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thegoodwife

Episode #117

"Doubt"

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THE GOOD WIFE #117
"Doubt"
CAST LIST
2/23/10

ALICIA FLORRICK
WILL GARDNER
DIANE LOCKHART
CARY AGOS
KALINDA SHARMA

GRACE FLORRICK (non-speaking)

KURT MCVEIGH
JUDGE RICHARD CUESTA
ASA MATAN BRODY
DETECTIVE ANTHONY BURTON
DR. MINER
GEO
MARISOL
SARAH
LENA
MITCH
BIANCA PRICE (FORMERLY "BIANCA STARK")
MRS. PRICE (FORMERLY "MRS. STARK")
JOSH MUNDY (FORMERLY "JARED MUNDY")
JENNY BAUER (FORMERLY "MOLLY BOYLE")
DR. MANN
PROFESSOR DUNN
LAWTON
REPORTER
NEWSCASTER (V.O. ONLY)
SARAH PALIN (EXISTING T.V. FOOTAGE)

OMITTED

VIRGINIA SUN
ASA GENEVA PINE

THE GOOD WIFE #117
"Doubt"
SET LIST
2/23/10

Interiors:

28TH FLOOR
WILL'S OFFICE
DIANE'S OFFICE
HALLWAY
CONFERENCE ROOM
SECRETARIAL SUBSTATION
ALICIA'S APARTMENT
CRIMINAL COURT
JURY ROOM
COURTROOM #304
HALLWAY
HOLDING CELL
SORORITY HALL - JENNY'S ROOM
LOCKER ROOM
JOSH'S DORM ROOM
WESTIN HOTEL - EMBER GRILLE
POLICE STATION
MCVEIGH FARM - BALLISTICS LAB

Exterior

MCVEIGH FARM
COLLEGE CAMPUS
QUAD
COLLEGE HALL
SORORITY HALL
WESTIN HOTEL

TEASER

1

INT. JURY ROOM - NIGHT

1

An empty room. 12 chairs, 12 pads of paper, 12 pencils. Neat as an altar. The sound of people approaching. A door opens. Twelve jurors enter.

GEO

So we can talk now, right? The trial's over so we can talk?

GEO (36). African-American. Good-humored. Works at an amusement park, fixing roller-coasters. Likes everyone.

MITCH

We can talk. We can swear. We can do whatever we want.

MITCH (52). Wealthy market analyst. Likes to think he communes with the "common people."

DR. MINER

Okay, so let's do bathroom breaks first, then we'll get down to it. Okay?

DR. MINER (35) announces to the room. Physics professor. The fun prof. An evergreen smile. The leader in any room. Geo leans in toward Mitch:

GEO

So what do you think? Guilty, right? She did it.

SARAH

Actually, I think we should wait. For everybody.

SARAH (27). Young law school student. Type A. Loves the process. Geo rolls his eyes: sure. As...

LENA

Did you see her-- at the defense table?

Joining the table, mid-conversation is LENA (75). Old but spry in a beret. A Beat poet from Ferlinghetti days. With...

MARISOL

Which her? The one with the televangelist?

MARISOL (30s). Latina. Mother of four. Sticks up for herself. Works in airport security.

(CONTINUED)

LENA

No, no. The one who sucked the toes.
What was his name? The prostitute.

Suddenly excitement at the table: gossip:

MITCH

Oh, are you talking about the defense
attorney? She's the wife, right?

GEO

Right! I thought I recognized her.
At the defense table...

2 INT. CRIMINAL COURT - COURTROOM #304 - DAY 2

ALICIA. Second chair. Attentive to WILL'S opening statement:

WILL

Reasonable doubt. Now what do we
mean by "reasonable doubt"?

3 INT. JURY ROOM - NIGHT 3

The twelve jurors gather around the table, gossiping:

GEO

I thought her husband got out--
didn't he get out?

MITCH

Talk about using her: putting her
at the defense table like that.

Cross-talk. A mess of voices. Dr. Miner interrupts, calling
to everybody...

DR. MINER

Okay, okay, is everybody ready?

SARAH

Do we want to vote first?

DR. MINER

Right. Good idea. Everybody take a pad.

4 INT. CRIMINAL COURT - COURTROOM #304 - DAY 4

Will's opening statement:

(CONTINUED)

4 CONTINUED:

4

WILL

So when you take that vote, you
have to ask yourself... Is this
young woman...

And Will places his hand on the shoulder of... BIANCA PRICE
(24). Beautiful. Sports Illustrated model-- with a dose of
farm girl innocence. No make-up. Sitting next to Alicia...

WILL (CONT'D)

...capable of murder? Could Bianca
Price pick up a gun and shoot her
sorority mate in the chest?

5 INT. JURY ROOM - NIGHT

5

A pile of little slips with "guilty's" and "not guilty's" on
them. Dr. Miner finishes reading:

DR. MINER

Not guilty... guilty... guilty.
(looks up, done)
Okay. Six guilty, six not guilty.

MITCH

Of course.

LENA

Which is odd-- given we have six
men and six women.

Hmmm. The jurors look up and down the table. She's right.

MITCH

So what're you saying: this is a--
sexist thing?

MARISOL

Of course not. This could never be
about her looks.

6 INT. CRIMINAL COURT - COURTROOM #304 - DAY

6

Bianca. At the defense table. Beautiful.

7 INT. JURY ROOM - NIGHT

7

A lot of cross-talk. Argument. Loud...

MARISOL

That's because men can't imagine a
pretty woman killing somebody.

(CONTINUED)

Laughter. And cross-talk. Mitch calling over it:

MITCH

Come on! It's because the prosecution didn't do their job.

(many women laugh)

Sure, I voted "not guilty" and that's not because of her looks--

GEO

Why isn't it just as likely that women are *jealous* of her looks--?

Laughter from the women at the table. And wild cross-talk.

MITCH

He's right. Every woman looks at that girl, and sees homewrecker--

LENA

"Girl?" She's a grown woman--

SARAH

And every man sees poor little Jessica Biel--

Laughter. It's an argument, but everybody's having fun.

MITCH

But look, Saint what's her name--

SARAH

--Alicia--

MITCH

Right, Alicia Florrick. She was sitting right next to her, supporting her--

A8 INT. CRIMINAL COURT - COURTROOM #304 - DAY

A8

Alicia leans over, pats Bianca's shoulder comfotingly.

B8 INT. JURY ROOM - NIGHT

B8

LENA

And defense attorneys could never be pulling tricks--?

That gets everybody talking. Arguing. Until--

(CONTINUED)

B8

CONTINUED:

B8

DR. MINER

Alright, alright, everybody. Raised hands please. One at a time.

MARISOL

(raises her hands)

Okay, take the cop-- the detective. Back on the first day of testimony. He looked right at us and said--

8

INT. CRIMINAL COURT - COURTROOM #304 - DAY

8

DETECTIVE BURTON

The accused was covered with blood. And she was the only one *in* the room with the victim.

DETECTIVE BURTON on the stand. The confident and handsome detective who flirted with Kalinda (in 113). MATAN questions:

MATAN

And the murder weapon?

DETECTIVE BURTON

9 mm auto 6-round. It was the defendant's, registered in her name. Given to her by her mother for protection.

Burton pauses, seeing KALINDA enter at the back of the court. She smiles. He smiles right back.

MATAN

And the weapon was found on the ground by her feet?

DETECTIVE BURTON

Yes. With her fingerprints on the trigger.

9

INT. JURY ROOM - NIGHT

9

LENA

Who was the girl who entered in the middle of his testimony?

