

THE PRACTICE

“Reasonable Doubts”

(Season Two/Production #0W01)

Written by:

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FIRST DRAFT

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THE PRACTICE

"Reasonable Doubts"

CAST LIST

BOBBY DONNELL
ELLENOR FRUTT
LINDSAY DOLE
EUGENE YOUNG
REBECCA WASHINGTON
JAMES BERLUTI

Victoria Keenan
Robert Adler
Dr. Robert Gale
D.A. Helen Gamble
Judge Kent
Walters
John Hales
Dr. Richard Eigher
Foreman

THE PRACTICE

"Reasonable Doubts"

SET LIST

INTERIORS

COURTHOUSE
COURTROOM
COURT CORRIDOR

WITNESS ROOM

OFFICE COMPLEX
BOBBY'S OFFICE

VICTORIA'S APARTMENT

COURTHOUSE

MCCALL'S BAR

EXTERIORS

PARK

THE PRACTICE
REASONABLE DOUBTS

ACT I

FLASH CUTS of police black-and-white stills, TIGHTER, TIGHTER of a man dead, multiple bullet wounds, blood.

FADE IN:

1 INT. COURT - DAY 1

BOBBY emerging from the courtroom, on the move with client VICTORIA KEENAN, chirties, beautiful. Press swarming, cameras clicking, tumult. They're converging, Bobby pushes them off.... finally a Bailiff gets them some refuge in:

2 INT. WITNESS ROOM - CONTINUOUS 2

VICTORIA
I can't take this much longer.

BOBBY
It's almost over, Vicky.

She swallows.

VICTORIA
(vulnerable)
How we doing?

BOBBY
It's close.
(then)
You'll have to testify.

VICTORIA
We knew that going in, didn't we?

BOBBY
We assumed it, but there was always the chance they couldn't make their case.

VICTORIA
And you think they have?

BOBBY
Not motive really, but... if you had shot him just once, I'd rest right now. But the other four shots... you gotta get up there and explain that.

(CONTINUED)

2 CONTINUED:

A beat. A strange look between the two.

VICTORIA
To the jury or to you?

BOBBY
What, you think I'm against you now
too?

VICTORIA
No, it's just... maybe I should
just stop watching the news. The
things they say about me...

He takes her hand.

BOBBY
Look, ... people have been talking
since the whole thing began,
they'll talk long after it's over.
It's a juicy sexy murder trial.

VICTORIA
Yeah.

She holds a look.

BOBBY
We're almost done. The
psychiatrist testifies. Then you.
And we're done.
(takes her by the
shoulders)
You'll make it.

VICTORIA
Okay.

They hold another look. Kiss softly. EUGENE enters, catching
them. A beat as they stare back, deer caught in Eugene's
headlights.

EUGENE
What the hell is this?

OFF this, we:

SMASH CUT TO:

MAIN TITLES

CLOSE ON Eugene.

EUGENE
What are you thinking?

(CONTINUED)

2 CONTINUED: (2)

REVEAL

3 INT. BOBBY'S OFFICE - EVENING

BOBBY
(annoyed)
It's none of your business, Eugene.

EUGENE
I'm second chairing this trial,
she's my--

BOBBY
It's a personal thing, not a trial
thing.

EUGENE
Are you on something? A murder
trial, she's charged with murder,
first degree, and you got a
personal thing going with the
client?

REBECCA (O.S.)
I knew it.

REVEAL, REBECCA'S at the doorway.

BOBBY
Get out.

REBECCA
I won't get out, I knew it, I could
smell it, but I didn't want to let
myself believe it.

LINDSAY and ELLENOR enter.

LINDSAY
Believe what?

REBECCA
Him and Victoria Keenan.

BOBBY
Get out.

LINDSAY
Him and...

REBECCA
Uh huh.

(CONTINUED)

3 CONTINUED:

LINDSAY
(to Bobby)
Are you insane?

BOBBY
Look. Nothing's really happened
between us. It's just... okay, I
admit, something personal has
started to... I haven't slept with
her or... it has no effect on the
case, my ability to represent her,
and it has no relevance with any of
you.

They just stare back. A beat.

REBECCA
Everybody out. Now, he and I need
to talk.

BOBBY
Rebecca, I forget, who runs this
place?

REBECCA
Right now, me. Everybody out.

BOBBY
(challenging)
No, no, no, no. You got something
to say, say it, they can hear it,
go ahead.

REBECCA
Fine. First, as a lawyer... I
don't even need to tell you that
part. Second, as... Bobby, she did
it. She's a killer how could you
possibly fall--

BOBBY
She's not a killer.

REBECCA
She pumped five bullets into the
man. She's a killer. Only a
pretty one who's blinded you with
a little of her glint.

A beat.

BOBBY
We all agree with that? Lindsay?

(CONTINUED)

3 CONTINUED: (2)

3

LINDSAY

(flustered)

Well uh... I would definitely uh...
agree that she's y'know... pretty.
And a good shot. But uh... I think
it could've been self defense.

REBECCA

You lie.

LINDSAY

You can't read my mind, Rebecca.

REBECCA

No, and I guess I shouldn't trust
my ears either, you musta said back
there she was innocent as sin.

LINDSAY

I said it
looks that way
but I also said
the case is very
circumstantial.

ELLENOR

Look, it really
doesn't matter
what we believe,
our job--

REBECCA (CONT'D)

Gotta go get
my drums coned
I guess.

BOBBY

(overriding)

She's not a killer!

(off their looks)

I defend murderers all the time and
I know them when I see them.
Victoria Keenan is innocent.

He bolts the room. OFF the others, staring at each other, we:

CUT TO:

4 INT. COURT - DAY

4

The courtroom is filled to capacity, all the trimmings of a high
profile murder trial. Billy is questioning the witness, DR.
ROBERT GALE, forties. Eugene sits next to Victoria at the
defendant's table. JUDGE KENT presides.

BOBBY

You treated the victim for how
long, Dr. Gale?

GALE

Just under six years.

BOBBY

And during the course of your
therapy sessions with Mr. Adler,
did he ever talk about my client?

(CONTINUED)

4 CONTINUED:

GALE
Occasionally.

BOBBY
Do you remember what he said about her?

GALE
Not really. He just mentioned that she was a neighbor who lived on the same apartment floor and that he and his wife would frequently visit with her.

