

R E V E R S A L O F F O R T U N E

Nicholas Kazan

Based on Alan Dershowitz's book
about the Claus von Bulow case

FINAL REVISED DRAFT
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EXT. NEW YORK CITY. FIFTH AVENUE SHOPPING DISTRICT. DAY.

Early fall day. Well-dressed shoppers, businessmen, tourists. All moving fast, blinders on, adrenalin of the Big A. Suddenly reveal: A BLOND WOMAN, 33, pretty, dressed in white veils. Mona Lisa smile. Strolling happily, like a fairy.

EXT. NYC. UPPER BROADWAY. DAY.

Same woman. We realize the other pedestrians can't see her. Translucent. She comes to a red light, taxis speeding past, and walks right through the opposing traffic.

INT. HOSPITAL. HALL. DAY.

Walking down the hall. Stops at a door, opens it, and motions, quite graciously, for us to enter. Beat. In four seconds, she fades out, to nothingness. We enter:

INT. HOSPITAL ROOM. DAY.

In the bed a female body, indeterminate age. Eyes closed, skin smooth, hair white. Breathes through a tracheotomy hole in her throat. SUNNY VON BULOW lying in endless coma...

Mechanical process: IV drips nourishment into her arm; catheter and plastic tube drips urine into a bag on the floor. Body's a machine converting sugar water into piss.

Breathes without assistance, but a mockery of normal respiration: air she inhales brings no "life."

Impossible to view this pudgy congregation of molecules with any emotion. As we realize that nobody's home, this woman's spirit has fled, we hear:

SUNNY (V.O.)
This was my body.

Long pause, then she cackles.

CUT TO:

INT. CLARENDON COURT. MASTER BEDROOM. DAY.

Huge bedroom decorated like a museum. Empty. Absolutely crystalline light. Gradually, like a memory slowly returning:

Human images FADE IN. Sunny at 48, still blond, lies apparently asleep on a high four-poster. CLAUS VON BULOW, (53, with a cool commanding air) reads on the adjacent bed.

SUNNY (V.O., CONT.)
On December 27, 1979, I lay in bed all day. Whether I was sleeping or in a coma later became a subject of dispute.

We observe the scene from above, detached; sounds are muted. Suddenly Sunny's breathing changes to a death rattle. Claus leaps up, shouts, "Maria!" and dials frantically for help. MARIA SCHRALLHAMMER, Sunny's maid, rushes in -

SUNNY (V.O., CONT.)

When my breathing went into rales,
my husband, Claus von Bulow, finally
did as my maid had been urging all
day: he summoned a physician.

ANOTHER ANGLE. LATER.

Maria cradling Sunny in her arms. DR. PAULTEES hurries in the door, starts performing CPR.

SUNNY (V.O., CONT.)

I stopped breathing, my heart
stopped beating. By this time, I
was certainly in a deep coma...from
which I awoke several hours later.

INT. NEWPORT HOSPITAL ROOM. NIGHT.

A wan Sunny receiving visitors. In her own nightgown, lying on her own designer sheets, she conveys a suggestion of royalty. She's talking to Claus in a soft voice. He's stroking her hand. Repeatedly. Excessively.

On the other side of the bed, Maria is arranging flowers while Sunny's handsome son (ALEXANDER VON AUERSPERG), and beautiful chubby daughter (ALA KNEISSL) eye Claus with vague distrust.

SUNNY (V.O., CONT.)

This coma aroused suspicion and fear in
the minds of my personal maid Maria, my
son Alex, and my elder daughter, Ala.
Though they never voiced their concerns
to me, they kept a vigilant eye on Claus.

INT. CLARENDON COURT. BREAKFAST ROOM. DAY.

Alex, 20, and his half-sister, COSIMA, 12, eat breakfast as Claus comes in from his walk.

SUNNY (V.O., CONT.)

A year later, December 21st, 1980,
their darkest fears seemed justified.

As he gives Cosima a pat on the shoulder:

CLAUS (muted volume)

Has Mommy had breakfast?

ALEXANDER (muted)

We...haven't seen her.

Claus hurries off. Alex turns slowly, looks at the clock: 11:00.

Alex peering into the void. A horrible knowledge coming...
His eyes shift toward the door:

Claus is surreptitiously gesturing: come on.

SUNNY (V.O., CONT.)

My husband did not want our daughter,
Cosima, to see what he'd found, so he
motioned to his stepson.

INT. MASTER BEDROOM. DAY.

Alex follows Claus inside. A window is open and their breath
steams from the cold. After an instant's hesitation, touch of
the grand gesture, Claus throws open the door to:

Sunny's bathroom. Through the half-open doorway, we glimpse:
face crammed under the toilet bowl, nightgown hiked to her
panties, lying in a puddle of urine: a comatose Sunny.

SUNNY (V.O., CONT.)

Another coma. My pulse was 38, my
temperature 81.6%.

Frantic activity: calling an ambulance, throwing a rug over her
to keep her warm, summoning servants to open the gates, etc.

SUNNY (V.O., CONT.)

All the activity was pointless.

INT. NEWPORT HOSPITAL. EMERGENCY ROOM. DAY.

DOCTORS examine her as one NURSE draws blood while a SECOND
prepares an injection. Monitors spew information...

SUNNY (V.O., CONT.)

I never woke from this coma, and
I never will.

INT. COLUMBIA PRESBYTERIAN HOSPITAL. DAY.

Same as opening shot, except: a NURSE is washing and setting
Sunny's hair.

SUNNY (V.O., CONT.)

I am what doctors call "persistent
vegetative." A vegetable.

(sarcastic)

Perhaps a brussel sprout?

(hard)

To all except the most literal,
I am dead.

We hear her breathing, amplified.

INT. LAWYER'S OFFICE. DAY.

As Maria watches (b.g.), Alex and Ala are being interviewed by a serene lawyer with unforgettably brilliant white hair.

A plaque on his desk tells us this is ROBERT BRILLHOFFER. With flamboyant flicks of a pen, Brillhoffer is taking notes.

SUNNY (V.O., CONT.)

Soon after my final coma, my two children from my first marriage met with a lawyer, former Manhattan District Attorney Robert Brillhoffer, and voiced their suspicions.

ALEXANDER (live, muted)

And now he wants to pull the plug!

SUNNY (V.O., CONT.)

Brillhoffer soon discovered that my blood insulin on admission to the hospital was reported to be 216, 14 times normal...a level almost surely caused by injection.

INT./EXT. MERCEDES DRIVING DOWN BELLEVUE AVENUE, NEWPORT. DAY.

CRANE SHOT. Alex driving with a PRIVATE INVESTIGATOR.

SUNNY (V.O., CONT.)

Insulin injection could readily cause coma...or death.

EXT. CLARENDON COURT. DAY.

Alex pulls up in front of a spectacular 14-room "cottage" which seems a cross between an English estate and a crematorium.

SUNNY (V.O., CONT.)

Alex and a private investigator went back to my Newport cottage, Clarendon Court, to search for drugs.

INT. HALL OFF MASTER BEDROOM. DAY.

As Alex watches, the Investigator digs through Claus' closet.

SUNNY (V.O., CONT.)

They found plenty.

The Investigator has discovered a metal box containing a small black bag or pouch. Out of the bag he takes: pills, three hypodermic needles (two sealed, one loose), and two vials, one containing liquid, the other powder.

The Investigator holds the loose needle up to the light: we see a small encrustation near the tip. This needle has been used.

MOMENTS LATER

Alex sweeps the drugs off the top of Sunny's bedside table into the black bag. He is mixing all the evidence together.

SUNNY (V.O., CONT.)
Alex couldn't wait to get back
and show the others.

INT. BRILLHOFER'S OFFICE. DAY.

Alex and the Private Investigator dump the contents of the black bag onto the mahogany desk as Brillhoffer, Ala, and Maria watch.

SUNNY (V.O., CONT.)
They now felt they had the murder
weapon. All they lacked was motive.

EXT. YACHT. DAY.

A BLACK SERVANT proffers tropical drinks to Claus and a beautiful black-haired woman, ALEXANDRA ISLES.

SUNNY (V.O., CONT.)
Two quickly became apparent.
At that moment, my husband was
vacationing in the Bahamas with his
mistress,
(sweetly sarcastic)
the very beautiful soap opera
actress Alexandra Isles. Mrs. Isles,
a divorcee, was the daughter of an
old friend, Count Billy Botsky.

Alexandra is gently stroking Claus' calf with her toe...

SUNNY (V.O., CONT.)
Brillhoffer also discovered that
at my death, Claus, whose own net
worth was only a million dollars,
stood to inherit \$10 million cash
and my two residences.

Alexandra and Claus kiss. The Black Servant turns the other way.

SUNNY (V.O., CONT.)
Alexandra later testified that Claus
showed her a legal analysis of my will.

CUT TO:

INT. COURTROOM. DAY.

Claus at the defense table. He looks, in the words of his future girlfriend Andrea Reynolds, "like a mortician with an umbrella up his ass." Other family members - and Alexandra Isles - are prominent in the audience.

SUNNY (V.O., CONT.)

On the evidence collected by Alex, Ala, and their lawyer Brillhoffer, my husband was accused of twice trying to murder me with injections of insulin.

Even Alexandra Isles testified against him.

The JURY FOREMAN announces the verdict. Claus blinks.

SUNNY (V.O., CONT.)

On March 16, 1982, he was found guilty on both counts.

CUT TO:

INT. COLUMBIA PRESBYTERIAN HOSPITAL ROOM. DAY.

Her hair is washed, the Nurse is brushing/blow-drying it. The action of the brush pulls open one of Sunny's eyes.

SUNNY (V.O., CONT.)

You're about to see how Claus von Bulow sought to reverse - or escape from - that jury's verdict.

The Nurse closes the open eye and leaves the room.

A crazy laugh, hard followed by:

SUNNY (V.O., CONT.)

You tell me.

Move in on Sunny's face. Her breathing: loud, louder, almost intolerable -

DISSOLVE TO:

EXT. DERSHOWITZ'S HOUSE. DAWN.

Rhythmic pounding of a basketball. Hard cuts, close on sweating hands, chest, thighs. As the Camera draws back, we realize with shock: we're seeing only one man, ALAN DERSHOWITZ (aka DERSH), 45, good condition, extreme intensity: Head-fake left, then right, drive to the hoop: as he goes up, he yanks down one arm as if it's been seized by an invisible opponent -

DERSH

FOUL!

With his other arm, he puts up a shot, misses, dives after the ball (skinned knee), jumps up again and banks a 10-foot jumper. Dribbles. A SOUND: phone ringing. Portable phone right on the court. Dersh dribbles over, hesitates, then picks up. Mutters something. Listens. Face changes: disappointment, then rage.

He pounds the telephone into the concrete. Total destruction.

CUT TO:

INT. KITCHEN. DAY.

Breakfast in his sweats. Depressed. "Celtics" banner on the wall. Three phones, cords tangled, sit on the table. One of them is ringing. As it stops, ELON, 20, enters with MAGGIE.

ELON

Hi.

(off Derseh's silence)

Let's try that again. Hi, Dad,
remember Maggie?

DERSEH

(flat)

Hey, Maggie.

(to Elon)

They're gonna fry.

(off Elon's look)

The Johnson brothers.

ELON

(to Maggie)

Two black kids broke their Dad out
of jail. The father shot two people,
and the sons were convicted of murder.

DERSEH

I finally get clients who're innocent
and they're gonna get zapped!

ELON

No more appeals?

DERSEH

Supreme Court. But this was our
best shot.

(as a PHONE RINGS)

The press. Don't answer.

ELON

(stunned)

You don't want to talk to the press?

(answers it:)

Dershowitz Psychiatric Institute.

(offers receiver,

totally casual:)

Claus von Bulow.

DERSEH

No way. It's a reporter.

ELON

(into receiver)

What paper do you represent?

DERSH
 (to Maggie)
 If I can't save two innocent kids,
 hang it up! What's the point?

ELON
 (waving receiver)
 He really seems to think he's
 Claus von Bulow.

DERSH
 (into phone)
 Alan Dershowitz. Who are you and
 what do you want?

As he listens, his expression changes to disbelief. He rolls his
 eyes, points at the phone and mouths, "It is von Bulow!"

ELON
 (to Maggie)
 Back in business.

CUT TO:

EXT. MANHATTAN. FIFTH AVENUE. DAY.

As Dersh enters 960 5th, the DOORMAN looks him over
 disparagingly: are you sure you belong here??

Dersh answers the look in kind and marches into the lobby.

ELEVATOR

DERSH
 Mr. Von Bulow, please.

ELEVATOR MAN stares straight ahead, puts the elevator in gear.
 An automon. Dersh can't resist:

DERSH
 Hey I was thinkin' of gettin' me
 one of these co-ops. What do
 they run, anyways?

No response. Dersh smiles to himself -

ELEVATOR MAN
 (flat, still staring)
 Upwards of eight million.

DERSH
 (what a bargain!)
Well...I'll give my real estate
 broker a call...

The elevator door opens, directly into:

INT. CLAUS & SUNNY'S NEW YORK APARTMENT. DAY.

DERSH
(under his breath)
Holy shit...

A museum. Marble floors, hand-carved woodwork, Gainsborough paintings on the wall. CLAUS steps forward, cigarette in hand. Though his face defines dour, his presence is commanding.

CLAUS
Professor Dershowitz. How nice of you to come.

DERSH
Thanks. Yeah. Good to meet you.

CLAUS
Won't you sit down?

Sure, but where? Furniture looks like if you soiled it, you'd have to call the appraiser... The two men settle onto a Chippendale couch. Claus indicates a backgammon board.

CLAUS
Do you play?
(Dersh shakes his head)
Most people think it's a game of luck. Actually it's largely a matter of nerve.

An ancient ORIENTAL BUTLER, tray in hand, is staring at them...

CLAUS
Nothing, thank you, Tai.
(to Dersh)
We don't cook much; the aromas sully the air. Why don't we walk to the Carlyle and have a proper lunch?

DERSH
Sure, whatever.

They stand. Dersh fluffs up his pillow to restore the Museum look. Claus peers down at Dersh and smiles:

CLAUS
I should tell you flat out: I have the greatest respect for the intelligence and integrity of the Jewish people.

A spectacular non-sequitor. Dersh looks at Claus: is this man out of his mind?

CUT TO:

INT. CARLYLE HOTEL. DINING ROOM. DAY.

At table #1:

CLAUS

When I married Sunny, she was the most beautiful divorcee in the world...and one of the wealthiest. Even so, we never got this table.

The MAITRE D' himself serves their appetizers:

MAITRE D'

Professor Dershowitz...Doctor von Bulow...

Claus mutters under his breath:

CLAUS

Two injections of insulin, already I'm a doctor.

(continuing his story)

You see, in America, it's fame more than class. Now, after this unpleasantness, I always get the best - (tables)

DERSH

(hates small talk)

Speaking of the "unpleasantness" -

CLAUS

Yes. I suppose we should discuss your fee.

DERSH

(taken aback)

Okay. It's \$225/hour -

CLAUS

That's awfully steep -

DERSH

Average. 'Sides, I do a lot of pro bono work. I'm trying to get Scharansky out of Russia, and you'd pay for that. But most of your case would be done by students and associates, at far lesser rates.

CLAUS

I take it then you will handle my appeal?

DERSH

Not so far. I'm not a hired gun.
I gotta feel some moral or
constitutional issue is - (at stake)

CLAUS

(unexpectedly emotional)
But I am absolutely innocent and
my civil liberties have been
egregiously violated!

DERSH

Innocent?! I got two black kids
goin' to the electric chair;
they're innocent. And as for your
"civil liberties", you know what
they say: a liberal is a conservative
who's been indicted.

CLAUS

Before you assume I'm guilty, don't
you want to hear my story?

DERSH

I never let defendants explain. Puts
most of them in an awkward position.
(off Claus' look)
Lying.

CLAUS

But...I give you my word as a
gentleman -
(sees this amuses Dersh)
Well...will you at least read the
record, see if you can find something
..."constitutional?"

DERSH

You got one thing in your favor.
(off Claus' look)
Everybody hates you.

CUT TO:

INT. DERSH'S HOUSE. LIVING ROOM. NIGHT.

Decor: a cross between Late-Graduate-School and Early-Chaos.
Dersh and Elon on the couch watching TV and eating cartons of
Chinese take-out. Dersh simultaneously speed-reads the von Bulow
transcript: 25 volumes scattered around. At the commercial:

ELON

So what do you think?

DERSH

He did it.

ELON
Course he did it, can we win?

DERSH
100-1 against. The maid. The maid
really schmeared him on both comas.
(can't take his eyes
off the page...)
Get this. She says here...

CUT TO:

INT. COURTROOM. DAY.

Maria Schrallhammer on the stand, questioned by the D.A:

FAMIGLIETTI
Now Miss Schrallhammer, on the
morning of December 27, 1979, after
you realized that Mrs. von Bulow
had not gotten up, what did you do?

MARIA
I came downstairs, and Mr. von Bulow
told me that Mrs. had a sore throat,
and I didn't have to do any work,
and she's not getting up.

FAMIGLIETTI
And what did you do then?

CUT TO:

INT. CLARENDON COURT. LIVING ROOM. MORNING.

Claus turns away from her. Maria blinks, surprised and
confused... Claus goes into the bedroom and shuts the door.

She hesitates, follows him to the door.

Stands there wondering, thinking...

Then hears something... A woman, moaning!

Frantic, Maria knocks on the door. Can't help herself. Enters:
BEDROOM

Claus is reading on his bed, Sunny lies in hers. Her right arm
hangs out of bed and she's moaning slightly...

