

EXECUTIVE PRODUCER: Ridley Scott, Tony Scott
EXECUTIVE PRODUCER: Robert King & Michelle King
EXECUTIVE PRODUCER: David W. Zucker
EXECUTIVE PRODUCER: Brooke Kennedy
CO-EXECUTIVE PRODUCER: Todd Ellis Kessler
CO-EXECUTIVE PRODUCER: Ted Humphrey
CONSULTANT: Frank Pierson
CONSULTING PRODUCER: Barry Schkolnick
PRODUCER: Courtney Kemp Agboh
PRODUCER: Amanda Segel
CO-PRODUCER: Corinne Brinkerhoff

thegoodwife

Episode #116

"Heart"

Written By

Corinne Brinkerhoff

Directed By

Felix Alcala

PRODUCTION/NETWORK DRAFT

WHITE: February 3, 2010

BLUE FULL: February 7, 2010

PINK PAGES: February 8, 2010; p. 3-4, 6, 8-14, 18-19, 28-30, 55

Copyright 2009 CBS Broadcasting Inc. All Rights Reserved.

This script is the property of CBS Productions, a business unit of CBS Broadcasting Inc., and may not be copied or distributed without the expressed written permission of CBS Productions, a business unit of CBS Broadcasting Inc.

This copy of the script remains the property of CBS Productions, a business unit of CBS Broadcasting Inc. It may not be sold or transferred and it must be returned to CBS Productions, a business unit of CBS Broadcasting Inc., promptly upon demand.

THE WRITING CREDITS MAY NOT BE FINAL AND SHOULD NOT BE USED FOR PUBLICITY OR ADVERTISING PURPOSES WITHOUT FIRST CHECKING WITH THE TELEVISION LEGAL DEPARTMENT.

THE GOOD WIFE #116
"Heart"
CAST LIST
2/8/10

ALICIA FLORRICK
WILL GARDNER
DIANE LOCKHART
CARY AGOS
KALINDA SHARMA

PETER FLORRICK

DANIEL GOLDEN
ELI GOLD
KYA POOLE
PATTI NYHOLM
* PASTOR ISAIAH EASTON (formerly "Pastor Isaiah Fulton")
KATE WILLOUGHBY
JESSE WILLOUGHBY (formerly "Danny Willoughby")
JUDGE ROBERT PARKS
MR. HARPER
PAMELA POMEROY (formerly "Pamela Porter")
* DR. HALL (formerly "Dr. Jean Ellis")
* JEREMIAH EASTON (formerly "Jeremiah Fulton")
JONATHAN DOBBS
COURTNEY WELLS
AMANDA
MARSHA (formerly "Diane's Assistant")

OMITTED

GRACE FLORRICK
ZACH FLORRICK
JUDGE MOIRA TRUESDELL
JUDGE GORDON MARKS
WOMAN #1
WOMAN #2
WOMAN #3

THE GOOD WIFE #116
"Heart"
SET LIST
2/8/10

Interiors:

28TH FLOOR
HALLWAY
CONFERENCE ROOM
WILL'S OFFICE
DIANE'S OFFICE
ELEVATOR
27TH FLOOR
STAIRWELL
HALLWAY
ALICIA'S OFFICE
PARKING GARAGE
ALICIA'S APARTMENT
KITCHEN
LIVING ROOM
GRACE'S BEDROOM
STORAGE ROOM/OFFICE
FOYER
ALICIA'S CAR
NYHOLM'S LAW OFFICES
HALLWAY
NYHOLM'S OFFICE
HOSPITAL
HALLWAY
CONFERENCE ROOM
NYHOLM'S CAR
* LORD IN CHRIST CHURCH

Exterior

HOSPITAL PARKING LOT
LIFESTATE HEADQUARTERS - PARKING LOT
CHICAGO PARK

2

CONTINUED:

2

MR. HARPER (CONT'D)

Our lead attorney was caught unaware
by this emergency motion--

WILL

This surgery needs to happen *now*,
Your Honor. LifeState's strategy
here is to run down the clock.
They have no defense so they want
to make your ruling irrelevant. In
three days, my client's baby could
be dead--

MR. HARPER

Objection. Your client's fetus.

Judge Parks looks up, frowns: clearly a conservative justice.
Will smiles to himself: way to step into it, Harper.

JUDGE PARKS

Well, thank you, Mr. Harper. I'm
sure we all feel better with that
distinction. This is an emergency
court. Get your attorney in here
now, or start arguing for yourself.
Do you understand?

MR. HARPER

I do.

Harper whips out his Blackberry, and...

3

INT. NYHOLM'S CAR - HOSPITAL PARKING LOT - DAY

3

...a children's song plays quietly on a car radio: *"Twinkle,
twinkle, little star, how I wonder what..."* PATTI NYHOLM,
the smilingly caustic and confrontational lawyer from 104,
sits in her parked car, keeping her eyes glued to her
rearview mirror and her sleepy INFANT in the backseat.

Her cellphone buzzes. She checks the text: *"Didn't work.
Need you now."* Nyholm sighs: what she expected. She double-
takes at the mirror, sees a woman starting toward the
hospital. It's Alicia, rushing, late. Nyholm smiles...

4

EXT. HOSPITAL PARKING LOT - DAY

4

NYHOLM

Mrs. Florrick.

Nyholm getting out of her car, nods to an approaching Alicia.

ALICIA

Miss Nyholm.

(CONTINUED)

NYHOLM

Could you help me out here please.

Infant toys, diaper bags. Oh. Alicia nods, takes them as Nyholm reaches into the backseat to detach the car seat.

ALICIA

Boy or girl?

NYHOLM

Girl. Unlucky you caught Judge Parks. That's not going to turn out well, is it?

ALICIA

Why do you say that?

NYHOLM

Well, he's a pro-business constructionist who's never met an insurance company he didn't like...
(baby-voiced to her infant)
...isn't that right? Yes, it is.

ALICIA

Pro-business *and* pro-life.

NYHOLM

(laughs)

Ah, is that what you're hanging your hat on? I know a lot of pro-business pro-lifers, and somehow business always seems to get the upper-hand. Do you mind?

A stuffed bunny. Alicia sighs, takes it, as...

INT. HOSPITAL - CONFERENCE ROOM - DAY

...DR. HALL, 45, female, a calm and professional East Indian doctor, testifies on the "stand"-- a folding chair. Interesting to see our usual courtroom calisthenics in such a room. Pointing to a monitor:

*

DR. HALL (O.S.)

This is an ultrasound of the fetus's heart taken six weeks ago during the 18th week of pregnancy.

*

WILL

You're referring to my client, Mrs. Willoughby's pregnancy?

(CONTINUED)

Will points toward a woman in a wheelchair. KATE WILLOUGHBY (mid-20s) earthy community organizer, five months pregnant, her husband, JESSE, holding her hand. Nervous, trying to maintain his sense of humor. An NPR couple.

DR. HALL

*

Yes. As you can see-- here-- the right ventricle is enlarged; left side severely underdeveloped. It's *hypoplastic left heart syndrome*, a uniformly fatal condition without intervention.

WILL

What intervention?

DR. HALL

*

In-utero surgical intervention.

WILL

This is surgery on the baby's heart--
(toward Mr. Harper)
--excuse me, the fetus's heart--
while still in the womb?

DR. HALL

*

Yes. It needs to happen by the 24th week-- two days from now.

WILL

The surgery is scheduled for...?

DR. HALL

*

Well, it was scheduled for today. Twenty minutes ago. I had specialists flying in from Los Angeles, Miami, and Boston.

WILL

Until yesterday the insurance company pulled the plug?

NYHOLM

Objection, Your Honor. LifeState didn't "pull the plug."

