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Episode #107
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SUITS

"Play the Man"

Episode #107

Written by

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SUITS
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CAST LIST

MIKE ROSS.....PATRICK J. ADAMS
HARVEY SPECTER.....GABRIEL MACHT
JESSICA PEARSON.....GINA TORRES
LOUIS LITT.....RICK HOFFMAN
RACHEL ZANE.....MEGHAN MARKLE
DONNA PAULSEN.....SARAH RAFFERTY

JENNY GRIFFITH.....VANESSA RAY
JONES DEBEQUE.....HAL OZSAN
KYLE DURANT.....BEN HOLLINGSWORTH
DANIEL VEGA.....STERLING JARVIS
DANA 'SCOTTIE' SCOTT.....ABIGAIL SPENCER
HAROLD (NON-SPEAKING).....MAX TOPPLIN

SUITS

107

LOCATION/SET LIST

STANDING SETS

PEARSON, HARDMAN LAW FIRM
ASSOCIATES' BULLPEN
MIKE'S CUBICLE
HARVEY'S OFFICE
LIBRARY
KYLE'S CUBICLE
HALLWAY
CONFERENCE ROOM
DONNA'S DESK
WATER COOLER AREA
LOUIS'S OFFICE

INTERIORS

OFFICE TOWER
LOBBY
ELEVATOR
DEBEQUE'S HOTEL
LOBBY
SUITE
JENNY'S APARTMENT
HARVEY'S APARTMENT
HARVARD CLUB
MIDTOWN BAR

EXTERIORS

OFFICE TOWER
JENNY'S APARTMENT
VEGA'S HOTEL

TEASER

1 EXT. OFFICE TOWER - DAY 1

MIKE speeds on his bike towards Pearson Hardman, suited up, briefs sticking out of his shoulder bag. He weaves through a couple of suits. He cuts the corner close and SCREECH. He swerves, narrowly missing RACHEL, who spills her coffee.

RACHEL
Watch it!

Mike leaps off his bike. Rachel shakes coffee off her hands.

MIKE
I'm so sorry. Are you okay?

RACHEL
There are easier ways to kill me if
you're worried that I'll rat you
out for LSAT cheating.

She barrels into the revolving door of the firm.

MIKE
Rachel --

He starts to chase after her and then remembers his bike.

MIKE (CONT'D)
Son of a --

He rushes to chain it up and runs in after her.

2 INT. LOBBY - OFFICE TOWER - CONTINUOUS 2

Mike catches up to Rachel, as she beelines for the elevators, dumping her coffee in the trash at security.

MIKE
Let me buy you a fresh cup.

RACHEL
Does that mean you'll actually buy
it? Or steal it?

(CONTINUED)

2 CONTINUED:

2

MIKE

Okay, I don't steal. I cheat.
There's a difference. And I don't
do it anymore.

RACHEL

Great defense. "I know I murdered
her, your honor, but I promise I
won't do it anymore --"

MIKE

Funny. Me and a murderer. Totally
the same thing. You must've aced
your analogy section on the SATs.
Oh wait -- you can't take tests.

RACHEL

Actually, I was using hyperbole to
make a point. Like, say, if I were
to call you a complete asshole.
I'm only trying to illustrate the
point that you're a complete
asshole.

The doors to the elevator open and they step in. Two people
who do not want to be trapped in a small space together.

3 INT. ELEVATOR - OFFICE TOWER - CONTINUOUS

3

Rachel's eyes are locked on the floors ticking up. Mike
takes a deep breath.

MIKE

Look, I understand why you're mad,
but I feel like your reaction might
not be totally fair.

Rachel takes a beat.

RACHEL

Not fair?

Uh oh. Mike realizes he pushed the wrong button.

RACHEL (CONT'D)

What's not fair is that you have
repeatedly helped people skirt a
system that stands in the way of me
becoming a lawyer--

(CONTINUED)

3 CONTINUED:

3

MIKE

Hey, maybe you should think twice about the saint act, since you only found out about my cheating because you were going to cheat too.

RACHEL

Thinking about cheating and actually cheating aren't the same thing, analogy man. And we both know the only reason you helped me study in the first place is because you were worried that I would turn you in.

MIKE

Do you really think I'm that manipulative?

RACHEL

I don't know what you are.

DING. Rachel and Mike are fuming, as the doors to the elevator OPEN.

4 INT. ASSOCIATES BULLPEN - PEARSON, HARDMAN - DAY

4

Mike and Rachel step out into a truly bizarre scene-- the usually buzzing bullpen is completely and totally deserted.

MIKE

Did I miss an apocalypse?

Mike peers over a cubicle.

MIKE (CONT'D)

Where is everyone?

Rachel shakes her head at him.

RACHEL

You know, for someone with a freak brain, you manage to forget everything important.

Rachel starts walking through the bullpen.

RACHEL (CONT'D)

Follow me. But don't talk to me.

(CONTINUED)

4 CONTINUED: 4

Frustrated, Mike picks up a pen off the reception desk and mock stabs the air behind her, Psycho-style. Rachel looks back at him. He drops the pen.

5 INT. HARVEY'S OFFICE - PEARSON, HARDMAN - DAY 5

CLOSE-ON a pen sliding across the last page of a document. HARVEY and JONES DeBEQUE (37), suave, handsome, wrap up paperwork.

JONES

Not bad, Harvey. The Prague hotel in the black in less than three years and a successful IPO. Who said passion wasn't productive?

HARVEY

I don't believe anyone's ever said that.

Jones sticks out his hand for a shake. Harvey crosses his arms, doing his best impression of a stern father.

HARVEY (CONT'D)

Tell me something, Jones, you have thirty hotels in twelve different countries. But you spent last week at Daniel Vega's Lisbon resort.

JONES

Just sniffing out the competition.

HARVEY

That was more than a fact finding mission. You're thinking merger.

JONES

You honestly believe I would do that without telling you?

HARVEY

I know you would.

JONES

Then perhaps I did.

HARVEY

Jones, you don't own a majority interest anymore.

(MORE)

(CONTINUED)

5 CONTINUED:

5

HARVEY (CONT'D)

If you pursue a merger, you may not control what happens to the business you built so passionately.

JONES

Okay, Sherlock, hear me out. Combined, we're a hundred hotels in twenty-three countries. I like having multiple homes.

HARVEY

Yes, but you don't need another name on the mortgage.

JONES

It's a good deal.

HARVEY

And it's my job to get you a better one.

Jones smiles.

HARVEY (CONT'D)

Just promise me you didn't do a handshake deal.

Jones gives a shrug.

JONES

What can I say? I'm a lover, not a fighter.

Harvey shakes his head, while paging Donna.

HARVEY

Donna, set up a meeting with Daniel Vega's lawyer. Yesterday.

No response.

HARVEY (CONT'D)

Donna?

Harvey opens the door and sees an empty desk.

HARVEY (CONT'D)

Where the hell is Donna?

OFF Harvey's frustration--

6 INT. LIBRARY - PEARSON, HARDMAN - DAY

6

Mike and Rachel enter a packed law library. Like NFL draft meets Hogwarts Sorting meets the lottery. The associates line the upper and lower deck, focused on JESSICA and LOUIS.

MIKE
(hushed)
Are we sacrificing a goat?

DONNA (O.C.)
More like a first year.