CLAUS
(to Maria)
What are you doing?
Did we ring for you?

Ignoring him, Maria puts Sunny's arm back under the covers...

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MARIA
It's...she's ice cold.
(shaking her arm)
Mrs.... Mrs. von Bulow?

Sunny does not respond. We notice she's still wearing her night make-up: bleach-white, makes her look like a mime.

CLAUS
Leave her alone. She's sleeping.
She was drinking last night, and we didn't get any rest.

MARIA
She's not sleeping, she's unconscious!
You must call a doctor.

CLAUS
(sternly, an order)
Maria...

She backs slowly out the door. Closes it. Turns and leans against the wall: very worried...

MARIA (V.O.)
A half hour later, she had not moved.
I went back and forth all morning.

ANOTHER ANGLE. LATER.

Maria is staring at Claus: an accusation, a dare... Reluctantly he shrugs, dials the phone.

MARIA (V.O.)
Finally, mid-afternoon, Mr. von Bulow spoke to Dr. Paultees.
But he lied to doctor.

CLAUS
My wife has an alcoholic problem, and last night was one of those evenings. She was up early this morning to the bathroom and had a soft drink so,...

Sunny...lying in exactly the same position she was before.

MARIA (V.O.)
But she never moved! Never got up!
She was laying in same position all morning! All day!

DISSOLVE TO:

LATER.

Same bed, but the body's gone. Only an indentation remains. The room's a mess. Clothes, etc. strewn all over.

DERSH (V.O.)

Later of course came the cardiac arrest and the last minute rescue by Dr. Paultees.

Maria's cleaning up, changing the sheets. Action as described:

DERSH (V.O.)

Maria's suspicions were confirmed when she changed the sheets and found a puddle of urine. If Sunny went to the bathroom, she shouldn't have peed the bed. Why?, why would Claus lie about that?

Maria stares at the wet sheets...

INT. DERSH'S HOUSE. LIVING ROOM. NIGHT.

ELON

Suspicious, but hardly criminal. How 'bout the second coma?

DERSH

Maria wasn't in Newport for that one. But in February, after the first coma, she found something alarming in the New York apartment ...the first sighting of the notorious black bag.

INT. 960 5TH AVENUE. MASTER BEDROOM. CLOSET. DAY.

Maria is cleaning an enormous walk-in filled with Sunny's evening gowns and a few of Claus' suits. A suitcase lies open. Inside it is a small black pouch...the same one Alex and the P.I. later found in Newport.

She stares at it...glances around to see if anyone's looking... and opens it. Inside: powder, a paste, and two prescriptions for Valium, one for Claus and one for "Jamie Smather."

INT. MARIA'S BEDROOM. DAY.

The black pouch and its contents are spread over the bed. As Maria watches, Ala takes samples of the liquid and the powder.

DERSH (V.O.)

Maria called Ala, who gave the drugs to a doctor to analyze. The powder was secobarbital, sleeping pills. The paste was valium. Neither Ala nor Maria knew the identity of "Jamie Smather." Then:

INT. 960 5TH. MASTER BEDROOM. DAY.

Maria cleaning. Action as described:

MARIA (V.O.)

After Thanksgiving, I am cleaning up Mr. von Bulow's room, when I find a white canvas bag packed for Newport. Inside are magazines and the little black bag.

This time no hesitation. Tears opens the black bag, finds:

MARIA (V.O.)

A bottle of Insulin, a syringe and needles.

MARIA (LIVE)

Alexander! Alexander, come here!

She's holding up the bottle, frowning, as Alex enters:

MARIA (LIVE)

Insulin, for what insulin?

(more softly)

My lady is not diabetic...

HOLD as she turns the bottle in her hand. An important moment.

DERSH (V.O.)

Three weeks later, as she was taking the bags down for their last trip to Newport, just prior to the final coma, (CONT.)

INT. DERSH'S HOUSE. LIVING ROOM. NIGHT.

DERSH (CONT.)

Maria saw the same black bag, with the same contents...

Add her story to the medical evidence? Hey, I was on that jury, I would have voted to convict.

ELON

Then you're taking the case?

DERSH

Reminds me of my Hitler dream.

(off Elon's look)

Hitler calls. He's alive, needs a lawyer. I say, "Sure, come on over." ...Then I have to decide: do I take the case or do I kill him?

ELON

You? No question.

CUT TO:

INT. BAR. NIGHT.

Dersh talking to ELLEN SPITZER, a proper blond woman with manly features and an air of extreme efficiency.

DERSH

I'm a maniac. I need someone with your judgement, someone to watch what I'm doing and occasionally remind me about the law.

INT. COURTHOUSE. HALL. DAY.

Dersh has corralled TOM BERMAN, a Jew who acts like a WASP.

DERSH

You're a former prosecutor, conservative; we agree on nothing. But you're smarter than the Rhode Island D.A., and if I can beat your arguments, I can destroy theirs, whattaya say?

INT. DERSH'S OFFICE AT HARVARD. DAY.

Dersh with a suave young black man, JACK RAUSH.

DERSH

Rhode Island's the most corrupt state in the country. Everything's political, and I don't think that way. You do.

INT. RESTAURANT. DAY.

An awfully nice restaurant for a recruiting mission. Across from Dersh sits RACHEL ROSHENSKY: beautiful, Jewish, tough, smart, vulnerable. Thick tension. Silence. Husky voice:

RACHEL

You're out of your mind.

DERSH

I can't do it without you.

Beat.

RACHEL

Strictly professsional?

He nods..

She stares at him...

RACHEL

It better be.

CUT TO:

INT. NIGHTCLUB. 2:00 a.m.

Dersh watching a savage punk band going nuts. Not what we'd expect him to do for recreation.

LATER. BACKSTAGE.

He's talking to two band members, NANCY TRIBBY and DOBBS BEYER. Their skin is bleach white, their clothes black.

DERSH

I have to see the big picture.
I can't afford to immerse myself
in facts, but we must know the
facts, and of all my ex-students,
no one can assimilate information
as quickly as you two.

NANCY

I agree with that assessment. Dobbs?

DOBBS

Sounds incredibly exhausting.

CUT TO:

INT. 960 5TH AVENUE. CLAUS' STUDY. DAY.

Furnishings far more exotic, though no less extravagant, than what we've previously seen: antique opium pipes on the wall, furniture laden with ormolu. A statue of a satyr with a bulging erection grins at us from the corner. Dersh sits, relaxed; Claus wanders the room like an entertainer at center stage:

CLAUS

I want the best people in the world:
the most prestigious experts, Nobel-
Prize-winning scientists -

DERSH

We got a little problem there: people
like that don't give a damn about you.
They find one incriminating fact,
they'll tell it to the whole world.

CLAUS

I'm not afraid. Let the chips fall
where they may.

DERSH

(sarcastic)

That's what an innocent man would say.

CLAUS

I know.

Spoken with a hint of pride. In his cleverness or innocence?

Their attention is diverted by footsteps down the hall.
We look, with them, out the open door:

COSIMA. Her gait is light, her hair flying. An image of purifying innocence.

Sensing something, she glances shyly over her shoulder and waves to her father.

CLAUS

She never doubted me. She loves her siblings dearly, and staying with me has cost her their affections, but... I don't know what I would have done... (without her)

He severs the emotion. In an instant: totally cool.

Dersh stares at him, coming to a decision:

DERSH

I said I didn't want to hear your story, but I need some information.

CLAUS

Of course.

DERSH

I gather, though the older children deny it, Sunny had a problem with pills and alcohol.

CLAUS

A spectacular understatement.

DERSH

There must be witnesses to this. Someone, somewhere, some friend or...

CLAUS

You want affidavits?

DERSH

Yeah.

CLAUS

I'll get them.

So easy? Just like that?

CLAUS

You should also know that the drugs prescribed for me were taken by Sunny.

DERSH

(skeptical)
That's a lot of drugs, Claus.

CLAUS

But the prosecution's allegation that I know about syringes, injections: totally accurate. Sunny and I used to give ourselves B-12 injections in the late 60s. It was quite the fad in London.

DERSH

(packing his briefcase)

Lemme explain something. Less I know from you, the more options I have. When you tell me "the truth," you limit me to a defense which jibes with what you say.

CLAUS

But isn't truth the simplest way? I mean: why DID I stay all day by Sunny's side without calling a doctor?!

(over Dersh's objection)

Sunny detested doctors. If we called one without her approval, she went berserk. Once she broke her hip and didn't go to hospital for two full days!

DERSH

(leaving, irritated)

Did you hear what I just said?

CLAUS

Of course. Did you hear the judge sentenced me?

DERSH

(stops)

Oh. Yeah. I meant to say: I'm sorry, 30 years is pretty stiff.

CLAUS

For twice trying to murder one's wife? Anything less would be monstrous.

(off Dersh's bewildered look)

But for a man like myself, who did nothing...

What I wanted to ask: if we lose the appeal, would I have time, later, to set my affairs in order before I'm incarcerated? In Europe, a gentleman is given the opportunity to end things properly.

DERSH

You don't...(mean)... Suicide?

Claus stares at him.

CLAUS

We are each the keeper of our own souls.

Dersh blinks in surprise. Metaphysics from a criminal...?

CUT TO:

INT. DERSH'S OFFICE AT HARVARD.

Crammed with the best legal minds around. Dersh, 6 other lawyers, 12 primo 3rd-year law students, all sitting on tables, packing crates, transcripts... MINNIE, a strikingly beautiful student, is waving her hand; she keeps it up throughout:

DERSH

Our biggest problem isn't the legal conviction, it's the public's conviction that Claus is guilty. Finding grounds for reversal won't be enough here. Judges on the Rhode Island Supreme Court will have to go home to their spouses and explain why they reversed. Get 'em to do that, we gotta completely annihilate both the State's medical case, and their witnesses, so the judges have no possible way to affirm. Total victory, or we're dead in the water. I assume you've all looked at the transcript. First impressions?
(still waving her hand:)
Minnie?

MINNIE

I think this whole thing stinks. Claus von Bulow stinks, he's obviously guilty of something pretty despicable, and if we free him, we become partners in his crime, accessories after the fact. I'm really shocked - with your record defending the poor and oppressed - that you've taken this case. I won't have any part of it, and I hope my fellow students won't either. Goodbye.

Shocked silence. She starts for the door, a dramatic exit -

DERSH

(dry)

You're saying you'd rather not work on this?

(as she reaches the door)

May I exercise my first Amendment right to free speech, or...?

Minnie stops at the door -

DERSH

Picture something. Say it's you:
you're charged with murder.
 And convicted. Suddenly your friends
 aren't your friends anymore. You're
 alone. Everyone thinks you did it.
 Even the mail man's lookin' at you
 funny...
 And the world's goin' on, everyone's
 goin' on with their lives, and you're
 lookin' at prison. Alone in a jail
 cell. Years. And you've got one
 friend, one person you can trust,
 one person on your side: me.

MINNIE

But Claus deserves to go to prison!

DERSH

Aren't we innocent till we're proven
 guilty?

MINNIE

He was! He was convicted!

DERSH

What if he didn't get a fair trial?!

MINNIE

Come on!

DERSH

You're ready to hang him. Maybe
 you'd rather live in the Soviet Union,
 where a despised person, like a Jew,
 can't even get a lawyer?
 Cause it's not just Claus, you know?
 It's principles of law, of our
constitution -

MINNIE

What principles?

DERSH

The family hired a private prosecutor!
 Conducted a private search! We let
 'em get away with that, rich people
 won't go to the cops anymore, they'll
 get their own lawyers to collect
 evidence, and then choose which
 evidence they pass on to the D.A!
 And the next victim won't be rich
 like Claus. It'll be some poor
 shnook like you who can't defend
 herself. (CONT.)

DERSH (CONT.)

That's why I took this case. That's what I'm fighting for. I think it's more complicated than your simple moral superiority, don't you agree?

Stunned pause. Minnie is kind of hanging in the door, not sure if she's staying or leaving. Phone rings. Dersh snaps it up -

DERSH

I said: no calls.

A student from India:

RAJ

I agree von Bulow's guilty, but that's the fun!, that's the challenge!

DERSH

(re: Raj; with irony)

Now there's a lawyer.

(into phone)

Put him on.

INT. 960 5TH AVENUE. CLAUD'S STUDY. DAY.

Claus into phone:

CLAUS

I can't afford your full fee.
Could we make it a flat \$100,000
for the appeal?

(quickly)

But that's not why I called. An unsavory character named David Marriott contacted me claiming to have information about a drug delivery at Clarendon Court.

DERSH'S OFFICE

DERSH

Where's he live?
I'll get on it.

He hangs up, turns to Tom Berman:

DERSH

Get a private investigator to dig into a David Marriott, lives in Wakefield.
(to the group:)

Okay, how we gonna win this case?

CHUCK, a beefy law student with a thick ethnic accent:

CHUCK

Well, the Judge made lotsa mistakes -

DERSH

Judges always make mistakes.
How can we win?

RACHEL

One issue leaps up. This lawyer, Brillhoffer, interviewed Alex, Maria, everybody. He was the first guy to hear their stories, he took notes, and he used those notes at trial against a defense witness. But the defense never saw the notes! The judge wouldn't let us have 'em! This alone seems like sufficient grounds; it's perfect Brady -

DERSH

Good. Write to Brillhoffer asking him very nicely to give us the notes.

RACHEL

Yeah, right, he'll FAX 'em right over.

DERSH

We could win on this issue alone, and he knows it.

RACHEL

You know it; I know it; I'll make sure he knows it.

Dersh grins (that's why he likes her), then turns to the group, starts pointing -

DERSH

Okay. Nancy and Dobbs will attack the medical testimony... Our Rhode Island counsel, Peter MacIntire, will analyze the state Supreme Court -

PETER MACINTIRE waves to the students. He's waspy, aristocratic, with dramatic, bottle-brush eyebrows.

ELLEN SPITZER

I think the rest of us should begin dissecting the transcript. Errors, inconsistencies; anything unusual.

DERSH

(nods)

Remember, most cases are won in the field, not in court. Minnie?

She's still hovering by the door -

24
DERSH
Work with Rachel, you might learn something.

CUT TO:

INT. HARVARD LAW SCHOOL. HALL. DAY.

Nancy, Dobbs, and DR. BOB POPOVICH (in white doctor's coat) wait. Bell rings, and STUDENTS stream out, quickly followed by Dersh.

An elegant and scholarly man, another LAW PROFESSOR, approaches. Dersh nods affably:

DERSH
Hello, Professor -

LAW PROFESSOR
I think it's disgraceful that you are, by association, involving an institution as prestigious as Harvard University in the defense of someone as odious as -

DERSH
My students love it. Makes 'em realize law is real stuff, not just dusty cases and weird hypotheticals. 'Sides: Harvard isn't defending Claus; I am. You still need Celtics tickets for Friday? It's Houston.
(walks away before Law Prof can answer; to Nancy and Dobbs)
Hey guys.

NANCY
Dr. Bob Popovich.

The others have to race to keep up with Dersh. Here, and throughout the film, he moves with relentless intensity.

DERSH
Good. Insulin. Read everything. Every paper, journal, every scrap of research anywhere in the world. Find doctors - the best - whose research contradicts the state's evidence. See? We don't wanna ask experts what they think. We gotta know what they think before we go to 'em.

They've reached the area outside Dersh's office. His SECRETARY, an insane woman with an air of extreme efficiency, is shaking her head and waving a phone in the air:

SECRETARY
A "David Marriott?"

Dersh grabs the receiver.

DERSH

David. When can I see you?
(big reaction; flat voice:)
Sure, I can come alone.

CUT TO:

INT. CAR. NIGHT.

Rachel driving:

RACHEL

What're you, crazy? You're Perry Mason?! Let a private detective interview this jerk. It's stupid, arrogant, unprofessional -

DERSH

It's fun.

RACHEL

Fun?! The guy's a sleezeball!
Who knows what he'll try!

DERSH

He's gonna shoot me? Hey. I'm from Brooklyn, huh?

(Rachel rolls her eyes)

Okay, okay. Look: I'll stand by the window every ten minutes, (so) you can see I'm safe.

CUT TO:

INT. MARRIOTT'S HOUSE. NIGHT.

DAVID MARRIOTT is tall, sandy-haired, dressed like a handsome preppy. He speaks in a soft, direct, convincing voice.

DAVID MARRIOTT

I had this friend, Gilbert Jackson. Interior decorator, flaming queen, but a very excellent guy. He introduced me to Alex von Auersperg -

DERSH

Sure it was Alex?

DAVID MARRIOTT

We had dinner a few times, drinks; all I knew, "Alex" was some rich kid. So sometimes - this is like summer, '77 - I'd motor to Newport for some R&R, and Gilbert'd ask me to bring Alex a package. I figured interior decoration. Maybe drapes. Like 6 times. I'd call Alex -

DERSH
How'd you get his phone number?

DAVID MARRIOTT
From Gilbert.

DERSH
Still have it?

DAVID MARRIOTT
Maybe. I'm that kind of guy.

Marriott leaves. Dersh looks around: the place is crammed with a middle-aged woman's knickknacks. Marriott's mother's house.

Suddenly Dersh remembers, jumps up, goes to stand by the window.

EXT. MARRIOTT'S HOUSE. NIGHT.

From Rachel's POV, we see:

Dersh in the window. Suddenly Marriott appears beside him:

DAVID MARRIOTT (O.S.)
Here.

INT. MARRIOTT'S HOUSE. NIGHT.

