

BEAT THE EAGLE

written by

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May 30, 1989

It's down here in the sooty part of town, near the mill and the factories, the kind of place you wouldn't even notice if you drove by. But if you live down here, you know about it all right... everybody does. Your dad knew about it, too, knew too much about it maybe, and brought you down here when you were a kid for your first beer. This is a spotless place, not the kind of joint where you can smell the piss and the sweat and the stale deaths of generations of five-cent cigars. The plate glass window in front is always immaculate, perfect foil for the blinking orange hue of the neon outside. The neon is an eternal flame, the survivor of snowstorms, icicles, and BB guns... blinking off, blinking on... telling it simply, no bullshit about it:

DUFFY'S
BAR AND GRILL

FADE IN:

INT. THE IRS REGIONAL SERVICE CENTER - DAY

A cavernous, fluorescent-hued room. Cold, clinical. Computers are lined up in an endless formation.

CLOSEUP - A COMPUTER

The words print out onto the screen:

DUFFY, JOHN JOSEPH
274-42-4683
DUFFY'S GRILL
2602 BRIDGE AVENUE
CLEVELAND, OHIO
9-4-1-1-8
1984 -- \$29,204
1985 -- \$31,103
1986 -- \$30,064
1987 -- \$33,042
1988 -- \$33,314

The computer stops its printout. A beat, and then these words appear on the screen:

P-R-O-J-E-C-T
E-X-A-M-P-L-E

VOICE

The poor son of a bitch.

INT. ANOTHER ROOM - IRS REGIONAL SERVICE CENTER - DAY

The large room is filled with hulking, mechanical sorters. From CLOSEUP, these things look like they are lethal. Guess what? They are.

CLOSEUP - MECHANICAL SORTER

Hundreds of tan manila envelopes CLATTER their way through the sorter. They're not envelopes; they're body bags.

CLOSEUP - AN ENVELOPE

The IRS postal frank, the American Eagle, soaring... looking more than a little... pissed off.

INT. DUFFY'S BAR AND GRILL - MORNING (FALL)

JOHNNY DUFFY stands there, behind the bar, washing glasses. He is 34. He wears a frayed shirt, rumpled pants, and a bar apron. MIKE, the mailman, in his 50's, walks in carrying a large handful of mail.

JOHNNY
 (as he takes the mail)
 Want somethin', Mike, wake you up?

MIKE
 (grins, walks out)
 No thanks, Johnny.

Johnny starts going through the mail piece by piece. As he does, he talks to CHARLIE, the only other person in the bar. Charlie is in his 60's, wizened, sits on a bar stool.

JOHNNY
 (throwing envelopes into wastebasket)
 Reader's Digest... Credit cards. Who needs 'em?... Sweepstakes -- you know anybody ever won anything in a sweepstake?

He stops at an envelope, looks at it. It is a tan manila IRA envelope with the American Eagle frank. He opens the envelope, takes the letter out.

JOHNNY
 (reading)
 "Dear Taxpayer."
 (a beat)
 Jesus.
 (a beat)
 I already paid.
 (a beat)
 Computers. What the hell do they know?

He throws the letter and the envelope into the wastebasket.

INT. THE BAR - NIGHT (FALL)

The bar is full of regulars: mill workers, a few hard-hats, small merchants who live in the neighborhood. The TV set above the bar is on: Monday Night Football, the Browns and the Steelers. Johnny is behind the bar, serving. The Browns have the ball and some of the men are chanting --

THE CHANT
 Wa-sa-sa-sa
 Wa-sa-sa-sa
 Kill! Kill!
 Kill kielbasa

As the chant continues in the background, Johnny leans on the bar and talks to SHITSKI, who sits on a bar stool. Shitski is in his 30's, solid, muscular.

SHITSKI

She got an ass, man -- she moves, your hemorrhoids pop.

JOHNNY

You pimpin' for your own sister-in-law?

SHITSKI

Hey -- I ain't pimpin' for nobody.

JOHNNY

(after a beat)

I'm gettin' tired of bangin'.

SHITSKI

You gettin' tired of bangin'? You nuts?

JOHNNY

It ain't enough.

SHITSKI

Since when?

At the bar, JUICE, a towering black man, watching the TV, yells to Johnny above the noise.

JUICE

Up the middle.

JOHNNY

(glances at the TV)

Pass.

JUICE

Five.

JOHNNY

Three.

JUICE

Three?

It's a pass.

JUICE

Shit.

He hands Johnny three dollars. Johnny grins and pockets it. JACK BURDOCK, who sits at the bar next to Shitski, watches Johnny as he takes the three dollars from Juice and pockets it. Burdock is in his 30's, good-looking. He wears jeans, a sweat shirt, and a jacket.

SHITSKI

(to Johnny)

Just meet her.

JOHNNY
I don't wanna meet her.

JUICE
(to Johnny)
Pass.

JOHNNY
Handoff.

JUICE
Ten.

JOHNNY
One.

JUICE
(in horror)
One?

The Browns pass. Johnny takes a wad of bills from his pocket -- throws one at Juice. Burdock watches.

SHITSKI
(to Johnny)
Here's what I owe you from the tab.

He gives Johnny some folded-up bills. Johnny pockets them without counting them. Burdock watches all this. Johnny turns to Burdock.

JOHNNY
How you doin', Jack?

BURDOCK
I get a shot next week. At the mill.
What do I owe you, Johnny?

JOHNNY
You'll pay me when you get the job.

Burdock looks like he is going to argue with that.

JOHNNY
Hey -- I trust you.

JUICE
(to Johnny, yelling)
Handoff.

JOHNNY
Pass. Three.

JUICE
Five. Five dollars, man!

JOHNNY
Three.

The Browns pass.

JUICE

Sh-i-i-i-i-i-i-t!

Juice throws three dollars at Johnny. Johnny pockets it, grins. Some of the men laugh. Burdock smiles.

THE CHANT

(starting again)

Wa-sa-sa-sa

Wa-sa-sa-sa

Kill! Kill!...

INT. THE BAR - MORNING (WINTER)

The bar is empty except for Johnny and Charlie, our mascot, who sits where he always sits: the last bar stool on the left.

Johnny is behind the bar in his bar apron, putting things in order. It is snowing outside. Charlie raises his glass for another shot.

JOHNNY

You didn't even have breakfast.

CHARLIE

I went to church. I go to the eight o'clock mass. I come down here.

JOHNNY

What you eat in church?

CHARLIE

I went to communion...

Johnny gives him a look, pours him a shot. Mike, the mailman, comes in. He shakes the snow off his coat. He hands Johnny a pile of mail.

JOHNNY

Want somethin' to warm you up?

MIKE

(grins, walks out)

No thanks.

Johnny starts going through the mail -- a big handful of junk -- throwing the envelopes into the wastebasket one after the other without opening them. He stops, looks at an envelope. It is the tan IRS envelope with the American Eagle on it. A beat, and then, grumbling, he throws that one into the wastebasket, too.

INT. THE BAR - LUNCH (SPRING)

The doors are open; a radiant sunshiny day.

The place is filling up for lunch. A tired-looking waitress is bringing plates of food from the kitchen. Johnny is behind the bar, serving beers. At the bar are Shitski, Charlie and some other regulars.

JOHNNY
(to Charlie; as he
pours a beer)
What happened to Burdock?
(beat)
Jack -- you know, he was lookin' for a
job.

CHARLIE
I don't know.

JOHNNY
He didn't pay his tab. \$143.76.

SHITSKI
(grins)
He welshed on you.

JOHNNY
Nobody welshes in here. You know
that, Shitsk.

CAROL, in her 20's, sort of attractive, comes in and sits
down next to Shitski.

SHITSKI
(to Johnny)
This is Carol. My sister-in-law.

JOHNNY
(looks her over)
How you doin'.

CAROL
(coy)
Hi, Johnny.

JOHNNY
(grins)
What do you want?

SHITSKI
Couple drafts -- what do you think we
want?

Johnny pours them two drafts - as he does --

SHITSKI
(to Johnny)
She works down Woolworth's.

CAROL
Cosmetics.

Johnny gives them the two drafts.

SHITSKI
Come on, talk to her.

JOHNNY
(to Carol, smiles)
I don't know what to say.

CAROL
(laughs)
I don't either.

SHITSKI
Talk about the weather.

JOHNNY
The weather?

CAROL
It is getting warmer.

JOHNNY
(after a beat)
Yeah.

A VOICE NEXT TO THEM
Mr. Duffy?

He looks, sees two MEN standing there in suits.

ONE OF THEM
We're from the IRS.

THE OTHER
We'd like you to come in tomorrow morning.

JOHNNY
(after a beat)
What for?

THE AGENT
Ten o'clock. Room 302. Federal Building.

JOHNNY
I paid my taxes.

THE OTHER AGENT
Ten o'clock, Mr. Duffy.

They turn, walk out. Johnny stares after them.

SHITSKI
What do they want?

JOHNNY
(staring after IRS agents)
I don't know.

INT. THE BAR - AFTERNOON

The place is empty except for Johnny, who stands behind the bar. On top of the bar, next to a shoe box, six 1040 forms are all laid out in a neat row. We see other shoe boxes spread out on the bar. Johnny peers at the forms. His mother, ANGELA, in her 60's, a little woman, white-haired, comes in with a big shopping bag in her hands.

ANGELA
Hocks up six cents!

He says nothing, examines the forms.

ANGELA
We gotta raise the price!

JOHNNY
(without looking up)
Hocks are hocks, Mom. They're not
filet mignon.

ANGELA
(watching him)
Whatsamatter with the tax?

Johnny says nothing, examines the forms.

ANGELA
I tell you -- You gonna make a
mistake.

JOHNNY
(after a beat; looks
up at her)
Give me a break, will you, Mom?

EXT. THE FEDERAL BUILDING - DAY

Johnny gets out of his car, a beaten-up and rusted out old Chevy. He has six shoe boxes in his hands. He looks up at the skyscraping glass building.

CLOSEUP - A DOOR

It says: 302, Internal Revenue Service, Audit Division.

INT. ROOM 302

Johnny walks in, his shoe boxes in his arms. The room is large and filled with people. He goes up to a
RECEPTIONIST.

JOHNNY

(smiles)

I'm John Duffy.

THE RECEPTIONIST

(fast)

Last name -- first name -- middle
initial.

JOHNNY

What?

THE RECEPTIONIST

(fast)

Last name -- first name -- middle
initial.

JOHNNY

(after a beat)

Duffy, John J.

THE RECEPTIONIST

Have a seat.

He sits down. He piles the shoe boxes atop his knees. He looks around at the other people sitting in this room, which has the feel of a hospital waiting room. A prosperous-looking businessman, whispering nervously to his accountant... An old couple -- the man seems to be having difficulty breathing. A young mother, trying to cope with two screaming children.

INT. THE RECEPTION AREA - LATER

Johnny sits there, alone now in the room, the shoe boxes on his knees. He glances nervously at his watch.

THE RECEPTIONIST

(finally)

Duffy? John J.?

INT. THE OFFICE AREA

The Receptionist leads him through the reception door, through a maze of corridors, to a heavy wooden door. On it are the words: ARTHUR FOWLER, District Director.

THE RECEPTIONIST

(smiles)

You can go right in.

She turns, walks away.

He starts at the wooden door a long moment, then gathers his resolve.

INT. FOWLER'S OFFICE

He walks in with his shoe boxes. Sitting in a chair is AGENT ALBERT JACKSON, in his 30's, sort of prissy. Sitting behind the big desk is DISTRICT DIRECTOR ARTHUR FOWLER. Fowler is in his 40's, a soft-benign-looking man.

JACKSON

(without getting up)

I'm Agent Jackson, this is Director Fowler.

Johnny looks at them; Fowler says nothing, nods.

JOHNNY

I've been sitting out there for three hours. We've got a big crowd for lunch.

FOWLER

(smiles)

This won't take long. Sit down, Mr. Duffy.

Johnny sits down with his shoe boxes.

JACKSON

(evenly)

We've conducted audits on your returns for '85, '86, '87 and '88, Mr. Duffy. We find you delinquent \$14,312 for those years.

Johnny stares at him pop-eyed.

FOWLER

(casually)

If you pay this amount, we can terminate your case immediately.

JOHNNY

(after a long beat,
incredulous)

\$14,312?

FOWLER

That's right.

A pause; Johnny stares at him poleaxed.

JOHNNY

I've got everything right here --

He opens a shoe box, starts taking papers out of it.

JOHNNY

Receipts, cash register tapes --

FOWLER

(smiles)

Mr. Duffy, our data collection system is composed of eight complete computer systems and three microfilm banks. I suggest you pay this amount immediately to avoid further processing.

JOHNNY

(after a long beat)

\$14,000? You've gotta be shitting me. Something's wrong here. Listen -- I pay my taxes.

A pause.

FOWLER

(slight smile)

Mr. Duffy, please don't force us to file fraud charges against you.

JOHNNY

(open-mouthed)

Fraud?

FOWLER

(slight smile)

Tax fraud is a criminal offense, the penalty is three to twenty years in prison, plus miscellaneous fines.

JOHNNY

(after a long beat)

Jail?

FOWLER

We have evidence of illegal gambling and bookmaking at your establishment.

JOHNNY

(astonished)

Bookies? Me? In my place? You've got the wrong guy!

A long beat, and then Fowler hits an intercom button.

FOWLER

Send him in.

Johnny stares at them. Jack Burdock walks into the room. He wears a suit and tie. Johnny gapes at him.

FOWLER

Agent Burdock is with our intelligence division.

JOHNNY
I don't believe this.

FOWLER
He can testify to having witnessed
illegal gambling and bookmaking --

JOHNNY
(astonished)
The football games?
(a beat)
You sent a guy in to spy --
(to Burdock; emotionally)
I put you on the tab! You owe me
\$143.76.

FOWLER
Mr. Duffy, please.

JOHNNY
(to Fowler)
You know what a tab is?

FOWLER
I think we all know what --

JOHNNY
(emotionally)
None of you knows! None of you knows
what it is!
(a long beat; then, to
Burdock, quietly)
I trusted you.

No one says anything a long moment. He and Burdock look
at each other.

JOHNNY
(quietly)
What the hell kind of people are you?

FOWLER
(after a beat; quietly)
We're civil servants, Mr. Duffy.

Johnny just stares at him. Then he starts gathering his
shoe boxes. He turns, starts to walk out.

FOWLER
Seven days! We either get the check
or we file charges.

Johnny doesn't look at him, walks out. The three men say
nothing for a moment, then --

BURDOCK
You proud of that, Arthur?

FOWLER

He makes bets in his bar. He stuffs cash into his pockets. Yeah, I'm proud of it, why not?

BURDOCK

He's a Mom and Pop bar owner.

FOWLER

Everybody down there knows him. We nail him, he tells everybody about it. They tell everybody else. Everybody tells everybody else. Pretty soon we've scared half this city into paying their taxes. You know what it's gonna cost us to nail him? Nothing. We're saving taxpayer money. He's perfect.

Burdock looks at him, doesn't like it.

EXT. THE SADECKI FUNERAL HOME - DAY

In the old neighborhood. The building could use refurbishing. An aged Cadillac hearse is out front.

INT. BASEMENT - THE SADECKI FUNERAL HOME - DAY

Johnny walks down the stairs, his shoe boxes in hand.