DONNA appears at Mike's shoulder, glowing with excitement.

DONNA (CONT'D)
It's the associate mock trial
tournament.

MIKE
Like make-believe trials? Are we
going to play Monopoly after that?

DONNA
More like the moment that can make
or break your career.

Mike gives her a look.

MIKE
Is it really that big a deal?

DONNA
This is your debutante ball. The
impression you make on the partners
will last.

MIKE
Let me guess, Harvey was...?

DONNA
Legendary.

MIKE
Shocking.

Rachel grabs a binder from a secretary distributing them and shoves it into Mike's hands. CLOSE-ON the binder: Sydney Thompson v. Lunders Global Initiative.

(CONTINUED)

6 CONTINUED:

6

RACHEL
(only Mike can hear)
Can't cheat your way through this
one.

Jessica is mid-presentation of the facts of the case. You
can hear a pin drop in this room.

JESSICA
Sydney Thompson was a consultant at
Lunders Global Initiative. She was
overworked, underpaid and subject
to an office environment which was,
how shall I put this...competitive.
Sound familiar?

A chuckle goes through the crowd.

JESSICA (CONT'D)
On March 31st, Sydney attended an
office party. She had a few too
many and decided to entertain her
friends with an impersonation of
her boss, Lena Lunders--

LOUIS
Nobody get any ideas.

An ASSOCIATE makes a Louis face.

LOUIS (CONT'D)
I saw that Harold.

Harold drops the act.

JESSICA
Sydney's impersonation was recorded
and uploaded to a social networking
site. Allegedly, without her
consent. The next day she was
fired. Sydney is now suing for
wrongful termination.

Louis, brimming with excitement, jumps in.

LOUIS
You are the top 1% of all New York
associates, the elite, the best,
and we've made you better.

Mike leans over to Donna.

(CONTINUED)

6 CONTINUED: (2)

6

MIKE

Is he quoting Top Gun?

JESSICA

The point being--

LOUIS

There are no points for second place.

MIKE

That's definitely Top Gun. Is that the only movie anyone ever quotes around here?

JESSICA

We are looking to see how you do under pressure. The partners have been instructed to only use the associates in emergency situations--

A cheer erupts from the crowd. Jessica smiles.

JESSICA (CONT'D)

Which means I expect nothing less than exceptional performances.

She turns to Louis.

JESSICA (CONT'D)

Let the games begin.

Louis steps to the center and starts cranking an old fashioned lottery ball machine.

LOUIS

When your name is called, step up and meet your match.

Mike's office nemesis, KYLE DURANT, raises his hand.

KYLE

I think you mean my bitch, Louis.

The crowd starts whooping and hollering, as Louis pulls names. Donna grabs Mike's binder and flips through.

DONNA

I'm glad Jessica finally chose a case with a strong, female character. Last year, I was forced to play a traffic cop. It was a waste of my talent.

(CONTINUED)

6 CONTINUED: (3)

6

MIKE

You play witnesses?

DONNA

I don't play anything. I embody. And if I'm on your team, you're a winner.

MIKE

How can a witness make a lawyer a winner? Don't they all testify to the same facts?

DONNA

You think if you cooked a meal with the same ingredients as a chef it would taste the same?

(then)

When I cook, people win.

MIKE

In that case --

DONNA

No.

OFF the stakes of this fake case landing on Mike, we hear--

LOUIS (O.C.)

Mike Ross. Mike Ross!

Donna gives Mike a shove forward. He works his way through the crowd and meets his match...Kyle. He extends his hand.

LOUIS (CONT'D)

Kyle for the plaintiff. Ross for the defendant. May the best man win. Oh Kyle, weren't you national Mock trial champion?

KYLE

That's right Louis. In high school, college and law school.

LOUIS

Good luck to both of you.
(to Mike, whispering)
Not really.

OFF Mike's GULP. We SMASH TO...MAIN TITLES.

END OF TEASER

ACT ONE

7 INT. HARVEY'S OFFICE - PEARSON, HARDMAN - DAY 7

Harvey stands at his desk, while Mike stands at attention.

HARVEY

I need an assessment of all of
Vega's hotels. I want you to check
property value, annual earnings--

Harvey looks up at Mike's blank face.

HARVEY (CONT'D)

There should be writing.

MIKE

But this doesn't sound like an
emergency.

Harvey stares at him.

MIKE (CONT'D)

Mock trial tournament...this guy
(indicates himself)
...off limits...to you...

Mike wilts under Harvey's gaze.

MIKE (CONT'D)

Yeah, I'll get on it.

Mike starts to walk out, but stops short. He turns back--

HARVEY

(barely looking up)
I don't give advice.

MIKE

Yes, you do--

HARVEY

Not when you ask for it. Only when
I decide you need it.

MIKE

Please, Sensei. I'm out of my
league on this mock trial thing.

Harvey takes a beat. Considering Mike's earnest face. He
sits on the edge of the desk.

(CONTINUED)

7 CONTINUED:

7

HARVEY

Listen to me.

Mike's on the edge of his seat.

HARVEY (CONT'D)

Don't. Go. To. Trial.

Harvey leans back, with a "You're welcome" smile.

MIKE

It's a mock trial. I think the trial part is a prerequisite.

HARVEY

Law is about control. And you can only control so much when there's a judge, a jury, witnesses, and another lawyer with an ego complex.

MIKE

What if the lawyer doesn't have an ego complex?

HARVEY

Every lawyer has an ego complex. The firm's presented an exercise where there's potential for failure. I'm saying create a situation where that's not even a possibility -- Kobayashi Maru.

MIKE

Koba-what-now?

HARVEY

Star Trek. Captain Kirk. He wins a no-win situation by rewriting the rules.

Mike considers this for a beat and then can't help himself.

MIKE

You're a Trekkie?

HARVEY

Hey. Captain Kirk is the man and I don't want to hear a word about it. Now, enough with your fake law problem. Let's deal with my real one.

(CONTINUED)

7 CONTINUED: (2) 7

Off Mike's face...

PRE-LAP:

KYLE

You want to know how to do a cross?

8 INT. KYLE'S CUBICLE - PEARSON, HARDMAN - CONTINUOUS 8

Mike's zeroed in on Kyle, who dispenses advice to a group of gathered associates.

KYLE

Cochran for bravado, Dershowitz for substance, and Bremner for the feminine touch. Personally, I'm a little more go for the groin...

(to Mike)

Oh, hey Mike.

MIKE

You mind dismissing the peanut gallery so we can talk?

Kyle waves them off.

KYLE

Sorry, guys, I think Ross wants to plead for mercy.

The crowd disperses, enjoying the face-off.

KYLE (CONT'D)

If you're here for the witness/exhibit exchange, don't bother. I already know who you're going to call and what evidence you're going to use.

Mike sits on Kyle's desk, doing his best Harvey.

MIKE

Actually, I'm not going to call any witnesses or present any evidence.

KYLE

It's a make believe trial, Ross, but that doesn't mean it can all happen in your head.

(CONTINUED)

8 CONTINUED:

8

MIKE
Let's settle.

KYLE
Or, I can beat you.

MIKE
In the real world, the end result
of a wrongful termination would be
settlement.

KYLE
In my real world, the end result
would be me beating you.

