

THE PENNSYLVANIA STATE UNIVERSITY
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THE ORIGINAL STORY
Creating a New Work, Influenced by Cinematic Conventions

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Today's world of entertainment often seems plagued by a case of unoriginality. Regurgitating old ideas for programming has become the norm, as corporations are more willing to finance ideas that, in the past, have been profitable. Originality often takes a backseat. This thesis project contains within it an original feature film screenplay along with a reflection paper that not only describes the creation of the screenplay, but how the creation was done with acknowledgement of literary and cinematic conventions. Through completion of the screenplay, a captivating original story written was written that is both fresh and contains adherence to tradition, allowing real viability in the film industry.

Table of Contents

| | |
|-------------------------------------|-----|
| Screenplay – “The Silence He Keeps” | 1 |
| Reflection Paper | 134 |
| Bibliography | 139 |

The Silence He Keeps

By

Brad Rothseid

BLACK SCREEN:

SUPERIMPOSE: "A man is known by the silence he keeps" -
Oliver Herford

FADE IN:

EXT. BRIDGE - EVENING 1

Atop an overpass, from a distance, two dark figures, one larger than the other, fight.

The smaller figure falls off the side of the overpass.

FADE OUT.

FADE IN:

EXT. CEMETERY - DAY 2

SUPERIMPOSE: One Day Earlier

A funeral party of 30 to 40 people, in heavy, winter clothing, watches as a casket is lowered to the ground. It is November in rural Illinois, and an artificial fog of attendee's breath, steaming in the cold air, lingers amongst them.

A pastor speaks at the head of the grave, his words drowned out by the music. Next to the pastor is a photo of the deceased, a man in his forties, with a large head and thick neck.

In the front row, from left to right, stands the deceased's widow CAROL - a woman in her mid-forties, her twelve-year-old son ZACH, the son's eight-year-old cousin MICHAEL, the cousin's mother HEATHER, her husband - the brother of the deceased, an elderly woman - the mother of the deceased, and the deceased's niece and nephew, both young adults.

The brother of the deceased, JERRY WALKER, has command of the entire front row. While everyone is holding hands with the person next to them, Jerry's arms are wrapped around his wife and mother. At 6'3", Jerry towers over everyone else in the front row by nearly a foot, save for his two older children.

The first rows of mourners are dressed in nice attire. Behind them are about ten overweight and unshaven men wearing puffy coats and baseball caps.

(CONTINUED)

As the pastor speaks, there are murmurs from the men in puffy jackets. Jerry turns around and glares at the men. They notice and cease talking.

The pastor, finished, closes his book. The funeral party leaves the cemetery.

FADE OUT.

FADE IN:

EXT. PUBLIC PARK - DAY

3

Having just played a game of basketball, four men in long-sleeved t-shirts and sweatpants walk from the basketball court to the parking lot. WILL BARNES, a tall, broad-shouldered man in his mid-twenties with medium-length brown hair, is carrying a basketball and walking in front, his friend CASEY next to him. Trailing a few steps back are MARK and GRANT. Mark is the further behind, using his t-shirt to wipe sweat off a pair of athletic goggles.

WILL

Gerald Ford.

GRANT

Ford? Really?

WILL

Yeah. We could talk about football. The guy won a couple titles at Michigan. We'd have more in common than me and any other president.

MARK

I don't know. If I could pick any President to have a one-hour conversation with, it would have to be one of the more famous ones, right? I mean, F.D.R. led us through the Depression and World War II, Lincoln re-united the country, Jefferson wrote the Declaration of Independence. What about any of those guys?

WILL

F.D.R. spent half his Presidency campaigning for more terms. Ford didn't even campaign for the one he had - I think that's more interesting. What if I'm talking to

(MORE)

(CONTINUED)

WILL (cont'd)

Lincoln and accidentally let it slip that I've never been to D.C. and never seen his Memorial? That could get awkward. Plus, Jefferson was an inventor from the 18th century. I'd probably be spending half of my hour just explaining what cell phones are!

The guys all laugh.

GRANT

Maybe you have a point. Okay, Will you're going first this time. How would you like to die?

WILL

Probably asleep, old age - you know, all peaceful and what not.

CASEY

Lame, dude! I'm going out with a bang. Literally. I want to be on top of a twenty-five-year-old chick when I go - probably freak her the fuck out.

GRANT

That's awful, Casey. I'd probably choosing drowning, I hear that's pretty painless. What about you, Mark?

Mark grins.

MARK

How do I want to die? On the first night of Hanukkah, I want to be fatally wounded - explosions, bullets, all that - but hold out, not die, until the eighth night. I mean, how many people can say they've had a "miraculous death"?

Mark's joke is met with no appreciation from his friends.

MARK

Well, if any of you were also Jewish, you'd be rolling.

(CONTINUED)

The guys stop dead in their tracks as they notice two men dealing drugs in the far corner of the parking lot. The two men notice that they are being watched. The deal complete, one man walks away.

GREG CHURCH, the remaining man, turns around. Slightly older than the four guys, Greg has the weak frame, sunken cheeks and baggy eyes of a drug addict.

Greg and Will lock eyes for a moment, until Casey steps forward.

CASEY
(shouting)
The hell are you doing here, Greg?
Scram!

Mark, squinting, holds his goggles up to his eyes, which widen when he notices who it is.

MARK
Woah, that's Greg!

GRANT
Yeah you idiot that's what Casey
just fuckin' said.

GREG
(lazily)
I don't mean no trouble. (a beat)
Hey Will.

Will, stoic, says nothing back, he just stares.

CASEY
Oh, you got some nerve!

Casey is about to charge at Greg but Will holds him back.

WILL
(calmly)
Let's just go.

Will opens the passenger seat door. Casey, at the driver's seat, turns to Will.

CASEY
Just say the word, Will.

WILL
He's not worth it.

Will, Casey and Mark get into the car. Grant is still standing, looking at Greg.

WILL
Grant! In!

Grant gets in the car. They pull out of the parking lot as Greg skulks away.

CUT TO:

INT. CAR - DAY

4

CASEY
(teeming with anger)
After everything that happened, if I were you, if I saw him, I'd just beat him to a pulp. Every single fucking time.

WILL
I made that mistake already. And it looks like he's doing himself enough damage as it is.

GRANT
What's he doing, smoking some shit? Shooting up? Snorting?

MARK
D, all of the above?

Casey and Grant laugh. Will manages a smile. From the backseat, Grant notices something ahead.

GRANT
Yikes, check it out Casey.

Casey also notices and decelerates.

CUT TO:

EXT. RURAL INTERSECTION - DAY

5

Casey's car stops at a green light. In front of them, a funeral procession is driving through the intersection. Waiting for the procession to pass, Casey's car idles.

FADE OUT.

FADE IN:

INT. LIVING ROOM - DAY

6

About half the funeral party is crammed into a modest living room. Family photos of Jerry, his wife and children are on walls and coffee tables. A fire burns in the fireplace. Across from the fireplace, the grandmother is seated on a couch with two other older women. In a corner, six men, all still wearing their puffy jackets, are laughing. They, and other standing guests, are holding napkins and coffee mugs.

Jerry takes a tray of empty mugs to the kitchen.

CUT TO:

INT. JERRY'S KITCHEN - DAY

7

The kitchen is tastelessly generic, with white walls and yellow cabinets. Jerry's wife, Heather, washes some dishes in the sink, which faces out the window onto an expansive backyard. Jerry enters and comes up from behind her and place the tray on the counter to her right. Heather turns to face him.

HEATHER

Honey, you don't need to do be cleaning up. I'll take care of it.

JERRY

I don't mind.

HEATHER

How are things going out there?

JERRY

Fine. People are starting to leave.

HEATHER

And you?

JERRY

I'm okay.

Jerry looks down at the dishes, then up again.

JERRY

I'll be okay.

HEATHER

The boys?

(CONTINUED)

JERRY

I don't know. Carol was telling me that Zach is taking it really well, considering, and it looks like Michael is too. I'll talk to him later.

Jerry looks out the window.

JERRY

Any chance the kids will come in?

Jerry gestures outside. In the distance his two grown children, KYLE and LUCY, are talking under a tree.

CUT TO:

EXT. BACKYARD - DAY

8

Kyle and Lucy, both dressed with cosmopolitan style, absentmindedly kick at acorns under a large tree.

LUCY

Are you going in at any point?

KYLE

Nope. Talked to Grandma and Aunt Carol. Mom's busy with dishes and said she didn't want help, and Mikey is in his room with Zach playing with toy cars. You?

LUCY

I don't know. I might talk to Aunt Carol again before she goes. Maybe Dad too, he never really mixed with Uncle Adam's friends.

Kyle winds up and kicks an acorn at the tree.

KYLE

Dad keeps coming up, trying to talk to me. I came down here for Uncle Adam's funeral. That's it.

LUCY

He's trying. It's been almost ten years.

KYLE

It can't just happen like that. Every time I see him, he'll say

(MORE)

(CONTINUED)

KYLE (cont'd)
these little, loaded, sentences.
Like every word he says is supposed
to be one closer to me forgiving
him. The worst is that there's so
much he isn't saying.

Kyle stops kicking acorns and leans against the tree.

KYLE
How can he expect me to open up,
let him in, when he won't for me?

LUCY
Well, Kyle, that's Dad. Speaking up
isn't his forte.

KYLE
I'm not saying it will never
happen, but I know we're not going
to suddenly bond over Uncle Adam's
heart attack. If I go back in, it's
just for Mom or Mikey.

CUT TO:

INT. LIVING ROOM - EVENING

9

The last of the guests are leaving. The grandmother has gone, as have the men in puffy jackets. Soon only Carol and Jerry are left in the living room.

Kyle and Lucy enter from the kitchen. Carol's coat is already on and she is holding her son's coat. Slightly overweight, with large brunette hair, Carol looks exhausted. Carol walks to the steps and calls up.

CAROL
Zach, we're going!

Carol looks at Kyle and Lucy.

CAROL
Thank you both for coming back for
this, it really would have meant a
lot to Adam.

KYLE
Not a problem.

(CONTINUED)

LUCY

I'm really glad I could make it back. I wish it was under better circumstances but it was nice to see you.

Heather enters from the kitchen.

HEATHER

Are you leaving?

CAROL

Yes. Thanks Heather, for everything.

Heather and Carol hug. Zach bounds down the stairs with Michael right behind him. Carol gives Zach his coat. Zach puts it on and says his goodbyes to the Walker family. He shakes each one of their hands, except for Heather, who gives him a big hug.

Carol and Zach leave. The family stands quietly for a moment. Kyle breaks the silence.

KYLE

(to Heather)

Well, I think Luce and I are gonna leave now so we don't get back to Chicago too late. Are you sure you have everything put away and all that? You don't need any help?

HEATHER

It's all done, don't worry. Are you sure you too don't need anything, any snacks or drinks?

KYLE

We're fine.

HEATHER

Because there's some leftover chicken.

LUCY

(smiling)

Mom, we're fine.

HEATHER

Bottled water? Trail mix?

Lucy raises an eyebrow.

(CONTINUED)

LUCY
You have trail mix?

HEATHER
I can make some.

LUCY
(laughing)
Thanks Mom, but seriously, we're
fine.

Kyle grabs his and Lucy's jackets from the coat closet next to the front door. They put on their coats quickly. Lucy hugs and kisses her parents. Kyle gives Michael a big hug.

KYLE
See you soon, champ.

Lucy gives Michael a hug and Kyle hugs his mother.

KYLE
I'll call when we're back in the
city, and I'll be back next month.

Kyle then walks to the door without hugging his Dad.

KYLE
Bye Dad.

Kyle and Lucy exit. The three remaining family members are alone in the living room.

JERRY
(to Michael)
How about you get ready for bed,
and I'll be up to tuck you in.

MICHAEL
Okay.

Michael heads up the stairs. Jerry and Heather walk back into the kitchen.

CUT TO:

INT. JERRY'S KITCHEN - EVENING

10

HEATHER
That could have been worse.

(CONTINUED)

JERRY
Right, no yelling.

Heather gives Jerry a kiss on the cheek.

HEATHER
Just give Kyle some time. He'll get there.
(turning to leave)
I'm going to bed.

JERRY
I'll be there in a minute.

Jerry turns to the refrigerator. A dry-erase board with a marker clipped to the top hangs amongst cards and papers. On the board, in black marker, is "8-360". Jerry wipes off the "0", replacing it with a "1". Jerry exits the kitchen.

CUT TO:

INT. MICHAEL'S BEDROOM - EVENING

11

Michael is in bed, groggy, with the lights on. His walls are covered in sports posters of Chicago athletes such as Derrick Rose, Patrick Kane and Brian Urlacher.

Jerry enters.

JERRY
You're lookin' tired, fella.

MICHAEL
Hi Daddy.

Jerry sits by the side of the bed.

JERRY
Do you want a story?

MICHAEL
Too tired for a story.

JERRY
Okay. Mom and I just want you to know that we know today was tough, and we're really proud of you. You acted like a grown up.

Michael smiles weakly. Jerry gets up and heads for the door.

(CONTINUED)

MICHAEL
Daddy, wait.

JERRY
What?

Michael points to a picture on a bookcase across the room.

MICHAEL
Can you bring that over here
please?

JERRY
Sure.

Jerry looks at the picture and sighs. It is a photo of Adam and Michael by a lake, smiling, holding fishing rods. Jerry takes the picture and puts it on the bedside table.

JERRY
Goodnight.

Jerry kisses Michael on the forehead and exits, turning off the light behind him.

FADE OUT.

FADE IN:

INT. JERRY'S DRIVEWAY - DAY

12

Jerry's driveway is short. The house is typical of late-1950's development construction. Jerry's truck, a blue, 1998 Ford F-150, is parked outside. Jerry exits his house, ready for work, wearing New Balance sneakers, light wash Wranglers and a white polo shirt with "Goods U.S.A." embroidered in red over his heart. He is carrying a navy windbreaker, a worn, chocolate, attache briefcase, keys and a newspaper.

Jerry gets into the truck and backs out of the driveway. Jerry drives out of his "Levittown" neighborhood and turns onto a main road.

CUT TO:

INT. JERRY'S CAR - DAY 13

Jerry turns on the radio, going from station to station. Jerry stops at a stop sign as he stumbles upon a classic rock station, with Rascal Flatts' "Life is a Highway" playing. Driving on, he tries to follow along with the music but his tapping on the steering wheel is out of tempo with the song and he gets lyrics and timing wrong as he tries to sing with the track.

While driving, Jerry reaches for his phone and dials a number.

CUT TO:

EXT. CHICAGO STREET - DAY 14

Kyle, impeccably dressed for work, is among other rush-hour pedestrians. He pulls out his phone.

INSERT - CALL NOTICE: "DAD CELL CALLING"

Kyle dismisses the call.

CUT TO:

INT. JERRY'S CAR - DAY 15

Jerry hears Kyle's voice mail message. Jerry sighs and hangs up without leaving a message.

CUT TO:

EXT. EMPLOYEE LOT - DAY 16

Jerry pulls into the employee lot across the bridge from the manufacturing plant where he works. He exits his car with his belongings. Jerry walks across the bridge and up to the plant. He enters the side door. A large sign reading "GOODS U.S.A." is erected in front of the building.

CUT TO:

INT. MANUFACTURING BULLPEN - DAY 17

Jerry walks through the large room full of salesperson's desks toward his office. The room is bustling. His assistant, JANE, is waiting for him at his office door. She follows him into his office.

(CONTINUED)

JANE
I'm so sorry, sir, so sorry about
your brother. It's such a shame.

CUT TO:

INT. JERRY'S OFFICE - DAY

18

"Plant Manager Jerry Walker" is written on his door. Jerry
takes a seat behind his desk, which is covered in files.

JANE
(still talking)
I mean, so young, forty-three?

JERRY
(looking up from his files)
Forty-five.

JANE
Still.

Jerry looks out his office window in the salespeople's
"bullpen".

JERRY
If you wouldn't mind not telling...
well, all them...

JANE
They don't know?

JERRY
No, and I'd appreciate it if --

JANE
Mum's the world.

Jane exits. Jerry begins to read through files.

FADE OUT.

FADE TO:

INT. JERRY'S OFFICE - EVENING

19

The work day finished, Jerry's desk is less cluttered. His
shirt is untucked, his hair is disheveled. He is wearing
reading glasses.

Jerry gets up to leave, takes off his glasses, puts on his
windbreaker and picks up his briefcase.

(CONTINUED)

FADE OUT:

FADE IN:

INT. APARTMENT BUILDING HALLWAY - EVENING

20

Close up on shut, metallic elevator door. A "ping" is heard as two pink arrows, one pointing up, the other down, illuminate to the left of the doors. Following the "ping" a muffled voice can be heard singing from inside the elevator.

The doors open, revealing Will. Coming from work, he wears dark wash jeans, a shirt and tie, and a brown suede jacket. Eyes closed, MP3 Player in hand and ear buds in, Will sings and moves his hips along with the music, Bob Seger's "Old Time Rock n' Roll" (the track inaudible to the audience) as if no one is watching.

Will notices that he is on his floor, and steps out. Will proceeds to dance and sing as he heads to his apartment.

WILL
(with zest)
"WON'T GO TO HEAR 'EN PLAY A TANGO,
I'D RATHER HEAR SOME BLUES OR FUNKY
OLD SOUL."

MRS. CRANE, an older neighbor, walks past Will toward the elevator and smiles at him. He takes out his ear buds and holds an imaginary microphone that he sings into.

WILL
"THERE'S ONLY ONE SURE WAY TO GET
ME TO GO"

He extends the "microphone" to her. Mrs. Crane smiles but does not know the words. Will smiles, gives her a second, then brings back the microphone.

WILL
(growling)
"START PLAYING OLD TIME ROCK AND
ROLL!"

Still dancing, Will heads to his apartment as Mrs. Crane enters the elevator.

WILL
See ya, Mrs. Crane!

At his door, plainly labeled 4D, Will fumbles with the keys as he hums. Finding the right key, he enters his apartment.

CUT TO:

INT. WILL'S APARTMENT - EVENING

21

The apartment is small and cramped. Most of the floor space not occupied by furniture is covered in moving boxes stuffed with frames, sheets and books. The white walls are bare, save for hooks where pictures used to hang. Rolled up area rugs lean up against the walls. Narrow walkways are carved out of the sea of boxes, connecting rooms.

Will enters, nearly walking into a pile of boxes next to the door. A dog barks from inside the apartment.

WILL

(muttering)

I don't remember those here this morning.

(louder)

Hey Max!

Will looks around the apartment and takes out the ear buds.

WILL

Hey Jess!

Will looks around for a moment.

WILL

Babe, are you here?

JESS, Will's fiance, appears, over a stack of boxes, holding a glass half-wrapped in newspaper. Jess is thin, blonde and pretty, despite wearing a bulky, unflattering sweater and sweatpants. Her hair is in a ponytail.

JESS

Hey Honey!

She tries to get to him, but her path is blocked by boxes. Recognizing the barricade, Will sets down his MP3 Player and keys and carefully picks up a box. Jess gets through. The two are squeezed into the corner, the box between them. She leans over the box to give him a kiss. They smile.

JESS

How was work?

WILL

Fine, had a meeting at the site, not much else big though.

(CONTINUED)

JESS
How's it looking?

WILL
They're finishing up on the exterior, it looks great, just like it did on paper. Now it's onto the interior, and the owners are trying to see if my designs work with their tastes. We spent almost an hour just talking about balustrades.

JESS
(playfully)
Ooh, Mr. Architect, what was that again?

WILL
(effusively melodramatic)
Balustrades.

Jess laughs, stumbling back as she does so. Remembering that they are in a tight space, backs up behind the wall, into the kitchen, and Will puts the box back down.

Their conversation continues over the wall of boxes as Jess packs drinking glasses in newspaper.

WILL
How was your day?

JESS
Good. The interns are all getting their footing, turning from med students into doctors.

WILL
They're leaving the nest.

JESS
Right.

WILL
That's nice. Anyways, I think I'm gonna go for a run before it gets too late.