Marriott standing a little too close to Dersh, holding out his ratty address book:

"Alex" and three phone numbers are written in faded pencil.
As Dersh copies these numbers:

DAVID MARRIOTT
One night I got curious, opened the package. Fuckin' pharmacy, man. Needles, syringes, white powder, nice selection of pills, Demerol and -

DERSH
You delievered drugs six times and didn't know it?

DAVID MARRIOTT
Stupid, huh? Then Gilbert asked again. I couldn't say no, but this time I made Alex open the package in front of me. Voila! Drug store! I go, "Awful lot for one person." He goes, "Oh, I give some to my Mom to keep her off my back." Few weeks later I'm rushed to the hospital, appendectomy, and while I'm there, Gilbert gets mistaken for a soft ball. (CONT.)

DAVID MARRIOTT (CONT.)

Two guys tie him up, bash his head in. I'm in bed starin' at the door and Alex calls, totally urinary: Will the cops find his phone number and come snoopin' around?, fuck up his trust fund or something?

(smiles at Dersh)

Well, that's the fat, that's the skinny. You like it?

Under Dersh's stare, Marriott plays nervously with his collar...

DERSH

You traffic with drug dealers and drag queens; you have a part-time job and drive around in rented limos -

(answering DM's look)

Private detective checked you out. All in all, you're the least impressive witness I ever saw.

DAVID MARRIOTT

(morbid)

Good. I testify, some nut may try to cut out my tongue with a Louisville slugger.

DERSH

Plus...unfortunately for your story, Alex was in Europe with his mother during the summer of 1977.

DAVID MARRIOTT

Hey, musta been a short trip. I was making a lot of deliveries.

DERSH

(his ploy failed)

Maybe the trip was '76. Any case, without someone to corroborate, your testimony's worthless.

(stands to go)

DAVID MARRIOTT

Why, you think I'm scum? You think I'm scum, don't you?

Blow it out your ass. You want another witness?, I'll get one. And hey...

(weird smile)

Maybe I'll see you at the Celtics, huh?

Dersh gives him a disgusted look and walks out. We hold on: Marriott at the window, staring after Dersh. Odd portent...

CUT TO:

INT. DERSH'S HOUSE. STUDY. DAY.

Dersh on one phone; holding a second to his chest -

DERSH

Calm down, Joe. You're not gonna die.
I'm not gonna let 'em execute you.

Rachel enters, he smiles, waves at her.

She just stares back. No wave; she's giving him nothing.

DERSH

(covering phone)

Johnson brothers. You got something?

(off her cool nod)

Be right there.

(into phone)

Joe. Look. I don't know how I'm
gonna save you, but... Listen, I
gotta go. Phone me next week, huh?

(hangs up first phone,
into second:)

Irwin, can I call you back?

(hangs up second phone;

as he walks past Rachel:)

Hey. We're business partners, right?

You can pretend I'm human.

Her expression softens; she knows he's right. Seeing this, he
blows her a kiss. She blinks, startled, and follows him into:

LIVING ROOM.

Minnie, Ellen Spitzer, and others wait for Dersh. Also Elon.

DERSH

Who's got what?

RAJ

Maria's testimony. She says Sunny did
take valium prescribed for Claus.

DERSH

Score one for von Bulow.

RAJ

And that prescription for Jamie Smather?

ELON

Who's Jamie Smather?

DERSH

300 lb. red-headed hooker in pigtails
and white boots. Supplied Claus with
valium.

42
RACHEL
He had a gorgeous mistress and he went
with an ugly whore?

RAJ
Some things even mistresses won't do.
Everyone's imagination races... Dersh pops the question:

DERSH
Like what?

RAJ
I'm not telling.
Anyway, Maria swears she first saw
this Jamie Smather prescription
February 14, then again February 28.

DERSH
So?

RAJ
It wasn't prescribed till the 28th.

RACHEL
(mock horror)
You're not suggesting she's lying?

DERSH
Everybody lies on the stand.
How 'bout Maria's: "Insulin, for what
insulin?" Anything more on that?

RAJ
Not yet.

DERSH
Something about it bothers me...

RAJ
It should. It crucified Claus.

DERSH
(looking around room)
Who's next? Rachel?

RACHEL
Brillhoffer wrote back. Seems he's
attached to his notes. "I am
satisfied there is not a scrap of
paper in my files that might even
arguably be viewed as exculpatory."

Dersh stares at her...

MINNIE
English translation?

ELON

He claims he has nothing that'd help us.

DERSH

(to Rachel)

You with me?

She nods. We realize we're seeing an intuitive understanding between Dersh and Rachel: two people on the same wavelength.

RACHEL

Paydirt.

RAJ

What's paydirt?

DERSH

He's a lawyer. If he had nothing, he'd give it to us. But there is something, so he'll fight like hell to hold onto it.

ELON

But then...he could pull a Nixon. Destroy the notes.

RACHEL

He does that and the judge orders him to give us the notes, his career's over. He'll do anything for his clients except sacrifice his own neck.

DERSH

Yeah. I know Brillhoffer. He wouldn't do anything illegal, but...

(stares...)

I'll bet my fee in this case no one "remembered" seeing insulin till after the lab report came back.

RAJ

You're suggesting...

DERSH

Memory enhancement. You put together a theory after you have the facts, and try to squeeze the facts into the theory. Often they don't quite fit.

RACHEL

It could be more than that...

DERSH

Yeah. Possibly... A frame-up.

RAJ

(doubtfully)

By the kids?

MINNIE
Where are you getting all this?
From Brillhoffer's letter?!

DERSH
It's just deduction, Occam's razor -

RACHEL
A good lawyer is part psychiatrist...
detective...logician. A great lawyer...
(looks at Dersh)
never would have taken this case.

Dersh cracks up; Rachel can't hold back a smile. We realize:
this is the first time she's joked with him.

MINNIE
Ummm...if there's nothing more; has
anybody looked at People Magazine?

DERSH
No, what is Joan Collins up to?

MINNIE
Well...there's an interview with
Truman Capote.

DERSH
(sarcastic)
You like his work?

MINNIE
He says when she was 19, Sunny von
Bulow taught him how to inject drugs.

Stunned silence. Very tentatively, she holds up the magazine.

CUT TO:

INT. COLUMBIA PRESBYTERIAN HOSPITAL. DAY.

Sunny comatose. A NURSE bathes her in expensive ablutions...

SUNNY (V.O.)
The prosecution at Claus' trial denied
that I was "unhealthy" or "self-
destructive" or "suicidal."
Well... Let's see now... There are
certain things even the Prosecution's
witnesses admitted: that I took up to
24 laxatives daily, had aspirin in
every room and popped them like M-n-Ms,
smoked four packs of cigarettes a day,
had "a problem" with alcohol, took
Valium and Seconal frequently, and
consumed large quantities of sweets
(CONT.)

SUNNY (CONT.)

...despite a medical condition,
hypoglycemia, which made them hazardous.
As for my state of mind...

(whistles cheerfully)

I had not had sex with my husband for
at least five years.

My schedule was...I woke at 9:30, did
a little exercise and shopping, and
returned to bed at 3:00 for the remainder
of the afternoon. I liked to be in bed.
I didn't much like anything else.

Her bath is over. Now - as then - she's in bed.

CUT TO:

INT. 960 5TH AVENUE. LIVING ROOM. DAY.

Dersh comes out of the elevator -

Claus remains seated. ANDREA REYNOLDS (44, a brunette dressed
in Scaasi silks and ostentatious jewelry) bursts forward -

ANDREA

Well! The famous professor!

CLAUS

Alan, I want you to meet my new
girlfriend, Andrea Reynolds -

ANDREA

I'm not his girlfriend, I'm his savior -

CLAUS

It's quite true -

ANDREA

Two days after the trial, we fell in
love. It was really very...

She stares at the couch, apparent scene of the consummation...

CLAUS

Andrea -

ANDREA

Very dramatic. Since then I've devoted
my life to clearing his name. I made
him hire you. Get the Jew, I said -

DERSH

Can the Jew get down to business?
Mrs. Smyth, Ruth Smyth, gave us an
affidavit corroborating Truman Capote.

Claus, still seated like a king giving an audience, hands Dersh (still standing) a stack of papers:

CLAUS

I have affidavits as well. Newport people. They talk about Sunny taking pills, getting drunk and falling down, bumping into doors or smearing lipstick all over her face. Not a very pretty picture - (I'm afraid)

ANDREA

She did it, didn't she?
(Off his nod)
Don't be a priss.

CLAUS

Sunny was a lovely woman -

ANDREA

Spoiled rotten -

CLAUS

Yes, but lovely...till she drank. Two drinks and she got nasty, irrational -

ANDREA

All women are irrational, darling.
Did we mention the priest?

CLAUS

(to Dersh)
Marriott confided in a priest who's consented to talk to us. A Father Capello in Providence.

DERSH

(amused)
Well...a priest is the ideal witness.
It's like getting the word of God!

ANDREA

Listen honey: David would need God to testify before anyone'd believe him.

CLAUS

I checked. God is unavailable...
(This priest will have to do.)

DERSH

If the Priest comes through,
(hoists affidavits)
and we have documentation of Sunny's drug use, self-injection may be a plausible theory.

CLAUS

There is no insulin in this case.

DERSH

But people do use insulin, for dieting -
it's not a prescription drug - and Sunny
was concerned about her weight -

CLAUS

Maybe. But believe me, there's no
insulin here.

Dersh stares at him.

DERSH

How can you be so sure?

Claus smiles ambiguously; Dersh keeps staring...

DERSH

You realize...with this case...
sometimes it seems like separate
tracks, sometimes the same: I'm
looking for evidence to exonerate
you, but I'm also wondering what
really happened, who you...are.

CLAUS

Who would you like me to be?

Pause. Dersh is not amused.

DERSH

Your mother's death. What happened?

CLAUS

I believe she had heart problems.

DERSH

Rumor in England is you killed her.

ANDREA REYNOLDS

Hey! Statute of limitations ran
out on that years ago!

Claus flashes her a savage look. Speaks menacingly, to her:

CLAUS

There are rumors I killed my aunt too.
(casual again, to Dersh:)
And I'm a necrophiliac who injected
Sunny so I could have my way with her.
Please.

DERSH

But your mother's death wasn't
recorded for 5 full days?

CLAUS

True.

DERSH

Where were you, during that time?

CLAUS

In the flat.

DERSH

Where her body was?

CLAUS

(nods...stares at Dersh)
My mother is my own business.

Dersh rolls his eyes: these people are so weird...

CUT TO:

INT. CATHOLIC CHURCH. DAY.

Father Capello's face, round and cherubic.

FATHER CAPELLO

I first met David Marriott through
a relative of mine who said David
direly needed spiritual and moral
counselling.

He raises his eyebrows as if to say: "What an understatement!"

Capello has a reassuring manner. Also the bright eyes and overly
ruddy complexion associated with madness, religious or otherwise.
He and Dersh are sitting in a pew in the empty church.

FATHER CAPELLO

I spoke to David on the phone.
He was not temperamentally suited
for formal confessions, so we met
for dinner, and continued meeting,
periodically, as he needed.
One night, quite late -

INT. PARISH HOUSE. CAPELLO'S BEDROOM. NIGHT.

Capello sleeping, awakened by banging and shouting:

MARRIOTT (O.S.)

Hey Father! Father Capello!

FATHER CAPELLO

What do you want?! It's late!

ALEXANDER VON AUERSPERG (O.S.)

It's two niggers! It's two niggers
who want to marry!

Shocked, Capello puts on his robe, and rushes to open the door:
DOORWAY

FATHER CAPELLO
Sshhh, the neighbors.

David Marriott enters with Alexander. Both roaring drunk.

DAVID MARRIOTT
(a little weird)
Hi, father...
(to Alex)
I told you. Me and the Pope too,
we go way back.

Capello keeps the door open, not sure they should stay. Past them, outside the parish house, he sees a white stretch limo.

FATHER CAPELLO
What are you doing here?

DAVID MARRIOTT
We gotta take a leak.

FATHER CAPELLO
What am I, a Howard Johnson's?!
(beat)
You need to go, go to Ho Jo's!

Capello turns his attention to Alex; they exchange a look.

DAVID MARRIOTT
(grins)
Father, this is my excellent friend,
Alex von Auersperg from Newport.
Huh? Think I don't travel with the
right people?
(gestures to indicate \$\$\$)

FATHER CAPELLO
Young man, you totally exasperate me.

DAVID MARRIOTT
Yeah yeah yeah; where's the crapper?

INT. CHURCH. DAY.

Dersh and Capello strolling down the aisle.

DERSH
You're sure it was Alex?

FATHER CAPELLO

I saw him on tv during the trial.
Older, sadder, but the same boy.
Then...well, the next summer, '78,
I guess David told you about
delivering drugs to Newport?

(off Dersh's nod)

It scared him - rightly so - and
he came to me for advice. I really
laid into him, told him to stay away
from Alex, away from Gilbert Jackson -

DERSH

And you believe David?

FATHER CAPELLO

I saw them together, so I know they
were friends. And...well: even if
David's a pathological liar, he'd
have no reason back then to concoct
a story about a drug delivery.
It's not something you say to curry
favor with a priest.

Dersh nods thoughtfully. On his face:

CUT TO:

HIS FACE. Different angle, different time. We are:

INT. HARVARD LAW SCHOOL. LARGE LECTURE ROOM. DAY.

Dersh preparing for his class, writing stuff on the blackboard.
Ellen Spitzer and Chuck enter carrying a transcript.

ELLEN SPITZER

Got a minute?

DERSH

Eight.

ELLEN SPITZER

Chuck's found something in Alexandra
Isles' testimony -

CHUCK

(opening transcript)

Okay. They meet, go out to lunch
with other people around, finally
they have lunch alone, he tells her
he loves her.

DERSH

Right.

CHUCK

They start to screw, four times a week. Couple weeks later, he pops the big subject: marriage. Then it goes:
(points to the transcript)

INT. COURTROOM. DAY.

Steven Famiglietti, the thin young D.A., coaxes her along. Her eyes downcast, her manner shy. A great soap opera performance:

FAMIGLIETTI

Were you responsive to his suggestion of marriage?

ALEXANDRA ISLES

I was surprised.

FAMIGLIETTI

In addition to being surprised, were you -

ALEXANDRA ISLES

I loved him.

FAMIGLIETTI

Please?

ALEXANDRA ISLES

I loved him.

FAMIGLIETTI

And did you tell him that you loved him?

ALEXANDRA ISLES

(looks up...)

I hope so.

INT. CLASSROOM. DAY.

CHUCK

(flipping through transcript)

Okay, now much later, he got his own apartment, right?

INT. COURTROOM

ALEXANDRA ISLES

He told me he did move out, into that apartment and he wanted me to see him, and I felt that I had to test him, and I was very hard and proud and -

FAMIGLIETTI

And what did you do?

ALEXANDRA ISLES
Well, what I didn't do was go down
and ring the doorbell: "Here I am!"
That's what I should have done!

INT. CLASSROOM

CHUCK
Catch the pattern? Then, close to the
second coma, she's in D.C., and he flies
down and tells her he'll call his wife
right then and ask for a divorce -

INT. COURTROOM

ALEXANDRA ISLES
And he would call his wife, and I could
stand right by his side, but I was so...
still so angry from before, depressed,
and because I am an old curmudgeon and
feisty, I said, "No," I said no to his
proposal. I loved him and...but I was
still caught up in my own anger.
(directly to Claus)
And I'm sorry that I behaved that way
then. I loved him and I was angry.

INT. CLASSROOM.

CHUCK
See?! She's testifyin' against him,
two counts attempted murder, and same
time she's sayin' how much she loves
him! She's tryin' to win him back!

DERSH
I don't know -

ELLEN SPITZER
I think Chuck is right.

CHUCK
Absolutely I'm right! You know they
slept together 5 weeks before the trial!

DERSH
That is pretty - (unbelievable)

CHUCK
Then there's the famous exchange where
the Prosecutor asks her why she kept
seein' him after the indictment:

COURTROOM.

ALEXANDRA ISLES
Well, I...I thought the charges
were a pack of nonsense.

FAMIGLIETTI
And do you still think it's "a pack
of nonsense?"

ALEXANDRA ISLES
I don't know.

FAMIGLIETTI
I didn't hear that answer.

ALEXANDRA ISLES
I don't know.

CHUCK (V.O.)
That means "No," she doesn't
think it's nonsense. Then the
D.A. asks if she considered herself
Claus' mistress.

ALEXANDRA ISLES
...No. But I...I certainly loved him.

FAMIGLIETTI
Let me ask you this, maybe you can't
answer it: Do you still love him?

Long beat. She stares at Claus, then looks away...

ALEXANDRA ISLES
I don't know.

CHUCK (V.O.)
That means "Yes," she does love him.

INT. CLASSROOM

ELLEN SPITZER
I don't know how we can use this,
but I've got a gut feeling: it's
the key to the case.

CHUCK
I tell you: she couldn't get enough.
She was his love slave...

The bell rings for the class to begin -

DERSH
Well...we'll have to ask Claus,
won't we?

CUT TO:

EXT. DERSH'S HOUSE. DAY.

Middle class neighborhood. A long black stretch limo pulls up.

The CHAUFFER hops out, opens the back door for Claus.

Claus strides up the walk, rings the bell, then turns to survey his surroundings: how can the other half live like this...?

The door opens:

INT. DERSH'S HOUSE. DAY.

DERSH

Come in, come in. Welcome to my humble law firm.