MIKE
The plaintiff showed a pattern of
making derogatory statements about
my client --

KYLE
Hearsay --

MIKE
Not the e-mails.

KYLE
Which have no tone of voice and are
subject to interpretation.

MIKE
Which is exactly what makes your
argument shaky at best.

KYLE
Then beat me in court.

MIKE
Kyle, I know you think you're going
to beat me and maybe you will. But
law is about control, and you don't
control everything in that trial.
There's a reason Harvey chose me as
his guy, are you that sure you want
to find out what that reason was?

A beat.

KYLE
How do I know this isn't some kind
of trick?

(CONTINUED)

8 CONTINUED: (2)

8

MIKE

This isn't a trick. It's a way for us to stand out. Settling gets us in and out of there in five minutes. I give your client three month's severance, you drop the suit, and you and I can spend the week making ourselves indispensable to the partners while everyone else buries their heads in Candyland Court.

This lands on Kyle.

KYLE

I'm going to go against my better judgement and trust you.

MIKE

So we have a deal?

Off Kyle extending his hand, we CUT TO:

9 INT. LOBBY - DEBEQUE'S HOTEL - NEXT DAY

9

Harvey shaking the hand of DANIEL VEGA, (45) tanned and jovial. They sit with Jones in the lobby of a DeBeque's hotel.

HARVEY

Daniel, the paperwork looks good, despite the fact that you two decided to go lawyer commando, but the devil's always in the details--

JONES

Harvey, I know impulse purchases don't exist in your world, but the timing is right.

DANIEL

And as for the details, I like to leave that up to my man, Scott.

HARVEY

Does he always like to be late--

DANIEL

She is just off a plane from London-

(CONTINUED)

9 CONTINUED:

9

The CLICK CLICK of heels is heard on the hotel lobby floor. Harvey slow-motion turns and locks eyes with DANA "SCOTTIE" SCOTT. She's the intelligence of Ruth Bader-Ginsberg, with the body of Ava Gardner and the confidence of Harvey Specter.

DANIEL (CONT'D)

Meet Ms. Dana Scott.

HARVEY

Scottie.

SCOTTIE

Harvey.

An icy veneer has fallen over both of them, as though we've just marked the start of World War Three.

JONES

You two know each other?

Jones starts leading the four of them through the first floor of the hotel.

SCOTTIE

We were at Harvard Law together. Harvey was number five in the class and I was, oh I forget, what was it?

HARVEY

Married to the library.

SCOTTIE

That's right. Number one.

HARVEY

Yes, number one. At studying. But what's my success rate against you in the real world where we practice real law?

SCOTTIE

Harvey, there should be no winners or losers in a merger. Just a happy new couple.

HARVEY

That's right. Three and oh.

They've landed outside the elevators. Jones and Daniel size these two up.

(CONTINUED)

9 CONTINUED: (2)

9

DANIEL

Well, I say we let these two talk
deal points while I try your chef's
famous Sea Bass.

Jones hands Harvey a key to a suite.

JONES

Play nice. Remember --
(indicating Daniel)
We like each other, even if you two
don't.

All four share a laugh. One that is immediately dropped by
Harvey and Scottie as soon as the men have turned.

SCOTTIE

Married to the library?

HARVEY

It's not my fault if the library is
the best you could do.

The elevator doors open and Harvey and Scottie enter.

SCOTTIE

Push the button.

HARVEY

You push the button.

SCOTTIE

If we were going to the first
floor, I'd push the button. But
ironically, we're going to the
fifth floor.

HARVEY

Really?

As the doors close.

SCOTTIE

Do you understand what I just did?
Cause you were fifth in the class
and I was --

HARVEY

I get it.

10 INT. SUITE - DEBEQUE'S HOTEL - DAY

10

Harvey and Scottie enter a beautiful executive suite. It's enormous, with a large dining table and multiple doors leading off. They place their briefcases on the table.

HARVEY

Do you have a preliminary proposal?

They CLICK them open.

SCOTTIE

No, I just flew in from London completely unprepared.

She hands him a folder. Harvey starts to open it.

SCOTTIE (CONT'D)

I think you owe me something first.

Harvey hands her a folder and removes his suit jacket.

HARVEY

Try not to be intimidated. I use some big words.

Scottie places it on the table and removes her suit jacket.

SCOTTIE

Overcompensation isn't that big of a word.

HARVEY

It isn't?

Harvey loosens his tie.

SCOTTIE

I can hardly wait to see the work of a senior partner.

HARVEY

Hm, I see my promotion popped up on your Harvey Specter google alert.

Scottie removes her heels. What the...?

SCOTTIE

That's not all that's going to pop up.

(CONTINUED)

10 CONTINUED:

10

Harvey untucks his shirt. Scottie removes a bobby pin and her hair tumbles to her shoulders. There's the first crack of a smile from both of them and they COLLIDE. Passion, fire, ferocity, locked in a kiss. She wraps her legs around Harvey, as he carries her towards the bedroom.

HARVEY

Can't remember the last time we had a bed. Pretty convenient that we're working on a hotel merger--

SCOTTIE

Remember the mining deal?

HARVEY

Shaft twenty seven. Listen, about the due diligence.

SCOTTIE

Ah, ah, ah, Harvey. You know the rules. No case negotiations until we're done.

Harvey takes a beat.

HARVEY

That might be a while.

And they go, disappearing into the room.

END OF ACT ONE

ACT TWO

11 INT. HALLWAY - PEARSON, HARDMAN - DAY 11

Mike walks towards the law library, briefcase in hand, the picture of confidence. A crowd gathers outside, including, to his surprise, Rachel. He walks up to her.

MIKE
Couldn't resist seeing brilliance
in action?

RACHEL
Actually, I have to be here. I'm
playing the part of the plaintiff.

Mike stops short.

MIKE
Wow. I know you're pissed, but I
didn't take you for petty.

RACHEL
What's that mean?

MIKE
You chose to work with the one guy
going against me.

RACHEL
Believe it or not Mike, it's not
always about you. Kyle asked me
and I said yes.

MIKE
Is he the only one who asked you?

Rachel just gives him a look.

MIKE (CONT'D)
Thought so.

The doors to the law library open.

MIKE (CONT'D)
You know what? It really doesn't
matter. Because you're never going
to get on the stand.

RACHEL
How's that?

(CONTINUED)

11 CONTINUED:

11

MIKE

It's a surprise. Prepare to see
mock trial legend born.

Mike walks into the law library.

12 INT. LIBRARY - PEARSON, HARDMAN - DAY

12

The law library has been converted into a courtroom. Mike and Kyle sit behind their tables. Jessica sits at the dais, wearing a black robe and a look of judicial solemnity. A gaggle of severe-looking partners, including Louis, sits in the audience.

JESSICA

Counsel, are you ready to proceed
with opening statements?

Mike and Kyle both rise--

KYLE

The plaintiff is ready for
trial, your honor.

MIKE

We'd like to submit a
settlement agreement, your
honor.

A murmur goes through the crowd. Mike stares at Kyle.

JESSICA (CONT'D)

Which is it counselor?

MIKE

The counsel for the plaintiff and I
agreed to a settlement yesterday.

JESSICA

(to Kyle)

Is this true?

KYLE

I'm sorry, your Honor, he must have
misunderstood. We had discussions,
but I never agreed to anything.

MIKE

(to Kyle)

You liar.