JOHNNY

Tony? Tony, you in here?

A VOICE

(gravelly, hoarse)

Back here.

He goes to a door, opens it.

INT. A SMALL ROOM - DAY

TONY SADECKI, the funeral director, is in his 60's. He is a big, gaunt, hollowed-out man. He has an unlighted cigar stuck in his mouth. He is working on a corpse. Johnny stares at the corpse.

TONY

Heart attack. They take a lotta work.

(an ironic smile)

Cancer's easier.

He smiles. He coughs -- mildly -- once or twice.

JOHNNY

What'd they say at the hospital?

TONY

What hospital?

JOHNNY

Mom told me.

TONY

What do they ever say? Bullshit,
that's all they say.

He looks at Johnny suspiciously.

TONY

Your mom okay?

JOHNNY

Yeah.

TONY

(suspiciously)
Your uncle?

JOHNNY

Nobody died, Tony.

TONY

(grins, looks at
shoe boxes)
What are you sellin', Johnny?

JOHNNY

Can I talk to you about somethin',
Tony?

TONY

Sure.
(he looks at corpse)
He's got time.

He smiles his ironic smile.

TONY

Me too.

INT. THE FUNERAL CHAPEL - DAY

They sit on aluminum folding chairs in the empty, barely-lighted chapel. The shoe boxes are piled on a chair between them. Tony sucks his unlighted cigar.

TONY

(after a long beat)
I don't know what to tell you, kid.

JOHNNY

My old man, he always trusted you.

TONY

Your old man -- hardest job I ever
done.

(a beat)

I give you a good deal on the box.

JOHNNY

I know, Tony.

TONY

(after a long beat)

They got you by the nuts, kid. It was me, I'd get their hands off my nuts.

(a long beat)

You got a lawyer?

JOHNNY

You want me gettin' screwed both ways?

TONY

Tory's a lawyer.

JOHNNY

Victoria? Victoria's a lawyer? I thought she was still in school.

TONY

Yeah, she's a lawyer all right. She oughta be makin' grandchildren like she oughta be doin'.

Tony lights the cigar. He starts to cough -- violently. He gasps for breath. He finally gets his breath, still coughs.

JOHNNY

(after a beat,
watches him)

Jesus, Tony.

TONY

(angrily)

I'm all right, for Christ's sake! I'm all right!

(a long beat,
different tone)

Time, kid.

(a beat)

Death.

(a beat; he smiles)

Taxes.

He starts to puff on his cigar again, changes his mind, looks at the cigar.

INT. LEGAL AID SOCIETY - DAY

Johnny walks in with his shoe boxes. A roomful of people sit there -- they all look like they need legal help they can barely afford. Johnny goes up to THE RECEPTIONIST.

JOHNNY

Duffy, John J.

THE RECEPTIONIST

What'd you say?

JOHNNY

(gives her a look)

I'm here to see Victoria Sadecki.

THE RECEPTIONIST

She's not here. Fifty-fifth and Broadway.

JOHNNY

What?

THE RECEPTIONIST

Fifty-fifth and Broadway. You can see her there.

Johnny looks at her: What the hell is she talking about?

INT. JOHNNY'S VW RABBIT - DAY

He gets to the intersection of 55th and Broadway. It is in a seedy part of town: winos, pimps, hookers. He looks around. Then he sees it. There, parked at the corner, is a large white Winnebago. On its side are the words: "Legal Aid Society. We Help The Needy."

EXT. WINNEBAGO

He stands in front of the Winnebago. He knocks quietly on the door.

TORY (O.S.)

(loud)

Come in!

INT. WINNEBAGO

He steps in. TORY SADECKI sits behind a desk. There are some chairs facing it and a couch, a nicely furnished portable office. Tory is in her early 20's. She is very attractive, very fiery.

JOHNNY

Hi. You used to have zits and a ponytail. I remember you.

(a beat)

You've changed.

TORY

Really.

She watches him.

JOHNNY

You don't remember me, do you?

She says nothing.

JOHNNY

I'm Johnny Duffy. They want \$14,000 from me and they say I make book in the bar. I don't do that. They say they're going to put me in jail. I don't want to go. Your dad said I should come see you to get their hands off my nuts.

She stares at him a beat; what did he say?

TORY

Really.

JOHNNY

That's what he said.

A long beat, then --

TORY

Will you please tell me what the fuck you're talking about?

JOHNNY

(smiles)

Sure. That's why I'm here.

She looks at him.

INT. WINNEBAGO - LATER

Some of the shoe boxes are open, their contents laid out on her desk.

TORY

(flat)

I can't help you.

JOHNNY

You're a lawyer, aren't you? Your dad said you could help me. My dad always said -- "Tony -- he knows what it's about. He sees it every day."

TORY

(little put out)

I don't do tax cases. I do assaults, robberies --

JOHNNY

Just because I didn't rob anyone you can't help me?

(a beat)

I don't understand what's going on, you know? A lot of things aren't making sense anymore.

TORY

You need a tax lawyer. You need an accountant.

JOHNNY

I can count. Sister Rosa taught me in the third grade. I check everything three times.

TORY

Look. I'm really sorry. I really am. Maybe they could help you. I can't.

A beat; he looks at her, and then he starts collecting his shoe boxes. She watches him.

JOHNNY

Can I ask you something?

TORY

(warily)

Yes.

JOHNNY

Do you ever get back to the neighborhood?

TORY

Pretty rarely.

JOHNNY

That's what I thought.

And he's gone. A long beat, and she goes to the door, goes after him.

EXT. TRAILER

TORY

(calling to him)

Who the hell do you think you are to talk to me like that?

JOHNNY

Nobody. I'm just a guy from the neighborhood.

TORY

Well, at least I got out.

JOHNNY

That's your problem, not mine. But if you want my advice, you should come back.

TORY

I don't want your advice!

JOHNNY

That's the difference, you see? I want your advice but you won't give me any. You don't want my advice but I'm giving you some anyway. I'm not selfish.

A beat, and he starts walking away. She is totally exasperated.

TORY

(angrily)

You were such a goddamn big shot when you were in high school. You were gonna play for the Browns! So what happened, big shot?

JOHNNY

(simply)

I wasn't good enough. It broke me up for a while, then I figured I was happy being right where I was.

He starts walking away. She looks at him a beat, touched against her will by the simplicity of that, and then she gets angrier.

TORY

(quietly)

Oh, fuck you.

JOHNNY

(not looking at her)

You're too late. I gave it up. It's not enough.

A beat, and she goes into the trailer and SLAMS the door.

EXT. JOHNNY'S HOUSE - THE BACK YARD - DAY

A barbecue. Lots of people -- we recognize faces from the bar -- among them: Charlie, Juice, Shitski. We see Angela going around, talking to people. Johnny and his younger brother, FRANK, are grilling hamburgers. Frank is 31. He wears a three-piece suit from Sears -- an apron over it, of course -- and looks every inch the ambitious assistant bank manager that he is.

JOHNNY

More salt.

FRANK

It's got enough salt.

JOHNNY

Who's makin' these -- you or me?

He salts the hamburgers; Frank watches.

FRANK

We both are.

JOHNNY

You make shitty hamburgers.

FRANK

All my life you been tellin' me I do shitty this and shitty that. I'm your brother!

(a beat; quiet tone)

My kids like my hamburgers.

JOHNNY

They'll eat anything.

Frank looks at him like he wants to tell him off. At that moment, his seven-year-old, JASON, runs up to them.

JASON

(to Johnny)

I'm hungry, Uncle Johnny.

Johnny gives Jason a piece of hamburger.

JOHNNY

How is it?

JASON

Toc salty.

Jason runs off. Johnny and Frank stand there, not saying anything.

JOHNNY

What the hell kind of name is "Jason"?

FRANK

(grins)

Listen. The tax guys. Mom told me. We'll lend you the money. I already talked to my branch manager.

JOHNNY

I don't want nobody to lend me money.

FRANK

(anxiously)

Johnny -- just for once, listen to me, will you? They'll take your car, your furniture, they'll take the bar.

JOHNNY

Nobody's gonna take my bar!

A beat; he tastes a hamburger.

JOHNNY

More salt.

He puts more salt on it.

FRANK

(loud)

It's got enough fuckin' salt!

Some people look at them -- Frank spoke too loudly.

FRANK

(recovering)

Think about my kids, will you?

JOHNNY

Your kids? They gonna take your kids?
My car, my furniture, my bar -- now
they're gonna take your kids?

FRANK

(desperately)

I'll level with you.

(a beat)

I don't want to get audited, Johnny.

JOHNNY

I'm the one got audited.

FRANK

You get into a pissing contest with
them, they'll piss over everybody!

JOHNNY

You got somethin' to hide, Frank? I
don't.

Frank looks at him -- why can't he understand? Johnny
tastes a hamburger again.

JOHNNY

It's good. Taste it.

Frank tastes it.

FRANK

(eating hamburger)

You're an asshole, Johnny.

JOHNNY

How is it?

FRANK

It needs more salt.

Johnny grins -- then he sees, entering the back yard, his
uncle, VINNIE DeSAPRI, with TWO GOONS.

Vinnie is in his 60's. He wears a beautifully-cut, very expensive suit. He is a very good-looking and self-assured man. Johnny's grin freezes. As soon as Frank sees him, he starts for him to greet him.

FRANK

(loud)

Uncle Vinnie!

Johnny stands there, watches, as Vinnie hugs Frank. He goes back to grilling his hamburgers. Angela comes up to him.

ANGELA

(to Johnny)

Say hello to Vinnie.

He hesitates, then he goes up to Vinnie, the Two Goons alongside of him.

VINNIE

Johnny! Johnny!

He hugs Johnny -- Johnny looks uncomfortable.

JOHNNY

(restrained)

How you doin', Uncle Vinnie?

VINNIE

Aw -- I can't sleep good.

JOHNNY

You oughta take some pills.

VINNIE

(suddenly, icily)

You oughta take some pills.

Vinnie moves off quickly, hugs and backslaps others. Johnny watches him. Then he looks at his mother suspiciously -- Angela turns quickly away.

EXT. THE BARBECUE - LATER

People are sitting around the back yard. Johnny, alone, stands at the grate, making more hamburgers. One of Vinnie's Goons comes up to him.

THE GOON

Vinnie wants to talk to you.

JOHNNY

I'm makin' the burgers.

THE GOON

I'll make 'em.

JOHNNY
You'll burn 'em.

THE GOON
I'll make 'em.

Johnny gives him a look -- then, in resignation, walks over to Uncle Vinnie -- who is sitting alone with Frank.

VINNIE
(to Johnny)
You got trouble, you don't even come to see me.

JOHNNY
I got no trouble.

VINNIE
You don't even send me no Christmas card. Frankie, he sends me one -- even my birthday. Not you.

JOHNNY
He sends you a Christmas card on your birthday?

VINNIE
(suddenly very angry)
Cut the shit!
(a beat)
I'll give you the money.

JOHNNY
I don't want it.

FRANK
Johnny, listen --

JOHNNY
(angry)
What the hell is this?

VINNIE
(angry)
I'll lend it to you, okay?

JOHNNY
(hard, to both of them)
I don't need any money. Okay?

VINNIE
(furious)
What in the goddamn hell is wrong with you? You're just like your old man -- he worked in that goddamn bar all his life, where did it get him?

JOHNNY
 (quietly)
 You're gonna piss me off, Uncle
 Vinnie.

VINNIE
 (to Frank)
 Frankie, he's smart. He'd take it.

JOHNNY
 (to Frank)
 I ain't Frankie.

Frank is hurt, tries to hide it with a smile.

VINNIE
 (furious)
 Listen, you! You ain't gonna cause me
 no trouble, you hear me?

JOHNNY
You? What's it got to do with you?

FRANK
 I tried to tell him, Uncle Vinnie.

VINNIE
 (to Johnny)
 You don't fuck with 'em! They'll fuck
 all of us! They even fucked Capone.

JOHNNY
 Yeah?
 (he smiles, looks at
 Vinnie)
 He deserved it.

Vinnie looks like he is going to hit him. Terrific
 tension between them -- then, suddenly, at that moment,
 they see Angela, standing by a tree, alone, crying. They
 all get up, go quickly to her.

JOHNNY
 (holding her)
 What's the matter, Mom?

ANGELA
 (crying)
 Tony.

JOHNNY
 (holds her close,
 hurt)
 Christ, Mom.

INT. SADECKI FUNERAL HOME - NIGHT

Tony Sadecki lies in the coffin. The chapel is filled.

We see many old people; Shitski, Charlie, Juice from the bar. Johnny sits next to Angela. He wears a badly-fitting, shiny black suit.

A PRIEST

(leading mourners)

-- Holy Mary, Mother of God, pray for us sinners, now and at the hour of our death, amen.

The Priest gets up; so do the mourners. Johnny watches Tory. Their eyes meet, and then she glances quickly away.

INT. THE FUNERAL HOME - ANOTHER ROOM - LATER

Lots of food; people standing around with drinks and beers. Johnny's mother, Angela, is hugging Tory's mother, EMMA, a large, robust woman. Johnny, Tory and a small group of others stand around with them.

EMMA

(crying)

It was nice, Angie, wasn't it? Tony would've wanted it nice.

ANGELA

He look good, Emma. He look so handsome.

EMMA

Your Joe looked good, too.

(to Johnny)

Didn't he, Johnny?

JOHNNY

Terrific.

EMMA

Tory sure did a nice job on Tony. She didn't want nobody else to do him. She learned when she was a little girl.

JOHNNY

(to Tory)

You did him?

TORY

(to Johnny)

He was my father, wasn't he?

She gives Johnny a look, turns away, starts talking to some other people. Johnny wanders away -- towards the casket. He looks at Tony Sadecki. He goes closer to the casket -- then reaches into his pocket surreptitiously and puts something into the casket.

Tory has been watching him. She goes over to the casket and looks in: Johnny has put a big cigar in there. She stares a beat, touched, and then looks at Johnny.

TORY
(after a beat)
Those things killed him.

JOHNNY
It ain't gonna hurt him now.

A beat, as they stand there next to each other.

JOHNNY
(simply)
I liked him a lot.

TORY
(after a beat,
grudgingly)
He liked you, too.

A beat, as Johnny watches the casket, then --

JOHNNY
(quietly)
'Bye, Tone. I'm gonna miss you.

And he walks away. She watches him.

INT. A CAR - DAY

Agent Jackson drives; Burdock sits next to him. Through the windshield, we see they are driving through a cemetery. They stop near a caravan of cars -- which are empty and parked at the bottom of the hillside. Burdock looks at the cars, at the cemetery disgustedly.

BURDOCK
It's Mickey Mouse, that's what it is.

JACKSON
Makes sense to me.

BURDOCK
At a funeral?

JACKSON
It gives us an audience. That's what we want.
(he smiles)
We gotta keep 'em honest.

BURDOCK
I didn't sign up to disrupt funerals.

JACKSON
(tight smile)
You signed up to take orders.

EXT. THE CEMETERY - DAY

On the hillside, Tony Sadecki's casket is in the ground.

THE PRIEST
(leading mourners)
-- Holy Mary, Mother of God, pray for
us sinners, now and at the hour of our
death, amen.

The Priest blesses the coffin, and then the mourners
start walking down the hillside. Johnny watches Tory.
Her face is set. Not a tear.