Will sets down his bag and heads to the left, into the bedroom. He calls back to Jess.

(CONTINUED)

WILL (O.S.)
Babe, my drawers are empty. Where
are my running clothes?

JESS
In the hall, in the box marked
"Workout Clothes".

Will opens the box, grabs long-sleeved running gear and gets
changed. During this the camera focuses on Jess.

JESS
Do you think you could help with
the rest of the packing this
weekend? The movers will be here in
less than two weeks.

WILL (O.S.)
Sure. I don't have anything planned
other than a pick-up game with the
guys on Saturday morning. Maybe
Robert can come down on Sunday and
help. We'll make a game of it.

JESS
Is there anything you two won't
compete at?

Will does not respond.

JESS
(flirty)
Well, we're almost there, just the
last few boxes to pack. I was
thinking I could do some packing
and cleaning and, maybe if you get
back in time...

We see Will again, now changed into long-sleeved running
gear, a running watch and black baseball cap. He is still
looking for something.

WILL
I'm sorry Honey, what were you
saying?

JESS
(smiling)
Nothing. Looking for something?

WILL
Yeah. Have you seen my running
gloves?

(CONTINUED)

JESS

I was hoping you wouldn't ask.
Check the box marked "What Were You
Thinking?"

Will sees the box, opens it and pulls out a pair of hot pink
running gloves.

WILL

What was I thinking? They're from
the Breast Cancer 10K.

JESS

You look ridiculous in them!

WILL

(smiling as he puts them on)
You mock, but I'm doing my part to
cure breast cancer. What have you
done?

JESS

I'm a nurse! I treat people with
breast cancer every day! I helped
set up the run!

WILL

(with jazz hands)
But do you have the gloves?

Jess smiles. Will claps his hands.

WILL

Max!

Max, Will's blonde labrador, bounds in from the bedroom
toward Will. Will kneels down to scratch Max behind his
ears. Will stands back up and picks up his MP3 player.

WILL

I'll be back! Come boy!

Will and Max exit.

CUT TO:

EXT. BRIDGE - EVENING

22

At dusk, Jerry is walking across the overpass to the
employee parking lot. There are no cars on the road. Jerry,
weary, is swinging his briefcase back and forth as he walks.

(CONTINUED)

A figure wearing a long black jacket quickly approaches Jerry. Turning to face Jerry, we see the figure is Greg.

GREG
(raspy)
Hey, could you spare some change?

Jerry notices and tries to avoid Greg, who, in a drugged state, is fidgeting. Jerry turns around.

JERRY
I'm just trying to get home.

GREG
(fidgeting)
Come on man, like twenty bucks?

JERRY
(shocked at the amount)
Are you kidding me?

Greg gets closer, revealing yellow teeth, an unshaven face and emitting a foul stench. Jerry steps back disgusted.

GREG
I don't want to have to...

Greg pulls a switch blade out of his jacket pocket and flicks it open by his side.

GREG
(noticing Jerry's briefcase)
What's in there?

A ray of light reflects off of the knife, catching Jerry's eye. Jerry backs away nervously, holding his briefcase close to his chest as if it were a shield.

GREG
(still fidgeting)
Nothing?

As Jerry shields himself with the briefcase, the same light that caught Greg's knife catches Jerry's gold wedding band.

GREG
Nice ring.

Suddenly, Greg's shaking causes him to accidentally drop his knife. Greg is now unarmed. Still, he moves closer to Jerry and reaches for the wedding ring.

Jerry, recognizing that Greg is alone and defenseless, socks Greg in the stomach with the briefcase. Greg falls to the ground and a struggle ensues. They have contrasting fighting styles. While Greg reaches or grabs, Jerry punches, kicks or shoves with his briefcase. Both characters are grunting between blows and breathing heavily, as Jerry is weak from age and Greg from drug use.

Finally, Jerry backs Greg up against the side rail of the overpass. Greg brings his knee up, into Jerry's stomach and Jerry responds quickly. Without removing himself from the loose clinch they have found themselves in, Jerry shoves Greg with great force. Following his blow, Jerry, looking down, stumbles back into the street and regains his breath. When Jerry looks up, he no longer sees Greg. Jerry rushes to the side of the overpass and looks down.

Jerry is stunned when he sees Greg, sprawled and motionless on the ground beside the road that runs perpendicular to, and underneath, the overpass on which the devastated Jerry is perched.

Jerry, panicking, looks around. There is no one in sight.

Jerry runs to his car and drives off, away from the plant.

ANGLE ON - PLANT

As Jerry drives off, we see Will and Max jogging in the distance, by the plant. The dusk that followed Jerry from the plant is quickly progressing into night.

The sky nearly dark, Will and Max come into view. Will, jogging at a speedy clip, is tired but pushes on.

The two jog past the plant and over the bridge. In his own world, Will does not look over the side. If he did, he would see Greg's body beside the road that runs under the bridge.

Max stops, picks up his nose and barks at the body from the bridge. Will does not notice until he is many paces past the bridge, the body out of view to him. Will turns around.

WILL
(calling)

Max!

Max continues to bark. Will takes his hat off to wipe his brow. Suddenly a gust of wind comes, knocking the hat out of his hands. The black hat disappears from view into the shadows, by the overpass that Will just crossed. Will is about to look for his hat but, looking down at his watch, feels a sense of urgency to keep running. Will calls for Max louder.

(CONTINUED)

WILL
(clapping and calling)
Max, come on! Here boy!

Max comes to him from the bridge. The two continue to jog on. A car comes in the opposite direction. Will gestures to the driver politely with his left hand, his pink glove clearly visible under the street lamp. The driver smiles and gestures back as he drives on. Will and Max continue to run.

CUT TO:

INT. WILL'S APARTMENT - EVENING

23

Will enters and heads straight for the living room at the end of the front hall. He calls to Jess.

WILL
Honey, I'm home. Gonna shower. Lost
my hat on the run, no big deal,
just remind me to get a new one
tomorrow?

Will waits for a response from Jess. None comes. Will shrugs. He takes off his running watch and plugs it into the computer. Will then walks straight to the bathroom to shower. The bathroom is across the hall from the bedroom.

CUT TO:

EXT. CONVENIENCE STORE - EVENING

24

Jerry pulls into the parking lot. He lumbers into the store, startling the CASHIER. Jerry heads for the back of the store. Jerry scans the counters, from the energy drinks to the fruit drinks to the hard alcohol. Jerry pauses, leaning over the counter and breathing heavily. Holding nothing, Jerry heads toward the cashier.

JERRY
Marlboro Lights.

The cashier, looking concerned, gets the cigarettes and hands them to Jerry.

CASHIER
Five twenty-five.

Jerry puts a five dollar bill and a one dollar bill down on the counter and walks out without getting his change. Jerry heads to his car, gets a lighter out of the glove

(CONTINUED)

compartment and walks across the street to a bus stop. Jerry, using the open space, paces for a moment, extending his arms and clenching his left hand into a fist. He sits down on a bench at the bus stop and lights a cigarette, taking an uneasy drag. Distressed, he squirms. An older woman sits down next to Jerry, who does not notice her presence.

JERRY
(yelling at the ground)
Aaaahhh!!

A bus pulls up. The woman, alarmed, scurries on.

The bus pulls away. Jerry looks up and groans in anguish.

CUT TO:

INT. WILL'S APARTMENT - EVENING

25

Will leaves the bathroom with a towel around his waist, holding his sweaty clothes in a bundle. He looks out into the hallway, realizing that the apartment is no cleaner than when he left it.

WILL
Babe, did you clean at all?

Will opens the bedroom door to see the room immaculate and Jess in front of him in a sexy nightgown, her hair down and curled. The lights are dimmed and candles are lit. Jess turns on the stereo via remote and walks toward Will. Smooth soul music emanates from the speakers. She places the remote down on the table by the door and gives Will a deep kiss, turns around and walks backwards toward the bed, beckoning. Will drops his dirty clothes and approaches. Jess is suddenly displeased.

JESS
(breaking the mood)
Honey.

WILL
What?

Jess gestures at the clothing.

JESS
It's just that - well I just cleaned up, the hamper's literally right next to you, do you mind?

(CONTINUED)

Will notices the clothes. Obediently, he picks them up and places them in the hamper.

WILL
(sarcastically corny)
Okay, now that we're all cleaned
up...

Will leans on the table next to him in what was supposed to be a smooth maneuver. Instead his hand rests on the remote and the music changes from soul to ABBA's "Fernando". They both laugh but Will, smiling and undeterred, heads for Jess. They embrace. Jess shrieks playfully as the music plays and the focus fades.

FADE OUT.

FADE IN:

INT. JERRY'S KITCHEN - DAY

26

Heather, wearing a bathrobe, enters and heads straight for the coffee maker. She puts in the beans and water, then turns around. She is startled when she notices her husband asleep in a chair by the corner.

HEATHER
Ah!

Jerry wakes up, groggy.

JERRY
Morning.

HEATHER
You startled me!

JERRY
Sorry.

HEATHER
I couldn't reach you last night, I
was nervous. I could hardly sleep!

JERRY
Sorry.

HEATHER
Where were you? You're supposed to
call.

(CONTINUED)

JERRY

I know. I was just out.

HEATHER

Just out? This hasn't happened since...

Heather takes a step closer to Jerry.

HEATHER

... you didn't...

JERRY

Didn't what? Oh! No! I didn't, trust me!

HEATHER

It's just that this hasn't happened since you --

JERRY

I know. Trust me, I didn't.

Heather reaches over to Jerry and puts her hand on his shoulder.

HEATHER

Okay, I believe you. Was it Adam? Did it get to you?

JERRY

Yes.

HEATHER

I understand. Well, I'm sorry, but remember you need to take Michael to baseball practice. I have that appointment.

JERRY

And I need to pick up Zach too?

HEATHER

Carol called last night and said that Zach was going to take a week off.

JERRY

Okay. Who's coaching the team now that Adam's...

HEATHER

I don't know, but I know it would mean a lot to the boys if you took a bigger role.

JERRY

Of course.

HEATHER

I can pitch in here and there if you need.

JERRY

It's fine. I should do this. That's why I made the change anyway, right, to do a better job with Michael than I did with Kyle.

HEATHER

No one's expecting you to do it all. Nobody's perfect.

JERRY

Right, but I can do this.

Their conversation is interrupted by the coffee machine sounding. Michael bounds into the kitchen, in full baseball regalia.

MICHAEL

Daddy! Time for baseball!

JERRY

(smiling)

Yes it is, big fella.

Jerry gets up and gives Michael a big hug, lifting him.

MICHAEL

You're smelly, Daddy.

Jerry and Heather laugh. Jerry smiles at Michael. Michael stares back at Jerry and giggles. Jerry puts Michael down.

JERRY

I'm gonna make a call. Have something to eat, Buddy, we'll leave in 10 minutes.

CUT TO:

EXT. CHICAGO COFFEE SHOP - DAY

27

Kyle is sipping coffee with friends. He notices that his phone is ringing.

KYLE
(to friends)
Excuse me.

Kyle answers his phone.

KYLE
Hi. Look, I can't talk right now.
I'm out with people.

Kyle hangs up and rejoins his friends.

PAN UP TO - OFFICE BUILDING EXTERIOR

CUT TO:

INT. ROBERT'S LAW OFFICES - DAY

28

The camera follows two men, both in their very late twenties, wearing khaki pants and Brooks Brothers shirts button-up shirts. They are walking quickly, almost racing, carrying files. Picking up their pace, they start to speed walk. The office appears deserted. The man on the left is NICK ROSS. ROBERT BARNES is on his right.

NICK
(urgently)
Are you sure it's happening now?

ROBERT
I don't know, we may have already missed it. I didn't notice the text until three minutes after I got it.

They speed into an office marked "Robert Barnes, Esq.".

NICK
I warned you not to keep your phone on silent. Stuff like this happens!

ROBERT
(searching through papers on his desk)
No one say's we missed it, there could still be time - Aha!

(CONTINUED)

Robert retrieves a remote control from a pile of papers and flicks on a television. Phil Mickelson is on the screen, bringing his club back for a putt. As he strikes the ball, Robert and Nick are glued to the screen, reacting to every curve and acceleration in the ball's voyage toward the hole. The ball goes in and Robert and Nick rejoice.

NICK

Lefty for the win!

ROBERT

What was he, eight under? That man is a master!

Robert steps behind his desk and takes a seat. Getting a better view of his workspace, we see a desktop computer, numerous files, diplomas on the wall and framed photos on a side table. The photos feature Robert and his brother Will. In one photo, Robert is in a Northwestern football uniform, pads and all, post-game with a younger Will. In another, he is again with Will, this time with Will as the player, wearing University of Illinois pads.

The two decompress.

NICK

So why are you in here on a Saturday anyway?

ROBERT

The Marshall Case. Last night I secured those meetings on Monday with the expert witnesses so I need to brush up on some particulars. Plus the hot water's off for the day in my building so I can shower here after my run. The Breast Cancer 10K is next month.

NICK

Is Jess doing that again?

ROBERT

Yeah, and I can't let Will beat me two years straight, I'll never hear the end of it. (a beat) Now that I think about it, you switched cases two weeks ago. Why are you in today?

Before Nick can respond, MONICA walks in. A beautiful young attorney, she is dressed professionally, in a white blouse and black pencil skirt.

(CONTINUED)

MONICA
Hi Robert.

ROBERT
Hello.

NICK
Hi Monica.

MONICA
(to Nick)
Do I know you?

NICK
We've met. Nick Ross? Employee
retreat last month? Mr. James'
retirement party? That time you
were rushing into the office and I
held the door open for you, and you
said "Thank You"?

MONICA
Sorry, I don't remember.
(to Robert)
Listen, I couldn't help but notice
you were in today. I had a similar
case six months ago, so I just
wanted you to know that I'm
available, if you need any help.

There is a pause. It becomes obvious that Monica is taken
with Robert.

ROBERT
(politely and professionally)
Thank you, that's very kind. I'll
be sure to consult you if I run
into any snags.

MONICA
My pleasure. Bye Robert. Bye Rick.

Monica heads down the hallway.

NICK
(mumbling)
It's Nick, but whatever.

Robert picks up a memo from his desk.

ROBERT
Did you see this? We need to
re-register our company email
passwords.

(CONTINUED)

NICK
 Seriously?

ROBERT
 Yeah, it says here that by next
 Friday --

NICK
 No. The only thing more beautiful
 than Lefty's drive comes in, let's
 you know she's interested, and
 you're going on about company
 email?

Robert just smiles at Nick and shrugs.

NICK
 Like you don't have everything. The
 partners love you, you're the
 brightest guy here, you're probably
 the best athlete in the state...

ROBERT
 Actually, I think kid brother's got
 me beat on that one.

Robert balls up the memo and tosses it into the trash can.
 As the paper is mid-air, we notice a toy basketball hoop
 above the trash can.

CUT TO:

EXT. PUBLIC PARK BASKETBALL COURT - DAY 29

A regulation ball soars through a regulation hoop, the chain
 net making a crisp sound.

We see that Will was the shooter, as Mark congratulates him.

Will and Mark are against Casey and Grant in a game of
 2-on-2.

WILL
 And that's game! We've won the last
 4... of 4. Best of nine?

GRANT
 I might need a break.

MARK
 (trash talking)
 'Cause you can't handle what we're
 putting up?

(CONTINUED)

CASEY

You haven't scored a single point,
it's been all Will!

They head to the bench. Will dribbles the ball casually as the other three sit down and drink water.

GRANT

I'm surprised that you've been
doing so well today, Will.

WILL

What do you mean?

GRANT

After the workout you got last
night.

CASEY

(to Will)

Boy was getting it in?

They guys laugh and make coo-ing sounds.

GRANT

Big time.

WILL

(being coy)

Guys, my personal life is just
that.

GRANT

Called him three times, didn't pick
up once. Only time that happens is
when he's with Jess.

WILL

Maybe I didn't pick up because last
time it was in the middle of a
meeting with a contractor and you
were calling to ask me who you
should have in the tight end spot
on your fantasy football roster.

GRANT

Well, you should have picked up
last night, it was an emergency!

WILL

What was it?

(CONTINUED)

GRANT
(guilty)
... fantasy football. I didn't know
which running back to start!

CASEY
But three times, no answer, that
means Will was -

CASEY AND GRANT
"Jumpin' Jess, Jumpin' Jess, Jumpin'
Jess!"

All the guys laugh. Will playfully throws the basketball at
Grant. Grant catches it and tosses it back.

WILL
She's my fiance, you can't keep
saying that!

CASEY
Respect.

GRANT
(to Casey)
And what were you doing last night?

CASEY
I was with Michelle.

The guys groan.

WILL
Dude, you gotta end that.

CASEY
Why?

WILL
You are aware that she's actually
into you - and she thinks you like
her back. She's getting invested,
man.

GRANT
The girl's practically moved into
your place. You gotta let her go
before it's too late to say no!

CASEY
I don't know, I've never broken up
with a girl one before, they always
break up with me.

MARK
(playfully)
Don't you think that's a problem?
That she hasn't broken up with you
yet?

CASEY
What do you mean?

MARK
(teasing)
Well, if she wants to stay with
you, isn't that a clear indication
that she's lacking in good sense?

Will and Casey laugh.

GRANT
Plus, she's got those big, horsey,
buck teeth sticking out in front.
She looks like she should be
snacking on a sugar cube.

CASEY
Well I can't get rid of her this
week, she's having the floors
redone at her place.

GRANT
Getting straw brought in?

CASEY
Funny. Where's she gonna go?

GRANT
On first thought, the glue factory.

Grant and Mark laugh.

MARK
(after a beat)
Can I just say - I know we're
joking around and whatnot - but
aren't you guys thinking about
Greg? Seeing him the other day?

The guys give him awkward looks.

MARK
You know what I mean! This is only
the second time any of us, other
than Will, have seen him since, you
know, the incident, and that was
four, five years ago?

(CONTINUED)

The basketball from the guys playing at the other end of the rolls over. A player comes by to grab it.

WILL

It doesn't really phase me anymore.
Coked-out Greg is nothing new.

The other player, at the mention of Greg, lifts his head up.

PARK PLAYER

You guys aren't talking about Greg
Church, are you?

CASEY

Yeah, what's it to you?

CUT TO:

INT. LIVING ROOM - DAY

30

CLOSE-UP - TELEVISION SET

A news program runs footage.

NEWS REPORTER (V.O.)

The body of Greg Church, age 27,
was found dead last night, next to
the road on mile 7 of Route 24, by
the Welsh Avenue overpass at
approximately 8 o'clock last night.

PAN TO - COUCH

Jerry watches nervously.

NEWS REPORTER (V.O.)

Authorities are asking anyone with
any knowledge to come forward. It
appears that his death was caused
by injuries sustained during a fall
from the overpass. Mr. Church has
been arrested numerous times over
the past few years on drug and
assault-related charges. An autopsy
and toxicology tests have been
ordered, but police detectives note
that bruises on Mr. Church's
abdomen suggest the possibility of
a struggle. Mr. Church, a graduate
of East Kendall High...

Jerry lowers the volume, petrified. He hears a noise and
jumps. Heather enters from the kitchen.

(CONTINUED)

HEATHER

What are you watching, Jer?

JERRY

News report. Kid died.

HEATHER

How old?

JERRY

27.

Heather looks at the screen.

HEATHER

Oh my gosh, this was right by your office! Did you know about this?

JERRY

Just found out.

HEATHER

Too bad you weren't there at the time, maybe you could have helped him.

Jerry says nothing.

HEATHER

Not much younger than Kyle and Lucy. Was he a classmate of theirs?

JERRY

News says he went to East Kendall, so probably not.

HEATHER

Still, someone so young losing their life. That's awful.

JERRY

I know.

Jerry gets up and leaves the living room.

CUT TO:

INT. KITCHEN - DAY

31

Jerry enters the kitchen and furiously opens up the laptop and begins typing.

INSERT - SEARCH ENGINE: "INVOLUNTARY MANSLAUGHTER"

Jerry's eyes widen.

JERRY
(whispering)
One to six years...