(quick, like a child)

He's a liar, your Honor.

(CONTINUED)

12 CONTINUED:

12

KYLE

Objection. Last I checked, my character wasn't on trial.

JESSICA

Sustained.

Mike glares at Kyle.

JESSICA (CONT'D)

(to Mike)

Do you have a signed agreement?

MIKE

No.

JESSICA

Then I think we're ready to proceed.

(to Kyle)

You have the floor.

Kyle stands, while Mike sinks into his chair.

KYLE

Oh March 31st, 2010, Sydney Thompson was unwittingly recorded on a cell phone...

(moves into SLO-MO,
distorted)

She was making a joke. The type of joke I'm sure every person in this courtroom has made at one point or another. And yet, she was fired. She was denied severance. And blackballed from a profession she loves. This is, plain and simply, an injustice. We will show that Sydney Thompson not only deserves her job back, but damages for the pain and humiliation involved in her firing. Thank you, your honor.

Kyle's words fade into WHITE NOISE as Mike panics. He can feel sweat beading on his forehead. His breathing is short. He looks at Rachel's steely face. He looks down at his empty case folder. He has prepared nothing.

JESSICA (O.S.)

(as though from a vacuum)

Mr. Ross...

(MORE)

(CONTINUED)

12 CONTINUED: (2)

12

JESSICA (O.S.) (CONT'D)
(full volume)
Mr. Ross!

Mike is snapped out of his panic by Jessica.

JESSICA (CONT'D)
Are you ready?

Mike slowly stands.

MIKE
The defense, uh...

His mind is racing to find it.

MIKE (CONT'D)
According to Bowmaster v. Whitely,
if a party to a settlement is
surprised by the repudiation of the
settlement, the court must give a
reasonable amount of time to
prepare for the trial.

Jessica gives him a look.

JESSICA
A reasonable time.

MIKE
Yes, your Honor.

JESSICA
You get five minutes.

OFF Mike's Gulp...

13 INT. SUITE - DEBEQUE'S HOTEL - DAY

13

CLOSE-ON a stocking pulling up a perfect leg.

CLOSE-ON a tie being pushed up into a perfect knot.

PULL BACK to reveal Harvey and Scottie tidying up while they
settle in at opposite sides of the elegant table.

SCOTTIE
Vega has more property.

HARVEY
DeBeque has more potential.

(CONTINUED)

13 CONTINUED:

13

SCOTTIE

That's harder to monetarily define.

HARVEY

This isn't the library, Scottie.
My guy is an up and comer, and
that's why your guy is pouncing.

SCOTTIE

Your client is an impulse shopper.
And that may have made him a quick
success, but it could make him an
even faster failure.

HARVEY

So he's a passionate guy? He falls
in love with a city and he builds a
hotel. Who are you to argue with
his track record?

SCOTTIE

I'm a realist. And I've never seen
a deal pushed through so quickly.

HARVEY

So what?

SCOTTIE

So, your guy might wake up tomorrow
and decide he doesn't want to do
this. And I'm not going to give
you access to our private books
without a signed deal.

HARVEY

Is that a joke?

SCOTTIE

Am I laughing?

HARVEY

It's a merger, Scottie. I may not
have been awake for our M&A clinic--

SCOTTIE

Except when you were copying my
notes--

HARVEY

Which was no day in the park. You
write like a monkey.

(MORE)

(CONTINUED)

13 CONTINUED: (2)

13

HARVEY (CONT'D)

But in any case due diligence is a requirement.

Scottie pauses.

SCOTTIE

I have an obligation to my client.

HARVEY

Then we don't have a deal and everyone's going to know it's because you killed it.

SCOTTIE

I don't see you rushing to show us your private books.

HARVEY

I have nothing to hide. You can have full access to our books right now.

SCOTTIE

Good. I'll show you mine, if you show me yours.

Harvey starts to speak--

SCOTTIE (CONT'D)

Don't say it, Harvey.

They smile at each other, as we CUT TO:

14 INT. HALLWAY - PEARSON, HARDMAN - DAY

14

Mike gulps water from the water fountain, trying to recapture his cool. He stands, clutching both sides for dear life.

RACHEL (O.C.)

Are you okay?

Mike stands up and stares squarely at her.

MIKE

Do you really care?

Rachel softens, she starts to say something when Kyle steps between them.

(CONTINUED)

14 CONTINUED:

14

KYLE

Mr. Ross, I'm going to have to ask you not to speak to my client.

MIKE

I was speaking to Rachel the paralegal, not your client. And I only have five minutes so get out of my face.

KYLE

What's your problem, Mike?

MIKE

My problem is, you didn't have the balls to make this a fair fight.

KYLE

Lawyering isn't about fighting fair. And you better watch the accusations. Or I might just have to sue for defamation.

As Kyle places his hand on Rachel's back and leads her back into the courtroom, a light bulb goes off in Mike's head.

15 INT. LIBRARY - PEARSON, HARDMAN - DAY

15

Everyone sits back in their positions, ready to go.

JESSICA

(to Mike)

Are we ready?

MIKE

Ready, your Honor.

Jessica gestures him to the floor. Mike stands.

MIKE (CONT'D)

The defendant wishes to countersue.

A murmur goes through the crowd. Kyle sits up.

KYLE

On what grounds?

Jessica raises an eyebrow.

(CONTINUED)

15 CONTINUED:

15

JESSICA

I believe that's my line,
Counselor.

Jessica makes a hand motion to Mike, "Grounds." Mike looks straight at Kyle.

MIKE

Defamation of character.
Plaintiff's video negatively
impacted the perception of Lena
Lunders and impaired her financial
well-being. She deserves to be
compensated.

KYLE

That's ridiculous, your Honor, for
there to be defamation, the
statements made would have to be
false. That's not the case here.

MIKE

Then you shouldn't have a problem
proving that in court.

Jessica pauses a beat.

JESSICA

The countersuit is allowed.

KYLE

Are you serious?

JESSICA

You want to approach the bench and
see how serious I am?

Kyle and Mike approach the bench. Jessica hands them each an additional case binder.

KYLE

Your honor, defense should've filed
counterclaims before the trial--

Jessica stops him with a look.

JESSICA

Yes. He should have. But no one
in this crop of associates had the
foresight to do so. And we drafted
a whole addendum just because we
assumed someone would.

(MORE)

(CONTINUED)

15 CONTINUED: (2)

15

JESSICA (CONT'D)

So, I'm going to allow it. Do you have a problem with that?

KYLE

No, your honor.

JESSICA

This is a defamation trial now. You have until Friday to prepare.

She bangs her gavel. Kyle walks back to his desk, where Louis descends. Jessica gestures Mike closer to the bench.

JESSICA (CONT'D)

Nice recovery. Thinking on your feet. But you wouldn't have had to if you weren't so naive. Not every judge is going to be as accommodating as I just was.

Mike nods, clutching his new case (i.e. his lifeline).

16 INT. DONNA'S DESK - PEARSON, HARDMAN - DAY

16

Harvey approaches Donna's desk with an undeniable spring in his step.

DONNA

How'd the negotiation go? You come out on top?

Harvey cracks a smile.

HARVEY

Why didn't you tell me Scottie was opposing counsel?

DONNA

I didn't want you to have performance anxiety.

Harvey raises an eyebrow.