BOBBY
Okay. You've heard the prosecutor's suggestion that the victim, Mr. Adler, was perhaps having a sexual affair with my client.

GALE
I've heard the suggestion, yes.

BOBBY
Do you have a response?

GALE
My response would be it's ridiculous. I knew almost every detail of Robert Adler's life. There was no such affair.

BOBBY
Well, is it possible he would've kept this from you?

GALE
Frankly, no. Bob Adler would pour out his deepest intimacies in my office. If he were having an affair with somebody, I surely would've known about it.

BOBBY
On this you're positive.

GALE
Very. The only relationship he had with your client was a neighborly friendship.

BOBBY
Thank you, Dr. Gale.

(CONTINUED)

4 CONTINUED: (2)

Bobby returns and sits. A good direct, the prosecution's motive theory was just severely crippled. And D.A. HELEN GAMBLE knows it. She rises.

GAMBLE
What were you treating Mr. Adler for?

GALE
Originally it was for mild manic-depression. He was pretty well healed from that and since it's been ongoing maintenance therapy.

GAMBLE
I see. And do you remember how he first came to you? Anybody refer him?

GALE
Yes.

GAMBLE
Do you remember who?

GALE
His wife. Mary.

ANGLE Mary Adler, sitting in the courtroom.

RESUME:

GAMBLE
And how did Mary Adler know of you, Sir?

GALE
She's been a patient of mine for nine years.

GAMBLE
I see. So. You would have kind of a confidential relationship with Mary Adler then.

GALE
Yes.

GAMBLE
In fact, nine years... I'd imagine you two have built up quite a trust.

GALE
We have.

(CONTINUED)

4 CONTINUED: (3)

Bobby knows where Gamble is headed and he doesn't like it.

GAMBLE

And given that trust... if you knew somebody to be betraying Mary Adler, wouldn't you feel some obligation to tell her?

GALE

I didn't know of any--

GAMBLE

Please listen to my question, Sir. If you knew a spouse to be cheating on your client, a client you'd established a nine year trust with, would you tell her?

GALE

It's not so easy. If I learned of it from another client... there would be tremendous conflicts of interest, Counsel.

GAMBLE

You're a very good witness.

BOBBY

(quickly)
Objection.

JUDGE KENT

Sustained. Strike that.

GAMBLE

It's not so easy, you say. So... there would be some pull on you to tell, wouldn't there? I mean, Mary Adler trusts you, if you were to find out she were being betrayed, there would be some pull on you to tell, whether you end up doing it or not. Right?

GALE

Obviously.

GAMBLE

Obviously. And this would be obvious to Robert Adler too, wouldn't it?

GALE

Perhaps.

(CONTINUED)

4 CONTINUED: (4)

GAMBLE
Perhaps. So... couldn't it be...
Robert Adler thought it best not to
tell you he was sleeping with
Victoria Keenan?

BOBBY
(jumping up)
Objection.

JUDGE KENT
Overruled.

GAMBLE
Isn't it at least possible, given
your conflicts of interests, your
fiduciary relationship with his
wife, Robert Adler chose not to
tell you he was committing adultery
with that woman?

GALE
I don't think that was the case.

GAMBLE
Is it your testimony that such a
scenario is impossible, Doctor?

GALE
No. I'm not saying it's
impossible.

GAMBLE
Thank you, Doctor.
(then)
The truth isn't so painful after
all, is it?

BOBBY
Objection!

JUDGE KENT
Sustained!

CLOSE ON a book being slammed onto a desk.

REVEAL:

5 INT. BOBBY'S OFFICE - NIGHT

Bobby and Eugene, working late.

(CONTINUED)

5 CONTINUED:

5

BOBBY

This is why I hate psychiatric experts, in the end they always wobble.

EUGENE

It's not exactly a black and white science.

(then)

Look, they still haven't proven any affair, all they got are witnesses who saw him go into her apartment a lot.

BOBBY

Even so. I was holding out the hope she wouldn't have to testify.

EUGENE

(what?)

Excuse me?

BOBBY

I just... I hate to subject her to it all unless it's absolutely...

EUGENE

(incredulous)

You hate to subject her to it? This is a capital murder trial.
(off Bobby's look)
You seein' straight on this?

BOBBY

Excuse me?

EUGENE

I know you may like this woman but...

The two hold a look.

EUGENE (CONT'D)

If you're even wondering whether or not she takes the stand... you're not seein' straight.

OFF Bobby, we:

CUT TO:

6 INT. VICTORIA'S APARTMENT - NIGHT

6

Bobby and Victoria.

(CONTINUED)

6 CONTINUED:

VICTORIA
I suppose I would think the same thing.

BOBBY
I don't think Eugene really thinks you're guilty, Vick. It's just--

VICTORIA
Yeah, he does. I can tell.
(then)
I can also tell...
(off his look)
the reason you're here right now... you're trying to see what he's seeing. Wondering whether you are blinded. Whether he could be right.

Busted. He won't deny it.

VICTORIA (CONT'D)
So tell me. What do you see?
(a beat)
You believe I'm some cold-blooded murderer?

BOBBY
(quietly)
No.
(then)
But let's face it, Vicky. There's stuff goin' on that won't let me believe it.

VICTORIA
Bobby, you and I... I'm glad you...
(then)
would I be better off with somebody more objective?

BOBBY
I'm fine, Vicky. Don't be worrying about me.

OFF Victoria, not so sure, we:

CUT TO:

END OF ACT I

ACT II

FADE IN:

7 INT. COURTHOUSE - DAY

Bobby, Eugene, and Victoria, forge toward the courtroom, the press is all over them. They struggle toward the witness room. As Bobby and Victoria go in--

EUGENE

(stopping; to the press)
Hey, hey, hey! You want a comment?
The next one of you to push me, I'm
gonna push back. And you'll be
goin' for a ride, that's my
comment.

8 INT. WITNESS ROOM - CONTINUOUS

Bobby and Victoria. As Eugene enters--

BOBBY

(for the zillionth time)
Don't rush with your answers. And
no matter how hard she comes at
you... stay calm.

VICTORIA

How long will it take?

BOBBY

It won't be quick, Vicky. This
could be a long day.

She sighs.

VICTORIA

Okay.

BOBBY

Just tell 'em what happened.
You'll do great.