Jerry looks to the fridge. Next to the dry-erase board is a photograph of Michael.

JERRY
That's not happening.

Jerry closes the Web Browser and heads to the refrigerator. He rubs away at the "1" and writes in a "2", keeping the marker in his hand. Heather enters behind him. She clutches her left arm and leans against him as she sighs.

HEATHER
Thanks for being so great with
Michael through all this.

JERRY
Thanks, I'm trying. Michael and I
are going to go ice skating with
Zach this week too, like what Adam
used to do with them.

Heather, feels the marker in Jerry's hand and clips it back onto the top of the dry-erase board.

HEATHER
I'm really proud of you, you're
really coming through for all of
us.

JERRY
Thanks.

HEATHER
Are you going tonight?

JERRY
Yes.

(CONTINUED)

HEATHER
How's it been, recently?

JERRY
Fine. Some days are harder than others.

HEATHER
And today?

JERRY
One of the harder ones.

FADE OUT.

FADE IN:

INT. DINER - DAY

32

Will and Jess burst in, giddy. They pause at the entrance, calming themselves down. Still smiling, they claim an empty table by the window, sitting across from each other, a long line of sugar packets, creamers and syrups to their right.

A smiling waitress in her sixties approaches and hands them large, laminated menus. Her name, RUTH, is stamped on a large plastic name tag on her shirt.

RUTH
(in a thick Eastern-European accent)
Hi I'm Ruth, I'll be your server.
Anything to drink for you two?

WILL
(smiling kindly)
Orange juice please, Ruth.

Jess smiles at Will with raised eyebrows. Will smiles back.

JESS
(directed at Will, with conviction)
Coffee for me, thank you.

RUTH
Okay, I'll be back in a minute.

Ruth heads to the kitchen. Will sighs and stretches, resting his arms on top of the bench behind him. He nods to Jess.

(CONTINUED)

WILL
Go ahead.

JESS
(giggling)
You're an adult, order coffee! Try
it once!

WILL
(still smiling)
I have too much energy already, why
do I need caffeine?

JESS
I don't know. It's something that
adults do. You're a little kid, you
drink milk. You're in high school,
you drink soda, you're in college
you drink beer, you're an adult...
you drink coffee!

WILL
I know I'm an adult. I have a job
where I wear a tie, I'm about to
have a mortgage, I pay car
insurance...
(leaning in.)
This weekend I'm marrying the girl
of my dreams.

JESS
(assertively)
Woman. I drink coffee.

WILL
(jokingly)
Hear me roar.

They laugh. Will leans back. Jess eyes her menu and quickly
notices that Will isn't reading his.

JESS
Aren't you ordering?

WILL
I know what I want.

JESS
What's that?

WILL
Cheese omelet with a side of bacon.

(CONTINUED)

JESS
That's on the menu?

WILL
It's a diner, they'll have it.

JESS
(passive aggressively)
Okay, if that's what you want...

WILL
What? The bacon again? What was our agreement? As long as it's not at home...

JESS
(reluctantly)
Once a week, if we go out somewhere, you can have meat.

WILL
Right. Coffee drinking aside, I'm still a man. And men eat meat. This will be my one time.

JESS
Fine. But I'll never understand how you can eat something with a face. You grew up with dogs! Don't you feel for the animal?

WILL
"Nothing with a face", that's what you always say as if its a baby or a puppy staring up at you with big "Are you my Mommy" eyes. It's a pig. It grunts, it rolls around in the mud and it's delicious. Yes, growing up we had dogs but, like any red blooded American man, I give in when I see those sizzlin' strips.
(They stare at each other in a mock standoff)
Fact is, it's hard for a man, such as myself, to turn down a hot Babe.

JESS
(snickering)
You're unbelievable.

Will chuckles. Ruth returns with their drinks, placing them on the table. Jess puts down her menu.

(CONTINUED)

RUTH
(to Jess)
And what will we be having?

JESS
I'll have the multi-grain pancakes
with a side of toast and a fruit
salad.

RUTH
(to Will)
And you?

WILL
(grinning)
Cheese omelet with a side of bacon.

RUTH
Any cheese in particular?

WILL
Do you have mozzarella?

RUTH
Yes. Anything else in the omelet?

WILL
Such as?

RUTH
Mushrooms, onions, ham, tomatoes,
chives, peppers.

At "ham" Will turns and smiles at Jess. Will turns back to Ruth.

WILL
Could you throw some ham in there?

RUTH
We can do that.

WILL
(cheekily)
That would be perfect, thanks.

Ruth turns back toward the kitchen. Will smiles at Jess, who glares jovially at him. Suddenly, Will jumps up and chases down Ruth. Jess watches from the table as the Will talks to Ruth for a moment. Will returns.

(CONTINUED)

JESS
What was that? Did you cancel the
ham and bacon?

WILL
(laughing)
"Nothing with a face". Sorry to
disappoint. All I did was change to
cheddar. In the omelet.

They sit in silence for moment, reclining.

JESS
So, are we going to talk about
this?

WILL
What?

JESS
I don't know, the Bears. What do
you think? Greg.

Will shifts uncomfortably in his seat.

WILL
The thing about the Bears is that
if they can fix their problems on
offense--

JESS
(laughing)
Cut it! Greg! You got to let these
feelings out.

WILL
(looking down)
Ugh, I don't know, I mean, what is
there to say?

JESS
You've known the guy for a decade.
You took his spot on the high
school football team, smashed all
his records, you clashed for years.
Your injury, all that? I don't
think you've ever hated anyone
more.

WILL
I don't know what there is to say.
The guy has been a mess for the
last year or two. He's gone,

(MORE)

(CONTINUED)

WILL (cont'd)
there's not much to it. The guy who
he was, who I knew, who I... hated,
he was gone over a year ago!

JESS
That can't be it! Just let it out.

WILL
(agitated)
Fine!

Will pounds his fist down on the table

WILL
(released bottled up anger)
He's a god damned son of a bitch
and, if you ask me, Greg Church
finally being gone is the best
fucking thing that's happened all
week.

Will takes a deep breath. He notices that the people at the
next table, a man and his young daughter, are looking at
him.

WILL
(to the man)
Sorry.

JESS
Feel better to let it out?

WILL
(cooling off)
Yeah, a bit.

After a beat, Ruth returns with full tray. Seeing her, the
two break from their conversation and smile at her.

RUTH
(handing Will his food)
Omelet with cheddar and ham, side
of bacon.

WILL
(smiling)
Thank you.

RUTH
(handing Jess her food)
Pancakes, toast and fruit salad.

(CONTINUED)

JESS
Thank you very -

As Ruth places the pancakes in front of Jess, we see, decorated with a face, complete with a giant whipped cream smile and two whipped cream eyes with blueberry pupils.

JESS
- much.

Tucking her now empty tray under her arm, Ruth leaves. Will and Jess smile at each other. Will, playfully taunting, nudges the syrup toward Jess.

FADE OUT.

FADE IN:

INT. MEETING ROOM - EVENING

33

Chairs are set up in rows in an activity room in the basement of a community center. There is a table in the front of the room with a beat-up lectern resting on it. There is another table in the back of the room with coffee, hot water and doughnuts. There are approximately 20 people seated in the chairs, Jerry among them. A woman, COLLEEN, in her 50's, is speaking behind the lectern.

COLLEEN
- it was because each day was a blur. I wouldn't notice my children going and coming from school. My husband and I were ships passing. Now everything is vivid and vibrant. I laugh with my friends, I spend time with my children. My husband and I spend time together like we did fifteen, twenty years ago. My life is clearer, brighter and I am finally present. Alcohol was my drug. Now sobriety is. Everyday is an exhilarating trip, effervescent and vivacious.
(beginning tear up)
I realized how much it matters to have a support group. You, my friends, have kept me going. Thank you. Thank you for giving me my life back.

The audience claps. One member, TIM, stands up, clutching a pin in his hand.

(CONTINUED)

TIM

Thank you very much for sharing Colleen. And congratulations on reaching three years sober.

Tim hands Colleen the pin. The audience claps again. Colleen takes a seat.

TIM

Who would like to speak next?

Jerry raises his hand.

TIM

Another milestone! Absolutely.

Tim sits down. Jerry takes his place behind the lectern.

JERRY

Umm, Hello. I'm Jerry Walker... and I'm an alcoholic.

EVERYONE

Hi. Jerry.

JERRY

This week, actually in three days, I will be 9 years sober.

The audience applauds. Jerry takes a deep breath and a step back. He steps up and begins to speak.

JERRY

For those of you who don't know my story, I come from a family of alcoholics. My whole life, my father saw me through a glass. My younger brother had issues too. They say that bad habits in families last three generations, with the first starting it, the second suffering through it and the third fixing it. I don't know where I fall into the sequence, but when my wife told me - after we had raised two children late into their teens - that she was pregnant again, I decided to be the one to fix it. I wanted to be present when my new son grew up, to be the father that I wasn't the first time around. So, I came here and went through the steps. After a while, I

(MORE)

(CONTINUED)

JERRY (cont'd)
started getting better. Some days I would barely feel it and after a few years I thought that it was in my rear view mirror. But last week, some things went haywire and I realized I wasn't out of the woods.

Jerry takes a deep breath.

JERRY
Adam, my younger brother, died of a heart attack. I'm sure the booze played a role. You know how the human body is seventy percent water? Adam used to joke that we should call him Jack cause, the way he drank, he was seventy percent whiskey.

Jerry takes another deep breath.

JERRY
Anyway, the day after the funeral, there was a fight. I mistakenly took on a younger guy and I --
(catching himself)
I wasn't in control. After that I wanted to drink like I hadn't wanted to in years. I didn't.

Jerry pauses for a moment.

JERRY
I guess the point of the story's that, while I resisted, I saw firsthand how I'll never be fully cured. It doesn't work like that. Goin' on nine years, and any day can turn into a struggle. I'd like to thank you all for helping me be there for my wife, for helping me be a better father for my young son, and for being there for me as I work to make amends with his older brother, who I wasn't there for. Mostly, thank you for listening.

The audience claps. Tim, beaming, rises and hugs Jerry.

(CONTINUED)

TIM

The nine year pin is all yours.
Congratulations Jerry, we're very
proud.

Jerry smiles, looks down at his pin and takes a seat.

MONTAGE:

SONG: "Silvia", by Miike Snow

- 1) AA Meeting continues, Jerry is seated
- 2) Casey, Grant and Mark pull up to Will's apartment building. Will, waiting outside, gets in the car, smiling.
- 3) Jerry, head down, leaves the meeting early.
- 4) The four guys are at a steakhouse, laughing as they enjoy their steak and cigars.
- 5) Jerry, alone, walks to his car in the parking lot.
- 6) The guys are outside of a strip club. Will, smiling, tries to walk away. They guys grab him and bring him into the club.
- 7) In the club, the guys are seated in a private room with four bikini-clad strippers. Will is central. One of the strippers tears open Will's shirt and strikes him on the chest with a toy whip. The guys laugh.
- 8) Jerry drives home through the night, visibly upset.
- 9) Will, Casey and Mark playfully drag Grant out of the club.
- 10) Jerry stops on the side of the bridge where Greg attacked him. He looks over at the the police tape affixed to the barrier.
- 11) Will gets dropped off back at his apartment building and says goodnight to his friends.
- 12) Jerry pulls into his driveway.
- 13) Will enters his apartment, closing the door behind him.
- 14) Jerry enters his house, closing the door behind him.

END MONTAGE

FADE OUT.

FADE IN:

EXT. CHURCH - DAY

34

On a blustery November day, the newly married Will and Jess leave a church. Friends and family cheer and throw rice. Robert can be seen clapping and cheering emphatically at the entrance of the church as the newlyweds get into a car.

CUT TO:

EXT. TROPICAL BEACH - DAY

35

Far from cold, rural Illinois, Will and Jess are playful and carefree on their honeymoon.

MONTAGE:

SONG: "Girl", by Duffy

- 1) Will and Jess are splashing in the clear blue ocean.
- 2) Jess is chasing Will on the beach.
- 3) Will and Jess run into the water with boogie boards.
- 4) Will and Jess are in the water, on their boogie boards, when Will tips over.
- 5) Will is in the water, resting his arms on the boogie board. Jess, on her stomach on the boogie board. She paddles over to him and gives him a kiss. They smile and look into each other's eyes.
- 6) Will and Jess lie on the beach as the sun begins to set.
- 7) Will and Jess rinse off under a shower on the beach.

END MONTAGE.

DISSOLVE TO:

INT: HONEYMOON BEACH-SIDE CABANA - EVENING

36

Sheer white curtains billow, revealing glimpses of the pink sky outside.

Will and Jess tumble into the room, kissing passionately. They are wearing loose clothing. They drop their towels and beach gear at the door, kicking off their sandals as they head towards the bed.

(CONTINUED)

The two are in a clinch next to the bed. Jess is facing the bed, Will's back is to it. Jess pulls Will's shirt over his head. She notices the bruise from the stripper's whip. She kisses the bruise.

JESS

I didn't notice that before. How did that happen?

Will smiles sheepishly. Jess smiles too.

JESS

Two nights ago?

WILL

Can't this wait until we get home?

Jess laughs. She pushes Will back. He falls back onto the bed. Jess climbs on top of him. They continue to kiss.

FADE OUT.

FADE IN:

EXT. JERRY'S DRIVEWAY - DAY

37

Jerry's car is parked outside. Jerry and Michael leave the house. Jerry is wearing his sneakers and his New Balance shoes and a windbreaker. Michael is wearing baseball gear and carrying a bat. They get into the car and drive down the street. Still November, most of the leaves have fallen from the trees.

PAN DOWN TO - PAVEMENT

The car returns. The camera pans up to capture it, revealing February snow. The car pulls into the driveway. Jerry and Michael get out of the car. Jerry is wearing a heavy leather jacket, gloves and a winter hat. Michael is wearing football pads. Michael excitedly hurries into the house, leaving his cleats outside the front door. Jerry walks down to the mailbox by the street and brings the mail inside.

CUT TO:

INT. LIVING ROOM - DAY

38

Heather is with the excited Michael in the living room. Jerry places the mail on a table by the front door and walks back to the kitchen.

(CONTINUED)

JERRY

Hi Honey.

Jerry gives his wife a kiss on the cheek.

HEATHER

Hi Hon.

(to Michael)

Remember to put your dirty clothes
in the wash.

CUT TO:

INT. JERRY'S KITCHEN - DAY

39

Jerry enters and gets himself a glass of lemonade from the refrigerator. Heather enters after him, holding the mail.

HEATHER

Mail?

JERRY

Bills.

After a moment, Heather enters, holding a letter.

HEATHER

Not this one.

Heather hands Jerry a letter.

INSERT - LETTER RETURN ADDRESS: KENDALL COUNTY OFFICE OF
JUDICIAL AFFAIRS

HEATHER

Any idea why the courthouse would
send you something?

Jerry nervously opens and scans the letter.

JERRY

You've got to be kidding me.

FADE OUT.

FADE IN:

EXT. COUNTY COURTHOUSE - DAY 40

Jerry, briefcase in hand, walks up the courthouse steps.

CUT TO:

INT. COURTHOUSE LOBBY - DAY 41

Jerry enters the lobby. He hands his letter to a receptionist, who directs him down the hall.

CUT TO:

INT. JURY HOLDING ROOM - DAY 42

Jerry is seated in a crowded room. In the front of the room, a television is on, playing an old tape. The woman on the tape walks through a courtroom as she addresses the camera.

Jerry, bored, is reading work files from his briefcase.

VIDEO TAPE WOMAN

As part of a jury, you are serving an integral role in the American judicial system. The right to a trial by jury is one that dates back to the 1700s, in Article Three of the Constitution and the Sixth Amendment of the Bill of Rights. Article Three, Section Two states, "The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury". The Sixth Amendment solidifies that right by saying "the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and District".

An administrator comes up and leans over to talk to Jerry. Jerry rises and follows the administrator out of the room.

CUT TO:

INT. JURY SELECTION ROOM - DAY 43

JUDGE HARRIS is dressed in his robes and is sitting on his bench. Robert Barnes, Nick Ross the prosecuting attorney, PETER, and Peter's assistant, LARRY, are facing the panel of prospective jurors. All four attorneys are filing through

(CONTINUED)

papers at two separate tables, one table for the prosecution, the other for the defense.

There is one man sitting in the spectator seating of the courtroom, scribbling on a pad of paper.

Jerry, along with an assortment of over twenty other people, are sitting on the jury bench.

JUDGE HARRIS

Thank you all for filling out these questionnaires. As you have seen, people have already been asked to leave, just as I'm sure some of you will be asked to later. If you are, just remember it is not personal. We are just trying to build the best and most impartial jury for this specific case. Now, we are going to explain the case to you in more detail, and hopefully the questioned you just answered will make more sense. Mr. Barnes? Would you care to begin?

ROBERT

Yes, your Honor.

As the camera focuses on Robert. We see his client over his right shoulder, on the witness stand. Out of focus, all that can be made out is that the defendant is white, wearing an orange jumpsuit, and has a buzz-cut.

ROBERT

On the night of November 6th, a twenty-seven year old man, Greg Church, was found below the Hill Street overpass.

Jerry notices that the man discussed here is the man that he fought on the bridge. Wide-eyed and terrified, Jerry trembles in his chair. Robert continues to speak.

ROBERT

A knife bearing Mr. Church's fingerprints was found on the overpass above. Mr. Church was pronounced dead once police reached the scene around 7:15 pm. A later autopsy report declared him dead as a result of injuries sustained from the fall. A toxicology report shows that, at the time of his death, he

(MORE)

(CONTINUED)

ROBERT (cont'd)
had also been under the influence of narcotics. In addition, Mr. Church had many bruises on his chest, stomach and thighs. The bruises, compounded with the knife found on the overpass and the height of the overpass's guard rail, led police detectives to conclude that the fall resulted from a fight on the overpass and that Mr. Church was possibly pushed by his attacker.

Jerry shudders.

ROBERT
The defendant is charged with involuntary manslaughter, a Class Three Felony here in Illinois, which can carry a punishment of one to six years in prison.

As Robert's voice drowns out, Jerry appears increasingly nervous and overwhelmed.

FLASHBACK TO:

EXT. BRIDGE - EVENING

44

It is the night of the fight. Jerry shoves Greg and, after composing himself, notices that Greg is gone. Jerry looks over the side of the overpass.

BACK TO PRESENT

Suddenly, Robert speaks again, startling Jerry.

ROBERT
Excuse me, number fourteen, Mr. Walker, Jeremiah. Did you hear me?

JERRY
Jerry. And no, I'm sorry.

ROBERT
Jerry, we were just asking a question. Are you married?

Jerry looks around, and sees that over ten of the jurors are raising their hands. Jerry raises his as well.

(CONTINUED)

ROBERT

Thank you all. Now men, please keep your hands up. Women may put theirs down. Of the men with hands raised, are you also fathers?

The women's hands down, Jerry and six other men still have their hands raised.

ROBERT

And how many of you have sons?

Only one man puts his hand down.

ROBERT

From right to left, do you mind telling us their ages?

MALE JUROR 1

Eight.

MALE JUROR 2

One is sixteen, the other fourteen.

MALE JUROR 3

Twenty-four.

MALE JUROR 4

Eleven and eight.

MALE JUROR 5

Thirty-two.

MALE JUROR 6

Forty and thirty-seven.

JERRY

Twenty-eight and almost nine.

ROBERT

Thanks.

Robert takes a step back and nods to Peter. Peter steps up to the jury.

PETER

Now that you've heard a little more about this case, I was wondering if it jogged any of your memories. Have any of you heard of Mr. Church in the past? There's no denying that this altercation, while his last, was hardly his first, and I

(MORE)

(CONTINUED)

PETER (cont'd)
know that in some parts of the county he was not held in the highest esteem. Anyway, has anyone come into this courtroom with preconceptions about the late Greg Church that would keep them from being impartial?

JUROR 26 raises her hand.

PETER
Juror number... twenty-six. Why do you feel that you cannot be impartial?

Juror 26, a woman, speaks up.