DONNA (CONT'D)

About the case. She's tough.

HARVEY

You're obvious.

DONNA

And your fly is unzipped.

(CONTINUED)

16 CONTINUED:

16

Harvey doesn't even look down.

HARVEY

No, it isn't.

DONNA

But it was earlier today.

She goes up for a high-five. Harvey does not.

HARVEY

You can do better.

DONNA

(whispering)

Is that what Scottie said?

He hands her his notes.

HARVEY

Type up the new deal points. I got her to cave. Debeque's going to run the show. All I had to do was show her our books.

She salutes him.

17 INT. HARVEY'S OFFICE - PEARSON, HARDMAN - CONTINUOUS

17

Harvey enters his office to find an antsy Mike waiting.

MIKE

I can't believe it. You gave the worst advice anyone's ever given another person.

HARVEY

Take the drama down a notch, Juliet.

MIKE

I tried to settle and got completely blind sided.

HARVEY

You offered Kyle a deal?

MIKE

And he agreed.

(CONTINUED)

17 CONTINUED:

17

HARVEY

And you believed him?

A beat. Mike believed him.

HARVEY (CONT'D)

I told you to settle. I didn't tell you to be stupid. What do you think's going to happen in the real world? You have to be prepared for anything.

MIKE

Well, in the real world I won't have to find someone to play my fake witness in my fake trial.

HARVEY

You think in the real world witnesses are going to jump up and present themselves? They're not. And sometimes when you have one, they're going to disappear or recant. You know what you do? You deal with it. Mock trial is about figuring out what kind of lawyer you're going to be. And there's only two kinds -- winners and losers.

MIKE

That sounds good, but I haven't prepared, I don't even have anyone to play my client or my witness, and I'm going against an opponent I can't trust.

HARVEY

Well, winners don't make excuses when the other side plays the game. So figure out a way to beat him anyway.

As this lands on Mike...

END OF ACT TWO

ACT THREE

18 INT. DONNA'S DESK - PEARSON, HARDMAN - NEXT DAY 18

Mike walks towards Donna's desk with a folder.

MIKE

Hey, Donna, I proofed the final agreement on the hotel merger. Quick question--has Harvey ever heard of spell check?

Donna looks up at Mike and we see tears streaming down her face.

MIKE (CONT'D)

What?

He has no idea how to deal with this. She lets out a sob.

MIKE (CONT'D)

No, no, don't cry, it's okay.
(he hands her a tissue
from her desk)
Shhh. Shhh.

She chokes on her words. She bites her lip, fighting the tears...and she drops it.

DONNA

Not bad, right?

Mike takes a step back. Totally unsure.

DONNA (CONT'D)

I can also do a Demi Moore single tear if that's better for the character.

MIKE

I really don't understand.

DONNA

If I'm going to be Lena Lunders for you, I want to be able to use my full range of emotions.

Mike smiles.

MIKE

I love you.

(CONTINUED)

18 CONTINUED:

18

DONNA

Yeah, I know -

(she snaps her fingers)

Focus. You need another witness.

At this point, everyone in the firm
is booked up.

Kyle walks by.

KYLE

Mommy helping you clean up your
mess, Ross?

DONNA

Am I Mommy in this scenario?

KYLE

(digging out)

Um, no, Ross is just... a baby--

Donna narrows her eyes. Kyle hurries away. Mike watches.

MIKE

I can't believe I'm going to lose
to that douche.

DONNA

Hey. No pity party. Go to an
outside source for the other
witness. For the best friend you
need someone pretty, sympathetic
and most importantly--

OFF Mike's face.

DONNA (V.O.)

Willing to go above and beyond for
you.

19 EXT. JENNY'S APARTMENT - NIGHT

19

Mike's standing outside a door, holding a case binder and ice
cream. JENNY stands opposite him, not amused.

JENNY

What are you doing here?

MIKE

I need help. I have nowhere else
to go.

(CONTINUED)

19 CONTINUED:

19

JENNY

You yelled at me. Kissed me.
Pushed me away, then disappeared on
me. I haven't talked to you in
forever. I don't even know what's
going on in your life.

MIKE

Well, if you let me in, I'll
explain it. And I promise it's a
really good story.

Mike holds ice cream.

MIKE (CONT'D)

(selling it)

I have double chocolate mocha.

JENNY

You think that's going to work?
That's not even my favorite flavor.

Mike pulls out another ice cream.

MIKE

I know, it's for me. You think I'd
forget you're a sucker for mint
chocolate chip?

OFF Jenny smiling...

20 INT. JENNY'S APARTMENT - LATER

20

Jenny sits on her couch. Mike stands opposite her.

JENNY

So, you've been living a lie this
whole time?

MIKE

Yes.

Jenny considers this. Mike's holding his breath.

JENNY

That's awesome.

MIKE

Really?

(CONTINUED)

20 CONTINUED:

20

JENNY

Yeah. As far as double lives go, you're maybe not as cool as Clark Kent, but a major step up from the Craig's List killer.

Mike lets out a sigh of relief.

JENNY (CONT'D)

What?

MIKE

It just feels good to tell you. I don't really have anybody to talk about this with.

She smiles.

JENNY

You trust me.

MIKE

Yeah, I guess I do.

JENNY

I like that.

OFF Mike relaxing--

21 INT. HARVEY'S APARTMENT - NIGHT

21

Scottie walks into Harvey's apartment.

SCOTTIE

Harvey, I've got to hand it to you, you may not be able to commit to a woman, but you've been in this place a long time.

HARVEY

She gets me.

SCOTTIE

And has no needs.

HARVEY

I don't think you understand how high maintenance this place is.

She hands him a copy of the merger.

(CONTINUED)

21 CONTINUED:

21

SCOTTIE

He agreed to all terms, despite my protests that he could do better.

Harvey takes the copy.

HARVEY

So, we're done?

SCOTTIE

Minus a few signatures.

Scottie pushes Harvey down on the couch.

HARVEY

That's not done.

SCOTTIE

Then I'll leave.

She straddles him. Harvey kisses her, as we CUT TO:

22 INT. JENNY'S APARTMENT - NIGHT

22

Mike has converted Jenny's apartment into a makeshift courtroom. He formally stands opposite Jenny who's in a chair and speaks as though he is an overacting lawyer.

MIKE

Miss Ginnesse, you began working with Sydney in January of 2005.

JENNY

Correct.

MIKE

And over the course of your work tenure, you two acquired a relationship via office email--

JENNY

We were friends, Mike.

MIKE

Don't call me Mike.

Mike addresses an unseen jury.

MIKE (CONT'D)

Ladies and gentlemen of the jury, please note that--

(CONTINUED)

22 CONTINUED:

22

Jenny raises her hand.

JENNY

Can I ask a question?

MIKE

Uh, no, sorry, you can't ask questions as a witness.

JENNY

Yes, thank you, I know, but what are you doing?

MIKE

What do you mean?

JENNY

You're talking like you have a giant stick up your ass.

MIKE

It's a trial. I have to be powerful.

JENNY

But that's not you.

MIKE

Thanks.

JENNY

No, you're charming and funny and trustworthy. That's your power.

MIKE

Yeah, that works when you're trying to con your way into an LSAT, but it's useless in a courtroom.

JENNY

But it's still you.

MIKE

So?