Everyone turns to find Nyholm entering, Alicia beside her, carrying her toys, diaper bag.

JUDGE PARKS

Mrs. Nyholm, you're late.

(CONTINUED)

NYHOLM

Yes, your honor. Mrs. Florrick
buttonholed me in the parking lot.

Alicia rolls her eyes as Will smiles, knowingly.

NYHOLM (CONT'D)

Fetal surgery is simply not a
covered procedure per the terms of
the Willoughbys' policy. It's an
experimental treatment, and we're
not in the business--

A happy baby coo comes from Nyholm's baby carrier. Judge
Parks looks up, unhappily.

NYHOLM (CONT'D)

My apologies, your honor. This
strangely-- one might even say
suspiciously-- timed emergency
motion came as such a surprise on a
Saturday I found myself without day
care.

WILL

And with a handy prop.

NYHOLM

Excuse me? That is cynicism of the
ugliest order, counselor. Your
honor, I know Mr. Gardner hasn't
enjoyed the special bond a mother
feels toward her child, so he can't--

WILL

Oh come on, LifeState just wanted to
put a pretty face on an ugly
stragem--

JUDGE PARKS

(interrupting sternly)

Mr. Gardner, do you have any
further questions?

WILL

Not at this time, your honor.

JUDGE PARKS

Miss Nyholm?

(CONTINUED)

NYHOLM

Yes, your honor, but she...
(her baby)
...really needs to be fed-- if I
could just...

WILL

This is a stall tactic, your honor--

NYHOLM

Yes, it's a stall tactic for me to
give my child sustenance.

Nyholm covertly plucks the pacifier from the baby's mouth--

WILL

Your Honor, we don't have time to delay
this even five minutes, let alone--

--causing the baby to WAIL-- and drown out Will. He tries to
continue, but the crying is deafening.

NYHOLM

She's just so hungry. If we could
reconvene in an hour...

JUDGE PARKS

Ten minutes.

Will frowns at a happy Nyholm, as we hear a beautiful gospel
song...

JEREMIAH

*"Daily walking close to thee, Let
it be, dear Lord, let it be..."*

A retired African-American preacher with an angel's voice,
JEREMIAH **EASTON** (60s), a jovial Chicago institution. He
sings the last two lines of the spiritual.

JEREMIAH (CONT'D)

That's when Mr. Daley stopped me,
and said "No, Reverend, not that
one. Danny Boy."

Eli and Jeremiah laugh hard at the anecdote, both watched by
Kya and Golden in a large modern church. Eli and Jeremiah
have a close friendship, forged in the foxholes of political
battles.

ELI GOLD

He was a real piece of work.

JEREMIAH

Good to the community.

ELI GOLD

Yours, not mine.

JEREMIAH

(laughs)

So your new boy's in trouble.

ELI GOLD

Why do you say that?

JEREMIAH

You asked me here. My guess is Florrick is polling well everywhere except African-Americans.

Golden and Kya trade a look-- clearly true-- as Eli grins.

ELI GOLD

African-American women.

KYA

He's polling ten points behind last election. We think it's about crime.

Eli and Jeremiah roll their eyes: novice.

JEREMIAH

It's about cheating. And you want me to help kick off some kind of Forgiveness Tour, right?

ELI GOLD

Prayer breakfast. A few gracious words about God's forgiveness, Peter's true repentance, you know?
(off Jeremiah's smile)
Hey, it worked for Clinton.

JEREMIAH

Bill had Hillary out there doing press.

GOLDEN

Not an option. Mrs. Florrick is a very... private person.

(CONTINUED)

JEREMIAH

I hear they sleep in separate rooms.

Golden and Kya trade a look.

ELI GOLD

Want to look. There's only one master bedroom in the apartment.

JEREMIAH

(laughs)

Now that's a non-denial denial. Look, I like Peter. He's done well for us. But I'm a man without a church. I'm retired. Lord in Christ Church is my son's now. You get his blessing, I'll happily pray with Peter.

*
*

Eli Gold considers it. Nods.

ELI GOLD

Good. Then let's set a meeting.

INT. HOSPITAL - HALLWAY - DAY

Jesse pushes Kate's wheelchair toward the emergency court as Alicia walks with them...

KATE

It's just-- so bizarre. We have insurance for exactly this kind of thing, and now... We could sell off everything and not cover this--

JESSE

(reminding her)

But we're staying calm. Thinking positive.

KATE

Right. It was a good day. He started kicking again.

Hand on her womb. The two smile. A sweet couple. Alicia likes them.

ALICIA

Any closer to a name?

(CONTINUED)

7

CONTINUED:

7

KATE

Not yet. We don't...
(trades a look with Jesse)

JESSE

We want to make sure... we're all
fine first.

Alicia nods, gets it, as she looks up to see Nyholm and Will talking, too far away to hear. Two pros:

NYHOLM

How did you get a judge in here on
a Saturday?

WILL

Didn't count on that, did you? So
this isn't really your baby, is it?
What's her name?

NYHOLM

Bite me.

WILL

Is that Dutch?

And Will enters court.

8

INT. HOSPITAL - CONFERENCE ROOM - DAY

8

NYHOLM

How many times have you performed this
fetal heart surgery procedure, Dr. Hall?

*

Dr. Hall again on the folding-chair-stand.

*

DR. HALL

I'm not a pediatric cardiologist.

*

NYHOLM

Yes, I understand that. But that
would mean... none? Right?

DR. HALL

...Yes.

*

NYHOLM

And how many times have pediatric
cardiologists at your hospital
performed this procedure?

Will frowns, makes a note.

(CONTINUED)

DR. HALL

It's a highly specialized--

*

NYHOLM

Yes, but again the answer is none. No criticism implied, ma'am, I just want to be clear on the facts.

DR. HALL

Yes, that's correct.

*

NYHOLM

In fact, how many times has fetal surgery for hypoplastic left heart syndrome been attempted in Illinois, do you know?

DR. HALL

I must confess: I don't.

*

Nyholm holds up four fingers. Then for the court reporter:

NYHOLM

Four times. Now, Dr. Hall, how is that not an experimental procedure?

*

WILL

Objection. Not within her expertise.

JUDGE PARKS

Sustained.

NYHOLM

Yes, I can understand why Mr. Gardner wouldn't want you to answer that. No further questions.

Kate and Jesse frown: clearly damaging. Alicia smiles at them comforting, but then trades a look with Will: not great.

JUDGE PARKS

Miss Nyholm, how long will you need to prepare your defense?

NYHOLM

Well, your honor, I would be tempted to say one week, except--

JUDGE PARKS

Twenty-four hours.

(CONTINUED)

NYHOLM

Except 24 hours is what I mean.

JUDGE PARKS

Good, then we'll reconvene tomorrow, and I would urge both parties to use that time wisely in finding a compromise.

Will and Nyholm look over at each other. Unlikely. As...

INT. ALICIA'S APARTMENT - LIVING ROOM - DAY

...a handshake. Between Peter and PASTOR ISAIAH EASTON, 30s, Jeremiah's son. Intense, charismatic, sturdily religious, with an intelligence that shines through. Golden, Eli Gold, Kya, Jeremiah are there too, all listening.

*

GOLDEN

Thank you, Pastor. We feel Peter needs some spiritual guidance. He has paid his debt to society, but we know there is a greater debt.

PASTOR ISAIAH

You want to use me?

*

Golden starts to correct him, but...

PETER

Yes.

Pastor Isaiah likes the straight-forwardness of that, looks at Peter for the first time.

*

PASTOR ISAIAH

Why?

*

PETER

It looks good if I'm embraced by you. Our polling is below par among African-American women.