The jury room-- gossip. Cross-talk in the background:

MARISOL

Oh, right, he smiled at her. But I thought she was with the defense--

10

INT. CRIMINAL COURT - COURTROOM #304 - DAY

10

And we're right back in the moment, Burton continuing...

DETECTIVE BURTON

There was a party downstairs-- for
spring break. Thirty individuals.

MATAN

And they heard the shot?

DETECTIVE BURTON

Yes, sir. Within thirty seconds,
they burst into the sorority room
and found the accused, Bianca
Price, standing over the body.

Matan goes to a Powerpoint computer, clicks a key, and a
photo appears on a large screen: a dead woman's body in a
sorority room, blood, a lot of students rushing in, and
Bianca clearly standing over the body.

MATAN

How long after the murder was this
photo taken?

DETECTIVE BURTON

Approximately thirty seconds. The
good news about murders at colleges
these days, everybody has a
cellphone camera, so it's hard to
get away with murder--

WILL

Objection.

JUDGE CUESTA

That wasn't a question, Mr.
Gardner, but I would warn the
witness to avoid editorializing.

We see it's our good friend, JUDGE CUESTA on the bench.
Burton nods, smiles, eyes Kalinda as he answers...

DETECTIVE BURTON

My apologies, your honor.

Kalinda smiles back, pauses, looks again at the photo on the
large screen: something about it. Kalinda leans toward CARY
sitting behind the defense table, whispers:

(CONTINUED)

10

CONTINUED:

10

KALINDA

Let me see the Bauer photo.

CARY

Where have you been?

KALINDA

Working. Let me see it.

CARY

Why?

She shoots him a look. Okay, he finds a file, hands it to her. She opens it, intently studies the same cellphone photo-- something bothering her about it-- as...

11

INT. JURY ROOM - NIGHT

11

...the same photo is handed around the jury table.

SARAH

Wait a minute. Bianca's prints were on the gun--

DR. MINER

Of course Bianca's prints were on the gun. It was *her* gun. That doesn't mean she shot--

SARAH

--And there was blood all over her--

MARISOL

--And this was taken within thirty seconds of the gun shot, and there she is, the gun at her feet--

GEO

She said she was in the bathroom, and she came out--

SARAH

No, she didn't say that! Her lawyer said that--

12

INT. CRIMINAL COURT - COURTROOM #304 - DAY

12

Will cross-examining Detective Burton now...

WILL

Now Bianca has said she was in the bathroom when she heard the shot--

(CONTINUED)

MATAN

Objection, your honor! Not in evidence--

JUDGE CUESTA

Mr. Gardner, I expect more of you.

WILL

Sorry, your honor. My mistake.

Cuesta frowns at Will: yeah, yeah. And...

INT. JURY ROOM - NIGHT

...back in the jury room...

DR. MINER

Okay, I'll say it. I didn't trust that cop.

GEO

And his earring, what was that?

Laughter. Come on!

SARAH

Men wear earrings these days.

MITCH

And his five o'clock shadow. What is he on, CHIPS?

MARISOL

So you don't trust him because he didn't shave?

GEO

You know who he looked like? That guy who's dating Lady GaGa.

MARISOL

Hey, you're right. Speedy?

GEO

Right.

SARAH

Didn't they break up? I thought she was with the other guy.

MITCH

I don't get Lady GaGa. I mean, it's just dance music--

(CONTINUED)

And they start to argue.

14 INT. CRIMINAL COURT - COURTROOM #304 - DAY 14

WILL
So, Detective Burton, you were the
first officer on the scene?

Will cross-examining now...

DETECTIVE BURTON
Yes, Mr. Gardner.

WILL
And where was your partner?

DETECTIVE BURTON
He was out sick.

WILL
(for the jury)
So you were there unobserved?

Burton smiles-- used to defense tricks-- shoots a look toward
Kalinda who just smiles back: we're all pros here.

DETECTIVE BURTON
Yes, I was unobserved-- except for the
two dozen college students in the room.

Kalinda hands a file to Cary who hands it to Will.

WILL
And you've never tampered with
evidence before, detective?

DETECTIVE BURTON
That's correct, sir, I've never
tampered with evidence.

WILL
And so if I asked you about this
Internal Affairs report--

MATAN
Objection, your honor!

JUDGE CUESTA
Mr. Gardner, really. Up here.

Cuesta motions both attorneys up for a side-bar...

15 **INT. JURY ROOM - NIGHT**

15

GEO

Then what about that Internal
Affairs report--?

MARISOL

What Internal Affairs report?! We
never heard any--

SARAH

It could've been completely innocent.

Come on! The table cross-talks, with the loudest...

GEO

Did you see the way that prosecutor
jumped up? That's not innocent.

16 **INT. CRIMINAL COURT - COURTROOM #304 - DAY**

16

Side-bar. Just Will, Matan, Cuesta whispering at side-bar...

MATAN

This charge is irrelevant. And it
was minor. Drinking beer on duty.

JUDGE CUESTA

Mr. Gardner, you are playing with
fire here.

WILL

Your honor, any Internal Affairs
charge is completely relevant--

JUDGE CUESTA

No, sir. You're trying to imply to
the jury something more nefarious
is going on here: that Detective
Burton planted evidence. Let's at
least be adults here, and admit to
each other what you're doing.

WILL

(all innocent)

Your honor, no, oh my god, no.

JUDGE CUESTA

I'll admonish the jury. That's all
I can do, Mr. Brody. And watch it,
Mr. Gardner.

(CONTINUED)

And Will and Matan step away. Matan sees Will's grin.

MATAN
Go to hell.

WILL
Having fun?

17 **INT. JURY ROOM - NIGHT** 17

Sarah in the jury room finally breaks through the cross-talk:

SARAH
The judge admonished us not to
consider it--!

MITCH
Okay, so I won't consider it. I
still don't trust Speedy.

18 **INT. CRIMINAL COURT - COURTROOM #304 - DAY** 18

Judge Cuesta gavels the day to a close...

JUDGE CUESTA
We'll reconvene here 9:30 tomorrow.

He leaves, and as the door closes behind the exiting jury--
show's over-- Alicia steps away from Bianca as Cary steps up
beside her...

CARY
Are you okay?

BIANCA
(nods)
I don't think they liked me.

CARY
Who, the jury? You can never tell.

BIANCA
I just-- I sound so terrible. I
think I'd find me guilty.

CARY
(smiles back)
It's just the prosecution's case.
Wait for our turn.

(CONTINUED)

BIANCA
(looks at him)
Thank you.

Meanwhile, Alicia joins Will at the gallery bar conferring with Bianca's mother. MRS. PRICE (44). An ex-model, but life has been hard on her. It's softened her features.

MRS. PRICE
How did it go, did you think?

WILL
It's a good start. Sorry, we're playing catch-up here. Your lawyers did no investigation, and Cuesta isn't allowing a delay, so we're gonna hit a few bumps.

MRS. PRICE
(to Alicia and Will)
They wanted us to argue diminished capacity because of the drug use.

*
*

WILL
I know. We need to spend some money on a better ballistics expert. Are you alright with that?

MRS. PRICE
Whatever it takes. She's my only child. The thought of her in prison.

Alicia nods, looks toward Bianca and Cary as the guards start to escort her away.

BIANCA
I'll see you, Mom.

Mrs. Price follows her along the rail, leaving Will and Alicia standing alone for a second. Neither knows what to say. A personal whisper:

ALICIA
Good work.

WILL
Thanks.

Will collects his things. Alicia eyes him. Awkwardness rules.

ALICIA
Everything alright?