JENNY

Take a deep breath. Just talk to me, ask me where I work?

MIKE

Where do you work?

(CONTINUED)

22 CONTINUED: (2)

22

JENNY

Lunders Global Initiative. Ask me,
how do I know Sydney?

MIKE

How do you know Sydney?

JENNY

(earnest)

She was my friend. And I've missed
her every day that she's been gone.

Mike looks at her.

MIKE

Why aren't you friends anymore?

JENNY

I don't know.

Jenny and Mike pause. They've moved close.

JENNY (CONT'D)

You do it like that, they'll fall
in love with you.

Mike stares at her. And he grabs her. Their mouths find
each other. They remove clothing, with all the speed of two
people who have wanted to do this for a long time. Down to
their underwear, they stumble their way into the bedroom.

23 INT. HARVEY'S APARTMENT - NIGHT

23

CLOSE-ON Scottie's back as she pulls Harvey's dress shirt up
onto her shoulders. She walks towards the kitchen, revealing
a naked Harvey, tangled up in 500 thread count sheets.

HARVEY

Scottie, that was amazing.

Scottie returns with two glasses of water.

SCOTTIE

Hydrate, Harvey. You just ran a
marathon.

Harvey takes the water.

HARVEY

And I think you just beat me.

(CONTINUED)

23 CONTINUED:

23

Scottie sits on the bed. He brushes a hair back from her face. He suddenly freezes, an intensity coming over him.

SCOTTIE

Uh oh. That's a lawyer look.

He sits up.

HARVEY

Law school, post-mock trial in the stacks of Widener--

He jumps out of bed and puts on his briefs.

HARVEY (CONT'D)

2nd Circuit Court of Appeals, class action on the prep room table.

He's pacing.

HARVEY (CONT'D)

Dempsey settlement, my office, on the desk and under.

SCOTTIE

We doing a highlight reel?

HARVEY

As a matter of fact, we are. Those were some top moments, right?

SCOTTIE

They weren't bad.

HARVEY

They were great. And I just realized... this was better.

Scottie smiles.

HARVEY (CONT'D)

You were the best you've ever been and I know why. You hid something in the negotiation and I want to know what.

SCOTTIE

You're ridiculous, you know that?

Scottie hops out of bed and starts putting on her skirt.

(CONTINUED)

23 CONTINUED: (2)

23

HARVEY

Hey, don't give me that. You think I don't know victory sex when I see it?

SCOTTIE

See it?

HARVEY

What is it? One of Vega's properties is bankrupt? The Buenos Aires one?

She's putting on her shoes.

SCOTTIE

(coquettish)

What do you want me to say Harvey? Yes. You got it. I screwed you.

HARVEY

How?

SCOTTIE

You want an anatomy lesson?

Scottie smirks. She walks towards the door. Harvey narrows his eyes at her.

HARVEY

That's my shirt.

Scottie turns in the doorway.

SCOTTIE

(stoking the fire)

Consider it a winner's reward.

SLAM.

HARVEY

I knew it.

OFF Harvey's anger, we CUT TO:

24 INT. JENNY'S APARTMENT - NIGHT

24

Mike and Jenny naked in bed, holding each other. Mike strokes her face. She gives him a soft kiss.

(CONTINUED)

24 CONTINUED:

24

JENNY

Is this how you prep all your witnesses?

MIKE

Yeah, I prepped the shit out of Frank Johnson last week.

He smiles and kisses her again. Mike's phone buzzes.

MIKE (CONT'D)

Crap. Hang on a sec.

Mike leans over Jenny to grab his phone. CLOSE-ON screen. It's a text from Harvey--"Meet me at the office. 911."

MIKE (CONT'D)

Double crap.

JENNY

Double crap?

MIKE

Yes, it's twice as bad as crap.

Mike sighs and collapses on the bed in frustration.

25 INT. HARVEY'S OFFICE - PEARSON, HARDMAN - NIGHT

25

Wee hours of the morning. Mike enters Harvey's office, where he's maniacally going through paperwork.

MIKE

You were right. There's been a steady stream of stock buys by Vega's company over the last 24 hours.

HARVEY

It's a hostile takeover.

MIKE

Why have they been disguising it as a merger?

HARVEY

They wanted access to our private books. She tricked me.

MIKE

What?

(CONTINUED)

25 CONTINUED:

25

HARVEY

She pretended she didn't want to hand over their books so I wouldn't notice when she asked for ours. It's a classic maneuver. She made me think it was my idea.

MIKE

How do you know that?

HARVEY

Because I taught her how to do it.

MIKE

And now they've seen how strong DeBeque's company is and decided they want to buy it.

HARVEY

And they'll be running it by the time Scottie's back in London.

MIKE

Wow. I leave you alone for two days...

HARVEY

This, my mistake, this is Haley's comet. Take a good look. Because it won't happen again.

MIKE

What are you going to do?

HARVEY

I want to know which of Debeque's hotels are the most valuable. And how fast we can get them on the market.

MIKE

You want him to sell his best hotels?

HARVEY

It's called the Crown Jewel defense. We unload the highest grossing assets and make ourselves undesirable.

MIKE

Debeque will never agree to that.

(CONTINUED)

25 CONTINUED: (2)

25

HARVEY

Trust me, DeBeque has enough
passion for his company that after
I tell him what Scottie's up to
he'll be willing to chop off an arm
in order to save the body.

Harvey and Mike settle in for a long night of paperwork.

END OF ACT THREE

ACT FOUR

26 INT. MIKE'S CUBICLE - PEARSON, HARDMAN - DAY 26

Jenny sits on Mike's desk, while he looks through his case binder one more time.

JENNY

You know you had that memorized the first time you read it.

MIKE

Yes, but I didn't finish reading it because one of my witnesses chose to be distracting.

JENNY

That must've been rough for you.

MIKE

You have no idea.

Jenny playfully hits him and hops off the desk.

JENNY

Where can I get some water? I want my voice to hold up.

Mike smiles and points down the hall. Jenny walks off. Kyle slides up.

KYLE

I'll make you a deal, winner gets the girl.

MIKE

I'm never going to make another deal with you again.

CUT TO:

27 INT. HARVEY'S OFFICE - PEARSON, HARDMAN - CONTINUOUS 27

Harvey exits his office and clocks Mike and Kyle sizing each other up. Louis slides up.

LOUIS

They remind me of a young, less attractive, you and me.

(CONTINUED)

27 CONTINUED:

27

HARVEY

Don't say things like that. And I know you rigged the lottery so Mike would get Kyle.

LOUIS

Rigged, expedited, they're all just words. Don't you want to see what your boy is made of?

HARVEY

You talking bet?

LOUIS

Yes.

HARVEY

The usual amount?

LOUIS

I believe we have a wager.

Harvey walks off and grabs Mike away from Kyle.

HARVEY

How are you feeling?

MIKE

Good.

HARVEY

Good. One thing, if you get in trouble, don't play the case, play the man.

MIKE

What are you talking about?

HARVEY

Good lawyers worry about the facts. Great lawyers worry about their opponents. Kyle's devious and cocky. Figure out a way to use that against him.

Mike gives a nod.

MIKE

Anything else?

Harvey leans in close.

(CONTINUED)

27 CONTINUED: (2) 27

HARVEY
Kick his ass.