"ED" and "MARY" are playing ping-pong in the living room as they discuss the case with Jack Rausch. (Note: less prominent students are denoted by bland names and use of quotation marks.)

DERSH

Our Brillhoffer notes team. They sleep in the living room, so they take a lot of ping-pong breaks.

They stroll on, look out on the basketball court.

DERSH

We're starting a tournament, how's your jump shot?

Not understanding Dersh is joking, Claus gives him a look -

Dersh glances into the kitchen; we see Minnie and "JOHN":

DERSH

Insulin-on-the-needle team. They concocting some kind of surprise...

"Mary" comes up:

"MARY"

Umm. Where do you keep toilet paper?

Dersh looks bewildered; no idea at all. From the kitchen:

MINNIE (O.S.)

Ask Rachel!

DERSH

(mutters to Claus)

Rachel used to live here.

Claus gives an inquiring glance, which Dersh ignores. They start up the stairs -

CLAUS
This commune... You do it on
every case?

DERSH
Never before. 38 days to write 100
pages? Only way to get it done.

UPSTAIRS HALL.

They glance into a bedroom. "CURLY" and Chuck.

DERSH
Police search team...

"Curly" breaks into song (from Bye Bye Birdie):

"CURLY"
I love you, Clausy, you know I do...
I love you, Clausy, and I'll be true...

CLAUS
(grins)
Thank you, thank you...

Dersh walks past a door marked: "JOHNSON BROTHERS Team.
Keep out."

CLAUS
What's this?

DERSH
My son Elon lost his room.
Well. Actually it's another case
(pause, slight grin)
...that you're paying for.

Claus arches an eyebrow. Dersh opens his own bedroom: Rachel
lounges over Dersh's bed surrounded by annotated transcripts.

DERSH
And this is my team.

She gives Dersh a look: are you crazy? Then turns to Claus:

RACHEL
Hi.

CLAUS
My darling, you look lovelier than ever.

RACHEL
(looks at Dersh, Claus)
Boy, you could cut it with a knife
in here.

Dersh turns the other direction, gestures into the last bedroom:

DERSH

And Raj is our expert on Maria.

RAJ

(to Claus)

She's a liar, but I still think you did it.

CLAUS

An honest man.
How rare among lawyers.

As Dersh reacts, Rachel comes out of his bedroom:

RACHEL

I need brain food. Now.

CUT TO:

INT. CHINESE RESTAURANT. NIGHT.

Huge repast. Hey, Claus knows how to charm a dinner party:

CLAUS

Can you define fear of insulin?
...Claustrophobia.

The students groan/laugh. Claus' eyes twinkle, but the students are uncomfortable. Should this man be telling these jokes?

CLAUS

What do you give a wife who has everything?
(rolls it off his tongue...)
An injection of insulin.

Leitmotif: everyone except Claus is eating in the "family style" traditional in Chinese restaurants. Claus is appalled by this absence of the most rudimentary table manners; he is jealously - and with some difficulty - trying to guard his order.

DERSH

(blunt)

Is there anything more we should know about Alexandra Isles?

Claus shrugs amiably.

DERSH

Is it true she gave you a deadline of Christmas 1979, to be together?

CLAUS

Not really. She knew I had to find work first. I used to be assistant to J. Paul Getty -

ELLEN SPITZER

But Alexandra assumed when you did find work, you'd marry her, correct?

CLAUS

I...I wanted to marry Alexandra Isles in early 1979, I'll never deny that.

CHUCK

But not at Christmas time...?

CLAUS

Well...no. You see the problem in my marriage wasn't sex. Sunny totally lost interest in sex after Cosima was born, but we had an arrangement: I could go elsewhere, so long as I was discreet. But Sunny liked me. She wanted me around for companionship, and I was going loony fetching ginger ale and lighting cigarettes. I was determined to work; it was going to end my marriage, and Alexandra assumed I'd turn right around and marry her.

RACHEL

You didn't tell her your feelings had changed?

Claus arches an eyebrow...then shakes his head.

DERSH

When Alexandra testified, did you sense that she wanted to get back together?

CLAUS

Actually... After the trial, she wrote me a letter saying it quite explicitly. A very passionate letter ...passionate and jealous and...well ...but that was the relationship from the outset, that was Alexandra.

CHUCK

Sounds good to me.

Some of the students laugh, and Chuck adds, under his breath:

CHUCK

Love slave...

DERSH

But there's nothing more about her...

CLAUS

No. Not for your purposes...

CHUCK

How 'bout your purposes?

Claus flashes Chuck a vicious look. Pure power -

Reflex: Chuck averts his eyes. Totally uncharacteristic.

Dersh realizes: we've just witnessed a display of something unconscious, primitive, undeniable. Claus can dominate.

CLAUS

Now. I would like my own individual order of ginger prawns.

CUT TO:

INT. DERSH'S BEDROOM. NIGHT.

Papers scattered all over. Dersh sits on the bed, Rachel on a nearby chair. Her attitude and posture clearly separate her from Dersh. Claus sits facing them, the reluctant witness.

DERSH

Three weeks before her final coma, Sunny took 65 aspirin. What can you tell us about it?

CLAUS

No one ever maintained I had anything to do with that.

DERSH

Course not. You crammed 65 aspirin into a sandwich? I'm asking what happened.

Claus considers for a moment...

INT. 960 5TH AVENUE. MASTER BEDROOM. NIGHT.

Sunny and Claus are in bed reading. She puts her book down, moves her hand to her head...

CLAUS

Are you all right?

SUNNY

Just a little dizzy.

She starts to get up.

CLAUS

Well, if you're dizzy, don't -

But she's up....walking in a quick stagger toward the bathroom.
She closes the door, and he stares after her, concerned.
Silence.

A crash; she's fallen.

Claus rushes out of bed -

Pushes against the bathroom door, striking something -

Pushes harder -

INT. BATHROOM

Large, very opulent in its appointments.

She lies on the floor. He rushes to her -

CLAUS

Sunny?

The back of her head is bleeding. He sets a towel under it -

CLAUS

It...it doesn't seem too deep. Here.

He helps her up, back into the

BEDROOM

And into her bed.

CLAUS

Should I call a doctor?

She looks at him wide-eyed, incoherent. Babbles in a hostile tone. He rushes out -

INT. MARIA'S BEDROOM.

Maria awake, in bed. A knock and Claus barges in:

CLAUS

I'm afraid something's happened, but
it's not bad. Don't get excited.

Maria gets very excited. Leaps out of bed, throws on her robe
and follows him out.

INT. MASTER BEDROOM

Maria rushes in, finds blood on the sheet, pillow...

Sunny is moaning, Claus is dialing 911.

CLAUS

We need an ambulance immediately.

INT. DERSH'S BEDROOM.

CLAUS

Dr. Praug said it wasn't serious enough to go to hospital, but I didn't want to take chances -

DERSH

Why'd she take the aspirin?

CLAUS

Sunny always took aspirin. She said she'd been taking a lot, over several days.

DERSH

That's not what our doctors think.
(leafs through papers)
She had a blood aspirin level of 90 mg%.

(finds what he's after)

Dr. Lucas Lupardus, chief forensic toxicologist, Suffolk County, says people who take large amounts of aspirin every day never hit that level. He also says the average blood level in cases of death is only 60. Hers was 90. Clearly a suicide attempt. Why?

CLAUS

Well, I presume she was unhappy...

Beat. Dersh looks at Rachel...

She shakes her head. Doesn't buy Claus' act at all.

DERSH

(turns to Claus)

Buddy... You're on the hot seat.

CUT TO:

INT. LIVING ROOM. NIGHT.

Almost everyone congregated.

DERSH

Guys: we're not gonna win this one on a technicality. Peter?

PETER MACINTIRE
I've read every case in the last 7 years
where the Rhode Island Supreme Court
reversed. They don't like to make new
law or discuss broad legal issues.

RACHEL
They can't understand "broad legal" -

PETER MACINTIRE
But if you read between the lines,
you see that while the grounds for
reversal are technical, the reason
they reverse is: they suspect a
convicted defendant may be innocent.

DERSH
(to Claus)
True or not, we gotta make the judges
think you're innocent. Understand?
Changing strategy; now I want your
side of the story.

CLAUS
With pleasure. Innocence has always
been my position.

The guilty nature of his phrasing is not lost on anyone.

DERSH
First coma. What preceded it?

CUT TO:

EXT. CLARENDON COURT. DAY.

Lights on an outdoor fir suggest the holiday season...

INT. CLARENDON COURT. LIVING ROOM. DAY.

Empty, like a mausoleum. FADE IN Christmas decorations: tree,
lights, holly, mistletoe. Extravagantly cheerful. Then FADE
IN Cosima and Alex hanging ornaments...as Sunny watches.

CLAUS (V.O.)
Sunny loved Christmas. It was her
favorite season, really, but...well,
she always made fresh eggnog, and that
year, '79, she drank a lot of it.

PANTRY

An enormous bowl of eggnog. Claus pours a large glass.

RACHEL (V.O.)
How much?

CLAUS (V.O.)
Oh, ten or twelve glasses.

RACHEL (V.O.)
With her hypoglycemia??!

Claus carries the glass across the mammoth dining room...

DERSH (V.O.)
She didn't always drink like that?

CLAUS (V.O.)
Never. She never touched alcohol
at all except on social occasions,
to overcome her shyness, or when
she was upset.

He enters the main lobby. It's quite a trek.

DERSH (V.O.)
This was not a social occasion...

CLAUS (V.O.)
No.

Clear implication: she must have been very upset...

LIVING ROOM

Claus enters, hands Sunny the eggnog. She receives it as her due, without acknowledgement or thanks.

CLAUS (V.O.)
Well...we'd been discussing divorce.

One cigarette is smoking in the ashtray; another in Sunny's hand. They whisper so the children don't hear:

SUNNY
This whole subject of your
(sarcastic)
"work" coming between us...is it
actually a pretext...when the real
subject is "her?"

CLAUS
Certainly not.

She nods, drinks some eggnog, stares off toward the curtains.

SUNNY
I'm thinking of redecorating
this whole fucking house.

INT. DERSH'S LIVING ROOM. NIGHT.

ELLEN SPITZER
Then she knew about Alexandra?

CLAUS
Certainly.

ELLEN SPITZER
How did she find out?

CLAUS
(uncomfortable)
Um. I told her, of course.

INT. POSH NEWPORT MANSION. HUGE BALLROOM. NIGHT.

Cosima dancing gaily. It's the Bachelor's Ball, height of the social season. DEBSS and their BEAUS swirl in artificial gaiety. Watching Cosima, it's as if we're seeing Sunny in her youth.

At a table, Claus and Sunny sip drinks and look on...

CLAUS
Oh. I've been meaning to mention.
Our understanding...about the sexual
aspects of my life...?

SUNNY
Mmmm?

CLAUS
I'm involved with someone who goes
beyond the parameters of our agreement.

SUNNY
(almost amused)
Really?

CLAUS
Someone peripherally in our circle.
Billy Botsky's daughter.

SUNNY
Well...that must be better for you
than what you've had to put up with.

CLAUS
You're referring to the call girls?

SUNNY
Yes.
I mean...that is where you've gone,
previously...isn't it?

CLAUS
Yes, it is.

SUNNY

And isn't this better?
(sweetly sarcastic)
Or is Billy Botsky's daughter a call
girl too?

CLAUS

This is much better.

Sunny nods. Looks at him oddly. The thought of sex with him bewilders and repulses her. And yet the revelation of this new union arouses a kind of enervated curiosity.

SUNNY

From my recollection of Count
Billy Botsky, I would not have
thought he was your type.

CUT TO:

INT. DERSH'S LIVING ROOM. NIGHT.

CLAUS

But that was the previous summer, and
we were now focussed not on adultery,
but on my desire to work. By the
evening preceding the first coma,
eight p.m., Sunny was so inebriated
I had to help her into the bedroom.

INT. CLARENDON COURT. DINING ROOM. NIGHT.

An elaborate meal, half-eaten. Claus takes Sunny's arm, leads
her from the dining room into the bedroom. She's unsteady.
Cosima and Alexandra tag behind.

SUNNY

(voice slurred)
Don't hold my arm.

CLAUS

Darling, when you're like this...
remember: you fell and broke your hip.

We notice she's walking with a slight limp.

SUNNY

That was years ago.

CLAUS

Two.

BEDROOM

Entering, she shakes off his assistance.

SUNNY

Get me a Scotch and soda.

She smiles defiantly.

He goes.

INT. DERSH'S LIVING ROOM. NIGHT.

DERSH

If she was already soused, why'd
you go for the Scotch?

CLAUS

Because she asked for it. Sunny
got what Sunny wanted.

CHUCK

She held the purse strings, and
you knew it.

CLAUS

(glares at Chuck)
More or less.

INT. CLARENDON COURT. BEDROOM. NIGHT.

As Claus leaves, Sunny heads for her bathroom. To her kids:

SUNNY

May I at least urinate alone?

She enters the bathroom, slams the door. We hear water running.

COSIMA

Think she's okay?

Alexander nods uncertainly, to reassure his younger sister.

COSIMA

She runs the water every time
she goes in there...

He nods again. Cosima's implicitly asking a question (why does
she run the water?) that neither of them wants to think about.

Claus returns and sets the Scotch down on her night table.
Next to: Kleenex, books, cigarettes, and a variety of drugs,
including aspirin, laxatives, valium, seconal, nose drops...

He looks at the kids. Hopeless expression. He's a gigolo, a
eunuch, unable to control his wife. Cosima can't bear to see it:

COSIMA

Goodnight, Dad.

She hugs him. He squeezes her awkwardly, best he can do.

ALEX
Night, Claus.

They leave. Claus turns toward the bathroom. Noise of the water running... What the hell is she doing in there?

LATER. NIGHT.

In bed arguing. Asleep on the floor around the bed are four Golden Labradors.

CLAUS (V.O.)
That night we hardly slept.

She slaps a photograph of a spoiled society matron -

SUNNY
Hasn't my mother given us enough money?! You're 54!! It's perfectly acceptable to retire!

CLAUS
I'm already retired! I haven't worked since Getty!

SUNNY
Exactly! This is your ego! You never had a career, not really -

CLAUS
I'm going to have one now!
Come on, Martha, your father worked! You want the children to grow up thinking the male's place is in a deck chair?!

SUNNY
Claus?, you marry me for my money and then demand to work?!
You are the prince of perversion!
What, are you trying to destroy our whole family?!

CLAUS
No. I simply want some...
intercourse with the world.

One of the Golden Labs whimpers at the sound of the argument.

SUNNY
Shut up, Pan.
(morose, self-pitying)
What does it matter? Is that it, another divorce?
Okay, I'll divorce you! I will!
A two-time loser!
Hey, I'll divorce everybody!

CLAUS

I don't want to divorce. I don't want to marry Bobby Botsky's daughter. I want to stay with you, and I want to work. I need that, as a man.

She stares at him. Stabs out her cigarette.

SUNNY

It's hopeless.

(looks at clock: 5:10)

My beauty sleep.

She knocks a pill (several? we can't tell) into her palm and swallows. Slugs it down with Scotch. Puts in ear plugs.

He wants to continue, but it's impossible now. He puts in ear plugs too.

She turns out the light.

It's dark. They lie there.

Slowly her hand snakes across toward his. Squeezes. Because of the ear plugs, their voices come loud and forlorn:

SUNNY

Goodnight, Claus.

She says it like "goodbye."

CLAUS

Sunny...you know that I love you.

SUNNY

Goodnight.

CUT TO:

INT. DERSH'S LIVING ROOM. NIGHT.

CLAUS

The next day? Well...Maria's testimony was so wildly exaggerated. Sunny was never moaning. Snoring maybe, but -
And Maria shook Sunny?! I mean...
nobody ever shook Sunny...

DERSH

What happened when Sunny regained consciousness?

CLAUS

At hospital? It was kind of absurd. I got it from both sides.

Sunny lying in bed quite morose.

SUNNY

Can't you ever leave me alone?
Why did you do it? I would have
 been better off, you would have
 been better off...

CLAUS

What do you want me to say, "I'm
 sorry I saved your life?"

SUNNY

Yes.
 (a dare)
Say it.

CLAUS

I'm not sorry.

She turns toward the wall. Pouting. He stares at her...

CUT TO:

INT. DERSH'S LIVING ROOM. NIGHT.

CLAUS

Later, when I phoned Alexandra
 Isles and told her what happened,
she said the same thing: "Why
 did you do it, why did you call
 the doctor?"

DERSH

She wanted you to let Sunny die?!

CLAUS

No, it was more... "Everybody
 says Sunny is such an unhappy woman
 and has nothing to live for..."

INT. NEWPORT HOSPITAL. DAY.

Sunny still turned toward the wall. Her voice very soft:

SUNNY

What... Claus?
 What am I to do with myself?

He should answer. Instead, he backs slowly out of the room.
 The CAMERA PANS onto Sunny's face. She is totally alone.

DISSOLVE TO:

INT. COLUMBIA PRESBYTERIAN HOSPITAL.

Sunny lying, same position but now grey-haired and unconscious. Classical music plays. One NURSE arranges flowers while a SECOND NURSE carefully applies Sunny's make-up...

SUNNY (V.O.)

Claus says I was unhappy; it's true.
I had everything: Beautiful children,
beautiful homes, an attentive husband...
But we're put on earth, into these
rotting bodies, for a purpose. To do
something, want something. And if one
has everything, what does one want?

CUT TO:

INT. DERSH'S HOUSE. LIVING ROOM. NIGHT.