(CONTINUED)

WILL
Yeah, why? Yeah. Good.

And that's it, Will starts off. Alicia looks after him.
Uncomfortable or what? As...

19 INT. CRIMINAL COURT - HALLWAY - DAY 19

...Kalinda pushes out of court, is joined by Detective
Burton, walking beside her. Both smiling. No hard feelings.

DETECTIVE BURTON
Enjoy tarnishing my reputation?

KALINDA
Best part of my day.

They smile, and Kalinda splits off to join TWO YOUNG COPS, the
three laughing. Burton eyes them. His smile disappearing.

20 INT. 28TH FLOOR - DIANE'S OFFICE - NIGHT 20

DIANE
I heard you did well.

Will passing Diane's office. DIANE in her door.

WILL
More women on this jury than I
wanted. Sometimes I think justice
would be better served with a coin
flip. Who's that?

A REPORTER (30) in her office. Scruffy. Lots of hair.

DIANE
Mother Jones. Doing a profile.

Will smiles-- good use of your time. Diane returns his
smile, heads back toward the reporter...

DIANE (CONT'D)
Sorry about that. We're knee-deep
in the Bianca Price trial.

REPORTER
You were just saying about pro-choice.

DIANE
Yes, it's an irony of our times
that "activist judge" used to be a
charge hurled by Republicans at...

(CONTINUED)

But Diane pauses, sees a man coming down the hall. The Ballistics Expert, MCVEIGH. She watches him.

REPORTER
Democrats?

DIANE
Excuse me?

REPORTER
Hurled at Democrats?

DIANE
Oh, yes. I was-- the charge of
"activist judge"-- especially with...

But Diane pauses again, seeing McVeigh nodding to her from the hall. She nods back. He nods toward Will's closed door. Oh. Here for Will.

DIANE (CONT'D)
My goodness, I forgot what I was
saying.

REPORTER
Choice is endangered.

She watches McVeigh sit.

DIANE
Yes, choice. It is. Could you
give me a minute?

21 **INT. 28TH FLOOR - SECRETARIAL SUBSTATION - NIGHT**

21

Diane leans in her office door...

DIANE
Thanks for the Sarah Palin bio.

McVeigh looks up, smiles.

MCVEIGH
Thought you might like that.

DIANE
The chapter where she brings Big
Oil to heel. Just gripping.

MCVEIGH
Bought a Hillary bio for fifty cents
on eBay.

(CONTINUED)

Diane smiles, makes an excuse of grabbing some papers from her assistant's desk.

DIANE

So you're-- Will says he wants you on the Bianca Price murder?

MCVEIGH

Yep. I'm in town testifying on another case.

DIANE

Good. Just wanted to say hello.

MCVEIGH

Hello.

And Diane smiles one last time...

DIANE

You betcha.

She slips back into her office. Returns to her interview, distracted. We stay outside watching her try to get back into it. But she sees McVeigh standing being led into Will's office.

Will and McVeigh.

MCVEIGH

You know my rules? I find out the client's guilty I quit.

WILL

Yep. I like your rules. Even more, I like your fees.

Diane opens the door, enters. Will looks up at her oddly.

WILL (CONT'D)

Yeah?

DIANE

I thought I'd sit in.

MCVEIGH

(nods hello)
Miss Lockhart.

DIANE
Mr. McVeigh.

Will finds this strange, but, what the hell, continues:

WILL
The problem is the mom fired her
previous lawyers because they wanted
to plead this out, so they lined up
Jim Crosby as a ballistics expert...

McVeigh nods, clearly unimpressed, but being polite...

MCVEIGH
Well, I agreed to meet with you.

WILL
You did. Thanks.

MCVEIGH
And I agreed to look over the
evidence, and give you a bid.

WILL
Which is...?

MCVEIGH
I'm not taking this case. She's
guilty. Sorry.

McVeigh starts toward the door as Will and Diane trade a look.

MCVEIGH (CONT'D)
I can suggest some names of people
who will say differently. But I
wouldn't go with Crosby. He's not
convincing enough.

DIANE
You're positive? She's guilty?

MCVEIGH
Given the evidence, yes. If I were
you I'd plead out. Good luck.

And McVeigh goes. Diane and Will trade a look.

WILL
Damn.

END OF TEASER

ACT ONE

24 INT. 28TH FLOOR - CONFERENCE ROOM - DAY

24

WILL

The jury has to be told a story.

A strategy session. Will with the troops. Alicia, Kalinda, Cary, a dozen associates.

WILL (CONT'D)

The prosecution's story is simple: Bianca shot her best friend out of jealousy after a threesome. Our story has to be just as simple.

Kalinda meanwhile types in an address on a laptop, popping to the Albany Park University Student Profile Page of "Jenny Bauer." A cute Reese Witherspoon sorority type. Smiling, making suburban gang signs. Kalinda scrolls down it to a small photo at the bottom. Under it printed: "My snap helped cops solve MURDER!"

Kalinda clicks on the photo. It pops up. The same crime scene photo from court. Kalinda places the printed photo next to it. Nothing unusual; they look identical.

Alicia looks over: what're you doing? Kalinda whispers:

KALINDA

See any difference?

ALICIA

No. Why?

Kalinda looks closer. Bottom corner of both frames. Someone's silhouetted foot. While, Will continues...

WILL

Regarding witness prep, Alicia, Cary, we're gonna have to delay on the ballistics expert.

CARY

Why?

WILL

We lost him. We're shopping.

Kalinda trades a look with Alicia and Cary: that's not good.

(CONTINUED)

WILL (CONT'D)

Okay, that's everything. We've got court in an hour so let's go.

The room breaks up as Kalinda motions to Will. He approaches:

WILL (CONT'D)

What's up?

KALINDA

This cellphone photo on Jenny Bauer's Student Page. It's different than the one she gave the police.

What? Will looks at her, studies the screen. Alicia leans in too. Looks between the crime scene and Jenny Bauer's Page photos.

KALINDA (CONT'D)

There. The guy's foot. On Jenny Bauer's Page, it's on the rug. In the evidence photo, it's not.

ALICIA

She took more than one picture?

KALINDA

(shrugs)

There's only a split-second between these two shots.

Will looks up, realizes...

WILL

It was a video?

KALINDA

(nods)

Cellphone video.

WILL

(nods: good)

Find it.

Kalinda starts out. Will stops Alicia before she can leave:

WILL (CONT'D)

I'm not sure if we're putting Bianca on the stand, but if we do, you're all right questioning her?

(CONTINUED)

ALICIA

I'm-- Yes, but I think Cary would be better.

WILL

Why?

ALICIA

They seem to have bonded.

Will considers it, studies her.

WILL

Fifteen years doing this, and I still can never tell who's guilty, who's not. Everybody's a mystery from the outside. Bianca included.

Alicia nods, nods.

WILL (CONT'D)

We haven't had our dinner.

ALICIA

I know.

WILL

You're worried about Peter?

ALICIA

I'm worried about everything.

WILL

(smiles)

I'm not.

A25 **OMITTED**

A25

25 **INT. JURY ROOM - NIGHT**

25

The whole jury arguing. A lot of crosstalk. Ties loosened. Jackets off. People getting more edgy.

DR. MINER

Alright, alright! Let's talk one at a time. Marisol.

MARISOL

Of course he was scuzzy. I didn't want to marry him; I just believed him.

26

INT. CRIMINAL COURT - COURTROOM #304 - DAY

26

JOSH MUNDY (21). Yep, a bit scuzzy. Hair combed back. In uncomfortable suit and tie.

JOSH

It was Heather's idea.

MATAN

Heather Cross? The victim?

