you  
been in this bar ?' Pat says, 'No,  
but my sister has...'  
(gestures to Jimmy)  
Everyone. Buy yourself one too.

**INT. GALVIN'S OFFICE - NIGHT**

sleeves  
files,  
sits on  
whiskey  
back  
his  
them  
in. He  
The seedy, disorganized small office, Galvin in shirt-  
opening a file cabinet. He takes out an armload of  
carries them to a wastebasket and throws them in. He  
his desk, as if exhausted by his effort, pours from a  
bottle into a large water glass, downs the glass.  
He has been drinking for some time. He starts stumbling  
to the file cabinet. On the way his eye is caught by  
degrees hanging on the wall. He stumbles to them, picks  
up and walks over to the wastebasket and throws them

ringing.

the

make

difference..."

still-

the

Are

goes back to the file cabinet, the phone starts  
Galvin lets it ring, continues emptying the files into  
wastebasket, tearing some of them up as he does so.

He repeats softly to himself, as a litany, "It doesn't  
a bit of difference, it doesn't make a bit of

He starts back to the desk for the bottle, knocks the  
ringing phone off the desk. He pours himself a drink.

As he downs it we hear -- softly -- from the phone on  
floor: a MAN'S VOICE. "Frank. Frank. Frank. Goddamnit.

you there...? Frank..." Galvin pays no attention.

Drinks his drink and gazes at the wall -- now empty of  
degrees.

**ANGLE - P.O.V.**

Voice

The empty wall. Galvin's P.O.V. The telephone heard  
Over insisting, "Frank..."

**INT. GALVIN'S OFFICE ANTEROOM - NIGHT**

suit

dark

room.

MICKEY MORRISSEY, a man in his late sixties, dressed in  
and overcoat, looking worried, unlocks the door to the  
anteroom. Looks around. Sees something in the next

**ANGLE - P.O.V.**

in

the

Galvin asleep on his couch, clothed as before. Covered  
his overcoat, the bottle and glass next to the couch on  
floor, the sound of the phone off the hook.

**ANGLE**

Mickey walks into the office. Stands looking at Galvin.

**MICKEY**

(harshly)

Get up.  
(beat, more harshly)  
Get up.

couch.  
Galvin wakes up. Looks around. Swings his legs over the

Drinks from the glass. Vacantly:

**GALVIN**

Hi, Mickey...

**MICKEY**

What the hell do you think you're  
doing...?

(surveys the wrecked  
office)

What's going on here...?

**GALVIN**

Uh...

**MICKEY**

Fuck you. I got a call today from  
Sally Doneghy...

**GALVIN**

...now who is that...?

**MICKEY**

...You're 'sposed to be in court in  
ten days and she's telling me you  
haven't even met with them...

**GALVIN**

Sally Doneghy, now who is that?

**MICKEY**

One lousy letter eighteen months  
ago... I try to throw a fuckin' case  
your way...

**GALVIN**

...hey, I don't need your charity...

**MICKEY**

...I get these people to trust you --  
they're coming here tomorrow by the  
way -- I get this expert doctor to  
talk to you. I'm doing all your  
fuckin' legwork -- and it's eighteen  
months. You're 'sposed to be in court.  
I bet you haven't even seen the file.

Galvin pours himself a drink.

**GALVIN**

Hey, what are you, my nanny?

and Mickey walks to him, knocks the drink out of his hand  
slaps him several times in the face.

**MICKEY**

Listen to me. Listen to me... listen  
to me, Frank, 'cause I'm done fuckin'  
with you. I can't do it any more.  
Look around you: You think that you're  
going to change? What's going to  
change it? You think it's going to  
be different next month? It's going  
to be the same. And I have to stop.  
This is it. I got you a good case,  
it's a moneymaker. You do it right  
and it will take care of you. But  
I'm through. I'm sorry, Frank, this  
is the end.

(beat)

Life is too short, and I'm too old.  
(beat)

Mickey walks out of the office. Slams the door. Beat.

Galvin looks around the office. Goes to his sofa. Sits,  
reaches to side table.

**ANGLE - INSERT**

his change The side table, a pack of Luckies. Galvin taking one,  
hand shaking a little. Also on side table a pile of  
containing a small rosary and a wedding ring.

**INT. GALVIN'S OFFICE ANTEROOM - INSERT - DAY**

letterhead Street, "Sorry you The carriage of a typewriter. A sheet of paper. Its  
reads "Frank P. Galvin. Attorney at Law, 124 State  
Boston, Mass. 02981. Cable FRAGAL." Someone is typing,  
I had to go out. Back at 10. Judge Geary called. Are

takes  
and

available for lunch Wednesday University Club?" A hand  
a paper from carriage and puts it on desk. Takes a pen  
signs, "Claire."

**ANGLE**

having  
from  
the  
Scotch-

Galvin in the anteroom, dressed in his suit, unshaved,  
just signed the paper. He takes a piece of Scotch tape  
the dispenser on the desk, picks up a file folder from  
coffee table. It is torn in several places and rudely  
taped.

**ANGLE - P.O.V. - INSERT**

Laboure

The file headed Deborah Ann Kaye v. St. Catherine  
Hospital et. al.

**ANGLE**

Scotch  
of the

Galvin surveys the anteroom, opens door to corridor,  
tapes the note he has just typewritten to the outside  
door.

**INT. O'ROURKE'S BAR - DAY**

BARTENDER  
overcoat  
reading.

Dark paneling, clean, simple. A drinkers' bar. OLD  
and THREE CUSTOMERS spaced widely, Galvin in his  
downing a shot, the file open before him. He is

arm,

He checks his watch, scoops the file together under his  
throws a dollar on the bar, and heads for the door.

**INT. NORTHERN NURSING HOME CORRIDOR - DAY**

rundown

Galvin walking tentatively down the corridor of a very  
nursing home. He receives suspicious looks from the  
Attendants. He is checking numbers on the doors against

a

notation in the file. He finds the correct door and enters.

**INT. NURSING HOME WARD - DAY**

The door to the ward from the inside. Galvin opening the door to the dark ward, backlit, tentative, a little unsteadied from his drinking. He puts his back against the door, puts down file and briefcase, extracts a small cheap Polaroid camera from the briefcase, readies it to shoot, picks up his paraphernalia, and starts off down the ward. As he walks down the ward he checks the file hung at the foot of each bed. Galvin stops at the foot of one bed and reads the chart.

**ANGLE - P.O.V.**

The chart held by Galvin. DEBORAH ANN KAYE, various medical notations. He lowers the chart and we SEE in the bed beyond it a shriveled, tiny form stuck with needles and tubes.

**ANGLE**

Galvin replaces the chart, puts his file, briefcase, etc. on the foot of the bed, takes a flash photo of the figure in the bed. Takes another one. Puts down camera, sits on the end of the bed gazing at the unseen form. He lights a cigarette, and sits looking at her.

**INT. CORRIDOR - GALVIN'S OFFICE BUILDING - DAY**

SALLY DONEGHY. A mousy woman in her forties is standing by a door on which is written, "Frank P. Galvin. Attorney at Law."

**GALVIN**

I'm... Mrs. Doneghy? I'm Frank Galvin... why didn't you go in?

**SALLY**

It's locked.

**GALVIN**

(astonished)

It's locked?

takes  
Lunch..."  
Sally Doneghy points to the note on the door. Galvin  
it from the door. Reads. "Back at 10, Judge Geary.

**GALVIN**

I'm terribly sorry... I hope we didn't  
put you out. Won't you come in...?

(motions Sally into  
inner office, gestures  
with note)

I'd offer you some coffee, but it  
looks like my girl just went out.

**INT. OFFICE ANTEROOM - DAY**

Doneghy  
Galvin is perched at his secretary's desk. Sally  
across from him by the coffee table listening intently.

**GALVIN**

It's not a good case. It's a very  
good case.

**GALVIN**

A healthy young woman goes into the  
hospital to deliver her third child,  
she's given the wrong anesthetic...

**SALLY**

...we, we love her, Dick and me...

**GALVIN**

...I'm sure you do...

**SALLY**

But what can we do? She don't know  
who's visiting her...

**GALVIN**

...I know. I went...

**SALLY**

...You saw her?

**GALVIN**

Yes. Yes, I have.

**SALLY**

You know how beautiful she was?

(beat)

Her husband left her, and he took her kids... They, they, they'd let you die in there. They don't care. Nobody cares. The Patriot Home, the Chronic Care... in Arlington...? They'd take her in. Perpetual care. They'd take her. Fifty thousand dollars they want. An endowment.

**GALVIN**

...fifty thousand dollars?

**SALLY**

I don't want to leave her. Dick... the, the... and Father Laughlin, he said that it was God's will...

**GALVIN**

...I understand...

**SALLY**

My doctor told me that I got to move out West... that's when we filed in court. We didn't want to sue...

**GALVIN**

...I understand...

**SALLY**

...But Dick, he's looking for two years in Tucson... and they called him up and said to come out. He's a good man. He's only trying to do what's right.

The door to the corridor opens and DICK DONEGHY, a workingman in his forties, comes into the room. Sally and Galvin stand.

**SALLY**

This is my husband.

Donegy and Galvin shake hands uncomfortably. He motions the two to sit.

**GALVIN**

Please sit down. I told your wife. I'm sorry that we have to meet out here. I've got a case coming in two days in the Superior Court and my office is a mess of papers.

**DONEGHY**

...that's all right.

**GALVIN**

I was telling your wife, we have a very good case here.

**SALLY**

He saw her at the Northern Care...

**GALVIN**

...and I have inquiries out to doctors, experts in the field... there is, of course, a problem getting a doctor to testify that another doctor's negligent...

**DONEGHY**

...the Archdiocese called up, they said who was our attorney, 'cause the case is coming to trial...

**GALVIN**

I doubt we'll have to go to trial...

**DONEGHY**

...we told them we didn't want it to come out this way.

**GALVIN**

I completely understand...

**DONEGHY**

We just...

**SALLY**

We just can't do it anymore.

(beat)

This is our chance to get away.

**GALVIN**

I'm going to see you get that chance.

**DONEGHY**

What is this going to cost?

**GALVIN**

It's completely done on a contingency basis. That means whatever the settlement is I retain one-third... that is, of course, the usual arrangement...

**INT. BISHOP BROPHY'S SUITE - INSERT DAY**

woman  
around  
Yellowed newspaper clipping, a very lovely, patrician  
in her twenties smiling at a well-turned-out Galvin  
thirty. Headline: "Patricia Harrington to Wed."

**ALITO (V.O.)**

His name is Frank Galvin. B.U. Law, class of 'fifty-two. Second in his class. Editor of the Law Review. Worked with Mickey Morrissey twelve years. Criminal Law and Personal Injury...'

"Boston  
a  
jail.  
A hand turns a page and reveals a second clipping:  
Lawyer Held in Jury Tampering Case," with a picture of  
very confused Galvin at around forty-five being led to

**ALITO**

'Married Patricia Harrington, nineteen sixty...'

**ANGLE**

Common,  
dressed  
The small, sumptuously appointed Italianate office.  
French windows, a fire in the grate, a view of Boston  
JOSEPH ALITO, a slender, elegant man in his forties  
in a very expensive suit, reading from his notes, news  
clippings, etc., which are held in a leather folder.

**ALITO**

'Joined Stearns, Harrington, Pierce nineteen sixty as a full partner. Resigned the firm nineteen sixt-ynine over the Lillibridge case...' Do

you...?

with Alito, strolling as he reads, moves toward the windows  
in his file TO REVEAL BISHOP BROPHY, a self-contained man  
listening. his early sixties, sitting on a leather couch,

**BISHOP**

He was accused of jury tampering.

**ALITO**

Accused. Not indicted. He resigned the firm. Divorced nineteen seventy. Galvin worked with Michael Morrissey until Morrissey retired in 'seventy-eight. Since then he's been on his own. Four cases before the Circuit Court. He lost them all. He drinks.

**BISHOP**

Four cases in three years...

**ALITO**

The man's an ambulance chaser...

**BISHOP**

...tell me about this case.

**ALITO**

This is a nuisance suit. He's looking for small change. He's asking for six hundred thousand and betting we don't want to go to court.

**BISHOP**

No -- we don't want this case in court.

**ALITO**

Neither does he. That's where he loses. This man's scared to death to go to court. We only have to call his bluff.

**BISHOP**

I want to settle this thing and be done with it. I don't want the Archdiocese exposed.

**ALITO**

No. Absolutely, and we're going to see that it is not.

**BISHOP**

So what I want to do is stop it here. I'm going to make him an offer. I want to do it myself. I want it to come from me.

**ALITO**

All right. But let's keep the price down. I've called Ed Concannon. He recommends that we continue to respond as if we're going to trial.

The Bishop nods, meaning, "You are dismissed." As an afterthought:

**BISHOP**

If we were to go to trial, would we win the case?

**ALITO**

Well, of course, it's always dangerous...

**BISHOP**

I know that answer. If we went to trial would we win?

**ALITO**

(in an "of course" tone)

Yes.

desk, Alito, preparing to leave, reaches to the Bishop's where he has laid his leather folder.

**ANGLE**

into The clipping in the folder, confused Galvin being led Alito's jail, "Boston Lawyer Held in Jury Tampering Case." hand snaps the folder shut.

**INT. GALVIN'S OFFICE BUILDING CORRIDOR - DAY**

A man's arms full of textbooks. Prominently displayed:

stops, "Methodology and Practice in Anesthesiology." The man fumbles for a key in his pocket.

**ANGLE**

from a Galvin, in his overcoat, arms full of books, reading textbook and trying to unlock his office door.

**INT. OFFICE**

at Galvin entering. CLAIRE PAVONE, a woman in her fifties, the secretary's desk, hanging up the phone.

**CLAIRE**

(to phone)

Thank you very much.

Galvin looks up at her in surprise.

**GALVIN**

What are you doing here?

**CLAIRE**

Mickey told me to come back to work.

Galvin nods, proceeds into his office, reading from the textbook. Claire follows him into the office.

**CLAIRE**

...here's your mail, call Mrs. Doneghy...

**GALVIN**

...yes. Get her on the phone...

**CLAIRE**

...that was a Dr. David Gruber's office...

**GALVIN**

(putting down books)

Gruber...

**CLAIRE**

Mickey told him to call.

(reading from notes)

'He's some very hotshot surgeon at Mass. Commonwealth. He wants to meet with you at seven tonight re testimony

in the case of Deborah Ann Kaye. You meet him at the hospital.'

She hands him typed memo slip.

**GALVIN**

(surprised)  
...he wants to testify...?

**CLAIRE**

It looks that way.

**GALVIN**

You know what that would mean?

**GALVIN**

To get somebody from a Boston hospital to say he'll testify?

**CLAIRE**

...a Mrs. Doneghy called... I told you that.

Phone rings. Claire moves to it.

**GALVIN**

(delighted)  
This is going to drive the ante up.

**CLAIRE**

(into phone)  
Frank Galvin's... who's calling please? Bishop Brophy's office...

Galvin

She gestures to Galvin, "Do you want to talk to them?"

gestures back, "No. I'm not in..."

**CLAIRE**

I'm sorry, he's not in... may I take a mess... tomorrow when, two o'clock... I'll check my book...

She looks to Galvin, who nods, "yes."

**CLAIRE**

Yes. Mr. Galvin's clear at that time... the Bishop's office, tomorrow, the fifth at two p.m. Thank you...

She hangs up.

**GALVIN**

That's the call that I'm waiting for.

**CLAIRE**

What does it mean?

**GALVIN**

They want to settle.  
(beat)  
It means a lot of money.

**CLAIRE**

Does that mean I'm back for awhile?

**INT. GRUBER'S HOSPITAL CORRIDOR - INSERT - NIGHT**

Man's wrist. WWII GI watch reads: 6:56.

**ANGLE**

"Doctors  
slip  
in his hand. He opens door. CAMERA FOLLOWS him onto:

**INT. GRUBER'S DOCTORS LOCKER ROOM - NIGHT**

DOCTOR, on  
the  
coffee,  
Carpeted, small, comfortable, lined in lockers. A  
the phone in greens, smoking a cigarette, talking on  
phone softly, a couple of DOCTORS sitting, drinking  
chatting. Galvin, a trifle nervous, to Doctor ON PHONE:

**GALVIN**

Dr. Gruber...?

thirty-ish  
locker.  
The Doctor on the phone gestures behind him to a  
MAN in blue jeans smoking a cigar, changing at his

Galvin walks over to him.

**GALVIN**

Dr. Gruber...

**GRUBER**

(turning)

Yes? Galvin, right?

jacket,  
locks  
He checks his watch, continues changing into suede  
checks next appointment on a leather appointment book,  
the locker, pockets key.