PASTOR ISAIAH

(studies him)

So is that the newest scheme, Mr. Florrick: brutal honesty?

*

JEREMIAH

Son.

PETER

It's alright. I know you think I'm a shallow, narcissistic politician, reverend. And you know what? I agree. But I spent eight months in prison, away from my family, away from my life, watching everything I build turn to dust--

PASTOR ISAIAH

Until one day you found the glorious words of the gospels.

Quiet in the room. **Isaiah** making fun of Peter. Peter just stares at him, doesn't flinch.

PETER

Can we have a minute alone?

Eli, Golden, and Kya trade a look.

10 INT. ALICIA'S APARTMENT - GRACE'S BEDROOM - DAY 10

Stuffed animals. Jonas Brothers posters. Pink bedding. And Eli Gold, Golden, Kya, and Jeremiah crowded into Grace's bedroom, waiting. Eli holds up a unicorn doll to Kya:

ELI GOLD

Hi there.

11 INT. ALICIA'S APARTMENT - LIVING ROOM - DAY 11

Peter and Pastor **Isaiah**. Alone now. Two titans.

PASTOR ISAIAH

I am not a photo op.

PETER

I know you're not.

PASTOR ISAIAH

I can't be charmed. I can't be finessed. I can't be yupped. You have done wrong.

PETER

I know I have.

PASTOR ISAIAH

Your marriage is in trouble. I know you think it isn't.
(MORE)

(CONTINUED)

PASTOR ISAIAH (CONT'D)
But it is-- because you don't
acknowledge true repentance.

PETER
Then what do I do?

Isaiah hears something real in Peter. *

PASTOR ISAIAH *
Do you love your wife?

PETER
Yes.

PASTOR ISAIAH *
Does she love you?

PETER
I... I don't know.

PASTOR ISAIAH *
You are sleeping in separate rooms?

PETER
Yes.

PASTOR ISAIAH *
Do you believe Jesus died for your sins?

PETER
I... I don't know what that means.

PASTOR ISAIAH *
Do you want to know what it means?

PETER
(thinks about it)
No.

Isaiah laughs-- for the first time. Quotes Augustine: *

PASTOR ISAIAH *
"Please, God, make me good. Just
not yet." You're afraid of change,
but your wife won't love you-- she
won't return to your bed until you
change. So? Do you want to change?

Peter stares at him. Just slightly intimidated.

12 INT. 28TH FLOOR - WILL'S OFFICE - NIGHT 12

Will finishes up his day's work, on the phone:

(CONTINUED)

WILL
Nyholm's not budging. LifeState's worried about setting a precedent that could cost them millions in a class action. Where are you and Cary?

INTERCUT with...

13 **INT. ALICIA'S APARTMENT - NIGHT** 13

...Alicia entering her apartment:

ALICIA
We're still working up a list of experimental procedures LifeState has covered in the past.

Alicia looks around. Apartment empty. Where is everybody?

WILL
Good. You okay?

ALICIA
Yeah, I'm just... I don't like investing myself emotionally.

WILL
I know. We have a fighting chance here. Get some sleep.

ALICIA
Thanks. Bye.

Alicia hangs up, notices the door open to Peter's room, starts toward it, pauses, seeing...

14 **INT. ALICIA'S APARTMENT - STORAGE ROOM/OFFICE - CONTINUOUS** 14

...a seated Peter, head bowed. Pastor **Isaiah** standing over him, praying quietly... *

PASTOR **ISAIAH** *
Jesus, I call on You to embrace your lost sheep. Guide him back to Your flock, Lord, show him Your mercy--

Alicia quickly backs away. Startled. She stands in the hallway, absorbing the image, as...

END OF TEASER

ACT ONE15 **INT. 28TH FLOOR - CONFERENCE ROOM - EARLY MORNING**

15

Negotiations. Will, Alicia, Cary, three associates on one side of the conference table. Harper, four associates, a standing Nyholm on the other...

WILL

Look, even if you don't sympathize with my clients--

NYHOLM

Shhh.

Nyholm nods toward her daughter sleeping in a baby Bjorn strapped to her chest. Will rolls his eyes, but whispers...

WILL

Even if you don't sympathize with my clients, this story won't play well in the press.

NYHOLM

(whispers back)

Come on, Will, how bad do you think you can make an insurance company look these days?

MR. HARPER

(offended)

Hey.

NYHOLM

(ignoring him)

But, hey, we'll pay for this operation right now-- high six-figures, right? Mr. Harper can cover that with a stroke of a pen.

WILL

If?

NYHOLM

Drop the class-action suit.

Alicia looks up from her note-taking as Will hesitates.

NYHOLM (CONT'D)

That's right, Will. Let's talk as adults here.

(MORE)

(CONTINUED)

NYHOLM (CONT'D)

You're not into this to help a
sweet couple have their first baby.
Where's the paycheck in that?

WILL

There are 68 other sweet couples
out there who were denied coverage
by LifeState.

NYHOLM

Just doing God's work, right?
Trial lawyers: defenders of the
just and the innocent.

Nyholm starts toward the door. The other lawyers jump up.

NYHOLM (CONT'D)

Think about it. Drop your class-
action nuisance suit, and we'll
find the money to save this baby.

16 **INT. 28TH FLOOR - HALLWAY - EARLY MORNING** 16

An irritated Will shoves out of the conference room, followed
by Cary, Alicia, sees Kalinda...

WILL

What did you find out about
Nyholm's witnesses?

KALINDA

A LifeState policy executive.
Still working on a name.

WILL

I know who it is. John Perkins.
They always use him. The Prince of
Darkness. Heartless and easy to
rile. I can rip him apart.

Will sees Diane waving to him from her office.

17 **INT. 28TH FLOOR - DIANE'S OFFICE - DAY** 17

DIANE

How's LifeState?

Will shrugs: not good. Just the two of them in her door.

WILL

Patti Nyholm offered to pay if we
dropped our class action.

(CONTINUED)

DIANE

(winces)

Ouch. We might as well close up shop.

WILL

Yep. But it's starting to make sense why she's fighting this tooth and comb: as leverage to stop the class-action.

DIANE

You might think about going the political route: get the State Insurance Commissioner to apply some pressure.

WILL

He won't get involved. There's no political upside.

DIANE

He might for a friend.

WILL

(looks at her)

Are you...?

DIANE

No, not me. Mr. Florrick.

They both look toward Alicia waiting in Will's office. Oh.

DIANE (CONT'D)

It's a side benefit of having her on staff, right?-- use her connections.

WILL

His connections.

DIANE

Her connection to *his* connections.

(sees his hesitation)

Is that a problem?

WILL

Just thinking it over.

And Will starts out. Diane watches him.

18

EXT. CHICAGO PARK - DAY

18

Golden with Eli Gold, walk and talk, checking Blackberries:

ELI GOLD

So, good. The reverend's on board.

GOLDEN

Yes. He's seeing Peter twice a week. I'll petition the court for monitored trips back and forth to the **Lord in Christ Church**.

*

ELI GOLD

And I'll slip an item to Abdon Pallasch to get some photographers there.

GOLDEN

You might hold off on that.

ELI GOLD

...Why?

GOLDEN

Peter doesn't want it.

ELI GOLD

He--? Why?

GOLDEN

Pastor **Isaiah**.

*

Eli stares at Golden. Thinks for a second.

ELI GOLD

So what's going on?

GOLDEN

Exactly what we wanted: spiritual guidance.

ELI GOLD

No. What we wanted was a photo op.

GOLDEN

And we'll get that... eventually.

ELI GOLD

And in the meantime?

(CONTINUED)

GOLDEN

Peter is listening.

Eli frowns. Shit.

ELI GOLD

I'm not liking the sound of this.