JOSH

Yeah. She never did a three-way before on Zolpidem, and she wanted to.

Judge Cuesta eyes Josh: clearly hates him. As Alicia, Will, and Bianca sit at the defense table. Cary and another associate behind them. In the gallery Mrs. Price, clearly hating this testimony.

MATAN

This was the night before spring break?

JOSH

Yuh-huh. She came to me downstairs and she was like... um... Do you want me to quote? Because if I quote I have to use that word.

JUDGE CUESTA

No, you don't, Mr. Mundy, not in my court. When you feel so inclined, you are welcome to use the word "fluff." And Judy,...

(the court reporter)

...delicate flower that she is, will translate it into its proper form. Yes, Judy?

JUDY raises a hand: a-okay. Meanwhile, at the back of court, Diane enters, leans against the back wall to listen.

JOSH

So, okay, Heather was like... "Do you want to go... fluff upstairs with Bianca on Zolpidem?" And I was-- It was something she read in the whole Tiger Woods thing: Zolpidem sex, you know. Relaxed and crazy. And I was like...

(MORE)

(CONTINUED)

JOSH (CONT'D)

you know?
(shrugs)

JUDGE CUESTA

No, I don't know, Mr. Mundy. You'll have to use your words.

JOSH

I was like... "sure." I mean--
"fluff" yeah.

JUDGE CUESTA

Oh the joy my life is. Have you got that, Judy?

Judy nods, typing.

MATAN

And you and Bianca had been dating?

JOSH

Yeah. And she was always kind of freaking out about women, so I was surprised she agreed to go with us.

MATAN

Freaking out, meaning "jealous?"

JOSH

Yes.

MATAN

Then what happened?

JOSH

Well, we... fluffed. And I mean... fluffed. And I left them kind of out of it in Bianca's room. And I went downstairs for a brew. And that's when we heard the shot. And I raced upstairs, and I found Heather on the floor, you know, like really red with blood. And the gun on the floor...

Diane checks her watch, leaves court, pushing into...

...the crowded hall-- people rushing this way, that. She starts off... stops, considers it, turns back, starts toward another courtroom, seeing...

(CONTINUED)

...McVeigh through a gap in the crowd, leaning against the wall next to the court like a high school senior. He watches Diane approach. She tries to act cool...

DIANE

Oh, that's right; you're here on another case.

MCVEIGH

That's right.

McVeigh sees a court sheriff lean out, point to him-- ready.

MCVEIGH (CONT'D)

Wanna watch?

DIANE

Well, I would... but... I'm late.

McVeigh nods, enters court. Diane pauses there, uncertain whether to enter. But McVeigh peers out again.

MCVEIGH

Dinner. Tomorrow night. Eight p.m. The Westin on Michigan.

DIANE

I--
(why not)
Okay.

And McVeigh enters. Diane stands there and chuckles. Like a high school date.

ALICIA

So you'd been dating Bianca for a while?

A warm and non-confrontational Alicia questions Josh who stares back nervously...

JOSH

A little while, yeah.

ALICIA

"A little while" as in-- two dates?

JOSH
Yeah. I guess.

ALICIA
And by dates we mean, you... slept
with her twice?

JOSH
Yeah.

ALICIA
So you have that effect on woman,
they get jealous after two "dates?"

MATAN
Objection. Argumentative.

JUDGE CUESTA
Sustained, regrettably.

ALICIA
Now about this Zolpidem that
Heather and Bianca took. You took
it too?

JOSH
Yeah.

ALICIA
And you know Zolpidem is a non-
benzodiazepine hypnotic?

JOSH
I...? What?

ALICIA
You can hallucinate on it. You
might also get diarrhea.

JOSH
(chuckles)
Well, I didn't get diarrhea.

ALICIA
Good, I'm so glad. But you did
hallucinate?

JOSH
No.

(CONTINUED)

ALICIA

It's also a drug that could cause memory loss. Did you know that?

JOSH

No.

ALICIA

In fact, let's try an experiment.

MATAN

Objection.

JUDGE CUESTA

You know I like experiments, Mr. Brody. Overruled.

ALICIA

What color panties was Bianca wearing that night?

JOSH

(uncomfortable)

What color? I... white.

ALICIA

Well, that's a good guess, Mr. Mundy. Given that 85% of all panties sold in the US are white. And yet, you're wrong. They were black.

Josh stares at Alicia, as Will smiles to himself. Likes watching Alicia work.

30 INT. JURY ROOM - NIGHT

30

GEO

See, that was silly. Men don't remember things like that.

The jury room, discussing the testimony.

LENA

The color of panties? Are you kidding?!

GEO

Not at *that* moment!

Laughter. A lot of cross-talk. Sex has that effect.

(CONTINUED)

MARISOL

And you're telling me she's having sex with her boyfriend and another girl, and she's *not* jealous--

SARAH

Well, actually, that was a stretch for me. I mean, she only slept with the guy twice-- that doesn't make him a boyfriend--

MITCH

So you're changing sides? You're not guilty now?

SARAH

No, I don't know. I just-- the motive seemed ridiculous. College today, a threesome doesn't mean anything.

MARISOL

I'm getting old.

MITCH

I'm going back to college.

Laughter. Dr. Miner finally cuts through the cross-talk:

MITCH (CONT'D)

I think we should vote again. With hands. All those in favor of "Not Guilty?"

The six men. Joined by a reluctant Sarah.

GEO

Seven to five. Now we're getting somewhere.

MARISOL

I want to hear how those voting for "Not Guilty" explain the picture.

The picture. Kalinda shows it to JENNY BAUER (22), the Reese Witherspoon type, stopping her between classes, the two talking loudly over the noise of students stampeding.

31 CONTINUED:

31

KALINDA

What I don't understand, Miss Bauer, is I looked at your Student Profile Page and there's a different shot there.

(holds up the two photos)

See, this one is an earlier frame and this one is later-- from your cellphone video.

Jenny looks up at "video"-- uh-oh.

JENNY

Are you with the cops?

KALINDA

Well, I was assigned to investigate.

JENNY

I erased it.

KALINDA

The video? I don't believe you. Someone who brags about helping the police on her Student Page isn't going to erase anything.

JENNY

I have class.

And Jenny starts off, books clutched to her chest, and...

32 **EXT. COLLEGE CAMPUS - QUAD - DAY**

32

...runs across the quad toward a brick sorority building...

33 **EXT. COLLEGE CAMPUS - SORORITY HALL - DAY**

33

...to find Kalinda leaning casually there. Yelping...

JENNY

How'd you...?

KALINDA

Always know the shortcuts.

34 **OMITTED**

34

35 **INT. SORORITY - JENNY'S ROOM - DAY**

35

An upset Jenny leads Kalinda to her computer...

(CONTINUED)

JENNY

Look, I wasn't trying to hide anything from the police--

KALINDA

I know you weren't.

JENNY

It's just-- I'd never done it before.

KALINDA

Done what?

The video on Jenny's computer. It shows a drunken Jenny in the sorority house starting to unbutton her top...

JENNY (ON VIDEO)

Okay, Tim, I do this for you. You do it for me.

Giggles all around on the video. Jenny horrified, watching:

JENNY (CONT'D)

I was drunk. We were just sexting. If my parents saw this--

KALINDA

It's okay. We don't need--

But Kalinda pauses, seeing Josh in shirt sleeves on the video passing in the background, starting upstairs. To herself:

KALINDA (CONT'D)

That's before the shot.

JENNY

What?

KALINDA

Josh went upstairs before the gunshot, not after.