EXT. THE CEMETERY - THE BOTTOM OF THE HILLSIDE - DAY

as the mourners walk down to their cars. Johnny and his
mother head for their old Chevy. Burdock and Jackson
stand next to it. Johnny sees them, hesitates, then goes
up to them.

JACKSON
(his hand out)
Give me the keys.

His mother looks at Johnny.

JACKSON
This car is United States government
property.

JOHNNY
It's my car!

Jackson hands him a piece of paper.

JACKSON
Internal Revenue Service Order of
Seizure 6331.

ANGELA
Jesus, Mary and Joseph.

Some people start gathering around. Tory sees the commo-
tion, stops at a distance.

JACKSON
We can call for a tow truck.

Shitski comes over, sees Burdock.

SHITSKI
 (to Johnny)
 What's he doin' here?
 (to Burdock, loud)
 What are you doin' here, you fuck?

JOHNNY
 They're taking my car.

SHITSKI
 (loud, to Burdock)
 This is a funeral, scumbag!

JACKSON
 We know what it is.

Tory walks over to them. She and Burdock look at each other.

JACKSON
 (his hand out, to
 Johnny)
 The keys.

A pause; a standoff.

JOHNNY
 (quietly)
 Get in the car, Mom.

ANGELA
 Jesus, Mary and Joseph.

JACKSON
 I warn you that --

TORY
 (to Burdock)
 What is this?

He says nothing.

JOHNNY
 (to his mother)
 Mom, please -- get in the car, Mom.

JACKSON
 This vehicle has been seized by --

TORY
 (to Burdock)
 This is my father's funeral!

JACKSON
 We're just doing our job, lady --

Angela suddenly tries to open the car door.

Jackson grabs her arm. Johnny picks Jackson up, pushes him away, hard. Jackson stumbles and falls. Burdock just watches all of this -- makes no moves. He is clearly disgusted by what is happening. Johnny and his mother get into the car as Jackson gets up, brushes himself off. The old Chevy CLUNKS away. Tory stands there, watching the car. The others start drifting away.

BURDOCK

(to Tory)

I didn't know it was your father's funeral.

She looks at him, says nothing.

BURDOCK

I'm sorry -- didn't know, Tory.

She turns and walks away. Burdock stands there, watches her. He looks pained.

INT. THE BAR - LUNCH

The place is jammed. Johnny works behind the bar. Through the plate glass window, he sees a police car pull up in front of the place. Then, slowly, behind it, a tow truck. He stares at the cars. He looks scared. TWO UNIFORMED POLICEMEN walk in. The place freezes.

A POLICEMAN

John Duffy?

JOHNNY

(after a beat; voice shaky)

Yeah?

THE POLICEMAN

You're under arrest.

The place buzzes. Johnny stands there a moment, immobile. Angela runs out of the kitchen, a stack of plates in her hand. Johnny takes his bar apron off, gets out from behind the bar. The Policemen handcuff him. Angela drops the plates. They SHATTER.

EXT. THE BAR - DAY

Johnny is in the back seat of the police car. The tow truck has cranked the old Chevy up. The police car pulls away; so does the truck with the Chevy. The bar patrons watch as the cars recede. Angela makes the Sign of the Cross.

INT. THE FIFTH DISTRICT POLICE STATION - BOOKING DESK - DAY

The BOOKING SERGEANT sits behind an elevated desk.

In front of him: Johnny and the Two Policemen.

THE BOOKING SERGEANT
Charge?

A POLICEMAN
Assault on a Federal officer.

THE BOOKING SERGEANT
(to Policeman)
FBI?

THE POLICEMAN
IRS.

THE BOOKING SERGEANT
(to another cop)
Give this guy a suite.

INT. FIFTH DISTRICT POLICE STATION - WAITING AREA -
EARLY EVENING

Johnny is led out by a policeman. His mother is sitting there. He walks up to her, says nothing.

ANGELA
(after a long beat)
You no listen. Never listen. All you
life you no listen. Now, maybe you
listen.

They start walking out of the waiting area.

JOHNNY
I always listen, Mom. I'm not deaf
and dumb.

ANGELA
(after a beat)
You ain't deaf, you just dumb.

JOHNNY
I got all A's and B's. You know that.
Grade school and high school.

ANGELA
(accusing)
You didn't go to college!

JOHNNY
I had to run the bar, Mom. It was
important. It's the family bar, Mom.
It's better than college.

ANGELA
(hard)
How? How it better?

JOHNNY
(casually)
You learn more, Mom.

ANGELA
What you learn?

JOHNNY
Stuff you don't learn in college.

INT. POLICE STATION CORRIDOR - EARLY EVENING

He and his mother walk through the door into the corridor.

They walk into bright TV lights -- LEROY DANIELS, a black television reporter, stands there with a crew.

ANGELA
Nothin' happen! Go away! It was an accident!

DANIELS
Can I talk to you, Mr. Duffy?

JOHNNY
Sure.
(he smiles)
I've never been on TV before.

INT. VINNIE DESAPRI'S MERCEDES - NIGHT

as it moves through traffic. Angela sits in the back seat between Johnny and his Uncle Vinnie DeSapri. They ride in silence.

VINNIE
(to Angela)
He don't even say thank you. No Christmas cards. No thank you.

JOHNNY
(to Angela)
How could you let him bail me out, Mom?

VINNIE
(after a beat; to Angela)
Angie, all I ask is that we talk. Is that too much too ask, Angela, from my own nephew, my own sister?

Johnny says nothing.

ANGELA
(after a beat)
We talk, Vinnie. We talk.

Vinnie smiles.

INT. VINNIE'S PENTHOUSE APARTMENT - NIGHT

They sit around an ornate dining room table -- Vinnie, Angela, Johnny, his brother Frank, and CARMINE, Vinnie's attorney, a dapper man in his 50's. Nothing is said; a long beat, then --

JOHNNY

No!

VINNIE

(leaping up)

He's crazy! He oughta be put in the sanitarium!

CARMINE

(to Johnny)

Johnny, as your uncle's attorney, I really must advise you --

JOHNNY

I'm not gonna pay 'em!

VINNIE

(sitting back down,
quietly)

Angela, talk to him, please. You're his mother.

She says nothing.

FRANK

The check is all made out, Johnny.

He takes a check out of his pocket, waves it.

FRANK

\$14,312. All you gotta do is sign it.

Carmine offers him a pen.

CARMINE

They just want the money. They'll forget the charges.

JOHNNY

Not -- one -- cent!

Vinnie leaps up again in fury.

VINNIE

I'll send them a goddamn check!

CARMINE

He's gotta sign it. They want him to comply.

VINNIE
 Jesus Christ, anybody else I'd have
 him --

A sudden, frozen pause.

JOHNNY
 What are you gonna do, Uncle Vinnie,
 you gonna --

ANGELA
 (interrupting)
 Vincente, you no gonna --

VINNIE
 (sitting back down
 in disgust)
 No. Christ, no. Angela, he's my
 nephew.

He trails off. A pause. Then Vinnie gets up suddenly again, takes the check from Frank's hands, and slams it down on the table in front of Johnny.

VINNIE
 (loud)
 Here. Sign it.

Johnny looks at the check on the table. Carmine offers him the pen. Johnny looks at the pen. Then he picks up the check and tears it up into little pieces.

CLOSEUP - A TV SCREEN

JOHNNY
 He put his hands on my mom. I got
 mad. It was my mom. I'm not gonna
 let anybody push Mom around.

The black TV reporter, Leroy Daniels, comes on.

DANIELS
 So that's the story of Johnny Duffy,
 one man who says even the IRS can't
 push his mother around. One man who
 says he doesn't care about computers
 and data banks. He has his shoe
 boxes. And his shoe boxes, he says,
 prove him right. He faces twenty
 years in prison -- the loss of his
 house and his bar. He's already lost
 his car. For Channel Five News-scene,
 this is --

The TV goes dark and we see a group of men sitting around an IRS conference room.

Sitting at the head of the table is HANK BAUER, the Regional Commissioner of IRS activities. He is in his 40's, strong, appealing. Around the table sit Fowler, Burdock, Jackson, and several other agents.

FOWLER

Okay. Most of you know Commissioner Bauer.

(to Bauer)

We're doing great, Hank. He's playing right into our hands. He even got on TV last night. There's a story about him in the paper this morning. We couldn't be doing better if we'd hired our own PR guy.

Fowler smiles.

BURDOCK

If he pays up.

BAUER

They all pay up.

FOWLER

Once he does, all the publicity swings our way and anybody who watches TV or reads the paper gets the message.

BURDOCK

What message? That we hammered some little guy into the ground?

BAUER

(after a beat, hard)

Nobody beats the Eagle, Jack. They lie and they cheat on their returns --

(he grins)

-- but nobody beats the Eagle.

(then very seriously)

That's the message, nobody!

BURDOCK

(evenly)

Not even Congressmen, Hank? How about important Congressmen on important committees?

Bauer glares at him.

EXT. A HELIPAD ATOP THE FEDERAL BUILDING - DAY

Burdock stands with Bauer on the rooftop. Bauer is waiting for a helicopter. Burdock looks at him, then looks away. A pause.

BURDOCK

I feel like hangin' it up, Hank.

BAUER

I warned you about that Congressman,
didn't I?

Burdock says nothing, then -- a helicopter approaches.

BURDOCK

This guy runs a corner bar and makes
dollar bets, Hank.

BAUER

You know there were four million
people last year who didn't even file
returns? You think they were
Congressmen?

The helicopter starts to land -- a door opens.

BURDOCK

He made out his returns. He paid us.

Bauer starts toward the helicopter.

BURDOCK

He's a good guy, Hank.

BAUER

(grins)

He's inventory. Hang in. Another
year I'll get you out of here.

And he gets into the chopper. Burdock looks disturbed.

INT. BAR - LUNCH

Johnny is behind the bar; the place is packed. Tory
walks in. She sits down at the bar, gets a lot of looks
from the guys. He works as he talks.

TORY

Hello.

JOHNNY

What are you doing down here? Why
aren't you out freeing some muggers?

She looks at him a beat.

TORY

You need a lawyer, okay? That's why
I'm here.

JOHNNY

You can't be my lawyer. I didn't rob
anybody. I didn't mug anybody. You
help the bad guys. I'm not a bad
guy.

TORY
(after a long beat)
I'd like a shot and a beer, please.

JOHNNY
No, you don't.

TORY
(getting angry)
Yes I do!

JOHNNY
You want a white wine spritzer.
That's your drink.

TORY
Are you going to get me a shot and a
beer, goddamnit?

She gets the shot and beer, puts the shot right down.

JOHNNY
(smiles)
Where'd you learn how to drink like
that?

TORY
In college.

JOHNNY
I'm glad I didn't go. I've got enough
problems.

TORY
(after a beat)
Look. It was my father's funeral,
okay?

JOHNNY
I know. I gave him a cigar. I'm glad
I remembered. You didn't.

He grins. A beat, she smiles, and then she starts a
laugh. He laughs with her. A long beat, then --

JOHNNY
You want me to pay them, don't you?

TORY
No. Not necessarily.

JOHNNY
Yes, you do. Everybody wants me to
pay them. What's wrong with you?

TORY
It's up to you.

JOHNNY
(simply)
I'm not going to pay them.

TORY
(after a beat)
Five-thirty. In my office.

She looks at him a beat, and starts out.

JOHNNY
What are you going to charge me?

TORY
Nothing.

JOHNNY
You must be a bad lawyer. "The better
the lawyer, the bigger the thief."

TORY
Okay. I'll charge you an arm and a
leg.

JOHNNY
I'll think about it.

INT. TORY'S OFFICE - NIGHT

She sits behind her desk in the Winnebago. He walks in
with his shoe boxes.

JOHNNY
I'm going to test you out and see if
you know anything about tax law.

TORY
What do you know about tax law?

JOHNNY
I know more than you do. You're not a
tax lawyer, are you?

She looks at him.

INT. TORY'S OFFICE - LATER - NIGHT

Her desk is filled with receipts and forms. She looks
tired.

TORY
Did you ring everything up on the cash
register?

JOHNNY
That's what it's for.

TORY

I mean -- do you ever pocket any money?

JOHNNY

Who doesn't?

She is getting increasingly exasperated.

TORY

Do you have a record of the tabs you run?

JOHNNY

Sure I do. I'm a businessman.

TORY

Where is it?

JOHNNY

In my head.

A pause; she looks weary.

TORY

What about the gambling?

JOHNNY

I don't gamble. A buck here, a buck there -- that's not gambling.

He smiles.

TORY

What is it?

JOHNNY

Fun.

A long pause; she looks completely exasperated.

JOHNNY

Are you hungry?

TORY

No.

JOHNNY

Your stomach's gurgling. Most of the time, if your stomach's gurgling, it means you're hungry. Unless you're sick. You're not sick, are you?

TORY

(after a beat, measured)
No, I'm not sick.

JOHNNY

Let's go to one of those places I bet
you like, where they want you to eat
the plates.

She just stares at him, doesn't get it.

JOHNNY

Where they bring you the pretty plates
with no food on 'em.

A long beat, as she looks at him, then --

TORY

Let's get a pizza.

JOHNNY

(amazed)

A pizza?

(a big smile)

Hey!

He sounds excited!

INT. WINNEBAGO - NIGHT

She drives. He sits next to her.

JOHNNY

Do you always drive around in this
office?

TORY

Sometimes. It saves on the gas.

JOHNNY

These offices eat gas.

TORY

I don't pay for it. Legal Aid does.

JOHNNY

You rip them off on the gas.

She gives him a look.

JOHNNY

Maybe you are a good lawyer.

She gives him a look.

JOHNNY

What's this thing?

He picks a microphone off the dash.

TORY

It's a speaker.

JOHNNY

(smiles)

You drive around advertising for muggers?

TORY

Put it down...

He flicks a button on it.

JOHNNY

She rips them off on the gas! She rips them off on the gas!

His words boom across the streets outside. She takes the mike out of his hands, flicks the button on it, and hangs it back up. He grins.

TORY

(sharp)

Keep your hands to yourself.

JOHNNY

You go blind doing that.

A beat, and then she gets it and starts to laugh.

He closes his eyes tight.

JOHNNY

I can't see! I can't see!

And then he opens his eyes and looks at her and laughs with her.

INT. LUIGI'S PIZZA HOUSE - NIGHT

A little place in the neighborhood. They sit across from each other at a booth. They are really scarfing their pizza.

JOHNNY

(eating)

Somebody had to take over the bar. Mom couldn't run it herself. I didn't want to go anywhere anyway. I love this neighborhood. It's mine. I'm not supposed to feel like that, I know. You watch TV, everybody's always leaving where they are. I don't want to go anywhere.

TORY

Well, I do.

JOHNNY

That's it, you see. I bet you watched a lot of TV.

She gives him a look.

JOHNNY

So how about you?

TORY

How about me?

JOHNNY

How did you get to be a lawyer?

TORY

I didn't want to be a funeral director.

JOHNNY

You could have been a good one. I saw what you did with Tony.

She gives him a look.

JOHNNY

Why aren't you married?

TORY

(getting angry)

What does that have to do with anything? That's none of your business.

JOHNNY

Don't get mad, I'm just curious --

TORY

You certainly are.