JUROR 26
Well, my son was on the football team with Greg. He'd come home telling me about fights and whatnot, all apparently started by Greg. He had a bad reputation as a hot-head, as someone not very thoughtful...

PETER
Your Honor, I'd like to dismiss this juror, I believe I have cause.

JUDGE HARRIS
Granted.

Juror 26 exits.

PETER
(to Robert)
If you don't mind, I'd like to ask another question, if you'd allow, Counselor Barnes.

ROBERT
Go right ahead, Counselor.

PETER
Have any of you suffered from an addiction? Now I don't mean to Bears football -

A few jurors laugh.

PETER

But to a specific substance or behavior.

Jerry, along with three other jurors', one woman and two men, raises his hand. Peter points to the woman, JUROR 19.

PETER

Ma'am, do mind telling us what your addiction was to?

JUROR 19

Cigarettes. I actually just quit, cold turkey, about a month and a half ago.

ROBERT

(to Peter)

Excuse me.

(to Juror 19)

Would you mind telling me how it's going?

JUROR 19

It's been rough at times. Like, right now.

Juror 19 laughs nervously.

ROBERT

I see. Please don't take offense, but I am going to have to reject you from this jury.

Juror 19 nods and excuses herself.

Robert turns to JUROR 21.

JUROR 21

Cigarettes too, quit twelve years ago.

JUROR 3

Had a gambling addiction, sought help when I was twenty-three. Haven't so much as played Gin Rummy since, and that was five years ago.

JERRY

Alcohol. Over nine years sober.

Robert nods.

(CONTINUED)

ROBERT
Thank you all.

The man scribbling in the spectator section rushes up to Robert and whispers in his ear. Robert nods.

ROBERT
May I ask how many of you believe
that marijuana should be legalized?

Five hands are raised. Jerry does not raise his hand.

ROBERT
Okay, I'd like to excuse these five
from serving on the jury.

PETER
I'd hardly say you have cause.

ROBERT
I'm aware.

Nick turns Robert away from the prospective jurors.

NICK
(whispering)
You'd need cause for the rest of
your excuses.

ROBERT
I know.

NICK
Okay, it's your call.

The two turn back around to face the panel.

ROBERT
I have another question. Is anyone
here familiar with the Hill Street
bridge?

Only Jerry raises his quivering hand. Robert nods at him.

JERRY
I work at the Goods U.S.A. plant,
right down the street. I park on
the other side of the bridge. I
cross it twice a day, five days a
week.

ROBERT

Interesting. Do you find the bridge to be dangerous?

JERRY

(stammering nervously)

No. Before hearing this story of the young man falling I never thought about it. I mean, all three of my kids, at some point when they were little, crossed the bridge without holding my hand. I guess maybe with some extra force someone could fall, but isn't that true with most bridges?

Peter, Robert and Judge Harris all look at each other.

CUT TO:

INT. JUDGES CHAMBERS - DAY

45

Walls are lined with bookshelves and photos of landscapes. Jerry is seated in front of Judge Harris' desk. Judge Harris is behind his desk. There is a lawyer to Jerry's left and right. Jerry appears nervous.

JUDGE HARRIS

You work right next to where the incident occurred. You have a son approximately the age of Greg Church and the defendant. You've battled with addiction. All these things considered, are you sure that you can judge impartially?

Jerry is silent.

JUDGE HARRIS

Mr. Walker. Are you still positive that you will be able to judge impartially?

Jerry sees his "out" placed before him. As he lowers his head and takes a moment, considering his possibilities, Robert and Peter exchange contentious glances. Jerry picks his head back up.

JERRY

I see no reason why I cannot be impartial.

Judge Harris leans back and sighs.

(CONTINUED)

JUDGE HARRIS
(to the attorneys)
In my opinion, he comes out even.
I'll allow it, but it's up to you
two.

FADE OUT.

FADE IN:

INT. LIVING ROOM - DAY

46

Jerry enters and puts down his belongings. Heather is on the couch, talking on the phone.

HEATHER
That's nice, Kyle. Next time we're
all in the city you'll have to --

Heather notices Jerry entering.

HEATHER
Oh, Kyle, your father just --

Heather stops talking and listens to the phone.

HEATHER
Of course. Next time.

Heather hangs up the phone.

JERRY
Kyle?

HEATHER
(gently)
He said he needed to get back to
work. Maybe next time he'll have
more time to talk.

JERRY
I'm sure that's what it was. What
can I do to change this? What can I
do for him to come around?

HEATHER
It will happen.

JERRY
I feel like I can't get past this.
How I let him down, how I let all
of you down for all those years. I
(MORE)

(CONTINUED)

JERRY (cont'd)
can't move past it, it'll never
stop being what defines me.

HEATHER
Honey, it won't. Look at you with
Michael. People change their
actions, and people change how they
see others.

JERRY
I don't know about that.

Jerry sits down next to Heather. He is upset. Leaning forward, Jerry puts his head in his hands. Heather puts down the phone and rubs Jerry's back.

HEATHER
How'd it go at the courthouse?

JERRY
They chose me.

HEATHER
They what?

JERRY
I'm on the jury. Trial starts
Monday. I'll need to tell them at
work.

HEATHER
They didn't weed you out?

JERRY
Yeah, I thought they would have.

HEATHER
(reassuring)
It's part of your civic duty.
You're doing the right thing.

JERRY
Am I?

HEATHER
What are you talking about? There
are a lot of places in the world
where people don't have the right
to be judged by a jury of their
peers. Like your father, you'd
doing your duty as an American.

(CONTINUED)

JERRY

My father parachuted into Belgium
in '42. It's not the same.

HEATHER

Maybe not, but it's similar.

JERRY

Maybe if he was the one who started
the war.

Heather misses this comment. She is looking out the window.

HEATHER

Michael is going to get home from
school soon.

Heather looks at her watch.

HEATHER

Any minute, actually. How about you
meet him outside when the bus drops
him off? He'd love that.

Jerry gets up and heads for the front door.

HEATHER

Honey, being on this jury, you're
doing a good thing. You're doing
the right thing.

Jerry turns away and frowns, as if to say "if only she
knew". Jerry exits the door, closing it behind him.

FADE OUT.

FADE IN:

INT. PHONE STATION - DAY

47

Robert is waiting at a phone stile, with an open notepad and
pen out. Will, with buzz-cut hair, is led in by a guard and
sits down across from Robert. In an orange jumpsuit, it is
now clear that it was he on the witness stand. The two are
separated by reinforced glass. Will assumes a phony,
melodramatic expression and presses his left hand against
the glass. Robert smiles.

ROBERT

(into his receiver and
gesturing toward Will's phone)
Pick up the phone, Tarzan.

(CONTINUED)

Will picks up the phone.

WILL

Hey Rob.

ROBERT

Will.

WILL

So what do you guys think about the jury?

ROBERT

We're okay with it. You didn't do it, so the prosecution's evidence is very weak. Still Nick had some concerns since, while the law has you presumed innocent until proven guilty, jurors tend to be biased towards the state. But Linus, the guy with the notepad, feeding me some extra questions, seems confident that we've got good jury.

WILL

Okay good. I was surprised to see him there, doesn't it seem excessive to have a jury consultant?

ROBERT

We're not leaving anything up to chance.

WILL

And you're sure this is okay? My brother representing me?

ROBERT

It's perfectly legal. Plus, I'm your big brother, it's my job to protect you. And I can win this, I know it. You know it.

WILL

I do.

There's a four-second silence.

ROBERT

How are you?

(CONTINUED)

WILL

Jess visited yesterday. She's still trying to get settled in the new house. I'm hoping I can get out of here soon so we can get the unpacking done, otherwise I'm afraid it will never happen.

ROBERT

Right. Thanks for letting me stay at the house during this.

WILL

Not a problem, we have the room. Just try to help Jess out with all this. I don't think she's been having the easiest time.

ROBERT

I noticed. She's been having a rough go, especially the past couple days.

WILL

You're not going to... you know.

ROBERT

Put her on the stand? I could. She'd be useful in contextualizing some recent events, talking about you since college...

Will gives Robert a look.

ROBERT

I don't have to. We don't need it.

WILL

Thanks.

ROBERT

No problem. How are things in here?

Will looks around him, then leans in to Robert.

WILL

In prison?

ROBERT

Yeah. What's new?

(CONTINUED)

WILL

What's new? It's prison, what do you expect? Nothing happens here. I've been here for four days since being out on bail.

Will shrugs.

WILL

I'm re-reading Gatsby.

ROBERT

And so we beat on, boats against the current...

WILL

Born back ceaselessly into the past...

ROBERT

Right.

The two stare at each other with anything to talk about.

WILL

(forcing conversation)

I don't know what it is about prison, but I have so much earwax. I don't know if it's that I don't have access to Q-tips or what, but it's not even been a week and I feel like I've produced half a candle's-worth of wax. It's unreal.

There's another awkward pause.

ROBERT

I think we've run out of things to talk about.

WILL

Yeah that's all I've got.

ROBERT

Okay, well we've got a trial coming up so just make sure to take that wax out of your ears before you get on the stand. I don't want you answering under oath to something you can't quite hear.

The two smile, each to comfort the other, and hang up their phones. Will is led out of the room by a guard. Robert watches Will leave.

(CONTINUED)

FADE OUT.

FADE IN:

INT. COURTROOM - DAY

48

Robert, Nick and Will, all dressed in suits, are sitting at a table on the right of the courtroom.

Casey, Grant and Mark sit nervously in the gallery.

Peter and Larry sit at the prosecution's table, to the left.

Further to the left, against the wall, sits the jury. Jerry is not in the center of the group, yet his build makes him the focal point.

Judge Harris is seated on his bench, the BAILIFF on the side.

JUDGE HARRIS

The prosecution may make its opening statement.

Peter rises and approaches the jury.

PETER

Ladies and gentlemen of the jury, you have been briefed on the case as well as your responsibilities as jurors. Here we have a young man dead, the victim, as determined by the police, of a fall, allegedly from an altercation above the bridge, which constitutes involuntary manslaughter. The police investigation has placed the defendant, William Barnes, as the person closest to the incident when it occurred. A baseball cap belonging to him was even found beside the body. The name Will Barnes, who has pled not guilty, should sound familiar, as should Greg Church, the deceased man. Both were local football stars who clashed often in high school. Their distaste for each other continued after high school as well. During this trial we, the prosecution, intend to prove that not only did Will have the motive and means to

(MORE)

(CONTINUED)

PETER (cont'd)

commit this crime, but that he, in fact, did kill Greg beyond a reasonable doubt. Thank you.

Peter takes a seat. Jerry, fully aware that Will is in no way responsible for Greg's death, keeps his head down. Robert gets up and crosses the room to the jury.

ROBERT

"Beyond a Reasonable Doubt". That is what you all have been told is the standard upon which to judge. The prosecution just reminded you of that as well. Ironically, it was as a conclusion to an argument that is more full of doubt than anything else. Do not be swayed by the prosecution's protestations that they have a strong case. Their case is based on two things: Assumption and Circumstantial Evidence. There is no denying that Will and Greg's history was volatile. However, it is a fallacy to assume that just because the two bickered when they were younger, that Will is inherently responsible for Greg's death, and that only he had the requisite motivation. Furthermore, the evidence is entirely circumstantial. No one saw this alleged event occur. The case against my client is a fabrication of coincidences that do not convict him in the least. Someone else could have fought with Greg on the bridge.

Jerry lifts his head and shifts uncomfortably in his seat. Robert, not noticing, continues to speak.

ROBERT

Ten people could have, fifty people could have. Greg could have fought someone and then gone to the bridge and climbed off the side. That is how open and inconclusive the argument against my client is. I do not know how this case got to trial, just as we may never know what actually happened on the bridge that night. The only thing

(MORE)

(CONTINUED)

ROBERT (cont'd)
that we know, at the moment, beyond
a reasonable doubt, is that all
that can be found in the
prosecution's argument is just
that. Doubt.

Robert takes a seat. Peter stands.

PETER
The prosecution calls Ray Church.

RAY CHURCH, Greg's brother, approaches the stand, takes an
oath and sits down. Ray is tall, with a buzz cut. He leans
back in his chair.

PETER
Mr. Church, please tell the jury
your relation to Greg.

RAY
He was my brother.

PETER
Thank you. Now, in your opinion,
how would you describe Greg's
relationship with Will?

RAY
Contentious.

PETER
Why would you say that?

RAY
You know, they played the same
position on the same high school
team. Only one of them could start.
Will got the spot his freshman
season, after Greg had been great
at the position for two years.

PETER
Did the two fight?

RAY
In high school? Sure. Greg usually
picked it, but Will was a hot head
too. I was a year younger than
Will, so I was on the team for one
season with both of them. It was
usually small stuff like locker
room scuffles or during a tackling

(MORE)

(CONTINUED)

RAY (cont'd)
drill they'd hit the other guy a
little too hard.

PETER
(facing the jury)
Did the fighting, this "pattern of
violence", stop after high school?
Was just that history enough motive
to fight someone to the point that
they die? Was that enough motive?

RAY
No, not the high school fighting
alone. But there was another fight.

PETER
Was this the fight that occurred
when Will was playing for the
Illini?

RAY
Yeah, it was.

FLASHBACK

INT. COLLEGE BAR - NIGHT

49

Will, Casey and Mark enter a college bar, handing their I.D.s to the bouncer in the front. Will is more built, as he is still in football shape. Casey and Mark get through and pay cover. The bouncer takes an extra moment to look at Will's I.D., then smiles. He waives back to the guy collecting covers behind him to let Will go through.

Will, Casey and Mark head to the bar. Casey calls the bartender.

CASEY
Excuse me, could we get a round
please, for us and our newly
twenty-one friend!

As the night goes on, we see the guys drinking and laughing, making friends with others at the bar. More rounds of drinks are being ordered. As the night drags on, the bar gets increasingly crowded.

A commotion is heard at the opposite end of the bar. The three guys get up and approach the incident.

(CONTINUED)

They see Greg and Ray arguing with a friend of theirs from earlier. Greg is clearly antagonizing the friend, with Ray his sidekick. The friend, signaling that he doesn't want any trouble, gets his chair kicked out from under him by Greg.

Ray takes a beer bottle, breaks it on the wall and is about to strike the friend when Will's arm shoots out and, grabbing Ray's bottle-wielding arm, stops him.

Will turns around to help his new friend up when Greg, from behind, hits Will in the side of his left knee with a folding chair. Will grimaces and falls to the ground.

Casey and Mark jump in and begin pounding on Ray and Greg until the bouncers make their way to the altercation and restrain all parties.

BACK TO PRESENT.

Ray is still seated.

RAY

(to Peter)

So that was it. Will never played for the Illini again. The two years before his injury he was All-Big Ten, on pace to break school rushing records, just like how he crushed Greg's at East Kendall. Then it was over. Instead, Will graduated and began working in town. An architecture firm, I think?

Peter nods.

RAY

No more football, no more big man on campus, no chance at the NFL.

PETER

Do you think that would give Will motive to ultimately enact revenge on Greg?

RAY

(looking at Will)

I would say so.

PETER

No further questions.

Peter takes a seat. Robert gets up to interrogate Ray.

(CONTINUED)

ROBERT
Hello Mr. Church. I'm very sorry
for your loss.

RAY
Hey Rob, thanks.

Robert smiles.

ROBERT
Well, if you're calling me Rob, do
you mind if I call you Ray?

RAY
No, that's fine.

ROBERT
Ray, with me being older than Greg,
I graduated high school before you
even started, so you and I never
really spoke much. Still, I feel
like we know each other, to a
degree, through what happened
between our brothers. Would you
agree?

RAY
Yeah, I guess.

ROBERT
Senior year, when I was
quarterback, your brother was a
freshman running back. We were both
starters, so I got to see him a
lot, but he became a bigger part of
my life when I went away to college
and Will entered high school. You
see, every time I came home for
break, Will was always talking
about Greg. He'd say "Greg was
complaining to the coach about this
-" or "Greg was yelling at me
during practice -". I don't think
there's one thing that Greg did
that I wasn't told about. Would you
say that it was the same on your
end? Greg complaining about Will?

RAY
Yeah.

ROBERT

Even after high school, and after the incident at the bar, I'd here from Will still every time he saw Greg.

RAY

Yeah, Greg was the same with Will.

ROBERT

After the incident at the bar, did Greg ever see Will again?

RAY

Sure he did.

ROBERT

Did he ever talk to Will? Approach him?

RAY

Sometimes he'd say "Hey" or something, that's it.

ROBERT

Did Will ever respond?

RAY

No.

ROBERT

He didn't?

Robert turns to the jury, then back the Ray.

ROBERT

Did Will ever come within, let's say, twenty feet of your brother?

RAY

No. He kept his distance since that time at the bar. I doubt Will spoke to Greg once since that incident.

ROBERT

Not even a word?

RAY

Nope.

ROBERT

Thank you Ray. No further questions.

(CONTINUED)

Ray leaves the stand and takes a seat.

ROBERT

(to the jury)

Not one word. The "pattern of violence", suggested by the prosecution, is not only irrelevant to the facts of this trial, it is also incorrect, as nothing violent occurred between the two for years. Not even a word was spoken between them, but now they are allegedly engaged in a deadly altercation? That doesn't make sense to me.

CUT TO:

INT. COURTROOM - DAY

50

INTERCUT BETWEEN CASEY, GRANT AND MARK'S TESTIMONIES

ROBERT

How did you meet the defendant?

CASEY

We were teammates. I was a cornerback for the Illini. We met the first day of practice, freshman year.

ROBERT

And you've been friends ever since?

GRANT

(Napoleonic, something to prove)

Right. I didn't get to Illinois until after Will had stopped playing, but since I knew Casey from growing up, those two brought me in. We've been close ever since.

ROBERT

So you were on the outside at first?

MARK

(waxing nostalgic)

I guess. I mean, I didn't play football, if that's what you're asking. Will and I met in Econ 378. Game Theory. We had both taken it

(MORE)

(CONTINUED)

MARK (cont'd)
to get out of a language requirement and bonded over our misery when we discovered that constructing a non-cooperative game was a hell of a lot more difficult than learning how to order a small coffee in French. So, yeah, I didn't play football. But we became friends, he introduced me to his teammates and it didn't take me long to feel at home with him and Casey.

ROBERT
Would you say that Will had a way with people?

CASEY
Yeah, everyone loved him. Which made that thing with Greg so messed up.

ROBERT
That there was this animosity between them?

GRANT
The way Will told it to me - I wasn't there when everything that went down... went down - he said that he was young, got off on the wrong foot with Greg and that was that.

ROBERT
Did he think that when he went away to college it would just disappear?

MARK
Yeah, Will was over it by then. Even in college he didn't talk about Greg. It wasn't until that night in the bar that we actually found out about it. Will told us after that they had a history. At the bar we just thought it was a random guy.

ROBERT
That Will was fighting?

(CONTINUED)

CASEY

(upset)

He wasn't fighting that dick - Greg. He's was just defending someone. That Greg would do something like that to Will was unbelievable. Me and Will, when we were playing - you knew we were football players. You wouldn't pick a fight with us unless you had something to prove. I guess Greg did.

ROBERT

But Will didn't have anything to prove to Greg?

GRANT

No, he really didn't. Only brought the incident up to me 'cause I asked, and from then on if he saw Greg he wouldn't speak to him. Don't think he even acknowledged him. We ran into Greg the day before he died and Will was quiet, like always.

ROBERT

You four saw Greg the day before he died?

MARK

Yeah, at the park. Just in passing. Greg said "Hi" to Will. As always, Will said nothing. Almost like a self-imposed restraining order. He'd grown up and knew better than to engage with Greg.

ROBERT

Will wanted nothing to do with Greg?

CASEY

Said nothing, did nothing - though I coulda kicked Greg's ass for him, and offered to.

GRANT

Never said a word. Didn't want nothing to do with him. If he'd seen Greg on the bridge, you bet Will would have kept running.

(CONTINUED)

Jerry, who saw Greg and himself did not keep going on, hangs his head, thinking "if only I hadn't stopped".