**GALVIN**

I appreciate -- a man as busy as --

**GRUBER**

That's perfectly all right. I'm kind  
of rushed. Do you mind if we walk  
while we talk?

room.  
Gruber, Galvin following, talk while exiting locker

**INT. GRUBER'S HOSPITAL CORRIDOR - NIGHT**

**GRUBER**

I read the hospital report on your  
client.

**GALVIN**

...Deborah Ann Kaye...

**GRUBER**

...Deborah Ann Kaye...

EXIT  
They walk hurriedly through a hospital corridor, to an  
door and down concrete stairs.

**INT. GRUBER'S HOSPITAL STAIRS - NIGHT**

**GALVIN**

They called, they're going to settle,  
what I want to do is build up as  
much...

**GRUBER**

Right. Who called?

**GALVIN**

The Archdiocese called, they want to  
settle... her estate...

**GRUBER**

...and you're going to do that?

**GALVIN**

(surprised, of course)

Yes.

**GRUBER**

You're going to settle out of court?

Gruber stops at the bottom of the stairs, beside an exit to the outside.

**GALVIN**

Yes.

**GRUBER**

Why?

A beat.

**GALVIN**

(it's a meaningless question to him, as if to a child)

Uh... in the, well, in the interests of her family... you, Dr. Gruber, you know, you can never tell what a jury is going to do. St. Catherine's a very well thought of institution. Her doctors...

**GRUBER**

(glances at watch, impatient)

Her doctors killed her.

**GALVIN**

(a beat)

I'm sorry...?

**GRUBER**

Her doctors murdered her. They gave her the wrong anesthetic and they put her in the hospital for life.

(a beat)

Her doctors murdered her.

**GALVIN**

Do you know who her doctors were?

**GRUBER**

I read the file. Yeah. Marx and Towler. I know who they were.

**GALVIN**

The most respected...

**GRUBER**

(smiling)

Whose side are you arguing...? I thought that you wanted to do something. I don't have any interest in the woman's 'estate' -- No offense, but we all know where the money's going to... I have an interest in the Hospital; and I don't want those bozos working in the same shop as me. They gave her the wrong anesthetic. They turned the girl into a vegetable. They killed her and they killed her kid. You caught 'em. Now: how many others did they kill?

case  
to  
A beat. Gruber discards end of a cigar. Takes a leather case from his suede jacket, extracts a new cigar. Offers one to Galvin.

**GRUBER**

You want a cigar?

Galvin takes one absently.

**GALVIN**

The hospital is owned by the Archdioceses of...

**GRUBER**

What are they going to do? Not invite me to their Birthday party...?

(checks watch)

Look, I gotta go. I have to be in Cambridge...

shakes  
it,  
Galvin, excited, is trying to light the cigar. His hand shakes badly. He has forgotten to bite off the end. He bites it, lights the cigar.

**GALVIN**

Well, well, when can we meet again.

I'd like to get a deposition..

**GRUBER**

Okay. I'll meet you here. Tuesday night... I gotta go. You going my way?

Galvin shakes his head.

**EXT. GRUBER'S HOSPITAL PARKING AREA - NIGHT**

Gruber opens door and walks out into the cold, into the parking lot, followed by Galvin, who is lighting his cigar.

**GALVIN**

We have to... we... we have to keep you under wraps. Please don't, don't discuss...

**GRUBER**

I understand.

**GALVIN**

...the case with anyone. And I'll meet you Tuesday, and we'll go over your testimony...

They stop before a 1950s very beautiful small Mercedes Sedan.

Gruber opens the door, gets into the plush red leather interior, starts car, leaves door open, still talking to Galvin.

**GRUBER**

Right. Seven o'clock. Here.

Galvin scribbles information in his appointment book.

**GALVIN**

Thank you...

**GRUBER**

...that's perfectly all right.

**GALVIN**

(beat)

Uh, why, why are you doing this?

**GRUBER**

(thinks a second)  
To do right. Isn't that why you're  
doing it?

**INT. O'ROURKE'S TAVERN - NIGHT**

being  
Galvin is at the bar, smiling to himself. His drink is  
refilled. To BARTENDER:

**GALVIN**

I want to buy you a drink.

**JIMMY (THE BARTENDER)**

Thanks, Franky.

YOUNG  
him;  
items  
Galvin looks around. A very attractive self-possessed  
WOMAN is sitting in the crook of the bar across from  
she is intently perusing the newspaper and circling  
with a felt pen. Galvin speaks to her:

**GALVIN**

Would you like a drink?

She looks up. Smiles.

**WOMAN**

I'd like an apartment.

**GALVIN**

Settle for a drink?

She gestures at her own full glass in front of her.

**WOMAN**

No. Thank you.

Galvin shrugs.

**GALVIN**

I had a very good day today.

**WOMAN**

(beat, smiles, downs  
drink, gets up off  
the stool, sincerely)  
I'm glad you did. Thank you. Good  
night.

**GALVIN**

You're very welcome.

his

He watches her as she leaves the bar. He turns back to drink.

**GALVIN**

Well, well, well. Huh?

**JIMMY**

Yeah.

**GALVIN**

(sighs)

It's a long road that has no turning.

**JIMMY**

That's for sure, Frank.

**INT. GALVIN'S APARTMENT - NIGHT**

Galvin,  
sitting  
his

A shoddy one-and-a-half room bachelor apartment. beer and cigarettes on the table beside him. He is on an armchair in the bedroom. A yellow legal pad in lap.

He is talking on the phone softly, soothingly.

**GALVIN**

I'm going to the Archdiocese tomorrow at two. I know you don't. I know you don't... no, you're just following your life. You have a life too... you have to move out West. It doesn't help you to stay here. Well... I'm sure she knows you care for her.

His attention wanders to the legal pad in his lap.

**ANGLE - P.O.V.**

Deborah  
pad,  
Mass.

The legal pad. Spread on it a couple of Polaroids of Ann in the nursing home. Below them, written on the large, "Dr. David Gruber. Ass't. Chief Anesthesiology,

Commonwealth. 'They killed her. And they killed her kid

--

Her doctors murdered her.'"

\$150,000.00 The following figures are written on the pad:

many

written very large, circled, crossed out. \$250,000.00  
similarly circled and crossed out. \$225,000.00 circled  
times.

**GALVIN**

(voice over; on phone)

Well. Well. Well. Finally we're none  
of us protected... we... we just  
have to go on. To seek help where we  
can... and go on... I know that you  
love her... I know you're acting out  
of love.

**ANGLE - GALVIN ON THE PHONE**

**GALVIN**

(into phone)

As soon as I know... you give him my  
respects too. Not at all. Not at  
all... Good night.

(beat)

Well, bless you, too. Good night.

his He hangs up phone, sighs. Lights a cigarette. Rotates  
bed neck to loosen it up. Reaches to the table next to his  
for the bottle to pour a drink.

**ANGLE - INSERT**

photo of His hand reaching for the bottle. On the table the  
the a very beautiful blonde woman in a silver frame. She is  
the same woman we saw earlier in the news clip. She is on  
table, deck of a sailboat, laughing. A pile of change on the  
pile of a money clip, a rosary, and the wedding ring in the  
change.

**ANGLE**

his  
above his  
moment,  
Galvin looking at the photo in the silver frame next to  
bed. He sighs deeply. Beat. Reaches up to the lamp  
head and turns it off. He sits stiffly in the dark a  
then lets his head fall back to the chair.

**INT. NORTHERN NURSING HOME WARD - DAY**

briefcase on  
dark  
out a  
Galvin, spruced up a bit, sitting on a bed, his  
his lap. Gazing at the unseen Deborah Ann Kaye in the  
ward. Silent. Beat. He looks in his briefcase, takes  
file.

**ANGLE - P.O.V. - INSERT**

the  
children; he  
it on  
doctors  
The file, labeled Deborah Ann Kaye. Galvin extracting  
photo of the young mother romping with her two  
takes the yellow legal pad from his briefcase and puts  
top of the picture (the figures crossed out; "Her  
murdered her," etc.).

We hear the door to the ward open and TWO IRISH WOMEN  
gossiping.

**IRISH NURSE #1 (V.O.)**

Jimmy, I said, don't you go in your  
pocket if there's nothing there...

**IRISH NURSE #2 (V.O.)**

...and what did he say...?

**IRISH NURSE #1 (V.O.)**

(spies Galvin, her  
tone changes)  
...Sir, you aren't allowed to be in  
here...

**ANGLE**

looks  
into  
Galvin sitting on the bed looking at Deborah Ann. He  
up to the speaker. A slovenly Irish Nurse, who has come

framed

the room and is standing by him. The other Nurse is  
in the doorway. Galvin is lost in thought.

**NURSE**

You can't be in here.

**GALVIN**

(as if remembering  
something, simply)  
I'm her attorney.

**INT. BISHOP BROPHY'S OFFICE - DAY**

beautiful

The Bishop from the waist up, sitting behind his  
desk. Compassionately:

**BISHOP**

It's a question of continuing values.  
St. Catherine's -- to do the good  
that she must do in the community  
has to maintain the position that  
she holds in the community. So we  
have a question of balance. On the  
one hand, the reputation, and, so,  
the effectiveness of our hospital,  
and two of her important doctors --  
and, on the other hand, the rights  
of your client.

**ANGLE**

seated,  
glasses in  
his.

Galvin seated across from the Bishop. A YOUNG PRIEST  
discreetly, attentively, across the room. Sherry  
front of Galvin and the Bishop. Galvin drinking from

**BISHOP**

A young woman. In her prime...  
deprived of...  
(searches for a word)  
...life... sight... her family...  
It's tragic. It's a tragic accident.

Galvin has been dreaming.

**BISHOP**

...nothing, of course, can begin to  
make it right. But we must do what

we can. We must do all that we can.

He gestures to the Young Priest, who crosses the room, extracts a sheet from a file folder, and places it before Galvin, who is sitting as if in a dream. The Bishop waits a beat, not wanting to interrupt Galvin's reverie, then catches his eye and gestures down at the paper. Galvin glances down.

**INSERT**

The sheet: "I, Frank P. Galvin, duly appointed conservator for Deborah Ann Kaye, in consideration of Two Hundred Ten Thousand Dollars (\$210,000.00) paid in hand to me this day by St. Catherine Laboure Hospital do hereby release from any and all claims..."

**ANGLE**

Galvin and the Bishop as before. Galvin finishes reading, looks up.

**BISHOP**

Yes. We must try to make it right.

Beat. Galvin nods. Beat. Bishop nods discreetly to the Young Priest who extracts Mount Blanc fountain pen from his pocket, holds it out to Galvin.

**BISHOP**

It's a generous offer, Mr. Galvin...  
(beat)  
...nothing can make the woman well...  
but we try to compensate... to make  
a gesture...

**GALVIN**

How did you settle on the amount?

**BISHOP**

We thought it was just.

**GALVIN**

You thought it was just.

**BISHOP**

Yes.

**GALVIN**

Because it struck me how neatly 'three' went into the amount. Two Hundred Ten Thousand. That would mean I keep seventy.

**BISHOP**

That was our insurance company's recommendation.

**GALVIN**

Yes. It would be.

A beat.

**BISHOP**

Nothing that we can do can make that woman well.

**GALVIN**

And no one will know the truth.

**BISHOP**

What is the truth?

**GALVIN**

That that poor girl put her trust in the hands of two men who took her life, she's in a coma, her life is gone. She has no family, she has no home, she's tied to a machine, she has no friends -- and the people who should care for her: her Doctors, and you, and me, have been bought off to look the other way. We have been paid to look the other way. I came in here to take your money.

(beat)

I brought snapshots to show you. So I could get your money.

(to Young Priest,  
waving away document)

I can't take it. If I take it. If I take that money I'm lost. I'm just going to be a rich ambulance chaser.

(beat; pleading for

understanding)  
I can't do it. I can't take it.

**YOUNG PRIEST**

If we may discuss money, Mr. Galvin.  
How is your law practice?

**GALVIN**

It's not too good. I've only got one  
client.

**HOLD.**

**INT. LAWYERS ROOM AND CORRIDOR - DAY**

Courthouse,  
Galvin, determined, coming down a corridor in the  
opens a door. CAMERA FOLLOWS him IN. The Lawyers Room.  
Ten or twelve AMBULANCE CHASERS waiting for clients.  
They  
all look up as he enters, then return to their reading,  
phones, card games. CAMERA FOLLOWS him TO the corner of  
the  
room where MICKEY MORRISSEY is playing Gin with a  
CRONY.

**GALVIN**

I have to talk to you.

**MICKEY**

What do you want?

**GALVIN**

(dragging him up)  
Come on. Let's get a drink.

**MICKEY**

(sighs, to partner)  
Don't touch anything.

Galvin leads Mickey out of the room.

**INT. FIRST CORRIDOR COURTHOUSE - DAY**

end of  
Mickey and Galvin silhouetted against a window at the  
the dark corridor, arguing.

**MICKEY**

(enraged)  
Are you out of your mind...?

**GALVIN**

...I'm going to need your help...

**MICKEY**

You need my help...? You need a goddamn keeper... are you telling me that you turned down two-hundred-ten grand?

(beat)

Huh...? Are you nuts? Eh? Are you nuts. What are you going to do, bring her back to life?

**GALVIN**

I'm going to help her.

**MICKEY**

To do what...? To do what, for chrissake...? To help her to do what? She's dead...

**GALVIN**

They killed her. And they're trying to buy it...

**MICKEY**

That's the point, you stupid fuck. Let them buy it. We let them buy the case. That's what I took it for. You let this drop -- we'll go up to New Hampshire, kill some fuckin' deer...

He turns away.

**GALVIN**

Mick. Mick. Mick...

**MICKEY**

What?

**GALVIN**

You -- Listen: you said to me, 'if not now, when...'

**MICKEY**

I know what I said but not now. You won it. Franky. You won it. When they give you the money, that means that you won. We don't want to go to court -- is this getting to you...?

You know who the attorney is for the Archdiocese, Eddie Concannon.

**GALVIN**

...he's a good man...

**MICKEY**

...he's a good man...? He's the Prince of Fuckin' Darkness... he'll have people in there testifying that the broad is well -- they saw her Tuesday on a surfboard at Hyannis... don't fuck with this case.

**GALVIN**

...I have to stand up for her...

**MICKEY**

Frank, but not now. Frank. You're trying to wipe out some old business. But not now. I understand. But you go call 'em back. You call the Bishop back.

**GALVIN**

I have to try this case. I have to do it, Mick. I've got to stand up for that girl. I need your help.

(beat)

Mick, will you help me...?

(beat)

Will you help me...?

**INT. CONCANNON OFFICES CORRIDOR --DAY**

through a office desks, a the up a  
A young ATTORNEY in shirt-sleeves and vest racing huge, ultra-modern, ultra-successful legal office. The is near empty. A couple of secretaries are at their couple of lawyers in their cubicles. The CAMERA FOLLOWS Attorney tearing through the corridors of the office, spiral staircase, through yet more office space, into:

**INT. CONCANNON CONFERENCE ROOM - DAY**

panoramic  
...a conference room. Mahogany, tinted glass, a

view of Boston. Twenty-five attorneys, male and female,  
mostly  
room. He  
the  
the  
a  
young, gaze at the young Attorney as he enters the  
stops running. He approaches the front of the room  
tentatively. Standing at the blackboard in front of the  
conference room is EDWARD CONCANNON. Senior partner of  
firm, late fifties, imposing, he radiates success. As  
young Attorney approaches Concannon he is stopped with  
gesture. Concannon addresses the room.

**CONCANNON**

(smiling)

Anybody ever hear, 'For want of a  
shoe a horse was lost?' Who's going  
on vacation tomorrow?

A young MAN raises his hand.

**CONCANNON**

Friedman. St. Barts. is that right?

**FRIEDMAN**

Yessir.

**CONCANNON**

(to secretary taking  
notes at the side of  
the room)

Send Mrs. Friedman a dozen roses  
tomorrow morning please, Sal. I tell  
you what, send her a sunlamp.

(smiles, there is  
laughter from the  
room; to Friedman,  
sympathetic)

I'm sorry, but you'll have to stay.  
No vacations till this thing is  
cleared.

Concannon motions to the young Attorney who has run in.  
The  
chalk.  
young Attorney goes to Concannon and hands him a box of

Concannon takes a piece and writes on the blackboard  
"Jan.  
12th." He underlines it heavily.

**CONCANNON**

Our court date is January twelfth. You're all acquainted with this case. It's been scheduled for eighteen months. We have the attorney for the Plaintiff, Frank Galvin -- and I trust you are all familiar with his record -- and we have been expecting him to call us to negotiate. As he did not, and five days before we're supposed to go to court we made him a rather generous offer, which he refused. Five days before the trial. What does this mean? I want to find out.