JOHNNY

People go out on a date, they ask questions.

TORY

(getting angrier)

This isn't a date!

JOHNNY

See? You're getting mad.

TORY

(angry)

Why aren't you married?

JOHNNY

I don't know. I'm picky, I guess. It's getting married. It's not picking out a head of lettuce at the A & P.

TORY
I'm picky, too.

JOHNNY
(grins)
That's great. What was so hard about
that? It was just a question.

A pause; they eat.

JOHNNY
Do you get laid a lot?

She stops eating, looks at him flabbergasted.

JOHNNY
I'm getting tired of it myself. Bang
bang, it's not enough anymore. Right?
What do you think?

TORY
(after a beat)
I don't know -- maybe. Look, we have
to talk about the case.

JOHNNY
I guess that means you don't get laid
a lot either.

TORY
(angry)
I don't want to talk about it!

JOHNNY
You like sex, don't you?

TORY
I didn't say --

JOHNNY
(simply)
I do, too.

She stares at him. He sees she's not eating.

JOHNNY
You don't like your pizza.

TORY
(with great restraint)
I ate enough!

JOHNNY
(smiles)
I like you.

TORY
(with great restraint)
I don't care if you --

JOHNNY
(simply)
Sure you do. Everybody cares if
people like them or not. What do you
think?

He smiles; she stares at him a long beat.

TORY
I think we should talk to the IRS.

JOHNNY
(simply)
Okay. I'll forget the whole thing if
they apologize.

She shakes her head, then she puts it down, and she
starts to laugh.

JOHNNY
I don't keep grudges.

INT. FOWLER'S OFFICE - IRS - MORNING

Tory and Johnny walk in. Fowler gets up, shakes her
hand, ignores Johnny.

FOWLER
Miss Sadecki, I'm Director Fowler --
this is Agent Jackson.

She shakes hands with Jackson.

FOWLER
Agent Burdock.

She shakes hands with Burdock.

BURDOCK
(smiles)
Hello.

TORY
(evenly)
Hello.

INT. FOWLER'S OFFICE - IRS - LATER

FOWLER
(to Tory, ignoring
Johnny)
What we are prepared to offer you is
this:

(MORE)

FOWLER (CONT'D)

We will drop the assault charge. We will not file the fraud charge. We will return his car. In return, he will pay us \$14,312.

JOHNNY

Bullshit.

FOWLER

Over a three year period. Plus interest. Due to the publicity of this case, he will also publicly acknowledge compliance.

TORY

Meaning what?

FOWLER

A press conference.

JOHNNY

Bullshit!

A pause.

FOWLER

(to Tory)

Is that your answer?

TORY

(after a long beat)

I'd like to confer with my client.

FOWLER

(smiles)

Of course.

INT. THE CORRIDOR OUTSIDE RECEPTION AREA

Tory walks quickly down the corridor with Johnny: she wants to find a spot where there is no one around. She stops, looks around, makes sure no one can hear them.

TORY

I don't know how to say this to you.

JOHNNY

I'm not gonna pay 'em!

TORY

Johnny, they'll nail you to the wall.

JOHNNY

I didn't do nothin' wrong. I run an honest bar.

TORY

It doesn't matter.

JOHNNY

It doesn't matter? What do you mean
it doesn't matter? That's the only
thing that does matter.

TORY

Don't see see? You can't win. I wish
you could. You can't.

JOHNNY

I don't care! It's wrong!

TORY

(upset)
I know it's wrong!
(a long beat, then
low)
So what.

JOHNNY

(shocked)
So what?

TORY

(angry at him,
at herself)
Why do you have to be such a goddamn
loser?

He is really hurt by that. She sees the hurt on his
face.

TORY

(holding his arm)
I'm sorry. I didn't mean --

He turns quickly away from her and starts walking deter-
minedly down the corridor.

She slumps against a wall, very upset, watching him.

INT. ROOM 302 - THE RECEPTION AREA

He storms in, past The Receptionist, past the people sit-
ting there.

INT. THE OFFICE AREA

He storms down the maze of corridors, gets to Fowler's
door. He swings Fowler's door open.

INT. FOWLER'S OFFICE

Fowler, Burdock, and Jackson sit there. They look at
him.

JOHNNY
 (slowly, low)
 No -- fuckin' -- deal!

He slams the door.

INT. THE BAR - NEXT DAY (MORNING)

He is behind the bar, cleaning glasses. The place is starting to fill up for lunch -- Charlie and Shitski are there, so are some of the other regulars. The same two Policemen as before walk in.

THE POLICEMAN
 You're under arrest.

JOHNNY
 What for?

THE POLICEMAN
 Tax fraud.

EXT. THE STREET

The police cruiser, with Johnny in the back, pulls off. Shitski, Charlie, and the others watch the car. Shitski suddenly hurls a beer bottle at it. It SMASHES against the back of the police car.

A SERIES OF QUICK CUTS

- A) Johnny stands in front of the booking sergeant.
- B) He is being led to a jail cell.
- C) The jail cell door closes. He stands holding the bars.

INT. THE FIFTH PRECINCT WAITING ROOM - DAY

A policeman leads him out. His mother is waiting there.

ANGELA
 Your grandfather, he no go jail. Your
 father, he no go jail. Even your
 Uncle Vinnie no go jail.

He says nothing, starts walking with her, then --

JOHNNY
 They gave me a nice cell, Mom.

A small army of reporters swoop down on them -- among them are Leroy Daniels, the black reporter, and his crew.

He puts his arm around his mother.

JOHNNY
 (to reporters)
 This is my mom. Say hi to everybody,
 Mom.

She cringes, rolls her eyes.

INT. VINNIE'S PENTHOUSE APARTMENT - AFTERNOON

Johnny and his mother sit at the ornate dining room table with Vinnie and his lawyer, Carmine. A funereal pause, then --

VINNIE
 Show him, Carmine.

Carmine opens an expensive leather briefcase, puts a tan IRS envelope on the table.

VINNIE
 (mildly)
 You know what they're gonna do to me, Johnny? They're gonna run a T-C-M-P. You know what a T-C-M-P is, Johnny?

JOHNNY
 No, I don't, Uncle Vinnie.

VINNIE
 (spitting it out)
 Tax Compliance Management Program.

A beat, and he settles himself down.

VINNIE
 (super calm)
 They're gonna trace down every single penny I got. I got accountants, I got bookkeepers -- all these years, I never even got audited. Now I'm gonna get the TCMP. You know why, Johnny?

JOHNNY
 Because of me.

VINNIE
 (smiles)
 Because of you.
 (a beat, then mildly)
 You know what the T-C-M-P's gonna do to me?

JOHNNY
 It's gonna put you in jail.

VINNIE
 (screaming suddenly,
 jumping up)
 Like hell it's gonna put me in jail!

Angela crosses herself quickly.

JOHNNY
 You'll get a nice rest, Uncle Vinnie.
 You can get a lot of sleep in there.

Vinnie looks like he is going to have a stroke, stares at him.

VINNIE
 (to Angela, he smiles)
 Angela, please. Get him out of here.

JOHNNY
 (getting up, friendly)
 See you later, Uncle Vinnie.

INT. THE BAR - NIGHT

Johnny walks in. Shitski, Juice, Charlie, and his brother Frank are sitting there. An atmosphere of deep gloom. Johnny goes behind the bar, glances at them sitting there like statues. Frank reaches into his suit coat pocket. He takes a tan IRS manila envelope out, puts it on the bar. Johnny stares at the envelope. Then Shitski drops an IRS envelope on the bar. Then Juice. Then Charlie. Johnny stares at the envelopes, then he looks up at them.

JOHNNY
 I'm not gonna pay 'em.

They just look at him. The phone RINGS. He ignores it, looks at the men.

JOHNNY
 (simply)
 I don't care what they do. I'm not
 gonna pay 'em.

The phone keeps RINGING as he stares at them and then he answers it. He listens a long beat. He hangs up. He says nothing, stands there. And then he suddenly leaps over the bar and goes racing out into the street.

EXT. A RESIDENTIAL STREET - NIGHT

He runs down the street. As he gets closer to his house, he sees: men carrying furniture from his house, loading it into a moving van. He stops by the van, out of breath, gasps for air.

Agent Jackson comes up to him.

JACKSON
(hands him a paper)
This is an order of seizure.

He goes by Jackson into the house.

JOHNNY
Mom!

INT. HIS HOUSE

He gets by men moving furniture.

JOHNNY
Mom!

He finds her in the kitchen. She is hunched in a corner, crying. The kitchen is dark. He holds her. He turns suddenly. Tory is sitting there in the darkness.

ANGELA
I call Emma. They take the bed.
Where I sleep?

JOHNNY
(to Tory, quietly)
They can come in here and take everything? They can do this?

TORY
It's a writ of entry. They don't even need a court order.

JOHNNY
It's not fair.

TORY
No it's not.

JOHNNY
This isn't Russia!

TORY
No it's not.

A pause.

ANGELA
You go jail. Frankie go jail. Vinnie go jail. What I do, Johnny?

He says nothing, stands there.

ANGELA
I know. I go jail, too.

JOHNNY
No you won't, Mom.

ANGELA

Ya. I go too.

He looks at her, moved, touched. A pause.

TORY

Come on, Mrs. Duffy, I'll take you home.

ANGELA

(to Johnny)

This my home.

She and Tory walk out. Johnny stands there, watches as the men come into the kitchen and move the tables and chairs.

INT. HIS HOUSE - MORNING

He is sleeping on the bare floor, covered with blankets. The ALARM CLOCK he has placed on the floor goes off. He sits up. He looks around at the awful bareness, the desolation, of his house.

INT. THE KITCHEN - MORNING

He is making himself a pot of coffee on the stove. He stands there -- he can't even sit down. The kitchen table, everything else, is gone. He pours his coffee, stands there, sips it. Then he suddenly hurls the coffee mug into the sink. It breaks. He stands there a moment, then goes to the telephone. He hesitates a long beat. Then he dials.

JOHNNY

(hoarse)

I'll pay 'em.

INT. A SUBURBAN HOUSE IN PARMA - MORNING

It is the kind of modern Muzaked place which is a world away from the neighborhood. Johnny, wearing his old black suit, sits there with Frank, who sits behind his desk. We see a mini pool table in the background.

FRANK

Sign right here.

He hands Johnny a piece of paper. Johnny hesitates a moment, then signs it quickly. Frank hands him a cashier's check. Johnny gets up without saying anything, starts walking out. He looks destroyed.

FRANK

You're welcome.

EXT. FRANK'S HOUSE - MORNING

He comes out. Tory's Winnebago is parked there. He looks at it, hesitates, walks toward it.

INT. THE WINNEBAGO - MORNING

She drives. He sits there in his funeral suit. Nothing is said. She looks at him.

TORY

You think I like this any more than you do?

He says nothing, stares ahead.

TORY

Give me the check.

He hesitates. She looks at him. He reaches into his suit coat pocket and gives her the check.

INT. THE IRS CONFERENCE ROOM - DAY

Fowler stands there with Johnny and Tory. They face a large battery of TV reporters, cameras, etc. Burdock watches from the side.

FOWLER

-- We have dropped all charges against Mr. Duffy because of his voluntary compliance. I have a check here for \$14,312.

(he holds the check up)

I believe Mr. Duffy has a statement to make.

Johnny clears his throat a few times, takes a sheet of paper out of his pocket, starts reading it hesitantly, clumsily.

JOHNNY

After reviewing my own records, I discovered that I was in error.

He stops, looks up at the reporters.

JOHNNY

So I have given the Internal Revenue Service a cashier's check --

He stops again, looks at the reporters again.

JOHNNY

(different tone)

You want me to tell you what happened, I'll tell you what happened.

Buzzing among the reporters.

FOWLER

(nervously, to Tory)

What is this? He made a deal --

JOHNNY

(to the reporters)

They came in and took my furniture.
First they took my Chevy -- then the
furniture --

FOWLER

(interrupting,
to reporters)

I have a check here for \$14,312 --

He holds the check up. Johnny grabs it suddenly.

JOHNNY

You got zilch!

The reporters roar. Fowler stands there openmouthed.
Burdock grins.

TORY

(to Johnny)

Johnny --

JOHNNY

(loud, to reporters)

They're gonna audit the guys that come
into my bar! They're gonna audit my
whole family. They sent a guy in to
spy on me! They piss all over a
funeral! They try to blackmail me
with a buncha trumped-up bullshit!

The reporters laugh.

JOHNNY

(to reporters)

What the hell is this? I'm an
American! This isn't Russia!

(to Fowler)

I don't give a shit what you do! Not
one cent!

INT. THE WINNEBAGO - DAY

She drives. She looks very upset. He sits next to her,
a smile on his face.

TORY

(angry)

You made a deal with the government!

JOHNNY

They're not the government. How can you say they're the government? They take your car, your furniture. They go after your family! They're not the government! They're Russians!

TORY

They're the government, Johnny!

JOHNNY

What are you, un-American?

TORY

Even the Russians aren't like Russians anymore. They're getting to be more American every day.

JOHNNY

That's what I said -- backwards.

TORY

(exasperated)

You're going to lose. God, don't you understand?

The Winnebago pulls up in front of his bar.

JOHNNY

(calmly)

I am not going to lose. I'm going to win. You're the one who's always talkin' about losing. You want to lose? Fine. Lose. You're fired.

He gets out of the Winnebago. She gapes at him.

TORY

I'm -- what?

JOHNNY

You're fired. You've got a bad attitude. You're fired.

And he walks calmly away.

TORY

(yelling)

I hope they nail you to the goddamn wall!

JOHNNY

(not looking at her)

No you don't.

TORY

(yelling)

Yes I do!

JOHNNY
 (not looking at her)
 No you don't.

INT. FOWLER'S OFFICE - IRS - DAY

Fowler, with Burdock and Jackson. Fowler is in a rage.

FOWLER
 What the hell does he think we're
 playing here, marbles?

BURDOCK
 (enjoying this)
 The guy lost his cool, that's all.

FOWLER
 They were laughing at me in there!
 Nobody laughs at me, damnit! They
 laugh at me, they laugh at the United
 States of America!

BURDOCK
 (grins)
 What are you, Old Glory, Arthur?

FOWLER
 (to Burdock)
 I've had enough of you, too. I took
 you in here as a favor to Hank.

A pause.

JACKSON
 What are we going to do, refile the
 charges?

FOWLER
 Are you crazy? You didn't really
 think we were going to take him to
 court, did you? And give that bastard
 a jury trial. No jury trials! That's
 not the way this system works!

INT. THE WINNEBAGO

A BLACK MAN stands there in the door, talking to Tory,
 who is sitting behind her desk.

TORY
 Courtroom three, on the 22nd, will you
 remember?

BLACK MAN
 Courtroom three, I got it. Night.

TORY
 Good night.

He leaves. She sits there a beat. Burdock is standing there. She looks at him a long beat.

TORY

What are you doing, spying again, Jack?

BURDOCK

(smiles)

I just wanted to see you.

TORY

(after a beat)

There's nothing to say, Jack.

BURDOCK

I'm sorry about your dad. And the funeral. And what happened. I didn't want to have anything to do with it.

TORY

But you did.

BURDOCK

(smiles)

It's my strength of character.

TORY

(after a long beat)

You can't get over the fact that I didn't sleep with you, can you?

He looks at her.