CLAUS

So much for the first coma. The
second, of course, was more theatrical -

DERSH

That's enough for now.
(off Claus' look)
I can only stand so much "truth."
(stares at Claus)
'Sides, the first coma's easy.
It's the second I'm worried about.

CLAUS

(smiles gracefully)
As you wish.

Awkwardness. The meeting's over but no one moves. They're all watching Claus, wondering. And he's aware of their eyes on him. Their doubts. Finally he stands, stretches...

CLAUS

Can someone call my driver?

CUT TO:

EXT. DERSH'S HOUSE. BACK YARD. DAY.

Vigorous basketball game in progress. (Brillhoffer Notes vs. Johnson Bros. Both teams have hand-lettered t-shirts.)

Under the backboard, on the garage wall: a chart showing the progress of the tournament between the various legal "teams."

Dersh sits, shirt off, half watching the game. He and Rachel (at his side in shorts and a t-shirt) are also debriefing their two punk associates, who are totally covered up, in black, to avoid the sun:

DOBBS

(flat)

We have something which may
annihilate the needle theory.

NANCY

(excited for the first time)

Remember the needle had both valium
and amobarbital? Well...

DOBBS

There's this guy Harold Swalder,
(reading)

"Deputy Head of Biology in the Central
Research Establishment of the British
Home Office Forensic Science Service"
...whatever that means....

His research shows that when valium and
amobarbital are present in a saline
solution, the radioimmunoassay may give
a false positive result for insulin.

NANCY

The lab may say insulin is present
when it's not!

Derish stares at them, does not respond. Face blank.

NANCY

Isn't this good?

DOBBS

Outstanding.

Derish nods noncommittally, exchanges a look with Rachel...

NANCY

Don't you see what this means?, it -

DERSH

(to Rachel)

Well?

RACHEL

Gotta go for it.

Again: they're talking in shorthand; on the same wavelength:

DERSH

But this report's good stuff.
We try to prove it and fail, then
we can't use it at all.

RACHEL

But in the law, as in life, Alan,
it's all or nothing, isn't it?

He gives her a look. A student calls from the house:

STUDENT
Rachel, phone call!

Rachel leaves -

DOBBS
I don't understand.

As Ellen Spitzer and two students plop down beside him:

DERSH
(to Dobbs, Nancy)
Get a doctor to prepare five needles:
one with nothing, two with valium,
amobarbital, and insulin, and two
with just valium and amobarbital.
Send tem to the same lab that the
famous needle went to, and see if
we can get a false positive result.

NANCY
If we don't?

DERSH
I clean the latrines.
(to Ellen:)
So?

ELLEN SPITZER
Black bag report.
(motions to:)

"CURLY"
The Prosecutor said the black bag with
the needle belonged to Claus. (CONT.)

INT. CLARENDON COURT. HALLWAY. DAY.

The scene we saw before. The Private Investigator goes through
the black bag as Alex looks over his shoulder.

"CURLY" (V.O., CONT.)
But the reason he thinks so is because
Alexander saw a prescription for Claus.

With Alex, we ZOOM IN on a drug vial in the Investigator's hand:
"DALMANE"...for Claus von Bulow.

ELLEN SPITZER (V.O.)
But the private investigator didn't
see that prescription.

The same action repeated, only this time, from the Investigator's
POV, we see a "INDERAL," prescribed for Martha von Bulow.

"CURLY" (V.O.)

He said Sunny's drugs were in the bag. By the prosecutor's own logic, this means the bag was hers, not his. Of course there's no way to know for sure, since Alex mixed all the drugs together...

Reprise, p.4: Alex's arm sweeping all the drugs off her bedside table, into the black bag.

BASKETBALL COURT

ELLEN SPITZER

But the investigator's a trained guy, ex-cop, sent there to find evidence against Claus! If he did see Claus' drugs in the bag, wouldn't he remember?

DERSH

Maybe they underpaid him.

The basketball game stops as one player protest another's score:

"BILL" (Johnson Bros.)

Wait, wait, wait a second -

"ED" (Brillhoffer Notes)

Come on, that wasn't an offensive -

"BILL"

I demand the exclusion of illegally obtained points.

"ED"

In college ball, you score the points.

"BILL"

This ain't college; it's grad school.

"ED"

(to Dersh)

Objection?

Rachel sits back down beside him as:

DERSH

Overruled!

RACHEL

Our friend Marriott wants money.

DERSH

Who doesn't?

RACHEL

He says his memory might fade.

Beat.

DERSH

The hell with him. Forget him.

RACHEL

Well, he has lost his crummy job,
and he is running around trying to
find evidence for us...

DERSH

Okay then. Let's do what the
government does for its witnesses:
pay for his time.

RACHEL

(sexual innuendo)
What's his time worth?

Dersh laughs, then realizes: she's friendly, joking:

DERSH

Watch out, you're startin' to like me.

She stares at him blankly; wouldn't go that far...

"BILL"

Rachel? Dersh? Your team's on.

DERSH

(to Rachel, as he stands)
You gonna pass to me this game?

They move toward the court. Dersh is intercepted by:

TOM BERMAN (former Prosecutor)

Prosecution says both comas were
caused by the same thing - insulin
injections - and it makes no sense.

DERSH

Why?

TOM BERMAN

Second coma her blood sugar came in
low. First coma, it was almost normal!

As Dersh listens, he practises shooting set shots.

TOM BERMAN

Second coma, her temperature was 81.6,
first coma normal.
She got glucose both times. First
coma, her blood sugar didn't rise,
second time it did. And so on!
We're talking about different animals!

DERSH
 (hits a long shot)
 Type it up, and I'll look it over...
 (to "Bill")
after we win this game.

CUT TO:

INT. BATHROOM. DAY.

Nancy and Dobbs watch as Dr. Bob Popovich reads from his notes and shouts toward the shower:

DR. BOB POPOVICH
 I just got it from a second doctor!
 The State relied on a blood insulin
 reading of 216 which was medically
 untenable!

DERSH (O.S.)
 Great! Can you pass the shampoo?

Dobbs hands it into the shower as Nancy continues:

NANCY
 Insulin tests are so delicate no
 respectable doctor will accept them
 without a second test of the same
 sample that's within ten percent!

DR. BOB POPOVICH
 Here the lab did four tests, with four
wildly different results.

NANCY
 216, 0.8, 350, and NSC, "nonsignificant
 counts!"

DOBBS
 Which means the 216 was completely
 arbitrary.

DERSH (O.S.)
 Knock the insulin from her blood,
 we're half way home! Get two more
 doctors who'll say the same thing.

DR. BOB POPOVICH
 But I already -

DERSH
 (head out of shower)
 I want the best in the business.

RACHEL
 (head in the door)
 We're ready.

INT. KITCHEN. DAY.

Dersh enters in his bathrobe. Rachel and several students have set out a display: carton of milk and two barbeque skewers.

RACHEL

Their private investigator said the needle had a small encrustation near the tip. Doctors tell us this is totally inconsistent with injection.

DERSH

How else could it get there?

Rachel stares at him; he gets it:

DERSH

Oh.

MINNIE

(dipping skewer in milk)
If I inject this "needle," the skin acts as a kind of swab...
(pulls skewer out, squeezing it between her fingers)
it cleans the needle off...leaving the tip completely free of liquid.

"JOHN"

(dipping second skewer)
But if I just dip the "needle" into liquid, what do you see?

A residue, drop of milk, left near the tip.

"JOHN"

Dry this out, you have an encrustation.

Dersh stares...nods...

DERSH

It...it is, isn't it?

Rachel nods...

DERSH

It's a frame-up.

CUT TO:

CLAUS' FACE

CLAUS

It's Desdemona's handkerchief...
(CONT.)

We are:

INT. NEW YORK YACHT CLUB. DAY.

Very upper-crust Men's Club. Wood panelling, nautical equipment and trophies, old full-length portrait of a nude woman.

CLAUS (CONT.)

Alex and Ala felt I was guilty, didn't think they had evidence, and concocted some. This should win the case, no?

DERSH

No. There's plenty of evidence still to come, and a lot of strange things we can't explain. Like: Did you ever love Sunny?

CLAUS

I married her.

(off Dersh's reaction)

Of course I loved her, she was beautiful.

DERSH

Rich.

CLAUS

Why not?

DERSH

What I've seen of the rich, you can have Tem.

CLAUS

I do.

DERSH

How 'bout the black bag, was it yours?

CLAUS

Sunny appropriated it. To understand this, you must realize: after the first coma, Sunny went into a rage.

INT. CLARENDON COURT. MASTER BEDROOM. DAY.

Sunny searching frantically: her night-table, drawers...

SUNNY

Where are they? Did you take them?

CLAUS

Certainly not.
Take what?

SUNNY

My pills, you moron. Valium, Seconal
...you took them, didn't you?

CLAUS

My dear, I have long since stopped
interfering -

SUNNY

Who? My children wouldn't...(dare)
(sudden flash)

Oh! Oh, I know...
(rushes from the room)

MAIN HALLWAY

Sunny walks hurriedly, with a slight limp, up the enormous
marble stairway to the second floor.

SECOND FLOOR HALL.

She throws open a doorway -

SUNNY

Maria?!

Maria's not there. We watch from the hall as Sunny starts
tearing the room apart...

CLAUS (V.O.)

She found the pills. And very
quickly formulated a new plan
of action.

MASTER BEDROM. NIGHT.

Sunny has a mortar and pestle and is grinding up pills.

SUNNY

It's my lovely mother, isn't it?

Glances at the photo on her night table -

SUNNY

She's behind this. She's in
cahoots with Maria. Well! Just
because Mother had the money before
I had the money does not make her
my lord and master!

CLAUS

Course not. I am your lord and master.
(off her look)
Just kidding...

Sunny mixes water with the ground-up pills, forming a liquid.

SUNNY

Maria loves me too much.
It's not healthy for her, and
it's certainly no fun for me.

She pours the drug mixture into a Neo-Synephherine nose-drop bottle and holds it up proudly to Claus:

SUNNY

There. Let's see if my ugly little
maid can sniff out this one!

She sets the Neo-Synephherine bottle beside the aspirin, etc.
on her night-table.

Then stuffs all the pill cannisters into the infamous black bag.

CLAUS

Where are you going to hide that?

SUNNY

I'm not telling you. But it won't
be among my affairs!

INT. NEW YORK YACHT CLUB. DAY.

Claus sips his sherry.

CLAUS

Odd she used that word. "Affairs."

DERSH

You realize the prosecution thinks
you ground up the drugs so you could
inject Sunny. And, frankly, this
nose-drop business sounds pretty
far-fetched.

Is it intentional? Dersh is speaking a little too loudly,
brashly, for these august surroundings.

CLAUS

But consider the pattern. It's
public record Sunny used drugs.
Her behavior here, hiding them in
liquid so others won't find them?
It's just like your classic alcoholic:
buying pints of whiskey and stashing
them all over the house...

DERSH

You're right.
(accusation?)
You've been right about everything.

Wary of Dersh's mood, Claus doesn't respond...

DERSH
This...is the most dangerous case
I've ever worked on.

CLAUS
You find that exhilarating?

DERSH
Nope. The best way to win is to
proclaim your innocence. I've never
done that for someone in your position.
And the problem is: I see who you are.

Claus blinks twice.

DERSH
You'd do anything to win.

CLAUS
So would you.

DERSH
But you don't trust the legal system.

CLAUS
You think I'd...manufacture witnesses,
affidavits?

DERSH
No, but you'd sacrifice me -

CLAUS
Oh please -

DERSH
If I go out on a limb for you, and
you're proven guilty, my reputation
and career may be destroyed.

CLAUS
That's the risk you're taking, isn't it?

DERSH
Hey, fuck you -

Claus blinks.

DERSH
Fuck you, man!

A nearby BANKER, 55, peers down his spectacles. That language?
In the Club?

Slowly Claus breaks into a grin.

Instantaneous...like an epiphany: Dersh grins back. Shared
moment. We realize: they're both comfortable with hostility.

DERSH
Well. I'm glad we understand
each other.

CUT TO:

INT. DERSH'S HOUSE. LIVING ROOM. MIDNIGHT.

An anorexic male student plays frenetic pinball in the corner.
Opposite him: supper. Everybody helping themselves from bowls
of spaghetti and salad prepared and served by two male students.

TOM BERMAN
But if Claus did it, he would've
thrown away the needle, right?

JACK RAUSH (the black guy)
Sure. They never found insulin.
He would have tossed the needle too.

CHUCK
Needle's the weakest part of their case -

JACK RAUSH
But they wouldn't have a case without it.

TOM BERMAN
Probably not -

JACK RAUSH
Another thing: if he was planning murder,
why would he leave the black bag just
lying around, for Maria to find?!

DERSH
Claus is strange, but he ain't stupid -

RACHEL
He is arrogant -

DERSH
Is that a crime?

RACHEL
(to and re: Dersh)
Sometimes.

MINNIE
I don't know why we're discussing this.
It's obvious the kids framed him.

CHUCK
You changed your tune -

RAJ
A frame-up doesn't mean he's innocent.
The kids could have framed a guilty man.

First pause in the discussion as they consider this remarkable idea...

MINNIE

But...why do you insist he's guilty?

RAJ

Look at his face. His voice, the way he calculates every phrase...

DERSH

Guy's in the same position we all are: he feels guilty, and he's trying to win on appeal.

RACHEL

(to Dersh, pointedly)

Some people have reason to be guilty. They don't always behave very well.

DERSH

(ignores personal dimension)

And some people are guilty by nature. Like just about every Catholic I know.

RACHEL

And every Jew...

CHUCK

Well, he told Alexandra Isles if she testified she'd be "drivin' nails in his coffin." Sounds guilty to me.

From the kitchen:

ELLEN SPITZER (O.S.)

Dersh! Telephone!

KITCHEN

Amid the dirty pots and pans, Ellen Spitzer, Nancy, and Dobbs are huddled over a computer as Dersh enters; into phone:

DERSH

Yeah?

(listens, frowns)

You know what it is?

(beat)

Okay, thanks.

(hangs up,

turns to Ellen:

Peter MacIntire. Says the word in Rhode Island is the State can't lose. They have an ace up their sleeve.

ELLEN SPITZER

What is it?

DERSH

He's trying to find out.

Worried, Dersh returns to the:

LIVING ROOM.

TOM BERMAN

Brillhoffer testified against us!
He used lawyer-client privilege
as a shield against disclosing
information which might help us,
and the same information as a
sword against defense witnesses!

DERSH

(teacher to students)

Yeah. A government prosecutor's sworn
to seek justice. He must disclose
information helpful to the defense.
Brillhoffer had no such obligation -

RACHEL

Brillhoffer also organized a search
of Claus' closet that was totally
unprofessional! No photographs, no -

MINNIE

Oh, shit!

Everyone turns toward her -

MINNIE

I was supposed to call my boyfriend.
What time is it?

RACHEL

One in the morning.

"JOHN"

Hell with time. What day is it?

CHUCK

Wednesday night.

MINNIE

(winces)

My boyfriend is gonna kill me.

RAJ

No, it's not, it's Friday morning.

DERSH

Celtics tonight. Detroit. Isiah!

CUT TO:

INT. COLUMBIA PRESBYTERIAN HOSPITAL. NIGHT.

Sunny lying in bed. Three beats of silence before she speaks.

SUNNY (V.O.)

It's easy to forget all this is about me, lying here. But in a way, it's not about me or my life at all. To most of you, my name means coma; my second marriage means attempted murder. Everything that came before, everything beautiful... (CONT.)

Suddenly we see Cosima sitting in the room watching her mother. An image of grace, peace, beauty.

SUNNY (V.O., CONT.)

...does not exist in the public mind. No one shares my memories.

EXT. EUROPEAN CASTLE. TWILIGHT.

Establishing shot.

SUNNY (V.O., CONT.)

No one remembers the Claus I fell in love with.

INT. CASTLE. DINING HALL. NIGHT.

A dozen of the Upper Class at trough.

SUNNY (V.O., CONT.)

I met Claus three years after my first marriage. Four years later...

We see a gorgeous Sunny, 31, at the center of the table.

SUNNY (V.O., CONT.)

Claus and I became "good friends."

We see a much younger Claus at her side.

SUNNY (V.O., CONT.)

Of course I was still married...

On the other side of Sunny is a dazzlingly handsome young man of 29, ALFIE VON AUERSPERG.

SUNNY (V.O., CONT.)

To Prince Alfred Eduard Friedrich Vincenz Martin Maria von Auersperg.

Alfie is actively flirting with three different girls.

SUNNY (V.O., CONT.)

It seems that Alfie, as he was called, had vowed to be unfaithful with every pretty girl in Europe.

Alfie's hand slips onto the thigh of the girl sitting next to him. She is totally overwhelmed by his beauty.

SUNNY (V.O., CONT.)

He was having quite a success with it.

EXT. CASTLE. DAY.

Nobles on horseback, preparing for the hunt. For the three nubile "huntresses," the quarry is clearly Alfie.

Claus watches them leave. Turns and looks up at a window: Sunny.

SUNNY (V.O., CONT.)

And so...I was unfaithful with Claus.

INT. CASTLE. BEDROOM. DAY.

Sunny at the window. The door opens: Claus. Moves to her, starts to unbutton his shirt. Not a word spoken.

SUNNY (V.O., CONT.)

Wildly unfaithful.

When his shirt's half-unbuttoned, she pulls him to her. Kiss. Fall onto the bed. Better cut away from this pretty fast...

SUNNY (V.O., CONT.)

Happy memories... But it's not the passion I remember most.

EXT. ENGLISH COUNTRY ESTATE. DAY.