(writes on the  
blackboard, "1)  
Research")

(writes "2) Homework")

Acquaint yourselves again with the depositions. Don't rely on the fact that we did it last year. Do it again. We're going to review them here, and you do it at home. You each have a full file. Know the depositions, and I want you all to be here when we work with the defendants... when is that, Billy...?

The young Attorney responds.

**YOUNG LAWYER (BILLY)**

Tuesday evening, Sir.

Concannon writes on blackboard "3) Public Awareness."

**CONCANNON**

I want an article in the Globe As Soon As Possible, 'St. Cat's... Neighborhood Giant serving the community' etc. We've got it in the files. I want something in Monday's Herald: 'Our Gallant Doctors,' something... Be inventive, I want television...

(nods toward one of  
the young lawyers)

...talk to our man at GBH. And to belabor the obvious for a moment...

(beat)

Our clients are: the Archdiocese of Boston; St. Catherine Labouré

Hospital, and Drs. Marx and Towler, two of the most respected men in their profession. The thrust of this defense will be to answer in court, in the press and in the public mind -- to answer the accusation of negligence this completely: not only that we win the case, but that we win the case so that it's seen that the attack on these men and this institution was a rank obscenity.

(beat)

All right. Let's get the cobwebs off. Billy...?

The young Lawyer stands as Concannon sits, listening.

**YOUNG LAWYER**

Please turn to your Page Four.

that  
All the lawyers in the office turn in their files to  
page.

**YOUNG LAWYER**

We're going to start with a review of the depositions of the Operating Room Team: the nurse-anesthetist, the scrub-nurse, the...

**INT. LAW LIBRARY - NIGHT**

A  
of  
Galvin and Mickey at a library table piled with books.  
dingy, dusty law library. They are smoking, speak in undertones, referring to the yellow legal pads in front  
them. Rehashing material.

**MICKEY**

Who have we got?

**GALVIN**

We've got her sister. Testifies she had a meal one hour before she was admitted to the hospital. This is the point.

**MICKEY**

You got the admittance form says patient ate nine hours prior to admittance.

**GALVIN**

Admittance form is wrong.

**MICKEY**

Forget it. You can't prove it.  
Sister's testimony is no good. Jury  
knows we win she gets the cash.

**GALVIN**

I've got my Dr. Gruber, says her  
heart condition means they gave her  
the wrong anesthetic anyway, plus  
she came in complaining of stomach  
pains...

**MICKEY**

(conceding)  
...Gruber's not bad.

**GALVIN**

Not bad...? This guy's Dr. Kildare,  
the jury's going to love him, Mick...  
And you calm down, all right? Their  
guy, Towler's, the author of the  
book,

(hunts for book on  
desk, holds it up;  
reads)

'Methodology and Practice,  
Anesthesiology.'

(rummages through a  
pile of papers on  
the desk)

...and they got depositions from the  
nurses, everybody in the operating  
room, the scrub-nurse... 'All these  
guys are God. I saw them walk on  
water...'

(checking a list)

They had an obstetrical nurse in  
there. We got a deposition from the  
obstetrical nurse?

**MICKEY**

(checking list)  
No.

**GALVIN**

(reading from pad)  
'Mary Rooney, forty-nine. Lives in  
Arlington, still working at the

hospital.' Can you get out tomorrow?  
How come she isn't speaking up.

**MICKEY**

Right.

**GALVIN**

Okay now. Cases: Smith versus State  
of Michigan.

**MICKEY**

Right.

**GALVIN**

Brindisi versus Electric Boat.

**MICKEY**

You got a good memory, Franky.

**GALVIN**

I had a good teacher. McLean versus  
Urban Transport...

**INT. O'ROURKE'S PUB - NIGHT**

Galvin and Mickey entering the bar, walk over to the  
bar.

Galvin sees something O.S. Call to the bartender.

**GALVIN**

Jimmy? Bushmills.  
(turns to Mickey,  
whispers)  
Lookit, do me a favor. I'll buy you  
a drink tomorrow.

**MICKEY**

Yeah? And what are you going to do  
tonight?

**GALVIN**

I'm going to get laid.

Galvin motions with his head down at the end of the  
bar.

**ANGLE - P.O.V.**

The Woman from last night, sitting in her same place at  
the

off

end of the bar. Mickey looks at her. Shrugs. Gets up  
stool.

**MICKEY**

Don't leave your best work in the  
sheets.

He salutes, walks off.

Galvin takes his drink and moves down to her.

**GALVIN**

D'you find an apartment?

**LAURA**

Still looking.

**GALVIN**

I changed my life today. What did  
you do?

**LAURA**

I changed my room at the Hotel.

**GALVIN**

Why?

**LAURA**

The TV didn't work.

**GALVIN**

What Hotel are you staying at?

**LAURA**

And what are you? A cop?

**GALVIN**

I'm a lawyer.

**LAURA**

My ex-husband was a lawyer.

**GALVIN**

Really. How wonderful for you.

**LAURA**

Yes. It was, actually.

**GALVIN**

Oh, actually it was. Then why'd you  
call it off?

**LAURA**

Who says I'm the one that called it off?

**GALVIN**

A brick house says you divorced him. I'll put you on your honor. Bet you a hundred dollars against you join me for dinner. And I'll take your word for it. Now you tell me the truth. Because you cannot lie to me. What's your name?

**LAURA**

Laura.

**GALVIN**

My name's Frank. And furthermore, you came back to see me tonight.

**LAURA**

What if it wasn't you that I came back to see?

**GALVIN**

You just got lucky.  
(gets up off stool)  
D'you eat yet? Come on.

spite She gets up from the stool and starts following him in  
of herself.

**GALVIN**

Jesus, you are one beautiful woman.

**INT. O'ROURKE'S - NIGHT (LATER)**

dinner and Galvin and Laura are in a booth. The remains of a  
intent drinks around them. They are both smoking cigarettes,  
on each other. Both a little drunk.

**GALVIN**

The weak, the weak have got to have somebody to fight for them. Isn't that the truth? You want another drink?

**LAURA**

I think I will.

Galvin motions "another round" to the bartender.

**GALVIN**

Jimmy!

(beat)

That's why the court exists. The court doesn't exist to give them justice, eh? But to give them a chance at justice.

**LAURA**

And are they going to get it?

**GALVIN**

They might. Yes. That's the point... is that they might... you see, the jury wants to believe. They're all cynics, sure, because they want to believe. I have to go in there tomorrow to find twelve people to hear this case. I'm going to see a hundred people and pick twelve. And every one of them it's written on their face, 'This is a sham. There is no justice...' but in their heart they're saying, 'Maybe... maybe...'

**LAURA**

Maybe what?

**GALVIN**

(beat)

Maybe I can do something right.

**LAURA**

And is that what you're going to do?

(a beat)

Is that what you're going to do...?

**GALVIN**

That's what I'm going to try to do.

**INT. GALVIN'S APARTMENT - NIGHT**

light  
a  
Laura,  
The bedroom, dark, sound of people moving, the bedside  
is flicked on. We SEE Galvin in shirt-sleeves, holding  
whiskey glass a little unsettled, turning on the light,

turns  
wife, he  
it

with a glass, also a bit unsteady, standing beside him.  
Both awkward. He looks at her, turns back to the bed,  
down the bed, sees the silver-framed picture of his  
looks back at Laura, starts to take the picture to turn  
down.

**LAURA**

That's all right.

She starts taking off her blouse.

**INT. COURTHOUSE BAR-INSERT - DAY**

A half-full old-fashioned glass.

**ANGLE**

He  
street.

Galvin sitting at the fairly well-equipped bar, still.  
looks out of the window at a building across the

**EXT. COURTHOUSE - P.O.V. SHOT - DAY**

The courthouse across the street.

**INT. COURTHOUSE BAR - DAY**

Galvin glances at bar clock.

**ANGLE - P.O.V.**

The clock reads 10:12.

**ANGLE**

bar

Galvin downs his drink, picks his briefcase off of the  
and starts for the door.

**INT. JUDGE SWEENEY'S CHAMBERS-DAY**

service on  
is

JUDGE SWEENEY, a florid man in his sixties, sitting in  
shirtsleeves eating bacon and eggs off of a hotel  
a tray, talking conspiratorially with Ed Concannon, who

obviously  
their

drinking coffee, seated across the desk. They are  
old friends. The sound of a door opening. They turn  
heads to the door.

**ANGLE - P.O.V.**

Galvin standing in the door.

**JUDGE (V.O.)**

You're late, Mr. Galvin.

to  
He enters the room. CAMERA FOLLOWS him as he sits next  
Concannon.

**GALVIN**

Yessir. I'm sorry.

**JUDGE**

Why is that?

**GALVIN**

I was held up.

Concannon smiles and extends his hand.

**CONCANNON**

Ed Concannon.

**GALVIN**

(shaking his head)

Frank Galvin. We've met before.

at  
As the Judge starts to speak Galvin cannot help looking  
Concannon out of the corner of his eye.

**JUDGE**

Let's do some business.

**ANGLE - P.O.V. GALVIN**

watch,  
Concannon, brisk, expensive-looking, tanned, huge gold  
custom-made suit.

**JUDGE (V.O.)**

They tell me that no bargain ever  
was completed other than quickly  
when both parties really cared to

make a deal.

Concannon feels Galvin's eye on him, half-turns,  
smiles.

**ANGLE - THE JUDGE, CONCANNON, GALVIN**

**JUDGE**

Now, have you boys tried to resolve your little difficulty because that certainly would save the Commonwealth a lot of time and bother.

**GALVIN**

This is a complicated case, your Honor...

**JUDGE**

I'm sure it is, Frank: and let me tell you something. If we find it so complex, how in the hell you think you're going to make a jury understand it?

(smiles at Galvin)

See my point? Let's talk a minute. Frank: what will you and your client take right now this very minute to walk out of here and let this damn thing drop?

**GALVIN**

My client can't walk, your Honor.

**JUDGE**

I know full well she can't, Frank. You see the Padre on your way out and he'll punch your ticket. You follow me? I'm trying to help you.

**CONCANNON**

Your Honor, Bishop Brophy and the Archdiocese have offered plaintiff two hundred and ten thousand dollars.

**JUDGE**

Huh!

**CONCANNON**

My doctors didn't want a settlement at any price. They wanted this cleared up in court. They want their vindication. I agree with them. But

for today the offer stands. Before  
we begin the publicity of a trial.  
For today only.

(beat)

When I walk out that door the offer  
is withdrawn.

(turns to Galvin)

As long as you understand that.

(beat)

It's got to be that way.

**GALVIN**

We are going to try the case.

A beat. Galvin fumbles for a cigarette. The three sit  
in  
silence.

**JUDGE**

(incredulous)

That's it...?

(beat)

Come on, guys... life is too short...

(beat)

You tell me if you're playing  
'chicken,' or you mean it.

(beat; turns to Galvin)

Frank: I don't think I'm talking out  
of school, but I just heard someone  
offer you two hundred grand... and  
that's a lot of money... and if I  
may say, you haven't got the best of  
records.

**GALVIN**

...things change.

**JUDGE**

...that's true. Sometimes they change,  
sometimes they don't. Now, I remember  
back to when you were disbarred...

**GALVIN**

I wasn't disbarred, they dropped the  
pro...

**JUDGE**

And it seems to me, a fella's trying  
to come back, he'd take this  
settlement, and get a record for  
himself.

(beat)

I myself would take it and run like  
a thief.

**GALVIN**

I'm sure you would.

and The Judge turns, unbelieving that Galvin has patronized  
insulted him. He controls himself.

**JUDGE**

Hm.

(beat; checking book)

We have the date set? Next Thursday.

Good.

(smiles)

See you boys in court.

**INT. COURTROOM - INSERT - DAY**

ANN A legal document. LIST OF PROSPECTIVE JURORS. DEBORAH  
Mr. KAYE versus ST. CATHERINE LABOURE HOSPITAL, Et. Al.:  
Housewife, Arthur Abrams, Machinist, 58; Mrs. Joann Chepek,  
42; Mr. Roger Crawford, Chemist, 59, etc.

**ANGLE**

form in Galvin, seated at the conference table intent on the  
Galvin front of him. He crosses out something with a pen.  
takes the form, rises, walks across the room, walks by  
the defense table with Concannon and an Aide at it.  
Approaches the Jury Box, which has several prospective JURORS in  
it.

He is very nervous. He addresses a man.

**GALVIN**

Mr. Abraham...

**ABRAMS**

Abrams...

**GALVIN**

Abrams. Yes. How are you today?

**ABRAMS**

I'm fine.

**GALVIN**

Good.

(beat)

You ever been inside a hospital?

**ABRAMS**

Yes.

**GALVIN**

Ah. How did they treat you?

Galvin has flop sweat, Abrams is becoming intractable.

**ABRAMS**

I don't know what you mean.

**INT. CIGAR - COURTHOUSE CORRIDOR - DAY**

through  
Galvin

Mickey standing by the door to the courtroom, looking  
the glass panel, a newspaper under his arm, smoking.  
comes out.

**MICKEY**

Been a long time, huh...?

**GALVIN**

I'm getting it back. Don't worry  
about me, Mick. I'm fine. D'you find  
the obstetric nurse?

**MICKEY**

Mary Rooney. She won't talk to me. I  
tried her at the hospital. I'm going  
to try her back at home. Read this.

He hands Galvin the newspaper. Galvin takes it, reads.

**ANGLE - P.O.V.**

Huge  
today  
the

The newspaper, folded to Page Two. A full-page photo of  
smiling doctors clustered around an operating table.  
caption: "International Honors to St. Catherine Laboure  
Hospital. The faculte Internationale de la Chirurgerie  
announced St. Catherine's as this year's recipient of

coveted Medaillon de la Sante..." etc.

**ANGLE**

Galvin reading. Looks up.

**GALVIN**

So what?

**MICKEY**

So what...? The best is yet to come.  
Check the TV Guide. They got our Dr.  
Towler on a panel on GBH on Friday:  
'The Healing Hand. The Experts Speak.'

**GALVIN**

They still have to take it to a jury.

Looks back at his form.

**MICKEY**

What I'm saying, they're getting  
some help.

**GALVIN**

(looks annoyed)

So what do you want me to do?  
Concannon's going to try the case  
his way, I'm going to try it mine.  
You want me to go wee wee wee all  
the time because he's got some flack,  
got stories in the newspaper. I'm  
going to win this case.

Mickey

They start walking across the Courthouse corridor.

veers off and stops at a Cigar Stand.

To the STAND OPERATOR:

**MICKEY**

John: gimme a cuesta-ray.

**GALVIN**

Oh shit, what's today?

**MICKEY**

Today is Tuesday. What?

**GALVIN**

I've got to go see Gruber.  
(to Cigar Stand

Operator)  
What's the best cigars you have?

**MICKEY**

Give 'em a box of Macanudos.

**GALVIN**

Mickey: I'm supposed to meet somebody  
at O'Rourke's, I can't make it.

**JOHN**

Here you are, Franky.

**GALVIN**

(takes box)

Thanks. Can you go over and meet  
her...? Tell her I'll stop by when  
I'm through... Laura Fischer...

**MICKEY**

Sure. Who is she?

**JOHN**

That's thirty-three bucks. Can you  
believe that...?

**MICKEY**

Oh, yeah. Your broad from last night.

Galvin pays the Cigar Stand Operator.

**JOHN**

Thanks, Franky.

**GALVIN**

Tell her that I'll meet her there,  
okay? See you tomorrow in the office.

Mickey shrugs.

**GALVIN**

We're doing fine.

**ANGLE**

The two of them crossing the lobby.

starts  
Dick Doneghy, looking around the lobby, spies them,  
across, and accosts Galvin.

**DONEGHY**

You said you're gonna call me up.  
You didn't call me up. Who do you  
think you are?

(pushes Galvin into a  
wall; advances; pushes  
him again)

Who do you think you are...?

**GALVIN**

Hold on a second.

**DONEGHY**

I'm going to have you disbarred. I'm  
going to have your ticket. You know  
what you did? Do you know what you  
did?

He pushes Galvin again. Galvin waves Mickey off.

**GALVIN**

It's all right, Mickey.

**DONEGHY**

You ruined my life, Mister... Me and  
my wife... and I am going to ruin  
yours...

(pushes Galvin again)

You don't have to go out there to  
see that girl. We been going four  
years.

(beat)

Four years... my wife's been crying  
herself to sleep what they, what,  
what they did to her sister.

**GALVIN**

I swear to you I wouldn't have turned  
the offer down unless I thought that  
I could win the case...