EXT. THE STREET

Johnny gets out of an old clunker of a car. He has a bouquet of flowers in his hand. He smells the flowers, smiles. He starts toward the Winnebago.

INT. THE WINNEBAGO - NIGHT

She gets up, starts gathering her things. He puts his arms around her.

BURDOCK

Why'd you take this case?

TORY

I was really stupid.

BURDOCK

I know why you took it.

And he kisses her. She resists at first, then lets him kiss her.

She is facing the window. She opens her eyes during the kiss and sees Johnny standing in the window, the bouquet of flowers in his hands. His smile is dead.

She breaks from Burdock, goes to the door, opens it.

She sees Johnny walking away.

TORY

Wait a minute.

He keeps walking.

TORY

(to herself)

Oh-h-h-h-h shit!

(then, loud)

Wait a minute, goddamnit!!

EXT. THE STREET

She catches up to him at his jalopy.

JOHNNY

(opening door)

I thought maybe you liked flowers.

TORY

I hate flowers! I grew up in a
funeral home!

Nothing is said a beat as he opens the door.

TORY

(suddenly)

He's just an old friend.

JOHNNY

I didn't ask you.

TORY

Well, I'm telling you!

JOHNNY

I was going to rehire you.

TORY

Oh, great, thanks a lot.

JOHNNY

That would have been a mistake.

TORY

Really.

JOHNNY

You've got to be able to trust your
own lawyer.

TORY

You can trust me.

JOHNNY

Oh, sure.

TORY

You can.

JOHNNY

I trusted him too. What is this?
Some sort of tag team? Are you in
cahoots?

TORY

(hurt)

Is that what you really think? You
really think that? You really think
I'm a -- spy?

JOHNNY

I don't know what to think anymore.
I don't have a car, I don't have any
furniture, my mom lives in a funeral
home, I'm on TV all the time, my
family's going to jail, my friends are
going to jail, I'm going to jail, and
my lawyer's in bed with the Russians.
You figure it out.

TORY

Lay off the Russians. Stick to the
IRS, they're worse than the Russians.

JOHNNY

Why don't you lay off them?

TORY

Why says I'm laying on them?

JOHNNY

Are we talking about Russians now or
are we talking about the IRS?

A long beat.

TORY

(angry)

You piss me off more than any man I've
ever known, do you know that?

JOHNNY

That doesn't mean anything. You get
pissed off at everybody all the time.
If I didn't piss you off, that'd be
something.

A long beat -- he holds the flowers. She seethes.

JOHNNY

Do you want these or don't you?

TORY

No! I told you! I grew up in a funeral home!

JOHNNY

Suit yourself.

He starts getting into the car.

TORY

Give me the goddamn flowers!

JOHNNY

What for? You said you didn't want them.

TORY

(loud)

Give them to me!

JOHNNY

Don't forget to water 'em.

He hands her the flowers and gets into the clunker. It starts with a BANG and CLUNKS away. She stands there, the bouquet in her hands, looks after the car.

Burdock comes up behind her, looks at the flowers in her hands.

BURDOCK

(smiles)

Who died?

TORY

Nobody died! Get out of here already, will you?

She doesn't look at him, stares after the car.

BURDOCK

You like him, don't you?

TORY

(sharp)

No! Yes! No! Maybe!

BURDOCK

(after a beat, smiles)

You're better than he is.

She turns, slaps him suddenly, hard.

TORY

You're not.

She walks away. He looks after her. That hurt more than the slap.

INT. DUFFY'S BAR - MORNING

Tory walks in. She sees Charlie behind the bar.

CHARLIE

(excited)

He's down the bank! You better get
down there!

EXT. THE STREET - MORNING

She is walking into the bank down the block from the
bar. As she does, Johnny comes out. He keeps walking.
She keeps pace.

TORY

What's wrong?

JOHNNY

They took my money. It's been in that
bank all my life. They just came in
and took it.

TORY

How much did they take?

JOHNNY

Every penny. \$8,200. How am I
supposed to run my bar?

TORY

You're not.

He looks at her a beat. He starts walking again. She
keeps pace.

TORY

I'll lend you the money.

JOHNNY

Beautiful. They're banging me, you're
banging them. Now you want to lend me
money.

TORY

It's my life --

JOHNNY

Fine. Bang them all. How many agents
are there? A couple thousand. You're
going to get tired.

She is getting angry, but she is trying to control it.

TORY

I want to lend you the money because I
care about you.

JOHNNY

You care about me, you care about him. You take my flowers, you bang him, you lend me money. What are you, some sort of teeter-totter?

TORY

(yelling)

All right! Damn you! I didn't go to bed with him! I've never gone to bed with him!

That stops him dead in his tracks. He smiles a little.

JOHNNY

Really?

TORY

Really!

JOHNNY

No. I mean -- really?

TORY

(yelling)

Really!

JOHNNY

(grins)

All right!

She stands there, looks like she is going to hit him. He grins.

JOHNNY

How much can you lend me?

A beat, and she smiles slowly.

INT. SADECKI FUNERAL HOME - DAY

They walk by the chapel. It is filled with mourners.

JOHNNY

(whispering)

We're not going to rob a casket, are we?

She says nothing, leads him to a stairway.

INT. SADECKI FUNERAL HOME - THE BASEMENT

A very cluttered and dark place. She is moving boxes aside. She finds a cigar box, opens it. It is filled with hundred dollar bills.

JOHNNY

(stares)

What kind of money is this?

TORY

It's my dad's. The old people liked to pay cash.

JOHNNY

You mean he never reported it? All this money and he never reported it?

She hands him eight one-thousand dollar bills.

JOHNNY

You cheat on the gas, he cheated on the taxes. You work for muggers and robbers, you kiss IRS guys. What kind of person are you?

TORY

(loud)

Everybody cheats!

JOHNNY

(simply)

I don't.

They start heading out of the basement; he is in front of her.

JOHNNY

I pay for my gas, I pay my taxes. I don't work for muggers and robbers. I don't kiss IRS guys. No wonder they want to send me to jail.

(a beat)

Why didn't you go to bed with him?

TORY

Because I didn't feel like it.

He turns suddenly and kisses her very quickly, very softly on the lips. He takes her off-balance. She just stares at him as he smiles.

TORY

(quietly)

You kiss lawyers, though.

JOHNNY

Nobody's perfect.

And he starts heading up the stairs. A beat, and she follows him.

INT. IRS CONFERENCE ROOM - DAY (A MONTH LATER)

Bauer, Fowler, Burdock and Jackson.

BAUER

(to Fowler)

I thought you said we could bankrupt the guy. He hasn't had any money for four weeks, how is he paying his bills?

FOWLER

He's getting cash from someplace. He's paying everything in cash.

BAUER

How much does he still owe us?

FOWLER

The furniture, the car, the bank books --

(a beat; he looks at paper)
\$1,230.

BAUER

(after a beat; grins)

What is it with this goddamn guy?

A pause, no one says anything.

JACKSON

We could let it go, reassess his furniture, say we've got what he owes us.

BAUER

(after a beat; grins)

We want every penny.

(a beat)

We'll take his house. But first we announce he's got thirty days to pay us. We give him a chance. We look fair.

Fowler and Jackson grin.

BURDOCK

(angry)

What are you doing, Hank?

(a beat)

Don't take the guy's house away from him.

They look at Burdock.

FOWLER

He's right.

(a beat; Fowler smiles)

That's not where he lives. Take his bar.

Bauer and Jackson smile. Burdock looks like he wants to hit Fowler, then gets up, walks out of the room. The others look at each other.

INT. THE CORRIDOR, IRS OFFICES - THE FEDERAL BUILDING

Burdock, at a water fountain, drinking water. Bauer comes up to him. Burdock gives him a look.

BURDOCK

Christ, Hank.

BAUER

(icily)

I want surveillance, Jack.

Burdock gives him a disgusted look.

BURDOCK

He's not a criminal!

BAUER

(icily)

I'm giving you an order, Jack. Do it.

BURDOCK

(bitterly)

You're lucky you don't need a court order.

BAUER

(icily)

We. We don't need a court order.

A beat, as they stare at each other.

INT. A BOWLING ALLEY - NIGHT

A neighborhood place -- Johnny with Shitski, Charlie, Juice and some of the other regulars. They wear shirts that say "Duffy's Grill" on the back. The shirts are a horrible phosphorescent pink.

Johnny watches as Shitski bowls.

JOHNNY

Come on, Shitsk, get that strike, Shitsk.

TORY

(behind him)

I hate this place.

He turns, smiles.

TORY

I like your shirt.

JOHNNY

We had it specially done.

TORY

(a beat; she looks
around)

My dad used to come here all the time.

JOHNNY

It's a terrific place. My dad used to
come here, too.

TORY

(after a long beat)

I think we should take them to court.

JOHNNY

(immediately)

I like that! We'll sue them.

TORY

It's a tax court, Johnny. We don't
have a chance.

JOHNNY

Are you kidding? Everybody's got a
chance in court.

He smiles.

A long beat -- Tory looks at him seriously.

TORY

If we lose in court and you still
refuse to pay them, they'll take you
to jail.

JOHNNY

I haven't been there in a while
anyway.

TORY

(after a beat)

Do you want to go study?

JOHNNY

(smiles, looks at her)

What are we gonna to study?

TORY

(smiles, looks at him)

Courtroom procedure.

JOHNNY

(smiles, simply)

Okay.

INT. JOHNNY'S HOUSE - NIGHT

They walk in. She is carrying some law books.

He looks nervous. They stand clumsily in the living room. There is nothing to sit on. She looks at the blankets and the mattress against the wall. He sits down on the mattress.

JOHNNY

I bought it at the Salvation Army. I brought it home myself.

She sits down on the other side of the mattress. They are facing each other.

TORY

Did you get your shirt there, too?

JOHNNY

I told you. I had it specially done.

TORY

(after a beat)

You're not even scared about what can happen, are you?

They are looking into each other's eyes.

JOHNNY

I am now.

A beat, as they look into each other's eyes.

TORY

(gently)

Don't be.

JOHNNY

Okay.

INT. A VAN DOWN THE STREET - NIGHT

Burdock and Jackson sit in the van, listening to them, as, nearby, a tape recorder runs.

INT. JOHNNY'S HOUSE - NIGHT

They sit facing each other across the mattress, eyes on each other.

TORY

I'm going to teach you about interrogatories.

JOHNNY

What are those?

TORY

Questions you ask in court.

As they speak, they are lost gazing at each other. They obviously have something else on their minds.

JOHNNY

I'm not gonna ask any questions in court. You are.

TORY

We're both going to ask them.

JOHNNY

We are?

TORY

We are. It's tax court. Anybody can ask anything.

JOHNNY

Okay.

TORY

You look right at the witness, you maintain eye contact.

JOHNNY

Eye contact.

It's like they can't get enough of each other's eyes.

TORY

Yes. You say -- I call my first witness. You keep your voice even.

She is having trouble keeping it even.

JOHNNY

Even.

TORY

That's right. Now you say it.

JOHNNY

I call my first witness.

TORY

I call my first witness, Your Honor.

He leans in, kisses her gently.

JOHNNY

I call my first witness, Your Honor.

He kisses her again.

TORY

Again.

JOHNNY

(smiles)

Again?

He kisses her again.

TORY

Again.

And she kisses him. He holds her in his arms, lowers her to the mattress, kisses her more passionately.

INT. THE VAN - NIGHT

Burdock and Jackson, listening.

TORY (O.S.)

I thought you didn't believe in this anymore.

JOHNNY (O.S.)

This isn't that.

TORY (O.S.)

What is it?

JOHNNY (O.S.)

This is something different than that.

Jackson grins; Burdock looks like he is in pain.

INT. JOHNNY'S HOUSE - MORNING

He wakes up on the mattress in the living room. He looks around, doesn't see her. He smells something, hears something from the kitchen.

JOHNNY

(smiles)

Tory?

He heads into the kitchen.

JOHNNY

(smiles affectionately)

What are you doing up?

ANGELA

I slept enough already.

He stands there, badly startled, stares at Angela.

ANGELA

You want the sausage? Frankie, he bought the bed for me.

JOHNNY
(after a beat)
When did he do that, Mom?

ANGELA
Last night.

JOHNNY
Last night? You were here last night?

ANGELA
Ya ya. I here. I know about everything. You don't gotta fill me in. I know everything about everything. Have the sausage. You hungry. You makin' the babies.

He stands there.

ANGELA
(a big smile)
Eat. Eat. You gotta have your strength, Johnny. Make strong babies.

INT. THE WINNEBAGO - DAY

It is parked on a street corner. Tory sits at her desk, alone, surrounded by IRS books and tax cases. Burdock walks in.

BURDOCK
Learning anything?

TORY
I'm not in the mood for it, Jack.

BURDOCK
You look beat. Maybe you've been spending too much time boning up on your interrogatories.

He has picked his words very carefully. She looks up at him a long beat, then --

TORY
(quietly)
You bastard.

A long beat, as they look at each other. He shrugs finally.

BURDOCK
It wasn't my idea.

TORY
Did you enjoy yourself, Jack?

BURDOCK

(after a beat)

No. I didn't.

He turns away from her. A long beat, and then she smiles.

TORY

I did.

He looks at her a beat, as she smiles, then starts out.

BURDOCK

We're going to take his bar. He's got four days.

TORY

(smiles)

Now you know what you missed.

A beat; he turns, and is out the door.

INT. THE BAR - NIGHT

Johnny is behind the bar, reading a thick book. Shitski sits down at the bar by himself.

SHITSKI

Hey, Johnny, am I gonna have to get my own beer?

JOHNNY

(reading)

Just a minute.

A beat, and then he pours Shitski a draft and takes it to him.

SHITSKI

What the hell are you readin'?

JOHNNY

(after a beat)

The Constitution.

SHITSKI

What Constitution? Is there any sex?

JOHNNY

Our Constitution. No, there ain't any sex. It's good, you should read it.

SHITSKI

How can it be good if there ain't any sex?

Johnny says nothing, reads.

SHITSKI
You feeling okay, Johnny?

JOHNNY
(suddenly)
Listen, let me try something out on
you, Shitsk, okay?

SHITSKI
(eyes him suspi-
ciously)
Okay.

JOHNNY
(in a deep, even voice)
I call my first witness, Your Honor.

Shitski looks at him like he's gone totally nuts. A long
beat.

JOHNNY
(even deeper voice)
I call my first witness, Your Honor.

A long beat as they stare at each other. Then, finally --

SHITSKI
What the hell are you starin' at me
for?

Johnny just keeps staring at him.

SHITSKI
(louder)
Huh? What are you starin' at me for?

JOHNNY
(quietly)
Eye contact.

A beat, as Shitski stares at him, and then he finishes
his beer and hurries out of the place, giving him a last
look, as Johnny stares at nothing, holding eye contact
with the wall.

INT. A COURTROOM - MORNING

JOHNNY
(in a very shaky voice)
I call my first witness, Your Honor.

We see the courtroom is jammed with reporters and the
curious. At a table to one side sit Johnny and Tory.
Piled on the table in front of them are shoe boxes, law
books, and legal pads. At a table on the other side, a
young IRS ATTORNEY with Bauer, Fowler, Jackson and
Burdock.