He takes her hand, gives it a little squeeze, which Eugene takes note of.

CUT TO:

9 INT. COURTROOM - TWENTY MINUTES LATER

The room is again packed, this being the day everyone has salivated for. Victoria is at long last in the witness chair.

(CONTINUED)

9 CONTINUED:

VICTORIA

He had come over like he had so many times before.

BOBBY

What did you and Mr. Adler do on these visits?

VICTORIA

Well for a lot of them Mary, his wife, would come too. Sometimes we'd play cards, watch T.V., or just talk.

(simply)

We were neighbors.

BOBBY

But on this occasion, Mr. Adler came alone. And at eleven o'clock at night.

VICTORIA

Yes. He said he was troubled about something and he asked if he could come in.

BOBBY

And you said yes?

VICTORIA

Of course. Like I said, we were friends.

BOBBY

And what happened?

VICTORIA

Well, we had a nightcap. Then... out of nowhere, he started telling me I was beautiful. In a... not a conversational way, it seemed, well, it was in a more seductive tone.

BOBBY

And how did you respond?

VICTORIA

At first I laughed it off, I thought he was joking. But then it became clear he wasn't joking, he said other things about my hair and... my figure.

BOBBY

Where was this going on?

(CONTINUED)

9 CONTINUED: (2)

VICTORIA
We were sitting on the sofa. And
then he reached over and softly
touched my hand.

The room is rapt.

BOBBY
And what did you do?

VICTORIA
I... I was thinking to myself how
do I negotiate out of this with the
least amount of embarrassment. I
figured maybe he'd been drinking
before he came over and that
tomorrow he'd be mortified. So
I... I don't know, I think I tried
to save him from himself a little.

BOBBY
How'd you do that?

VICTORIA
By laughing it off, pretending not
to be as uncomfortable as I was.
He then uh... he told me uh... that
when he was with Mary... he would
often think of me.

ANGLE MARY ADLER

RESUME:

BOBBY
What did you say to that?

10 INT. VICTORIA'S APARTMENT - (FLASHBACK) - NIGHT

10

Victoria is there with ROBERT ADLER, they're sitting on the
sofa.

VICTORIA
Have you been drinking?

ADLER
Is that why you think I'm saying
this? Because of alcohol?

VICTORIA
I don't know why you're saying it
but...

(CONTINUED)

10 CONTINUED:

ADLER
I'm saying these things because I'm
in love with you.

And she gets up.

ADLER (CONT'D)
Surely, you know this.

VICTORIA
(extreme discomfort)
Robert. We're friends. I'm
friends with Mary. And this is
making me really uncomfortable and
I think you should leave.

11 INT. COURT - (PRESENT) - DAY

11

BOBBY
And did he go?

VICTORIA
No.

12 INT. VICTORIA'S APARTMENT - (FLASHBACK) - NIGHT

12

ADLER
And I think you're in love with me.

VICTORIA
(taken aback)
What?

ADLER
I know your friendship with Mary
makes it all kind of prohibitive
but...

VICTORIA
(very uncomfortable)
Please, leave, Robert.

He takes her hand, under--

ADLER
I'm not going to leave, Victoria.

VICTORIA
(getting a little afraid)
Let go of my hand.

ADLER
Let's stop pretending.

(CONTINUED)

12 CONTINUED:

12

VICTORIA
Robert... let go of me.

ADLER
Is this part of the game? The
denial, is that what you find
arousing?

VICTORIA
(very afraid)
I'll ask you one more time to let
go of me. Then I scream.

13 INT. COURT - (PRESENT) - DAY

13

VICTORIA
But he wouldn't. He wouldn't let
go.

14 INT. VICTORIA'S APARTMENT - (FLASHBACK) - NIGHT

14

Adler still has hold of her.

ADLER
Maybe if I just take you, we can
both have each other, and you'll be
spared the morning after remorse.

15 INT. COURT - (PRESENT) - DAY

15

VICTORIA
And that's when it happened.

16 INT. VICTORIA'S APARTMENT - (FLASHBACK) - NIGHT

16

VICTORIA
(pulling away)
Let me--

And suddenly Adler pulls her toward him, tearing off her top. She tries to scream but he's now out of control, a rape is in progress. Victoria, is strong, manages to fight him off at first but he's too powerful. He has her to the floor and starts to rip off her dress. She's screaming now, but his hand finds her mouth, muting her.

17 INT. COURT - (PRESENT) - DAY

17

Everybody is frozen, riveted.

(CONTINUED)

17 CONTINUED:

17

VICTORIA
And then somehow, I... I managed to
break free.

18 INT. VICTORIA'S APARTMENT - (FLASHBACK) - NIGHT

18

She gets loose, runs for a counter; as he pursues she pulls a
revolver out of a drawer. Turns and FIRES. Hits him. She
seems to nearly convulse with the gun, SHOOTING him FOUR MORE
TIMES, as he drops to the ground.

19 INT. COURT - (PRESENT) - DAY

19

VICTORIA
I don't really even remember the
other shots. I remember squeezing
the trigger. But not how many
times.

TIME CUT TO:

20 INT. COURT - (PRESENT) - TWENTY MINUTES LATER

20

GAMBLE
Your story seems so traumatic, Ms.
Keenan. I'm a little struck by how
poised and undramatic your
testimony seems.

BOBBY
(quickly)
Objection.

JUDGE KENT
Overruled.

GAMBLE
You talked about an attempted rape.
Then shooting a man, repeatedly, to
his death. And you seem so--
unaffected by it all.

BOBBY
Objection.

GAMBLE
Goes to her demeanor.

JUDGE KENT
(to Bobby)
The objection is overruled with the
suggestion that it not be renewed.

(CONTINUED)

20 CONTINUED:

GAMBLE
Ms. Keenan, would it be fair to
characterize your personality as a
little icy?

BOBBY
(leaping right back up)
Objection!

JUDGE KENT
That one is sustained. Hop to, Ms.
Gamble.

GAMBLE
It's your testimony that the victim
came over to your apartment alone
on many occasions.

VICTORIA
Yes.

GAMBLE
Sometimes late at night.

VICTORIA
Yes.

GAMBLE
And it's your testimony that there
was nothing sexual between you two?

VICTORIA
That's correct.

GAMBLE
In the last, say five years, have
you had a romantic relationship
with anybody?