MARK

No contact. Not physical, verbal, nothing.

ROBERT

Thanks. No further questions.

CUT TO:

INT. COURTROOM - DAY

51

ROBIN MONTCLAIR, the man who was sitting with his daughter at the diner, is sitting on the witness stand.

PETER

Mr. Montclair, what did you hear the defendant say at Robin's Diner the day following the news that Mr. Church was killed?

MR. MONTCLAIR

He said that he was glad that Greg was dead. He said that it was the best news he'd gotten all week.

PETER

Gosh, that is unbelievable.

MR. MONTCLAIR

He swore a bit too. You could tell he really meant it.

PETER

Thank you, no further questions.

Peter takes a seat. Robert stands to interrogate Robin Montclair.

ROBERT

Mr. Montclair, you were sitting right across the aisle from Will at the diner?

MR. MONTCLAIR

Yes.

ROBERT

Was his outburst the first time that you noticed him?

(CONTINUED)

MR. MONTCLAIR
(smiling)
No, he was in there with a girl.

Robin Montclair points behind the defense table to Jess.

MR. MONTCLAIR
Her.

ROBERT
That's Jessica Barnes, Will's wife.
At the time of the conversation
they would have been engaged.

MR. MONTCLAIR
That seems about right. They looked
sweet.

ROBERT
So what prompted you to call the
police?

MR. MONTCLAIR
Just a precaution I guess. My
daughter and I - she was at the
diner too - we were watching the
news earlier and it was clear that
Will was talking about the young
man who fell off the bridge. My
daughter reminded me that the
authorities had urged anyone who
knew anything to speak up. I grew
up during the Cold War. In our
classrooms we had those posters
that said "If you see something,
say something", so I did.

Jerry, the man who didn't say something, looks at Mr.
Montclaire. Mr. Montclair pauses, bows his head then looks
back up and continues speaking directly at Will.

MR. MONTCLAIR
It now occurs to me that we also
had one of those "Loose lips sink
ships" posters. Being at this
trial, I can only imagine how awful
Greg must have been to you and I
wouldn't blame you for blowing off
steam. I'm really sorry. I didn't
mean to put you in such a bind. I
hope you'll forgive me.

Will gives Mr. Montclair a reluctant, but forgiving, nod.

(CONTINUED)

Judge Harris, irked that Peter's witness is directly addressing the defendant, and that Robert is allowing him to, glares at the two attorneys.

ROBERT
No further questions.

CUT TO:

INT. COURTROOM - DAY

52

LEE MADDOX, the driver of the car from the night Greg dies, is on the witness stand. In his mid-forties, Lee is dressed in a suit, tapping his feet nervously in his seat. Peter is standing, about to interrogate. Robert, Nick and Will are seated.

PETER
No need to be nervous, Mr. Maddox.
I'm just going to ask you a couple questions.

LEE
I'm not nervous, don't worry. It's just - I quit smoking a week ago.

PETER
Oh. Congratulations.

Lee smiles and continues tapping his feet.

PETER
Mr. Maddox, where were you on the night of the 6th?

LEE
I was spending the night at home. I left a little before seven to get some, uhh, milk and cigarettes.

PETER
Was it on your way home that you discovered the body?

LEE
Yeah. On my way home I saw something. First Will - saw him with his dog - then I saw the body on the street below, next to the bridge.

(CONTINUED)

PETER
How did you see the body?

LEE
To be honest -

PETER
(smiling)
Please do. You are under oath.

LEE
I mean, I'll "concede" that I was a little tired. It was a long day and I wasn't really paying attention to my surroundings. But I saw Will wave at me with those neon pink running gloves -

PETER
(to the jury)
- gloves that would explain why Greg's body did not have Will's, or any one else's, fingerprints on it.

ROBERT
Objection, your Honor!

Jerry, startled by the admission of the lack of fingerprints and Robert's quick and loud response, jerks and nearly falls out of his chair. In the courtroom, all conversation stops and all eyes shoot to Jerry. Jerry rights himself and gives Judge Harris an uneasy smile. The trial continues.

JUDGE HARRIS
Sustained.

PETER
Proceed, Mr. Maddox.

LEE
And, anyways, I realized that I was drifting off. Those gloves jolted me back. So, I paid close attention to my surroundings. I saw something, some lump, down by the road under the bridge. I didn't know what it was, I just know that I drive this road every couple days and I'd never seen that before. So I pulled over and went down to check it out. I hunt a lot, I thought maybe it was a deer. It wasn't.

(CONTINUED)

PETER

Well, thank you for doing that, and for calling it in. Now, you said that you had seen the defendant running. Did he appear to be in distress when he was fleeing the bridge?

ROBERT

I object to the wording of the question, your Honor, it is leading.

JUDGE HARRIS

Sustained.

(to Peter)

Counselor, please rephrase your question.

PETER

Mr. Maddox, did the defendant appear to be in distress when he was running past you, just before you got on the overpass?

LEE

Distress?

PETER

Anguish? Exhaustion?

LEE

I guess exhaustion, but he was running... fast. I can imagine --

PETER

Running fast. Looking distressed as he got off of the bridge. Thank you Mr. Maddox.

Peter takes a seat. Robert stands to interrogate the witness.

ROBERT

Mr. Maddox, in your own words, how would you describe how my client looked when he ran past you?

LEE

He was running fast. Like, really fast. Like, if I was sprinting, five years younger and didn't smoke, that's how fast I'd be

(MORE)

(CONTINUED)

LEE (cont'd)
going. I think he had his
headphones in. It seemed as if he
was kind of in his own little
world.

ROBERT
Did he seem, to you, like someone
who had either just been attacked,
or someone who had seen a dead
body?

LEE
No. He seemed like a runner who was
pushing himself to keep on going.

ROBERT
When you discovered the body and
you called the police, did you
think of Will as possibly the
perpetrator this murder?

LEE
No. I only brought him up because I
was asked what I saw leading up to
discovering the body.

ROBERT
Why did you not think that Will was
the perpetrator?

LEE
I didn't think that Will was the
perpetrator, I was just asked by
the police who I'd seen, and I'd
seen him. But I know Will. I've
known him for a couple years, ever
since he moved back to town after
college. I didn't think he'd ever
do something like this. He's a real
nice guy.

ROBERT
(smiling)
I know, he really is.

PETER
Objection your Honor.

JUDGE HARRIS
Sustained. Counselor, please stay
on topic.

ROBERT

Right. Is there another reason you did not think Will had anything to do with the alleged murder?

LEE

Well I just said that I drive this way a lot. Well, sometimes I see Will on his runs, maybe once a week. Anyway, he didn't look any different than usual that night. He runs a lot, he always looks like he's pushing himself to go the extra mile, always with the headphones, always with the dog.

ROBERT

Right. Our family always says that Max, Will's lab, may be the fittest dog in the county.

Robert, Nick and Will, along with a few other people in the courtroom, laugh.

ROBERT

So he didn't seem any different than usual?

LEE

Not at all.

ROBERT

Thank you. No further questions.

The trial continues. Jerry, saddened, eyes Will with the defense. Jerry is leaning forward, with his hands holding tight to his knees, his right heel tapping on the ground.

FADE OUT.

FADE IN:

INT. MEETING ROOM - EVENING

53

Jerry is at his AA meeting. He appears demoralized and lethargic. As someone finishes speaking and is applauded, Jerry sits with his head in his hands.

TIM

Thank you very much for sharing.

(noticing Jerry)

Jerry Walker, would you like to say something?

(CONTINUED)

Jerry looks up, and shakes his head.

TIM

Oh come on, you always have something good to say.

Tim and the other attendants encourage Jerry to speak. Reluctantly, Jerry heads to the front of the room.

JERRY

(head down)

I'm Jerry, I'm an alcoholic.

EVERYONE

Hi Jerry.

JERRY

(avoiding eye contact)

Um, well... I've been good recently, at least with the drinking. I haven't, and I don't plan to. On that end I've been good but on the other end - almost everything else in my life, not so much. I'm slipping here and there, not getting it right. And now, now that I'm letting others down, other people's sons, not to mention my own. I just imagine myself, on that night, in that situation, if I had just walked away, I wouldn't even

--

Jerry looks up and sees the group staring at him in rapt attention, wondering what event he is talking about. Noticing that he's almost giving himself up, Jerry's catches himself and looks back at the floor.

JERRY

I guess, when it's all played out, this and whatever comes after, I'll need to ask myself, have I been a good father, a good role model, for my son Michael? Have I been someone he can look up to, or am I just like the drunk I was before, someone who couldn't be trusted, who couldn't be counted on? I know for sure that I'm not the man I need to be to expect forgiveness from his older brother. I don't know what I would say to Kyle if I saw him now. I know this probably makes no sense to you.

(CONTINUED)

(lifting his head and facing
the audience)
I can't - I just... I'm sorry.

Jerry takes a seat.

FADE OUT.

FADE IN:

INT. PHONE STATION - DAY

54

Will is led into the room and, seeing who is at the phone station, smiles meekly. Will takes a seat. We see that Jess is there to see Will. They pick up their phones.

JESS
Hi Will.

WILL
Hey Jess.

JESS
How's it going in there?

WILL
Not great, but hopefully I'll be out soon. How are you doing at home?

JESS
Okay. I've been a little sick recently.

WILL
Yeah, Robert told me it's been rough on you, I understand. Please, don't worry. I'll be okay.

JESS
It's not that. I mean, I am concerned, of course, but I know you'll be fine and come back to me soon. It's just, you won't just be coming back to me.

WILL
What do you mean?

Jess looks down at her belly.

(CONTINUED)

JESS

I mean, it won't be just me you're coming home to. Well, officially, in about eight months.

WILL

You're...?

Jess nods excitedly.

WILL

Oh my God! Oh my God, oh my God, oh my -

Will, excited, is breathing heavily. All of a sudden, Will's demeanor changes. He appears concerned and frustrated.

WILL

Oh my God. Oh no. Oh no. Oh no. No no no no no...

JESS

What, Honey?

WILL

It's just... involuntary manslaughter, that could be five or more years...

JESS

But you didn't do it. You're innocent.

WILL

I know, but what if the jury still convicts me? It was wrong for this case to even have made it to trial. What if some other "injustice" happens? What if the jury is swayed incorrectly and finds me guilty?

JESS

That's not going to happen!

WILL

(spinning out of control)
I won't be there for you when you're pregnant. I could be kicking around stones in the prison yard while you're in labor! If I get the maximum sentence, by the time I get out our child could be in kindergarten without ever seen his

(MORE)

(CONTINUED)

WILL (cont'd)
father through anything but this
bullet-proof glass!

JESS
(desperately trying to reason
with Will)
You don't need to worry about that!

WILL
And my job! What about having the
baby? You'll need to pay for that!

JESS
I'm a nurse, Will, I'll be taken
care of.

WILL
Still, how will you be able to
support you and a baby and still
make enough for diapers and gas
bills? We could lose the house!
Newborn, new house and a job!
You're going to need to do this all
on your own!

JESS
You're innocent, none of this will
happen!

WILL
(becoming hysterical)
I gotta sit here, can't do shit,
while some other people decide if I
killed the person that everyone
thinks I hated more than anyone?
Stuck in a fucking cell while a
bunch of people who don't know me
keep me from seeing my kid?!

JESS
(starting to cry)
Honey!

A guard approaches and begins to drag Will away from the
phone.

WILL
Five, six years?! Are you kidding
me! This is fucking ridiculous! God
damnit! God damnit!

(CONTINUED)

Jess is holding her phone in one hand, the other covering her face as she cries. Will, still yelling, is finally dragged from the room. Will's movements get slowed down as a somber montage begins.

MONTAGE:

SONG: "Blue Light", by Bloc Party

1) Jess gets up from her phone station and, in tears, exits the room to find Robert in the hallway waiting for her. Robert puts his arm around Jess and escorts her out of the building.

2) Jerry, after the AA meeting, is exiting the building in the middle of a group of other alcoholics. They are speaking to each other, but Jerry is not participating. His head down and hands in his pockets, Jerry breaks from the group and heads to his car. They say goodbye to him. Jerry picks up his head and nods back before pulling out his cell phone.

3) Will is shoved by the guard into his 7' x 10' cell. As Will enters, he stumbles and falls. On all fours, Will crawls into the corner and sits, facing out of the locked cell door.

4) Kyle is in his apartment. He picks his phone up off the counter and, noticing that he has a voice mail, turns the phone on speaker as he grabs a small bag of potato chips. He eats the chips as he listens to the message.

JERRY (O.S.)

(recording)

Hi, it's your Dad. Wondering if we could meet and talk. I mean, we can get past this and move on, right? Can't we?

Kyle sighs and erases the message.

5) Jerry enters his front door. He heads upstairs, to Michael's room. Michael is asleep. Jerry leans over and gives Michael a kiss on his forehead. Michael, in his sleep, smiles. Jerry smiles. Jerry leaves the room and walks across the hall, into Kyle's childhood room. Jerry turns on a lamp by the front door and looks at dimly lit pictures, trophies and posters. The posters are of older Chicago athletes, such as Ryne Sandberg, Michael Jordan (#45) and Jim Harbaugh. Jerry focuses on two photos. One is a photo from Kyle's Senior Night for high school basketball. The other is from Kyle's high school graduation. In both photos, Kyle is standing with Heather and Lucy. Jerry is in neither photo. Jerry turns off the lamp and leaves the room.

(CONTINUED)

6) Robert and Jess pull into Jess's house. From the outside it appears nice and modest. They enter the house. Robert walks into the living room with Jess. Boxes are everywhere, not yet unpacked. The couch has turned into a sofa bed for Robert. Robert drops his items on the sofa bed. Jess continues walking, around the corner to the master bedroom. Again, boxes are strewn about, mostly still taped shut. Jess sits down on the bed, turns and rests her hand on the other, empty, side.

7) Will, eyes open, is lying face up on his prison cot.

END MONTAGE.

FADE OUT.

FADE IN:

INT. COURTROOM - DAY

55

Robert and Nick are seated with Will. The day's proceedings have not yet begun. Robert leans across Nick to talk to Will.

ROBERT

I spoke with the Judge this morning. I mentioned your situation. He asked if I wanted a continuance and I said no, that you said you'd be okay. But if things get to be too much up there, let me know and I'll see what I can do.

WILL

(tense)

Thanks.

The Bailiff and Judge step into the room.

BAILIFF

All rise for the Honorable Judge Raymond Harris. Court is now in session.

All parties stand and then promptly sit back down.

PETER

The prosecution calls William Barnes.

Will stands and approaches the witness stand. After taking an oath, Will sits.

(CONTINUED)

PETER

Mr. Barnes, let's start this off with the basics. Where were you on the night of the 6th?

WILL

I got home from work around 6:30. Then I went for a run, then I was at my apartment until I went to bed.

PETER

That seems, to me, like an odd time to go for a run. Is it typical for you to run at that time? You must not have had dinner until very late.

WILL

It wasn't an odd time to go for a run. I didn't have dinner that night.

PETER

Why not?

WILL

I'm in - sorry, I "was" in training. It wasn't odd for me to run at that hour. I had a long day, got back from work late and that's when I had the time.

PETER

(prodding)

Mr. Barnes you didn't answer my question. You didn't have dinner that night? I'd expect an athletic man such as yourself to eat three squares a day. Skipping a meal would seem like a odd occurrence.

WILL

(irritated)

Meals? I can't believe that we're talking about a meal here. That night was no different than any other night. When I'm training, I only eat one normal meal a day. The rest are things like yogurt or a protein bar, that I eat every couple hours. That day I had lunch with a client. That was my one "square" meal.

(CONTINUED)

(slowing down)
The three meal schedule was actually a shock to my system in prison. There are records of me seeking treatment for what I thought was a burst appendix - records that you can subpoena if you'd like and add to your file of irrelevant information.

Robert glares at Will.

PETER

You're Honor.

JUDGE HARRIS

Mr. Barnes, I would advise you against being wise with the prosecution.

PETER

Thank you, your Honor. Anyways, Mr. Barnes, your run that night took you across the overpass that Mr. Church was found next to, didn't it?

ROBERT

Objection, Your Honor, leading the witness.

JUDGE HARRIS

Sustained. Counselor...

PETER

Mr. Barnes, did your run take you across the overpass by which Mr. Church was later found?

WILL

It did.

PETER

May you please tell us about that part of the run?

WILL

It was around the middle of the run. I was tired but not exhausted. I was running quickly, and it was dark, so I didn't really get a chance to notice much of my surroundings. I was running with

(MORE)

(CONTINUED)

WILL (cont'd)

Max. At one point he stopped on the bridge and started barking. By the time I realized - I had music playing - I was already off the bridge. I turned around and called for him. He came and we kept on running. I couldn't have been stopped for more than ten seconds. Shortly after that I saw Lee Maddox driving past me.

PETER

Did anyone approach you on the bridge?

WILL

No. It was just Max and myself.

PETER

And you didn't see a knife on the side of the road, or a body by the road below?

WILL

No. I was running on the right side of the street. The body was found on the other side. I couldn't see over that side of the bridge straight down. Either way, I wasn't looking. I was jogging, just listening to music. Max must have smelled Greg, I'm guessing, which caused him to bark, but obviously at the time I didn't think to wonder if my dog was barking at a dead body.

(smirking)

Next time he barks though, you can be sure that I'll check the area for corpses.

PETER

Mr. Barnes, no need to be facetious. Now, can you explain how your hat was found by the body?

WILL

An unfortunate coincidence.

PETER

An unfortunate coincidence?

(CONTINUED)

WILL

Yes. I took it off at the end of the bridge and the wind knocked it out of my hands, back toward where I had just come from.

PETER

And you just let it go? You didn't go after it?

WILL

It was an old, black, baseball cap. It would have taken forever to find in the dark. My options were to ruin my workout or buy one for five bucks the next day. I could have used a new one anyway. That one was getting ratty.

PETER

That seems wasteful. You didn't look for it at all? You didn't walk back onto the overpass?

WILL

What did I just say?

PETER

(with insincere kindness)
Okay, just making sure you were aware of what you were saying. Remember, if you did see someone on the bridge, you are obligated to tell us whoever you may have seen. This is all for the record.

WILL

(furious)
"For the record"?! "For the record" it's "whomever"! "Whomever" you may have seen, Counselor! Stop trying to make it seem like you know so much more, that I'm unaware of what's going on here. Sorry to disappoint, but I'm not the idiot you seem to have taken me for and I know why I'm here.

Peter is taken aback.

WILL

We're going on over a decade of people have been talking about Greg

(MORE)

(CONTINUED)

WILL (cont'd)

and me. I know how big the story was back here in high school and later, when I got injured. I also know that since then, everyone has been waiting for me to strike back at Greg. I know the assumptions that come from us being football players, that we're big, lumbering dummies who think and act with our bodies before our minds, that if I were to run into him again I would just swing my arms around like a caveman and if he gets knocked off the bridge so be it. I've said this a million times now, all I did was run across the bridge. You're clinging onto these scraps, these flimsy pieces of evidence, all circumstantial, all explained, because that's all you have to compound on top of the idiotic assumption that you've got as the foundation of this case!

ROBERT

(fuming)

Will!

WILL

You and I should switch places. I should get you up on the stand and ask you - under oath, of course - if you think there's anyone in this town, who knew about me and Greg only through the papers, who didn't peg me as guilty by suspicion the second the news stations reported that Greg was dead!

ROBERT

Will! Your Honor!

JUDGE HARRIS

(warning Will)

Mr. Barnes...

WILL

And stop with the phony, saccharine, "just trying to help you out", bullshit. Don't you dare stand there and pretend like you and your J.D. are assisting the

(MORE)

(CONTINUED)

WILL (cont'd)
slow-witted "jock", all the while
trying to conduct a fair trial.
'Cause you're not. You're trying to
let hearsay and assumptions decide
this case for you. I'm here, I'm
complying, and I'm giving you real
answers to your questions. I'm not
the same kid I was in high school.
I grew up. People can change! I'm
sorry if that hurts your case but
just because you're getting nowhere
doesn't mean that I'm lying to you.
And if you're not going to accept
the truth, then I have nothing else
to say to you.

