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thegoodwife

Episode #110

"Infamy"

Written By

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Directed By

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THE GOOD WIFE #110
"Infamy"
Cast List
11/18/09

ALICIA FLORRICK
WILL GARDNER
DIANE LOCKHART
CARY AGOS
KALINDA SHARMA

PETER FLORRICK
GRACE FLORRICK
GLENN CHILDS

DUKE ROSCOE
TIM WILLENS
CARLA BROWNING (formerly "Marie Browning")
EMILY TATUM (formerly "Emily Tartan")
JUDGE CHARLES ABERNATHY
DAVID LEE
JUDGE KEELY FARMER
IRENE REAGAN (formerly "Rhonda Reagan")
OWEN LUSTBERG (formerly "Marty Lustberg")
DETECTIVE FRANK SEABROOK
JOAN
BAILIFF
911 OPERATOR (V.O. only)
CHERYL WILLENS (formerly "Charlotte Willens"; V.O. only)
NEWSCASTER (V.O. only)

Omitted

BRIAN BROOKS
SAM RAYMOND
CINDY WATERS
DETECTIVE ALEC SHORES
COURTNEY WELLS
JURY FOREPERSON
ZACH FLORRICK
BREE

THE GOOD WIFE #110
"Infamy"
Set List
11/18/09

Interiors:

27TH FLOOR
BULLPEN
ALICIA'S OFFICE
HALLWAY
CONFERENCE ROOM
28TH FLOOR
HALLWAY
LARGE CONFERENCE ROOM
WILL'S OFFICE
DIANE'S OFFICE
RECEPTION
DAVID LEE'S OFFICE
ALICIA'S APARTMENT
DINING ROOM
FIRING RANGE
FAMILY PLANNING CLINIC
PIZZA PARLOR
COURTHOUSE
CIRCUIT COURTROOM #17
HALLWAY
"GIMMIE SOME TRUTH" STUDIO
CHICAGO HOTEL SUITE
CORRECTIONAL CENTER
PROTECTED CELL
HOLDING CELL

Exteriors:

None

TEASER

1 INT. "GIMME SOME TRUTH" STUDIO - DAY

1

DUKE

Let's review, shall we?

DUKE ROSCOE, a cross between Glenn Beck, Keith Olberman, Howard Stern. A smart, savvy entertainer: a walking advertisement for shouting "fire" in a crowded theatre.

DUKE (CONT'D)

Three months ago, 2-year-old Jamie Willens disappeared. Her mother, Cheryl, claimed she was snatched from her shopping cart in a Chicago grocery store.

Behind him, photos appear: Cheryl Willens; her cute 2-year-old daughter at a birthday party; images from the crime scene.

DUKE (CONT'D)

The police looked high and low for Jamie and this mysterious kidnapper and found nothing. For three whole months. Why? BECAUSE SHE'S LYING, PEOPLE. She killed her kid!

Cut TO: Duke on another day... Behind him a sound bite of CHERYL WILLENS (25), a nervous mom, in her driveway:

CHERYL WILLENS

I turned away from my shopping cart for just a second-- just one second--

A big "FAIL" appears on her face...

DUKE

It's day 153 of Cheryl Willens walking free among us, and, guess what, *Ms.* Willens is going back to her job as-- a *school teacher*. That's right, *teaching* kids-- because that makes sense. Now if you're a concerned citizen like me then let me give you the e-mail address of the school district--

The show is playing on a monitor in the large conference room where...

2 INT. 28TH FLOOR - LARGE CONFERENCE ROOM - DAY

2

DIANE

Make it shorter clips. Grab the attention of the jury.

CARY, ALICIA, and three other lawyers nod, take notes as they show the edited tape to Diane on the monitor in the large conference room. Another clip, another time.

DUKE (ON SCREEN)

It's now Day 285 since Cheryl Willens killed her baby, and I have learned the reason Ms. Willens was in the store at all: to buy condoms!

DIANE

Put how many months under it.

Cary nods, types on a computer--

DUKE (ON SCREEN)

Yes, it's impolite to say it, but if the Chicago cops got off their Dunkin' Donut asses and dragged Lake Michigan, they'd find her body!

DIANE

Don't need that. Just cut it off at "kill her baby."

CARY

He's a prince, isn't he?

DIANE

The gift that keeps on giving. Do you have him from last night?

Cary's not sure, looks toward Alicia. Clearly she was the one who cut it together.

ALICIA

The last file.

Cary nods, clicks, as WILL appears at the door on his cell:

WILL

Come on, you know you're just managing a disaster here.

(off Diane's look)

The network lawyer. Making one last stab at a settlement.

(MORE)

(CONTINUED)

WILL (CONT'D)
(into the phone)
Yes, and you've been shedding
advertisers like a dog sheds fleas.

INTERCUT with...

3 INT. CHICAGO HOTEL SUITE - DAY 3

EMILY
Good thing we have a lot of fleas
to shed.

EMILY TATUM (31). A stunningly beautiful litigator. An ABA wet dream. Tries to mask her beauty under cool glasses and a MENSA membership. In her Four Seasons-type hotel suite, unpacking.

WILL
You really want to go to court?

EMILY
Hey, I just flew in from LA and
ordered a massage. Why would I want
to go back so fast?

Will laughs. Diane looks toward him. Will shrugs: nothing--
shoots a look toward Alicia before starting out of the room:

WILL
What're you doing at that network
anyway? You used to be the cool
one with all the tattoos.

EMILY
I'm still the cool one. I just get
room service now--

WILL
Shh, I'm listening to your client.

A new clip of a suddenly serious and subdued Duke perched on
the edge of his newscaster desk, hands folded:

DUKE (ON SCREEN)
*On day 312 of Cheryl Willens' freedom,
the Murdering Mom took her own life--
hanging herself from her closet door.
And you know what her husband does?
SUES ME. That's right. Accusing me
of wrongful death.*

(CONTINUED)

WILL

Did you catch Duke Roscoe last night, Emily?

Emily pauses slightly: only the tiniest flash of worry.

EMILY

You're not gonna scare me with some Duke-ism, Will? He's our most profitable commentator. We're not gonna do anything to hurt that.

WILL

We have two Junior Associates who made it their job to watch Duke Roscoe. I think you might want to hear what Duke said last night.

Will holds the cell up toward the screen...

DUKE (ON SCREEN)

Well, you know what, I'm glad she's dead. That's right. The more guilty people who commit suicide, the less we'll crowd the courts. And I don't care how many advertisers I scare away saying it--

Emily, hearing this, winces. Will nods to Alicia-- good job-- as he turns back to the phone...

WILL

Intent. Disregard. Emily, you have an out of-control client--

EMILY

He's not my client. The network is my client--

WILL

Then tell your client their *spokesman* is doing everything he can to raise the settlement amount. Right now, it's...

He looks toward Diane who raises two fingers.

WILL (CONT'D)

...three million dollars. After Duke's show tonight, my guess is we'll be up to five. Give me a call.

(CONTINUED)

3 THE GOOD WIFE #110 "Infamy" GOLD COLLATED 11/18/09 4A.
CONTINUED: (2) 3

And-- click-- Will hangs up. Diane shoots him a look.

(CONTINUED)

3

DIANE
We're not in a position to be
charging retail.

WILL
Don't worry. She'll come in at 2.5.

DIANE
(turns to Alicia)
Will that be enough?

ALICIA
He wants to go to trial.

DIANE
Talk to him. Tell him how...
unpredictable a trial is.

Alicia nods, starts out, looks back at... Will, sitting at
the table with Diane, Cary, the three other lawyers, talking
strategy. She sighs, left out, leaves.