Huge lawn dinner. Sunny seated between two ODD ENGLISHMEN talking past her as if she didn't exist. Acutely uncomfortable, she looks across several tables and catches Claus' eye -

SUNNY (V.O., CONT.)

It's the tenderness.

He smiles at her. Everything else falls away; they're alone, together, in a glance.

And then we hear screams...a TIGER CUB is loose.

Someone at her table laughs: "It's John's pet..." But one of the Odd Englishmen is sufficiently fearful to beat a hasty retreat.

Claus watching Sunny watch the tiger cub... It approaches her table...hops up on the vacated chair...

She begins to feed it. Far more at ease with the animal than with her human companions.

SUNNY (V.O., CONT.)
I never liked people much, not as a rule.

Claus appears beside her, concern on his face.

SUNNY
Oh come on, silly...

She holds out meat for him.

SUNNY (V.O., CONT.)
But Claus was somehow different.
(laughs)
Not a normal person, I guess.

He finds the idea of hand-feeding such a beast totally alarming.

But his love is greater than his alarm. He takes the meat and -
with utmost caution - slides it between the cub's teeth -

Quickly yanks back his hand -

Sunny laughs.

SUNNY (V.O., CONT.)
He seemed normal enough to me.

She starts handing Claus petits fours; he feeds them to the
tiger...rapidly, faster and faster, till the tiger can't keep
up and Claus feeds a cake to her.

Continues to feed them both. The other guests seem aghast, but
they're in their own private universe; a true feeling of intimacy
between man, woman, tiger cub.

SUNNY (V.O., CONT.)
One of those things you never
forget...

Sunny looking straight into Claus' eyes...completely at home,
completely in love...

SUNNY (V.O., CONT.)
Yes.
Of course...

INT. 960 5TH AVENUE. BEDROOM. NIGHT.

Claus sleeping beside Andrea. Sunny's tone conveys the absurdity
of petty human jealousy:

SUNNY (V.O., CONT.)
Of course now he lives in my apartment...
My bedroom... My bed.
I don't mind. Life goes on.

The CAMERA moves in on Claus...

SUNNY (V.O., CONT.)
 But the public does mind. To those
 who don't remember the romantic
 Claus I married, or the sweet Claus
 who took care of me; to them the
 issue seems simple: (CONT.)

The CAMERA moves in VERY CLOSE ON HIS FACE...

SUNNY (V.O., CONT.)
 Is he the Devil...? And if so, can
 the Devil get justice? What would
 that "justice" be? (CONT.)

EXT. DERSH'S HOUSE. VERY LATE AT NIGHT.

On a dark street, one house has light in every window...

SUNNY (V.O., CONT.)
 And all this legal activity...
 Is it in Satan's service?

CUT TO:

INT. DERSH'S HOUSE. DEN. 2:30 a.m.

Jack Raush talking to Dersh:

JACK RAUSH
 ...one of our strongest arguments!
 Rhode Island has very strict laws about
 disclosure of medical records, laws
 which were flagrantly disregarded!

DERSH
 Sure it's strong legally; emotionally
 it's weak. Sunny's never gonna wake
 up and object to her records being
 used, and everyone knows it.
 (seeing Jack's irritation)
 Okay, okay. Make your argument
 airtight, I'll put it in.

Dersh leaves, entering:

LIVING ROOM

Banner on wall: Brillhoffer NOTES TEAM; "Ed" and "Mary" hard at
 work. As Dersh walks through, "Bill" and "SAM" approach:

DERSH
 Johnson brothers? Whattaya got?

"BILL"
Godfrey and Enmund seem to apply here
 perfectly; like they were written for -

DERSH

Right. There's also... Look at
Lockett and Cabana v. Bullock...
(exiting to kitchen)

We gotta get something even Burger can
understand. These kids are sleeping
on death row, not Fifth Avenue.

His manner is tough, irritable; it's crunch time and nothing
is good enough for him.

KITCHEN

Rachel, Minnie, and "John" working around the table.

DERSH

Illegal search?

Minnie nods. He shakes his head in disgust:

DERSH

Classic tehnnicality. It's a guilty
man's argument.

RACHEL

But this is different! Usually
you're trying to exclude evidence
that's bad for your client.

DERSH

Same thing here.

RACHEL

No! This search destroyed evidence:
no inventory, no fingerprints. Yeah,
what's left hurts Claus, but -

DERSH

Cops tested the drugs from the illegal
search, right?

RACHEL

Yeah, but -

DERSH

And we're saying that test constituted
a second illegal search?

RACHEL

There are precedents! Walter, Jacobson,
Morgan...

DERSH

Sure the law's on our side; I'm not
debating that.

RACHEL

No. You're debating me. Personally.
Why?

DERSH

I don't know; are we on the same team?

RACHEL

We seem to be.

DERSH

Then why don't I feel like it?

RACHEL

That's your problem -

DERSH

If it's my problem, it's your
problem too!

She stares at him. They are getting close to the Big Subject.

DERSH

I mean... Are we together now or not?

RACHEL

I thought this was "strictly
professional."

DERSH

It was.
(glance at students)
Wanna talk about it later?

RACHEL

There's nothing to talk about.

DERSH

Why'd you agree to work on this case?

RACHEL

Because you asked. Why'd you ask?

DERSH

'Cause you're the best lawyer I know.

RACHEL

(nasty)
You're a really fine lawyer too, Alan.

Silence.

RACHEL

How do you like it?
(off his look...)
How do you like talking to somebody
who can't say what they feel?

DERSH
And you can?

RACHEL
You bet. I feel hurt and disappointed.

DERSH
Disappointed in me?

RACHEL
Uh-huh. You hide your emotions -
hide everything - behind the law.

DERSH
Oh bullshit -

RACHEL (CONT.)
Sure. You took this case for fame,
money, ego. But even that is a
cover-up. Where's the real you, Alan?

DERSH
Right here. Are you finished with your
ridiculous ten-cent psychoanalysis?

RACHEL
Back to business? Okay.
Will you please include my argument
in your god damn brief?!

DERSH
Sure. When - and if - you can bring
it up to my standards.

Vicious words, vicious look. And he walks out. She calls after
him:

RACHEL
I know you have to win this case,
but don't take it out on me, huh?!

STAIRWAY

Dersh, weary and sad, trudges up the stairs...a doctor making
his rounds.

A BEDROOM

Dersh enters, starts reading over Peter MacIntire's shoulder.
Peter looks up, notices Dersh is upset:

PETER MACINTIRE
What...?

DERSH
We're gonna lose.

Peter gives him a quizzical look -

11
DERSH

Why you think this case fascinates people? 'Cause some time or other every man is driven crazy by his wife, and in his secret heart, he wants to do exactly what Claus is accused of: kill her in some sly silent way that can't be detected.

PETER MACINTIRE

"Kill my wife...please?"

DERSH

(nods)

Someone has to suffer for the sin we all want to commit.

PETER MACINTIRE

Claus as scapegoat?

(off Dersh's nod)

That's ridiculous.

DERSH

I hope so. What've you got?

PETER MACINTIRE

Prosecution's case is based on a series of inferences: the needle in the bag, plus insulin on the needle, plus insulin in her blood means -

DERSH

Right, right; so?

PETER MACINTIRE

In Derek, Rhode Island Supreme Court ruled: "An inference resting on another inference must be rejected where the facts are susceptible to another reasonable interpretation."

DERSH

If there's some other way to explain any link in the chain, the whole chain should be thrown out?

PETER MACINTIRE

Exactly.

DERSH

Weak link?

PETER MACINTIRE

They say the second coma was caused by insulin injection. Well, even their chief medical witness admits Sunny had taken enough barbiturates to cause coma, but, he says, her blood sugar of 29 shows the coma had a different cause.

DERSH

And?

PETER MACINTIRE

Sunny had hypoglycemia and ate an ice cream sundae! That would knock down her blood sugar while barbiturates could've caused the coma. That's one alternative explanation right there.

DERSH

Gotta ask: hardest thing to argue on appeal is that the judge should've thrown out the case for lack of evidence.

Beat.

PETER MACINTIRE

Let's go for it.

Dersh nods thoughtfully, wanders out. Then sticks his head in:

DERSH

Nobody sleeps this week.

HALL

Dersh glances in another bedroom, where Raj sits under a huge banner: "FOR WHAT INSULIN???!!!" Dersh points to the banner:

DERSH

Well?

(off Raj's look)

For what, law school?! It's up to you, Raj! This is not the Johnson brothers! I'm not gonna lose this time! You! You have to break Maria wide open!

RAJ

Maybe there's nothing to break.

Dersh glares at him, moves on to another:

BEDROOM

Tom Berman and two students.

DERSH

You were a prosecutor; how bad was it?

TOM BERMAN
 Bad?! It's completely illegal!
 (points to transcript)
 You can't do this in a summation!

COURTROOM. DAY.

Famiglietti addressing the jury with a conspiratorial air:

FAMIGLIETTI
 She had a headache. Very simple.
 "Can I get you a glass of water, Dear?"
 It would have been so easy for him to
 put some of that powder Amobarbital
 or the little French Valium, to spike
 her water a little bit.

TOM BERMAN (V.O.)
 No evidence of that whatsoever. None!

FAMIGLIETTI
 Very easy. Ladies and gentlemen, let
 me tell you something: You are more
 vulnerable to the people that you love
 and trust than you are to the most
 vicious murderer that's lurking in the
 streets of New York City. Because of
 the fact that you care for them and
 love them and trust them. Martha
 von Bulow was completely and totally
 vulnerable to Claus von Bulow...

DERSH'S HOUSE. BEDROOM. NIGHT.

DERSH
 You know what? He's right.

TOM BERMAN
 (taken aback)
 Well... Maybe... But it's
 speculation, exaggeration; he
 totally ignored the facts -

DERSH
 Of course, of course, let's use it.
 What am I...(thinking)? Jesus...

He shakes his head - he's losing it - and wanders out into:

THE HALL

Stands there lost in thought -

Sees Rachel coming up the stairs -

DERSH

You're driving me nuts, you know that? I mean...
How could you attack me in front of my students?!!

Seeking privacy, they go into:

HIS BEDROOM.

Closes the door behind him.

RACHEL

Me?! I said there was nothing to talk about! But you kept pushing, pushing, pushing! You're the one who -

DERSH

I missed you.

RACHEL

What?

DERSH

When you were gone. I missed you, and it was driving me nuts. Just like now.

She stares at him...

DERSH

You know what that means?

She shakes her head.

DERSH

Come on, you're a lawyer, you know.

She blinks. Can't believe he's saying this.

DERSH

For Christ's sake, will you use a little logic?! It means I love you!

Beat.

RACHEL

Will the court reporter please read that back?

He smiles.

She stares into his eyes...

Tosses her hair: an erotic call.

Locks the door.

CUT TO:

LATER.

They're sleeping. Clock: 3:35. Knock on the door. Someone tries to open it. Knocks louder.

ELLEN SPITZER (O.S.)
Dersh?! Sorry, but you better come down here!

STAIRWAY.

Dersh trudging downstairs in his bathrobe. Ellen Spitzer is waiting at the bottom, with the ever casual, ever affable:

DAVID MARRIOTT
Hey, Dersh. Sorry to get you out of bed.

DERSH
What do you want, more money?

DAVID MARRIOTT
Can you get more?
(off Dersh's look)
No. The reason I'm here: my affidavit is inaccurate.

DERSH
Swell.

DAVID MARRIOTT
(adjusts his tie)
Yeah. I left something out, something incredibly important.
(Dersh stares...)
Remember I gave Alex's drugs to a woman at Clarendon Court?

DERSH
Yeah -

DAVID MARRIOTT
That bitch was definitely Sunny von Bulow.

DERSH
David, this is bad, it looks bad. I've met with you five times. Why do you suddenly -

DAVID MARRIOTT
It's not sudden. I think I always knew, but I became convinced by staring at her pictures.

DERSH
We can't use your affidavit unless it's truthful. Are you sure this time?

DAVID MARRIOTT
I swear it on the body and soul of
my mother.

DERSH
Poor woman.
(to Ellen Spitzer)
Put in this change and make him go
over every word of his affidavit.

Ellen nods, and Dersh heads back upstairs. David smiles:

DAVID MARRIOTT
Can I use the men's room?

INT. BATHROOM. NIGHT.

Marriott combing his hair, practicing his smile in the mirror.
This way? That way? Then he flips back his tie and we see:
a small microphone. Gives himself a big phoney smile:

DAVID MARRIOTT
Hey, handsome, how ya doin'?

He takes a micro-recorder from his jacket pocket, turns over
the tiny cassette.

CUT TO:

EXT. BOSTON COMMONS. DAY.

Two GONDOLIERS push Claus and Dersh around the pond on a large
boat shaped like a swan. They pass other boats full of tourists;
it's clear Claus has purchased the privacy.

DERSH
Listen, my friend -

CLAUS
"Friend?" I like that -

DERSH
Nothing personal. No students, no
witnesses. Let's hear it. Second
coma.

CLAUS
Well...on the surface it was a
perfectly ordinary day...

DERSH
Cut the bullshit.
December 20, 1980.

INT. CLARENDON COURT. MASTER BEDROOM. AFTERNOON.

First just furniture. Then FADE IN Claus and Sunny, close proximity, facing different directions. Claus staring at her: She's in very dark glasses, coughing and fumbling for a smoke.

Lights it. When she finally takes a drag, the coughing stops.

CLAUS (V.O.)

Sunny wasn't well, she had a headache, and we argued again about my work: I'd found a new position in the oil business. The discussion of divorce must have escalated, because I went to tell the children.

Claus stands, leaves the room.

LIBRARY

Alexander and Cosima are watching "It's A Wonderful Life" on TV.

Claus enters, watches them.

Clears his throat.

They glance quickly at him, then back at the TV -

CLAUS

I...I have something to tell you both.

Reluctantly they turn toward him. Because of the size of the room, he seems distant; his words echo.

CLAUS

It looks as if...as though Mummy and I are going to split up because my work is something she cannot tolerate.

ALEXANDER

Oh, Mummy feels like that, but she always gets over it.

CLAUS

Yes, but this has been going on too long, and I'm going away for a few months in the new year, the new year, and this will probably lead to a split.

COSIMA

Oh.

ALEXANDER

(to Cosima)

It's all right, she'll get over it.

Cosima nods uncertainly.

Alexander turns back to the TV.

Cosima stares at Claus.

EXT. BOSTON COMMONS. SWAN BOAT. DAY.

A Surreal setting for an inquisition:

DERSH

Alexander says that conversation
happened the next day.

CLAUS

But can you imagine anything more
absurd: announcing your intention
to divorce a woman who's just
fallen into a coma?

DINING ROOM. LATER.

Claus, Cosima, and Alexander eating consomme. Sunny (still
in dark glasses) is enjoying a large ice cream sundae with
caramel sauce. There is no conversation.

CLAUS (V.O.)

Despite her doctors' warnings
about sweets, the only thing Sunny
consumed that evening was a sundae.
Everything seemed normal. Not
cheerful, but then we didn't
usually giggle at mealtimes.

INT. LIMOSINE. NIGHT.

They ride in silence. We see the back of a CHAUFFER's head.

CLAUS (V.O.)

The meal had been early so we could
go to the movies, a comedy, Nine-to-
Five. Everyone enjoyed it.

We realize this ride is post-movie. There is no residue of
"enjoyment" on anyone's face. Though they are in close
physical proximity, these people scarcely intersect at all.

INT. CLARENDON COURT. HALLWAY. NIGHT.

Claus vanishes down the hall as the others remove their coats.

CLAUS (V.O.)

After the film, I went back to work.
The others decided to chat in the
library.

SUNNY

But just...I need to go to my
bathroom for just a minute...

INT. LIBRARY. NIGHT.

Alexander and Cosima talking quietly...

INT. MASTER BEDROOM. NIGHT.

Door to Sunny's bathroom slightly ajar. The light spilling out
is subdued, eerie. Hear the sound of water running...

INT. LIBRARY. NIGHT.

Sunny's now in her dressing gown, talking to the two children.
Their chairs are a little too far apart.

CLAUS (V.O.)

After a while, I dropped in on them:

Claus enters...

CLAUS

(to Sunny)

Darling, would you care for anything?

SUNNY

If there's any chicken bullion left...

Her words are slightly slurred.

CLAUS

I'll look.

LATER

Claus carrying hot chicken broth on a tray. The rising steam
distorts his features in a somewhat devilish fashion.

CLAUS

(serving her)

There you are, Darling.

SUNNY

(very sweet)

How's your work coming?

CLAUS

I'm totally flummoxed.

SUNNY

Why don't you call Deborah Knowles?

CLAUS

I doubt she'd be in Saturday night...

INT. CLAUS' STUDY. NIGHT.

Claus on the phone.

CLAUS (V.O.)

But Deborah was home, and we did
talk for some time, until -

Alexander in the doorway -

ALEXANDER

You better come. Mummy's not well.

CLAUS

(into phone)

Deborah, can I ring back in the morning?
Thank you.

(hangs up)

ALEXANDER

Her voice got very weak, and she
almost fell down. I had to help
her to the bedroom.

BEDROOM.

As Alexander and Claus enter, Cosima stands awkwardly by the bed.

They all watch as Sunny walks slowly, with great concentration,
from her bathroom back to bed. Trying not to trip over the dogs.

SUNNY

Could someone open a window?
I find the chill reassuring.

Alexander complies.

SUNNY

Now I must talk to Claus.