GOLDEN

Are you religious?

ELI GOLD

I am. But I'm not a convert. Converts scare me. Religion's like a drug. In small doses it's curative. In large, it's addictive. Talk to him.

GOLDEN

He won't listen to me.

ELI GOLD

No, not Peter. Reverend **Isaiah**.

*

GOLDEN

Pastor **Isaiah**. You talk to him.

*

ELI GOLD

You would be better.

Golden smiles knowingly...

GOLDEN

Eli. Aren't we living in a post-racial world these days?

ELI GOLD

(smiles)

Okay. I'll do it. Won't this be entertaining?

Golden smiles: yes, it will.

PAMELA POMEROY, 50s, kind eyes, instantly likable, an ex-Mousketeer, the least asshole-y bureaucrat imaginable.

PAMELA POMEROY

I'm incredibly sympathetic.

An understatement. Pomeroy is on the folding-chair-witness-stand in emergency court. Judge Parks. Will, Alicia, Cary. Behind them Kate in a wheelchair, a little more pale. Jesse beside her. Nyholm questioning. Mr. Harper. No baby.

PAMELA POMEROY (CONT'D)

I can't even imagine the stress
Kate must be under-- but a risky,
medically unnecessary surgery is
not the answer.

Will leans toward Alicia, whispers:

WILL

They replaced the Prince of
Darkness with Strawberry Shortcake.

NYHOLM

To be fair, you're a claims manager,
not a medical professional?

PAMELA POMEROY

Yes, but that's why we hire
independent medical consultants:
retired doctors contracted to
evaluate medical records and make a
determination.

NYHOLM

And what was the consultant's
determination here?

PAMELA POMEROY

He concurred, unfortunately: fetal
surgery is not considered
"medically necessary" when there's
a tried and tested alternative--
waiting until the baby's born.

NYHOLM

No further questions, Miss Pomeroy.
I know this was hard, and your
sympathy really goes out to this
couple.

Will rolls his eyes as Nyholm smiles, passing. Will stands:

WILL

So as soon as Kate gives birth-- *if*
she gives birth-- you'll pay for
the heart surgery, correct?

(CONTINUED)

PAMELA POMEROY

That's correct.

WILL

It's covered-- for a baby that's born?

PAMELA POMEROY

...Right.

Will nods, pausing to display an enlarged photo on an easel.

WILL

In utero surgery for spina bifida at twenty-three weeks.

CLOSE ON the photo: a tiny hand reaching out of the uterus and squeezing the surgeon's finger.

WILL (CONT'D)

So as far as LifeState's concerned, *this* isn't a baby? This isn't someone who qualifies for surgery?

Judge Parks sits up straighter. Nyholm sees this-- shit.

WILL (CONT'D)

This, according to your denial letter, is "a pregnancy complication not covered," is that correct?

NYHOLM

Objection, relevance.

JUDGE PARKS

Overruled. Policy language is relevant here.

PAMELA POMEROY

Unfortunately, that's right. I wish it weren't true, but it is.

WILL

Nothing further.

JUDGE PARKS

Anything else, Ms. Nyholm?

NYHOLM

Yes, your honor

20

INT. HOSPITAL - CONFERENCE ROOM - FIVE MINUTES LATER - DAY

20

Kate on the stand. In her wheelchair. Sincere, straightforward.

NYHOLM

I'm a new mother myself -- I know how exciting and overwhelming it is. And how important it is to guard your health--

JUDGE PARKS

Miss Nyholm, I get it. You're a mom. We're all impressed. Can we move this along now?

NYHOLM

Yes, your honor. Mrs. Willoughby, do you understand the risks of a surgery that will involve cutting you open to get to your uterus, cutting your baby open to insert a balloon-catheter in its heart--?

KATE

To save his *life*. You forgot that part.

NYHOLM

His life, right. Because it *is* a life we're talking about. Isn't it? What do you do for a living, Mrs. Willoughby?

KATE

I'm a community organizer.

NYHOLM

Which involves...

KATE

Grass roots efforts toward social change, protecting civil rights.

NYHOLM

In fact, you spent the last five years advocating for abortion rights, didn't you?

Uh-oh. Will looks toward Judge Parks listening intently.

(CONTINUED)

KATE

I lobbied for women's reproductive rights in general--

NYHOLM

(re: the photo)

You spent years fighting to ensure a fetus at this stage could be aborted legally.

KATE

Fighting to ensure there was a *choice*--

NYHOLM

--and now that *you're* the one with a fetus at 23 weeks, you argue it *should* be considered a baby? It *is* a life worth saving?

Alicia looks toward Will: why isn't he objecting?

NYHOLM (CONT'D)

In fact, rather than vacuum extraction, *your* baby deserves the most cutting-edge, extreme life-saving measures possible--

KATE

(emotional)

Yes. Yes. This is my child. Of course he's worth-- anything.

NYHOLM

And you can live with that hypocrisy--

WILL

Objection, badgering the witness.

JUDGE PARKS

Sustained.

Nyholm studies the judge-- did she go too far?

Will approaches Alicia sitting with a rattled Kate and Jesse--

WILL

How're you doing?

KATE

I don't know. I guess I've been better.

Alicia follows Will's gaze down toward Nyholm pacing with the other LifeState execs on their cellphones.

WILL

You did well. They're worried Patti pushed it too far. It's hard to read this judge, but I think we have a fighting chance.

JESSE

And if we lose? Then what?

WILL

What do you mean?

JESSE

What are our options?

Will pauses, looks at Alicia.

ALICIA

Let's not worry about that now.

Will nods, starts off. Alicia excuses herself, joins him.

WILL

We can't drop our class-action.

ALICIA

I know.

WILL

There are 68 couples just like them.

Alicia doesn't answer, looks off.

WILL (CONT'D)

Yes, it's about the firm too. But we can't drop this class-action.

ALICIA

I understand.

Will looks at her.

WILL

Don't you like this: being a lawyer? Isn't it fun?

(CONTINUED)

ALICIA
(smiles)
It has its moments.

And the two stare at each other. For a second. Another second. Then-- bang-- the bailiff opens the door.

WILL
Well... here we go.

22 INT. HOSPITAL - CONFERENCE ROOM - DAY 22

Judge Parks sits beside his "bench," readying himself as Will eyes him, can't read his face. Whispers to Alicia and Cary:

WILL
I can't tell.

But at that second Jesse tries to wheel Kate into the room, bumping up against one of the closed double doors. Judge Parks immediately hops up, crosses to unlock the double door, nodding pleasantly at Kate. Will smiles, whispers:

WILL (CONT'D)
We're good.

Nyholm, seeing the same thing, frowns to her cohorts, whispers...

NYHOLM
Dammit.

Parks returns to his seat, adjusts his robes. Preparing to speak. But before he can start:

NYHOLM (CONT'D)
Your honor, I'm sorry, I need to raise a quick issue if you don't mind.

JUDGE PARKS
I'm ready to rule, Miss Nyholm.

NYHOLM
Yes, your honor, but everything about this emergency court has been rushed and unorthodox, and something has come to our attention within the last ten minutes.

(CONTINUED)

WILL

(whispering to Alicia)

What is she doing?

JUDGE PARKS

Quickly, Miss Nyholm.

NYHOLM

All this litigation has led to a higher level of scrutiny of the Willoughbys' policy application. I'm afraid we've uncovered some deal-changing issues--

WILL

Oh come on--

NYHOLM

Yes, I know, Mr. Gardner, I'm startled myself. When we began these proceedings I didn't expect Mr. Willoughby to misrepresent his medical history on the application--

JESSE

What?!

Alicia grabs Jesse's hand as Parks shoots him a stern look:

JUDGE PARKS

Sit down, sir.