4

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

4

TIM WILLENS (20's) pulls a page from a pile in his lap, hands
it to Alicia. Attractive, if rough-edged, not complex but
soulful in a Bon Jovi way.

TIM
I just want to be ready. For cross-
examination. I think they'll try
to set me up as a money-grubber.
Don't you think?

Tim looks up, sees Alicia is distracted.

ALICIA
Tim, we may not... want to go to
trial.

TIM
Why?

ALICIA
It's a First Amendment trial. It's
hard to go up against Duke's right
to free speech.

TIM
Yes, but we'll have the jury's
sympathy, right?

(CONTINUED)

Alicia nods, smiles. The guy's smart.

ALICIA

We're more likely to make a... fair settlement if we don't go to trial.

TIM

But a trial will keep Jamie's face out there. Somewhere somebody might give us a lead. It's happened.

Alicia nods, but it's hard to believe. Tim pauses.

TIM (CONT'D)

You know, he's still on TV saying my wife is burning in hell.

ALICIA

I know.

TIM

People say "don't watch it." But he has fans-- people still phoning me... I saw her body. I saw my wife hanging--

(ripped up)

I don't have a TV show. I don't have anybody listening to me. I can answer him in court.

Alicia nods. This is hard.

ALICIA

Tim, you don't want to be obsessing on this. You talked about using the settlement money to search for your daughter.

Tim is listening now, eyes wet, but eyeing Alicia.

ALICIA (CONT'D)

If we settle, that is money you can use now. If we go to court... I don't know if you'll ever...

(drops off)

TIM

You think I should do this? Settle?

ALICIA

Yes.

(CONTINUED)

Tim stares at Alicia. Nods. Nods.

5 **INT. 28TH FLOOR - HALLWAY - DAY** 5

Alicia exhales as she exits. This is always hard. She sees Cary down the hall, starting off. Will and Diane going the other way. Alicia rushes to catch up to Cary...

ALICIA
What happened?

CARY
Oh, hey. Lots. Where were you?
Oh, with Tim. How is he?

ALICIA
He's fine. What happened?

CARY
Oh, yeah. Come on. I'll catch you up.

Alicia sighs. Always having to tag along with Cary.

6 **INT. 27TH FLOOR - BULLPEN - DAY** 6

CARY
The network lawyers are coming over in an hour. That clip from last night really did the trick.

Cary and Alicia start down the stairs...

ALICIA
They're settling?

CARY
Conference room in one hour. I don't even think they watch their own show-- they're afraid of the bad publicity.

And Cary starts toward his office as Alicia turns to her own. She pauses at her door, finding...

7 **INT. 27TH FLOOR - ALICIA'S OFFICE - DAY** 7

DAVID LEE
I'm borrowing you.

DAVID LEE, (50's), a warm, avuncular gentleman in monochrome colors, was probably gay before gay was okay. He has a very large tin canister with a bow on top.

(CONTINUED)

ALICIA

You're-- I'm sorry.

DAVID LEE

(offers the tin)

Kettle corn.

(bluetooth in his ear)

Then tell him to wait, Margie.

(to Alicia)

David Lee. Family Law.

ALICIA

Oh, yes. I'm sorry, hello. The divorce lawyer?

He smiles at the dismissiveness. Used to it.

DAVID LEE

Yes, "the divorce lawyer."

(bluetooth)

Well, give him a magazine.

(to Alicia)

We're starting a softball league, and I wanted to know if you were up to playing first base?

(Alicia stares at him)

Joking. I need you in a meet and greet in 45 minutes to hand-hold a client. Upstairs.

And he's out the door...

ALICIA

Wait, I've got a settlement on the Duke Roscoe case in an hour.

DAVID LEE

Yes, at the moment we're the only division making money so we out-rank. See you in 45 minutes.

And David Lee is already out the door. Alicia frowns, kicks her door closed-- BANG. KALINDA, hearing it outside, crosses to the door, peers in...

KALINDA

Did you want this closed?

Alicia doesn't smile...

(CONTINUED)

ALICIA

I'm just-- I'm sick of being the one who hand-holds clients. I'm sent off to get the client to agree to something that I'm not even involved in because I'm being sent off to hand-hold the client.

KALINDA

You're babbling.

ALICIA

Thank you.

KALINDA

Look, it's not a conspiracy. You're good at it.

ALICIA

That's how my brother got me to do chores-- "Alicia's good at it." I've worked two months on this Duke case, and now that they're settling, I'm off on some divorce case while Cary gets all the glory.

KALINDA

Yep. Life stinks.

Alicia stares at her, starts out the door.

EMILY

Nice spread, Will.

Emily smiles, staring right at Will. To the side a spread of bagels, fruit, danishes, coffee.

WILL

Sorry to send you back to LA so early, Emily. It would've been fun.

EMILY

I would've kicked your ass.

A big settlement conference. Emily and a half dozen male lawyers backing her up. Will, Cary, four other lawyers, and a late arriving Diane. Ready to start.

(CONTINUED)

EMILY (CONT'D)

Okay, we don't need to make this any bigger than it is. The network doesn't want a long, drawn-out trial. We would like to move on.

DIANE

You mean from Cheryl Willens suicide or the loss of ten sponsors?

EMILY

(smiles)

You don't need to sell anymore. We're here.

DIANE

That wasn't selling. That was rubbing it in.

Emily smiles, starts to gather paper from her other lawyers:

EMILY

Over the phone, Will and I talked about 2 million.

WILL

Actually, we talked about three million, and a retraction.

EMILY

Oh, I must've misheard. The network might be able to go to 2.5, but any retraction would have to be worked out separately with Duke. We only "advise" on content.

WILL

Well, then you might have to throw in... something extra.

Emily smiles, her and Will's eyes connected.

EMILY

Well, then, let's haggle.

Meanwhile, Alicia walks by the conference room, frozen out as she passes, turns toward...

10

INT. 28TH FLOOR - DAVID LEE'S OFFICE - DAY

10

...David Lee's office. Overstuffed chairs. Rounded corners. Not a harsh contour anywhere. Bowls of candy. David Lee waves Alicia in as he continues with the client...

DAVID LEE

...Mind you, I have had my share of vengeful husbands as well. Alicia. There you are. Carla Browning.

CARLA BROWNING (late 30s). An elegant woman. Poised. At one time a classical pianist. They shake hands...

CARLA

Nice to meet you, Mrs. Florrick. I think I'm a fan.

Ah, that's why she's here. Scandal as sales tool.

ALICIA

Thank you-- *I think*.

Carla and David chuckle.

DAVID LEE

Chocolate raisins?

David offers a bowl. He enjoys himself in these sessions. There's a glee about him.

CARLA

No, thanks. Funny, most divorce lawyers have Kleenex.

DAVID LEE

Yes, I find it harder for clients to cry when their mouths are full of M&Ms. Have you been to many divorce attorneys, Ms. Browning?

CARLA

A few. We seem to have a series of relapses: my husband swearing to change, me forgiving, him forgetting, both of us repeating. I think I'm done.

Alicia studies Carla, who looks toward her. Alicia offers a polite smile, then looks across the hall toward the settlement conference-- where the real action is. While...

11 INT. 28TH FLOOR - RECEPTION - DAY

11

...ding-- the elevator opens. One man inside. Typing on his Blackberry. We recognize him as Duke Roscoe. The doors start to close again when Duke sticks out a boot, stops them. Finishes his e-mail, looks up. Grins. Showtime. He starts out. The receptionist looks up, doubletakes. Duke puts on his best dental office voice:

DUKE

Good morning, ma'am. Would you point me in the direction of the settlement conference?

The receptionist stares at him. Then limply points.

DUKE (CONT'D)

That is a lovely pin.

And Duke starts off. The receptionist quickly dials a number, as...