The children kiss her goodnight and leave. The instant the door
closes, she turns on him like a viper:

SUNNY

That is, if Claus has time to talk.
Or must you work every spare moment,
right through Christmas?

As she continues in a spoiled childish rage, we feel complete
revulsion. More than revulsion. Hatred. Her face looks so
ugly. Her words are so petty:

SUNNY

I don't want this! I didn't marry
you for this! I could have had
anybody! With my money?! Anybody!

Claus shakes his head. He's heard it before.

SUNNY

Well? Say something. Do something.
Be a man! I already have a butler!

We realize with sudden shock that WE WANT TO THROTTLE HER.
And Claus...? He must be feeling the same impulse...

LATER

Claus standing in his pajamas, staring at her; she's still attacking him.

CLAUS (V.O.)

The same conversation as the previous year, but with greater venom.

Claus puts on a sweater and wool cap and gets into bed.

CLAUS (V.O.)

When people actually do split, I think it's because they become bored repeating their own half of the argument.

CLAUS

Goodnight.

He puts in ear plugs, wraps a bandana around his eyes, and turns away from her.

Sunny's light is still on. She stares at him...

Behind her: the night table, with several bottles of Nose Drops.

CUT TO:

EXT. CLARENDON COURT. PRE-DAWN

Faintest hint of the coming sun...

INT. MASTER BEDROOM. PRE-DAWN.

The dogs yapping, nuzzling Claus.

He stirs grumpily, cracks an eye, swings his feet out of bed.

CLAUS

Quiet, Toby.

Shivering, he turns on a flashlight, pulls on a robe, and navigates his way out of the room.

CLAUS (V.O.)

The morning seemed uneventful. I let the dogs out, as was customary.

INT. LIVING ROOM. PRE-DAWN.

Claus opens the door, shivers; and the dogs tear outside and start to frolic.

BEDROOM. PRE-DAWN.

Staring down, using his flashlight to avoid the rawhide bones on the floor, Claus walks slowly past the bathroom, past the bed...

CLAUS (V.O.)

I returned to my study.

Now that he's passed the significant landmarks:

CLAUS (V.O.)

I did not notice if my wife was in bed. I did not notice if the light was on under the bathroom door.

We realize: we didn't notice either.

CLAUS (V.O.)

Had it been on, I wouldn't have given it thought. Sunny was not concerned about her electric bill.

INT. CLAUS' OFFICE. DAWN.

Calisthenics. Bald head bouncing. Semi-comic.

CLAUS (V.O., CONT.)

I did my exercises, showered. Then I called Deborah Knowles.

LATER

Claus on the phone. Frowning, toting up figures...

CLAUS (V.O.)

Can anyone really believe, if I was trying to murder my wife, that I would spend an hour going over a tedious set of figures?

BEDROOM. MORNING.

Claus walks through, pulling his bathrobe tight. Sound of water running. The drawn curtain billows in front of the open window.

CLAUS (V.O.)

After the call, I passed through the bedroom again. By this time, Sunny was certainly not in bed, and I heard her water running in the lavatory.

EXT. CLARENDON COURT. MORNING.

Claus on a vigorous walk surrounded by happy dogs. He looks the amiable patrician...

CLAUS

I had breakfast, went for my walk,
and, on return, asked the children
where Mummy was.

EXT. BOSTON COMMONS. SWAN BOAT. DAY.

Claus feeds the ducks...

DERSH

The butler and house man both
testified that you told them, after
your walk, "Mrs. is still sleeping."

CLAUS

I realize they said that, but it's
untrue and highly improbable -

DERSH

"Improbable?" Did it happen or not?!

CLAUS

Certainly not! She was in the bathroom.
Furthermore, I would never have said it
because it was none of their business.

DERSH

When you went back in the bedroom
after your walk, what did you do?

INT. CLARENDON COURT. BEDROOM. MORNING.

Claus enters. Looks around.

CLAUS

Sunny?

Hears the water running in her bathroom. Stares...

CLAUS (V.O.)

Her bathroom was her private sanctuary.
No one entered it...except the servants,
of course, to clean up.
Sometimes she'd stay there for hours,
or so it seemed. One can only speculate
what goes on behind a closed door...

He moves toward the door...

CLAUS (V.O.)

I hesitated even to knock.

CLAUS
Sunny, are you there?

No response. He knocks. First softly, then louder.

CLAUS
Darling?!

Nothing. He's going to have to open that door.

Does.

Sees her sprawled out, head under the toilet.

For an instant he stares, transfixed. Without affect or in shock?

Then he rushes to her, but the camera stays behind. We're getting frustrated: we still haven't gotten inside her bathroom.

Through the half-open door, we see him lift her face sideways, put his finger under her nose, a very peculiar gesture.

CLAUS (V.O.)
Once I'd ascertained she was breathing,
I went to fetch Alexander.

EXT. BOSTON COMMONS. SWAN BOAT. DAY.

DERSH
Why not call an ambulance first?

CLAUS
Just...panic...
Also I wasn't anticipating...
For example, it's absurd in view of
the long-term tragedy, but the
previous year she had recovered
completely, and I was just afraid,
with the slight blood on her upper
lip, that she had broken a tooth.
So I examined her for that.
Her teeth were fine.
(feeds ducks)
That's really...
That's all there is to say.

DERSH
(the prosecutor:)
Yeah, but is it the truth?

Claus nods. Then:

CLAUS
Of course.

DERSH

But not the whole truth?

CLAUS

I don't know the whole truth.
I don't know what happened to her.

Dersh stares out at the the lake for a long time...

DERSH

I wish I didn't believe you.
It's hard to trust someone you
don't understand.
(very quietly)
You're a very strange man.

CLAUS

(chilling)
You have no idea.

CUT TO:

EXT. DERSH'S HOUSE. DAY.

Rachel sits on the steps as Dersh paces, occasionally glances at his watch; they're waiting for someone...

Peter MacIntire speeds up. Dersh hurries down to meet him:

DERSH

Well?

PETER MACINTIRE

I found out what the state has.
Their ace in the hole.
(off Dersh's look)
It's you.

As they walk back toward the house:

DERSH

Me?

PETER MACINTIRE

Marriott taped all his conversations with you. Scuttlebutt is: We win the case, you go to jail, and they throw out the appeal.

DERSH

What did I say??

PETER MACINTIRE

Good old corrupt Rhode Island.
A friend got me an excerpt.
(turns on:)

TAPE RECORDER

Dersh: "What do you want, more money?"

Marriot: "Can you get more?"

Dersh: "Yeah."

Marriott: "The reason I'm here: my affidavit is innacurate."

Dersh: "David, this is bad, it looks bad. We can't use your affidavit unless it looks truthful."

Peter MacIntire turns off the machine.

He and Rachel exchange a look of concern.

DERSH

Wait a minute, guys. That... that's not quite what I said.

RACHEL

It's on tape, babe.

DERSH

I don't care if it's on tape -

RACHEL

(to Peter)

What do we do?

DERSH

It's blackmail. We ignore it.

RACHEL

But Alan...with that tape...it's your whole career.

DERSH

What, you want me to throw the case?
(beat)

I'm a nice Jewish boy. I can always open a deli.

He turns and enters the house.

INT. LIVING ROOM. DAY.

Big meeting of the entire team.

DERSH

We've decided: We're gonna base our appeal directly on Claus' innocence.

RAJ

That's not proper! An appeal has to be based on judicial error!

DERSH

It is. The judge should have thrown out the case.

RAJ

How can we say there wasn't sufficient evidence when the jury convicted him?!

DERSH

Good point.

RACHEL

But that's what we are saying.

DERSH

If the rules don't work, change 'em. Red Auerbach got the jump ball rule changed when the Celtics had a short team -

TOM BERMAN

But the State Supreme Court may not even look at an improper appeal...

JACK RAUSH

It's also dangerous politically; if the judges feel insulted -

DERSH

Sure. We tell 'em we're breaking rules, they won't listen. But the real issue, as Peter MacIntire told us, is whether an innocent man has been convicted. We're going to attack that directly - always, of course, giving the judges a legal rationale for their decision.

JACK RAUSH

But how do we show he's innocent?

DERSH

By doing something else unorthodox: submitting our affidavits.

CHUCK

New evidence? Okay for a new trial petition, but on appeal?...
By the law of Rhode Island, they shouldn't even read it!

DERSH

And by the law of curiosity, they will.
(to the room)
I know you're all exhausted, but we've got four more days. What we do now will decide this case. You wanna win?

Dobbs and Nancy rush in the door; breathless:

NANCY
We hit the jackpot.

DERSH
Shoot.

NANCY
Our needles that had amobarbital and
valium - but no insulin - both came
back with false-positive readings for
insulin. One was 93, the other 282.

DOBBS
We've knocked out every piece of their
medical case. They have nothing left.
Zilcharoni.

DERSH
Yeah. All they got now is my neck.
(thinks...looks around)
Ummm... Anybody here know anything
about editing audio tapes...?

CUT TO:

EXT. BASKETBALL COURT. DAY.

Banner on garage wall: CHAMPIONSHIP GAME. Dersh and team
playing the Black Bag Team. Insanely competitive; all these
guys got into Harvard.

Black Bag Team scores.

Minnie takes the ball out to Dersh.

Dersh dribbles at the top of the key, drives toward Ellen
Spitzer. Slows. Stops, staring at her.

She's wearing a "Black Bag" t-shirt, with a picture of the bag.
Also: her hair cut is just like Sunny's.

This image is triggering something. Dersh in a trance...

Members of his team are calling for the ball; he ignores them.
His eyes getting wider, wilder, trance getting deeper...

Ellen moves up closer...can she? Dare she...? He's dribbling
like an automaton... She lunges -

Steals the ball -

DERSH
Wait!

Ellen passes to a team-mate for an easy score -

DERSH
Wait, wait, I got it!

"CURLY"
Come on, Dersh. That was no foul!

DERSH
Raj! Where's Raj?!

He runs into the house. We follow him THROUGH THE LIVING ROOM...
UP THE STAIRS...and into:

RAJ'S WORKROOM

Raj looks up alarmed -

DERSH
I got it! I got it! Remember?

INT. 960 5TH AVENUE. MASTER BEDROOM. DAY.

Same scene, but a different take. Maria looks up at Alexander:

MARIA
Insulin, for what, insulin?
(more softly)
My lady is not diabetic.

And different line reading. She stares at the insulin bottle.

RAJ'S WORKROOM

DERSH
See what she's saying?

RAJ
Of course.

DERSH
"My lady is not diabetic!" She's saying
the bag is Sunny's! Her first reaction -
instantaneous, unrehearsed, not part of a
legal strategy devised later - is that
the stuff in the black bag belonged to
Sunny. And who'd know better than her!
...This puts the Prosecution's whole
case in jeopardy!

RAJ
(embarrassed)
It's...but it's so obvious.

DERSH
Start writing.

CUT TO:

INT. DERSH'S BEDROOM. DAY.

Computer printer clacking. Students ripping the edges off, collating pages, etc. Dersh screams into the phone:

DERSH

You're not God, you're a prosecutor!
You can't execute the Johnson kids
before the Supreme Court rules!

(covers phone; calmly,
to Peter MacIntire)
Two hours to get to Rhode Island;
you'll have to speed.

PETER MACINTIRE

You want me to commit a crime?

DERSH

Course not. 'Cause if you get
stopped, you'll never make deadline.
(into phone)

I'm telling you right now, buddy:
if they fry, you're next! (etc.)

As Dersh talks, the final pages are ripped from the computer. Ellen Spitzer grabs them; she and Peter run out the door -

CUT TO:

FLASH OF A CAMERA. The subject:

Claus posing in black leather. We are:

INT. 960 5TH AVENUE. LIVING ROOM. DAY.

Andrea too. HELMUT NEWTON taking the photos, adjusting their poses... The effect is absurd, promoting the image of Claus as sado-masochistic biker. He struts and primps, relishing the attention: a little boy playing dress-up. Final flash fades to:

The same image printed as a PHOTOGRAPH.

DERSH (V.O.)

Are you trying to lose this case?!!

INT. DERSH'S OFFICE AT HARVARD. DAY.

Dersh waving the magazine at his client -

DERSH

You look like a heavy metal hero!
The Judges'll go nuts! What're you,
making fun of the whole judicial -
(system?)

CLAUS

Well...everyone wants to be loved, Alan.

DERSH
Loved?! A man convicted of murdering
his wife posing like this?! People
will hate you!

CLAUS
Nevertheless...everyone wants to be
loved.

DERSH
Jesus. Good thing I believe in your
innocence.

CLAUS
Do you? Then you're a fool.

Dersh blinks, taken aback.

CLAUS
I'm the only one who knows for sure.
(an afterthought?)
I mean I am innocent, and I'm glad
you have confidence in me, but you
have to be able to think like the
other side. You'll be a much better
lawyer for me, if it comes to a second
trial, if you keep an open mind.

DERSH
(shaking his head)
Oy vey...

Chuck breezes in. Dersh and Claus are annoyed at the
interruption. Chuck ignores them, turns on the TV, flips to:
David Marriott on his lawn surrounded by reporters. No sound.
Dersh and Claus both blink with astonishment.

DERSH
What, is he reading his Dershowitz
tapes?

CHUCK
Just his deposition.

DERSH
(to Claus)
Have you heard? You and I may share
a jail cell!

Claus is about to pursue this when the TV newscast changes to the
next story and Chuck bursts in:

CHUCK
Look. I don't wanna interrupt, but I
got some questions I been dyin' to -

DERSH

Chuck is our Alexandra Isles expert -

CHUCK

Yeah, she gave this interview to New York Magazine where she says she coulda testified to a lot worse than she did.

CLAUS

Perhaps.

CHUCK

Did you try to get her outa the country so she couldn't testify at trial?

CLAUS

That was with regard to scandal, keeping her name out of the papers.

CHUCK

Yeah, but there's somethin' more here, somethin' you haven't told us.

CLAUS

Mmm. If you ask the right question...

CHUCK

Well...someone passionate like that... you think she mighta been flattered by the idea you'd kill for her?

CLAUS

Never crossed my mind.

CHUCK

How 'bout the Christmas presents?

CLAUS

What of them?

CHUCK

Day you left for Newport, before the last coma, she brought presents for you to 960 5th. It was stipulated at trial they arrived after you left; is 'at true?

CLAUS

The presents arrived before we left.

CHUCK

Sunny knew about 'em?

CLAUS

I presume.

CHUCK

What was in the presents?

Claus blinks, starts to speak, then stops. Smiles as if to say: "You'd like to know, wouldn't you?" Then shakes his head.

CHUCK

Nancy Tribby says you told her one of the presents was a blond doll.

A complicated expression on Claus' face...

CHUCK

What's that, voodoo? The doll was Sunny or somethin'?

INSERT

The doll in Claus' hands. Turning it over and over, examining it... A sumptuous and eerie image...

Impossible to tell whether this is memory or fantasy...

CLAUS (V.O.)

Did Nancy say that?

DERSH'S OFFICE.

CHUCK

You won't confirm?
Deny?

(off his silence)

I mean: You coulda said it to her as a joke?

CLAUS

I simply won't comment.

DERSH

I think Chuck's gonna have a great career...as a prosecutor.

CHUCK

I don't think Claus did it.
Sunny was suicidal all the way.

(to Claus, ticking
off the points:)

You discussed divorce before both comas.
Alexandra's presents were delivered...
That leaves the most obvious suicide
attempt, the aspirin overdose.

CLAUS

Very good, Chuck.

CHUCK

Why all the aspirin, a bad headache?

Claus does not reply.

100
CHUCK
Headache was Alexandra, right?

CLAUS
Alexandra was frustrated, spiteful.
That day she returned some presents
I'd given her. Photographs, love
letters. Dropped them off in a
shopping bag.

CHUCK
Sunny saw 'em?

CLAUS
Sunny was home. I was not.
And Alexandra neglected to address
the package to me.
There's a big difference between
knowing of an affair and having
love letters crammed in your face.

DERSH
Sounds like Sunny did care about
your affair. She cared a lot.

Claus shrugs: an admission -

DERSH
Why didn't you tell us before? Every-
thing was open book, "Get the best
experts, I'm not afraid of the truth."

Claus blinks.

CHUCK
Makes it look like Alexandra tried
to drive Sunny to suicide.
Or they plotted it together...?
Either way, he's protecting her...
'Cause he's still in love with her.
(off Claus' silence)
And why not? Hey, she's a babe...

CLAUS
Of course I still love her. And hate
her... Alexandra, Sunny, Andrea...
I love them all...

The rest of the sentence, implied: "And hate them all."

CUT TO:

INT. COLUMBIA PRESBYTERIAN HOSPITAL. DAY.

Liszt playing softly. Sunny's face is peaceful, body motionless;
her toenails are being cut/polished by a POSH MANICURIST.

SUNNY (V.O.)

Being a human being is very literal.
You're trapped. Time moves in only
one direction, forward. It's stupid
and boring and results in a lot of
silliness. Example: the legal process.
(CONT.)

EXT. RHODE ISLAND SUPREME COURT. DAY.

Dersh and his legal team arriving. Famiglietti arriving.

SUNNY (V.O., CONT.)

In this particular case, a vast amount
of time, effort, and money was spent
trying to determine - (CONT.)

INT. RHODE ISLAND SUPREME COURT. JUDGES CHAMBERS. DAY.

The Judges - four men and one woman - are putting on their robes,
preparing to enter the courtroom.

SUNNY (V.O., CONT.)

Precisely what happened on those two
nights so close to Christmas, December
26, 1979, December 20, 1980. (CONT.)