Seated in the front row, behind Tory and Johnny, are Angela and Frank. Seated near the back: Vinnie DeSapri with Carmine and two goons. In the very last row -- Shitski, Juice and Charlie.

The judge sits on the bench. JUDGE TERENCE O'HARA is in his 70's, an avuncular, snow-haired man.

JUDGE O'HARA

Mr. Duffy, I want to remind you I'm the one you have to convince. I'm not worried about being overruled. This is Tax Court. There is no appeal. You can call your first witness.

JOHNNY

(nervous, shaky)

I call my first witness, Your Honor.

JUDGE O'HARA

Do it already.

There are laughs; Johnny is taken aback. Tory is watching him with concern, urging him on with her body language.

JOHNNY

I call agent John Burdock.

Burdock gets up with a slight smile, a manila folder in his hands, and goes confidently to the bench.

JOHNNY

(after a beat)

What do you do, Mr. Burdock?

(he corrects himself)

What is your occupation, Mr. Burdock?

JUDGE O'HARA

You don't have to ask the same question twice, Mr. Duffy.

More laughs.

BURDOCK

I'm a Special Agent, Intelligence Division, Internal Revenue Service.

JOHNNY

How long have you been doing that?

(he corrects himself)

How long have you worked as a special agent in the Intelligence Division of the Internal Revenue Service?

JUDGE O'HARA

You did it again, Mr. Duffy.

More laughs.

JOHNNY
(flustered)
I'm sorry, Your Honor.

JUDGE O'HARA
Answer the question, Mr. Burdock.

BURDOCK
Seven years.

JUDGE O'HARA
Think about the question you're going
to ask now, Mr. Duffy, that way you'll
only have to ask it once.

More laughs.

JOHNNY
I am, Your Honor.

JUDGE O'HARA
Good.

Lots of laughs.

JOHNNY
And -- uh, you were investigating
me -- in that capacity you were
investigating me, is that right?

He glances at the judge; the judge rolls his eyes. We
see how much Tory is rooting for him.

BURDOCK
That's right.

JOHNNY
And you were taking notes on this.

BURDOCK
That's right.

JOHNNY
After you left the bar each night, you
wrote down what I put in my pocket.

BURDOCK
That's right.

JOHNNY
How?

BURDOCK
(stumped)
How?

JOHNNY

With a pen? A pencil? What'd you use?

BURDOCK

(very bored)

A typewriter.

JOHNNY

Your own typewriter?

BURDOCK

An IRS typewriter. I don't know the brand name.

More laughs.

JOHNNY

You've got an IRS typewriter at home?

BURDOCK

(very bored)

I've got an IRS typewriter in my office.

JOHNNY

You went back to the office at night after you left the bar?

BURDOCK

I went in the next morning. I don't get paid enough to go back in at night.

More laughs.

JOHNNY

So the first time you wrote the number down -- what I supposedly put in my pocket -- was the next morning.

BURDOCK

(bored)

That's right.

JOHNNY

How'd you remember the number?

BURDOCK

(slight smile)

I've got a good memory.

Laughs.

JOHNNY

Do you?

BURDOCK

Yes I do.

JOHNNY

Are you sure you do?

JUDGE O'HARA

Mr. Duffy, are you now going to start asking the same questions three times?

JOHNNY

I just want to make sure he said he had a good memory, Your Honor.

JUDGE O'HARA

He says he has a good memory, Mr. Duffy. If you have a good memory, then you'll remember you've already asked the question.

More laughs.

JOHNNY

Mr. Burdock, when you were in my bar all those times, I put you on a tab, didn't I?

BURDOCK

(after a beat)

Yes you did.

JOHNNY

Did you ever pay me?

BURDOCK

(nervous for the first time)

I beg your pardon?

JOHNNY

Did you ever pay me?

BURDOCK

(after a beat)

No I didn't.

JOHNNY

Why not? Did you want to cheat me?

BURDOCK

(after a beat)

No.

JOHNNY

Then why didn't you pay me?

BURDOCK

(after a beat)

I -- uh... I guess I forgot about it.

JOHNNY

You forgot about it? I thought you had a good memory.

BURDOCK

I do.

JOHNNY

Then how'd you forget about it?

Laughs, buzzing in the courtroom.

JOHNNY

How much did you owe me?

BURDOCK

I don't know.

JOHNNY

Didn't you ever check the tab? Didn't you care how much money you owed me?

BURDOCK

(after a beat)

Yes.

JOHNNY

So did you check it?

BURDOCK

Yes.

JOHNNY

How much was it?

BURDOCK

I don't remember.

JOHNNY

I remember. It was \$143.76. I've got a good memory.

Lots of laughs in the courtroom.

The judge gavels the noise down, doesn't like it. The IRS guys look nervously at each other. Tory smiles.

JOHNNY

Why did I put you on the tab?

BURDOCK

(after a beat,
disliking this)

I don't know.

JOHNNY

It was because you said you were trying to find a job, wasn't it? You told me you were trying to find a job, didn't you?

BURDOCK

(after a beat)

Yes I did.

JOHNNY

And what did I tell you?

BURDOCK

(after a beat)

You said you'd try to help me find one.

Buzzing in the courtroom -- hisses.

JOHNNY

But all this time, while I was trying to help you find a job and letting you eat and drink for free, you were making reports out on me, right?

Buzzing, hisses in the courtroom.

BURDOCK

(after a beat)

Yes.

JOHNNY

You were lying to me and I was trying to help you, right?

BURDOCK

Yes.

More hisses in the courtroom.

JOHNNY

That's all the questions I've got, Your Honor.

He smiles, goes back to sit down. The courtroom is quiet. Burdock starts to get up --

TORY

Agent Burdock, before you came to Cleveland, you were assigned to a case in Chicago, weren't you?

BAUER

(sharply, whispering)

Shit!

IRS ATTORNEY

Your Honor, I object! Mr. Burdock's previous assignments are confidential. They are irrelevant to this case.

TORY

(to the judge)

They relate, Your Honor, to Mr. Burdock's motivation in investigating Mr. Duffy.

IRS ATTORNEY

His motivation is that he was assigned to the case.

The judge glances at all the reporters and cameramen in the courtroom.

JUDGE O'HARA

(after a long beat)

I'll overrule the objection.

BAUER

(to Fowler, irate)

How the hell can he overrule it?

FOWLER

It's those fucking reporters.

BAUER

(to Fowler; angry, quiet)

Fuck him!

(he gets up)

You can't overrule that objection --

Loud noise in the courtroom.

TORY

He's out of order, Your Honor!

JUDGE O'HARA

(sputtering)

You're out of order, sir! I will have you removed from this courtroom.

BAUER

With what? There are no deputies here! This is Tax Court!

Laughs.

JUDGE O'HARA

(loud)

Sit down, sir!

Bauer sits down. Loud buzzing, noise.

TORY
(to Burdock)
You were assigned to a case in
Chicago, weren't you?

BURDOCK
Yes I was.

BAUER
(quietly, crazed,
to Fowler)
How the fuck does she know about all
this?

FOWLER
He must've told her.

TORY
You were investigating a Congressman,
weren't you?

BURDOCK
(looking sick)
Yes I was.

TORY
(loud, to Burdock)
Why were you taken off the case?

BURDOCK
(miserably)
I don't know.

TORY
Because the Congressman was too
powerful?

Loud noises in the courtroom.

IRS ATTORNEY
(leaping up)
Objection, Your Honor!

BURDOCK
(miserably)
I don't know.

TORY
Yes you do, Jack. Tell me the truth.

IRS ATTORNEY
Objection!

JUDGE O'HARA
I'll sustain that.

A long beat -- Bauer holds his head in his hands.

TORY

How do you feel about the case against John Duffy, Jack?

IRS ATTORNEY

He has no feelings, Your Honor. He's a government agent!

Laughs.

TORY

You don't think this case is justified, do you, Jack?

IRS ATTORNEY

It's not his decision to make, Your Honor. He does what he's told to do!

TORY

(after a beat,
quietly)

I feel sorry for you, Jack.
(then loud)

We rest our case, Your Honor.

She goes back and sits down next to Johnny as the courtroom buzzes. Johnny smiles.

IRS ATTORNEY

We call John J. Duffy.

His smile fades -- he goes to the witness stand and sits down.

IRS ATTORNEY

Mr. Duffy, do you ever make bets in your bar?

JOHNNY

Yes.

Some buzzing.

IRS ATTORNEY

And how much do you bet?

JOHNNY

I bet a dollar here and a dollar there.

IRS ATTORNEY

Mr. Duffy, isn't it a fact that you bet on passes, handoffs, on balls, strikes, line drives, pop-ups, foul balls --

Laughs in the courtroom.

JOHNNY

If I bet line drives, pop-ups and foul balls, I wouldn't be here. I'd be in bankruptcy court.

Lots of laughs.

INT. THE COURTROOM - LATER

IRS ATTORNEY

Thirty or forty bets on each game -- that can add up to thousands of dollars, can't it?

JOHNNY

I wish. I hardly ever break even.

More laughs.

IRS ATTORNEY

Mr. Duffy, have you ever declared your gambling income?

JOHNNY

Do you want me to declare my losses and take the write-off? Everybody else may be screwing around with Uncle Sam, but I'm not going to do it.

Lots of laughs. A long beat.

IRS ATTORNEY

Mr. Duffy, what is your relationship with Vincent DeSapri.

JOHNNY

He's my uncle, but he's mad at me. He didn't get my Christmas card.

More laughs.

IRS ATTORNEY

Mr. Duffy, would you call Vincent DeSapri an organized crime figure?

JOHNNY

No. I call him Uncle Vinnie.

Laughs.

IRS ATTORNEY

Have you ever taken any money from Vincent DeSapri?

JOHNNY

(simply)

Never.

(MORE)

JOHNNY (CONT'D)

He even wanted to lend me the money to pay you guys. I said no thank you. He's mad at me about that, too.

More laughs.

IRS ATTORNEY

Thank you, Mr. Duffy. We call Angela Duffy, Your Honor.

Johnny looks taken aback. Angela looks very scared. Angela goes up to the stand, almost trembling, and sits down.

IRS ATTORNEY

(smiles)

Mrs. Duffy, did you ever borrow any money from Vincent DeSapri?

JOHNNY

(to Tory, smiles,
whispering)

Mom wouldn't take a cent from anybody.

ANGELA

(finally)

Yes, but Johnny never --

Johnny looks like he can't believe it.

IRS ATTORNEY

Isn't it a fact, Mrs. Duffy, that you took loans from Vincent DeSapri in 1984, '85, '86, '87 --

ANGELA

(looking at Johnny)

Johnny never know about it.

IRS ATTORNEY

(to judge)

Your Honor, I have a print-out here of a Tax Compliance Management Program, numbered 1477-2, conducted on Vincent DeSapri. It shows declared loans of \$12,308 to Angela Duffy.

(to Angela)

What did you do with the money, Mrs. Duffy?

Johnny looks completely stunned.

ANGELA

We use it for the bar, but Johnny never --

IRS ATTORNEY

You gave the money to your son?

ANGELA

He never know about it. We need the money. Johnny no raise the price. Everybody else raise price, no Johnny. He say people got it tough enough already --

IRS ATTORNEY

(smiles)

Mrs. Duffy, what did your son really use this money for?

ANGELA

For the bar -- I tell him I got it save up --

IRS ATTORNEY

Isn't it a fact, Mrs. Duffy, that he used it for gambling. Isn't it a fact, Mrs. Duffy, that your son is a heavy gambler --

ANGELA

(almost crying)

No! No true!

IRS ATTORNEY

That he wins and loses significant amounts of money --

ANGELA

No! No true!

IRS ATTORNEY

Yes it is, Mrs. Duffy --

JOHNNY

(suddenly)

Enough!

He gets up.

JUDGE O'HARA

You're out of order, Mr. Duffy.

JOHNNY

You're out of order! She's an old lady! Every buck I ever made was an honest buck! The Constitution --

JUDGE O'HARA

The Constitution is irrelevant here! You're out of order!

JOHNNY

Who do you think you are to say something like that?

JUDGE O'HARA

(banging his gavel)

If this were a regular court of law, you'd be sent to jail for contempt.

JOHNNY

You want to send me to jail because I believe in the Constitution?

JUDGE O'HARA

(banging his gavel)

I've been on this bench 23 years! I worked as a tax agent for sixteen years! I know the procedure here!

JOHNNY

You worked for them? You call yourself a judge? What is this?

THE IRS ATTORNEY

We rest our case, Your Honor.

JOHNNY

This is a court? Where's the jury?

JUDGE O'HARA

I'm the jury!

JOHNNY

You're a Russian!

JUDGE O'HARA

I'm Irish!

JOHNNY

You're an asshole!

He goes up to his mom, still yelling, puts his arm around her, and starts to lead her from the courtroom.

JUDGE O'HARA

I have made my decision.

JOHNNY

(on the way out)

Where's the jury? Where the hell's the jury?

JUDGE O'HARA

It is the judgment of this court that Mr. Duffy pay the remaining amount -- \$1,230 immediately.

He bangs his gavel one final time and almost runs off the bench.

Tory sits there, dazed, staring. She can hear Johnny still yelling on his way out --

JOHNNY (O.S.)

This is America! This is America!

BAUER

(as he passes Tory, grins)

It sure as hell is.

Burdock looks at her a beat; their eyes meet, and then he follows the others out.

INT. THE BAR - LATE AT NIGHT

Johnny is alone, cleaning up. A car comes SCREECHING up to the place. Frank gets out. He staggers inside. He smiles a sick smile, then sits down. He looks like shit.

FRANK

I'm drunk, Johnny. Drunk as a fuckin' skunk. Skunk as a fuckin' drunk.

He laughs.

FRANK

I got fired.

He laughs harder.

FRANK

The bank is afraid of getting audited!
The bank! The goddamn bank!

Johnny stares at him. Frank's laugh dies suddenly.

FRANK

Katie's gonna leave me, Johnny.

JOHNNY

Come on, Katie's not gonna leave you.
She's your wife. She loves you.

FRANK

You wanna bet? I'm broke, Johnny. I
been cheatin' on my taxes, ever since
I started to work. I owe 'em \$23,000.
(he laughs)

They took your car. They took your
furniture. They took your money.
They took my money. They took my
job. They're gonna take my wife.
They're gonna take my kids.

(MORE)

FRANK (CONT'D)
(a long beat, then)
What the hell'd I ever do to you,
Johnny?

JOHNNY
Come on, Frankie --

He tries to touch him -- Frank wheels away angrily,
starts for the door.

FRANK
(laughs again)
They're gonna beat the shit out of
you, Johnny.

He laughs harder.

FRANK
They're gonna beat the shit out of
you, Johnny -- and I'm gonna love
every single fucking minute of it!

They stare at each other a beat.

JOHNNY
(simply)
How can you talk like that? You're my
brother. I love you.

A long beat, Frank stares at him.

FRANK
(emotionally)
Don't you understand? I'm gonna lose
everything I ever had.

JOHNNY
(simply)
So am I.

FRANK
(emotionally)
It didn't have to happen! All you had
to do was go along!

JOHNNY
I couldn't do that.

FRANK
(emotionally)
Why the fuck not? It's still not too
late. You can still pay 'em. Maybe
we can make a deal, I'll go in and
talk to 'em, Johnny --

JOHNNY
I can't pay 'em, Frankie. It'd be
wrong.