12 INT. 28TH FLOOR - DAVID LEE'S OFFICE - DAY

12

...Alicia glances up from note-taking, seeing Roscoe pass in the hall-- what the fuck?-- he pushes into the conference room as David Lee and Carla continue...

CARLA

I moved out a week ago, and he's been calling me at all hours-- threatening calls, saying inappropriate things to our sons--

DAVID LEE

I understand, but I must warn you: filing a restraining order against your husband could set the stage for a very ugly divorce.

Alicia is distracted, seeing the conference room startled by Duke's entrance.

13 INT. 28TH FLOOR - LARGE CONFERENCE ROOM - DAY

13

EMILY

Mr. Roscoe, we didn't expect you--

DUKE

I know. I had a few hours free. No one get up. I'll just help myself back here.

(CONTINUED)

The spread. Duke grabs a plate, puts fruit on it, bagels. As Will and Diane trade a look, turn back to the settlement papers.

EMILY
We would need Mr. Willens to agree to not speak to the press, of course--

DUKE
Do you have any cream cheese?

Duke. His plate piled high with bagels. Impossibly high. The whole buffet basically poured onto his plate. Will calls out.

WILL
Jennette, cream cheese for Mr. Roscoe.

DUKE
And fruit. Pineapple.

WILL
Pineapple too. Would you like a bib?

Duke only half-smiles to himself as Emily warily returns to the contract...

EMILY
Mr. Willens would have to agree to no future civil action--

DUKE
What is this, cranberry?
(a jam)

DIANE
Yes, I believe so.

Will smiles, studies Duke as he comes around the table, sits next to Will, with his piled-high plate.

DUKE
Don't mind me. I'm just gonna pig out here.

No one can keep their eyes off him eating...

EMILY
I just want to add-- there will be no formal retraction agreement. And the amount is subject to change if there is ever found--

(CONTINUED)

DUKE

I'm just curious. What is the amount?
How much are you guys paying?

WILL

2.5 Million.

DUKE

(whistles)

Wow. And is Mr. Willens paying
that all out of his own pocket? Or
is your law firm helping?

Will smiles at his faked misunderstanding.

EMILY

Mr. Roscoe, the network would
prefer to handle this... quietly.

DUKE

I love quietly. I am truly a
misunderstood person because my
default position is quietly. That's
why I'm going to say this...
quietly.

And you could hear a pin drop as all the lawyers lean in to
hear Duke's whisper...

DUKE (CONT'D)

If the network pays out one red
commie cent, I will quit the
network and take my nine million
viewers with me. If that means I
have to broadcast from a barge off
the coastal waters of South
Carolina, I will do so rather than
surrender my right of free speech.

And the room is silent as...

...Alicia still eyes it-- something going on over there.

CARLA

This isn't about revenge. My
husband is a very powerful man, and
I'm scared. You understand that,
don't you, Mrs. Florrick?

Alicia turns to her, confused...

(CONTINUED)

ALICIA

I do?

CARLA

Yes. About my husband.

ALICIA

I-- who's your husband?

CARLA

Oh, I thought David told you--

DAVID LEE

And I just assumed, Alicia. I'm sorry--

CARLA

My married name isn't Browning, it's Childs.

Alicia stares at her, startled.

DAVID LEE

Her husband is Glenn Childs, the State's Attorney.

ALICIA

(very simply)

Oh.

DAVID LEE

Carla thought you'd be sympathetic.

CARLA

David is being euphemistic. Given how Glenn is acting, I thought I might need a secret weapon.

ALICIA

And that's... me?

CARLA

Yes.

Alicia looks between the two. There's a loud yell from the conference room, but Alicia doesn't even look.

ALICIA

Okay.

END OF TEASER

ACT ONE15 **INT. CORRECTIONAL CENTER - PROTECTED CELL - DAY**

15

A new cell. Modern White surfaces. Not fancy, but clean.
An excited PETER with Alicia.

PETER

It's looking good. We may not even
need to put you on the stand. The
more I make this a battle between
Childs and me-- and not about sex--
I win.

Peter pauses, notices her distraction. She looks up:

ALICIA

Sounds smart.

PETER

What is it? What's wrong?

Alicia studies Peter. Not freighted. Simple:

ALICIA

What happens next? You win the
appeal and...

PETER

I get a new trial.

ALICIA

Right. And you get bond.

Oh, that conversation. Peter nods.

PETER

I want to come home.

ALICIA

And what does that look like?

PETER

Coming home? It looks like...
family.

Alicia pauses: for the moment the practical one; Peter the
lyrical one:

ALICIA

And you want to run again?

(CONTINUED)

PETER

I don't know. People want me to run again.

ALICIA

But you want to run again?

PETER

I... Alicia, I'm getting mail. You know that gang outreach program we talked about last year, Childs phased it out. Just dropped it. Do you know how many neighborhoods he's putting at risk?

Alicia studies him.

ALICIA

I'm on a divorce case right now, Peter, and I just... I see how easy it is for people to fall back into old habits.

PETER

But we won't.

ALICIA

Why won't we?

PETER

Because we see the problem. We know what to avoid.

ALICIA

(nods)

I have to go.

Alicia starts out the door.

PETER

I'm proud of you, Alicia.

Alicia nods. Okay. Continues out.

JUDGE ABERNATHY

No, no, please, everybody sit.

JUDGE CHARLES ABERNATHY (from episode 101) strolls into court, sits. Looks out at all the people.

JUDGE ABERNATHY (CONT'D)
My goodness, we're crowded today.

DUKE
I think that has to do with me,
your honor.

Duke Roscoe at the defense table. Beside Emily. The other network lawyers behind them.

JUDGE ABERNATHY
Yes, I believe you're right, Mr.
Roscoe. Well you are welcome.

DUKE
Thank you, your honor. I hope I
can get a fair shake even though
our politics, I imagine, are day
and night.

Will rolls his eyes beside Diane and Tim at the plaintiff's table.

WILL
Your honor, is Duke representing
himself here?

JUDGE ABERNATHY
That's alright, Mr. Gardner. A
smidgen of informality should be
allowed us all. And, Mr. Roscoe,
yes, I clearly admit we would
probably agree on very little, but
this court is a blind court. And I
will endeavor to be fair.

DUKE
(smiles broadly)
Thank you, your honor.

Will leans toward Diane, whispers:

WILL
Talk about "playing the refs."

DIANE
Yep, he's good.

(CONTINUED)

EMILY

Your honor, the defense moves for a summary dismissal based on the First Amendment. The plaintiff would deny Mr. Roscoe the right to speak his mind.

WILL

No, your honor, we want to deny Mr. Roscoe the right to slander and lie--

DUKE

Truth is an absolute defense, and I have been nothing but truthful about that child-killer--!

Emily grabs Duke's arm to stop him as Diane shoots Will a smile: good job.

WILL

Your honor, if you're going to yell "fire" in a crowded theatre there damn well better be a fire.

Abernathy smiles to himself.

JUDGE ABERNATHY

Okay, thank you, counselors. One second...

Abernathy closes his eyes to cogitate. Taps a finger to his head. Will leans toward Diane...

WILL

This is like Lucy with the football. He's gonna screw us again.

JUDGE ABERNATHY

Mr. Gardner, you argue that the First Amendment guarantees the right to speak but not the right to lie. I agree with that statement.

(Diane and Will nod: good)

But... our case will be decided on very narrow grounds, Mr. Gardner, Ms. Lockhart. To use your example, it's not enough to prove there was no fire in the theater, you must also prove Mr. Roscoe *knew* there was no fire, or had reckless disregard for that fact.

(CONTINUED)

Emily nods: clearly a hard hurdle to clear.