BOOOOOM! A loud gunshot from the video. The camera suddenly rushes upstairs, jiggled around, past shouts-- "What happened?/What is it?"-- all very Cloverfield. Finally...

...the cellphone camera turns the corner, barges into Bianca's room, finding a crying Bianca kneeling over a dead Heather. Gun on the floor. And--

(CONTINUED)

--tap-- Kalinda freezes the frame as the wildly panning cellphone catches Josh starting away. In a brown leather jacket, conferring with another man. Hispanic. Intent eyes. Linebacker large.

KALINDA (CONT'D)

Who's that?

JENNY

I don't know.

KALINDA

Have you seen him before?

JENNY

I-- Yeah, at the gym. I think he's on the coaching staff or something. You're not going to show this to anyone, are you?

Kalinda starts out the door, crossing the quad when...

DETECTIVE BURTON

What do you got?

Kalinda smiles, turns to find Burton leaning against a wall.

KALINDA

Detective Burton. Funny to see you here.

DETECTIVE BURTON

Comical. Whaddayou got, Kalinda?

Kalinda smiles, starts off. Burton falls in behind her.

DETECTIVE BURTON (CONT'D)

So this is what I hear. Tell me if I'm hot or cold. You use cops, suck them dry of intel, then toss them aside.

KALINDA

Pretty much. And you, let's see, how was it put to me? You have an exquisitely complicated acquaintanceship with the truth.

(off Burton's look)

You've burned too many women not to have them talk.

DETECTIVE BURTON

And that scares you?

Kalinda laughs. Are you fuckin' kidding?

DETECTIVE BURTON (CONT'D)

You've met your match, K. You just don't know it yet.

Kalinda stops. Leans in toward Burton.

KALINDA

What are you looking for, detective? You want to go steady or something?

DETECTIVE BURTON

Chocolate malt with two straws.

Kalinda smiles. Starts to say something. Stops. Then...

KALINDA

Good-bye, detective.

And she starts off. Burton watches her go.

INT. LOCKER ROOM - DAY

KALINDA

This guy. Who is he?

A framed photo of the man who conferred with Josh on the cellphone video. It's on the wall of the athletic office.

LAWTON

Ernie Suarez. Assistant to the Athletic Director. How do you know Josh again?

A nerdy Assistant Coach, LAWTON (28), chatting with Kalinda.

KALINDA

I don't. I'm investigating a murder.

LAWTON

Oh. Did Ernie--?

KALINDA

No, no, just dotting all the i's. So you said he had a locker in here? Ernie did?

(CONTINUED)

LAWTON

Yeah, a coach locker. He hasn't cleared it out yet. There.

A key lock attached to a large locker.

KALINDA

You got the keys?

LAWTON

Don't you need a warrant or something?

KALINDA

Yeah, if I were a cop. I can get some bolt-cutters in here, but it'd be easier if you just opened it.

Lawton stares at her, how authoritative she says it. And--

--LATER-- ka-lick-- Lawton unlocks the key lock. Pauses, stares at Kalinda suspiciously.

LAWTON

So you're not a cop?

KALINDA

Nope.

LAWTON

And you're not with the campus police?

(Kalinda shakes her head)

So who are you?

KALINDA

Kalinda.

Lawton stares at her. Okay. Opens the door. Finds a dozen laptops in the locker.

LAWTON

Whoa.

KALINDA

Yep. Someone's been busy.

Kalinda reaches in, finds a gun in a zippered bag. Looks up at Lawton, smiles.

END OF ACT ONE

ACT TWO

38 INT. 28TH FLOOR - HALLWAY - DAY

38

Kalinda and Alicia follow Will toward his office...

KALINDA

Campus police checked the serial numbers on the computers. They're from a series of 30 campus burglaries over the last year--

WILL

Good, so the narrative is this: Josh killed Heather after she discovered him burglarizing her room?

KALINDA

(nods)

I'm gonna ride with campus police when they check Josh's room for more stolen goods.

WILL

Good.

KALINDA

So is that our ballistics expert?

A short Wallace Shawn-type PROFESSOR DUNN in Will's office.

WILL

We'll see. I'm interviewing him now.

And at that second, DUNN fumbles a framed photo he was inspecting, knocking over a glass of water, spilling it everywhere.

WILL (CONT'D)

God help us.

And Will enters his office. Kalinda and Alicia start off.

KALINDA

So what's going on?

ALICIA

What...?

KALINDA

--is going on? Will doesn't look at you anymore.

(CONTINUED)

ALICIA
He--? He does.

KALINDA
(grinning)
You haven't been a bad girl?

ALICIA
Kalinda.

KALINDA
Going now.

And Kalinda starts off. Alicia too, passing Diane in...

INT. 28TH FLOOR - DIANE'S OFFICE - DAY

...her office, waiting on the phone, TV Financial news playing lightly in the background. Stocks. Nothing interesting until she catches a bit of a story...

NEWSCASTER (V.O.)
...in the person of Sarah Palin.

Diane looks up, sees B-roll of Palin at a Tea Party rally.

NEWSCASTER (V.O.) (CONT'D)
Palin took aim at the President again over national security.

SARAH PALIN (ON VIDEO)
We need a commander in chief, not a Professor of law...!

Diane stares at it. Palin. And a convention crowd cheering.

SARAH PALIN (ON VIDEO) (CONT'D)
America is ready for another revolution and you're part of this.

NEWSCASTER (V.O.)
Afterwards, Palin spoke about respecting life--

Diane switches it off. Sits in the silence. What am I doing?

INT. CRIMINAL COURT - COURTROOM #304 - DAY

The nervous and shaky Professor Dunn on the stand...

WILL

So Professor, you're saying this is consistent with the prosecution witness, Josh Mundy, firing the weapon that killed the victim?

PROFESSOR DUNN

Yes, this is-- I am, yes.

WILL

Even without evidence of gunshot residue on his hands?

PROFESSOR DUNN

Yes, that's right.

WILL

Could you explain?

PROFESSOR DUNN

Well, yes, I... let's see... here we go.

A laser pointer. He takes it out of his pocket nervously. His hand shaking like a leaf. Judge Cuesta eyes him, unnerved by his nervousness...

PROFESSOR DUNN (CONT'D)

So the path of the bullet--

Dunn tries to shine his laser light on a crime scene diagram on the big screen, but the red point flits like a firefly.

PROFESSOR DUNN (CONT'D)

Sorry. Um--

He tries to brace it with his other hand, but-- *klack*-- he drops the laser pointer.

PROFESSOR DUNN (CONT'D)

Oh, darn.

He bends down to pick it up as Alicia and Will eye the jury, wide-eyed at his nervousness. Shit.

The prosecution ballistic expert. DR. MANN. Just the opposite. Dudley Do-Right chin, strength, manner.

DR. MANN

The gun was at chest level. Held
by someone as tall as the accused.
And was shot from three feet away.

Matan questioning confidently.

MATAN

The defense expert testified that it
could've been shot by Josh Mundy.

DR. MANN

If Mr. Mundy crouched on his knees, maybe.

MATAN

(chuckles)

Well, that's unlikely. Now the defense
ballistic expert when, he finally got
his laser pointer working--

WILL

Objection.

MATAN

Withdrawn. He argued that the
gunshot residue found on Bianca
Price's hands could've come from
her contact with the victim. Does
that sound likely to you?

DR. MANN

(great authority)

No.

Alicia and Will slump inside. Disastrous for them. And...

...the jury sits in silence. Confused silence.

MITCH

I don't know. Two experts say the
exact opposite thing, and say they're
100% certain. What do we do with that?

Nods. Everybody just as confused.