There's a long pause as the entire courtroom waits for
Peter's response.

PETER
No further questions.

The courtroom is silent as Peter takes a seat. Robert is
seated, glaring at Will.

JUDGE HARRIS
Mr. Barnes, you may question your
client.

ROBERT
Permission to approach the bench,
your Honor?

JUDGE HARRIS
Granted.

Robert and Peter approach the bench. They converse quietly,
inaudible to the audience or jury.

ROBERT
(softly)
Your Honor. I told you of my
client's predicament earlier, and,
out of respect for the judicial
process, I said that we would make
an effort to continue. However, I
would like to request a recess, to
reconvene tomorrow. My client
will then be able to answer with a
clearer mind.

(CONTINUED)

PETER
I object to this.

ROBERT
(to Peter)
You can object, I respect that.
However, you must respect that I am
also without a clear mind as I have
just found out that I'm going to be
an uncle. There's a chance that I
might "accidentally" blurt out that
fact during my questioning.

PETER
(calling Robert's bluff)
So would you recommend that the
state appoint an attorney better
suited for your client?

There's a pause.

ROBERT
Regardless, our jury includes seven
parents, five of them fathers, and
it won't take them long to see that
my client, if found guilty even for
the minimum charge, would be in
prison during the birth of his
child. Given these circumstances,
do you still object to a short
recess?

PETER
(to Judge Harris)
I withdraw my objection, your
Honor.

JUDGE HARRIS
Mr. Barnes, I will grant a recess,
but your client's testimony to this
point will still stand.

ROBERT
Of course, your Honor.

The attorneys return to their seats.

JUDGE HARRIS
The Court will take a recess and
reconvene tomorrow. Ladies and
gentlemen of the jury, please
consider all of the testimony you
have heard today, as none of it
(MORE)

(CONTINUED)

JUDGE HARRIS (cont'd)
shall be stricken from the record.
William Barnes, you may step down.

Will stands. The bailiff is approaching to bring him back into custody. Robert gets up to speak with Will.

ROBERT
I feel for you Will, I do, but you
can't talk that way on the stand.

Will, annoyed, is not paying full attention. Robert grabs his arm.

ROBERT
Think football. You're the running
back, I'm the quarterback. It's not
your job to throw the ball, it's
mine.

WILL
Forgive me for trying a halfback
option.

ROBERT
This is a courtroom, not
a football field. If you try a
"halfback option" and fail, instead
of losing five yards you're losing
five years. You're not here to
defend yourself. That's part of the
system. You are presumed innocent,
and you can say as little as you
choose, in fact, the fifth
amendment encourages you to. Think
shotgun formation with four
wideouts and I'm QB. You're still
running back. You're not throwing
the ball, you're not even touching
it. You want to stay there and
block that's fine, but that's all.
It's my job to defend you, not
yours.

WILL
So do it.

The bailiff takes Will away. Jerry, beside himself with sadness, appears distraught as he watches Will get taken away.

FADE OUT.

FADE IN:

INT. JERRY'S KITCHEN - DAY

56

Heather and Michael are eating dinner around the small table in the kitchen. They are eating hot dogs (without buns) with ketchup and green beans. Heather is leaning over the table, helping Michael cut his hot dogs. Jerry bursts through the door, to the surprise of both Heather and Michael.

JERRY
(excited)
I smell hot dogs!

MICHAEL
Daddy!

JERRY
I hope I didn't miss dinner!

HEATHER
You're home early, quick day?

JERRY
Yep, it ended early.

Jerry walks behind Michael and kisses him on the top of his head. Michael continues eating.

HEATHER
So how is it going?

Jerry breaks from his cheery demeanor, giving Heather a somber expression.

JERRY
You know how these things can be.

HEATHER
I can only imagine.

Jerry takes a deep breath. Jerry then puts on a happy face again as he crosses the room, facing Michael.

JERRY
But I'm happy to be back so I can take my boy to practice today! You have all your stuff ready to go?

MICHAEL
I think I'm going with Aunt Carol.

HEATHER
She called. I didn't think that you'd be back so I asked her and
(MORE)

(CONTINUED)

HEATHER (cont'd)
 Zach to swing by and pick up
 Michael on their way there. I can
 call her back -

JERRY
 No, it's fine. I should stop by the
 office anyway. I just know stuff's
 piling up.

Jerry takes some hot dogs from the counter and puts them on
 his plate. He then takes a seat and begins eating with
 Heather and Michael.

FADE OUT.

FADE IN:

INT. PHONE STATION - DAY

57

Casey and Grant are waiting at the phone station. Will is
 led in from the other side. Will picks up his phone. Casey
 and Grant pick up theirs and hold it between them.

WILL
 Hey guys.

CASEY
 Hey Will.

GRANT
 Hey.

CASEY
 Tough day today.

WILL
 I know.

GRANT
 Mark was going to come, it's just
 he had --

WILL
 I know, he told me last time he was
 here.

CASEY
 Oh.

There's a period of silence. Both parties stare at each
 other, then at the table. After a second, Grant speaks up.

(CONTINUED)

GRANT

I thought you did the right thing.

WILL

Yeah?

GRANT

Yeah, calling him out. I don't know how it looked to the jury or whatever, but it's the truth. You didn't do it. You, flat out, didn't even see Greg the night he died. Might as well say it.

CASEY

(curious)

Did it feel good?

WILL

Did it feel good?

CASEY

Yeah. I mean, that lawyer was being a dick. I bet it felt so good to be up there and just tell him off. Really stick it too him.

WILL

I don't know about that. I mean, I'm trying to defend myself. Honestly, it just felt good to do something.

GRANT

I mean, you've been fighting this for months, even before it was brought to trial.

WILL

My brother and Nick have been fighting this. I've just been sitting there, keeping quiet. But to say something, to do anything, felt good. I'm sick of this freakin' abeyance.

Casey and Grant have blank expressions.

WILL

Abeyance. Inactivity. Suspension.

(CONTINUED)

CASEY

Will, man, you use a lot of big words. Left my tyrannosaurus, or whatever, at home.

WILL

I mean I feel like I'm still stuck here, not able to do anything.

GRANT

Don't worry, they'll find you not guilty and it'll be over.

WILL

How, Grant? I'm the only one they've got. It's not like some other suspect is going to suddenly show up. Their evidence isn't much. It's me or nothing right now, and, other than these people on the stand saying they thought I seemed like a nice guy, I don't have much to vindicate myself.

On "vindicate", Casey and Will have the same blank expression as when Will said "abeyance".

WILL

Whatever. The fact is what's going on there isn't justice. I'm innocent. I have no idea how to make it right, how it can be right, but I know that for a start someone else should be up on that stand.

CASEY

And until then?

WILL

I guess I have to wait. At least that's what Rob says. I can't take much more of this though. My whole life, I was always moving. I played football or trained everyday from age 14 to 21. Even after the injury I rehabbed, stayed active and worked to get my degree. Ever since I've been pushing forward, with Jess or work at the firm. Jogging with Max, buying a house - I was always moving forward. I've been stuck in this mire for months. I spent the last two weeks, after

(MORE)

(CONTINUED)

WILL (cont'd)
 returning from being out on bail,
 in a 7' x 10' cell. Now all I'm
 supposed to do is sit there and zip
 it? Plus with the news from Jess -

GRANT
 Yeah, congrats man!

CASEY
 Yeah, way to go!

WILL
 (smiling)
 Thanks guys.

CASEY
 When will you know if it's a boy or
 a girl?

WILL
 Not for a few months.

GRANT
 Okay. But, if it's a boy, I'm just
 throwing it out there... Tom Brady
 Barnes.

Will and Casey laugh.

WILL
 What?

GRANT
 The guy scored twenty-four points
 for me last week in Fantasy
 Football. Just saying, it would be
 a nice way to repay him.

Will and Casey laugh again.

FADE OUT.

FADE IN:

EXT. BRIDGE - EVENING

58

Jerry, work files in-hand, is walking back from the plant
 toward his car. As he is walking, he looks over at the side
 of the bridge, off which he "pushed" Greg. Jerry pauses for
 a moment.

MONTAGE:

(CONTINUED)

SONG: "Silvia", by Miike Snow" (softer, grainier than first time used)

1) NIGHT OF FIRST AA MEETING: Previous footage of Jerry, stopped, on the bridge.

2) PRESENT DAY: Jerry walks the rest of the way to his car, puts the files on the floor on the passenger side, closes the door and stands, facing the side of the bridge.

3) NIGHT OF FIRST AA MEETING: Jerry pulls off to the side of the road, a short ways past the bridge, parks and gets out of the car.

4) PRESENT DAY: Jerry walks to where he and Greg fought. He leans over the side, looking down at where Greg was found.

5) NIGHT OF FIRST AA MEETING: Jerry stands by the police caution tape, tapping on it with his index finger.

6) PRESENT DAY: Jerry is walking down the wooded side of the hill, next to the bridge, down toward the road that runs under the overpass.

7) NIGHT OF FIRST AA MEETING: Almost a mirror image of his walk in present day, Jerry makes his way down, off the overpass, toward the lower road.

END MONTAGE.

From the bridge, Jerry can be seen by the side of the road. As the camera pans up to the road, we see Robert jogging down the street. He is passed the plant and approaching the bridge. Save for the pink gloves, he looks similar to Will when Will went running on the night Greg died.

Robert approaches the bridge. Jerry, hearing someone coming, runs into the wooded area next to the road. Robert slows down as he gets to the bridge, stopping to look around. Stretching his arms, Robert walks to the side of the bridge where the fight occurred and looks over.

Jerry, hiding behind the tree, is watching Robert, nervous about being caught. As Robert begins to walk along the side of the bridge, Jerry rotates around a tree. On one step, Jerry steps on a twig, audibly cracking it.

Robert looks up, over to where Jerry is hiding. He focuses for a moment. Robert's watch makes a loud BEEP and all of a sudden Robert's eyes widen. Robert turns and resumes his running, nearly sprinting as he leaves the bridge and continues down his path.

(CONTINUED)

Jerry, once he sees Robert go, is terrified. Jerry runs back up the hill, stumbling along the way, bolts across the bridge, jumps into his car and speeds away, just as he did on the night he fought Greg.

CUT TO:

INT. LIVING ROOM - EVENING

59

Jerry, appearing very concerned, enters his living room, putting down his files before walking to the kitchen.

CUT TO:

INT. JERRY'S KITCHEN - EVENING

60

Jerry enters and pours himself a big glass of water. As he drinks it, he adds another day to his "Sobriety Count". Heather comes up behind him and puts her hand on his shoulders. Jerry drops his glass.

JERRY
(startled)
Damn it!

It shatters on the counter. Jerry turns around.

HEATHER
Jerry, it's me! And keep your voice down, Michael's upstairs.

JERRY
(relieved)
Oh, sorry.

HEATHER
No, I am. I shouldn't have startled you.

Heather wraps her arms around Jerry. Resting her head on his chest, she hugs him.

JERRY
Michael?

HEATHER
Just put him to bed. You're back later than we expected you.

(CONTINUED)

JERRY

Was just going over some stuff. I guess I lost track of time.

HEATHER

Well, he was asking for you. Maybe you could go in and say goodnight?

Jerry is still distressed, but not as tense. He pulls Heather away from him and kisses her forehead.

JERRY

Sure.

HEATHER

Oh, one more thing.

Heather runs across the run to a shopping bag by the table. She takes out a sweater that is a hideous shade of green.

HEATHER

(excitedly)

Do you like it? It was on sale.

JERRY

(a white lie)

It's lovely, I guess.

HEATHER

Thanks.

Heather folds the sweater and walks back over to Jerry.

HEATHER

I'll clean this up.

JERRY

Thanks Honey. Sorry again.

CUT TO:

EXT. WILL AND JESS'S NEW HOUSE - EVENING

61

Robert finishes his run and quickly heads inside.

CUT TO:

INT. WILL AND JESS'S NEW HOUSE - EVENING

62

Robert heads into the house, through the living room where his sofa bed is set up, to the door of Jess's bedroom. Robert knocks softly on the door.

ROBERT

(hushed)

Jess? Are you awake? Do you know where the rest of Will's workout gear is?

JESS

(groggy)

Maybe in the kitchen or in the corner of the living room by the rugs. You need new clothes? Going out again?

Robert pokes his head in. We see that Jess has turned her bedside lamp on. She is rubbing her eyes.

ROBERT

No, just curious. Sorry, didn't mean to wake you.

JESS

It's fine. If you want to rummage around, it's okay, you don't need to ask.

ROBERT

Sure, thanks. Sorry, never mind me. Didn't know you were sleeping.

JESS

(weakly smiling)

Sleeping "for two" actually.

Robert chuckles.

ROBERT

"For two", right. Well, goodnight, see you tomorrow.

Robert shuts the door and heads into the living room. Robert crosses the room, takes out his cell phone and begins to dial a number.

FADE OUT.

FADE IN:

INT. COURTROOM - DAY

63

Jerry and the other jurors are sitting nervously in the jury booth. There are no spectators. Nick and Larry enter from the back door and approach the jurors, both reluctant to be standing next to each other. Judge Harris enters, not wearing his robe. Judge Harris gestures to the attorneys.

NICK
(addressing the jurors)
Good morning.

ALL JURORS
Good morning.

NICK
If you have forgotten our names, I
am Nick Ross --

LARRY
And I'm Larry Walsh.

NICK
(Nick gestures to himself)
We are the attorneys, assisting the
defense --
(Nick gestures to Larry)
and the prosecution. We volunteered
to come in and tell you what's
going on.

LARRY
There will be no trial today, as
the defense has asked for a
continuance.

NICK
A continuance means a
"postponement". The trial will
resume tomorrow.

LARRY
Without getting into too many
details, a continuance can arise
for multiple reasons, including
absence of or a wait for witnesses
or evidence, incapacitation or
absence of a witness, defendant or
counsel, or some sort of surprise
event.

On "surprise event", Jerry looks nervous.

(CONTINUED)

NICK

Thank you, Counselor. Rest assured, no one involved in this trial has become "incapacitated".

Nick scans the jury and notices that Jerry sticks out, appearing concerned.

NICK

Mr., um...

JERRY

Walker.

NICK

Right. Jerry. Do you know what it means when we say a "surprise event"?

JERRY

(shifting uncomfortably)

No, no I don't.

NICK

(addressing all jurors)

Okay, I'll expand. The "surprise event" mentioned by Larry - sorry, Counselor Walsh - means that a continuance could happen as a result of new information coming to light, resulting in the need for new testimony or evidence, testimony or evidence that was not named in the initial indictment.

LARRY

That could mean a drastic change in the prosecution or the defense's argument or new information in a criminal complaint. It could even mean that one side is rapidly changing gears in the light of recent developments.

NICK

(contentiously)

Or, it could just mean that due to new developments, new witnesses or evidence may be necessary. Rest assured, if something doesn't make sense to you now, I'm sure it will by the end of tomorrow. Have a nice day.

(CONTINUED)

The lawyers nod to Judge Harris, who reciprocates. Judge Harris, Nick and Larry exit. After a moment, the jury exits. Jerry, concerned, lingers and is the last juror to leave.

FADE OUT.

FADE IN:

INT. LIVING ROOM - DAY

64

Jerry enters. Heather, hearing him enter, comes in from the kitchen.

HEATHER

Thank you for coming home, you're a lifesaver!

JERRY

Short day. Tomorrow will be longer.

HEATHER

Either way, thank you!

Heather, dressed to go out, gets her coat and pocketbook.

HEATHER

You know the girls do this every month, I'm just so glad I can make it this time! Michael just got back from school, he's doing his homework in the kitchen.

JERRY

Great. Have a nice time, I'll see you later.

HEATHER

Thanks Hon.

Heather gives Jerry a quick kiss and bolts out the door.

CUT TO:

INT. JERRY'S KITCHEN - DAY

65

Jerry enters. Michael is seated at the table, doing his homework. Jerry takes a seat across from him.

MICHAEL

(looking up)

Hi Daddy.

(CONTINUED)

JERRY
Hey Bud. How the homework coming?

MICHAEL
It's good. It's math.

The two sit for a moment. Michael is focusing on a problem. Jerry looks at Michael. After a moment, Jerry walks to the other side of the table and leans over Michael's shoulder.

JERRY
Remember, you're going to have to bring up the one to the top.

MICHAEL
(laughing)
Daddy, stop! I know how to do this!

JERRY
Okay.

Jerry heads back to the other side of the table.

CUT TO:

INT. JERRY'S KITCHEN - EVENING 66

Jerry and Michael are eating grilled cheese sandwiches. Michael is happily scarfing down his dinner. Jerry is looking at Michael, taking in every action his son makes.

CUT TO:

INT. JERRY'S KITCHEN - NIGHT 67

Jerry is sitting alone, dinner cleaned up, reviewing work files. Heather enters the kitchen.

HEATHER
Hi Jer.

JERRY
Hi. How was it?

HEATHER
It was great. We went out, you know, girl stuff. I'm going to change out of all this. How's Michael? Did he finish his homework?

(CONTINUED)

JERRY

He did. We ate, he's getting ready
for bed now.

Heather heads down the hall, into the bedroom.

HEATHER (O.S.)

Great. I think that, if he doesn't
have any homework this weekend,
maybe we could take him to the
movies. There's that new one coming
out, with the lizard that reads
minds or something. It looks funny,
I think he'd like it.

JERRY

Sure.

HEATHER (O.S.)

Maybe go to Burger World before.

JERRY

Sounds fine.

Heather reenters the kitchen. She is wearing sweatpants and
the ugly, bulky sweater from before.

HEATHER

Great. Look Honey, new sweater!

JERRY

(suppressing his displeasure)
Yep, that's it.

Jerry changes the subject.

JERRY

I'm gonna go tuck Michael in, I'll
be down in a few.

Jerry exits the kitchen.

CUT TO:

INT. MICHAEL'S BEDROOM - NIGHT

68

Jerry enters. The light is on. Michael is in bed. Jerry
walks over to this bed.

JERRY

You washed up?

(CONTINUED)

MICHAEL

Yes.

JERRY

Brushed your teeth?

MICHAEL

(smiling)

Yes.

JERRY

Great. Story?

MICHAEL

Yes please.

Jerry turns on the lamp by Michael's bed, then crosses the room to turn off the main light. Next, Jerry goes to the bookshelf and removes an anthology of children's stories.

MICHAEL

No, Daddy, something new.

JERRY

(putting the book back)

Okay, sure.

Jerry pulls up a chair by the bed and sits down. Leaning back, he thinks hard as he thinks up an original story.

The following storytelling scene is INTERCUT with scenes of Jerry telling the story and Robert at work on the phone and laptop in Will and Jess's living room.

JERRY

(spit-balling)

Well, there's a forest - an enchanted forest - with a lot of different animals. And walking around the forest is a big bear. He's smart, he's strong and the other animals make sure to get out of his way whenever he's around.

MICHAEL (O.S.)

Is he the only bear?

JERRY

No, he has a cub too. They live in a fort made out of trees, bushes and leaves. And he goes out every day to get berries from the forest to feed him and his cub. With every

(MORE)

(CONTINUED)

JERRY (cont'd)
stomp of his, the animals cower and
flee.

MICHAEL (O.S.)
He's brave?

JERRY
Very brave. In fact, the fort that
he and his cub live in is protected
by a special, enchanted spell. Only
brave animals can see it and get to
it. To the mean and weak animals,
it just looks like the rest of the
forest. That's how the cub stays
safe when the big bear is out
foraging.

Jerry, figuring out the next leg of the story leans forward,
toward Michael.

JERRY
Anyway, it was a bad year for the
berries. The bear had to get up
early to get his share of the
berries, before the other animals,
because if he came any later he'd
have nothing to bring back to his
cub. One day, he's walking back
from collecting his berries and
hears growls from behind some
trees. Clutching his berries in his
paws, he approaches. Two wolves
were cornering a small animal, a
groundhog. You see, since there
weren't enough berries for
everyone, some animals had taken to
eating other animals. Anyway, the
wolves were closing in on the
groundhog.