VICTORIA
As a matter of fact, no, I haven't.

GAMBLE
Gee. Such an attractive affluent
woman. You would think there would
have to be somebody.

BOBBY
Objection!

JUDGE KENT
Sustained.

(CONTINUED)

20 CONTINUED: (2)

20

GAMBLE
You testified that you screamed
that night. Anybody hear those
screams to your knowledge?

VICTORIA
Not to my knowledge.

GAMBLE
Ah.

VICTORIA
The walls to the apartment are
pretty thick.

GAMBLE
You would know this?

BOBBY
Objection.

JUDGE KENT
(annoyed)
Overruled.

GAMBLE
Had you ever screamed in the
company of the victim before and
not been detected, excuse me,
heard?

BOBBY
Objection.

EUGENE
Objection!

JUDGE KENT
Sustained.
(to Gamble)
Stop it.

GAMBLE
Did Mr. Adler keep pursuing you
after you shot him the first time?

VICTORIA
I don't really remember. I just
recall squeezing the trigger... and
then seeing him lying on the floor.

GAMBLE
You don't remember seeing him fall?

VICTORIA
I was in shock, Ms. Gamble, I don't
remember a lot of what happened.

(CONTINUED)

20 CONTINUED: (3)

20

GAMBLE
Do you remember dialing "nine-one-one"?

VICTORIA
Yes.

GAMBLE
When?

VICTORIA
Right after it happened.

GAMBLE
Right after. Seconds after?
Minutes?

VICTORIA
Immediately after. I saw him lying
on the floor, I picked up the phone
and called.

GAMBLE
While you were still in shock?

VICTORIA
Yes.

GAMBLE
At this time Your Honor, I'd like
to play the recording of the "nine-
one-one" call.

The Judge nods. Gamble activates the tape player. We HEAR the
VOICE of the Police Dispatch Officer.

DISPATCH OFFICER (O.S.)
Slow down. Say that again.

VICTORIA'S VOICE
(even, not hysterical)
A man just tried to rape me. I
shot him in self defense and I
think he might be dead.

DISPATCH OFFICER (O.S.)
Where are you calling from, Ma'am?

VICTORIA (O.S.)
I'm at the Devonshire Towers
apartment, thirty-six-A, it's my
residence.

And Gamble turns off the recorder. A beat.

(CONTINUED)

20 CONTINUED: (4)

GAMBLE
That's the sound of your voice in shock?

VICTORIA
I don't know what I sound like. I do know I was in shock at that time, yes.

GAMBLE
I see, and while in shock... you had the presence to assert your legal claim of self defense.

BOBBY
Objection!

JUDGE KENT
Overruled.

GAMBLE
Shall I play the tape again, Ms. Keenan?

VICTORIA
I said self defense as a descriptive way of what happened. I wasn't asserting any legal claim, Ms. Gamble. It just came out that way.

GAMBLE
It just came out that way. Funny thing.

A beat. OFF Victoria, we:

CUT TO:

21 INT. BOBBY'S OFFICE - NIGHT

21

Bobby and Victoria alone.

BOBBY
(reassuring)
You did great. You really did.

VICTORIA
You heard that tape.
(off his look)
I did sound calm, Bobby. I did.

BOBBY
You sounded shut down. That's normal under the circumstances.

(CONTINUED)

21 CONTINUED:

She paces, lost in thought, disturbing thought.

BOBBY (CONT'D)
I think we had a good day, Vicky,
I wouldn't say so if I thought
otherwise.

But her face is frozen now. With a hint of sudden horror.

BOBBY (CONT'D)
(off her look)
What?

VICTORIA
I remember pulling the trigger the
first time. But not...
(a beat)
Maybe the reason I don't remember
the other four is 'cause I've
blocked it out. Maybe those other
four... maybe they were
deliberate. And that's why I've
blocked it out.

BOBBY
Don't start going down that path.

VICTORIA
I don't know anymore, when I was
testifying... I could start to see
the image of it in... maybe those
last four shots... maybe it was
vengeance.

BOBBY
(taking her by the
shoulders)
Vicky, the man tried to rape you,
he might have killed you.

And she nods slightly agreeing with him.

BOBBY (CONT'D)
Now settle down.

She nods again. They hold a look. A beat. He reaches up,
touches the side of her face. They kiss again, this time more
urgently. Bobby breaks it off.

BOBBY (CONT'D)
Go. Get some rest.

VICTORIA
Okay.

(CONTINUED)

21 CONTINUED: (2)

21

Victoria holds a look, exits. Rebecca then enters, oozing disapproval.

REBECCA
(brandishing)
Expedited transcripts of Dr. Gale.

BOBBY
Thanks.

REBECCA
Mm hmm.

As she starts to leave --

BOBBY
Rebecca.
(she turns back)
Please don't judge me.

REBECCA
Hmm. Most people don't wanna be
misjudged.

And she leaves. OFF Bobby, we:

CUT TO:

22 INT. MCCALL'S BAR- NIGHT

22

Bobby and BERLUTI.

BERLUTI
My advice? Sleep with her. And
immediately.

BOBBY
What?

BERLUTI
I'm not sayin' she's guilty or
innocent, I don't know, you're
closer than me to all this. But
you could be clouded a little by
penis envy.

A beat.

BOBBY
Jimmy, she doesn't have a penis.

(CONTINUED)

22 CONTINUED:

BERLUTI

You know what I'm saying. Women always got kind of a spell which goes away a little after you sleep with 'em. The next day, some of that magic glow is gone and everything... y'know, you see clear.

BOBBY

You think I should sleep with her to gain some objectivity.

BERLUTI

Sounds nuts, but we both know it's true. Give this woman a good rattle. Then listen to her story again after you ain't so swollen.

OFF Bobby, we:

FADE OUT.

END OF ACT II

ACT III

FADE IN:

23

23 INT. OFFICE COMPLEX -

Rebecca, Berluti, Ellenor and Lindsay. Busybodies. Eugene's at his desk.

ELLENOR

This is how I see it. He promised her he'd leave the wife, and when he doesn't, she shoots him.

LINDSAY

Don't you think she'd have a plan slightly better than gunning him down in her own apartment?

ELLENOR

It's a great plan. No witnesses. Reasonable doubt. Jimmy thinks she's innocent.

BERLUTI

I do.