NYHOLM

This misrepresentation gives LifeState the right to rescind the policy entirely.

WILL

Your honor, this isn't a buffet. Miss Nyholm can't just pick one attack, and then, failing that, try another.

NYHOLM

I would argue this goes to the heart of contract law, your honor. Even if you are prone to rule in the plaintiff's favor, at the very minimum you should hear whether there was a legal contract to begin with.

WILL

Your honor, we are racing a ticking clock, and Miss Nyholm is counting on this surgery being irrelevant by the time you decide.

Parks clears his throat: that's enough. He thinks about it.

JUDGE PARKS

Mr. Gardner, urgency is not it's own rationale. A just decision will not be rushed.

(Will frowns: fuck)

Miss Nyholm, prepare your exhibits and witnesses, and I will hear on this matter tomorrow.

Bang-- that's it. A frowning Parks starts out as Will sees Alicia's disappointment. He turns to Nyholm:

WILL

You understand what you're doing here, Patti? You take their coverage away altogether, that baby gets no surgery at all--

NYHOLM

That's on you, Will. You have another option.

And Nyholm exits, leaving a slumping Will.

END OF ACT ONE

ACT TWO

23 INT. 28TH FLOOR - WILL'S OFFICE - MORNING

23

Alicia, Will, Cary, a few other associates. Exhaustion in the ranks. Starbucks being handed around...

CARY

We went over everything in his policy application. The only thing we could find is he failed to disclose a *possible* heart condition.

ALICIA

LifeState will say they didn't have a full picture of the underwriting risks.

WILL

(stands)

Okay. Alicia you take Jesse's direct. Let's go.

Everybody starts out. Will notices Cary's disappointment, calls him back.

WILL (CONT'D)

Cary. The only reason I'm going with Alicia is because she has Nyholm's number.

CARY

I know. I get it.

WILL

Good. You're doing a good job.

CARY

Thanks.

And Cary heads out the door. Will considers it a second. Sees Alicia has left her SCARF on the back of one of the chairs. Starts toward it. Stops. Leaves it there.

24 INT. LORD IN CHRIST CHURCH - DAY

24 *

Pastor *Isaiah*. At a podium. The church empty at the moment except for one person... *

ELI GOLD

I never realized you rehearsed these sermons.

(MORE)

(CONTINUED)

ELI GOLD (CONT'D)
I thought it just came down from
the Holy Spirit like a dove.

Isaiah sees Eli, smiles. Knows the score. Approaches him. *

PASTOR ISAIAH
Hello, Mr. Gold. *

ELI GOLD
Reverend Isaiah. *

PASTOR ISAIAH
So... I believe I've been crimping
your style. *

ELI GOLD
Peter did wrong. He is sorry. He
apologized to his wife. He
apologized to his constituents.
Now he wants to apologize to his
god.

PASTOR ISAIAH
And I approve. *

ELI GOLD
No, sir-- reverend-- you are doing
more than approving. You're trying
to take advantage of a man who is
feeling raw about his mistakes.

PASTOR ISAIAH
(laughs) *
I love that word "mistakes."
Sleeping with a prostitute is just
a dropped zero on a tax form.

ELI GOLD
You're young, sir. Youth tends to
see things in black and white.

PASTOR ISAIAH
Things are black and white. *

ELI GOLD
(smiles)
So let's put this in black and
white for you then. 4.2 grams of
crack cocaine; you were just short
of an "intent to distribute"--

Isaiah laughs. Not mean laughter, enjoying it. *

(CONTINUED)

PASTOR ISAIAH

And you want to tell my congregation and, what, shock them?
(laughs)
Look for something new. Here, I'll give you my license plate.

*

ELI GOLD

Reverend, Peter can make a difference. In people's lives.

PASTOR ISAIAH

Yes, but first he has to make a difference in *his* life.

*

ELI GOLD

He has.

PASTOR ISAIAH

No. I have to go. I enjoyed this. Let's stay in touch.

*

And *Isaiah* starts off. Eli watches him go, frustrated. Even admiring. A worthy opponent.

*

Alicia questioning Jesse...

ALICIA

Mr. Willoughby, LifeState is saying that this question was answered inaccurately. Can you see that?

Alicia zooms in on Question #2-- Circulatory Disorders/ Problems-- on a projector displaying Jesse's policy application: fine print, tiny boxes.

JESSE

Yes.

Kate watches with Will, Cary, other associates. Kalinda in the gallery behind them. On the other side: Nyholm, Harper, her team.

ALICIA

You were to check the box if you'd had "Circulatory Problems including, but not limited to, chest pain, heart murmur, palpitations, phlebitis--" What is phlebitis, by the way?

JESSE

I don't know.

ALICIA

Funny, I don't either.

(to Nyholm)

Do you?

NYHOLM

Objection--

Will smiles. Loves that Alicia's dishing it back to Nyholm.

JUDGE PARKS

Mrs. Florrick.

ALICIA

Yes, your honor, just noting that LifeState's customers are asked to accurately report conditions their own representation can't define--

JUDGE PARKS

Sustained.

Kalinda, meanwhile, notices Nyholm texting on her cell phone. Glances toward her curiously.

ALICIA

Why didn't you check box number two, Mr. Willoughby?

JESSE

Well, because it says "Circulatory Disorders/Problems." The doctor said the heart palpitations were nothing to worry about-- they weren't a problem. So I thought I was just being... accurate.

Nyholm's now crossing Jesse.

NYHOLM

Let's chalk up question two to a misunderstanding. But if an applicant outright lied about a relevant health issue, that would be grounds for voiding a policy, correct?

JESSE

Yes. But I didn't.

Will eyes Nyholm nervously. What does she have?

NYHOLM

Question ten on your application:
"During the past 12 months has any
applicant smoked cigarettes, cigars,
pipes, or used chewing tobacco?"
You answered no, correct?

JESSE

Correct.

NYHOLM

Good. Thank you. Now last fall,
did you go on a fishing trip with a
friend with the lovely name of
Brent Boyle?

Jesse stares at her as Will sees his hesitation, jumps up:

WILL

Objection, relevance.

NYHOLM

I'm getting there.

JUDGE PARKS

Overruled. The witness may answer
the question.

JESSE

...Yes.

NYHOLM

Yes. You did go on such a fishing
trip? Good.

Nyholm flashes her own visual aid on the screen: Brent
Boyle's Facebook page. A picture of Jesse there.

NYHOLM (CONT'D)

Here's you... Annnnd... here....

She zooms into the photo... closer in on Jesse, his hand, his
fingers... holding a cigarette.

NYHOLM (CONT'D)

Hmmm. That looks like a cigarette
you're smoking there.

(CONTINUED)

Alicia closes her eyes: damn. Everything destroyed.

JESSE

That was-- it was only one. I've never been a regular smoker--

NYHOLM

The question wasn't whether you were a regular smoker.

JESSE

Yes, but I didn't think--

NYHOLM

Your Honor, the question was simple; Mr. Willoughby's answer was a lie.

Off Alicia and Will -- that hurt...

INT. HOSPITAL - CONFERENCE ROOM - LATER

All parties present for the ruling.

JUDGE PARKS

Setting aside my sympathy for the plaintiff, this boils down to a simple matter of contract law.

Will stares down. Depressed. Alicia beside him, depressed too.

JUDGE PARKS (CONT'D)

Mr. Willoughby's material omissions gives LifeState the right to render this contract null and void.

Alicia glances back toward Jesse and Kate. Pale with despair.

JUDGE PARKS (CONT'D)

Plaintiff's motion is denied. The policy rescission stands.