LENA

I thought they were kind of mean to
that nervous guy. The guy with the
pointer.

(CONTINUED)

GEO

Yeah, me too.

LENA

It's uncalled for. He's just nervous.

MARISOL

There was this CSI: NEW YORK where the gunshot residue got transferred from one person to another. They said it happens all the time--

SARAH

But that's TV.

MARISOL

Yeah, but I heard it somewhere else too.

MITCH

Me too.

MARISOL

So I don't think it's impossible.

GEO

It's also kind of weird how little there is. You know physical evidence.

SARAH

There's the G.S.R.

GEO

Yeah, but where's the forensic stuff? The DNA.

DR. MINER

So you're both changing your minds?

(they both shrug)

Well, let's take another vote. All those in favor of not guilty?

Six hands go up. Not the same hands. Dr. Miner counts:

DR. MINER (CONT'D)

Okay. Six to six.

LENA

Well, it's a different six. That's progress.

A43 **INT. CRIMINAL COURT - HOLDING CELL - DAY**

A43

Just Cary and Bianca. In the holding cell.

 BIANCA
Where would I go?

 CARY
What do you mean?

 BIANCA
What prison?

 CARY
Oh. Dwight Correctional Center.

 BIANCA
Is that big?

 CARY
I don't know.

Cary sees the despair growing on her face.

 CARY (CONT'D)
We've got a really good case.

 BIANCA
I know. The people at school. They
don't visit. If my roommate were in
prison, I guess I wouldn't either.
 (trying not to cry)
I don't know. Forty-five years.

 CARY
That's a worst case scenario.

 BIANCA
Would you visit me?

Cary stares at her, takes a second.

 CARY
Yes.

Bianca nods, wipes away a tear.

 BIANCA
Thank you. I'm being stupid.

 CARY
No, you're not.

43

INT. JOSH'S DORM ROOM - DAY

43

A door bangs open. Campus police enter followed by Kalinda. She looks around, sees DVD players. Computer components. Speakers. All looking hot. As the campus cops search...

...Kalinda notices a photo on the desk. Looks again. It's Josh with Heather. Kalinda takes out her phone, snaps a picture. Starts into the bedroom.

She looks around. Opens the closet door. Peers in. Starts to turn away when she turns back. Sees...

...a jacket bundled up on the floor. Leather. Brown. In the back of the closet. She pulls a hamper out of the way, peers in at it. She reaches into her pocket. Takes out...

...the folded screen shot of the crime scene cellphone video. There's Josh in the brown leather jacket.

DETECTIVE BURTON

Anything?

Kalinda turns, sees Burton leaning in the door.

KALINDA

So is your plan just to follow me?

DETECTIVE BURTON

Yep. Only way to get more from you than you from me. What's up?

KALINDA

(shrugs: what the hell)
Josh finishes his threesome, goes downstairs to get a beer in his shirt sleeves--

She unfolds the screen capture of Josh in shirt sleeves passing a sexting Jenny.

DETECTIVE BURTON

Where'd you get this?

KALINDA

(ignoring that)
He heads back upstairs. There's a gunshot. Everybody runs up. And, seconds later, as if by magic...
(the other screen shot)
...Josh in his leather jacket.

(CONTINUED)

DETECTIVE BURTON
Uh-huh. He's cold. He puts on a
jacket. It's been known to happen.

KALINDA
Or he covers his hand to keep off
the gunshot residue.

DETECTIVE BURTON
(snorts incredulously)
So you're writing fiction these days?

KALINDA
One way to find out.
(points into the closet)
Check that for gunshot residue.

Burton peers in at the jacket.

44 **EXT. WESTIN CHICAGO RIVER NORTH HOTEL - NIGHT** 44

Business hotel. Right on the river. On the nice side.

45 **INT. WESTIN HOTEL - EMBER GRILLE - NIGHT** 45

Romantic lighting. Dark. Diane is laughing already.
McVeigh too. The two sitting across from each other.
Casual, feet up on facing chairs.

MCVEIGH
I like that you drink.

DIANE
I like that I drink too.

McVeigh smiles, pours more wine into her glass.

DIANE (CONT'D)
Although I would've thought you
were a Bud man.

She pours a large bottle of Sapporo into McVeigh's glass.
Studies him...

DIANE (CONT'D)
So this "stoically silent" thing,
that's all just a pose, right?
When you get home you start
spouting Proust?

MCVEIGH
Yep.

(CONTINUED)

Diane laughs.

DIANE

It's cowboys. Who knew I loved cowboys. Maybe it's in our DNA. Part of being American. We all, salmon-like, head back toward the comfort of the homestead--

MCVEIGH

You don't need to talk like that.

DIANE

I *do* need to talk like that because that's how I talk. There's a selfishness to the silence of the cowboy-- forcing everybody to carry the weight of conversation.

McVeigh leans in, kisses her. A good kiss. Then he backs away, drinks.

Diane stares at him. Takes a second. Pushes a strand of hair off her forehead. Closes her eyes. Wrought...

DIANE (CONT'D)

What am I doing?

McVeigh laughs.

DIANE (CONT'D)

No, really, what am I doing?

MCVEIGH

You're having dinner.

DIANE

You like Sarah Palin. And I... I think she's the devil incarnate.

MCVEIGH

Yep.

DIANE

I mean, she's calling for a new revolution. She's basically calling our President a traitor.

MCVEIGH

And Al Franken?

(CONTINUED)

DIANE

Oh, come on, that is no comparison!
That's a facile argument.

MCVEIGH

Is this turning ugly?

DIANE

I don't know. And choice. How can
you be for back alley abortions?

MCVEIGH

The murder of 1.2 million unborn
children.

DIANE

Oh no, no, no! Please don't talk.

MCVEIGH

Stoically silent?

Diane takes a second, decides, stands...

DIANE

I can't. I can't. I'm sorry. I
want to, but I can't.

MCVEIGH

You have to go?

DIANE

I want to stay. But three
generations of Democratic ancestors
are screaming out in protest.

MCVEIGH

That's a lot of generations.

Diane leans in, kisses him. Then goes. Leaving McVeigh at
the table, watching her go. After a second, he gets up,
follows. As...

...Will rushes toward his office, on his cell...

WILL

I hope it's good. We're struggling
here.

47 **INT. POLICE STATION - NIGHT**

47

Kalinda whispers into her cell, waiting outside the interrogation room...

KALINDA

Potentially good. There's gunshot residue on Josh's jacket.

WILL

His-- Where are you?

Kalinda stares through the interrogation room window. The blinds are closed, but a wind keeps them scissoring open, closed, open, closed.

KALINDA

Police station. Something else on it too. Heather's blood.

INTERCUT with: Will stopping in the hall, thanking the ceiling.

KALINDA (CONT'D)

The police are interrogating Josh now.

WILL

Good. I'll have to get a continuance.

KALINDA

You may not have to. The cops are all over this. I'm outside the interrogation room.

She sees through the *thwapping* blinds glimpses of Burton questioning a pale Josh Mundy.

WILL

Okay, phone me when you got something. I'll get the troops together, we'll line up the next witness.

KALINDA

A different ballistics expert.

WILL

Ahead of you.

Kalinda hangs up, watches the interrogation, Burton doing a good job, pacing, breaking him down, when... a uniformed COP enters the room, whispers in Burton's ear. Whispers more.

(CONTINUED)

Burton pauses, looks up at Kalinda through the scissoring blinds. Uh-oh. Kalinda sees something's wrong on his face. What? Burton nods to the cop, goes to the door, exits.

KALINDA

What?