ELLENOR

See? Great plan.

BERLUTI

I always look at the hands. She don't got the hands of a killer. She got everything else, though.

ELLENOR

Well, Bobby sure believes her. Question is who's gonna get who off first.

As Rebecca laughs, Ellenor turns to see Bobby's emerged from his office.

ELLENOR (CONT'D)

I knew you were there.

As a man, WALTERS, fifties, enters.

BOBBY

Do any of you have work to do?

WALTERS

Excuse me. Mr. Donnell.
(off Bobby's look)

I know you're Bobby Donnell, I recognize you from the papers.

(CONTINUED)

3 CONTINUED:

BOBBY
Can I help you?

WALTERS
Actually, I'm here to help you. I
live in the apartment across from
Victoria Keenan. I got some
information on that night.

" Bobby and Eugene exchange startled looks. Then--
CUT TO:

24

24 INT. BOBBY'S OFFICE - DAY

As Walters, Bobby, and Eugene enter--

WALTERS
I won't waste your time 'cause I
know it's gotta be runnin' at a
premium. Here's the thing. I'm
kind of a security nut, I live
alone, got this recurring dream of
somebody sneaking in late to give
me a tracheotomy. Anyway, I got
all this high tech alarm stuff,
including mini cameras and so
forth. I got to thinking...
(as he closes the door)
Maybe they picked something up that
night. Sure enough...

As he pulls a tape out of his briefcase--

WALTERS (CONT'D)
Wanna look?

Bobby's speechless.

EUGENE
You got a tape of the night of the
shooting?

WALTERS
Just hallway but it could be
helpful.

Eugene takes the tape. Plugs it in, turns on the monitor.

ANGLE THE MONITOR

A man walks up to an apartment door. As he knocks--
(CONTINUED)

24 CONTINUED:

24

WALTERS (O.S.)

There would be your deceased Mr.
Adler.

A beat, then the door opens. Victoria smiles, shoots a discreet look to make sure nobody else is in the hallway. She welcomes him then with a sweet kiss. Much more than friendship here. They enter, the door closes, and the screen goes dark.

ANGLE

Bobby and Eugene, poleaxed. A beat.

WALTERS

Goes by fast, we can play it again.

EUGENE

How long have you had this tape?

WALTERS

Since the night of, I told you.

BOBBY

And you never thought to go to the
police with this?

WALTERS

Thought about it, I couldn't think
of much else. But I couldn't
really see much good in it, at
least not much good in it for me.
Then this morning, ding. Timing is
everything they say. I'm willing
to sell it to your client, hundred
thousand, nice round number. I
take the offer to you since I'm not
sure she's trustworthy. Plus
there's the chance she could shoot
me.

Bobby and Eugene just stare back stunned. Stunned at the tape's
content, at the extortion, at how blatant the guy is. A beat.

BOBBY

You came here to extort us?

WALTERS

That's a legal term, I'm not a
lawyer. I'm here like a Fuller
Brush man, hopin' you'll buy what
I got to sell.

BOBBY

Well, you came to the wrong place,
this office doesn't participate in
blackmail or extortion.

(CONTINUED)

24 CONTINUED: (2)

24

WALTERS
Okay. Well, again, I'm no legal expert but I think you got some kind of duty to take the offer to your client. You can keep the tape, it's a copy.

He starts to leave. Turns back.

WALTERS (CONT'D)
Oh, since you say it's illegal... maybe I should go to the D.A. But you should probably keep in mind if the district attorney springs this in court tomorrow you'll be hard-pressed to claim unfair surprise. Since I came to you first. I've probably complicated things, I'm sorry for that.

And he starts to leave.

EUGENE
Mr. Walters.
(Walters stops)
You had to know about this tape the night of the shooting, otherwise you wouldn't have known to save it.

WALTERS
So?

EUGENE
So the police questioned you, I got the reports. You withheld evidence, that's obstruction of justice, Mr. Walters. You could go to jail.

WALTERS
Gee. Maybe I should just turn myself in now.
(off their looks)
We all got cards to play, don't we?

Bobby and Eugene stand there, still frozen. OFF them, we:

CUT TO:

CLOSE ON a television monitor, depicting the infamous kiss at the door.

(CONTINUED)

24 CONTINUED: (3)

24

REVEAL:

25 INT. VICTORIA'S APARTMENT - DAY

25

Bobby is there, playing the tape, confronting Victoria. Her arms are folded, defensive posture. Inside she's quaking. Bobby CLICKS OFF the tape, glares at her a beat.

VICTORIA

What do you want me to say?

BOBBY

(fighting against his
anger)

How 'bout the truth?

VICTORIA

Okay.

(a beat)

We were having an affair. But
uh... I had just shot the man,
I... I was afraid to tell the
police we were lovers, I... I
thought, I dunno, I panicked, I
thought it would look bad if... so
I lied. I said we were just
friends. I probably...

She shakes her head in self doubt. Bobby just stares back at her.

VICTORIA (CONT'D)

Then I was trapped. I couldn't
admit the truth and get caught in
a lie, then I really would've...

(urgent)

I was trapped, Bobby.

BOBBY

Why didn't you tell me?

VICTORIA

I was going to, but you basically
told me not to.

BOBBY

What?

VICTORIA

Our very first meeting, I remember
your words exactly. You said
whatever I told you, you were stuck
with, you couldn't let me get on a
witness stand and say things you
knew weren't true.

(CONTINUED)

25 CONTINUED:

BOBBY
That didn't mean lie.

VICTORIA
If I had told you the truth, then I would've had two choices at trial. Not testify in my defense in which case I'm gone or testify and admit that I lied to the police, in which case I'd also be gone.

(off Bobby's look)
Don't deny it, Bobby, you're the one who steered me to stick with the version I gave to the police.

BOBBY
I never told you to lie!

VICTORIA
Because we both know you're not allowed to! But you sure as hell warned me against the truth!

BOBBY
Well how the... his shrink took the stand for God sakes, how could you be sure he wouldn't know?

VICTORIA
Because Robert said he never told him. He was afraid for anybody to know. The D.A. was exactly right, he was scared the psychiatrist would tell Mary.

Bobby just shakes his head, still in doubt. Then:

VICTORIA (CONT'D)
I'm sorry. You have no idea how much I wanted to tell you. But...

BOBBY
So you murdered this guy.