WILL

Your Honor, I would ask for an emergency motion to reconsider. Sending Kate Willoughby home without this surgery is a death sentence for her child--

JUDGE PARKS

I'm following the law, Mr. Gardner.
I'm not agreeing with it. Motion
to reconsider denied.

Will looks to Nyholm who just waits: a winner's smile:

WILL

Okay, let's make a deal.

NYHOLM

Will, you just lost at craps. You
don't make a deal with the
croupier. You just go home.

She exits as Will and Alicia share a look. Damn. Will looks
over to Jesse and Kate, sitting quietly. Shocked. In their
own private hell. An eerie, sad image. Off Will, affected--

28 **INT. 28TH FLOOR - NIGHT**

28

It's late. The hallways dark. Almost everyone gone for the
night. Just...

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

29

...Will in his office. One light on. On the phone:

WILL

Look, if I were you, Patti, I'd
still want the certainty--

Alicia comes to the door, peers in. Will looks up toward
her, shakes his head: not going well.

WILL (CONT'D)

Oh, come on. Right, good-bye.

He hangs up. Looks like hell. Shoulder's slumped.

WILL (CONT'D)

I blew it.

ALICIA

No, Jesse blew it, and he knows it.

WILL

No, Nyholm's right. I played craps
with that kid's life, and I...

(CONTINUED)

He swallows, emotionally. Alicia eyes him. Never seen him like this before. Eyes wet. Wrecked. Alicia approaches, moved...

ALICIA

Will. You did everything.

But he shakes his head. Alicia reaches out, touches his shoulder-- a comforting gesture, whispering:

ALICIA (CONT'D)

You did. Will. Listen. I know you did.

He looks up at her. Her hand still on his shoulder. Alicia leaving it there. Their eyes holding each other.

A long moment.

Will takes a step toward her. Alicia should back up, but she doesn't. She swallows. Their faces inches away now. And...

...Will kisses her.

A lingering slow kiss. A decade and a half of regret in that kiss. Then...

...Will stops, pulls back an inch. Pauses. The world seems to hold its breath. Will and Alicia's lips inches apart. Then a whisper...

WILL

Your scarf, it's--

But Alicia cuts him off, kissing him. And Will returns it, passionately. Nothing soft and Hallmark about this. Escalating. Then-- sanity rules.

ALICIA

Dammit.

Alicia swears. It seems to come from a place we've never heard from her before. Will whispers:

WILL

Alicia...?

ALICIA

No.

(and frustrated by that)

Dammit.

(CONTINUED)

She can't. She fuckin' can't. Alicia pulls herself together, lurching herself out the door as Will watches her go.

30 **INT. 28TH FLOOR - HALLWAY - CONTINUOUS** 30

Alicia rushes quickly toward the elevator. Hits the down button urgently. Come on. Come on. She looks back toward the door, tempted. DING. Doors open. She goes--

31 **INT. ELEVATOR - CONTINUOUS** 31

Pushes the ground floor button. The elevator moves. Alicia exhales. Reeling. What the hell just happened?

32 **INT. PARKING GARAGE - MOMENTS LATER** 32

Alicia heads across the garage. Just get to the car. She reaches it, grabs for her keys, puts them in the door--

And stops. Can't bring herself to get in the car.

She closes her eyes. Thinking. Making a huge decision. She pulls the keys back out of the door and slips them in her pocket. Strides back through the parking lot toward--

33 **INT. ELEVATOR - MOMENTS LATER** 33

Alicia gets in the elevator. Another moment of hesitation. What the hell is she doing? Her fingers hover over the buttons. 27. But she pushes... 28. Will's floor.

The doors close. Alicia watches the digital numbers increase. 14. 15. 16. To herself...

ALICIA
This is not a good idea.

She looks back up at the floor numbers. 25. 26. 27. DING. Floor 28. The doors open; Alicia steps out to--

34 **INT. 28TH FLOOR -- CONTINUOUS** 34

Alicia heads down the hall, determined now, moving faster, turns the corner, slightly startled by DIANE'S ASSISTANT, MARSHA, leaving for the night.

ALICIA
Hi. Just left my laptop--

She nods toward Will's office. Marsha nods, smiles.

(CONTINUED)

MARSHA
Good night.

ALICIA
'Night.

Alicia continues down the hall. Reaches Will's door, one last moment to back out... but she doesn't. She opens the door--

35 **INT. 28TH FLOOR - WILL'S OFFICE - CONTINUOUS** 35

Will's desk light on, his briefcase here. But no Will.

36 **INT. STAIRWELL - SAME TIME** 36

Will's headed down the stairs to--

37 **INT. 27TH FLOOR - HALLWAY** 37

He moves toward Alicia's office. A light goes off inside. He walks faster, getting to her. But it's COURTNEY coming out of the office.

COURTNEY
You just missed her.

WILL
Oh. Thanks.

38 **INT. 28TH FLOOR - SAME TIME** 38

One floor up, Alicia stands in the hallway. What the hell was she thinking, anyway? Moves back toward the elevator--

39 **INT. 27TH FLOOR - SAME TIME** 39

As Will does the same. Hits the elevator down button-- but he just missed it. The digital numbers show floor 26... 25... Alicia just seconds ahead of him.

40 **INT. ALICIA'S CAR - MOMENTS LATER** 40

Alicia sits in her car. Shaken. Shocked at herself. What she almost did. She gathers herself, starts the car.

41 **INT. 28TH FLOOR - WILL'S OFFICE - NIGHT** 41

Will stands in his office door, arms outstretched, bracing himself, thinking about it. He turns, sees Alicia's scarf, still on the back of a chair from this morning.

(CONTINUED)

He goes to his phone. Picks up. Dials. And...

42 **INT. ALICIA'S CAR - NIGHT** 42

...Alicia, driving through the garage, hears her phone vibrating. Pulls to a stop. Takes her cell out. Sees the call is from "Will Gardner."

She pauses there in the garage, then hurriedly clicks off the phone, screen going black. No.

43 **INT. 28TH FLOOR - WILL'S OFFICE - NIGHT** 43

Will sets down the phone. Considers it. Starts around his desk to go home when the phone RINGS. He moves toward it, eager-- Alicia?

WILL
Hello?

44 **INT. HOSPITAL - NIGHT** 44

JESSE
Mr. Gardner? Please, we need your help.

A panicked Jesse pacing in the hospital ER.

45 **INT. ALICIA'S APARTMENT - NIGHT** 45

Alicia. She enters her apartment, very late night. Quiet as a tomb. She goes to the kitchen. The refrigerator. She opens it, then turns, sees in the pantry...

...light coming from Peter's door. She goes to it, intently now. Determined. Finding...

46 **INT. ALICIA'S APARTMENT - STORAGE ROOM/OFFICE - CONTINUOUS** 46

...Peter in bed, t-shirt, reading.

PETER
Oh, hey.

Alicia nods, eyes him. A look in her face.

PETER (CONT'D)
Everything alright?

She moves to the bed. Grabs his face. Kisses him. Fumbles for his shirt. Pulling at it. Quickly. Not stopping to think about it, as...

(CONTINUED)

...a startled Peter looks toward a small silver chain and CROSS he has hanging from a bedside light. It's working. He turns to his wife, hurriedly pulling his t-shirt off as Alicia kisses his chest, pushes him down on the bed. A passionate whisper:

PETER (CONT'D)

Let's go to the bedroom.

ALICIA

No. Here.

It's urgent. Peter nods, and they kiss. Alicia reaching for the light. And...

END OF ACT TWO

ACT THREE47 **INT. HOSPITAL - NIGHT**

47

WHOOSH-- Will charges through the ER door to find Jesse sitting with a panicked Kate, clutching her stomach. Having contractions. Jesse moves toward Will quickly--

JESSE

We're hoping it's Braxton-Hicks,
but they're still not...