**DONEGHY**

What you thought!? What you thought...  
I'm a workingman, I'm trying to get  
my wife out of town, we hired you,  
we're paying you, I got to find out  
from the other side they offered two  
hundred...

**GALVIN**

I'm going to win this case... Mist...  
Mr. Doneghy... I'm going to the Jury  
with a solid case, a famous doctor

as an expert witness, and I'm going to win eight hundred thousand dollars.

**DONEGHY**

You guys, you guys, you're all the same. The Doctors at the hospital, you... it's 'What I'm going to do for you'; but you screw up it's 'We did the best that we could. I'm dreadfully sorry...' And people like me live with your mistakes the rest of our lives.

He nods sadly to himself. Beat.

**GALVIN**

If I could accept the offer right now, I would.

(beat)

They took it back.

**DONEGHY**

I understand.

(starts to walk away  
from Galvin; stops)

I went to the Bar Association. They tell me you're going to be disbarred.

**INT. O'ROURKE'S PUB - NIGHT**

Laura is sitting in the same place at the bar. Mickey comes up to her.

**MICKEY**

Franky can't make it. He had an appointment he forgot, he's going to see you later. I'm Mickey Morrissey, we're supposed to get to know each other.

**LAURA**

How'm I doing so far?

**MICKEY**

So far you're great. You got a cigarette?

Laura opens her purse, starts hunting for a cigarette.

**LAURA**

What are you drinking?

(hands him cigarettes,  
smiles, calls the  
Bartender)  
Jimmy...?

**INT. GRUBER'S HOSPITAL CORRIDOR - NIGHT**

his  
to  
Galvin walks up to a door marked Doctors Only. He opens  
briefcase, takes out the box of Macanudo Cigars, smiles  
himself, walks inside.

**INT. DOCTORS' LOCKER ROOM - GRUBER'S LOCKER**

the  
appropriate  
Galvin enters, looks around, it is empty. He looks at  
clock, takes out his appointment book, turns to  
page.

**ANGLE - P.O.V.**

The book, written very large: "Dr. Gruber. 7:00 P.M.  
Hospital."

**ANGLE**

room.  
Galvin standing, he waits a beat. Starts out of locker

**NIGHT**  
**INT. GRUBER'S HOSPITAL CORRIDOR - NURSES' STATION -**

NURSE  
CAMERA FOLLOWS him TO Nurses' Station. He speaks to the  
behind the desk.

**GALVIN**

Dr. Gruber.

**NURSE**

Dr. Gruber's not here today, Sir.

**GALVIN**

No... No...

She glances down, checks a sheet.

**NURSE**

Yes, Sir. He hasn't been in all day...  
He's not on the chart...

**EXT. GRUBER'S OFFICE BUILDING AND STREET - NIGHT**

lovely

Galvin walking in the snow. Stops outside of a very brownstone with a small brass plaque. The plaque: Dr. C. Gruber. M.D. P.C.

David

**ANGLE**

deserted

Galvin looking in through the window of the dark, ground-floor office. He knocks on the door. Nothing. He again. Nothing. He stands unbelieving.

knocks

**EXT. GRUBER'S HOUSE & STREET - NIGHT**

house.

Galvin getting out of a taxi, rushing up the steps of a brownstone. Peeps through the window on the side of the Dark. He grabs the brass knocker. Pounds. Nothing, he again. Nothing. He is beaten. He is without resource.

pounds

He

starts vacantly down the stairs. The door behind him is opened. He turns.

**ANGLE - P.O.V.**

A middle-aged black WOMAN in livery.

**MAID**

What is it?

Galvin in the steps speaking with her.

**GALVIN**

Dr. Gruber.

**MAID**

Dr. Gruber's not in.

**GALVIN**

I had an appointment at his office, I think I must have got it wrong. We had a meeting...

**MAID**

He's not in, Sir.

**GALVIN**

Where is he?

Galvin

She hesitates. She has been instructed not to say.  
starts up the steps.

**GALVIN**

I... please. My wife... my wife's  
prescription has run out. If I can  
call him...

**MAID**

Dr. Halpern's taking all his...

**GALVIN**

No, no, no. I have to talk to him.  
If I can only call him...

**MAID**

(beat)

He's... you can't reach him, Sir.  
He's in the, on some island in the  
Caribbean, they don't have a phone.

(beat)

He'll be back in a week...

(beat)

If you'd like Dr. Halpern's number...

the

Galvin turns away from the door. He is still clutching  
box of cigars unconsciously.

**INT. O'ROURKE'S - NIGHT**

Somewhat

Mickey and Laura. Positions unchanged, at the bar.  
progressed toward a convivial drunkenness

**MICKEY**

Stearns, Harrington, you know who  
that is?

**LAURA**

Should I?

**MICKEY**

A huge law firm. Okay? They put him  
in the firm, he's married,  
everything's superb. Franky, he's  
starting to talk like he comes from  
Dorsetshire, some fuckin' place,

'You must drop by with Pat and me...'  
Okay...?

**LAURA**

Yes.

**MICKEY**

...and he's making a billion dollars every minute working for Stearns, Harrington, and he bought a dog, and everything is rosy.

(beat)

Then Mr. Stearns, he tried to fix a case.

**LAURA**

The Big Boy did...?

**MICKEY**

That Frank was working on. Yeah. He thought Franky needed some help, so they bribed a juror. So Franky finds out. He comes to me in tears. He thinks that anybody who knows what a 'spinnaker' is got to be a saint. I told him 'Franky, wake up. These people are sharks. What do you think they got so rich from? Doing good?' He can't be comforted. He tells the boys at Stearns and Harrington they've disappointed him, he's going to the Judge to rat them out.

**LAURA**

Huh.

**MICKEY**

Before he can get there here comes this Federal Marshal, and Franky's indicted for Jury tampering, they throw him in jail, he's gonna be disbarred, his life is over.

(beat)

Jimmy, gimme another drink.

(to Laura)

How are you?

**LAURA**

(to Jimmy)

Me, too.

**MICKEY**

Okay. Now, so he's in jail. He, finally, he gets to see the light, he calls up Harrington, he says he thinks he made a mistake. As if by magic, charges against him are dropped, he's released from jail.

(beat)

P.S. He's fired from the firm, his wife divorces him, he turns to drink and mopes around three and a half years.

(beat)

You like that story?

She looks at him. HOLD.

**EXT. JUDGE SWEENEY'S HOUSE-NIGHT**

the  
CAMERA  
Snow falling. Galvin standing outside, having just rung bell. The door is opened by a gangly teen-age boy. FOLLOWS Galvin into...

**INT. JUDGE SWEENEY'S HOUSE - NIGHT**

closed  
opposite.  
...the hall of the house. The boy motions toward a sliding door and then goes into the living room

the  
piano.  
Galvin hangs up his coat on the hall coat rack, we hear boy resume the practice of a passage of Chopin on the

Galvin knocks on the sliding door.

**JUDGE (O.S.)**

Yes?

darkened  
drinking  
Galvin opens the door and goes into the Judge's study. The Judge is watching a basketball game on TV, a beer. CAMERA FOLLOWS Galvin into the room.

**JUDGE**

What is it?

**GALVIN**

Thank you for seeing me.

**JUDGE**

That's perfectly all right.

watching  
Judge turns down the volume of the game, but keeps  
it.

**GALVIN**

I need an extension for my case.

**JUDGE**

You should have taken their offer.  
Especially if you were unprepared.

**GALVIN**

I had a witness disappear on me.

**JUDGE**

That happens.

**GALVIN**

I could subpoena him if I had a week.

**JUDGE**

I don't have a week. This case never  
should have come to trial. You know  
better. You're Mr. Independent. You  
want to be independent? Be independent  
now. I've got no sympathy for you.

Judge leans forward, turns up the volume on the game.

**EXT. STREET - GALVIN - PHONE - NIGHT**

street  
the  
LONG SHOT of cars whooshing in the snow past a lonely  
corner. A MAN at an open telephone stand. The sound of  
telephone on the far end ringing.

**ANGLE**

the  
Galvin at the stand, shivering in the cold, talking on  
phone. An open note pad in his bare hand.

**VOICE**

Continental Casualty...

**GALVIN**

Mr. Alito, please.

**VOICE**

Business hours are over, Sir. This is the switch...

**GALVIN**

I have to reach him. This is an emergency. Could you give me his home number?

**VOICE**

I'm sorry, Sir, we're not allowed...

**GALVIN**

...Would you, would you call him up. I'll give you my number, and ask him...

**VOICE**

I can't guarantee that...

**GALVIN**

I understand. Thank you, my name is Galvin. I'll be at the following number in a half an hour. It's urgent.

**INT. GALVIN'S OFFICE - NIGHT**

Galvin is sitting at his desk, a stack of files piled on his desk, he is sorting through them looking for something. The phone rings, he snatches it up.

**GALVIN**

(into phone)

Hello. Yes. Thank you for calling. Frank Galvin... I'm representing Deborah Ann Kaye...? I'd like to discuss your firm's offer of the two hundred th... In the sense that I feel that we'd like to accept it.

(beat)

Well, it's rather a shock to me, too; but it's my client's wishes... She's changed her mind as of this evening... I must say that I tried to dissuade her...

He wipes his sweating forehead, he hears the sound of his office door opening, he looks up.

**ANGLE - P.O.V.**

an  
the  
to  
Mickey opening the front door to the office, carrying  
armful of lawbooks, and a couple of files, he turns on  
lights in the anteroom, and we SEE that he is surprised  
see Galvin in the office.

**ANGLE - GALVIN**

On the phone.

**GALVIN**

...Well, she, on the eve of the  
case... You understand... I think  
quite frankly she's come down with  
nerves and she'd like...

at  
A beat. Mickey comes tentatively into the room and sits  
the desk across from Galvin.

**GALVIN**

When was that arrived at...?

(beat)

I, I know what Mr. Concannon said,  
but... I... Well, I think you're  
making a mistake... I think that you  
should reconsider; why don't you  
check with your principals, and I'll  
call you in the...

(beat)

No?... you... uh. All right. No.  
That's fine. I understand. Sorry to  
bother you at home.

He hangs up the phone. Sits rock still. Beat.

**MICKEY**

What happened...?

Galvin starts searching through his files again.

**MICKEY**

What happened, Joey...?

**GALVIN**

I can't talk now.

**MICKEY**

D'you meet with Dr. Gruber...?

extracts it

Galvin has found the sheet he is looking for, he  
from the file.

**ANGLE - P.O.V.**

Poss.

The sheet of yellowing paper. Headed "DEBORAH ANN KAYE  
Drs. to testify: Contact: Dr. Lucien Thompson, Mineola  
Island; Dr. Duane Litchey..." He turns to second sheet.

Long

It is a letter-headed sheet, "Lucien Thompson, M.D."

"Dear

Mr. Galvin, after studying the case material on Deborah  
Ann Kaye, I would be glad..." Galvin turns back to first  
underlines THOMPSON in red.

Ann

sheet,

**ANGLE**

Galvin dialing phone.

**GALVIN**

Concannon got to my witness.

(beat; to himself)

I can't breathe in here...

(into phone)

Hello Doctor...?

(checks sheet)

Dr. Thompson. This is Joseph Galvin,  
attorney for a Deborah Ann Kaye, we  
had some correspondence some time  
ago...? That's right. I'm sorry that  
we never got back, the case was  
postponed, and I've had a changeover  
in staff... I'm sorry to call you so  
late...

**ANGLE**

box of

Mickey, looking pityingly at Galvin. Mickey sees the  
Macanudo Cigars on the desk, picks them up, starts to  
them -- throws them across the room in disgust.

open

**GALVIN (V.O.)**

...but we have had a change of strategy, and we were wondering, I know this is short notice, but...

**INT. GALVIN'S APARTMENT - NIGHT**

Galvin in pants and shirt carrying a drink, distraught, frightened. Standing in the doorway of his sitting room.

**ANGLE**

Laura in slacks and sweater coming out of the kitchen with her drink. She sits at worktable on which are Galvin's briefcase, files, etc. Galvin and Laura. He is biting his nails.

**LAURA**

Would you like me to leave...?  
(beat)  
Is this a bad time -- ?

**GALVIN**

(distracted)  
What...?

**LAURA**

Is this a bad time.

**GALVIN**

We, we... No... we just had a small reversal in the case...  
(beat)  
I have some, uh... I have some work to do...

**LAURA**

What happened...?

**GALVIN**

They, uh, they got to my witness.

**LAURA**

...and is that serious?

Galvin, suddenly focuses, starts for worktable.

**GALVIN**

I've got to work...

**LAURA**

Do you want me to go...?

**GALVIN**

No, no, I'm just...

He stops, rubs his face...

**LAURA**

Why don't you get some rest?

**GALVIN**

I've got to work.

**LAURA**

You can't work if you can't think.  
You get in bed. It's all right. I'll  
stay here with you. It's all right.  
Come on...

**GALVIN**

You're going to stay here...?

**LAURA**

Yes.

A beat.

**GALVIN**

I'm only going to rest a little while.

She leads him into the bedroom.

**ANGLE - LATER**

in  
cigarette,  
the  
Same room, Laura, dressed in Galvin's bathrobe, sitting  
the easy chair next to his worktable, smoking a  
reading an old hard-cover novel. She looks up across  
room.

**ANGLE - P.O.V.**

The door to the bedroom, closed.

**ANGLE**

lap.  
Laura sighs, takes a drag. Puts the book down on her

Sits, thinking.

**INT. CONCANNON'S CONFERENCE ROOM - DAY**

fifties,  
at-  
Witness stand. DR. TOWLER, a distinguished man in his  
sitting on the stand. Concannon o.s. The doctor is ill-  
ease; smiles nervously.

**CONCANNON (V.O.)**

What is your name, please?

**TOWLER**

Dr. Robert Towler.

**CONCANNON (V.O.)**

You were Deborah Ann Kaye's doctor...?

**DR. TOWLER**

No, actually, she was referred to  
me. She was Dr. Hagman's patient...

**CONCANNON**

Don't equivocate. Be positive. Just  
tell the truth.

**ANGLE**

taking  
being  
The conference room. WIDE. Concannon's young lawyers  
notes as Concannon rehearses Dr. Towler, a Sony VTR  
operated by one of them.

**CONCANNON**

Whatever the 'truth' is, let's hear  
that. You were her doctor.

**DR. TOWLER**

Yes.

**CONCANNON**

Say it.

**DR. TOWLER**

I was her doctor.

**CONCANNON**

You were the anesthesiologist at her  
delivery May twelfth, nineteen  
seventy...

**DR. TOWLER**

...I was one of a group of...

**CONCANNON**

Answer affirmatively. Simply. Keep those answers to three words. You weren't 'part of a group,' you were her anesthesiologist. Isn't that right?

**DR. TOWLER**

Yes.

**CONCANNON**

You were there to help Dr. Marx deliver her baby. Were you not?

**DR. TOWLER**

Yes.

**ANGLE**

Concannon starts to stroll a bit around the conference room, in back of the assembled assistants, by the large windows, which offer a panoramic view of Boston.

**CONCANNON**

Anything special about the case?

**DR. TOWLER**

When she...

The young lawyer (BILLY), Concannon's right-hand assistant, raises his hand to get Concannon's attention.

**CONCANNON**

(to Dr. Towler,  
correcting him)

When 'Debby'...

(to Young Lawyer)

Thank you.

Young Lawyer nods, makes a notation in his pad.

**DR. TOWLER**

Thank you. When Debby...

**CONCANNON**

(switching his tack)  
Dr. Towler, who was in the operating  
room with you?

**DR. TOWLER**

Ms. Nevins, nurse-anesthetist; Dr.  
Marx, of course...

He nods toward Dr. Marx who is in the audience, who  
nods  
back.

**DR. TOWLER**

Mary Rooney, the obstetrical nurse...

**CONCANNON**

What did these people do when her  
heart stopped?

**DR. TOWLER**

We went to Code Blue...

**CONCANNON**

'Code Blue,' what does that mean...?

**DR. TOWLER**

It's a common medical expression,  
it's a crash program to restore the  
heartbeat. Dr. Marx cut an airway in  
her trachea, to get her oxygen, her  
and the baby... Ms. Nevins...

**CONCANNON**

Why wasn't she getting oxygen...?

**DR. TOWLER**

Well, many reasons, actually...

**CONCANNON**

Tell me one?

**DR. TOWLER**

She'd aspirated vomitus into her  
mask...

**CONCANNON**

She THREW UP IN HER MASK. Let's cut  
the bullshit. Say it: She THREW UP  
**IN HER MASK.**

A beat.

**DR. TOWLER**

She threw up in her mask.

Concannon nods to the Young Lawyer, who is conscientiously taking notes.