VICTORIA
(are you nuts?)
No. Of course I didn't murder him.

BOBBY
Then what happened?

(CONTINUED)

25 CONTINUED: (2)

VICTORIA
A week before... he'd come over...
and said he wanted to leave Mary to
marry me. I turned him down. The
affair itself was fuming out, I had
no interest in marrying him.
Then... that night when he came
back, he sort of proposed again and
when I said no again, he just went
into this rage. The rest was
exactly how I said before, he tried
to rape me, I went for the gun and
I shot him.

Bobby just stares back. The woman is extremely convincing.
Bobby wills himself against being convinced. She once worked
for a network.

VICTORIA (CONT'D)
(weakly)
It's the truth.
(off his doubt)
I don't know what else to say,
Bobby. If you choose not to
believe me I guess I wouldn't blame
you.

BOBBY
Take a lie detector.
A beat. She's suddenly thrown.

VICTORIA
Excuse me?

BOBBY
A polygraph.

VICTORIA
I thought... aren't they
inadmissible?

BOBBY
In court.
She measures him. Then:

VICTORIA
For you. Take a polygraph for you.

BOBBY
I'm a better lawyer when I believe
in my client. So it's in your
interest. If what you're telling
me now's the truth.

(CONTINUED)

25 CONTINUED: (3)

25

She glares back. It's a chess game, he's pinned her. A beat.
Then, finally--

VICTORIA

Fine. Set up your polygraph.

Now it's Bobby who's privately thrown.

BOBBY

Forget about what you read, Vicky.
They're deadly accurate.

A beat. Then.

VICTORIA

Set up your polygraph, Bobby.

This is getting good. OFF Bobby, we:

CUT TO:

26 EXT. PARK - DAY

26

Lindsay and Helen Gamble, girlfriends, eating sandwiches on a
park bench.

GAMBLE

It's fun, actually. I don't mean
murder should be fun but... this is
the very kind of trial we used to
dream of in law school, remember?

LINDSAY

Hello? You dreamed of mergers and
acquisitions, Helen.

Gamble giggles a little.

GAMBLE

Even so.

(then)

I hope you guys got a fat retainer
from this woman.

LINDSAY

I'm not going to tell you anything.

GAMBLE

She makes me shiver, Lindsay.
Y'know how I get insecure when I'm
with somebody smarter than me?
This lady makes me shiver. Even
when I had her on cross, it's my
lead, I'm in control... and looking
at her face to face.

(CONTINUED)

26 CONTINUED:

She demonstrates her shiver.

LINDSAY
You should use that in your
summation, Helen. The defendant
makes you shiver.

GAMBLE
Funny.

CUT TO:

CLOSE ON Ellenor.

ELLENOR
You have got to be kidding me.

REVEAL:

27 INT. OFFICE COMPLEX - DAY

27

Rebecca, Ellenor and Berluti. Eugene is in the b.g., working at
his desk.

REBECCA
Yup, that's why I set it up, to kid
you.

ELLENOR
He's giving her a polygraph?

BERLUTI
What's the point? He can't use it.

ELLENOR
It doesn't make sense. Eugene,
what the hell is going on?

EUGENE
(a little disgusted)
I wish I knew.

CUT TO:

28 INT. BOBBY'S OFFICE - CONTINUOUS

28

Bobby stands back as JOHN HALES conducts the polygraph test with
Victoria.

HALES
He was trying to rape you?

VICTORIA
Yes.

(CONTINUED)

28 CONTINUED:

HALES
Is your hair black?

VICTORIA
No.

HALES
Were you afraid Robert Adler was
about to kill you when you shot
him?

VICTORIA
Yes.

HALES
Were you in love with him?

VICTORIA
No.

HALES
Are you in love with anybody?
Strangely, Victoria shoots a look at Bobby. Then:

VICTORIA
I don't know.

Hales saw the glance. Masking his incredulity--

HALES
Might you be in love with somebody?

VICTORIA
Yes.

HALES
(incredulity dripping
through)
Is he in this room?

VICTORIA
Yes.

Bobby's jaw hits bottom.

HALES
Ms. Keenan. Did you plan to shoot
Robert Adler before he attacked
you?

VICTORIA
No.

(CONTINUED)

28 CONTINUED: (2)

HALES
Well. I guess congratulations are
in order.
(to Bobby)
To both of you. She's telling the
truth.

OFF Victoria, then Bobby, we:

WHIP PAN TO:

EUGENE
So where are we now?

REVEAL:

29 INT. OFFICE COMPLEX - EVENING

BOBBY
(a little frazzled)
I don't know. I guess everything
depends on this Walters guy and
that stupid tape.

REBECCA
(arriving)
Probation pulled his sheet for me.
He's got a prior on insurance
fraud.

BOBBY
Walters?

REBECCA
He was also indicted in some travel
agency scam, that one hasn't gone
anywhere yet.

BOBBY
(with dread)
Oh no.

WHIP PAN TO:

VICTORIA
Why is that bad?

REVEAL:

30 INT. VICTORIA'S APARTMENT - NIGHT

Bobby and Victoria.

(CONTINUED)

30 CONTINUED:

BOBBY
Because it gives him a reason to
come forward. He can use that tape
as currency, horsetrade for a deal
on the other charge.

A beat. Fear of doom. Then.

VICTORIA
Maybe we should just buy it from
him like he wants.

BOBBY
Thanks, but I can't afford to get
disbarred this month.

VICTORIA
So what happens then? You're
starting to scare me.

BOBBY
Nothing happens. Tomorrow, we put
on the E.R. doctor, he testifies
as to your shock... then we rest.
The prosecution can put on rebuttal
witnesses if they have any. We
just hope like hell they don't call
Mr. Walters to the stand.

A beat.

VICTORIA
Okay.

BOBBY
(humble)
I'm uh... I'm sorry for the
polygraph. I just had to be sure.

VICTORIA
As a lawyer?

BOBBY
(admitting)
No.

A beat. Then--

BOBBY (CONT'D)
Look, uh... this conversation can
wait till another time but... I
guess... I dunno, part of me...
when this is all over... I...
(doesn't want to get any
more into it)
I apologize for the lie detector.

(CONTINUED)

30 CONTINUED: (2)

VICTORIA
Okay. And I apologize if I
embarrassed you with any of my
answers.