FRANK
(emotionally)
Who the fuck cares if it's wrong?

JOHNNY
I do.

FRANK
(emotionally)
Nobody else does.

JOHNNY
I don't care. I care.

A long beat, and then Frank starts to cry and heads out the door.

JOHNNY
Frankie --
He starts after him.

FRANK
(quietly, crying)
Leave me alone, Johnny.

And he gets into his car and drives away.

INT. JOHNNY'S HOUSE - NIGHT

He walks in. The house is dark. He sees Tory sitting against the wall on the mattress. They look at each other a long beat.

TORY
You'd make a good lawyer.

JOHNNY
(after a beat)
That's the worst thing anybody ever said to me.

They look at each other, the feeling palpable between them.

JOHNNY
Will you marry me?

A beat; she looks at him.

TORY
No.

JOHNNY
I figured you'd say that.

Their eyes are still on each other.

He goes over to her, sits down on the mattress against the wall next to her.

TORY

What would we talk about?

JOHNNY

Everything. You'd get pissed off all the time. I'd make you very happy.

TORY

I wouldn't see you for twenty years.

JOHNNY

It'd only be the first twenty years.

TORY

(after a long beat)

Your mom went to visit my mom. She said she wanted to give us privacy.

JOHNNY

See? Your mom likes my mom. We wouldn't even have any in-law problems.

He kisses her quickly, softly on the lips.

JOHNNY

We could take long walks around the neighborhood. We'd get a dog.

TORY

I hate the neighborhood. I'm allergic to dogs.

She kisses him quickly, softly on the lips.

JOHNNY

You could wear a blindfold. I'd hold your hand. We'd get cats.

TORY

I'm allergic to cats, too.

He puts his arms around her, she cuddles up against him.

JOHNNY

We'd go to all the Browns games. We'd sit in the bleachers. I'd buy you hot dogs.

TORY

I love hot dogs.

JOHNNY

You'd piss me off, too. We'd argue all the time. We'd argue with the kids, too.

TORY
What kids? Now you're rushing things.

JOHNNY
We'd live happily ever after. I
promise.

TORY
I can't cook.

He kisses her softly on the lips, longer than the last
time.

JOHNNY
Forget the whole thing.

TORY
Thank you.

They move down on the mattress.

JOHNNY
I'll marry somebody else. I'll see
you on the side.

They kiss with more passion.

TORY
(whispering)
Stop it.

JOHNNY
(nuzzling her)
What -- this?

She nuzzles him.

TORY
(whispering)
No -- that.

He looks at her a beat.

JOHNNY
(whispering)
Okay.

INT. JOHNNY'S HOUSE - MORNING

He wakes up. She is gone. He looks around, then smiles
to himself a beat. He hears NOISE from the kitchen. He
gets up. He starts for the kitchen.

JOHNNY
(excited)
I'm so hungry, Mom, boy, have I been
working on the babies!

INT. THE KITCHEN

He walks in. Tory stands there.

TORY

What babies?

He stares at her a beat. He sees she is all dressed up, ready to go.

TORY

I made some coffee.

JOHNNY

I thought you couldn't cook. Where you going?

He pours himself some coffee.

TORY

I've got to go to court. I've got a case.

He sips his coffee.

JOHNNY

What is it? Another mugger? You can cook. This coffee's terrific.

TORY

It's instant.

JOHNNY

It's still terrific.

TORY

Indecent exposure.

JOHNNY

Jeez! That's awful. You help them, too.

She looks at him a beat, and then she smiles. They stand there, smiling at each other, and then she steps to him and kisses him quickly on the lips.

TORY

I'll see you in twenty years.

A beat, and she starts out. He stands there a beat, and then he smiles.

EXT. HIS HOUSE - LATER

He comes out -- he sees his uncle, Vinnie DeSapri, standing next to the limo on the street. He goes to him. They look at each other a long beat.

VINNIE

They're going to take your bar away
from you, Johnny.

JOHNNY

It's my bar, not yours.

VINNIE

I bought the place!

JOHNNY

My dad bought it.

VINNIE

Who the hell you think gave him the
money? Your old man pissed away every
cent he ever had. You needed a winter
coat -- you had to go to the dentist
-- he didn't have the money -- I did.

JOHNNY

Total it up. I'll pay you back.

VINNIE

(getting angry)

I don't want you to pay me back! I
gave it to you out of my heart.

Johnny looks at him a beat, smiles.

JOHNNY

It's not going to work. You want me
to pay them so they lay off of you,
right, Uncle Vinnie?

VINNIE

(after a beat; quietly)

They ain't gonna lay off me. They
talked to Carmine. They're gonna
charge me with criminal fraud.

(a beat)

They're gonna get me, too.

He starts getting into the back seat of the limo -- the
door is open. He holds the door.

JOHNNY

Is that why you came here, Uncle
Vinnie? Is that what you wanted to
tell me?

VINNIE

No!

(a beat; different tone)

I wanted to tell you -- I wanted to
tell you -- don't let 'em take the
bar, Johnny.

A beat, as they look at each other.

VINNIE

I wanted to tell you -- Jesus Christ,
Johnny, send me a goddamn Christmas
card!

A beat, and Uncle Vinnie slams the door and the limo
takes off.

EXT. THE STREET - MORNING

Johnny walks down the street toward the bar. It is still
early morning. A distance away from the bar, he sees
Charlie. Charlie is sitting on the sidewalk in front of
the bar. He is crying. Johnny walks up.

JOHNNY

What's the matter, Charlie?

CHARLIE

I need a drink.

JOHNNY

Come on, I'll give you one.

CHARLIE

No you won't.

Johnny looks at him, and then he follows Charlie's look
to the front door of the bar. He sees a pink piece of
paper stuck to the door. A beat, and he goes to the door
and looks at it. It says: "THIS PROPERTY SEIZED BY
ORDER OF INTERNAL REVENUE SERVICE."

He stands there, staring at it, and then he turns slowly
and sits down next to Charlie on the curb. He sees,
across the street, Jackson and Burdock, sitting in a
parked car, watching them.

INT. THE CAR

JACKSON

They bitch and moan, raise holy hell.
(he smiles)
We bust their asses wide open, all
they can do is sit there and cry.

Burdock gives him a look.

EXT. THE BAR - MORNING

Johnny and Charlie sit there.

CHARLIE

(forlornly)
I need a drink, Johnny.

Johnny says nothing. Shitski walks up. He sees them sitting on the curb. Johnny motions to the door. Shitski sees the sticker. Then he turns back to Johnny and Charlie. He sees Jackson and Burdock sitting in the car across the street.

SHITSKI
(screaming suddenly)
You assholes!

People start coming out of doorways to check the commotion.

JOHNNY
You're going to wake everybody up,
Shitski.

SHITSKI
(hard)
Good!

CHARLIE
(crying)
I need a drink, Johnny.

Johnny puts his arm around him, looks across the street at Jackson and Burdock.

INT. THE CAR - MORNING (LATER)

Jackson and Burdock, watching: There are a half a dozen people in front of the bar now -- and more on the street, watching.

EXT. THE BAR - MORNING (LATER)

There are about a dozen people in front of the bar now -- Shitski is there, along with other regulars -- more and more people on the street, watching. Johnny still sits at the curb with Charlie. Shitski is still screaming at Jackson and Burdock. Johnny's mother gets there with a big shopping bag in her hands. She stops, looks at everyone.

JOHNNY
They took the bar, Mom.

She looks at him. She looks at the sticker on the door. She looks dazed. She stands there. Johnny gets up, puts an arm around her. She clutches her shopping bag.

ANGELA
(in a daze)
I got the corn beef.
(a beat)
I got it on special.

SHITSKI

(screaming)

You chickenshit assholes!

He picks a stone up, throws it at Jackson and Burdock's car.

INT. THE CAR

The stone bounces off the hood of the car. Jackson reaches for his mike to call for assistance.

BURDOCK

(evenly)

It's just one stone, Albert.

Jackson looks at him, hangs the mike back up.

EXT. THE BAR

ANGELA

(to Johnny, holding bag)

What I gonna do with the corn beef?

We gonna waste the money?

She holds one up.

JOHNNY

Maybe they'll take it back.

ANGELA

They no take back. We gonna waste the food? We ain't never wasted the food.

JOHNNY

I know, Mom.

ANGELA

A sin to waste the food! A sin!

A long beat as he sits there, and then he goes calmly to the door of the bar, takes the key out of his pocket, and opens the door.

JOHNNY

Make the corned beef, Mom.

She stares and then goes hurrying inside as the others suddenly cheer explosively and go into the bar.

INT. THE CAR

Jackson and Burdock. Jackson stares, his mouth wide open. Burdock is smiling.

JACKSON

(on his mike, yelling)

This is Jackson! We need backup!

EXT. THE STREET

Burdock walks toward the bar with Jackson.

MAN IN A DOORWAY

(yelling at him)

Get the hell outta here!

INT. THE BAR

They walk in. The place freezes. Charlie sits at the bar knocking down shots. Johnny is behind the bar, calmly going about getting things into order. He has his bar apron on.

JOHNNY

(calmly, to Burdock)

What can I get you?

BURDOCK

(smiles)

It's too early for me.

JOHNNY

It's Happy Hour. You want me to put it on your tab?

They look at each other, Jackson looks around nervously.

BURDOCK

(quietly; to Johnny)

You're here illegally.

JOHNNY

I've got my key. It's right here.

(he holds it up)

It fits the lock in my door.

JACKSON

This is United States government property!

BURDOCK

(quietly; after a beat)

You don't have a bar anymore, Johnny.

JOHNNY

You want to bet, Jack? Come on -- we make bets in here -- let's bet.

He smiles. He leans over the bar toward Burdock, and then he swings suddenly and the punch knocks Burdock halfway across the bar. He stands there, smiling.

JACKSON

(hard)

That's enough! I'll blow your damn head off.

Johnny turns. Jackson has a gun pointed at him. A long beat, dead silence, and then --

ANGELA

(hard)

I turn you into corn beef!

Jackson turns his head, sees her -- she has a rusty old shotgun pointed in his back.

JOHNNY

(to Jackson, hard)

You wanna be corn beef?

A beat, and Jackson drops the gun.

ANGELA

(loud, yelling)

Out!

They start scurrying out -- she prods them with the shotgun.

EXT. THE STREET

As Jackson and Burdock go out the door, a police car SQUEALS up. The cops see the shotgun in her hands and dive for cover inside the car. Angela slams the door.

INT. THE BAR

She turns to the people in the bar, the shotgun in her hands. It is dead silent -- they are standing there, agape.

They stand there -- they hear a lot of other SIRENS --- other police cars arriving.

SHITSKI

(very nervous)

What are you gonna do?

JOHNNY

(simply)

Serve lunch.

ANGELA

We stay.

JUICE

(looking out)

They got guns out there, Mom. You can't stay in here.

ANGELA

I stay!

CHARLIE

(after a beat)

I'm not going anyplace. I live here.

A pause.

JUICE

(indicates)

We better get the tables up here.
They're gonna use the gas.

SHITSKI

(after a beat)

What are we standin' around for?

He and Juice start moving the tables against the window and the door. The others start gradually to help them.

Charlie walks over to the jukebox calmly, puts a quarter in.

ANGELA

(to Johnny)

They hungry. I make the corn beef.

JOHNNY

Don't forget to pepper it up, Mom.

The JUKEBOX starts to play.

JOHNNY

Drinks are on the house.

They cheer.

EXT. THE STREET - DAY

The crowd in the street has really swelled now. They are on the sidewalk across the street from the bar. More and more police cars pull up. Police LT. SAM KAPLAN gets out of a car, looks the situation over, and goes up to Jackson and Burdock. He is in his 50's, big, raw-boned.

LT. KAPLAN

(disliking this scene)

What do you want us to do?

JACKSON

(flip)

It's your jurisdiction.

Lt. Kaplan looks at the bar, at the large crowd on the sidewalk behind them.

LT. KAPLAN

This is a Federal matter. It's your jurisdiction.

JACKSON

(angry)

This is your precinct!

LT. KAPLAN
 (sizes him up)
 You got marshals, don't you?

EXT. THE STREET - LATER

Fowler arrives in an unmarked car, two vans behind him, Fowler gets out, looks the scene over. The van doors open. Young, neatly-dressed men start climbing out of them: federal marshals. They are carrying shotguns and M-16 machine guns. The crowd on the street, really large now, starts to boo.

INT. THE BAR

Johnny stands at the plate glass window, which has been blocked with piled-up tables. The people inside the bar hear the boos of the crowd outside.

SHITSKI
 (nervous)
 What's goin' on out there?

JOHNNY
 (nervous)
 Machine guns.

SHITSKI
 (scared to death)
Machine guns?

Johnny says nothing, keeps staring out the window.

EXT. THE STREET - LATER

The street has been blocked off at both ends now. Marshals and policemen stand around. The crowd on the sidewalk yells, boos. Fowler looks the crowd and the bar over.

BURDOCK
 (upset)
 There are a bunch of people in there!
 We're gonna go in shooting?

Fowler says nothing.

LT. KAPLAN
 Nobody's goin' in there shooting.

FWLER
 (haughtily)
 This is a Federal matter, Lieutenant.

JACKSON
 (snidely)
 It's our jurisdiction, remember?

LT. KAPLAN

(hard, to Fowler)

Listen, you. I know these people. I go to picnics with 'em. They give money to the Athletic League. You ain't goin' in there with no M-16's.

FWLER

(smiles)

Are you going to stop us?

LT. KAPLAN

(hard)

You bet your ass I am!

Fowler stares at him. At that moment, a television helicopter sweeps over the scene -- and at the end of the street, a half dozen mobile vans and trucks -- all marked with radio and TV station call-letters -- come to a stop. Reporters and cameramen come running toward the scene. The large crowd cheers. Fowler watches them.

BURDOCK

(to Fowler)

Call Hank.

FWLER

I'll handle this.

BURDOCK

If you don't call him, I will.

FWLER

(snaps at him)

We're going to send you to Alaska!
Going to send you to American Samoa!

Burdock looks at him, says nothing.

EXT. THE STREET

Leroy Daniels, the black reporter, doing his report on TV -- the crowd behind him is yelling and booing.

DANIELS

(very excited)

A large crowd has gathered here, along
with a large team of federal marshals --

INT. VINNIE DESAPRI'S PENTHOUSE - DAY

Vinnie, watching the TV --

DANIELS

(on the TV)

-- and scores of policemen from the
Fifth Precinct. The standoff began
this morning --

VINNIE
 (yelling)
 Sal! Gino!

The two goons come in.

VINNIE
 (calm)
 Gimme my gun!

SAL
 (after a beat)
 You don't have a gun, Vinnie.

VINNIE
 (calm)
 What do you mean I don't have a gun?

GINO
 You don't carry a gun no more, boss.

VINNIE
 (yelling)
 I want a goddamn gun!

INT. A SUBURBAN COCKTAIL LOUNGE - PARMA - DAY

Frank sits at the bar, drinking. He is unshaven, his clothes rumpled. He looks like he's been drinking for days. He slugs his drink and, as he does, he notices the TV above the bar, its sound off.

He recognizes the picture: Duffy's Grill. He sees the armed marshals and policemen.

FRANK
 Holy shit!