Will rushes to the admission desk, manned by a HEAVYSET WOMAN in slow-motion.

WILL

Excuse me.

She doesn't look up. Will reads her nametag:

WILL (CONT'D)

Amanda. This hospital is required
by law to treat patients in an
emergency, regardless of insurance
coverage.

AMANDA

We're sorting out the paperwork, *sir.*

WILL

For an *hour*? If a doctor isn't
examining her within three minutes,
I will personally call the police
and file a malpractice suit against
you. Personally.

(off her look)

Don't make an enemy of a lawyer,
lady. Come on. Move.

48 **OMITTED**

48

49 **INT. ALICIA'S APARTMENT - KITCHEN - MORNING**

49

Alicia stands in the kitchen, drinking coffee. Peter enters.

PETER

Hi.

ALICIA

Hi.

PETER

That was... good last night.

(CONTINUED)

Alicia smiles. Thinks about it.

ALICIA

Are you becoming religious?

PETER

I don't know. I don't know what I'm becoming. But I want to change.

Oh. Alicia steps out of the way to let him by. No, Peter laughs at the misunderstanding.

PETER (CONT'D)

No. Really change.

Oh, Alicia smiles. Knock-knock. Someone at the door.

PETER (CONT'D)

Probably Eli. I'll get changed.

The two pass each other. Peter kisses her. A hubby kiss. Awkward because Alicia is moving on. Still not in each other's rhythms. Alicia not sure what to think of that as she goes to...

...the front door, pulling it open to reveal...

WILL

Hi.

Will. In last night's clothes. Circles under his eyes, five o'clock shadow. Fuck! Alicia stares at him, shoots a look over her shoulder. A whisper:

ALICIA

Um, Will. You can't--

WILL

It's not-- It's for work.

ALICIA

For--? I-- what?

WILL

Your cellphone's off. I spent the night at the hospital with the Willoughbys-- I need to talk to Peter.

ALICIA
You-- what? No.

PETER
Will.

A dressed and surprisingly cheery Peter heads toward them.

WILL
Hey, Peter. Been a long time.

Alicia's frozen. This couldn't be more awkward or loaded as the two men shake hands.

PETER
A very long time. Come on in.

51 **INT. ALICIA'S APARTMENT - KITCHEN - MORNING** 51

Alicia, alone in the kitchen. Post-heart-attack. Placing coffee mugs and pastries on a tray. She hears the two male voices in the other room. And pauses there a second.

She laughs under her breath, the ludicrousness striking her. My life is a soap opera. Back to business, she puts the last pastry on the tray. Looks toward a planter in the window.

A flower there. She picks it. Puts it on the tray too. Considers it. A pretty flower alone on the tray. A nice touch. And she starts into...

52 **INT. ALICIA'S APARTMENT - LIVING ROOM - MOMENTS LATER** 52

...the living room where Will and a surprisingly magnanimous Peter sit. Alicia places the tray in front of them.

WILL
The surgery's tomorrow; we've exhausted legal channels--
(to Alicia)
You didn't need to do that.

Alicia smiles, politely: lets that pass. Will trying to read any small inflection, movement of her eyes.

PETER
So how can I help?

WILL
Well, a company like LifeState is motivated by two things: money and fear of a revoked license.
(MORE)

(CONTINUED)

WILL (CONT'D)

And I know you and the commissioner
go back a long way.

Peter nods, considering it-- or taking a moment to relish the
power position.

PETER

Get something concrete, I can get
his eyes on it right away.

WILL

Thank you.

Will shoots a quick glance to Alicia, who averts her eyes.

PETER

How's Alicia doing at work?

WILL

Alicia? Good. Great, really.
Sorry for all the late hours.

Alicia looks between the two. God, this is insanity
personified.

PETER

Hey, I get it. A lawyer's life.

WILL

Anyway...
(stands)
I hear the retrial's going well.

PETER

Yes-- I don't know. The State's
Attorney seems intent on retrying
no matter how thin the evidence.

WILL

Well, at least you're home.

PETER

At least I'm home.

WILL

So, Alicia, we'll have to reconvene
this morning with Kalinda. She
supposedly has something on LifeState.

PETER

Oh, that's right. Kalinda works at
Stern, Lockhart too. Small world.

(CONTINUED)

WILL

Oh, that's right, she used to work for you.

They chuckle. Alicia chuckles a little insanely, losing her mind. To Alicia...

WILL (CONT'D)

Okay, I'll see you later.

ALICIA

Yep.

WILL

(joking)

Don't be late.

Polite laughter. As Will exits. Peter turns from the closed door to Alicia.

PETER

He's great. I don't remember him being so nice.

ALICIA

Yep.

Peter kisses Alicia's neck as she stares straight ahead.

Will walks with Kalinda.

WILL

Tell me you have something good.

Kalinda nods toward his office. And...

Will and Kalinda. Just the two of them.

KALINDA

I'm not sure what it is. And my method for obtaining it was... not exactly legitimate.

WILL

As in "I can't use it in court" illegitimate or "we could go to jail"?

KALINDA

I downloaded firmware and cloned
Patti Nyholm's phone...

Will gets up, crosses to the door, closes it. Nods.

KALINDA (CONT'D)

--In order to intercept her text
messages.

(Will stares at her)

You wanted something. I got you
something.

WILL

Okay. Let's hear it.

KALINDA

Apart from an alarming flirtation
with the guy who mows her lawn--
she's hiding Pamela.

WILL

Pamela? Pamela who?

KALINDA

Well, my guess is Pamela Pomeroy.
Their claims manager. I think
she's ready to flip.

WILL

She was on the stand. She didn't
say a thing.

KALINDA

(reading)

"They're on to Pam." "They turn
Pam, we lose everything." My guess
is Pomeroy went one too many times
to bat for LifeState. She's ready
to spill.

Will considers it.

WILL

You really cloned Nyholm's cell?

KALINDA

Yep. Easy as pie.

WILL

If you do that again, don't tell
me.

(CONTINUED)

KALINDA

No problem.

WILL

I should talk to her.

MARSHA (O.S.)

Mr. Gardner?

Will turns to see Diane's assistant leaning through his door.

MARSHA (CONT'D)

Did Alicia get her laptop last night?

WILL

Alicia...?

MARSHA

After you left, she came back looking for her laptop in your office-- just making sure she got it.

Will stares at her, thinking it through. As Kalinda studies him. Will realizes he's being watched:

WILL

Yeah, she got it.

The Assistant nods, leaves, as Kalinda continues to study Will. Something going on. Will can't hide it.

WILL (CONT'D)

Okay. So I'll go see... Pamela.

Alicia sits in her office. Staring straight ahead. Work. People rushing by-- with very simple lives. Alicia sits up, seeing...

...Will approach, but-- no-- it's not for her. It's for Cary. He's going to Cary. A few traded words. Then Will starts toward her. Opens the door.

WILL

Hi, sorry about this morning.

ALICIA

You don't have to be sorry.

WILL

I-- Can I come in?

Alicia nods, moves case files from a chair. Will sits.

ALICIA

So... you're my boss.

WILL

I know.

ALICIA

I am a Junior Associate.

WILL

I know. You came to my office.
Last night. After you went to your
car, you came back to my office.

(Alicia winces: damn)

Why?

ALICIA

I... Will. Help me out. Please.
We had-- whatever we had at
Georgetown, and I just...

WILL

But you came back.

ALICIA

I know, it was wrong.

WILL

Because you're married?

Alicia just stares at him. Her head exploding.

WILL (CONT'D)

Okay. I have a suggestion.