28 INT. WATER COOLER AREA - PEARSON, HARDMAN 28

Jenny nervously drinks a cup of water. Rachel approaches, pours herself a cup.

JENNY
Is it inappropriate to take a Xanax
as a witness in a trial?

Rachel smiles.

RACHEL
I've seen clients do much worse.

JENNY
Actually, I'm not a client, I'm a
witness for my friend's mock trial.

RACHEL
(already knows the answer)
Who's your friend?

JENNY
Mike Ross. You know him?

RACHEL
Uh huh. I mean, it's a big firm.
But, yes. I know who he is.

JENNY
God, I don't know why I'm so
nervous. I just know this means a
lot to him and I don't want to let
him down.

Off Rachel sizing up Jenny.

29 INT. LIBRARY - PEARSON, HARDMAN - DAY 29

Mike's trial. Everyone at the firm is packed into the library. Jessica BANGS her gavel. And they're off.

Kyle walks confidently in front of the row of partners.

KYLE
Sydney Thompson was at a party and
made a joke.
(MORE)

(CONTINUED)

29

CONTINUED:

29

KYLE (CONT'D)

It wasn't meant to be mean or to be taken as fact. And it was certainly never meant to be public. The defense will show--

CUT TO:

Mike walks in front of the same row of partners.

MIKE

That Sydney Thompson publicly defamed her boss with an impression she knew would be damaging to Lena Lunder's reputation and her company. Don't get me wrong, I love a good joke.

Mike continues...

MIKE (CONT'D)

But when a disgruntled employee takes out her frustrations on her boss with the explicit intent to damage, that's crossing a line. And there's nothing funny about that.

CUT TO:

Mike stands.

MIKE (CONT'D)

I call Lena Lunders to the stand.

The back doors to the library push open and Donna makes a grand entrance, Dynasty style.

CUT TO:

CLOSE-ON Donna's face. A single tear running down her cheek.

MIKE (CONT'D)

Do you need a minute?

Donna takes a deep breath. She dabs her eye.

DONNA

No, I can continue. I'm a self-made woman. I created the global initiative to target problems in the third world.

(MORE)

(CONTINUED)

29

CONTINUED: (2)

29

DONNA (CONT'D)

If a joke can be made out of that,
fine. But as a woman in power,
people can look at your success and
label you.

Directed right at Jessica.

DONNA (CONT'D)

They don't know the complexity it
takes for a woman to succeed in
this business. And when someone
undermines that... well, we have to
fight for ourselves, don't we your
Honor?

Jessica gives Donna a smile. It's obvious, but works.

KYLE

Objection. So it's hard to be a
woman in business? That has
nothing to do with the facts of
this case.

MIKE

We can only understand the damage
your client did, by fully
understanding the care with which
Miss Lunders built her reputation.

KYLE

You're just trying to bias the
judge.

JESSICA

(not amused)

Would you like to rephrase?

Kyle pauses.

KYLE

I'd like to retract.

He sits. Donna winks at Mike. She's a champ.

CUT TO:

Jenny on the stand, as Nora Ginnesse, questioned by Mike.
She's looking around nervously at the crowd.

JENNY

Um... I'm sorry, can you ask the
question one more time?

(CONTINUED)

29 CONTINUED: (3)

29

MIKE

Sure, but before I do that I want you to do something for me.

JENNY

Okay.

MIKE

Take a deep breath.

She does.

MIKE (CONT'D)

It's just you and me. And we're just going to have a conversation about your job. Okay?

JENNY

(relaxing)

Yes. Okay.

Jessica looks impressed at Mike's bedside manner.

MIKE

How do you know the plaintiff, Sydney Thompson?

JENNY

We were coworkers. We started at the same level. And then I was promoted to be her immediate superior.

MIKE

Do you know about the video in question?

JENNY

Yes, I was at the party.

MIKE

What were you all celebrating?

JENNY

My promotion.

MIKE

Same night. That's interesting. What did you think of her impersonation?

(CONTINUED)

29 CONTINUED: (4)

29

JENNY

It was...too far. It was mean.

MIKE

And why do you think she did it?

JENNY

Ms. Lunders promoted me. And Sydney hated it. And that's why she made the video.

Mike gives her a nod.

MIKE

Thank you, Miss Ginnesse. Nothing further, your honor.

Kyle stands up and launches in.

KYLE

Did Sydney ever tell you she hated your promotion?

JENNY

Not exactly--

KYLE

Yes or no, please.

JENNY

No.

KYLE

Then how do you know she hated that you got promoted?

Pause.

JENNY

I could just tell.

KYLE

Can you tell what I'm thinking right now?

JENNY

That you're wishing I would agree with everything you say.

(CONTINUED)

29 CONTINUED: (5)

29

KYLE

No, I was thinking that if you could read my mind, I wouldn't even bother asking you questions. But you can't read my mind, can you?

JENNY

No, I'm a managing director. Not a magician.

KYLE

Then I'm pretty sure you couldn't read Sydney's mind either. And you actually have no idea why she made that video. Correct?

Jenny gulps.

30 EXT. VEGA'S HOTEL - DAY

30

Scottie emerges out the front doors of the hotel with a suitcase. A door to a town car is opened for her. Harvey intercepts her and they walk...

SCOTTIE

You here to give me a proper send-off?

HARVEY

I don't think we can do that out here on the street.

SCOTTIE

You sure?

HARVEY

You tricked me, I'm impressed.

SCOTTIE

To be fair, Vega did want a merger. I just convinced him that given your client's propensity for rash purchases, allowing him to remain in charge was a bad idea. Vega needed Debeque's Hotels minus Debeque. And I found a way.

HARVEY

A way he never asked for or wanted. And one he's never going to get.

(CONTINUED)

30 CONTINUED:

30

Harvey hands her a document. Scottie takes a look.

SCOTTIE
Is this for real?

HARVEY
Three of DeBeque's properties will
be on the market by the end of day.

SCOTTIE
He's never going to let you sell
off his crown jewels.

HARVEY
Here's the thing about passionate
clients. When they're crossed,
they get angry, and then they'll do
anything to get back.

SCOTTIE
Don't do this Harvey.

HARVEY
Alternatively, we can get our
clients in a room together, you can
tell them you were wrong and
convince them back into a merger.
The second one sounds more fun to
me. Because it means we can spend
more time together.

Off Scottie's frustration.

31 OMITTED

31

32 INT. LIBRARY - PEARSON, HARDMAN - DAY

32

Kyle's questioning Rachel (aka Sydney Thompson).

KYLE
Ms. Thompson, what was the intent
behind the impersonation?

RACHEL
I was trying to be funny. Everyone
in our office makes jokes. In
fact, Ms. Lunders encourages us to
be informal.

(CONTINUED)

32 CONTINUED:

32

MIKE
Objection, hearsay.

JESSICA
Sustained.

Mike sits down. Donna leans over.

DONNA
I'd say it's close.

MIKE
Too close. I can't win this case
on facts.

Rachel's testimony comes back in.

KYLE
But you were passed over for a
promotion?

RACHEL
I expected it. Listen, people have
the impulse to move up, but
sometimes you need to let it go.
That's what I did. I've never held
any ill will towards my boss. In
fact, I respect her.

Mike's eyes focus on Rachel.

DONNA
What are you going to do?

Something's clicking for Mike.