INT. TORY'S WINNEBAGO - DAY

She is driving downtown in heavy traffic. The RADIO is on.

RADIO REPORTER
 (very excited)
 More policemen have arrived. I see an Army helicopter above. The helicopter is circling.

She steps on the brake suddenly, SCREECHES to a halt in the middle of traffic. Car horns HONK, people yell. And then, suddenly, she starts making a U-turn on this very busy street with her hulking Winnebago.

EXT. THE STREET OUTSIDE THE BAR

An Army helicopter is landing in the street.

VOICES IN THE CROWD

(yelling)
Get the hell outta here!
Damn Eagle!
Beat the Eagle!
Get outta here!

INT. THE HELICOPTER

It lands in the street. Bauer stands at the open doorway.

THE CROWD

(chanting)
Beat the Eagle!
Beat the Eagle!
Beat the Eagle!

Bauer jumps from the helicopter. He looks at this scene, amazed, as the crowd keeps chanting: "Beat the Eagle! Beat the Eagle! Beat the Eagle!"

He walks over to Burdock, Fowler, Jackson, and Lt. Kaplan as the crowd's chanting becomes louder.

BAUER

(yelling over
the crowd)
Is there any rear access?

BURDOCK

There's a steel door. It's padlocked.

BAUER

How about the roof?

JACKSON

No access.

FOWLER

We've got one way in -- the front door.

BAUER

You want to go in there with machine guns on live television, for Christ's sake?

FOWLER

(after a beat)
What the hell are we going to do?

Tory, in the crowd, yelling --

TORY

Jack! Jack!

Burdock sees her -- he waves to the policeman to let her by.

TORY
Let me talk to him, Jack.

BAUER
I'll talk to him.

TORY
He won't listen to you! He'll listen to me!

BAUER
He's never listened to you! This never would've happened if he'd listened to you.

Tory gives him a look.

BAUER
(to Burdock)
Get her out of here!

A beat, and she storms away from them through the crowd. We see Frank in the crowd, watching her.

Bauer walks out into the street, TV cameras trained on him from all angles. The crowd quiets.

BAUER
(stops, yells to him)
I want to talk.

JOHNNY
(from the bar)
What do you want to talk about?

BAUER
I want to talk privately.

JOHNNY
Have you got something to hide?

BAUER
You're committing a criminal offense!

JOHNNY
I want my car back.

The crowd cheers.

BAUER
You're risking innocent lives!

JOHNNY
We don't have any machine guns.

BAUER
You owe us \$1,230!

JOHNNY
You owe me \$143.76.

Very loud cheering from the crowd. Bauer stands in the street a moment and then turns disgustedly back for the sidewalk. He hears the crowd roar, turns back reflexively to the street, and freezes.

Tory's Winnebago is ROARING down the street. It aims itself at Duffy's Grill.

BAUER
(in disbelief)
Sweet fucking Jesus.

INT. THE WINNEBAGO

Tory comes to a dead stop alongside the bar. The camper's door is right next to the bar's door. She jumps out and starts beating on the door.

TORY
Let me in. You need a lawyer in here!

INT. THE BAR

They open the door for her and she walks calmly into the bar.

JOHNNY
Are you crazy? You must be out of your mind?

TORY
(getting angry)
I'm out of my mind? Then what the hell are you doing here?

JOHNNY
I'm running my bar. Mom's cooking corned beef.

TORY
It smells good.

JOHNNY
(yelling)
Mom, bring Tory some corned beef.

ANGELA (O.S.)
No ready.

TORY
It's okay. I'll wait.

She sits down casually at one of the few remaining tables. He sits down with her.

A beat, as they smile at each other.

JOHNNY

It's nice to see you. I missed you.

TORY

(smiles)

You just saw me.

JOHNNY

(smiles)

I'm not going to see you for twenty years, I missed you just thinking about it.

Angela comes up with a corned beef sandwich on a plate.

ANGELA

(smiles)

Here the corn beef, Tory!

TORY

(smiles)

Thanks, Mom.

She bites into it, likes it.

TORY

(to Johnny)

What about conjugal visits?

JOHNNY

You can't do that unless we're married.

TORY

(chewing)

Forget about it.

Johnny watches her, smiles.

JOHNNY

You want some mustard on it?

She nods, her mouth full.

JOHNNY

I'll get you some.

He starts up --

TORY

(seriously)

Johnny -- you scared?

JOHNNY
 (after a beat,
 seriously)
 Yeah. I'm scared shitless.

TORY
 Me too.

They look at one another a long beat.

TORY
 Go get me my mustard.

A beat. They look at each other.

EXT. THE STREET

Bauer, with Fowler, Burdock, Jackson, and Lt. Kaplan.
 They are watching the bar. The crowd is growing, more
 reporters are arriving.

BAUER
 (with sudden resolve)
 We're going in. Handguns only.

LT. KAPLAN
 You can't do that.

BAUER
 Watch me.

Burdock looks at him.

EXT. THE STREET

The federal marshals line up in a phalanx across the
 street from the bar. They check their handguns. The
 crowd boos, yells, chants "America! America! America!"
 Frank watches the phalanx of marshals. They start moving
 slowly across the street.

FRANK
 (suddenly, yelling,
 running after them)
 Get outta here, you bastards! That's
 my brother!

EXT. A ROOFTOP

It is across the street from the bar, above and behind
 the formation of marshals. Vinnie DeSapri, his two goons
 next to him, watches as the marshals move across the
 street. He reaches into a box. He lobs a canister into
 the street. So do the two goons. Vinnie lobs another
 one. He smiles.

EXT. THE STREET

The tear gas canisters land in front of the line of marshals. The marshals scatter, break formation, as other grenades land in front of them. The tear gas sweeps not toward the bar but toward the marshals and the huge crowd on the sidewalk. Pandemonium. People run in all directions. A marshal looks at the rooftop -- sees Vinnie -- aims his weapon.

BURDOCK

(screaming)

Hold your fire!

The crowd sees that the tear gas sweeps toward it -- the people in the crowd run to the other side of the street -- directly in front of the bar. Hundreds of people are grouped together now in front of the bar, blocking it. They chant -- "America! America! America!" Frank stands in front of the crowd, leading them.

FRANK

(his fist raised)

America! America! America!

EXT. THE STREET

Across the street, the policemen, the marshals, the IRS guys, coughing, sputtering. Bauer, as the gas clears, looks across the street at the bar. He sees the huge crowd blocking the bar.

BURDOCK

(to Bauer)

How are you gonna go in now, Hank?

BAUER

(to Lt. Kaplan)

Shit! I want 'em out of there!

LT. KAPLAN

(on a bullhorn)

Clear the area! This is Lt. Kaplan!

Clear the area!

They don't move. They are angry now. There are boos, chants, stones thrown, screams, yells.

INT. THE BAR

Johnny, watches the chaotic, menacing scene with the others. He looks nervous, upset.

SHITSKI

(happy, yelling)

What are they gonna do now?

(MORE)

SHITSKI (CONT'D)
 (yelling out, to
 agents)
 What are you gonna do now, you
assholes?

The others in the bar look happy that the crowd is creating a human phalanx to protect them. Johnny looks disturbed.

JOHNNY
 (suddenly, yelling
 outside)
 I wanna talk! I wanna talk!

SHITSKI
 What the fuck is wrong with you?

JOHNNY
 (after a beat,
 quietly)
 I didn't do this to get anybody
 killed.

SHITSKI
 You're fuckin' crazy, man, we got 'em
 where we want 'em!

JOHNNY
 (hard)
 I don't want 'em hurt!

Tory watches him.

EXT. THE STREET

LT. KAPLAN
 Come on! Get outta there! You're
 gonna get hurt!

JOHNNY (O.S.)
 (yelling)
 I wanna talk! You hear me? I wanna
 talk!

Bauer hears him yelling.

BAUER
 (to Burdock, smiles)
 It's over.

He starts heading toward the bar, Burdock with him.

BAUER
 (to Lt. Kaplan)
 Nobody goes in there except me and
 Burdock! Nobody! That's an order.

LT. KAPLAN
I don't take orders from you!

BAUER
Do you want to get audited?

LT. KAPLAN
(after a beat)
No, sir. Yes, sir. Nobody goes in there.

INT. THE WINNEBAGO

Johnny and Tory stand there, waiting. He looks very disturbed, very down.

JOHNNY
(quietly)
You were right. I am a loser.

TORY
(hard)
No!

JOHNNY
(quietly)
I've never won nothin' in my life, you know that?
(he smiles sadly)
Not even a church raffle.

She touches his cheek tenderly.

JOHNNY
(quietly)
I'm not gonna play with people's lives. That's what they do. They do that all the time. That's what they've been doin' with me. I'm not gonna turn into them.

She looks at him a beat, then kisses him softly on the cheek. He puts his arm around her, pulls her close a long beat and finds that his hand is resting on the mike switch on the front dash.

Bauer and Burdock come into the Winnebago from the other side. Bauer and Johnny look at each other a long beat -- and as Johnny moves his arm away from Tory, his hand flicks the switch on the mike.

BAUER
(gruff)
What do you want to talk about?

JOHNNY
They're gonna get hurt out there.

BAUER

Fuck 'em.

JOHNNY

(emotionally)

How the hell can you say somethin'
like that?

EXT. THE STREET

His words BOOM OUT around the neighborhood. The crowd is listening to them. They can hear every word that is being said inside. They look like they are in shock. They hush.

INT. THE WINNEBAGO

JOHNNY

(emotionally)

They're people! You want people hurt?
Is that what you want? You're the
government! You're supposed to be on
our side!

BAUER

Fuck 'em. The more people get hurt,
the louder the message.

EXT. THE STREET

as the crowd stands, in shock, in pin-drop silence.
Fowler, panicked, starts heading for the Winnebago.

LT. KAPLAN

Where the hell are you goin'?

FOWLER

(panicked)

I've got to go in there! They don't
know --

LT. KAPLAN

Nobody goes in there! I'm not gonna
get audited!

FOWLER

(desperate)

I'm going in there --

Lt. Kaplan stands in front of him, takes his gun out, and
points it at Fowler.

Fowler looks like he's going to cry.

INT. THE WINNEBAGO

BAUER

You owe us \$1,230.

JOHNNY
 (emotionally)
 I didn't do nothin' wrong! You know
 that! I paid my taxes! Come on, you
 know that!

BAUER
 (after a beat,
 grins)
 Sure. I know that.

JOHNNY
 (emotionally)
 Then what are you doin' this to me
 for?

BAUER
 (after a beat, a
 wry smile)
 You still don't get it, do you, hot
 shot? It's got nothing to do with
 you. You're an example. If it
 wouldn't be you, it'd be somebody
 else. It keeps the machine going.

JOHNNY
 (emotionally)
 Fuck the machine -- what about the
people?

BAUER
 The people pay up. That's the name of
 the game. The people pay up. One way
 or the other, the people always pay
 up.

They look at each other a long beat.

TORY
 What about congressmen, do they pay
 up, too?

BAUER
 (simply)
 Sure. The ones we want to pay up --
 pay up. The ones we don't, don't.

JOHNNY
 (emotionally)
 You make deals with them!

BAUER
 If it's in our interest.

JOHNNY
 (emotionally)
 But you don't make deals with me!

BAUER

You're a nobody. You're like all of them out there. All you're good for is oiling the machine.

THE CROWD

stands there in pin-drop silence -- their hurt is palpable.

INT. THE WINNEBAGO

JOHNNY

(quietly)

I'm a nobody, huh?

BAUER

Yes you are.

JOHNNY

(quietly, in pain)

Just like all of them, huh?

BAUER

Yes you are.

A long beat, as they look at each other, then --

JOHNNY

(loud)

Fuck you!

There is a sudden, thunderous ROAR outside. Bauer and Burdock are disconcerted.

JOHNNY

(loud)

Fuck you and fuck your machine!

There is another thunderous ROAR. Bauer and Burdock go to the window -- Tory glances at the mike switch -- she knows what he's done.

JOHNNY

(loud)

Are we nobodies?

Bauer and Burdock turn from the window, see him holding the microphone now, as the crowd outside roars "No!" They stare at him.

EXT. THE STREET

The crowd, anger replacing the hurt now, is chanting "Beat the Eagle! Beat the Eagle!"

Fowler stands with Jackson and Lt. Kaplan. Lt. Kaplan still has his gun on them. As the crowd chants --

FOWLER
(quietly)
No, no, no, no, no.

LT. KAPLAN
(smiles)
Yes, yes, yes, yes -- oh, hell, yes!

INT. THE WINNEBAGO

Bauer and Burdock stand there, staring a beat -- then Bauer goes to the mike and rips it in crazed fury out of the wall. He throws it across the Winnebago. He stands there, facing the wall, as the very angry crowd keeps yelling "Beat the Eagle! Beat the Eagle!"

BURDOCK
What are you going to do now, Hank?

A long beat, as Bauer stands there, then --

BAUER
(to Johnny, quietly)
You son of a bitch. You goddamn son
of a bitch!

A long beat, as Johnny and Bauer stand there, looking at each other.

BURDOCK
(quietly)
Computer error.

BAUER
(sharp, turning on
him)
What?

BURDOCK
The computer made a mistake. We
apologize.

Bauer just stands there, facing the wall, in pain.

BAUER
What about me?

BURDOCK
You? You're going to Nome, Alaska,
Hank. How about American Samoa?

A long beat, and then Bauer starts heading out without looking at Johnny.

Burdock and Johnny look at each other a beat.

BURDOCK
(grins)
Not bad.

And he turns and follows Bauer towards the door. Bauer stops at the door and, without looking at Johnny --

BAUER

You know what we're going to do to you? We're going to audit you 'til the day you die. We're going to audit your nephews and nieces! We're going to audit your children, your grandchildren, your grandchildren's friends --

JOHNNY

(calm)

No you won't.

Bauer turns to him with a sick grin.

BAUER

The fuck we won't.

JOHNNY

My grandchildren are all gonna be congressmen.

TORY

Congress-persons.

JOHNNY

(grins)

Yeah. Congress-persons.

A beat, as Bauer's grin freezes and then cracks, and then he opens the door and stands there, facing the crowd.

EXT. THE STREET - DAY

For a moment, the crowd hushes as they look at Bauer. A long beat, and then Bauer starts heading through the crowd with Burdock as the crowd surrounds them, yelling "Beat the Eagle! Beat the Eagle!"

They come to a stop, surrounded, trapped by the yelling crowd.

Johnny comes out of the trailer with Tory and watches them trapped in the yelling crowd.

The crowd hushes when it sees him, but still keeps Bauer and Burdock surrounded.

JOHNNY

(suddenly)

America! America! America! America!

Tory picks it up now and starts chanting it with him.

And then the crowd picks it up -- hundreds of people yelling it: "America! America! America!"

Bauer and Burdock go through the crowd to their car as the crowd keeps chanting it behind them: "America! America! America!"

Their car STARTS up, along with the other fed and police cars, and starts going down the street.

The crowd forms behind the cars -- spread out across the street, almost physically pushing the cars out of the neighborhood.

We see Johnny and Tory now, leading them -- leading Frank and Shitski and Vinnie and his Goons and Juice and Charlie and Angela. Their arms are around each other, they are smiling, their fists are raised to the sky, as a thousand people chant that single word over and over again: "America! America!"

FADE OUT.

THE END