**CONCANNON**

...and her heart stopped and she wasn't getting oxygen.

**DR. TOWLER**

That's right.

**CONCANNON**

And what did your team do...

**DR. TOWLER**

Well, we...

**CONCANNON**

...You brought thirty years of medical experience to bear. Isn't that what you did?

**DR. TOWLER**

Yes.

**CONCANNON**

...A patient riddled with complications, questionable information on her, on her admitting form...

**DR. TOWLER**

...We did everything we could...

**CONCANNON**

...to save her and to save the baby. Is that...

**DR. TOWLER**

Yes!

**CONCANNON**

You reached down into death. Now, isn't that right?

**DR. TOWLER**

(getting overcome)

My God, we tried to save her... You can't know... You can't know...

**CONCANNON**

(changing tactics;  
soothing)

Tell us.

Beat. Dr. Towler sighs. He begins to speak.

**EXT. SOUTH STREET STATION - BOSTON - DAY**

People coming out of a just-arrived train.

**ANGLE**

Galvin watching them, he has a large boutonniere on his  
lapel.

BLACK The departing PASSENGERS stream past him. An elderly  
MAN passes him by, turns and comes back to him.

**ANGLE - THE BLACK MAN AND GALVIN**

**DR. THOMPSON**

Mr. Galvin?

Galvin turns. He is taken aback. He registers who it  
must be.

**GALVIN**

Dr. Thompson...?

**DR. THOMPSON**

It was good of you to meet...

Galvin cuts him off, takes his bag.

**GALVIN**

Thank you for coming.

They shake hands. They start...

**INT. SOUTH STREET STATION - DAY**

Galvin into the station. The CAMERA TRACKING BEFORE them. As  
passes a wastebasket, he deposits his boutonniere.

**GALVIN**

I have some errands to run, and then  
I thought we'd spend the evening...

**DR. THOMPSON**

(nodding)

That's what I'd planned to...

**GALVIN**

I'm going to take you to the home to see the girl...

**DR. THOMPSON**

(tapping his briefcase,  
referring to his  
files)

From what I've seen, Mr. Galvin, you have a very good case...

**GALVIN**

(distracted; thinking  
ahead)

Yes. Yes. I think so. I hope you'll be comfortable. I'm putting you up at my...

**DR. THOMPSON**

...I made a reservation at...

**GALVIN**

...apartment.

(stops)

No, no. Please. You don't know who we're dealing with, I, please believe me, they...

**DR. THOMPSON**

...What difference would...

**GALVIN**

These people play very rough. They don't want to lose this case. There's a lot of pressure they can bring to bear, I...

**DR. THOMPSON**

(smiles)

There's nothing they can do to me.

**EXT. SOUTH STREET STATION AND STREET - DAY**

Galvin starts them walking again.

**GALVIN**

Please, Sir. Please. Humor me.

They have arrived outside at a bank of cabs.

**GALVIN**

We'll spend the evening together,  
I'll put you up, you'll be very  
comfortable. Please.

(hands Dr. Thompson  
an envelope)

That's my address. The key is in it.  
(leans forward to  
cabbie)

1225 Commonwealth.

(to Dr. Thompson)

Treat the place as your own. Please  
don't tell anyone you're here, I'll  
see you this evening. Thank you, and  
thank you for coming.

He puts Dr. Thompson's bag into the cab. Dr. Thompson  
hesitates, gets into the cab.

of  
As the cab pulls out, CAMERA FOLLOWS Galvin TO a bank  
phones outside the station.

**ANGLE**

Galvin at the phone.

**VOICE**

(Claire, on phone)  
Mr. Galvin's...

**GALVIN**

Let me talk to Mickey.

**MICKEY**

(on phone)  
Yeah? How's our new witness?

**GALVIN**

D'you find the obstetric nurse?

**MICKEY**

She's workin' the late shift at the  
Hospital. She's at home now, I'm  
going over there to talk to...

**GALVIN**

Gimme the address. I'm gonna go.  
We're going to need her.

**EXT. MARY ROONEY'S HOUSE - DAY**

Names on bells. One of them is ROONEY, M. 2D.

**ANGLE**

Galvin standing by the bell. Rings it. Beat. The door  
is buzzed, he walks into the vestibule, past mailboxes, up  
the stairs.

**INT. MARY ROONEY'S HOUSE - DAY**

Door opens, MARY ROONEY, a tough-looking woman in nurse  
whites opens the door.

**ANGLE**

Galvin in hall, CAMERA FOLLOWS him TO the door.

**GALVIN**

I'm Joe Galvin, I'm representing  
Deborah Ann Kaye, case against St.  
Catherine Laboure.

**MARY ROONEY**

I told the guy I didn't want to talk  
to...

**GALVIN**

I'll just take a minute. Deborah Ann  
Kaye. You know what I'm talking about.  
The case is going to trial. Our chief  
witness is a Dr. David Gruber, you  
know who he is?

**MARY ROONEY**

No.

**GALVIN**

He's the Assistant Chief of  
Anesthesiology, Massachusetts  
Commonwealth. He says your doctors,  
Towler and Marx, put my girl in the  
hospital for life. And we can prove  
that. What we don't know is why.  
What went on in there? In the O.R.  
That's what we'd like to know.  
Something went wrong. And you know

what it was. They gave her the wrong anesthetic. What happened? The phone rang... someone got distracted... what?

**MARY ROONEY**

...you got your doctor's testimony. Why do you need me?

**GALVIN**

I want someone who was in the O.R. We're going to win the case, there's no question of that. It's just a matter of how big...

**MARY ROONEY**

I've got nothing to say to you.

**GALVIN**

You know what happened.

**MARY ROONEY**

Nothing happened.

**GALVIN**

Then why aren't you testifying for their side?

She starts to close the door. He stops her.

**GALVIN**

I can subpoena you, you know. I can get you up there on the stand.

**MARY ROONEY**

And ask me what?

**GALVIN**

Who put my client in the hospital for life.

**MARY ROONEY**

I didn't do it, Mister.

**GALVIN**

Who are you protecting, then?

**MARY ROONEY**

Who says that I'm protecting anyone?

**GALVIN**

I do. Who is it? The Doctors. What

do you owe them?

**MARY ROONEY**

I don't owe them a goddamn thing.

**GALVIN**

Then why don't you testify?

**MARY ROONEY**

(beat)

You know, you're pushy, fella...

**GALVIN**

You think I'm pushy now, wait 'til I get you on the stand...

**MARY ROONEY**

Well, maybe you better do that, then.

(starts to close door;

stops)

You know you guys are all the same. You don't care who gets hurt. You're a bunch of whores. You'd do anything for a dollar. You got no loyalty... no nothing... you're a bunch of whores.

**SHE CLOSSES THE DOOR ON HIM.**

**INT. CONCANNON'S OFFICE - NIGHT**

notes. A young LAWYER on the phone, silent, nodding, taking

done. He holds up his hand to someone indicating "Almost

I'll be right with you."

**ANGLE**

an waiting Concannon, in overcoat, about to go out, surrounded by entourage of secretaries and ASSISTANTS in overcoats, on him.

**ANGLE**

into his Concannon and the Young Attorney. The Young Attorney phone, "Thank you." He hangs up, starts reading from

notes to Concannon:

**YOUNG ATTORNEY**

His name is Dr. Lionel Thompson.  
City College of New York, Class of  
twenty-six. Bachelor of Science; New  
York College of Medicine; sixteenth  
in a class of twenty-two. Nineteen  
seventy-six got a courtesy  
appointment, staff of anesthesiology,  
Easthampton Hospital for Women. Never  
married. Has no honors or degrees of  
any weight. Since nineteen seventy-  
five he's testified in twenty-eight  
court cases, twelve malpractice.

(smiles, saving his  
best 'til last)

And he's black.

**CONCANNON**

(beat; stern)

I'm going to tell you how you handle  
the fact that he's black. You don't  
touch it. You don't mention it. You  
treat him like anybody else. Neither  
better or worse.

(smiles)

And you get a black lawyer to sit at  
our table. Okay...?

**YOUNG ATTORNEY**

Yessir.

**CONCANNON**

Good. What else do you do?

**YOUNG ATTORNEY**

...get the records of his testimony  
in the twelve malpractice cases.

Concannon nods, meaning "that is correct." He turns,  
exiting  
with his ENTOURAGE. Over his shoulder:

**CONCANNON**

Do it. We'll be at Locke-Obers.

**INT. GALVIN'S APARTMENT SITTING ROOM - NIGHT**

Dr. Thompson in shirt sleeves, attentive, stands  
against a  
sideboard. Mickey Morrissey, seated, in an armchair.

Grilling him.

**DR. THOMPSON**

They gave her the wrong anesthetic.

**MICKEY**

Why is that?

**DR. THOMPSON**

(starting on reciting  
a list)

Her sister said she ate one hour  
prior to admittance... she...

**MICKEY**

...that's what the sister said. The  
chart said she ate nine hours prior  
to...

**DR. THOMPSON**

...she went in complaining of stomach  
cramps. Good doctor would have doubted  
the information on the chart.

**MICKEY**

Is that what a good doctor would do?  
How old are you, please?

**DR. THOMPSON**

I am seventy-four years old.

**MICKEY**

What qualifies you as an expert in  
anesthetics?

**DR. THOMPSON**

I am on the staff of...

**MICKEY**

Easthampton Hospital for Women. Excuse  
me, what is that, a joke? Let me  
tell you something, Doctor, those  
men at Catherine Laboure. Men who  
are known not only in this city, but  
the world, were trying to save a  
woman's life. They were there, and  
here you are, four years later, read  
some hospital report, and say...

**DR. THOMPSON**

...I made a detailed physical

examination of the patient, Sir,  
yesterday evening, I...

behind Mickey drops his belligerent attitude. Turns to someone  
him.

**ANGLE**

nod's. The two men, Galvin standing behind Mickey, smoking. He

**MICKEY**

(to Dr. Thompson,  
casually)  
She getting good care over there?

**DR. THOMPSON**

Actually, yes. It's by no means bad,  
I...

**MICKEY**

(grilling him again)  
Then what good would it do to ruin  
the reputation of two men, to help a  
girl whose life's not going to be  
changed in the least? You know what  
CODE BLUE means?

**DR. THOMPSON**

'Code Blue'...

**MICKEY**

It's a common medical term.

"We're Mickey half-turns to Galvin, shrugs minutely, meaning,  
in trouble."

**INT. LAURA'S HOTEL ROOM - NIGHT**

Hotel room door SEEN from the inside.

The handle starts to turn.

**ANGLE**

Galvin coming through the door.

hangs He looks at Laura, tiredly closes the door behind him,

Galvin  
so

up his coat in the closet, moves into the room. As  
walks into the room, the CAMERA PRECEDES him and TURNS  
that WE NOW SEE them BOTH.

**GALVIN**

We're going to lose.

to

A beat. Galvin looks out the window and then looks back  
Laura.

**GALVIN**

Do you think it's my fault?

**LAURA**

Isn't there something you...

**GALVIN**

That's not the question. It's over.

(beat)

Do you think that it's my fault? If  
I'd... if I'd... I never should have  
taken it. There was no way that I  
was going to win.

**LAURA**

You're talking like a drunk.

**GALVIN**

That's what I am.

Beat.

**LAURA**

And it's over...?

**GALVIN**

Yes.

**LAURA**

Well, then what are you doing here?

**GALVIN**

I... do you want me to leave?

**LAURA**

You do what you want. You want to  
leave... You want to go kill yourself?

**GALVIN**

I...

**LAURA**

You want me to tell you it's your fault? It probably is. What are you going to do about it?

(beat)

I thought it's not over till the jury comes in.

**GALVIN**

Who told you that?

**LAURA**

You told me so. Maybe you'd get some sympathy. You came to the wrong place.

**GALVIN**

And what makes you so tough?

**LAURA**

Maybe I'll tell you later.

**GALVIN**

Is there going to be a later...?

**LAURA**

Not if you don't grow up...

**GALVIN**

If I don't 'grow up...'

**LAURA**

You're like a kid, you're coming in here like it's Saturday night, you want me to say that you've got a fever -- you don't have to go to school...

**GALVIN**

(shakes head sadly)

You, you don't under...

**LAURA**

Oh, yes, I do, Joe. Believe me. You say you're going to lose. Is it my fault? Listen! The damned case doesn't start until tomorrow and already it's over for you!

**GALVIN**

It's over!

**LAURA**

What is your wife's picture doing by  
the side of your...

**GALVIN**

What is that to you...?

**LAURA**

What would you like it to be to me...?  
I, I, I can't invest in failure.

Galvin gets up hurriedly.

**GALVIN**

Excuse me, I've...

He hurries out of the room. CAMERA FOLLOWS him into the  
bathroom, he shuts the door, his chest heaves  
convulsively.

He can't catch his breath... Beat. We hear a knock on  
the  
door.

**LAURA (V.O.)**

Joe...  
(beat)  
Joe...

**GALVIN**

(screaming)  
Stop pressuring me...

The door opens, Galvin is still trying to catch his  
breath.

Laura enters.

**LAURA**

You're pressuring yourself...

**GALVIN**

(shaking head, utterly  
denying her)  
No... no...

**LAURA**

Yes.  
(beat)  
We've all got to let go.

**INT. "D. KAYE" SIGN - COURTROOM CORRIDOR - DAY**

They  
DEBORAH

Galvin coming down the corridor with Sally Doneghy.  
stop by a door on which the card reads: "PART III.

**ANN KAYE V. ST. CATHERINE LABOURE HOSPITAL ET AL."**

**INT. COURTROOM - DAY**

room  
the

They enter the courtroom. CAMERA FOLLOWS them in. The  
one-quarter filled. Concannon at the defense table with  
Defendants, a Black Lawyer, entourage. Galvin stops.

**GALVIN**

(to Sally)

I'm going to do the best I can for  
you and your sister. I know what it  
means to you. Believe me...

(beat)

It means that much to me.

He turns away, walks toward the front of the courtroom,  
glances toward the jury box.

**ANGLE - P.O.V.**

The Jury, somber, controlled, dignified.

**ANGLE**

Morrissey  
Galvin

Galvin continuing to the defense table, Mickey  
already seated, studying notes on a yellow legal pad.  
sits. Mickey looks up.

**MICKEY**

How are you holding up?

**GALVIN**

I'm swell.

**MICKEY**

And all we've got is a witch doctor!

**GALVIN**

Yeah.

routine,

The BAILIFF enters, some SPECTATORS, knowing the  
start getting to their feet.

**MICKEY**

Look at it this way: it's refreshing  
every time a Doctor takes the stand  
he's not a Jew.

We hear the Bailiff's "All rise."

**ANGLE**

HOYLE

The COURTROOM getting to its feet as JUDGE WILLIAM B.  
enters.

The Bailiff, as the Judge sits:

**BAILIFF**

Hear ye, hear ye, hear ye, all persons  
having anything to do before the  
Honorable, the Justices of the  
Superior Court now sitting at Boston  
within and for the County of Suffolk,  
draw near, give your attendance and  
you shall be heard. God save the  
Commonwealth of Massachusetts.

who

The Courtroom is seated. JUDGE motions to the CLERK,  
stands and reads:

**CLERK**

Deborah Ann Kaye versus St. Catherine  
Laboure, Robert S. Towler, M.D. and  
Sheldon F. Marx, M.D.

**ANGLE - CLOSEUP**

GALVIN at Plaintiff's table, looking down at notes.

**JUDGE**

Is the Plaintiff ready?

**GALVIN**

(looking up)  
Ready, your Honor.

**JUDGE**

Defense...?

**CONCANNON**

Ready for the Defense, your Honor.

**ANGLE**

The Courtroom. P.O.V. JUDGE.

**JUDGE**

Let's begin.

Galvin gets to his feet. Walks over to the JURY. Looks  
at  
them, appraising. He pauses as before a great effort.  
Takes  
a breath. Exhales.

**GALVIN**

It's a terrible thing to sit in judgment. So much rides on it. I know that you've thought, 'How can I be pure. How can I be impartial without being cold. How can I be merciful and still be just?' And I know that most of you have said some sort of prayer this morning to be helped. To judge correctly. We have the reputation of two men. Two well respected doctors and a renowned hospital before us. And with those two respected men we have my client, Deborah Ann Kaye...

(beat)

...who was deprived of sight, of locomotion, hearing, speech, of everything, in short, which constitutes her life.

(beat)

We are going to prove she was deprived through negligence.

(beat)

Through the negligence of those respected men. We will show: One...

**INT. ARCHBISHOP'S HOUSE - CORRIDOR-DAY**

A lavishly appointed corridor. Alito and BILLY, the  
YOUNG  
LAWYER from Concannon's office, walking slowly down the corridor.