BOBBY
Yeah.

A beat.

VICTORIA
Did I?

BOBBY
What?

VICTORIA
Did I embarrass you?

A beat.

BOBBY
(admitting)
No.

A beat. Bobby reaches up with his hand. Undoes the top button of her blouse. A beat. He then unbuttons the next one. It's slow, methodical, almost to give her the chance to stop him. Maybe he wants her to say stop. But she doesn't. Their eyes are fixed onto each other. He continues to unfasten her buttons until finally her blouse hangs open. A beat. Another beat. Then, she moves her hands slowly to his belt buckle. As she begins to undo it, we:

FADE OUT.

END ACT III

ACT IV

FADE IN:

31 INT. COURT - THE NEXT MORNING

31

All parties present. Including Walters, sitting in the rear of the room. Bobby is finishing up with DR. RICHARD EIGHER, in the witness chair.

EIGHER

And from her symptoms I concluded that she was in a mild state of shock, yes.

BOBBY

Thank you, Sir.

Gamble stands as Bobby sits.

GAMBLE

Doctor Eigher... you examined the defendant how long after the shooting?

EIGHER

I think a couple hours.

GAMBLE

Can you really diagnose shock to a medical certainty?

EIGHER

It's a judgement thing. And I made the call.

GAMBLE

I see and would it be possible for someone to go into shock by committing a heinous crime as well as being the victim of one?

EIGHER

(hesitating)

Yes.

GAMBLE

So it's possible Doctor, the symptoms you saw in Victoria Keenan, they could have been triggered by her committing murder, right?

EIGHER

It's conceivable.

(CONTINUED)

31 CONTINUED:

GAMBLE
I see. So at the end of the day,
Doctor Eigher, you don't really
stand behind your prior testimony,
do you?

EIGHER
I don't know what you mean.

GAMBLE
I think you do. Thank you, Mr.
Eigher.

And Gamble sits. Bobby shakes his head to the Judge, he's done.

JUDGE KENT
The witness may step down.
(to Bobby)
Counsel?

Bobby rises.

BOBBY
The defense rests, Your Honor.

JUDGE KENT
Ms. Gamble.

Gamble rises. For a second, time freezes. As she looks at her notes, Bobby and Eugene search for a tell. Eugene flash glances at Walters, is he poised to come forward? After what seems like an eternity--

GAMBLE
The prosecution rests, Your Honor.

Bobby and Eugene swallow their respective hearts in relief. No videotape will be introduced. Bobby looks to Victoria to privately share the victory.

ANGLE VICTORIA

Matter of fact. No rise or fall in her.

ANGLE BOBBY

He reads her exactly. She knew. She knew Walters wouldn't be coming forward.

JUDGE KENT
Closing arguments at two.
Adjourned.

OFF Bobby, we:

CUT TO:

32 INT. WITNESS ROOM - MINUTES LATER

32

Bobby, Eugene and Victoria enter on the fly, he slams the door and wheels on her.

BOBBY
(accusing)
You knew!

VICTORIA
What?

BOBBY
Don't play dumb, Vicky, I saw your face, you knew Walters wasn't coming forward, you weren't the least bit surprised when the prosecution rested.

A beat. She says nothing. The nickle drops for Bobby.

BOBBY (CONT'D)
(realizing)
You bought that tape.

VICTORIA
(cool)
How much do you want to know, Bobby?

BOBBY
(anger)
Tell me. Now.

VICTORIA
(simply)
I bought the tape.

Bobby stares back.

VICTORIA (CONT'D)
How could I not? If it comes into evidence my life is over.

BOBBY
It's obstruction of justice! It's illegal.

VICTORIA
For you to be involved maybe, there's nothing illegal about it for me. People snap your picture in restaurants, ask if you want to buy it, people do. Same thing here. I liked the tape, I bought it.

(more)

(CONTINUED)

CONTINUED:

VICTORIA (Cont'd)
(off Bobby's disbelief)
That money I saved for a rainy day?
It's pouring.

Eugene and Bobby just continue to gape.

VICTORIA (CONT'D)
That doesn't mean I committed
murder. I shot him in self
defense.

BOBBY
You did love him. It was you who
wanted to marry him.
(then)
You're a liar.

She just stares back. Then:

VICTORIA
I'm sorry you feel that way.

BOBBY
I feel sick.

WHIP PAN TO:

33 INT. BOBBY'S OFFICE - DAY

Bobby, enraged, has John Hales against the wall. Eugene is
there too.

BOBBY
(to Hales)
Could she have fooled that test?

HALES
It is so unlikely--

BOBBY
I'm not looking for an apology,
John, I just want the information.
Could she have beaten that thing?

HALES
It's like one in a million but...
some people are icy enough to fool
the machine.

BOBBY
Does she fall into that category of
the kind of person who can do it?

(CONTINUED)

33 CONTINUED:

HANSEN

Maybe. She seemed pretty cool,
Bobby. Whether she's that
pathological, it's anybody's guess.

BOBBY

Go ahead.

And Hales exits, leaving Bobby and Eugene alone. Bobby is
reeling, he looks undone. He turns to Eugene.

BOBBY (CONT'D)

She is that pathological. Isn't
she?

EUGENE

We don't know that.

A beat.

BOBBY

I'm not sure I can get up there,
Eugene.

EUGENE

I beg your pardon?

BOBBY

I don't know if I can stand on my
feet and do the closing.

EUGENE

Well you got no choice.

Bobby just stares back at him.

EUGENE (CONT'D)

The judge isn't gonna let you out,
not at this point.

BOBBY

I... I can't do it.

EUGENE

(annoyed)

What do you mean you can't do it,
we do it every day, our clients are
always guilty, we always do it,
what do you mean you can't do it.

BOBBY

I can't do this one.

Eugene steps into him.

(CONTINUED)

33 CONTINUED: (2)

EUGENE
First thing they teach you in law school is never ever fall in love with the client.

BOBBY
They don't teach you that.

EUGENE
Well they should.
(a beat)

Bobby. Maybe you're ass over tea kettle, I don't know or really care. What I do know... is when the judge says "I'll hear from the defense", you better get up.

OFF Bobby, feeling nauseous to his core, we:

CUT TO:

34 INT. OFFICE - TEN MINUTES LATER

Ellenor, Rebecca, Lindsay and Berluti. Busybodies.