18 INT. COURTHOUSE - HALLWAY - DAY 18

Bang-- Will and Diane rush out the courtroom doors, joined by Cary, the other lawyers, Kalinda and a late-arriving Alicia:

DIANE

Okay, Kalinda and Cary, this now turns into a fact-finding case. Who is leaking Duke all his information from the police investigation? We need to find out *what* he was given-- so we can prove he was lying.

Cary smiles over at a blank Kalinda. Dynamic duo again.

DIANE (CONT'D)

And, Alicia, you keep on Tim. Hand-hold him. Make sure he stays on the reservation--

WILL

Actually, Alicia needs to split her time between this and the Childs divorce.

DIANE

Oh, right. Cary, you stay with Tim. Hand-hold him.

Oh, Cary's smile disappears, as Alicia sees this, smiles to herself. Meanwhile, Will sees an exiting Emily motioning to him. He goes to her...

EMILY

Look, we all want to save face here. So let's talk-- outside the spotlight, Duke can't know, just you and me, and if any money changes hands, it's out of the press.

WILL

Can we have a secret handshake?

EMILY

Eight tonight. My hotel.

Will nods, starts off, sees Alicia noticing him.

19

INT. FIRING RANGE - DAY

19

THRIP-THRIP-THRIP-- gunfire echoes as a paper TARGET is pierced by bullets. DETECTIVE SEABROOK (the tough but human detective from episode 109) lowers his gun, peers at his target-- nice four-square pattern when--

--BOOOM-BOOOM-BOOOM! Explosive gunfire comes from the next alley over, decimating the head of it's paper target. Seabrook smiles, doesn't even have to look:

SEABROOK

Your spray pattern is like a fingerprint, K.

Kalinda. Peering down the barrel of her massive gun. BOOOM! One last shot blows a hole through the target...

KALINDA

Hey, Seabrook.

They both slap buttons. The targets glide back toward them.

SEABROOK

What do you need?

KALINDA

Why do you think I need anything?

SEABROOK

There are twelve open alleys. You're in the one next to me.

Kalinda smiles. Likes Seabrook. They both attach new targets, push the button, watch the paper targets glide out.

KALINDA

The Willens kidnapping. Everything you have.

SEABROOK

And what do I get out of it?

KALINDA

The satisfaction of doing the right thing.

SEABROOK

(grins)
And...?

(CONTINUED)

KALINDA

And what do you want?

SEABROOK

You know what I want.

Kalinda smiles. Doesn't mind it.

KALINDA

I don't come cheap.

SEABROOK

Long as you come--

BOOOM--BOOOOM! They start firing again. Pause for a second. Kalinda peers around toward Seabrook.

SEABROOK (CONT'D)

It's an ongoing investigation.

KALINDA

The Lindbergh baby is an ongoing investigation.

As they reload...

SEABROOK

What do you need? The 911 tapes?

Kalinda pauses: 911? News to her. Covers well.

KALINDA

Yep. The 911 tapes, *and* the investigative reports.

SEABROOK

It's under lock and key. Upstairs is upset someone is leaking this stuff to Duke Roscoe.

KALINDA

Okay, two shots. Whoever hits closest. I win, you get me everything: 911, the reports.

SEABROOK

And I win?

(Kalinda smiles knowingly)

Okay. You first.

Kalinda nods, aims-- BOOOM-- fires at Seabrook's target. Right at the target's groin.

(CONTINUED)

KALINDA

Go for it.

Seabrook aims, fires. THWICK-- his bullet pierces an inch from Kalinda's hole.

KALINDA (CONT'D)

Not bad. Your turn.

Okay. Seabrook turns toward her target. THWICK-- blasts a hole through its heart.

KALINDA (CONT'D)

That's right. You're a heart man.

SEABROOK

Put up or shut up.

Kalinda aims carefully and-- BOOOOOOM-- a hole doesn't appear next to Seabrook's. It just expands the one he shot. Bullseye! Seabrook frowns, looks over at her, as...

INT. 28TH FLOOR - DAVID LEE'S OFFICE - DAY

A small conference table. Sitting around it are David Lee, Carla, another lawyer, OWEN LUSTBERG (31), the Ari Gold of lawyers, and JUDGE KEELY FARMER, 50's, social worker calm, blindingly kind, but ineffective...

JUDGE FARMER

Let me start by saying, although this office may not have the trappings of a courtroom, both parties have agreed to arbitration, and as such, my decisions have the force of law. Do both parties understand?

CARLA

We seem to be only one party.

LUSTBERG

As you know, Mrs. Childs, your husband is a busy man. He has asked me, as his lead attorney, to handle matters in his stead.

DAVID LEE

There are no matters to handle in his stead.

(CONTINUED)

LUSTBERG

You have signed a prenuptial agreement, Mrs. Childs. The only matter to discuss is when are you moving out.

DAVID LEE

The *matter* to discuss is the amount of Carla's spousal support, and whether she'll allow Mr. Childs to visit his children at all.

LUSTBERG

You seem to be taking for granted that my client would ignore a legally executed contract. Why would he do that, Mrs. Childs?

CARLA

Because of her.

She points toward Alicia. Alicia clears her throat, suddenly the center of attention. David loves this, eating kettle corn.

CARLA (CONT'D)

Tell your client if he doesn't make it to our next arbitration, I will tell Mrs. Florrick what I found on his laptop.

Everyone turns to Lustberg. Whoa, that's interesting.

LUSTBERG

Is that s'posed to scare him?

CARLA

(simply)

Yes.

Lustberg pauses. The simplicity of this startling him. He gets up and starts out the door.

JUDGE FARMER

Well, that's a start.

Alicia stands with Carla waiting for an elevator...

ALICIA

So you're using me as leverage?

(CONTINUED)

CARLA
Yes.
(studies her)
Does that make you uncomfortable?

ALICIA
It makes me... mistrustful.

Ding-- the elevator arrives and Carla gets on.

CARLA
So use me back.

Alicia stares at her as the doors close.

22 **INT. 27TH FLOOR - BULLPEN - DAY** 22

Alicia starts down the stairs, sees Cary sitting in the small conference room with Tim, trying to comfort him. She smiles to herself as...

23 **INT. 27TH FLOOR - CONFERENCE ROOM - DAY** 23

...Cary shifts nervously. Hates this stuff.

CARY
Yeah... it's hard, I know. With
the... you know. My uncle died.

Tim just stares at him.

CARY (CONT'D)
That was the hardest day of my
life. A ruptured ulcer. God.

24 **INT. 27TH FLOOR - BULLPEN - DAY** 24

Meanwhile, Alicia continues on to her office, and stops, finds someone standing in it. GLENN CHILDS.

GLENN CHILDS
You're playing with fire.

ALICIA
Who let you in here?

GLENN CHILDS
It's my family.

Alicia stares at him. Angrier than she's ever seen him.

(CONTINUED)

ALICIA

Let me show you the way out, Mr.
Childs.

And Alicia starts back toward the stairs, doesn't care
whether Childs follows or not. He does, catching up...

GLENN CHILDS

You're poisoning her against me.

ALICIA

Mr. Childs, you want to talk to me,
phone my assistant and make an
appointment. Or come to your
divorce arbitration. But don't--
ever enter my office without my
permission.

GLENN CHILDS

She was fine. Carla was happy.
Until you talked to her.

ALICIA

Oh my god, are you blind?

Childs grabs her arm, stops her.

GLENN CHILDS

I have three sons. I have a life!

ALICIA

Let go of me.

GLENN CHILDS

Those envelopes on your doorstep--
that's just the beginning. I have
a lot more. A lot more.

ALICIA

What are you talking about?

Alicia picks up a phone, punches four numbers.