ALICIA

I like work. I like working here.
I don't want to make everywhere I
go a mess.

WILL

We're not going to talk about this.
We're not going to say any more.
Okay?

ALICIA

Good.

(CONTINUED)

WILL

We're going to go to dinner in one week's time, and we're going to talk then.

ALICIA

Don't end up hating me. Please. I need this job.

(sees he's offended)

No. I mean-- I didn't mean that-- I'm sorry.

WILL

Alicia. It's fine.

Alicia nods. Okay. Will gets up, goes to the door.

WILL (CONT'D)

We have bad timing. We've always had bad timing.

And he's gone. Alicia watches him go.

KALINDA

Miss Pomeroy.

Pamela Pomeroy, in the LifeState parking lot, starting to get in her car, stops. Turns to find Kalinda, and... Will. Recognizing him...

PAMELA POMEROY

You're...?

WILL

Yes. Do you have a moment, Miss Pomeroy?

PAMELA POMEROY

I don't think we should be talking.

WILL

We just need a minute. Why are they trying to hide you?

PAMELA POMEROY

I have no idea what you're talking about. I have to go.

WILL

Please. The Willoughbys, their child is dying. I saw it in your eyes, you want to help. Please help.

Pamela stares at him. And starts to laugh incredulously:

PAMELA POMEROY

You saw it in my eyes?

Will stares at her, startled. She laughs again, harshly:

PAMELA POMEROY (CONT'D)

Really? What powers of perception. What do you see in my eyes now?

She puts on Bambi eyes, blinking. Will stares at her. Not what he expected.

PAMELA POMEROY (CONT'D)

I'm going home now.

KALINDA

Nyholm said she's trying to hide Pam.

Pamela turns to Kalinda, looks her up and down:

PAMELA POMEROY

You guys are really clueless. She's not trying to hide it. It's already closed.

And Pomeroy gets in her car, starts off. Kalinda turns to Will:

KALINDA

"It"?

Will and Kalinda charge down the hall, followed by Cary, the other associates.

WILL

It's an acronym. PAM. Policy Application Management.

KALINDA

It's an offsite group of LifeState employees who look for application mistakes only after expensive claims were filed.

CARY

Organized post-claims underwriting.

WILL

Yep. It's illegal in some states, and legislation in Illinois is on the horizon--

KALINDA

Which explains why they shut this down and tried to bury it.

CARY

But we got it with an illegally obtained text. Fruit of the poisonous tree. We can't use it.

WILL

We can use it. We just can't use it in court.

END OF ACT THREE

ACT FOUR58 **INT. NYHOLM'S LAW OFFICES - HALLWAY - DAY**

58

Upscale. This is a firm that isn't hurting for money. Will heads down the hall with JONATHAN DOBBS, 50s, distinguished.

WILL

I appreciate your willingness to follow through on this.

JONATHAN DOBBS

Absolutely.

WILL

Before we get into details, I'd just like to have a quick conversation with her; make sure I'm not misunderstanding anything. Do you mind waiting a minute?

Dobbs smiles. Knows this maneuver.

JONATHAN DOBBS

That's fine.

He takes a seat outside an office marked "PATRICIA NYHOLM." Will knocks on the door. No answer. He goes--

59 **INT. NYHOLM'S LAW OFFICES - NYHOLM'S OFFICE - CONTINUOUS**

59

Nyholm's at her desk, facing away from Will, a black shoulder bag next to her. She glances over her shoulder to see Will.

NYHOLM

Not a good time.

WILL

Sure it is.

NYHOLM

Suit yourself.

She flips a switch. The whir-whoosh of a machine. An empty baby bottle nearby.

WILL

Is that--

NYHOLM

Yeah.

(CONTINUED)

A breast pump. Always something with her. Will turns around, opting to negotiate over his shoulder.

NYHOLM (CONT'D)

This case is over, Will.

WILL

No. LifeState is going to quietly reinstate Kate's coverage in time for the surgery this afternoon.

Nyholm laughs...

WILL (CONT'D)

Otherwise, your client will be dealing with a hell of a lot more than one upset family.

NYHOLM

Here I go trembling again.

WILL

We know about PAM.

The whirring continues another two seconds, then stops.

WILL (CONT'D)

And do you know who's sitting outside your office right now? Jonathan Dobbs. The Insurance Commissioner.

Nyholm detaches the pump, fixes her shirt. Places a Blue Tooth in her ear...

NYHOLM

Tammy, is there a man in the waiting room?... Describe him.

A second. Nyholm hears what she doesn't want to hear. Tosses the blue tooth on her desk.

NYHOLM (CONT'D)

How'd you do that?

WILL

He's waiting to hear about PAM. An entire department dedicated to finding specious ways to rescind policies when patients need them most.

(MORE)

(CONTINUED)

59

CONTINUED: (2)

59

WILL (CONT'D)

Remember when you asked how bad I could make an insurance company look? Really bad, Patti. Drop-your-license bad.

Nyholm looks at him. Realizing...

NYHOLM

You got this illegally. You must have. Or we'd be in court.

WILL

Want to take it to a judge and sort it out there? Or just cover Kate?

Off Nyholm studying him...

60

INT. HOSPITAL - DAY

60

Will and Alicia are back in the ER waiting room with Jesse.

JESSE

Thank you. I... I failed her. Just one puff of a cigarette, and I saw it all going wrong. I...

Will squeezes his arm. Jesse nods emotionally.

JESSE (CONT'D)

You have kids?

WILL

No.

JESSE

I think it changes everything.
(to Alicia)
Doesn't it?

ALICIA

(looks at Will)

It does.

And Alicia meets Will's eye. A long second. Jesse inhales, seeing a SURGEON approach, surgical mask on. Expression unreadable.

JESSE

Is he-- I can't tell if he's smiling. Is he smiling?

WILL

I don't know.

(CONTINUED)

JESSE
(nervous, to himself)
Take off your mask...

The surgeon arrives, pulls down the mask-- beaming. Off
Jesse's smile, then Will and Alicia's--

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

Nyholm is here. Unhappy. Distributing paperwork for
Kalinda, Will and Alicia to sign.

NYHOLM
You realize if one *whiff* of PAM
surfaces we can trace back to your
firm...

WILL
I know what a confidentiality
agreement is.

NYHOLM
And you can't use it in the class
action--

WILL
We'll find another way.

NYHOLM
I doubt that.

Nyholm turns to Kalinda, who finishes signing--

NYHOLM (CONT'D)
How'd you find it?

KALINDA
Find what?

NYHOLM
PAM.

KALINDA
Who's Pam?

Nyholm smiles as Kalinda heads out. Will signs as well as
Alicia. Nyholm gathers the papers, goes to leave. Looks back
to Will and Alicia-- a last chance to unnerve an opponent.

NYHOLM
You two sure make a cute couple.

(CONTINUED)

She exits, leaving Will and Alicia alone. They stand there. Uncomfortably. And Alicia exits.

62 **OMITTED** 62

63 **INT. ALICIA'S APARTMENT - LIVING ROOM - NIGHT** 63

Alicia enters as Peter turns from the kitchen...

PETER
Hey, how'd it go?
(off her look)
The insurance case. Jonathan
showed up, right?

ALICIA
Oh, right. He did. It did the
trick. Our client got the surgery--
went really well. How was your
day?

PETER
Good. Some more time with Pastor
Isaiah. He wants us to go to
church. *

ALICIA
Well... that would be interesting.

Alicia looks at the clock.

PETER
Getting late.

Alicia nods. Hesitates. He's watching her, waiting for her
move--

ALICIA
Well. Goodnight, Peter.

And she goes into her bedroom alone. Closes the door...
Peter stares at it and...

END OF SHOW