MICHAEL (O.S.)
Did the bear stop them? Did he save
the groundhog?

JERRY
He was about to, but then he looked
down. He saw the berries he was
holding. To stop the wolves he'd
need to use his paws, and he'd end
up losing the berries. He'd have
nothing to return to his cub, and
his cub would be hungry.

(CONTINUED)

MICHAEL (O.S.)

So he let the wolves get the groundhog?

JERRY

Yes. The bear just stood there. The wolves ate and returned to their pack. The big bear turned and went to his fort, but he couldn't find it. The big bear searched for hours, all over the forest, but couldn't get back to his cub. You see, the cub and fort were hidden by the spell. Since the big bear didn't stop the wolves, he was no longer brave. He was a coward. And he couldn't find his home.

MICHAEL (O.S.)

(yawning)

But what about the cub?

JERRY

He waited. But he never got the berries that the big bear was so eager to protect.

(to himself)

It didn't matter that he saved them because by not being brave he couldn't provide for the cub anyway.

Jerry sits for a moment in silent contemplation. Looking up, he sees that Michael is asleep. Jerry leans over, kisses Michael on the forehead, turns off the lamp and exits, closing the door behind him.

INT. WILL AND JESS'S NEW HOUSE - EVENING

69

Robert hangs up his cell phone and closes his laptop.

FADE OUT.

FADE IN:

EXT. COUNTY COURTHOUSE - DAY

70

Robert and Nick, dressed for court, are briskly making their way up the courthouse steps. Jerry runs up behind them and taps Robert on the back.

(CONTINUED)

JERRY

Mr. Barnes, I need to talk to you.

Robert is taken aback.

ROBERT

(firmly)

Mr. Walker, we're not supposed to speak. You're a member of the jury.

JERRY

I know, but this is really important. You know what I said in questioning, about my past, well that's --

ROBERT

We are not to speak. You know the rules.

JERRY

But-

ROBERT

(erupting)

No! Do you want a mistrial? You are not to say a word to me, not a word. What is about to happen in that courthouse will happen regardless of anything you do here and now, I can guarantee you that. Anything you do now will only hurt you and all concerned parties. You are to go up those steps and not say another word to me.

Jerry stands still, resisting proceeding up the steps.

ROBERT

(angrily)

Go!

Jerry bows his head and heads up the stairs, his tail between his legs. Nick turns to Robert.

NICK

Close call there.

ROBERT

Too close, Nick.

CUT TO:

INT. COURTROOM - DAY

71

The Defense, Prosecution, Judge and Jury are all in place for the day's trial to begin. Jerry, petrified, is in his place among the jurors.

ROBERT

The defense calls Louis Claybourne.

LOUIS, a man in his late-forties, approaches the bench. He is trim, with rich brown, close-cut hair. He is wearing a gray suit with a University of Illinois tie. Louis is sworn in and takes a seat. Robert approaches the witness stand.

ROBERT

Lou, would you please explain how you know both myself and my brother Will?

LOUIS

Through football. I was Assistant Conditioning Coach at Northwestern for nearly a decade, including a few years when you were playing. After your junior season, I was hired by University of Illinois as Director of Strength and Conditioning. I've been there since, including the two years that Will played. Your two and I have kept in contact over the past few years, catching up on campus visits and whatnot. You sometimes hit me up for training advice.

ROBERT

Exactly.

Robert pulls out a watch from his pocket.

ROBERT

Lou, can you tell me what this is?

LOUIS

It's a training watch - the DigiTrek. I recommended it to you and your brother about a year ago.

ROBERT

What's its function?

(CONTINUED)

LOUIS

It's for training, mostly running. It has a bunch of different features. It has a stopwatch, a lap counter, heart rate receiver and GPS capability. It will record your pace, where, exactly, you ran, your heart rate and more, helping you calculate V02, HRR and MHR, among other things.

ROBERT

In layman's terms please. Or more specifically, what did you tell me when you referred me to the watch?

LOUIS

"It will tell you everything about your run, and more." And that you should get the online subscription.

ROBERT

What exactly does the online subscription do?

LOUIS

It helps you build a workout regimen using the data your watch records. The DigiTrek watch comes with a USB cord that connects it to your computer. When you plug your watch in, it sends the info to a computer app on your desktop which has a connection to the website. It shows you your progress and how you should continue to train.

(aside)

Let me just say, when I was an athlete, all you did was run until you were tired, none of these hi-tech robotics!

There are a few laughs.

ROBERT

Thanks. Now, you are familiar with the night in question. You are aware, as is the jury, that Will went on a run that night. If I were to tell you that, after the run, Will hooked his watch up to the DigiTrek app, what could you tell me from the results?

(CONTINUED)

LOUIS
Everything.

ROBERT
(walking back to his table)
Everything? Luckily, we have the
website's information, submitted as
evidence, from the night in
question.

Robert hands some papers to Louis.

ROBERT
Could you please tell me what you
can see from this information, most
specifically from when Will was
crossing the Hill Street bridge?

LOUIS
Sure. There's a map here, from the
GPS, and it has him crossing the
bridge around 6:58. We have his
pace there, which is around eleven
miles per hour, and a heart rate of
166.

ROBERT
And what does that tell you?

LOUIS
Considering that at this point he
was already about four miles into
his run? It tells me that he's in
better shape than nearly all of my
athletes back in Urbana-Champagne.

ROBERT
(smiling)
Anything else?

LOUIS
(pointing to the papers)
All the data here is consistent.
The information - pace, heart-rate,
GPS location - it's all recorded on
a second to second basis. His run
across the bridge is continuous, in
keeping with the rest of his
workout.

ROBERT
If the alleged incident with Mr.
Church were to have occurred, if
(MORE)

(CONTINUED)

ROBERT (cont'd)

Will was standing in one place, fighting someone or even just looking at someone, for even one second, would we be able to see it right here?

LOUIS

Yes. Plus, if he was "surprised" on the bridge, we'd see a spike in heart rate. We'd also see a spike in heart rate if Will was in some sort of confrontation. Boxing, kick-boxing, wrestling, any sport of that nature can greatly increase heart rate.

ROBERT

Throw in the element of surprise? Throw in that the attacker would have had a knife?

LOUIS

With that too, it is just implausible to draw the conclusion that Will was involved in such an altercation from the empirical data that we have here. It doesn't change at all across the bridge. Just a steady run, steady heart rate.

ROBERT

The information shows that his heart rate doesn't dramatically change at all, save for two instances: At the end of the run, and once more, maybe twenty feet beyond the bridge.

(pointing at the data)

It shows here that Will slows down and stands stationary for a moment, about eight seconds. His heart rate drops to 158. But then he picks up his pace again and keeps running. This event was described in earlier testimony. Max, Will's dog, was lagging and Will called to him.

LOUIS

That makes sense.

(CONTINUED)

ROBERT

And are you saying that, given this heart rate data and location here, the one time that he stopped could not have been for a fight or altercation?

LOUIS

Yes I am.

ROBERT

Okay, thank you very much, Lou.

LOUIS

(facing Will)

Glad I could help.

Robert, smiling at Will, takes a seat back at his table.

FADE OUT.

FADE IN:

INT. COURTROOM - DAY

72

The jury, cognizant of the moment's gravity, slowly enters the courtroom. Despite the final, optimistic testimony, the courtroom is somber, the spectators waited with bated breath. Will looks nervous and concerned. He turns to Robert, who nods, giving him a serious but assured look. The jury takes their seats.

JUDGE HARRIS

Has the court reached their decision?

The FOREMAN, clasping a piece of paper, stands.

FOREMAN

Yes, your Honor.

JUDGE HARRIS

Please read it.

The foreman stands. Jerry appears apprehensive.

FOREMAN

For the 16th Judicial Circuit in Kendall County Illinois. The State of Illinois vs. William Barnes, Case #19355-24316. As to the charge of Involuntary Manslaughter, we the

(MORE)

(CONTINUED)

FOREMAN (cont'd)
 jury find the defendant not guilty,
 so say we all --

The rest of the foreman's announcement is drowned out by the sound of flashbulbs and excited sounds from the spectators. The foreman finishes speaking and sits down.

JUDGE HARRIS
 In light of the jury's decision the court will rule in favor of the defense, acquitting William Barnes of the charge of involuntary manslaughter.

Judge Harris pounds his gavel and the courtroom erupts. Will hugs Robert and then turns to hug Jess, who is sitting behind him, as Casey, Grant and Mark pat him on the back. Robert hugs Nick then turns to shake hands with Peter and Larry, both of whom seem content with the decision. Jerry, looking on, takes pleasure from the decision, though doubtful of what position he is put in as the case of Greg's death remains unsolved.

FADE OUT.

FADE IN:

EXT. COURTHOUSE PARKING LOT - DAY

73

Jerry walks to his car as court lets out. He pauses for a moment as he takes out his keys to unlock the door.

ROBERT (O.S.)
 You got away with it.

Jerry turns around. Robert is standing, nonchalantly, behind him. Robert appears neither vindictive nor surprised.

JERRY
 (suspiciously)
 What do you mean?

ROBERT
 You got away with it. With Greg.

JERRY
 I don't think --

ROBERT
 I know, Jerry.

Jerry is stunned. He takes a moment to compose himself.

(CONTINUED)

JERRY

You do?

ROBERT

I'm not an idiot. I saw how you acted on the jury bench. Plus the fact that you work right down the street from the Hill Street bridge.

JERRY

I guess those things might tip you off.

ROBERT

Not to mention surveillance tape from the 6th of you leaving your office ten minutes before Will crossed the bridge. And that I saw you the other night by the spot where Greg fell.

JERRY

(nervously)

Yeah, I guess. So why didn't you do anything about it?

ROBERT

I'm a good enough lawyer to get Will off on the merit of his claim and actions. I don't need to start accusing other people.

Robert waits for a response from Jerry who, still in shock, can't think of what to say. Robert continues speaking.

ROBERT

I don't know what happened that night - and you don't need to tell me - but if it is what I think it was, from the bruises on his body, from the fact that Greg came at you with a knife, you could have gotten off on self-defense.

JERRY

I know, but I might not have. My background...

ROBERT

Alcohol addiction? What, that they'd think that it was a drunk and a druggie fighting on a bridge?

(CONTINUED)

JERRY

Maybe.

ROBERT

(slowly, reasoned, didactic)
I know I'm younger than you, but grow up. You should have said something. You saw what Will went through. His family, friends and name got dragged through this ordeal. You may have kept quiet to avoid hurting people close to you but Will has those people too, and people did get hurt.

JERRY

I feel awful about that. I really do.

ROBERT

(after a moment)
I know.

JERRY

So, what's next? Do I need a lawyer? What should I be expecting?

ROBERT

Just go home.

Jerry gives Robert a puzzling look.

ROBERT

I'm the only one who knows.

JERRY

Right, but what about justice, and all that?

ROBERT

Justice is defined by fairness and moral rightness. Will was innocent, and this case proved it. The case also put the end to any speculation that he had it out for Greg. But Greg was an awful guy. He dealt drugs, stole and ran illegal operations all over the county. You messed up by not coming forward, but I've got a feeling that was the worst thing you did. No one wants to send you to jail simply for being in the wrong place at the wrong time.

(CONTINUED)

JERRY

You know though. Don't you need to, I don't know, report me or something?

ROBERT

I could. The law says I should. And trust me, with your office's security tapes and some simple forensics, I could place you at the scene and with Greg that night if you ever mess up again, if the justice system needed to be implemented in such a fashion. However, right now, according the court and police, Greg, the drug addict and criminal, died due to his own addiction and ineptitude, and I can make peace with that. What I can't make peace with is you staying this way. I'm sure you now understand that what I saw from you this morning, aside from being petulant and nearly illegal, was too little, too late. Nevertheless, it was clear that you know what the right thing to do is, to some degree. You have a moral compass. You messed up this time. Next time, don't.

JERRY

I don't understand. Next time?

ROBERT

Winston Churchill said that "Difficulties mastered are opportunities won". Whether it was cunning, dishonesty or just dumb luck, you mastered this difficulty. You've won yourself an opportunity. Right now, you're free of implication and you're not going to jail. So go home, figure out what's next, in your life or someone else's, and get to work on it - the right way. Don't hide in shame like you did throughout this trial. Be someone you can be proud of. Be someone your family can be proud of.

Jerry is dumbfounded by Robert's actions.

(CONTINUED)

JERRY

I don't know what to say. Thank
you.

Will and Jess, elated, spot Robert and yell at him from
across the parking lot. Robert notices them calling for him
to come over.

ROBERT

Bye Jerry.

The two shake hands.

ROBERT

Don't make me regret this.

Robert walks away. Jerry gets into his car and pulls out of
the lot.

FADE OUT.

FADE IN:

INT. CHICAGO APARTMENT HALLWAY - EVENING

74

Jerry exits an elevator into view. He bounds down the
hallway with urgency. Midway down the hall, he stops at a
door and raps on it. Nearly panting, nearly in tears, Jerry
stands at a seven-foot slab of oak, the only thing
separating him from the unknown.

JERRY

(mumbling to himself)

I'm so sorry. I'm sorry for all the
times I wasn't there, for
everything I missed and everything
I showed up to, but ruined by doing
so. I'm sorry for just expecting
that--

The door opens.

JERRY

I'm so sorry. I'm sorry for all the
times -

KYLE (O.S.)

Stop. Come in.

CUT TO:

INT. KYLE'S APARTMENT - EVENING

75

Jerry is sitting in a black comfy chair, a glass of ice water in his hand, facing Kyle. Kyle, in grey sweat pants and a maroon hooded sweatshirt, sits cross-legged on a dark brown leather sectional. They sit quietly and uncomfortably. Jerry is the first to speak.

JERRY
(looking around)
Nice place you have here.

KYLE
You should stop by more.

JERRY
Yeah.

KYLE
And work is good?

JERRY
Not much has changed in the last ten, fifteen years. Howard got engaged month ago, to what will be his second wife. Sweet girl, Trudy, Tracy, Tammy? Something like that. Do you know Howard?

KYLE
I don't think so.

JERRY
Really, he works two offices down from me, handles shipments?

KYLE
No, sorry.

JERRY
Tall guy, maybe my height, with glasses and a beard?

KYLE
No.

JERRY
Oh. Okay.

The two sit in silence for another moment. Kyle looks at the ground.

(CONTINUED)

KYLE

For the record, from everything Mom says, it looks like you're doing a great job with Michael.

JERRY

I know I wasn't always there for you and Lucy. Well, Luce had Mom, but you--

KYLE

I know. But Mom puts Michael on the phone sometimes and he'll go on and on about how the two of you going fishing or ice skating or something.

(lifting his head)

It's nice to see what that's like. To have someone be there. For him to have that with you.

JERRY

Kyle --

KYLE

I'm aware that you can't change the past, it's just nice to see it now.

The two smile at each other. Jerry looks at his watch.

JERRY

I should really - I told your Mom I'd be home by seven.

KYLE

Sure.

Jerry puts down his glass. Kyle gets up and walks his father to the door.

JERRY

I wish we could have -

KYLE

It's a start, Dad. Baby steps.

JERRY

Right.

Kyle opens the door. Jerry puts on his coat.

(CONTINUED)

JERRY

Do you mind if I ask you, why? Why all of a sudden? Was it something I did? Why this time?

KYLE

You apologized the first time, years ago, but I wasn't ready to talk to you then. Ever since you just asked if I wanted to talk, no apology. I guess... I was afraid if I gave in, let you off the hook for an apology, that you'd walk over me like you did when I was a kid and never really be sorry.

JERRY

That's all it took, just me saying that I was sorry?

KYLE

Yeah. And 'cause you're my Dad.

JERRY

(stunned)

'Cause I'm your Dad? Really? It's that simple?

KYLE

Yeah.

JERRY

(grinning)

That's fucked up.

KYLE

(grinning as well)

It is. And don't say "fucked up".

JERRY

(chuckling)

Right. How'd you get like that?

KYLE

Mom.

JERRY

Of course.

A moment passes as they look at each other and smile. They then go for an exchange before leaving. Kyle sticks out his hand as Jerry tries an informal hug. Out of sync, they pause, and Jerry shakes Kyle's hand.

(CONTINUED)

JERRY

Maybe I'll see you sometime?

KYLE

I'll be around.

Jerry steps out. Kyle closes the door behind Jerry. He smiles as he turns back into his apartment.

CUT TO:

INT. CHICAGO APARTMENT HALLWAY - EVENING

76

Jerry turns to face his son's closed door and smiles.

FADE OUT.

FADE IN:

INT. WILL AND JESS'S NEW HOUSE - EVENING

77

Friends are gathered around a folding table, set up in the middle of Will and Jess's living room. The room has been hastily prepared for entertaining. Boxes are shoved into the corner, the walls still barren. The table is set with a mixed assortment of plates, glasses and silverware.

Will and Jess are sitting at either end of the folding table. Robert and Nick are seated as well, along with Casey, Grant, Mark and a few other friends. Everyone is chatting, laughing and smiling as they eat. Will taps his glass with his knife and stands up. The party quiets.

WILL

I'd like to thank everyone for coming here tonight. I hope you are enjoying the food, and for that I'd like to thank my wife, for picking it up from ... Veggie Kingdom?

Jess smiles and nods.

WILL

(in jest, to his guests)
I'm sorry.

The guests laugh.

WILL

But seriously, hopefully when we have some more notice Jess and I

(MORE)

(CONTINUED)

WILL (cont'd)

will be able to have you all over for a real dinner party, at a home that doesn't look so much like a work in progress. I'd like to thank you all, from the bottom of my heart, for standing by me through this, especially my brother and Nick, who I cannot thank enough. Now you guys can get back to bankruptcy law in the big city. We'll miss you, though I doubt you'll miss the sofa bed, Rob.

Robert smiles.

WILL

And to my wife, Jess, thank you for being strong when I was weak, inspiring when I had lost hope and for being the light at the end of the tunnel.

Jess, embarrassed, smiles.

WILL

Finally, I'd like to raise a glass - water for Jess -

Jess smiles as the table turns and smiles at her.

WILL

- to Greg. I know we never liked each other, but if he had never been around, I doubt I'd have gotten to where I am now. Through our clashes I saw what I didn't want to be. I learned how to be the bigger man, to meet a challenge head on and achieve excellence in a way that I could be proud of. I wonder if he ever knew that I owe my success since losing football, in large part, to lessons I learned from being his teammate. He ended up being instrumental in giving me a life now that I could never have even dreamed of. So, if you all would, please raise a glass to the late Greg Church, who, in all his efforts to tear me down, helped me build, what I think you'd all agree, is an enviable life.

(CONTINUED)

The guests smile and raise their glasses. The dinner continues, with the guests talking cheerfully to one another as Will and Jess smile at each other from across the table.

FADE OUT.

FADE IN:

INT. MEETING ROOM - NIGHT

78

Jerry stands to address his AA group.

JERRY

(smiling)

Hello, my name is Jerry, and I'm an alcoholic.

EVERYONE

Hi Jerry.

JERRY

I've been looking forward to this meeting - surprising, I'm sure, given how I acted at the last one. Last time I spoke here, I was in a difficult spot.

Group members nod their heads in understanding. Jerry takes a moment as he searches for the right springboard.

JERRY

When we start here, seeking treatment, one of the first things that we do is declare our powerlessness, submitting to the power of our vice, as well as that of a higher power. We acknowledge that we're not in control. Anyway, the past week or so, that's how I felt. Powerless, inactive, just watching from the sidelines as other people recognized, addressed and fixed their problems. When I first came upon my recent, unique, situation, I thought "What a coincidence". "What a coincidence that I should be where I was". "What a coincidence that things are progressing as they are". As the situations developed and grew, however, I saw more and more that it was not a coincidence that I was

(MORE)

(CONTINUED)

JERRY (cont'd)

there. I put myself there, through my actions, or sometimes, my lack of action. I'm taking blame for that, for letting the world move on without me, which explains my shame from last time. From that realization on, I've done my best to take action, earnest action, to change my life and live fuller and more honestly. Most importantly, I apologized to my son, Kyle, and we're working on rebuilding the relationship that I haven't been ready to give him until now.