**ALITO**

Why did he go to see Mary Rooney?

**YOUNG LAWYER**

She's the only nurse who isn't  
testifying for the Doctors.

**ALITO**

What did he find?

**YOUNG LAWYER**

Nothing.

**ALITO**

How good's your intelligence?

**YOUNG LAWYER**

Very good.

**ALITO**

And so what is the rest of his case  
aside from Dr. Thompson?

**YOUNG LAWYER**

As far as we know, nothing.

Alito nods, they stop outside a large double door.

**ALITO**

Thank Mr. Concannon for me. Please  
tell him I'll see him at his office.

Alito knocks on the door. The door is opened by a **YOUNG  
PRIEST**.

Alito nods to the Young Lawyer, enters the Bishop's  
study.

The door is closed behind him.

**INT. COURTROOM - DAY**

The jury box. One JUROR leans over and makes a  
whispered  
comment to another. The SECOND JUROR nods, inclines his  
head  
toward the witness box.

**ANGLE**

DR. Thompson on the stand. Composed, waiting. Concannon  
consulting his notes.

**CONCANNON**

Dr. Thompson, just so the Jury knows, you never treated Deborah Ann Kaye. Is that correct?

**DR. THOMPSON**

That is correct. I was engaged to render an opinion.

**CONCANNON**

Engaged to render an opinion. For a price. Is that correct? You're being paid to be here today?

**DR. THOMPSON**

Just as you are, Sir...

**CONCANNON**

Are you board-certified in anesthesiology, Doctor?

**DR. THOMPSON**

No, I am not. It's quite common in New York State...

**CONCANNON**

...I'm sure it is, but this is Massachusetts, Doctor. Certified in Internal Medicine?

**DR. THOMPSON**

No.

**CONCANNON**

Neurology?

**DR. THOMPSON**

No.

**CONCANNON**

Orthopedics?

**DR. THOMPSON**

I'm just an M.D.

**CONCANNON**

Do you know Dr. Robert Towler...?

**DR. THOMPSON**

I know of him.

**CONCANNON**

How is that?

**DR. THOMPSON**

Through, through his book.

**CONCANNON**

What book is that?

**DR. THOMPSON**

Meth... Methodology and Technique...

**CONCANNON**

...of Anesthesiology?

**DR. THOMPSON**

'Methodology and Techniques of Anesthesiology.' Yes.

**CONCANNON**

How old are you?

**DR. THOMPSON**

I am seventy-four years old.

**CONCANNON**

Uh-huh. Still practice a lot of medicine?

**DR. THOMPSON**

I'm on the staff of...

**CONCANNON**

Yes, we've heard that. Doctor: you testify quite a bit against other physicians? Isn't that right? You, you're available for that? When you're paid to be there?

**DR. THOMPSON**

Sir. Yes. When a thing is wrong... as in this case, I am available. I am seventy-four years old, I am not board-certified.

**DR. THOMPSON**

I have been practicing medicine for forty-six years and I know when an injustice has been done.

**CONCANNON**

Do you, indeed. I'll bet you do. Fine. Fine. We'll save the court the time. We will admit the Doctor as an

'expert witness,' fine.

Concannon sits.

**JUDGE**

(in undertone, to

Bailiff)

Do we have time this morning to...

(glances at watch,

Bailiff nods to him)

All right. Mr. Galvin, you want to continue now, or we can resume with Dr. Thompson this afternoon.

**GALVIN**

(rising)

Thank you, your Honor, I'll continue. Dr. Thompson. Did you examine Deborah Ann Kaye last night at The Northern Chronic Care Facility?

**DR. THOMPSON**

I did.

**CONCANNON**

Objection.

**JUDGE**

Sustained. Yes. The witness will confine his testimony to review of the hospital records.

**GALVIN**

What?

**JUDGE**

(patronizing)

I believe that's the law... is it not, Mr. Galvin...?

A beat.

**GALVIN**

Dr. Thompson. From your review of the hospital records of May twelfth nineteen seventy-six.

**GALVIN**

In your opinion, what happened to Deborah Ann Kaye?

**DR. THOMPSON**

Cardiac arrest. During delivery her heart stopped. When the heart stops the brain's deprived of oxygen. You get brain damage. That is why she's in the state she's in today.

**GALVIN**

Now, Dr. Towler's testified that they restored the heartbeat within three or four minutes. In your opinion is his estimate correct?

**DR. THOMPSON**

It's my opinion it took him much longer. Nine... ten minutes. There's too much brain damage.

The Judge leans over.

**JUDGE**

(to Dr. Thompson)

Are you saying that a failure to restore the heartbeat within nine minutes in itself constitutes bad medical practice?

**DR. THOMPSON**

Well...

**GALVIN**

Your Honor!

He has shouted unconsciously; the whole Courtroom turns to look at him.

**JUDGE**

Yes, Mr. Galvin?

**GALVIN**

If I may be permitted to question my own witness in my own way...

**JUDGE**

I'd just like to get to the point, Mr. Galvin. Let's not waste these people's time. Answer the question, Mr. Witness. Please. Would a nine minute lapse in restoring the heartbeat in and of itself be negligence?

**DR. THOMPSON**

I... in that small context I would have... I would have to say 'no.'

**JUDGE**

Then you're saying there's no negligence, based on my question?

**DR. THOMPSON**

I... given the limits of your question, that's correct.

**JUDGE**

The Doctors were not negligent.

**DR. THOMPSON**

(beat)

I... um...

are The Judge shrugs, meaning, "Well then what in the hell we doing here?"

**ANGLE**

Galvin, furious.

**ANGLE**

The Judge and Witness.

**JUDGE**

Thank you.

him The Witness starts to step down. Galvin strides over to and speaks to the Judge.

**GALVIN**

I'm not through with the witness, your Honor. With all due respect if you are going to try my case for me I would appreciate it if you wouldn't lose it.

The Judge stands, furious.

**JUDGE**

Thank you. I think that's enough for this morning. I'll see the Plaintiff's Counsel in my chambers. Now, please.

court

The Courtroom rises. The Bailiff is heard, "All rise,  
is adjourned until one o'clock."

**INT. JUDGE SWEENEY'S CHAMBERS - DAY**

comes

Galvin, furious, standing against the wall. The Judge  
in from his own entrance, shucking his robe. Equally

angry.

**JUDGE**

I got a letter from the Judge  
Advocate's office on you today, fella,  
you're on your way out... They should  
have kicked you out on that  
Lillibridge case. Now this is it  
today.

**GALVIN**

I'm an attorney on trial before the  
bar. Representing my client. My  
client, do you understand? You open  
your mouth and you're losing my case  
for me.

**JUDGE**

Listen to me, fella...

**GALVIN**

No, no, you listen to me. All I wanted  
in this case is an even shake. You  
rushed me into court in five days...  
my star witness disappears, I can't  
get a continuance, and I don't give  
a damn. I'm going up there and I'm  
going to try it. Let the Jury decide.  
They told me Sweeney he's a hard-  
ass, he's a defendant's judge. I  
don't care. I said, the hell with  
it. The hell with it. I'll take my  
chances he'll be fair.

Galvin is pacing. Beat.

**JUDGE**

(conciliatory)

Galvin, look, many years ago...

**GALVIN**

And don't give me this shit, 'I was  
a lawyer, too.' 'Cause I know who

you were. You couldn't hack it as a lawyer. You were Bag Man for the Boys and you still are. I know who you are.

**JUDGE**

(beat; barely  
controlling anger)  
Are you done?

**GALVIN**

Damn right I'm done. I'm going to ask for a mistrial and I'm going to request that you disqualify yourself from sitting on this case. I'm going to take a transcript to the State and ask that they impeach your ass.

**JUDGE**

You aren't going to get a mistrial, boy. We're going back this afternoon, we're going to try this case to an end. Now you get out of here before I call the Bailiff and have you thrown in jail.

**INT. JUDGE'S CHAMBERS CORRIDOR-DAY**

Galvin walking down the corridor, having just come from  
the  
Judge's Chambers. Sally Doneghy comes up to him.

**SALLY**

What does it mean?  
(beat)  
I... I mean we, you have other  
tactics...

**GALVIN**

We, yes. Yes. They, they present their side, and I get the same chance. To cross-examine... to... to...

**SALLY**

Are we going to win?  
(beat, desperately  
needing to trust)  
We have, you know, other tactics,  
though...

**GALVIN**

Yes.

door to  
reentering  
door,  
moment.

She nods. Beat. Walks off. Galvin turns to the open  
the Courtroom, through which the SPECTATORS are  
for the afternoon session. Mickey is standing by the  
he catches Galvin's eye. They look at each other a

**INT. COURTROOM - DAY**

from  
Dr. Towler on the witness stand. Concannon walking away  
him.

**CONCANNON**

No further questions.

**ANGLE**

notes,  
in  
Galvin at the Plaintiff's table, hastily scribbling  
he looks up. Gets to his feet, walks over to Dr. Towler  
the witness box, the CAMERA MOVES WITH him.

**GALVIN**

Dr. Towler...

**TOWLER**

Yes.

**GALVIN**

You have a record of what happened  
in the operating room...

**TOWLER**

Yes, that's correct.

**GALVIN**

...there are notations every thirty  
seconds...

**TOWLER**

Yes.

**GALVIN**

...of the procedures...

**TOWLER**

Yes, the roving nurse...

**GALVIN**

But those notations stop...  
(consults notes)  
...Four-and-one-half minutes after  
Deborah Ann Kaye's...

**TOWLER**

We, we were rather busy...

**GALVIN**

Four-and-one-half minutes after her  
heart stopped.  
(beat)  
And they resume seven minutes...

**TOWLER**

As I've said we had some more...

**GALVIN**

...they start again three minutes  
earlier...

**TOWLER**

We had rather more important things  
on our mind than taking notes.  
(beat)  
We were trying to restore her...

**GALVIN**

What happened in those three...

**TOWLER**

...we were trying to restore her  
heartbeat.

**GALVIN**

What happened in those three  
minutes...?

**TOWLER**

(beat; controls himself)  
We'd gone to 'Code Blue,' we were  
administering electro...

**GALVIN**

Why did it take that long to get her  
heartbeat...

**CONCANNON (V.O.)**

Objection, we've...

**GALVIN**

...to get her heartbeat back...?

**CONCANNON (V.O.)**

We've touched on this, his own witness has said...

**GALVIN**

(overriding him)

...almost nine minutes... causing brain damage.

**CONCANNON**

Your Honor...! Your Honor...

**TOWLER**

Brain damage could have been... it didn't necessarily take nine minutes, it could have been caused in two...

**GALVIN**

Wait, wait, wait, you're saying that her brain damage could have been caused by her being deprived of oxygen for two minutes...?

**TOWLER**

Yes.

**GALVIN**

(contemptuous)

Huh. And why is that?

**TOWLER**

Because she was anemic.

(beat)

It's right there on her chart. Her brain was getting less oxygen anyway...

Galvin is struck dumb. He has just made a terrible error.

He looks at Mickey.

ANGLE - P.O.V. Mickey looks at Galvin. He shakes his head sadly.

**INT. COURTHOUSE CORRIDOR - DR. THOMPSON - DUSK**

Galvin

The last of the spectators coming out of the court.  
and Dr. Thompson are standing there.

**DR. THOMPSON**

I didn't do too well for you.

**GALVIN**

No, you did fine.

**DR. THOMPSON**

I'm afraid that's not true.

(beat)

Will you want me to stay on till  
Monday?

**GALVIN**

No. No thank you, Doctor. You go  
home.

**DR. THOMPSON**

You know... sometimes people can  
surprise you. Sometimes they have a  
great capacity to hear the truth.

**GALVIN**

Yes... I... yes.

They shake hands. Dr. Thompson walks off. Stops.

**DR. THOMPSON**

You sure you don't want me to stay  
on.

**GALVIN**

No. No. Thank you. You go home.

his

Mickey walks out of the courtroom arranging papers in  
briefcase.

**MICKEY**

I'm going back to the office.

comes

He walks off leaving Galvin standing there alone. Laura  
out of the courtroom. Tentatively, she looks around.  
Comes up to him.

**EXT. COURTHOUSE - STREET - DUSK**

Laura and Galvin walking.

**LAURA**

Is it over?

**GALVIN**

No.

**LAURA**

What are you going to do?

**GALVIN**

I don't have a goddamned idea.

**INT. GALVIN'S OFFICE - NIGHT**

Galvin pacing. Mickey seated. Morose.

**GALVIN**

Okay. What do you do when you don't have a witness?

**MICKEY**

(reciting a catechism;  
dispiritedly)  
You use their witness.

**GALVIN**

That's right.

**MICKEY**

I think we tried that. The case is over.

Galvin continues pacing. He will not hear what was just said.

**MICKEY**

And how the fuck... You broke the first law that they taught you in law school. You never ask a question you don't know the answer to.

(beat)

Frankie, wake up. You got your own expert witness says there was no negligence. It's over. Period. There'll be no other cases...

Galvin turns on him, animal-like.

**GALVIN**

There are no other cases. This is

the case.  
(beat)  
Now you decide...  
(beat)  
Are you in or out...?

**INT. CONCANNON'S OFFICE - NIGHT**

holds a  
Soft, dim lights. Concannon sitting on a couch. He  
red-backed file document. His listener is unseen.

**CONCANNON**

I know how you feel. I know you don't  
believe me, but I do. I'm going to  
tell you something I learned when I  
was your age. I had prepared a case.  
Mr. White asked me, 'How did you  
do.'

(beat)

I said, 'I've done my best.' He said,  
'They don't pay you to do your best.  
They pay you to win.'

(beat)

That's what pays for this office.

(beat)

And that's what pays for the pro  
bono work that we do for the poor.  
And for the kind of law that you  
want to practice. And that's what  
pays for your clothes and my whiskey,  
and the leisure that we have to sit  
back and discuss philosophy.

(beat)

As we're doing tonight.

(beat)

We're paid to win the case.

**ANGLE - CONCANNON AND LAURA**

Laura sitting across from him, impassive.

**CONCANNON**

You finished your marriage. You wanted  
to come back and practice law. You  
wanted to come back to the world.

A beat. He hands the red-backed document to her.

**ANGLE - THE DOCUMENT**

only. stamped CONCANNON, BARKER, WHITE. Confidential. Eyes

**CONCANNON (V.O.)**

Welcome back.

**INT. LAURA'S HOTEL ROOM/CORRIDOR - NIGHT**

Laura,  
away  
She  
A lonely middle-class hotel corridor. HOLD. HOLD.  
tired, enters the corridor from the side and proceeds  
from the CAMERA. The CAMERA FOLLOWS her to her door.  
stops, takes out her key, tiredly opens the door.

**INT. LAURA'S HOTEL ROOM - NIGHT**

bends  
Laura opening the door, looks down, sees something,  
down to pick it up. Straightens up.

**ANGLE - INSERT**

the  
sheet  
A hotel envelope, The Hotel Lincoln - Boston, Mass. on  
letterhead. Laura's hands open the message, take out a  
of yellow legal paper.

**ANGLE**

the  
all  
lowers  
Laura closes the door behind her, she does not turn on  
light, walks over to a couch by the window, sits down,  
the while reading the paper by the outside light. She  
the paper to her lap.

**ANGLE - INSERT**

away?  
The legal sheet. It reads, handwritten:  
Laura. I'm going to try. When this is over can we go  
Joe.

**INT. GALVIN'S OFFICE - NIGHT**

which  
Mickey on his feet, pacing. Galvin at a blackboard on

is written, "Dr. Towler. Dr. Marx. Admitting Form. Anaesthesia." Etc.

**GALVIN**

Why doesn't Mary Rooney testify?

Mickey shakes his head.

**GALVIN**

Are you with me... are you awake...?

**MICKEY**

Yeah. I'm awake.

**GALVIN**

Rooney's protecting someone. Who is she protecting?

**MICKEY**

The Doctors.

**GALVIN**

She's protecting the Doctors she'd be up there on the stand...

**MICKEY**

(listlessly)

Read me what she said.

Galvin flips through his notes. Reads.

**GALVIN**

'You guys are a bunch of whores... uh... loyalty... you don't care who gets hurt... you don't have any loyalty...'

**MICKEY**

...one of the other nurses?

**GALVIN**

Who? They're all testifying. Everybody who was in the O.R.'s going to take the stand.

**MICKEY**

All right. Who wasn't in the O.R.?

**GALVIN**

What difference can that make...? All right...

useless..."

He starts checking the charts. Sighs. "This is

**GALVIN**

Uh... the admitting nurse...

**MICKEY**

What did she do?

**GALVIN**

She didn't do anything. She took the patient's history and signed the charts. 'K.C.'