INT. CLARENDON COURT. BEDROOM.

THE CAMERA slowly sweeps the room...

SUNNY (V.O., CONT.)

Happened right here...
Even now: It all looks the same, feels
the same, smells the same... If you
could just go back in time and take
a peek, you'd know...and all this
would be unnecessary. (MORE)

INT. RHODE ISLAND SUPREME COURT. COURTROOM. DAY.

Judges enter. Bailiff announces: "Hear ye, hear ye, the Supreme
Court of the State of Rhode Island and Providence Plantations..."

Dersh and assistants are at one table, Famiglietti at the other.

As the Bailiff says something about "oral arguments on the appeal
of State v. Claus von Bulow," we see: two TV CAMERAS.

SUNNY (V.O., CONT.)

Then again, everyone enjoys a circus.

Peter MacIntire is at the lectern:

PETER MACINTIRE

If it please the court, oral argument
will be made by out-of-state counsel,
Professor Alan Dershowitz.

Dersh steps to the lectern:

DERSH

Your honors, let me be blunt.
 You may not like Claus von Bulow.
 You may think he's guilty...of
 something. You may even think he
 wanted his wife dead. That's
 immaterial. Under the law, there
 is one question, and one question only:
 did he, as the prosecution alleged,
 twice inject his wife with insulin?
 The evidence says No.
You know it, I know it. It is your
 obligation to tell it to the world.

INT. DERSH'S HOUSE. CAMBRIDGE. DAY.

Elon and Rachel watching on tv. Without all the students, the
 house feels empty, haunted.

ELON

Arguing the evidence?! He can't
 do that on appeal!

RACHEL

He can if the Prosecutor argues back.

INT. 960 5TH AVENUE. BEDROOM. DAY.

Claus and Andrea staring at the tv as Dersh concludes.
 Something sad in Claus' face; he's contemplating his fate...

Beat.

ANDREA REYNOLDS

Maybe you should have bribed someone.

CLAUS

With Rhode Island such a snake pit,
 it certainly crossed my mind.
 When in Rome...

ANDREA REYNOLDS

Oh hush up. I want to see how the
 little wop replies.

INT. RHODE ISLAND COURTROOM. DAY.

FAMIGLIETTI

The Defense has solely addressed
 the evidence in this case. As
 you're aware, your job is not to
 second-guess the jury, but to
 ascertain if judicial error took place.

Defense table, Ellen Spitzer whispers to Dersh:

ELLEN SPITZER

He's nailing us right off the bat.

Dersh shakes his head, keeps staring at Famiglietti...

FAMIGLIETTI

However, because of the thrust of
Mr. Dershowitz' remarks, I feel
compelled to reply.

Dersh grins, winks at Ellen Spitzer -

CUT TO:

INT. DERSH'S HOUSE. NIGHT.

Rachel cooked; she's serving Elon and Dersh.

ELON

So. Now it's up to the judges, you
can tell me what you really think.

RACHEL

I think...some couples are meant
to be, and some aren't.

(glances at Dersh)

Some people love each other, but
they don't know how to be together.

DERSH

You gotta learn.

Subtle smile exchanged between them: they've learned.

RACHEL

And some people can't learn.
Their time passes, and they can't
accept that.

ELON

You're saying Sunny couldn't accept
it, so Claus tried to kill her?

RACHEL

Maybe.

ELON

How?

(to Dersh)

I mean: you told the judges that
Claus might have done something...

DERSH

I don't think so, but it's possible.

RACHEL

I think so.

(off Elon's look)

Okay. The attending doctor thought the first coma was caused by loss of air to the brain. Fine. How 'bout the second one? I can't shake the feeling there's something fishy... Is that why Claus acts so guilty?

DERSH

Maybe he's guilty his wife was suicidal -

RACHEL

Yeah. Say she took those sleeping pills with the intention of killing herself.

But how did she end up lying on a marble floor in a freezing bathroom with her head under the toilet bowl?

ELON

Playing with the dogs?

RACHEL

Two possibilities.

INT. CLARENDON COURT. MORNING.

Empty room. Fast FADE IN: Claus getting up with the dogs, exiting. At the sound of the door shutting, Sunny's eyes open -

RACHEL (V.O.)

One: she wakes up miserable.

Lying on her back staring at the ceiling.

RACHEL (V.O.)

Her second marriage is over; children are leaving home. What's to live for?

Claus returns with the flashlight, weaving his way past the rawhide bones. He does not look at her.

But she's staring at him...

When he exits again, she sits up.

Ginger Ale on her night table. She pours some into a glass. Sips.

Stares.

Unscrews the cap on her Neo-Synephrine bottle.

Pours the entire contents into the glass.

Drinks. Savage thirst.

Screws the cap back on the Neo-Synephrine and plops the empty bottle into the wastebasket.

Looks around the room: lavish and desolate...

Climbs out of bed. Shivering. Heads toward the:

BATHROOM

First time we've been inside it. It's stunning: the size and cost of many New York apartments. Walls entirely mirrored; floor of Italian marble; sink, tub, and fixtures suggest Versailles. Yet somehow personal, feminine. No wonder she took refuge here.

She turns on the light, runs the water in the sink...

Rinses her glass.

Stares into the mirror... Face neutral. Like she doesn't care. Or as if she's searching for something that isn't there...

CLAUS' STUDY

He's doing his pushups. Vaguely sexual suggestion...

BATHROOM

She blinks; her mind beginning to cloud...

With enormous concentration, she focusses on the mirror...on her own image...

And breaks into a huge smile of relief -

Falls -

Spinning -

Landing face down, head under the toilet.

Immobile.

DERSH'S HOUSE. NIGHT.

DERSH

But when she was found, her nightgown was hiked over her waist.

RACHEL

Exactly. How did it get there?

CLARENDON COURT. BATHROOM. NIGHT.

She's back facing the sink again, smiling...

Suddenly, before she falls, she shuts her eyes, wincing -

Convulsing. Hands tensing...some kind of physical reflex...
fingernails digging into her thighs...pulling up her nightgown -

This time, when she falls, she lands the way we saw her originally, with her nightgown hiked up...

DERSH'S HOUSE. NIGHT.

ELON

I don't buy that.

DERSH

It seems far-fetched... But so
does the truth, most of the time.

RACHEL

Okay. Theory two. She took the
barbiturates the previous night.

INT. CLARENDON COURT. BEDROOM. MORNING.

Sunny apparently sleeping as Claus leaves with the dogs.

RACHEL (V.O.)

And let's say he saw her take them,
or she told him she was going to
before they fell asleep.

Claus returns with the flashlight, starts weaving his way among
the rawhide bones...and then stops, looks at Sunny. Something
peculiar in her breathing... He approaches her:

CLAUS

Sunny?

She does not stir.

He shakes her slightly; her body flops.

Shakes her harder. Still no response.

Pulls open an eyelid, aims his flashlight: pupil is dilated.

RACHEL (V.O.)

This time he wants her to succeed...

Claus looks around the room...

RACHEL (V.O.)

Is there some way to help her along?

His breath is steaming...

RACHEL (V.O.)
Of course. The open windows.
Zero degrees. How long could
she survive...?

Claus lifts her body, drags her out of bed...onto the floor.

Drops her.

Looks at her body...turns to look at the door: unlikely, but
someone just might come in...

Ah, the bathroom!

He opens the door, drags her toward the bathroom.

RACHEL (V.O.)
The action of carrying her would
naturally pull up her nightgown.

INT. BATHROOM. NIGHT.

He sets her down.

Examines her:

Feet toward the door. Looks like she's been dragged in here.
No good at all.

He shifts her around, awkwardly, until her head is toward the
door, beneath the toilet bowl.

He adjusts her position slightly.

Considers it...

Adjust again.

Now she looks okay: awkward, but not excessively so.

He starts to pull the door closed behind him...

Wait... No... Something's missing...

He runs the water in the sink...

Finally satisfied, he starts out of the room.

BEDROOM

His hand on the doorknob. Overcome with the enormity of what
he's just done. His eyes glaze and we hear:

RACHEL (V.O.)
Remember what Sunny said? "Why
did you call? I would have been
better off, you would have been
better off..."

Claus pulls the bathroom door shut. The deed is done.

CUT TO:

INT. DERSH'S CLASSROOM. DAY.

Bell rings.

DERSH
Tomorrow we discuss the death penalty.
Reminds me of the comedian who says:
"I don't know why they call it the
death penalty. That's no penalty!
You're out of the game!"

Class over; students rush out. Rachel, Chuck, Minnie, and Raj
fight their way in against the crowd.

Dersh doesn't see them. He's packing his stuff.

As they move in:

CHUCK
So, your boyfriend calm down?

MINNIE
We broke up.

CHUCK
No. That's awful.

MINNIE
Not really. He couldn't stand it
when I worked all night. 'Sides,
he thought I was going into corporate
law, make a lot of money -

CHUCK
No?

MINNIE
No way. I'm addicted to the action.

Chuck grins; looks her over surrepticiously. Is something about
to start between these two?

The instant Dersh looks up:

MINNIE
Good news.

CHUCK

Bad news.

RACHEL

And more good news.

MINNIE

You were right about Marriott's tapes.
They were edited.

CHUCK

Other hand, he just announced his
whole deposition is false. Says
he's known Claus 9 years -

RAJ

The implication is a Biblical
knowledge -

CHUCK

He even claims they shared the
same drug dealer.

DERSH

Hm. If he'd only waited till the
decision came down...

RAJ

He did.

CHUCK

It did.

RACHEL

Five-zip!

MINNIE

We murdered 'em!

DERSH

(all business)
Grounds?

CHUCK

Brillhoffer notes.

RACHEL

And that silly, silly, "guilty-man
argument": search-and-seizure!

DERSH

(quick smile, then
back to business:)
State or Federal grounds?

RACHEL

Both.

MINNIE
That's important?

CHUCK
If it was just Federal, they could
appeal to the U.S. Supreme Court.
Since it's also Rhode Island, they
can't. We win!

DERSH
Don't get too excited till we see
Brillhoffer's notes.
(off Minnie's look)
We destroyed their medical case,
but emotionally their witnesses
will still carry weight if there's
a new trial.
...Unless the Brillhoffer notes show
they've changed their stories.

CUT TO:

EXT. FIFTH AVENUE. DAY.

Xeroxes under his arm, Dersh enters 960 5th Avenue.

INT. CLAUS & SUNNY'S APARTMENT. DAY.

Elevator slides open...

Claus and Andrea waiting...

Dersh enters, stares at them.

DERSH
In my experience, there's almost
no correlation between the guilt
or innocence of my clients and
whether they get off.

Some kind of tease? Claus refuses to take the bait:

CLAUS
You have Brillhoffer's notes?

Dersh nods.

CLAUS
Well?

DERSH
They're not what we hoped.

ANDREA REYNOLDS
I knew it -

Beat.

DERSH

They're much better.

Claus smiles gloatingly - with a touch of hostility - at Andrea.

DERSH

No one mentioned insulin when they first talked to Brillhoffer. Plus: Maria told him that at Thanksgiving, when she supposedly first saw insulin, she couldn't even read any labels 'cause they were all scraped off! There's stuff about Alex and Ala too, enough to drive a wedge of doubt into their testimony.

CLAUS

What does this mean?

DERSH

If there's a second trial, we can be reasonably confident. Both their medical case and their witnesses are now suspect.

Andrea throws her arms around Claus, gives him a big wet one.

He casts off her embrace and moves back toward the parlor, where Cosima sits, reading quietly.

CLAUS

Darling...this is Alan Dershowitz.

COSIMA

Yes, I know. Hello.

Dersh murmurs hello.

CLAUS

Alan tells me...well...things look very hopeful.

Claus reaches for her hand.

She extends hers toward him.

They squeeze hands. (Echo Sunny and Claus in the bedroom, p. 54.)

COSIMA

(the wise innocent)

I knew it would come out all right.

(to Dersh)

Thank you.

CLAUS
Yes, thank you very much. I am
eternally grateful.

A little too formal for the occasion.

ANDREA
(to Claus)
Hey! This means we'll be getting
back your bail! A million dollars!

Claus glares at her, turns to Dersh -

CLAUS
I know I still owe you money, Alan.
Please send me a bill.

Clearly he has no intention of paying it.

Dersh stares at him, shakes his head.

Claus smiles. Walks Dersh to the elevator, rings the button.

CLAUS
Well then. Perhaps when you're
in New York, we can have lunch
sometime.

Dersh refuses to dignify this politeness with a response.

When the elevator opens he enters it. Before it closes:

DERSH
I want you to know something:
I did this for my own reasons.

On Claus' startled reaction, the elevator closes...

CUT TO:

EXT. NEW YORK CITY STREET. DAY.

Dersh walking slowly, without his habitual speed and intensity.
Feels odd. We realize: this is the first time since the
beginning of the film we've seen him alone.

CUT TO:

INT. JEWISH DAIRY RESTAURANT (RATTNER'S?). DAY.

Dark, gloomy. Handful of customers, mostly Little-Old-Ladies.
Dersh sits alone, his half-eaten blintzes pushed to one side.

He has a brief spread out before him, and is writing feverishly
on a yellow legal pad.

A shadow falls over him.

He doesn't look up, keeps working.

Someone slides in next to him.

Before we see her, we hear her voice:

RACHEL (O.S.)
Sorry I'm late; congratulations!

He nods.

RACHEL
Everyone said it was unwinable,
and we did it!

He nods again, tries to smile.

She picks up on his mood -

RACHEL
What? You're not glad?

DERSH
(indicates brief)
Johnson Brothers. Supreme Court
denied cert.

Rachel shakes her head; very bad news.

Long beat.

DERSH
What we're after...we never get it,
do we? It's just...
It's something you chase...

Beat.

She nods.

DERSH
I mean... Couldn't we take the
justice Claus got and give it to
someone who deserves it?!

RACHEL
Everyone deserves it.

He nods. Of course. This is the foundation of his legal faith.

DERSH
Yeah.
Well...
I'm not giving up.

He goes back to work. Intense, feverish...

She watches him. Not with love (though she feels that too), but with the most profound respect. If the law is a kind of religion, this man is truly a Rabbi.

(Possibly end scene here, possibly add:)

RACHEL

Lemme see.

She starts to look over what he's already written.

CUT TO:

EXT. MADISON AVENUE. DAY.

Claus on a stroll. Head high, walk jaunty, eyes glowing. An air of arrogant aristocracy: cock of the walk.

PRETTY UPPER-CLASS GIRL coming the other way.

He nods to her, and - not recognizing him but liking his manner - she smiles back.

He enters:

INT. PHARMACY. DAY.

Walks to the rear counter.

CLAUS

Two packs of Vantage cigarettes.

The homely SALESGIRL stares. Blinks. Her eyes move down to:

A stack of New York Posts beside the cash register. Claus' photo with banner headline: "LAWYER: CLAUS WOULD WIN AT SECOND TRIAL!!"

The Salesgirl fumbles for the cigarettes, slides them onto the counter.

SALESGIRL

Anything else?

CLAUS

Yes. A vial of insulin, please.

The Salesgirl's eyes bug out...

His manner: totally casual, sinister. Like an eerie revelation. Are we finally seeing the real Claus?

Salesgirl swallows.

She doesn't know what to do.

Claus staring idly in another direction, waiting for her to fill his order. Finally he turns back to face her.

CLAUS
Just kidding.

He winks broadly, puts money on the counter, and saunters out. The Salesgirl's jaw will hang open into the next millennium...

CUT TO:

INT. COLUMBIA PRESBYTERIAN HOSPITAL. DAY.

As at the opening, we hear, amplified, her respiration...

SUNNY (V.O.)
Claus von Bulow was given a second trial, and was acquitted on both counts.

Her breathing getting louder, stranger, more horrifying...

SUNNY (V.O., CONT.)
That is all you can know.
All you can be told.
When you get where I am, you will learn the rest.
(long pause)
Do not hurry.

SLOW FADE OUT...

PRODUCTION NOTES:

Students with minor roles and minimal lines and characterization are denoted in the script by quotation marks and bland names. As these parts are cast, more appropriate names may emerge. In the credits, these characters should be listed by some prominent physical characteristic, i.e. "MARY" might be REDHEADED FEMALE STUDENT, etc.

There are four basketball teams:

1. INSULIN ON NEEDLE/ILLEGAL SEARCH

Rachel
Minnie
"John"
Dersh

2. BLACK BAG

Ellen Spitzer
"Curly"
Chuck
Tom Berman

3. JOHNSON BROS

"Bill"
"Sam"

TWO ADDITIONAL STUDENTS WHO ONLY APPEAR TWICE, in the basketball game on p. 58 (scene 98), and in the large communal meal, p. 64 (scene 107 & 109)

4. BRILLHOFFER NOTES

"Ed"
"Mary"
Jack Rausch

ONE ADDITIONAL STUDENT who appears in the basketball game on p. 58 (scene 98), and - at Barbet's option - at the big initial briefing in Dersh's office on p. 19-23 (scene 39a) and at Claus's first tour of the house, p.39 (scene 69b)

Please note that Dersh, Tom Berman, and - to a lesser extent - Jack Rausch have been added to teams so that there will be four players per team.

Raj, Dobbs, Nancy, and Peter MacIntire do not play ball.

As well as the teams noted above, there are the following special assignments:

RHODE ISLAND - Peter MacIntire

ALEXANDRA ISLES - Chuck

PROSECUTOR'S SUMMATION - Tom Berman

MARIA - Raj

DISMANTLING STATE'S MEDICAL CASE - Nancy, Dobbs, Dr. Bob Popovich