GLENN CHILDS

Don't play dumb. Those photos.
That DVD. I have eight years of
evidence.

ALICIA

Then use it; who's stopping you.
(into the phone)
(MORE)

(CONTINUED)

24 CONTINUED: (2)

24

ALICIA (CONT'D)

Security, could you come to the
27th floor bullpen?

Childs lets go of her arm...

GLENN CHILDS

You make it about family. I can
too.

And Childs starts away. Alicia watches him go. Angry.

25 INT. CHICAGO HOTEL SUITE - NIGHT

25

A room service dinner. Will and Emily finishing up. In her
hotel room suite. Emily looking stunning in backless dress.
Both looking through settlement agreements...

EMILY

Look, Will, your only play is to
win the sympathy of the jury. They
get so outraged they ignore jury
instructions and award your poor
widower something.

WILL

Actually I have another play. I
make your network look so bad, they
pay the 4 million.

EMILY

Ah, four million is it now?

WILL

And that's cheap. I just got a 911
tape of a distraught Cheryl Willens
phoning the police about her
missing daughter.

EMILY

Now I know you're bluffing.

WILL

Yep. Just me and a tape recorder,
doing a great imitation of a
panicked mom. So did it hurt to
get it removed?

(off Emily's look)

Your tattoo.

EMILY

Oh, no, it's still there. Make-up.

(CONTINUED)

WILL
You're kidding.

She dumps the papers on the table, gets up...

EMILY
Nope. Delay the trial, ask for a
continuance, let Duke's head cool,
and I'll get you the 2 million.

Will laughs as Emily grabs some cream from the bathroom,
starts rubbing it on her right shoulder...

WILL
No, I think I'll chance on this
jury. I'll send you the 911 tape.

EMILY
I was talking to Hannah Morris,
back from the old firm. She said
you were a monk these days.

WILL
Wow. It got bigger.

The tattoo coming into sight as Emily removes the make-up. A
mural stretching down her arm and back.

EMILY
Yep, it's my Monopoly board. I
keep buying property. Hannah says
you've been on some kind of sexual
sabbatical for the last six months.

WILL
Funny, how would Hannah know?

EMILY
Woman keeps tabs on you, Will.

WILL
That sounds scary.

EMILY
Could you get down there?

Her lower back. Okay, Will rubs the cream in.

WILL
How do you cover that part with
make-up?

(CONTINUED)

EMILY

I have a team of eunuchs.

WILL

Ah. Nice skull.

EMILY

It's a Dawn Grace design.

WILL

How far down does it go?

EMILY

Pretty far.

A moment of silence. Will studying her tattooed back.

WILL

So we're not getting any work done tonight, are we?

EMILY

I wasn't intending to, but that's up to you...

WILL

This is a conflict of interest, you know.

EMILY

Only if the sex is meaningful. Be right back.

And Emily slips into the bathroom, the dress sliding off her as she enters. Will stands there. Bites his lip. Okay. Sees his cellphone humming. He picks it up.

WILL

What's up, Diane?

DIANE (O.S.)

Do you have a TV? Check out Duke.

Will looks around. Yep, a flat screen. Grabs the remote.

WILL

What's he saying now?

DIANE

I can't do it justice.

Will flips to the channel. There's Duke large as life...

(CONTINUED)

DUKE (ON SCREEN)

...it's all hypocrisy from a bunch of limo-liberal lawyers at Stern, Lockhart, and Gardner. As always I've left it to you, my civilian journalists, to come up with something on... Will Gardner.

Will's face. It appears behind Duke.

WILL

Alright, I get it. He's got a big megaphone. We just have to take it. Thick skin and--

But Will stops, blinks at the TV, seeing another PHOTO. A telephoto shot of a hotel front desk, Will and Alicia at it. (Their check-in questioning from episode 101.)

DUKE (ON SCREEN)

Here's Will Gardner sneaking into a hotel room with the wife of the hooker-lovin', toe-suckin' State's Attorney Peter Florrick. There you go, Will, truth is the absolute defense.

Will stares at it. Oh shit. As Emily appears behind him.

EMILY

Well, that explains the sabbatical.

END OF ACT ONE

ACT TWO

26

INT. ALICIA'S APT. - DINING ROOM - NIGHT

26

Alicia. She listens intently to ear buds. A static-laced 911 call. Cheryl's voice...

CHERYL WILLENS (V.O.)
...Please, god, no, no!

911 OPERATOR (V.O.)
Where is your location, ma'am? You need to tell me your location!

A nightmarish exchange. Alicia, her eyes closed, listening.

CHERYL WILLENS
A market. I'm in Quick Mart-- she's gone! My baby!

A horrifying cry of pain, sobs.

911 OPERATOR (V.O.)
Okay, ma'am. An officer is on the way. I need you to stay on the line.

CHERYL WILLENS
I told her she was bad. The last thing I told-- oh god-- she was crying-- and, please god, please--

GRACE
Mom.

Startled, ripped out of it, Alicia looks up, sees Grace entering the dining room.

GRACE (CONT'D)
Are you alright?

ALICIA
Yeah. I just-- You couldn't sleep?

Grace shakes her head. Alicia reaches out. Oh, Grace goes to her. Leans in to her. Alicia hugs her as Grace looks toward the papers on the desk. Sees "Articles of Divorce."

ALICIA (CONT'D)
How are you doing at school?

GRACE
Good. Are you getting divorced?

(CONTINUED)

ALICIA

What? No.
(sees the papers)
Oh, that's a case I'm on.

GRACE

Who's Will Gardner?

Alicia sighs: knows what it's about.

ALICIA

Another Google alert?

GRACE

Yep. Thirty-two articles.

ALICIA

It's a misunderstanding. He's my boss at work. We were working a case, and asking questions at a hotel. People are trying to make it look like something it's not.

GRACE

Zach said you went to a divorce lawyer.

ALICIA

Yes. When I was angry, a week after everything.

GRACE

But you're not angry now?

ALICIA

I'm not. I'm trying to be... collected.

Grace nods-- honest answer. She starts out.

ALICIA (CONT'D)

Grace. Did anything come to the apartment that I didn't get?

GRACE

Like what?

ALICIA

I don't know. A package.

(CONTINUED)

GRACE
(hesitates a second)
No.

A pretty good lie. Grace heads back to her bedroom, wincing at her lie as Alicia watches her go.

27 **INT. 28TH FLOOR - WILL'S OFFICE - DAY** 27

Diane grins. Eyeing Will. An uncomfortable Will.

WILL
It was that rape case. The one we lost. We were asking questions at the hotel.

DIANE
(still grinning)
Seems perfectly innocent.

WILL
Okay. Can we do some work now?

DIANE
I think it's time for another sexual harassment refresher course.

28 **INT. 27TH FLOOR - ALICIA'S OFFICE - DAY** 28

A grinning Kalinda at Alicia's door...

ALICIA
I'm serious. It was that case. Christy Barbosa.

KALINDA
And, of course, it required going to a hotel?

ALICIA
We were asking questions. That's what got us to that witness.

Cary comes to the door too.

CARY
So are you sleeping with Will?

Alicia sighs. Gets up, goes to her door. Closes it on them.

29

INT. COURTHOUSE - CIRCUIT COURT ROOM #17 - DAY

29

The jury box is empty as a standing Will and Emily argue before Judge Abernathy...

EMILY

The 911 tape has no probative value, your honor. It is a naked attempt to inflame the passions of the jury--

WILL

The cornerstone of our case is that Duke Roscoe was knowingly wrong on the facts. We need the 911 tape to show his facts are at the very least wrong--

Emily eyes Abernathy, sees he's beginning to nod with Will.

EMILY

Your honor, I know you will try to be impartial here despite your political differences with my client--

WILL

Oh, come, stop playing the ref--

EMILY

And stop carrying out a jeremiad against my client.