(gesturing)

He's here, by the way, if you'd like to meet him.

Kyle is sitting next to Tim and an open chair. He's smiling.

JERRY

As I reclaimed my life, I realized that instead of feeling powerless, I should have felt powerful. I found that everything in my life that I love comes from things I've done, built or fought for. Since that realization I haven't stopped fighting, building and doing. I'm letting my actions speak for me and now they're saying that the turning point, after putting down the booze, wasn't stepping back to study my past. It was stepping forward to seize my future. Thank you.

Jerry steps forward as the audience applauds. Jerry shakes Tim's hand and hugs Kyle. Jerry takes a seat, smiling as the meeting continues.

FADE OUT.

FADE IN:

EXT. SCHOOL FIELDS - DAY

79

SUPERIMPOSE: One Year Later

Jerry is walking with Michael, who is wearing youth football gear, across a field. Michael is larger and his football

(CONTINUED)

pads and cleats are muddy. The two are walking past the football field that separates them from the parking lot. Jerry and Michael are smiling and being jocular. As they pass the field Jerry notices someone standing by the sidelines, observing. Upon a closer look, Jerry notices that it is Will. Will turns around and notices Jerry.

WILL
(surprised)
Hi.

JERRY
Hello.

They pause for a moment as Will tries to place Jerry.

WILL
The jury! Mr., umm...

JERRY
Walker. Jerry Walker.

WILL
Right.

JERRY
I gotta say, seeing you up there,
how you spoke up for yourself, it
really inspired me.

WILL
Thanks, that means a lot, I should
tell my brother you said that, he
was kinda pissed at me for doing
that. That whole thing, the trial,
was rough, but I think I came out
the other end stronger. Silver
lining, right?

JERRY
I'll say.

They stand together for a moment, watching the game.

JERRY
You know these kids?

WILL
Just taking in the game.

JERRY
Reminds you of when you were
younger?

WILL

I wish. I never really had this. Growing up with Robert as my older brother - he played too - football was always about what would come next, you know? Would I win my league like Rob did? In high school I was thinking about recruits. In college I was thinking about rankings and the pros. Looking back, I only briefly ever really got to play just to enjoy the game.

(noticing Michael)

Enjoy it. You're lucky.

JERRY

Sorry. Michael, this is Will.

Will and Michael shake hands. Will turns around.

WILL

Well won't you get out of town.

Jess approaches with a hand-held baby carrier. In it is a baby, wrapped so snugly in layers that only part of his face is visible. Jess kisses Will. Will turns back to Jerry and Michael.

WILL

Michael, meet Michael.

Jerry, stunned, looks at the baby, then back at Will.

JERRY

Michael too, how about that?

WILL

Jess's grandfather.

(to Jess)

Honey, this is Jerry. He was -

JESS

(smiling)

I remember.

JERRY

Right.

(to Will)

Look at you. With a son.

WILL

I know, I still can't believe it - I'm a dad. Any tricks of the trade?

(CONTINUED)

Jerry takes a moment, looks down at his own son and looks back up again.

JERRY

Just be the best man for your son
that you can be, and everything
else will fall into place.

WILL

Easy as that?

JERRY

(smiling)

"Simple" as that. There's nothing
"easy" about it.

Will smiles. Jess looks down at their baby and back to her husband.

JESS

Honey, we should go. It's getting
cold.

WILL

Of course.

(to Jerry)

Nice to see you again.

JERRY

Yeah it was. Take care.

Jerry watches Will and Jess walk away. Then, Jerry and Michael, left alone, turn around to see Heather, Kyle and Lucy approach.

KYLE

(to Michael)

Can't say it enough times, you were
great! What a win!

LUCY

You really were Michael, you left
them in the dust!

MICHAEL

Thanks.

Kyle and Lucy continue walking, taking Michael with them. Jerry and Heather stand still, watching their children walk away.

HEATHER

Who was that you were talking to?

JERRY

A new father.

HEATHER

He has no idea what he's in for.

JERRY

He'll be okay. His son's name is Michael too.

HEATHER

What a coincidence.

Jerry smiles, and looks at his wife. As the camera moves up and back, we see Jerry and Heather walking down the field. In front of them are Kyle, Lucy and Michael. In front them are Will, Jess and the baby.

FADE OUT.

The Original Story

Creating a New Work, Influenced by Cinematic Conventions

I. Conception

The Original Idea

Last summer, I was interning in the Web News division at NBC Philadelphia. I wrote news articles, edited video and other multimedia material, as well as computed basic web numbers for our new director. One day, I was grabbing a sandwich with a fellow intern, a Broadcast Journalism student from Emerson College. He was mentioning how he had just been asked to serve jury duty and how inconvenient it was. I told him, on the bright side, maybe he could be selected for an interesting case. Then the idea came to me: What if he was selected to serve on the jury for a trial regarding a crime that he committed, and got away with?

That whole time, my Thesis was in the back of my head. I had gotten approval to write a feature-length screenplay, but I was without a subject. Within seconds, I had one. I could see the image of a man on the other side of middle-age, a tall, strong man, a Tom Selleck/Harrison Ford type, sitting impotently on the jury bench as he watched an innocent man get tried for a crime that he himself committed.

As I finished my turkey sandwich, my mind was racing, coming up with characters – the older, guilty man, the young man who is unjustly accused, the determined defense attorney who wants to vindicate his client, and the wife of the juror, whose husband, unbeknownst to her, has not only committed a crime, but is watching someone else take the fall for it.

Turning an idea into a Script

Turning my idea into a Thesis was simple. I already had approval to write a screenplay so, in my mind; I was ahead of the game. However, it was a rude awakening when I realized, when it came to writing a screenplay, I had a lot to learn. An English Major, I had been taking creative writing classes since I was a freshman. However, I had never written a story that was longer than twenty pages. My only screenwriting course (Communications 346 – Writing For the Screen I), which was taught by my now Thesis advisor Professor McCormack, was incredibly informative. Still, my screenplays in that class never exceeded fifteen pages.

Resigning myself to cross the bridge of “structure” when I got to it, I started to think of the general story that I would later structure. I came up with characters. I had Jerry, the former alcoholic turned good father, who now finds himself in another, seemingly inescapable mire. There was Will the innocent, a young, athletic man who, due to preconceptions and being in the wrong place at the wrong time, gets dragged into the trial. I also had Will’s defense attorney Robert, who (at the time) would do anything to save his client, including drastic, possibly illegal measures.

When I brought these characters to Professor McCormack at the beginning of last semester, she said that she liked them, but that they needed to be fleshed out more and somewhat redefined. Jerry could not just be a hapless man who stumbled into an unfortunate event. He needed more back-story. We needed to meet Jerry's wife and kids. We needed to see what kind of journey he was on. If he is a recovering alcoholic, how does this situation conflict with his newfound salvation?

Will could not be a perfect, handsome, innocent boy. Maybe it was a temper or past bad streak, but he needed something to make him more real, and to give more credence to the possibility that he would commit murder (the eventual crime that he is tried for) or at least have beef with the man he is accused of killing.

While Robert was a compelling character, I needed to work on him too. His role may have been the hardest to define, as I was attached to the idea of a defense attorney who would take extraordinary measures to save his client. However, the more I found myself developing the character, the more I found him becoming the protagonist. My discussions with Professor McCormack reinforced the idea that Jerry, not Robert, was the protagonist, so a lot of the emphasis that I wanted to put on Robert, to define him, couldn't happen.

After more work, I defined the characters to my liking, which was not too distant from the ones that ended up in the screenplay. I also gave them family, friends and back-story. Then, with only the characters, I began to write the story and screenplay simultaneously.

II. Construction

What Did I Already Know?

I have been watching films my entire life, but until a certain age, they seemed very distant. However, in high school, I saw one film, and everything about film shifted for me. Never before had I found the writing in films to be so interesting and compelling. From that movie on, I had a new appreciation for the screenplay and what it takes to write a compelling story with gripping dialogue. Every film that I saw after that was a new, fascinating ride. I would then go on to college, major in English and write this screenplay (and hopefully more in the future), all the while, never looking at movies the same way again.

The film was Stanley Kramer's "Inherit the Wind", adapted from the Jerome Lawrence and Robert Lee play of the same name. I found it to be enormously compelling. I found the most gripping aspect of its construction to be its characters. From Spencer Tracy's pragmatic Henry Drummond to Fredric March's passionate Matthew Harrison Brady to Dick York's simple Bertram Cates to, my favorite, Gene Kelly's insightful and dry E.K. Hornbeck, I saw breadth and depth within the world.

Every film since then, I have gravitated towards films that focus on creating interesting characters, such as Tarantino's "Pulp Fiction" and the Coen Brothers' "Burn After Reading".

For my own film, I knew could not imagine myself to be a better screenwriter than I was. I was just starting out, and my first screenplay was not going to be the next "When Harry Met Sally..." or "Casablanca". The dialogue would not have Aaron

Sorkin or David Mamet's acerbic jabs and it would not be loaded with the iconic settings and scenes of a George Lucas feature. But I knew that I should start with what I appreciated and recognized in other movies: characters I could care for and want to watch.

Learning the rules – How to Write a Feature Film Screenplay

“A page is a minute.” “The upside-down checkmark.” These were little screenwriting rules that I had picked up over the past year. “A page is a minute” means that what takes up a page on the screenplay usually takes up one minute once on film. An hour and a half film would therefore be the result of a ninety-page screenplay. “The upside down checkmark” means that the rising tension of a screenplay should look like an upside-down checkmark, with a continuous rise until the climax, located near the end of the film, with a steep, but short, decline into the resolution before the closing credits. Besides those two tips, when it came to writing a feature film, structurally, I had little other knowledge on how to proceed.

I scoured the web for the basics of feature film “three act structure”, and found them. I learned that the first act is introduction and exposition, as we see the protagonist and learn about his world as he finds himself in the conflict that will later define the movie. In “The Silence He Keeps”, we meet Jerry, Will, and their families. Both characters have their own experiences on the bridge and, at the end of the act Jerry is at the county courthouse, where he will find himself placed on the jury, an experience that will define the movie.

The second act includes the bulk of the conflict. There, we have the majority of the trial, Jerry's issues with his family and his secret, as well as Will's struggles. The second act ends with a turning point that propels the characters into the final conflict. In “The Silence He Keeps”, Jerry and Robert have their “close-proximity” experience by the bridge, that presses Jerry to attempt to come clean.

The third act has the final conflict and resolution. The court case is wrapped up and Jerry makes the important step of apologizing to his son. In the final scene we see both families, stronger and together.

III. Analyzing Contemporaries

Recognizing Conventions

I was writing a courtroom drama. As I had no prior experience in the field (both of writing a feature film and of writing a courtroom drama), I needed to take a look at courtroom drama films of the past and extrapolate a key lesson that will guide me throughout my film. I looked at the films that I admired. I looked at “Inherit the Wind”, “Philadelphia”, “12 Angry Men”, “Kramer vs. Kramer”, and Aaron Sorkin's “A Few Good Men” and “The Social Network”. All of them had compelling characters and court cases. When I figured out my story, however, I saw that it was not about the trial, but about Jerry's experience, harboring his guilt while trying to reform himself. I panicked. If my film was not about the trial, then can I even call it a courtroom drama? Then I looked back at my library of classic courtroom dramas

and realized the dirty secret that they all shared. None of them were about court cases.

The secret to their success was not that they had compelling back and forth in the courtroom, but that they showed pieces of people and worlds and their larger struggles. “Inherit the Wind” showed a town divided by creationists and evolutionists. “Philadelphia” presented the upsetting discriminatory thoughts that surrounded AIDS and gay life in 1990s America. “12 Angry Men” was about an older generation’s discomfort with those who will take their place in society. “Kramer vs. Kramer” is the story of a man fighting for the right to build a relationship with his son. “A Few Good Men” questions the morality of the chain of command currently in place in the military. “The Social Network” shows the evolution of a technological force that overwhelmed not only the previous generation, but today’s youths as well. I was writing a “courtroom drama” about fathers and sons, trying to define their places in the world. I was safe.

What I Look For

Why would I write a film that I myself would not want to watch? Looking back, I am proud to say that I incorporated into my screenplay, the factors that I enjoy in television in film.

In television, one of my favorite things is when a show has a bunch of guys, all friends, playing around and, all in good fun, giving each other a hard time. I was glad that I could put Will’s friends (Casey, Grant and Mark) in the film. I would enjoy watching them kid around on screen but ultimately stand up for each other.

I also enjoy looking at moral issues, and I wanted my film to ask “moral questions”. I want the audience to debate whether Jerry did the right thing. Was Robert fine to break from his legal responsibility in his final scene with Jerry, in order to ensure that Jerry had the opportunity to be a better man in his own life? I hope that these moral questions, and others, reached the audience.

Something that I also enjoy about films is when they are progressive in some way. While I do not consider myself an ardent supporter of all causes progressive, I notice that in a lot of films I enjoy, the establishment is challenged, to great success, as people who grew up thinking a certain way are confronted with undeniable evidence that they may need to revamp their thinking.

One of my favorite films, “Remember the Titans” deals with integration as it shows the power that open minds can have in segregated Virginia. I get a great pleasure at the end of “Footloose” when the kids are finally allowed to dance, and even in “Inherit the Wind”; a conservative town finds itself wondering whether it should teach evolution in its schools, along with creationism.

In “The Silence He Keeps” there is an aspect of questioning the establishment. Will and Jerry live in a world where the past is hung onto for too long. Will cannot escape his reputation from high school, and Jerry can’t bring himself to recognize that he is no longer the bad father he used to be, that he too can change and finally do the right thing.

The last thing that I wanted to make sure that my film had was some sort of parallelism between characters. In order to give the film universality, I wanted to

connect the characters. I did not want “The Silence He Keeps” to be about disconnected individuals, going through their own experiences. I wanted them to be connected, even if they weren’t aware of the connections themselves.

The key connection in the screenplay was between Jerry and Will. They are both going through a similar ordeal, being tried (or trying themselves) for Greg’s death. Both are plagued by their past (and their reputations, which they would like to change) and both are concerned with being able to be there for their children. Jerry doesn’t want to be like his father, who “saw him through a glass”. Will expresses his concern that, if convicted, his child will only know their father as the man on the other side of the bulletproof glass.

The final scene cements the relation. Both men have sons named Michael. The two Michaels, as a result of the previous events, now have fathers who are both not imprisoned and left with valuable life lessons that will make them better parents. On the surface, one might not think that Jerry would have so much in common with a man thirty years his junior, but hopefully this film will remind people that we are often more alike than we think.

IV. The Next Step

I would like to make something of this script. Ideally, I would like it to become a feature film, or at least a work that I can have as an example of my abilities if I ever want to be hired as a writer. Whatever may come, however, I know that as a result of this work, I have developed not only my own skills, but my appreciation of the medium, film, that inspired me to begin writing in the first place.

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A Few Good Men. Dir. Rob Reiner. Prod. Rob Reiner, David Brown, and Andrew Scheinman. By Aaron Sorkin. Perf. Aaron Sorkin, Tom Cruise, Jack Nicholson, Demi Moore, and Kevin Bacon. Columbia Pictures, 1992.

Burn after Reading. Dir. Joel Coen and Ethan Coen. Prod. Joel Coen and Ethan Coen. By Joel Coen and Ethan Coen. Perf. George Clooney, Frances McDormand, John Malkovich, and Tilda Swinton. Focus Features, 2008.

Casablanca. Prod. Jack L. Warner, Hal B. Wallis, Carl Jules Weyl, George James Hopkins, Orry-Kelly, and Perc Westmore. By Julius J. Epstein, Philip G. Epstein, Howard Koch, Arthur Edson, Owen Marks, Don Siegel, James Leicester, Francis J. Scheid, Lawrence Butler, Enger Willard Van, M. K. Jerome, Jack Scholl, Hugo Friedhofer, Leo F. Forbstein, Max Steiner, and Casey Robinson. Dir. Michael Curtiz. Perf. Humphrey Bogart, Ingrid Bergman, Paul Henreid, Claude Rains, Conrad Veidt, Sydney Greenstreet, Peter Lorre, S. Z. Sakall, Dooley Wilson, John Qualen, Leonid Kinskey, Curt Bois, Helmut Dantine, Marcel Dalio, Ludwig Stossel, Frank Puglia, and Dan Seymour. Warner Bros. Pictures, Inc., 1942.

Footloose. Dir. Herbert Ross. Prod. Lewis J. Rachmil and Craig Zadan. By Dean Pitchford. Perf. Kevin Bacon, Lori Singer, John Lithgow, and Dianne Wiest. Paramount Pictures, 1984.

Inherit the Wind. Prod. Stanley Kramer, Rudolph Sternad, Joe King, Bud Westmore, and Larry Germain. Dir. Stanley Kramer. By Nedrick Young, Harold Jacob Smith, Ernest Laszlo, Ernest Gold, Frederic Knudtson, Joseph Lapis, and Walter Elliott. Perf. Spencer Tracy, Fredric March, Gene Kelly, Dick York, Donna Anderson, Harry Morgan, Elliott Reid, Claude Akins, Paul Hartman, Noah Beery, Ray Teal, Norman Fell, and Florence Eldridge. A United Artists Release, 1960.

Kramer vs. Kramer. By Robert Benton. Dir. Robert Benton. 1979.

Philadelphia. Dir. Jonathan Demme. By Ron Nyswanger. Perf. Tom Hanks, Denzel Washington, Antonio Banderas, and Joanne Woodward. TriStar Pictures, 1993.

Pulp Fiction. Dir. Quentin Tarantino. By Quentin Tarantino. Prod. Lawrence Bender. Perf. Samuel L. Jackson and Uma Thurman. Miramax, 1995.

Remember the Titans. Dir. Boaz Yakin. Perf. Denzel Washington. Disney, 2000.

The Social Network. Dir. David Fincher. Perf. Jesse Eisenberg, Andrew Garfield, Armie Hammer, Josh Pence. Columbia Pictures, 2010.

When Harry Met Sally--. Dir. Rob Reiner. Perf. Billy Crystal and Meg Ryan. Castle-Rock, 1989.

Brandon Rothseid

Education

Schreyer Honors College
Pennsylvania State University, Class of 2012
Major: English
Minor: Theatre

Activities

Penn State Dance Marathon, Springfield Chapter
World's Largest Student-Run Philanthropy for Pediatric Cancer
Fundraise: \$9.5 million raised in 2011
Interact with cancer patients and their families

Beta Theta Pi Fraternity – Alpha Upsilon Chapter
Chorister

University Choir
Tenor

No Refund Theatre
Lead Roles in musicals and dramas
(Including Seymour in “Little Shop of Horrors” and Andrew in “I Hate Hamlet”)

Improv PSU
Long and Short form improvisation and musical comedy

Schreyer Honors College Mentor
Orientation program leader for incoming Scholars

Lankenau Hospital, Wynnewood, PA
Development Office Volunteer
Fundraised and assisted in event planning and publicity initiatives

Work Experience

NBC/Universal, Philadelphia, PA, Summer 2011
Intern: NBC News, Web Division
Analyzed, drafted and published web content
Researched and delivered daily presentations to News Director

Merv Griffin Entertainment, Los Angeles, CA, Summer 2010
Sole intern
Assisted with development, casting and production of TV programming

Pine Forest Camp, Greeley, PA, Summer 2009
Camp Counselor: Oversaw daily and nightly activities for 11 year old boys
Coached sports, mediated disputes

Peace A Pizza, Rosemont, PA, Summer 2008
Customer service, restaurant counter operations and product delivery

Primo's Hoagies, Ardmore, PA, Summer 2008
Restaurant and general operation functions

Lower Merion Soccer Club, Ardmore, PA, Fall 2004 – Fall 2006
Officiated Soccer league games

Skills

Language: French, conversational fluency
Musical: Singing, Guitar, Piano
Computer: Microsoft Office, Dalet, Podcasts, Blogs, multimedia web content
(including video embedding, image galleries and online publishing)

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