LINDSAY
(disgusted)
He said he loved her?

ELLENOR
I heard Eugene say "love", I couldn't make out the end of the sentence, 'cause Big Head over there started up with the copying machine.

BERLUTI
Don't make fun of my head, Ellenor, it's rude.

LINDSAY
How could he love her?

REBECCA
Why, do you like him?

LINDSAY
(what)
Are you on drugs?

REBECCA
You just seem a little defensive.

(CONTINUED)

34 CONTINUED:

34

BERLUTI
She's right. It's a giveaway,
defensiveness.

LINDSAY
Thank you, Big Head.

BERLUTI
That's rude.

CUT TO:

35 INT. COURT - DAY

35

All parties present. Gamble is standing before the jury with a
.45 Magnum, she's in the middle of her closing.

GAMBLE
You see how big this is? You don't
just fire off five shots in a
reflex. This thing has a kick, you
have to aim, to steady, it isn't
simple. She says she only
remembers pulling the trigger once.
Right. Five shots, Ladies and
Gentlemen. Boom. Boom. Boom.
Boom. Boom. And she's asking you
to swallow self defense.

She retreats, drops the gun on Bobby's table, then sits at hers.
Bobby stares at the gun.

JUDGE KENT
We'll now hear from the defense.

Bobby just continues to stare at the gun.

EUGENE
(sotto)
Get up.

Bobby doesn't move. Eugene needs to make a quick call and he
does. He springs up. Approaches the jury.

EUGENE
Bobby Donnell said to me last
night, Eugene... you've basically
been sitting here listening like a
juror, what's your take on all
this? And when I told him... he
thought maybe I should be the one
to tell you.

(more)

(CONTINUED)

35 CONTINUED:

35

EUGENE (Cont'd)

(then)

But if you've been listening to all the witnesses like I have, weighing all the evidence... I don't have to tell you anything, do I? We all have the same question. Why? Why would Victoria Keenan murder Robert Adler? There's no evidence of any motive. Oh, they suggest there must have been some affair. They have to suggest that, otherwise they're stumped. But where's the proof? You hear any proof, did I miss something?

(to one juror)

You hear any testimony establishing an affair?

(to another)

You?

(then)

Even Robert Adler's own psychiatrist... he got up here and he told you... he told you, there was no such affair, the idea is ridiculous.

(re Gamble)

And the lady over here? I suspect she knows it's ridiculous. But she has to suggest it anyway, 'cause she's stuck. Stuck for a motive. Did the prosecution put on a single witness to contradict what Victoria Keenan told you? Anybody?

(a beat)

They have wasted your time. Their whole case is boom, boom, boom, boom, and boom. And they expect you to convict with that, a bunch of booms.

(a beat)

You have testimony before you that Robert Adler tried to rape her. Evidence that she defended herself. No evidence, none to the contrary, other than the five booms, and a big gun with a trigger that's hard to squeeze. Reasonable doubt?

(then)

I don't think I have to tell you anything.

And Eugene returns and sits. A command performance.

Gamble rises.

(CONTINUED)

5 CONTINUED: (2)

GAMBLE
What you saw on that stand is a cold, ice cold killer who figured the perfect crime was to invite the victim into her house, shoot him, and claim self defense. No witnesses. Perfect. But no screams either. No bruises on her body. Just shock.

She activates the recorder box.

VICTORIA (O.S.)
A man just tried to rape me and I shot him in self defense.

And she stops the recorder.

GAMBLE
Word perfect. When she's good, she's good.

(then)
But when she's bad, she's horrid.

And Gamble returns and sits. The room stays silent a beat. The CAMERA CLOSSES ON Victoria, as we:

DISSOLVE TO:

36

36 A DOUBLE EXPOSURE

OVER Victoria's face, we SEE the jury filing back in. A FOREMAN is present. Then,--

JUDGE KENT
Has the jury reached it's verdict?

FOREMAN
We have, Your Honor.

JUDGE KENT
The defendant will please rise.
Eugene, Bobby and Victoria rise.

JUDGE KENT (cont'd)
What say you Mr. Foreman?

FOREMAN
In the matter of Commonwealth vs. Victoria Keenan on the charge of murder in the first degree, we find the defendant... not guilty.

Reactions all around. But Victoria stays stoic, almost expressionless. Same for Bobby.

(CONTINUED)

36 CONTINUED:

36

JUDGE KENT
Members of the jury, the court
thanks you for your service, which
is now concluded. This matter is
adjourned, the defendant is free to
go.

The press charges for comments. Bobby ignores them. Eugene
gives some protection to Victoria.

GAMBLE
Good job, Bobby. Eugene.

EUGENE
Thanks.

Gamble holds an icy look with Victoria then she heads off.

CUT TO:

37 INT. COURT CORRIDOR - MINUTES LATER

37

The media is converging on Bobby, Eugene and Victoria as
bailiffs try to escort them out.

CLOSE ON a television monitor depicting the above.

REVEAL

38 INT. BOBBY'S OFFICE - NIGHT

38

Bobby watches the news. He CLICKS it OFF. Stares at the black
screen. Then... Victoria steps into the doorway. He looks.

VICTORIA
The door was open so...

BOBBY
(a beat)
C'mon in. Come in.

She steps inside. They hold a look.

BOBBY (CONT'D)
(awkward)
It's all such a whirlwind. I
haven't had time to settle yet,
have you?

Bobby has a forced conversational tone... it pains her. Him
too.

(CONTINUED)

38 CONTINUED:

38

VICTORIA

No.

(then)

Why is it I feel like I lost?

Bobby says nothing.

VICTORIA (CONT'D)

(knowingly)

We're not going to see any more of
each other, are we?

BOBBY

(quiet)

I... I still don't know quite what
to believe, Vicky.

VICTORIA

That's too bad.

(softly)

I am innocent.

He takes her hand.

BOBBY

I think I could come around to
believing that. But I'm not sure
I could ever know it.

VICTORIA

Yeah.

(a beat)

Well, like I said... it's too bad.
'Cause I think I might be in love
with you. A little.

BOBBY

(softly)

Me too.

She holds one more look.

VICTORIA

Well. Thanks again... for getting
me acquitted.

BOBBY

Yeah.

She turns. Walks out of the room. And his life. OFF Bobby,
we:

FADE OUT.

THE END