WILL

A what?

EMILY

He obviously caught you with your pants down and now you--

JUDGE ABERNATHY

Okay, okay, you two. Such fireworks here.

EMILY

Your honor, all we ask is for a compromise. That will prove to us your fairness.

WILL

What compromise? We either play the tape or we don't.

30 **INT. CIRCUIT COURT ROOM #17 - THIRTY MINUTES LATER - DAY**

30

The jury is back in the box, barely listening as... a BAILIFF READS flatly from a transcript:

BAILIFF

"Please, god, no, no. My baby is gone. I... Question: I would like to help you, ma'am, but I need your location. Answer: Oh god. Oh god."

Flat as concrete. Will leans toward Diane and whispers:

WILL

I wanna shoot myself.

A distraught Tim beside them can't even look up as Will and Diane eye the jury, all bored out of their minds.

BAILIFF

"I need help now. Question: Ma'am, are you--? Answer: My god, my god. Unintelligible."

Will looks over at Emily who smiles back, half-waves.

31 **INT. COURTHOUSE - HALLWAY - DAY**

31

Will bangs out the courtroom door, pissed now, as Emily follows, only a few steps behind him...

EMILY

The nice thing about liberals.
They love to compromise.

Will frowns as he sees Kalinda talking with Diane, starts toward her...

KALINDA

Duke was clearly leaked the police report. But there are holes in the report he's filling in from other sources.

DIANE

What sources?

KALINDA

I don't know. He has a lot of anonymous sources on his website. Civilian journalists with e-mails like...

(MORE)

(CONTINUED)

KALINDA (CONT'D)
(reads from notes)
"PatrickHenry76," "ReaganRules,"
"TheDukesman."

WILL
I think we put the son of a bitch
on the stand.

And Will starts off. Diane and Kalinda look after him:
getting personal.

32 **OMITTED** 32

33 **INT. CORRECTIONAL CENTER - PROTECTED CELL - DAY** 33

Peter is being cuffed and led out of his cell between two
guards...

PETER
And where am I going?

No answer. This is odd. Turns to one guard:

PETER (CONT'D)
Bob. Can you tell me where I'm
going? There's no court hearing
today. Are we moving cells?

CHILDS
You are.

Glenn Childs. At the end of the hall. Peter studies him.

CHILDS (CONT'D)
We're trying to end the coddling
of high profile prisoners.

PETER
Glenn.

CHILDS
Peter.

PETER
So am I being put in with general
population?

CHILDS
Yes.

PETER
This is a bit of a clumsy move,
isn't it?

(CONTINUED)

CHILDS

Even at our worst, Peter, we never went after each other's families.

PETER

Hey, I'm the one cuffed here. I'm not going after anyone.

CHILDS

I love my wife. I love my children. But your wife is leading her toward divorce...

Peter stares at him: no idea what he's talking about.

CHILDS (CONT'D)

She's Carla's divorce lawyer.

Peter takes a second. And laughs... hard. Loving it. Childs stares at him, an anger borne of love...

CHILDS (CONT'D)

Okay, so we want the gloves to come off now?

PETER

I didn't know they weren't. So I'm going into general population because my wife is your wife's attorney?

Childs nods, turns to go. Peter calls after him:

PETER (CONT'D)

Hey, you wanted the prize, Glenn. You wanted the office. Enjoy the spoils.

And Peter is led off.

Packed house. Spectators and media. Jury too. Duke stands at the witness box, his hand on a Bible held by the CLERK.

DUKE

I swear to tell the truth, the whole truth, and nothing but the truth... so help me God.

Duke takes a seat.

(CONTINUED)

WILL

Mr. Roscoe, on your show of August 15th, did you say "Jamie Willens was never seen on the convenience store video because her mother killed her earlier that night?"

*

*

DUKE

You got the transcripts right there, *Mr. Gardner*.

*

*

WILL

I do, don't I? There you go.

*

Will turns the transcripts towards him to read. Duke makes a show of peering in...

*

*

DUKE

Yes, to the best of my memory, *Mr. Gardner*, I did say those words you just there quoted.

*

*

*

*

WILL

And this was on the same program where you called the President of the United States a terror--

*

*

*

*

EMILY

Objection! Your honor!

*

*

JUDGE ABERNATHY

Mr. Roscoe-- I mean, Mr. Gardner!

*

*

DUKE

The answer is yes.

*

*

Emily frowns. Dammit Duke. As Diane smiles.

*

WILL

The answer to what is yes, *Mr. Roscoe?*

*

*

*

DUKE

Yes, that was on the same program where I called the President of the United States a terrorist; and yes, *Emily*, I see there are black people on the jury.

*

*

*

*

*

*

WILL

(scoring points)
Thank you, *Mr. Roscoe*.
(MORE)

*

*

*

(CONTINUED)

WILL (CONT'D)

Now to "the best of your knowledge,"
do the Chicago police consider Mrs.
Willens a suspect in the
disappearance of her daughter?

*

DUKE

Isn't the PC word "person of
interest?"

*

WILL

Why don't I just keep things simple
for you. Knock once for yes.
Twice for no.

*

*

*

Abernathy looks around...

*

JUDGE ABERNATHY

*

Isn't anyone going to object?
(nothing)

*

*

Okay. Actually, I don't want any
knocking in my court.

*

*

WILL

*

So, Mr. Roscoe, when you publicly
accused Cheryl Willens of murder,
what evidence did you have that the
prosecutors didn't?

*

DUKE

The prosecutor has to convince a jury. I'm a commentator, I only have to convince myself.

Diane looks up. A slip up?

WILL

And once you convince yourself, it's a fact?

*
*

DUKE

Yes.

*
*

There is a slight rumbling among the jury. Duke is very aware of it, glancing toward them.

*
*

DUKE (CONT'D)

Look, I rely on the police records. And I have other sources. How else would I know that Cheryl Willens tried to get a third trimester abortion--

*
*
*
*

WILL

What other sources?

*

DUKE

What?

*

WILL

You said you have other sources. What other sources?

Duke pauses. For the first time hesitant. He shoots a look toward the jury, his grin slipping.

*
*

EMILY

Objection, Your Honor. Under the Shield Law of Illinois, reporters do not have to reveal their sources.

WILL

Your Honor, Mr. Roscoe just said he's a commentator, not a reporter.

*

Silence. Duke looks toward Emily: say something smart.

*

EMILY

I don't care what he said, Mr. Roscoe is a journalist.

*
*

(CONTINUED)

DIANE

We respectfully ask the court to compel Mr. Roscoe to reveal what other information he received about Cheryl Willens and where he got it.

JUDGE ABERNATHY

You're asking me to pierce the Shield Law, Ms. Lockhart?

DIANE

Your Honor, U.S. versus Lewis "Scooter" Libby. The Court ordered *New York Times* reporter Judith Miller to reveal her sources.

Abernathy stares at her, surprised...

JUDGE ABERNATHY

Never thought I'd see you siding with Bush and Cheney, counselor.

DIANE

It is an established precedent, your honor. That is all.

JUDGE ABERNATHY

Bizarre. Mr. Roscoe has managed to outflank you on the left. So where does that put me?

(takes a second)

I guess I'm overruling you, counselors. Mr. Roscoe, you may keep your sources confidential.

Diane and Will face Tim, who can't sit still. Kalinda listens at the door.

TIM

It's not true. Cheryl never tried to get an abortion. Ever.

Cary tries to play social worker intermediary...

CARY

Is it possible, Tim-- and please excuse me for asking the question, because I know we've bonded over these last few days--

WILL

(rolling his eyes)

Is it possible Cheryl kept it from you?