(looks in the notes  
for what the initials  
signify)  
'Kathy Costello...'

**MICKEY**

The 'History'...?

**GALVIN**

(explaining)  
How old are you, how many children...  
when did you last eat...

**INT. ST. CATHERINE LABOURE HOSPITAL CORRIDOR - NIGHT**

Mary Rooney and another Nurse walking down the corridor carrying foil-covered dishes of food, chatting.

**ANGLE**

Galvin watching them from behind a corner.

**ANGLE**

The Nurses come to the corner, Galvin walks past.

"Notices"

Rooney. Stops.

**GALVIN**

Miss Rooney. Oh. Listen.  
(beat)

I understand what you are doing. And  
I want you to know it's all right.

He nods, starts off in the direction he was going in.

**ROONEY**

What are you talking about?

Galvin turns, confused. Goes back to her. Warmly, conciliatory.

**GALVIN**

About Kathy Costello.

(beat)

I understand, and I don't blame you for shielding her.

A beat.

steps  
Mary Rooney motions the other Nurse to go away. She  
closer to Galvin.

**GALVIN**

I spoke to her, and everything is all right.

**ROONEY**

I, what are you talking about? I talked to her this morning, and she said...

**GALVIN**

(nods)

She told me.

**ROONEY**

(credulous)

She did?

**GALVIN**

I just saw her.

**ROONEY**

In New York?

**GALVIN**

What?

**ROONEY**

You saw Kat in New York...

(beat)

...or is she in town? Is she in town...?

starts  
Beat. It occurs to her that she's been duped, as Galvin  
off hurriedly down the hall.

**INT. GALVIN'S OFFICE BUILDING CORRIDOR - NIGHT**

CAMERA  
turns.  
Laura. SEEN from the back, walking down the corridor.  
FOLLOWS her. She stops outside Galvin's door. She

opens  
the  
office.  
We SEE she is carrying a tray of coffee containers. She  
door. CAMERA FOLLOWS her INTO the office. Mickey is on  
phone in the vestibule, Galvin is on the phone in his  
He is just hanging up.

**GALVIN**

Thank you. I'm sorry.

Mickey in  
the far room.  
Laura starts distributing coffee. Galvin shouts to

**GALVIN**

We don't have anything from the Nurse  
Association?

**MICKEY**

The broad has disappeared...

**GALVIN**

The Hospital...?

FOLLOWS  
her.  
Laura goes into Galvin's office with coffee. CAMERA

**MICKEY**

No records since she quit in '76.  
She quit two weeks after the incident.

Laura hands coffee to Galvin.

**GALVIN**

Thank you.

**LAURA**

I have to talk to you.

**GALVIN**

(to Mickey)  
Call the A.M.A.  
(to Laura)  
...I can't talk now.

(to Mickey)  
...tell them you're Dr. Somebody...  
you have to find this nurse...

**MICKEY**

...yeah... good...

**GALVIN**

...you need some old forms that she  
had... somebody's dying...

book  
Galvin picks up the telephone. Looks down to telephone  
in front of him, open on desk.

**ANGLE - P.O.V.**

COSTELLO's.  
New York City telephone directory. Two columns of

Thirty of them crossed off. Galvin on the phone.

**GALVIN (V.O.)**

Hello, Mrs. Costello...

**ANGLE - GALVIN ON THE PHONE**

**GALVIN**

Sorry to bother you so late.

Laura goes over to the couch, sits. Lights a cigarette.

**GALVIN**

This is Mr. Goldberg in Accounting.  
We have some money here for you...  
This is the Mrs. Costello that used  
to be a nurse?

(beat)

I'm sorry. I think we have our records  
mixed up.

**ANGLE**

Laura sitting on the couch. Tense. Smoking.

**GALVIN**

Are you related to Kathy Costello,  
the R.N.?... I'm sorry...

We hear Mickey on his phone.

**MICKEY (V.O.)**

Hello, this is Dr. Dorchester in  
Boston. This is an emergency. A nurse  
left my employ...

**ANGLE**

HALF

Laura on the couch. Galvin dialing the phone. Mickey  
SEEN in the next room.

**MICKEY**

...four years ago...

**GALVIN**

Hello. This is Mr. Dorchester in  
Records. We're looking for Kathy  
Costello...

**MICKEY**

(voice over; in the  
other room, shouting)  
I need a cigarette!  
(resumes on-the-phone  
tone)  
She left my office four years ago,  
we're looking for a chart...  
(covers phone; again  
shouts)  
I need a cigarette...

pack,  
coat  
hall.

Laura looks around the desk, picks up one then another  
crushes them, empty. She nods to herself, picks up her  
off the couch in the anteroom, and starts down the  
Going through the door, she turns, looks back.

**ANGLE - P.O.V.**

Galvin in the inner office, on the phone.

**GALVIN**

Thank you. I'll hold.

He looks up. Sees Laura, gives her a half-smile.

**INT. GREASY SPOON - NIGHT**

business

Near the cash register of an all-night diner in the

standing  
cardboard  
Malls  
and

district, the deserted streets outside. Laura --  
next to a wall phone, exhausted. She is handed a  
tray with three coffees on it and two packs of Pall  
and some change by the Proprietor. She takes the change  
turns her head to look at the telephone.

**INT. GALVIN'S OFFICE - NIGHT**

him, an  
dialed.

Mickey asleep on the couch, coffee containers around  
ashtray full of butts. Beat. We hear a telephone being

**ANGLE**

Galvin, exhausted, smoking, on the telephone.

**GALVIN**

Hello. This is Ross Williams. I'm  
calling from California. I'm sorry.  
I know it's late in the East, but  
this is an emergency. May I please  
speak to Kathy Costello?

(beat)

I'm sorry. My records must be  
confused. This is the family of Kathy  
Costello...? Please excuse it.

desk.

He hangs up. Reaches for a bottle of whiskey on his

caught

Pours a shot into a glass. Downs it. His attention is  
by something across the room.

**ANGLE - P.O.V.**

overcoat.

Laura asleep on the couch, covered in Galvin's

**ANGLE**

phone.

Galvin looks gratefully at her. He begins dialing the

**INT. GALVIN'S OFFICE - VESTIBULE - DAY**

slot

A small bundle of mail is pushed through the vertical  
and falls to the floor.

**ANGLE**

head  
the

Interior office. Early morning. Galvin asleep with his  
on his desk. Mickey asleep in a chair. Laura asleep on  
couch, covered with Galvin's overcoat. Galvin wakes up,  
startled by the sound of the mail dropping. He picks up

the  
has

phone mechanically. He realizes it is morning and he  
been asleep. He replaces phone. He surveys the office.

a  
in the  
it.

Dead, resigned. He closes the phone book. He reaches in  
pack of cigarettes on the desk. It is empty. He roots  
ashtray for a long butt. This disgusts him. He rejects

Looks

Rubs his eyes. Gets up. Goes to the window, stares out.

Mickey.

back at the scene in his office. It is over.

He stands by Laura and looks down at her, he looks at

lawbooks  
walks  
door.

He has let them down. He goes to a cabinet under the  
and takes out a bottle of whiskey and a water glass. He  
into the anteroom. Sighs, sits on the couch near the

through  
drains

Glances at the several letters that have just fallen

mail  
an

the slot. He pours a half-tumbler full of whiskey, and  
it. He refills the tumbler. He absently picks up the  
and starts mechanically sorting through it. He stops at  
official-looking piece.

**ANGLE - P.O.V.**

ASSOCIATION.

The letter, return address MASSACHUSETTS BAR

**URGENT.**

January  
are  
and..."

He lethargically opens the letter. On Bar Association  
letterhead, it reads: "You are directed to appear on  
15th to show cause why you should not be disbarred. You  
permitted to be represented by counsel of your choice,

**ANGLE**

into  
it  
stops.

Galvin reading the letter. He crumbles it and throws it  
the wastebasket. He looks at the next letter and skims  
into the wastebasket. He looks at the next letter and

**ANGLE - P.O.V.**

It is a phone bill.

**EXT. MARY ROONEY'S TENEMENT - DAY**

FOLLOWS

Galvin hurrying up the steps of the tenement. CAMERA  
him into the vestibule. It is Mary Rooney's tenement.

**INT. MARY ROONEY'S TENEMENT VESTIBULE - DAY**

names.

He stops by the mailboxes, bends over to read the

**ANGLE - P.O.V.**

The mailboxes: Swoboda; Murch; M. Rooney.

**ANGLE**

heavy  
Rooney

Galvin straightens, looks around the vestibule, takes  
letter opener from his jacket pocket and pries open the  
mailbox. He extracts letters and rifles through them.

**ANGLE - P.O.V.**

Mary Rooney's phone bill.

**INT. DRUGSTORE - DAY**

drugstore.

Galvin in an old-fashioned sit-down phonebooth in a

operator He is dialing the phone, holding the phone bill. The answers, he starts dropping change into the slot.

**ANGLE**

Church The phone bill opened. It reads, "Rooney, Mary A. 263  
call to Street, Arlington, Mass." Various local charges. One  
New Chicago. One call to Fort Lauderdale. Eight calls to  
York. The calls to New York are circled in pen.

**FEMALE**

(voice over; on phone)  
Hello.

**ANGLE**

Galvin on the phone.

**GALVIN**

Hello, I'm calling from...

**VOICE**

If you're selling something, I'm  
late for work...

**GALVIN**

I'm calling from Professional Nurse  
Quarterly...

**VOICE**

From the magazine?

**GALVIN**

This is Mr. Wallace in Subscriptions?

**VOICE**

How come you're calling me from...?

**GALVIN**

This is Miss Costello...?

**VOICE**

Yes. Price...

**GALVIN**

Pardon?

**VOICE**

Kathy Price.

**GALVIN**

We find that your subscription  
lapsed...

**VOICE**

(laughs)  
My subscription lapsed three years  
ago...

**GALVIN**

That's why I'm calling, Miss Price...

**VOICE**

Missus...

**GALVIN**

We have a renew-your-subscription  
offer...

**VOICE**

We get it at work. We get the magazine  
at work.

**GALVIN**

Yes, we know that you do. I have it  
in my files. That's at the Manhattan  
Health Center...

**VOICE**

No. At Chelsea Childcare. Okay. Look,  
call me Monday, hey? I'm late for  
work.

**ANGLE**

"Kathy  
Galvin scribbles on pad as we hear Kathy hanging up.  
Price. Chelsea Childcare."

**INT. EASTERN AIRLINES TERMINAL - BOSTON - DAY**

YOURSELF  
Galvin hurrying across the lobby. Stops by DO IT  
SHUTTLE TICKET COUNTER. Takes form, starts to write on  
it.

**ANGLE - P.O.V.**

TICKET."

The form "BOSTON - NEW YORK SHUTTLE. SELF SERVICE

Galvin filling in his name and address in pencil.

**INT. GALVIN'S OFFICE - DAY**

couch. Laura asleep on the couch. Mickey asleep on the other

The phone is ringing. She wakes up. Looks around. Goes groggily to phone, answers.

**LAURA**

(on phone)

Hello? Mr. Gal... where are you...?

Mickey wakes up, looks around.

**LAURA**

You're going to New York? I... you're kidding... Because I'm going to New York.

(beat)

I just got a call. I have to go sign papers. About my divorce. I... good. Frank. We'll meet there. All right?

Picks up

Mickey has woken up. Swings his feet to the floor.

a pack of cigarettes. Crushes it. It is empty.

**LAURA**

Can we meet there, Joe?

Mickey gets to his feet.

**MICKEY**

(to Laura)

You got a cigarette...?

She shrugs, "I don't know..."

**LAURA**

At the Beacon. On Fifty-third Street... we can spend the night.

rummaging.

Mickey has gone over to Laura's purse. Opens it,

in the

Comes up with a pack of cigarettes. He sees something

purse. Stops.

**ANGLE - P.O.V.**

letterhead  
it in  
the  
lists  
of

The open purse. The red-backed legal form. The  
reads, "CONCANNON, BARKER, WHITE," stamped huge across  
black: "CONFIDENTIAL. EYES ONLY!!!" Mickey takes out  
form, turns page. It reads, "Report on Joseph Galvin,"  
haunts, habits, and is heavily notated in various types  
pen and pencil.

**LAURA (V.O.)**

(on phone)

At around four...?

**ANGLE**

closes

Mickey replacing the form and the cigarettes. He re-  
the purse. He turns to her. She has seen nothing.

**LAURA**

I feel the same way, Joe... I'll see  
you this afternoon?

She hangs up.

**MICKEY**

You got any cigarettes?

**EXT. CHELSEA CHILDCARE - DAY**

door to  
in.

Two very young children walk across a play area. The  
the play area opens and Joe Galvin, in overcoat, comes  
He looks around the room, starts to walk across it.

Stands  
looks

CAMERA PANS WITH him to REVEAL a woman, KATHY, who is  
comforting a crying child. Galvin walks over to her.

a respectful distance away. She sees him watching her,  
up.

**KATHY**

Hi.

**GALVIN**

Hi. How are you doing?

She nods, happy to be working with the child.

**GALVIN**

I've been meaning to come in a long time.

**KATHY**

You live in the neighborhood?

**GALVIN**

Uh-huh. My nephew's going to be staying with us in a few months, so I stopped by.

**KATHY**

How old is he?

**GALVIN**

Four. You're great with these kids.

She beams, caught unprepared in something that is a  
great point of pride with her.

**KATHY**

Thank you.

**GALVIN**

You're really...

(stops, remembering something)

You, are you the one they told me was the nurse?

**KATHY**

Who told you that?

**GALVIN**

(gestures back at the office, vaguely)

Mrs...

**KATHY**

Mrs. Simmonds.

**GALVIN**

Yes.

**KATHY**

(very serious, correct)  
I used to be a nurse.

**GALVIN**

That's a wonderful profession. My  
daughter-in-law's a nurse. What did  
you do, stop?

painful  
Kathy is lost in thought. This is obviously a very  
subject for her. Beat.

**KATHY**

Yes.

takes  
Galvin, getting involved in a serious conversation,  
off his overcoat, he is going to stay awhile.

**GALVIN**

How come you stopped?

conversation  
to  
what  
down.  
She is traumatized by the question. The casual  
has become immediate and painful. She opens her mouth  
speak, then stops, staring at Galvin. He doesn't know  
she is staring at... something on his jacket. He looks

**ANGLE - KATHY'S P.O.V.**

lapel  
The shuttle ticket, BOSTON - NEW YORK, stuck in the  
pocket of Galvin's suitcoat.

**ANGLE**

starts  
Kathy and Galvin. She realizes why he is there. She  
to cry quietly.

**GALVIN**

(beat; gently dropping  
his pretense)  
Will you help me?

**INT. NEW YORK HOTEL RESTAURANT -DAY**

Empty  
the

The restaurant fairly deserted after the lunch crowd.  
tables -- crisp linen, Laura alone at a table, watching  
door, an untouched cup of coffee in front of her.

**EXT. NEW YORK HOTEL - DAY**

The doorman opens the door of a cab.

**ANGLE**

marquee,

Mickey Morrissey standing in an alcove under the  
looking out at the street.

**ANGLE - P.O.V.**

hurriedly,

The street. Pedestrians. Joe Galvin comes walking  
smiling, down the street.

**ANGLE**

Galvin

Mickey starting down the steps, intercepts Galvin.  
looks up, surprised.

**GALVIN**

What the hell are you doing here?

**MICKEY**

We got to talk.

the  
as

He is moving Galvin off down the sidewalk, away from  
Hotel. CAMERA STAYS STILL, and their voices get fainter  
they move away.

**GALVIN**

What are you doing in New York...?

**MICKEY**

Come on, we'll get a cup of coffee...

becoming  
sad,

They continue walking. We cannot hear them. Galvin is  
agitated. He stops Mickey, stands there, Mickey very  
Galvin incredulous, talking to him. Mickey nods.

Galvin starts hurriedly back down the street toward the Hotel.

**INT. NEW YORK HOTEL RESTAURANT - DAY**

LONG SHOT of Laura seated at a table alone.

**ANGLE**

Galvin at the entrance to the restaurant looking at her. He walks over to her slowly.

**ANGLE - CLOSEUP**

Laura, looks up, sees him, smiles. Her smile fades, she sees that he knows.

**ANGLE**

Laura getting up from the table. We SEE her back, and Galvin approaching. We SEE her shoulders droop, beaten. He draws closer. Galvin comes up to her, his face a mask of pain and confusion. She sighs, starts to speak. Stops. Beat. They look at each other -- he starts to speak, cannot. He knocks her to the floor, she upsets the table. A large man at the next table starts to restrain Galvin.

**LAURA**

(as if in shock)

It's all right... it's all right...  
it's all right... it's all right...