Burton crosses past her, goes to his desk, takes out a bag of candy, pops one, offers it to Kalinda:

DETECTIVE BURTON

Malt balls?

KALINDA

What's up, Burton?

DETECTIVE BURTON

Well, he did burglarize those dorm rooms. He was actually in league with Heather. They were planning to rob your client.

KALINDA

Okay, that makes sense. He kills his cohort in crime.

DETECTIVE BURTON

And the lab confirms: that *is* G.S.R. on his jacket. And Heather's blood.

KALINDA

Okay. I'm not seeing how this is bad yet.

DETECTIVE BURTON

Well, it's not. For me. The blood and G.S.R. are on the inside lining of the jacket.

KALINDA

Okay, so he had it wrapped around his shooting hand.

DETECTIVE BURTON

Josh said the jacket was on the floor of the bedroom. When he heard the shot, he got into the room, grabbed his jacket from between Bianca and Heather, put it on, wore it home.

KALINDA

Because he was guilty.

(CONTINUED)

DETECTIVE BURTON
Yes, of robbery.
(eyes Kalinda)
Look, I'm not an advocate here. I
don't lie to make it better for a
client. I just look at the facts.
And the facts are against you.

Kalinda eyes him. She reaches out, takes a malt ball, pops
it in her mouth, as...

48 **INT. ALICIA'S APARTMENT - NIGHT** 48

...bleet-bleet-- a cellphone rings quietly beside Alicia
asleep on her couch, a quilt over her, red wine, files, only
one light on in the background. She jolts awake, grabs it...

ALICIA
Yeah?

WILL (O.S.)
Oh, sorry, Alicia, it's late, I know.

ALICIA
No, no, I'm up.

INTERCUT with...

49 **INT. 28TH FLOOR - WILL'S OFFICE - NIGHT** 49

WILL
We've just run into a problem with
the narrative. I think we may need
to put Bianca on the stand.

Will in his office, sitting with files, a bottle of beer.

ALICIA
Oh, I thought Kalinda had something.

WILL
It didn't pan out. You'll be able
to handle the questioning?

ALICIA
Yes.

Will nods. Silence. The two in silence.

WILL
I... I know we're in a weird place.

(CONTINUED)

ALICIA

It's okay.

WILL

No. I don't like being in a weird place.

Alicia stands, walks toward the kitchen, checks toward the pantry. Peter's door closed. Quietly...

ALICIA

I know. Me neither.

WILL

I look at you during the day and I want to know what you're thinking.

ALICIA

Sometimes I don't know what I'm thinking. Will-- I--

Oh. Alicia nods, retreats into a corner, talking...

WILL

Yeah?

ALICIA

If it happened differently, at Georgetown-- if it was us, not Peter, we would've lasted a week.

WILL

(laughs)

No, we wouldn't have.

ALICIA

We would've. It's romantic because it didn't happen. If it did happen, it'd just be... life.

Silence. Will considers it. Nods. And as the two continue to whisper, we move away from Alicia, around the corner to find...

...Grace outside her room, in pyjamas, sitting in the dark hall, listening...

ALICIA (O.S.) (CONT'D)

Don't say that. Will. Please.

END OF ACT TWO

Fires the gun up into the dummy's chest. The dummy falls backward onto the floor. The gun falls at the dummy's feet.

WILL
You're kidding.

MCVEIGH
The weapon was fired from three feet away, but vertically not horizontally. And it was accidentally fired by the victim.

Will grabs his cellphone, dials. Diane shakes her head...

DIANE
No service in here.

MCVEIGH
The problem was there was no blood or gunshot residue below the impact-- that's why I didn't see it.

WILL
He took his jacket?

MCVEIGH
Mr. Mundy took his leather jacket from the floor. That had the blood and G.S.R. on it.

WILL
And you'll testify to this?

MCVEIGH
Of course. The usual fee.

Diane smiles at McVeigh as he nods back. But Will steps away, concern on his face. And...

...Will paces, thinking it through. The usual crew of Cary, Alicia, Kalinda, Diane.

WILL
The problem is it's not a good story. It's just a freak accident. There are no villains.

ALICIA
But if it's true?

WILL

But it doesn't sound true. The prosecution's story sounds like the truth. There's a villain: Bianca. There's a motive: jealousy. This story says there's no rhyme or reason. Everything's random.

DIANE

Well, we're not trying to teach a lesson. Just win a verdict.

CARY

Another problem; we've already set our story. Josh did it. Even our ballistics expert supported that.

WILL

We'd have to contradict our own ballistics expert.

KALINDA

Well, there's an easy way to settle this. Ask the client.

They all look at each other.

INT. CRIMINAL COURTHOUSE - HOLDING CELL - DAY

Bianca sits in her prison jumpsuit, staring up, overwhelmed. Mrs. Price beside her, also speechless.

MRS. PRICE

So that's what happened?

WILL

That's what our ballistics expert said happened.

Will, Cary, Alicia. Alicia studies Bianca, her doll's eyes. She seems to be not connecting.

MRS. PRICE

So, I don't know-- do we put this new evidence on the stand or not-- which is smarter?

WILL

Well, that's up for discussion.

Cary turns to Bianca, tells her directly...

(CONTINUED)

CARY

Our worry is we tried one defense with the jury, and now if we try another, we'll do two things: undercut our credibility, and hurt our chances if the jury was believing our first defense: that Josh did it.

Alicia eyes Cary: he really is good at this. Bianca nods, warming to him as she listens. Mrs. Price turns to Cary.

MRS. PRICE

We have no idea what the jury is thinking?

CARY

No, it's one of the problems with a jury. It's guesswork.

BIANCA

So what should I do?

Bianca. She asks Cary, only Cary.

CARY

Go with the truth.

Will and Alicia trade a look. Appreciative. Not bad from Cary.

CARY (CONT'D)

The truth has the advantage of being... true. On some level, the truth is always more believable.

Bianca smiles, looks up at her mom.

BIANCA

Then that's it. The truth.

McVeigh on the stand. Alicia questioning...

ALICIA

And so you believe the gunshot was self-inflicted?

MCVEIGH

Well, I don't believe. The science points there. The gunshot was accidentally self-inflicted.

(CONTINUED)

ALICIA

Thank you, Mr. McVeigh.

MCVEIGH

No problem.

Alicia sits. And we see Diane in the gallery, smiling. He's good. In fact, the whole courtroom clearly impressed. Judge Cuesta studies McVeigh with respect. Matan considers it, stands...

MATAN

So, as you say, Mr. McVeigh, you originally didn't want to testify in this case?

MCVEIGH

Yes. I thought Miss Price was guilty.

MATAN

Right. And then two days ago you had an epiphany?

MCVEIGH

Well, if by epiphany you mean: a new piece of evidence-- this jacket with bloodstain and G.S.R.-- then, yes, I did have that.

MATAN

A change of heart?

MCVEIGH

Not my words, but I won't object to them.

MATAN

You are staying at the Westin Chicago River North Hotel while you testify in another case?

MCVEIGH

Yes.

MATAN

This is a hotel where many prosecutors house their witnesses?

MCVEIGH

Yes, I believe that's true.

(CONTINUED)

MATAN

It's a hotel where several prosecutors observed you meeting with another lawyer.

Diane tenses. Oh shit. McVeigh just stares at Matan.

MCVEIGH

Is that a question?

MATAN

No. Here's the question. Two nights ago before you magically changed your mind about this case, did you have dinner with a partner from the law firm, Stern, Lockhart, and Gardner?

Will pauses, turns back toward the gallery, sees an appalled Diane. Shit, shit, shit!