TIM

No. Don't you see, now you're buying into Duke's lies.

DIANE

We just want to trace the source of the story. We need to show Duke was being reckless with the truth. Is there any truth to it?

TIM

Look, I took her to her clinic visits myself. I would've known if she tried to get a late-term abortion, or any kind of abortion.

KALINDA

Which clinic?

Duke Roscoe. He's again on the flat screen TV.

DUKE

I'll go one step further: I'm so sure Cheryl Willens killed her daughter, I'm offering a hundred thousand dollars from my own pocket to anyone who has even a shred of evidence that Jamie Willens is still alive.

Will and Diane stand watching with several other lawyers, Kalinda and Cary too.

WILL

He's influencing the jury. You don't think one or two of them aren't watching this?

DUKE (ON SCREEN)

It's called the truth, folks. Why do people freak out about the truth? Look at Stern, Lockhart, and Gardner.

DIANE

Here we go.

DUKE (ON SCREEN)

And our citizen journalists have been doing exactly that: looking. Who has spent the last two months in detox? Who cheated on their tax returns? Who's a closeted lesbian?

Kalinda, at the door, doesn't react. Not even a hint of a reaction.

DUKE (ON SCREEN) (CONT'D)

So tune in tomorrow, and we'll find out who has trouble facing the truth.

Kalinda turns and starts out of the office, no change in her expression.

END OF ACT TWO

ACT THREE37 **INT. 28TH FLOOR - DAVID LEE'S OFFICE - DAY**

37

A very unhappy Glenn Childs. He sits at David Lee's conference table along with David Lee, Alicia, Carla Childs, Lustberg, and Judge Farmer.

GLENN CHILDS

I love you, Carla. Can't we work this out? Without all these people.

CARLA

David and Alicia are my attorneys.

LUSTBERG

How many divorces have you handled, Mrs. Florrick?

ALICIA

Actually, this is my first.

LUSTBERG

Then let me carefully explain that when a wife signs a prenuptial agreement, she has forfeited her--

CARLA

Alicia, you're probably wondering how Glenn found out about Amber Madison--

GLENN CHILDS

Carla!

CARLA

(pointing to Lustberg)
I don't want him to talk anymore.

LUSTBERG

Ma'am, that is not for you to--

CARLA

(to Alicia)
So I was checking on Glenn's computer--

GLENN CHILDS

(to Lustberg)
Shut up.

And Lustberg folds his arms, shuts up.

(CONTINUED)

CARLA

Good. Now I want you to drop the pre-nup, and negotiate a fair settlement.

GLENN CHILDS

It *is* a fair settlement.

CARLA

(to Alicia)

So on Glenn's computer is a file devoted to Peter--

GLENN CHILDS

(horrified)

Twenty percent of my assets. I keep the house.

CARLA

(still to Alicia)

And something called Triton Fields--

GLENN CHILDS

Carla, this is illegal!

CARLA

What'll you do? Arrest the mother of your children?

GLENN CHILDS

Okay to the house.

CARLA

Full custody.

Glenn squeezes his eyes closed. Can't go there. But before Carla can talk--

GLENN CHILDS

I need time!

CARLA

Twelve hours, Glenn. Then Alicia and I will sit down for a nice long chat.

Glenn stares at his wife, and starts out. Lustberg follows. Judge Farmer looks between them.

JUDGE FARMER

Well, this seems like progress.

38 **INT. FAMILY PLANNING CLINIC - DAY**

38

Kalinda questions a nurse-practitioner, JOAN (30's), rockband t-shirt under labcoat. Sara McLaughlin meets Coyote Ugly.

JOAN

Sure, I remember Cheryl. Good girl. So sad what happened. You did say you're working with Tim Willens?

KALINDA

Yes. He wants to clear her name. When did she last come in?

JOAN

March '07, her third trimester.

KALINDA

Her third? Was that a regular exam?

Joan pulls Kalinda aside...

JOAN

Cheryl was spotting. Nothing unusual, but the poor girl was so afraid of losing her baby, she didn't even tell Tim about it.

KALINDA

Do you know of anyone here who'd say she was having a late-term abortion?

JOAN

No.

KALINDA

What about others? Volunteers, cleaning crews, the garbage man?

Joan considers this. A flash in her eyes. And...

39 **INT. CORRECTIONAL CENTER - HOLDING CELL - DAY**

39

A modern holding cell, large. A dozen men in it. A world of difference from the protected cell. Three Legal Aid lawyers stand at the bars talking to clients as...

ALICIA

This is crazy, Peter. They need to put you back in protected.

(CONTINUED)

A whispering Alicia with Peter, talking through the bars.

PETER

Daniel's on it.

ALICIA

Childs moved you?

PETER

Yes.

Alicia nods, frowns guiltily.

ALICIA

I think I know why. I'm representing Marie Childs. She's divorcing him.

PETER

I know. He was here.

ALICIA

Childs? He told you? Then I need to drop this.

PETER

Alicia, he'd do it either way. It's because I'm threatening him, not you.

Alicia stares at Peter.

ALICIA

What is Triton Fields?

Peter turns to her sharply...

ALICIA (CONT'D)

Marie Childs mentioned it. She said I should tell you.

PETER

It's a development. The owner was accused of bribing people in my office. Childs was the prosecutor. What else did she say?

ALICIA

Childs had a file on his computer. That's all.

(CONTINUED)

PETER
Can you find out more? Will she
tell you more?

Alicia eyes him. Takes a second. Nods.

40 **OMITTED** 40

41 **INT. PIZZA PARLOR - DAY** 41

Lunchtime mix of office and blue collar patrons. Kalinda enters, sees a YOUNG WOMAN, 17, at the register. She takes note of her innocent face, and name tag "I. REAGAN".

IRENE REAGAN
Can I take your order, ma'am?

KALINDA
Irene Reagan? I'm with Juvenile
Courts and Probation.

IRENE REAGAN
Did I... what did I do?

Kalinda pulls out her notebook, looking official.

KALINDA
We're just following up on your
time in community service at the...
Guardian Family Planning Clinic.

IRENE REAGAN
That was over two years ago.
Thought my probation ended.

KALINDA
I'm sorry to bother you about this
at work. I tried your home, and I
wasn't sure if you had the same
email address.
(checks her pad, then)
Still ReaganRules?

IRENE REAGAN
Yes. Why? What do you want?

KALINDA
I want to know why you made up lies
about Cheryl Willens.

END OF ACT THREE

ACT FOUR42 **INT. COURTHOUSE - HALLWAY - DAY**

42

Will starts toward court, pauses, sees Emily smiling, waiting for him.

 EMILY
Counselor.

 WILL
Counselor.

 EMILY
So are we holding grudges?

 WILL
Not that I know of.

 EMILY
Because my tattoo misses you.

Will looks at her, nods, nods.

 EMILY (CONT'D)
Or are we still worried about a conflict of interest? Because when this goes to the jury that conflict will be over.

 WILL
Let me think on it.

 EMILY
Ouch.

 WILL
Nope, no "ouch." I just want to think on it.

 EMILY
Okay. Think fast.

And Emily enters court. Will pauses, sees Alicia approaching, and enters too.

43 **INT. COURTHOUSE - CIRCUIT COURT ROOM #17 - DAY**

43

Irene Reagan on the stand, nervous as a mouse.

 DIANE
Would you consider yourself a fan of Duke Roscoe, Miss Reagan?

(CONTINUED)

IRENE REAGAN

Yes.

Emily shoots a look toward Duke. He shrugs: no idea who Irene is. The two are eyed by Will, smiling to himself.

DIANE

Watch his show regularly? Been to his website?

IRENE REAGAN

Sometimes.