**INT. EASTERN SHUTTLE PLANE - NIGHT**

Galvin and Mickey seated next to him, flying home in silence.

Mickey smoking a cigarette. Galvin stone-faced, beat.

**MICKEY**

I talked to Johnnie White at the Bar Association.

(beat)

The broad used to work for one of

Concannon's partners in New York  
awhile ago.

(beat; lamely)

She wanted to move to Boston.

(beat)

How badly did she hurt us, Joe?

**GALVIN**

I don't know.

A beat.

**MICKEY**

We got a mistrial, you know. Joe --  
did you hear what I said...?

**GALVIN**

I don't want a mistrial.

**INT. MICKEY MORRISSEY'S HOUSE - DAY**

in  
The doorway to his study. A basketball game dimly SEEN  
the half-light. Mickey, o.s.:

**MICKEY**

He's not here.

(pause)

Yeah. I don't know when.

(pause)

All right.

frame  
study.  
Sound of him hanging up a telephone. He enters the  
carrying a bottle of booze, goes through door into

**CAMERA FOLLOWS HIM INTO THE ROOM. THE TV:**

**ANNOUNCER (V.O.)**

The Knicks are pressing hard...

(etc.)

game  
large  
to  
shelf,  
He sits on a sofa opposite the television. Watches the  
a beat. Opens the fresh bottle of whiskey and pours a  
shot into the almost-empty glass in front of him. Looks  
his left. Reaches behind him to some glasses on a

to his  
in a  
drink.

takes one down, pours drink into the new glass, leans  
left, CAMERA MOVES WITH him, and we SEE Galvin sitting  
deep leather armchair, staring. Mickey offers him the

Beat.

Galvin becomes aware of him, shakes his head "no."

Mickey moves back into his seat, they both stare at the  
television.

**INT. COURTROOM -- JUDGE'S P.O.V. - DAY**

Half full of spectators.

**ANGLE**

book

Galvin gets up from Plaintiff's table, takes up a large  
as Dr. Towler takes the stands. He reads:

**GALVIN**

Dr. Towler; page 406,  
'Contraindications to general  
anesthetic. Ideally a patient should  
refrain from taking nourishment up  
to nine hours prior to induction of  
general anesthetic.' Does that sound  
familiar?

**DR. TOWLER**

Yes. I wrote it.

Galvin shows the book.

**GALVIN**

'Practice and Methodology in  
Anaesthesia.' General textbook on  
the subject. Is that correct?

**DR. TOWLER**

I. Yes. It is.

**GALVIN**

And you wrote that...

**DR. TOWLER**

Yes.

**GALVIN**

(reading)

...Page 414, 'If a patient has taken nourishment within one hour prior to inducement, general anesthetic should be avoided at all costs because of the grave risk the patient will aspirate food particles into his mask.' Is that what happened to Deborah Ann Kaye? She aspirated into her mask?

**DR. TOWLER**

She threw up in her mask, yes. But she hadn't eaten one hour prior to admission.

**GALVIN**

If she had eaten, say one hour prior to admission, the inducement of a general anesthetic... the type you gave her... would have been negligent...?

**DR. TOWLER**

Negligent. Yes... it would have been criminal. But that was not the case.

**GALVIN**

Thank you.

Galvin signals he is done. The Judge signals Dr. Towler  
to leave the stand, which he does.

**JUDGE**

Mr. Concannon...?

**CONCANNON**

Nothing further, your Honor.

**JUDGE**

Mr. Galvin, rebuttal?

**GALVIN**

(to Bailiff)

Katherine Price.

The Bailiff calls out her name.

**BAILIFF**

Katherine Price...

**ANGLE**

As  
starts  
what  
Kathy at the back of the court, coming down the aisle.  
she passes the Defendant's table, Towler grabs Marx and  
whispering frantically. Concannon looks on, ignorant of  
is happening. We hear Dr. Towler's "Oh, my God..."

**ANGLE**

him,  
formula  
Galvin surveys the courtroom, Kathy crosses in front of  
takes the stand, we hear the Bailiff administering the  
as we WATCH Galvin turn and look at the Jurors.

**BAILIFF (V.O.)**

State your name please.

**KATHY (V.O.)**

Katherine Lynn Price.

**BAILIFF**

D'you swear that the evidence you  
are about to give will be the truth,  
the...

**ANGLE**

The Bailiff swearing in Kathy.

**BAILIFF**

...whole truth and nothing but the  
truth, so help you God?

**KATHY**

I do.

**BAILIFF**

Be seated.

her.  
Kathy sits, the Bailiff retires, Galvin walks over to

**GALVIN**

Kathy Price...

**KATHY**

Yes...

**GALVIN**

You were the Admitting Nurse at St. Catherine Laboure Hospital on May twelfth, nineteen seventy-six, the night Deborah Ann Kaye was admitted...

**KATHY**

Yes.

Galvin holds up a form.

**GALVIN**

You signed this form?

She looks closely at it. Is satisfied.

**KATHY**

Yes.

**GALVIN**

These are your initials, 'K.C.'?

**KATHY**

Kathy Costello. That's my maiden name.

A beat.

**GALVIN**

D'you ask the patient when did she last eat?

**KATHY**

Yes.

**GALVIN**

What did she say?

**KATHY**

She said she had a full meal one hour before coming to the hospital.

**GALVIN**

One hour.

**KATHY**

Yes.

**GALVIN**

And did you write the numeral 'one' down on the record, standing for one hour?

**KATHY**

I did.

**GALVIN**

A single hour.

**KATHY**

Yes.

jury.  
million  
Galvin walks away from the witness box. He looks at the  
He turns to look at the spectators. His thoughts are a  
miles away. Unconsciously he straightens his tie.

**ANGLE**

his  
Galvin in front of the dead-still courtroom. He breaks  
reverie.

**GALVIN**

(to Concannon)

Your witness.

table.  
Concannon is on his feet as Galvin walks back to his

Concannon walks over to Kathy and begins forcefully:

**CONCANNON**

You are aware of the penalties for  
perjury...?

**KATHY**

It's a crime.

**CONCANNON**

Yes.

(beat)

It is a crime. A serious crime.

**KATHY**

I wouldn't do it.

**CONCANNON**

You would not...?

**KATHY**

No.

**CONCANNON**

In fact, you've just taken an oath that you would not commit perjury. You've just sworn to that. Isn't that right?

**KATHY**

Yes.

**CONCANNON**

Just now...

**KATHY**

Yes.

**CONCANNON**

...sworn before God you would tell the truth?

**KATHY**

(beat)

Yes.

**CONCANNON**

Now. I'd like to ask you something: four years ago, when you were working as a nurse, are you aware that Drs. Towler and Marx based their treatment of Deborah Ann Kaye on this chart that you signed...?

**KATHY**

I...

**CONCANNON**

And wasn't that an oath...? These are your initials here: K.C. When you signed this chart you took an oath. No less important than that which you took today.

(beat)

Isn't that right?

(beat)

Isn't that right...?

**KATHY**

I... yes.

**CONCANNON**

Then, please, which is correct? You've sworn today the patient ate one hour ago. Four years ago you swore she

ate nine hours ago? Which is the lie. When were you lying?

**KATHY**

I...

**CONCANNON**

You know these doctors could have settled out of court. They wanted a trial. They wanted to clear their names.

**GALVIN**

Objection!

**CONCANNON**

And you would come here, and on a slip of memory four years ago, you'd ruin their lives.

**KATHY**

They lied.

**CONCANNON**

'They lied.' Indeed! When did they lie? And do you know what a lie is?

**KATHY**

I do. Yes.

**CONCANNON**

(holding chart)

You swore on this form that the patient ate nine hours ago.

**KATHY**

That's not my handwriting.

**CONCANNON**

You've just said you signed it.

**KATHY**

Yes, I, yes, I signed it, yes. But I, I didn't write that figure.

**CONCANNON**

You didn't write that figure. And how is it that you remember that so clearly after four years?

**KATHY**

(taking a paper out

of her purse)  
Because I kept a copy. I have it  
right here.

She looks toward Galvin.

**ANGLE**

Galvin nods, meaning, "You did it perfectly."

**ANGLE**

Concannon, the Judge, Kathy.

**CONCANNON**

Objection! This is ri... expect us  
to accept a photocopy, we have the  
original right...

**JUDGE**

I'll rule on that presently.  
(beat)  
Proceed.

reaction,  
Concannon is taken up short. Amazed at the Judge's  
he pauses an instant.

**JUDGE**

Please proceed.

in  
colleagues  
Concannon motions to Billy, the young lawyer, who nods  
response and starts whispering instructions to his  
at the Defense table, who start leafing through their  
lawbooks. Concannon takes up the fight again.

**CONCANNON**

...what in the world would induce  
you to make a photocopy of some  
obscure record and hold it four years?  
This is a... why? Why would you do  
that?

**KATHY**

I thought I would need it.

**CONCANNON**

And why, please tell us, would you  
think that?

**KATHY**

After, after the operation, when that poor girl, she went in a coma. Dr. Towler called me in. He told me he had five difficult deliveries in a row and he was tired, and he never looked at the admittance form.

(beat)

And he told me to change the form. He told me to change the one to a nine.

(beat)

Or else, or else, he said...

(beat; starts to cry)

He said he'd fire me. He said I'd never work again... Who were these men...? Who were these men...? I wanted to be a nurse...

herself She is weeping copiously. A beat. She starts to get under control.

**CONCANNON**

No further questions.

**JUDGE**

You may step down.

Beat. Kathy starts to get down. She looks to Galvin for assurance. Galvin nods at her.

**JUDGE**

Mr. Galvin...?

**ANGLE**

Kathy getting down from the stand. The Judge addressing Galvin.

**GALVIN**

Nothing further, your Honor...

**JUDGE**

Mr. Concannon...?

the  
colleagues,  
Concannon is signalled by Billy, the young lawyer at Defense table, who is gathering notes from his colleagues, who have been researching during Kathy's speech.

"talked

Concannon walks over to the table and is quickly through" the notes by Billy.

**JUDGE**

Mr. Concannon.

understand, I'm  
the

Concannon cuts Billy short, meaning, "Yes, I far ahead of you," he takes the notes and returns to the bench.

**CONCANNON**

Thank you, your Honor. We object to the copy of the admissions form as incompetent and essentially hearsay evidence and cite McGee versus State of Indiana, U.S. 131 point 2 and 216 through 25 of the Uniform Code: 'The admission of a duplicate document in preference to an existing original must presuppose the possibility of alteration and so must be disallowed.' And, your Honor, having given the Plaintiff the leeway we would like your ruling on this issue now: we object to the admission of the Xerox form.

**JUDGE**

...one moment, Mr. Concannon...

The Judge nods, meaning, "I am considering..."

**ANGLE**

front of  
looks

The Judge. He is making some notations on a page in him. He nods to himself, he has reached a decision. He up.

**JUDGE**

The document is disallowed, the jury will be advised not to consider the testimony of Kathy Costello regarding the Xerox form.

(explains to them)

It's unsubstantiated and we can't accept a copy in preference to the original...

**CONCANNON**

Thank you, your Honor. Further: Ms. Costello is a rebuttal witness. As a 'Surprise Witness' she may only serve to rebut direct testimony. As her only evidentiary rebuttal was the admitting form, which has been disallowed I request that her entire testimony be disallowed and the jury advised that they must totally disregard her appearance here.

**JUDGE**

I'm going to uphold that.

**ANGLE**

Galvin getting to his feet.

**GALVIN**

I object, your Honor...

**JUDGE**

Overruled...

**GALVIN**

Exception!

**JUDGE**

Noted. Thank you.

(to Jury)

Miss Costello was a rebuttal witness. Her sole rebuttal was the document, which has been disallowed...

**ANGLE**

Galvin, silent, fuming, sitting at the table.

**JUDGE (V.O.)**

Her entire testimony must be stricken from the record. You shouldn't have heard it, but you did. Now, that was my mistake... and you must strike it from your minds, give it no weight.

Galvin takes a sheet of legal paper and starts writing  
it.

**INT. BISHOP BROPHY'S SUITE - DAY**

on

**ALITO**

Legally it's over. Concannon was brilliant.

**BROPHY**

Tell me about Kaitlin Costello.

**ALITO**

There's nothing to tell. It's been stricken from the record.

**BROPHY**

I know. Did you believe her?

**INT. COURTROOM - JUDGE HOYLE'S P.O.V. - FULL COURTROOM**

**- DAY**

All looking slightly to their right.

**ANGLE**

**JUDGE SWEENEY**

Mr. Galvin...?

**ANGLE - GALVIN**

In front of the full jury box. Beat.

**GALVIN**

You know, so much of the time we're lost. We say, 'Please, God, tell us what is right. Tell us what's true. There is no justice. The rich win, the poor are powerless...' We become tired of hearing people lie. After a time we become dead. A little dead. We start thinking of ourselves as victims.

(pause)

And we become victims.

(pause)

And we become weak... and doubt ourselves, and doubt our institutions... and doubt our beliefs... we say for example, 'The law is a sham... there is no law... I was a fool for having believed there was.'

(beat)

But today you are the law. You are the law... And not some book and not

the lawyers, or the marble statues  
and the trappings of the court...  
all that they are is symbols.

(beat)

Of our desire to be just...

(beat)

All that they are, in effect, is a  
prayer...

(beat)

...a fervent, and a frightened prayer.

**GALVIN**

In my religion we say, 'Act as if  
you had faith, and faith will be  
given to you.'

(beat)

If... If we would have faith in  
justice, we must only believe in  
ourselves.

(beat)

And act with justice.

(beat)

And I believe that there is justice  
in our hearts.

(beat)

Thank you.

He stands still a moment, then surveys the still  
courtroom.

**INT. COURTHOUSE CORRIDOR - DAY**

Laura in the corridor, watching him.

**INT. COURTROOM - DAY**

The Jurors filing in from the Jury Room.

**ANGLE**

Concannon, Young Lawyer, Dr. Towler, Dr. Marx at  
Defense table.

Young Lawyer scribbles a note, passes it to Concannon,  
who ignores it.

**ANGLE**

Plaintiff's table. Galvin looking at the Jury, Mickey  
at the

other end of the table.

**JUDGE**

Have you reached a verdict?

**FOREMAN (V.O.)**

We have, your Honor.

**ANGLE**

The Jury Box. The Jurors seated, the FOREMAN standing.

**FOREMAN**

Your Honor, we have agreed to hold for the Plaintiff... but on the size of the award, are we bound...

**JUDGE**

You are not bound by anything, other than your good judgment, based on the evidence.

**ANGLE**

Galvin, totally defeated. Nods his head sadly, as if commiserating philosophically, with himself. Mickey

looks at

him in grief, with sympathy.

**FOREMAN (V.O.)**

Are we permitted to award an amount greater than the amount the Plaintiff asked for?

Jury,

Galvin slowly raises his head, turns and looks at the Mickey begins to smile.

**JUDGE**

Yes. You are.

**ANGLE - MICKEY'S P.O.V.**

The courtroom, commotion.

**JUDGE**

Please retire and...

**INT. FINAL COURTHOUSE BACK CORRIDOR - DAY**

cleaning

Galvin and Mickey standing near a back staircase,

garbage  
hand  
of

equipment is lying all around. A large, battered  
can. Mickey is lighting Galvin's cigarette. Galvin's  
shakes badly. Something draws his attention at the end  
the corridor. He turns his head.

**ANGLE - P.O.V.**

lost,  
paper

Laura, standing at the end of the corridor. Tentative,  
pleading silently, she holds a sheet of yellow legal  
in her hand.

**ANGLE - INSERT - LAURA'S P.O.V.**

**THE PAPER READS:**

away?'

'Laura. I'm going to try. When this is over can we go  
'Joe' 'Thank you'

**ANGLE - GALVIN'S P.O.V.**

Laura holding the paper.

**ANGLE**

impassive.

Galvin and Mickey looking at her. Galvin's face

Beat. He turns his back on her. Mickey does likewise.

Beat.

**MICKEY**

(to Galvin)  
The jury might be out for awhile.  
(beat; tentatively)  
You want to run across the street  
and get a drink?

They  
the  
the

Beat. Galvin puts his arm around Mickey's shoulder.  
push through the Exit Door, turning up their collars to  
cold. Galvin hesitates a moment as Mickey goes through  
door. Beat. He looks back longingly.

**ANGLE - GALVIN'S P.O.V.**

The deserted corridor.

**ANGLE**

the  
stands  
the

Galvin standing framed in the doorway. He turns toward  
door, his back to the CAMERA, his shoulders slumped. He  
for a moment, sighs, straightens up, and walks through  
door.

**FADE**

**OUT:**

**THE END**