MCVEIGH

Yes.

WILL

Objection!

JUDGE CUESTA

The question's been answered, Mr. Gardner.

WILL

Yes, I'm sorry, your honor, it was answered too quickly.

JUDGE CUESTA

Well let me overrule just as quickly.

Will sits, appalled, as McVeigh just stares at Matan.

MATAN

And after this dinner, the partner in question, Diane Lockhart, joined you in your hotel room?

MCVEIGH

Yes.

Diane's face turns red as Will grits his teeth.

MATAN

And did you have sexual relations?

(CONTINUED)

WILL

Objection, your honor! How is this relevant?

JUDGE CUESTA

I imagine Mr. Brody would say the witness's testimony was bought with these alleged sexual relations, isn't that correct, Mr. Brody?

MATAN

It is, your honor.

JUDGE CUESTA

Well, Mr. Brody, I will sustain Mr. Gardner's objections. But I don't think you'll mind much-- because you just threw a stink bomb into the lap of the jury, and now you're running for cover.

MATAN

Your honor--

JUDGE CUESTA

And, Mr. Gardner, yes, I see the outrage on your face-- which I would be more moved by if you hadn't done the exact same thing with Detective Burton's testimony.

Both Matan and Will interrupt: "Your honor!"

JUDGE CUESTA (CONT'D)

No, no, no. This one we're calling a draw, gentlemen. You've both been playing fast and loose with implications, not facts, and so we're going to try to let justice take care of itself. Do you have any more questions, Mr. Brody?

MATAN

(pauses)

No, your honor. But we do request a limiting instruction.

(CONTINUED)

JUDGE CUESTA

Members of the jury, in weighing Mr. McVeigh's testimony, you may consider any potential bias in assessing the *weight* you want to give to what he had to say--

55 **INT. JURY ROOM - NIGHT** 55

The jury, exhausted, sitting there. Staring straight ahead.

LENA

It's almost medieval. They toss us in here, they lock the door, they throw us a lot of contradictory evidence, and they ask us to come up with a fair decision.

The table is silent. Not much energy to argue. Finally...

DR. MINER

Shall we vote again?

END OF ACT THREE

WILL

There's nothing going on with Alicia.

DIANE

That's not true.

WILL

It is true.

DIANE

Will. I have two eyes.

WILL

Then use them. Watch me. Watch us. There is nothing going on with Alicia.

Diane stares at him, leaves.

DIANE

Turn out the lights.

Will watches her go. Slumps. Starts toward his office.

INT. CRIMINAL COURT - HOLDING CELL - NIGHT

Will, Cary, Alicia stand with a nervous Bianca and Mrs. Price.

*

ALICIA

The prosecution has made a last minute offer. Second degree murder. Ten years.

*

*

*

*

Bianca and Mrs. Price look up, startled. A stunned silence.

*

WILL

We don't have a lot of time. When the verdict comes in, the offer goes away.

*

*

*

*

Mrs. Price looks toward her daughter, Bianca's eyes wet. She reaches out, takes Bianca's hand, quietly...

*

*

MRS. PRICE

*You'd be thirty-four, baby. You'd still... you'd still have a *life*. But if they find you guilty...
(looks toward *Will*)*

*

*

(CONTINUED)

WILL *
Forty-five years. No parole. *

MRS. PRICE
2055. I can't even...
(pauses, unfathomable)

BIANCA *
What do you think? *

Will and Alicia see she's not addressing them. Cary. He *
takes a second. A horrible Solomonic choice. *

CARY
I think you didn't do it. And the
jury will see that.

BIANCA
Really?

CARY *
Yes. You only need one juror. *

MRS. PRICE *
But if you're wrong... you'll go *
back to work. And I'll watch my *
girl... *

She chokes up. Cary nods. Will and Alicia eye Cary, see how *
hard this is on him. He's never been so human. Bianca *
cries: *

BIANCA
Oh my god, I can't do this.

CARY
I know.

Cary squeezes her arm.

MRS. PRICE *
Could you give us a minute? *

Cary, Alicia, and Will look between them. Nod. Leave. *
And...

MITCH

But they were just arguing the
opposite--

SARAH

Which they're allowed to. They're
the defense--

MITCH

They put on two ballistic experts.
One arguing one way. The other--

(CONTINUED)

SARAH

They're the defense. The whole point is to poke holes in the prosecution's--

GEO

But even this ballistics expert said: two days ago he thought one thing, now he's thinking another--

MITCH

Right! So what if in three more days he thinks something else.

And they stop arguing. Lena looks toward Dr. Miner.

LENA

You look depleted.

DR. MINER

I guess I am. I sit here listening to everyone talk, and I feel like: we weren't given enough information.

LENA

That sounds about right.

DR. MINER

So what do we do?

LENA

Do you have reasonable doubt?

DR. MINER

I don't know. I just have...
(looks for the right word)
...reasonable ignorance.

Lena smiles. The whole table looking toward them as if they were the last two adults in the world.

LENA

Well, no one else is going to help us. So what do you think?

Dr. Miner considers it. Nods.

DR. MINER

I think I'm ready to vote.

Kalinda sits waiting. Detective Burton sits next to her.

(CONTINUED)

ALICIA

Kalinda. We've got a problem.

Kalinda looks up to see a worried Alicia approaching. She gets up, goes to her.

ALICIA (CONT'D)

The bailiff's warning the verdict is coming in.

KALINDA

Okay.

ALICIA

But Bianca and her mother want to see us.

KALINDA

Oh no.

ALICIA

Yep. Where's Cary? We need to get Cary.

KALINDA

Why?

ALICIA

She likes him. He can talk to her.

61 **INT. JURY ROOM - NIGHT**

61

Dr. Miner reads the last of the slips. Looks up.

DR. MINER

Okay. We're unanimous. Finally.

The jurors exhale, exhausted.

DR. MINER (CONT'D)

Good job. Democracy in action.

MITCH

All for \$15 a day.

GEO

So what do we do now?

DR. MINER

Call the judge. Tell them we're done.

Dr. Miner goes to the door, exits.

(CONTINUED)

SARAH

I bet a lot of jurors trade numbers and say they'll stay in touch. But I bet nobody does.

MITCH

So let's just save time and not trade numbers.

The door opens again. Dr. Miner enters followed by Judge Cuesta. The jurors trade looks. Surprised.

JUDGE CUESTA

Hello. Hi. I thought I'd just join you in here and thank you for your service.

He nods. Smiles.

JUDGE CUESTA (CONT'D)

Unfortunately, I now need to excuse you and thank you for your service.

MARISOL

I-- What'd we do?

JUDGE CUESTA

Nothing. You did your job well. This happens sometimes, and there's no way to prepare for it. The prosecution and defense have agreed to a plea bargain. Just seconds ago.

LENA

You're kidding?

JUDGE CUESTA

I'm sorry I'm not. This happens sometimes when one side or the other worries about the outcome. So again, thank you. I hope this doesn't diminish your enthusiasm for the court system, because in another year you're going to get another summons.

Cuesta chuckles. No chuckles come from the jurors. He clears his throat, starts out.

MITCH

So what happened? What was the plea bargain?

(CONTINUED)

JUDGE CUESTA

Oh. Miss Price agreed to a charge
of second degree murder. Ten
years. Thanks again.

And Cuesta leaves. The jurors sit there. Stunned. Slowly,
they start to get up to leave. In silence. The silence of a
church. Geo reaches for the scraps of paper-- their votes.
He looks at them and dumps them in...

...the trash. And we look down at the scraps. They're all
"Not Guilty."

END OF SHOW