DIANE

On Duke Roscoe's blog there are 83 entries from "ReaganRules." Is that you?

IRENE REAGAN

Uh-huh.

DIANE

And would you call 83 entries "sometimes"?

Emily starts to worry, her eyebrows narrowing.

DIANE (CONT'D)

Did you also email with Duke Roscoe?

IRENE REAGAN

I tried. Couple times.

DIANE

Did you ever email him information that Cheryl Willens tried to obtain a late-term abortion at the clinic where you worked?

Irene hesitates nervously.

DIANE (CONT'D)

Ms. Reagan, you know what perjury is?

Irene sees Kalinda in the gallery staring her down. Relenting...

IRENE REAGAN

Yeah, I e-mailed him about it.

(CONTINUED)

DIANE
The abortion?
(Irene nods)
Was it true?

Irene looks again toward a severe Kalinda.

IRENE REAGAN
...No.

DIANE
Did Duke Roscoe contact you to
verify your information?

IRENE REAGAN
No.

DIANE
Anyone from his network call you?

IRENE REAGAN
No.

DIANE
And you were surprised to hear Mr.
Roscoe use your information on the
air to accuse Cheryl Willens?
(Irene nods)
Why?

IRENE REAGAN
I... I wrote him to say I made the
story up.

DUKE
Oh, come on. What, am I
responsible for every e-mail sent
to me?!

JUDGE ABERNATHY
Mr. Roscoe, please reclaim your
seat.

Roscoe takes a second, does.

DIANE
Why did you do it, Irene? Why make
up such a hurtful story?

IRENE REAGAN
I wanted to hear from him. To be a
part of it all. Part of Duke's...

(CONTINUED)

Will and Diane share a look - mission accomplished.

44 **INT. 28TH FLOOR - DAVID LEE'S OFFICE - DAY** 44

David Lee slides paperwork before Carla. She reads the top-line and turns to Alicia.

CARLA
"Dissolution of Marriage." Looks so final. Like "Death Certificate."

ALICIA
Take your time. Look it over.

DAVID LEE
Your husband already signed.

Carla checks the last page. Sure enough. Signed. It's unreal.

ALICIA
You can still change your mind.

Carla nods, considers it. Second thoughts?

DAVID LEE
As we discussed, your husband has set aside your prenuptial agreement and acceded to your terms. In exchange, he's including a strict confidentiality clause.

CARLA
So anything I know about his work--

DAVID LEE
(nods)
You're prohibited from sharing. With anyone.

CARLA
After I sign this.

David Lee nods. Carla picks up the pen. Ready to sign.

CARLA (CONT'D)
Then before I do...
(turns to Alicia)
Last year, Glenn wiretapped your phones.

(CONTINUED)

ALICIA

What?

CARLA

I saw the recordings on his computer. That's all I know.

And with that Carla signs her name.

CARLA (CONT'D)

There. Done.

INT. COURTHOUSE - HALLWAY - DAY

Thick knots of spectators. An air of anticipation. Will and Diane wait with Tim who stirs anxiously. Cary starts to approach but...

TIM

No, thanks. I'm fine.

Cary nods, heads the other way as Will's cellphone rings.

WILL

Yeah. ...Who? Okay.

Will pulls away as Tim turns to Diane...

TIM

I never hearda that - putting on no witnesses. That mean they give up?

DIANE

No. I'm afraid they're counting on winning solely on Duke's right of free speech.

Diane looks toward Will. Something's up. Something on the phone.

DIANE (CONT'D)

Could you give me a second?

Diane goes to him. Will hanging up, staring at her, stunned.

DIANE (CONT'D)

What?

WILL

There was a response to Duke's reward.

(CONTINUED)

DIANE

What reward?

WILL

For information on Jamie. That was the police in Scranton. They think they have a child matching Jamie's description.

DIANE

Oh my god.

They both look toward Tim staring at them.

WILL

It was a childless couple who supposedly saw her in a shopping cart and snatched her. One of their neighbors phoned it in for the reward.

DIANE

I-- you want to tell him?

WILL

Yes.

And Diane watches as Will crosses to him. Speaks for a second. Another second. Tim looks toward him. And slumps lifelessly. Will reaches out, grabs him, supports him.

Alicia slips into the back of the courtroom beside Kalinda as the female JURY FOREPERSON hands the verdict to the bailiff who passes it to Judge Abernathy. Each step takes forever.

Abernathy's face reveals nothing. Diane looks toward the chair between her and Will. It's empty. Tim gone.

JUDGE ABERNATHY

I have just reviewed the verdict, and I find myself making a very difficult decision.

WILL

(to Diane)

Uh-oh.

JUDGE ABERNATHY

While I hold the defendant's behavior abhorrent and callous, there is no greater bedrock to our society than that of the of the First Amendment. Without it, all our other rights are at risk. And I must admit, I've found the plaintiff's case to play on the jury's passions in this matter and not their rationality.

Alicia and Kalinda react. Shit, this is going south fast.

JUDGE ABERNATHY (CONT'D)

Mr. Rosco receives thousands of e-mails a day, so it's not axiomatically true that he would have seen this e-mail from Ms. Reagan invalidating her story. And, without that certainty, I cannot allow a jury under my purview to subvert the First Amendment. I am, therefore, directing a verdict in favor of the defense.

As the Judge gavels, a stunned murmur rises from the gallery. Will and Diane are agog. From the jaws of victory...

WILL

Tell Tim we'll appeal.

DIANE

My guess is he's not gonna want to.

Will stares at her, nods. He starts up the aisle when he sees Emily.

EMILY

Maybe next time.

WILL

I'd like that.

EMILY

Next time I'll sue you.

Will smiles, starts out.

47

INT. 27TH FLOOR - CONFERENCE ROOM - NIGHT

47

Four feet up on the conference table. Alicia and Kalinda. A tin of kettle corn between them, gobbling it down.

(CONTINUED)

As they watch... a news report. Tim and his now 3-year-old daughter, Jamie, hugging at a police station.

NEWSCASTER (V.O.)

Neighbors credit publicity from the recent trial as the reason for calling the police. Jamie Willens' picture had appeared in local news reports over the last few weeks--

KALINDA

This stuff's awful. Too sweet.

The kettle corn.

ALICIA

Yes, and yet I can't stop eating it. Do you have the remote?

Kalinda uses her foot to shove the remote across the table to Alicia.

ALICIA (CONT'D)

He's going to be insufferable, isn't he?

KALINDA

Oh yeah.

Alicia flicks it on. Duke Roscoe. Grinning.

DUKE (ON SCREEN)

Not a bad day for justice. Duke Roscoe struck another blow for our precious freedoms.

Yuck. Alicia drops the kettle corn in the trash.

DUKE (ON SCREEN) (CONT'D)

Now before we move on from this sordid episode, there is a bit of unfinished business to deal with. The promised secrets.

Kalinda doesn't react, staring at the screen. Alicia only slightly glances over toward her. Almost imperceptibly.

DUKE (ON SCREEN) (CONT'D)

Who spent two months in a Michigan rehab? Stern, Lockhart equity partner, R.J. Daniels. Who was caught cheating on his 2007 income taxes?

(MORE)

(CONTINUED)

THE GOOD WIFE #110 "Infamy" GOLD COLLATED 11/18/09 56.

47 CONTINUED: (2) 47

DUKE (ON SCREEN) (CONT'D)

*Jason Michaels in acquisitions.
And last but not least, who is the
closeted lesbian working at the
firm? None other than... Diane
Lockhart.*

Kalinda blinks. Alicia too, as...

48 **INT. 28TH FLOOR - DIANE'S OFFICE - NIGHT** 48

...Diane stares at her TV screen, mouth open. She starts to
laugh hard.

END OF EPISODE