MIKE
I'm going to play the woman, not
the case.

CUT TO:

Mike stands at a respectful distance from Rachel.

MIKE (CONT'D)
You say you expected to be passed
over for a promotion, correct?

RACHEL
Yes.

(CONTINUED)

32 CONTINUED: (2)

32

MIKE

And yet, you applied three times?

RACHEL

Yes.

MIKE

And were never promoted?

RACHEL

As I said. Yes.

MIKE

When Nora Ginnesse was promoted,
you sent a scathing email to all
your coworkers in response--

RACHEL

Not scathing, the intent was to be
funny.

MIKE

Man, you love to be funny.

RACHEL

Who doesn't like to laugh?

MIKE

Maybe someone whose reputation was
permanently damaged.

KYLE

Objection.

MIKE

Just a thought.

KYLE

Testifying.

JESSICA

Sustained. Questions, Mr. Ross.

MIKE

I'm sorry, your Honor, forgive me,
I was trying to be funny.

Jessica gives him a little smile.

(CONTINUED)

32 CONTINUED: (3)

32

MIKE (CONT'D)

On your performance review, Lena Lunders wrote, "good work ethic, lacks skills." Do you think that's a fair assessment?

RACHEL

Fair? I don't know.

Mike's moving closer.

MIKE

Your coworkers were promoted while your boss called you mediocre. Are you mediocre?

Rachel shifts. This is starting to feel a little personal.

RACHEL

No.

MIKE

Then why weren't you promoted?

RACHEL

I don't know.

MIKE

But you think you deserve better?

RACHEL

Doesn't everyone?

MIKE

So why haven't you tried?

RACHEL

I have tried.

MIKE

Why haven't you improved?

RACHEL

I didn't say I haven't--

MIKE

But your review did. Your five years with no promotion did. You were never going anywhere and you lashed out by making your boss a fool--

(CONTINUED)

32 CONTINUED: (4)

32

RACHEL

No--

KYLE

Objection, testifying--

MIKE

Everyone was moving past you--

RACHEL

So what--

KYLE

Objection--

MIKE

People making good on their
potential--

KYLE

Badgering, your Honor--

JESSICA

Sustained--

MIKE

People who can cut it--

RACHEL

I can cut it!

You can hear a pin drop in this room. Rachel's having a hard time keeping her composure. Mike stops himself.

JESSICA

(to Rachel)

Do you need a minute?

Rachel shakes her head, but she's struggling. For the first time Mike stops and sees what he's done. He turns and approaches Kyle's table. He leans over and whispers.

MIKE

Settlement's back on the table.

KYLE

What?

MIKE

Let's settle. Same deal. Win win.

(CONTINUED)

32 CONTINUED: (5)

32

Kyle looks at Mike. He looks at Rachel, who's trying to compose herself. He looks back at Mike.

KYLE
No. I'm good.

MIKE
Excuse me?

KYLE
I've seen the moony looks, Ross. You like her. So, you're offering me a settlement because you don't want to hurt her feelings. But I'd rather see if you'll break her. Giddy-up cowboy.

Mike's eyes narrow at Kyle.

JESSICA
Counselor, would you like to proceed?

Mike stands up and locks eyes with Rachel.

MIKE
No, your honor.

JESSICA
(surprised)
Are you sure?

Mike looks at Jessica.

MIKE
Yes, your Honor, nothing further.

Jessica clocks this. Rachel can't believe it. Even Jenny notices what just happened. Mike sits.

JESSICA
Well, normally we'd move on to closing statements. But it's been a long week and honestly, we all know what's going to happen. So, the court rules in favor of the defendant.

Kyle pumps his fist in the air.

JESSICA (CONT'D)
Court adjourned.

She calls Mike up.

(CONTINUED)

32 CONTINUED: (6)

32

JESSICA (CONT'D)
Naive and soft. Not qualities
we're looking for at Pearson,
Hardman.

Mike hangs his head in defeat. We reveal that Harvey has
witnessed this exchange. Harvey walks out in disappointment.

END OF ACT FOUR

ACT FIVE

33 INT. CONFERENCE ROOM - PEARSON, HARDMAN - DAY

33

Harvey and Jones sit opposite Scottie and Daniel. The atmosphere is tense.

HARVEY

Gentlemen, I appreciate you leaving the swords at home. What started as a true merger, never needed to become anything different.

SCOTTIE

Daniel, listen to me, I know Harvey and he's just angling to merge your businesses so he can double his billable hours.

DANIEL

Quiet, Scott. I want to hear what he has to say.

HARVEY

I'm here to get my client the deal he wants. And what he wants is a merger. Is that right, Jones?

JONES

That's right.

HARVEY

Daniel, your law firm overreached in a situation where it wasn't necessary. It's not entirely Scottie's fault. We lawyers all have an instinct to win, but we may not be good at understanding what that means.

SCOTTIE

We know what it means.

HARVEY

Maybe you do and maybe you don't. For me, it would be to see both men return to the initial deal, so that your businesses can grow together. Instead of having one company with a hostile reputation and another one a shell of what it once was.

(MORE)

(CONTINUED)

33 CONTINUED:

33

HARVEY (CONT'D)
And that doesn't sound like a win
to me.

DANIEL
(to Jones)
I'm sorry.

JONES
Let's go back to the deal we had.

DANIEL
We can run it together.

They shake hands. It's all too obvious that Harvey has completely undermined Scottie in this discussion.

34 INT. HARVEY'S OFFICE - PEARSON, HARDMAN - DAY

34

Harvey sits behind his desk. Mike pokes his head in.

MIKE
You need anything? Otherwise, I'm
going to head out.

HARVEY
Celebratory drinks with the
associates?

MIKE
Yup.

Harvey finally looks up.

HARVEY
And what, exactly, are you
celebrating?

MIKE
Save the disappointment, Harvey. I
know what I did.

HARVEY
Do you? Because from what I saw,
you backed off because you were
worried about hurting your
girlfriend's feelings.

(CONTINUED)

34 CONTINUED:

34

MIKE

Harvey, it was a fake trial. I weighed the pros and cons and decided it wasn't worth hurting someone for the result.

Harvey stands up.

HARVEY

The result is you just told every partner at this firm, including me, that you have a weak stomach. That you don't have what it takes.

Harvey sits back down at his desk, done with Mike. Mike starts to leave, but stops.

MIKE

You keep telling me that I have to decide what kind of lawyer I want to be. And if I was smart, I'd probably be exactly like you. Because we all know, you're the best. But I'm also trying to decide what kind of person I want to be. And sometimes I like my kind of person better than your kind of person.

HARVEY

You want to know what kind of person I am? Tough but fair. I call it like I see it. And what I see is a kid who asked me for an opportunity and still hasn't decided if he wants it or not.

Mike walks out. Harvey watches him go.

35 INT. HARVARD CLUB - NIGHT

35

Harvey enters the main bar of the elegant Harvard Club and sees Scottie, suit jacket off, nursing a drink.

HARVEY

Harvard Club. I thought you hated this place.

SCOTTIE

Vega kicked me out of his hotel. So, you know, beggars.

(CONTINUED)

35 CONTINUED:

35

HARVEY

Save the pout. You were head of law review, clerked for a Supreme Court judge, and almost beat me. I think that deserves a drink. On you.

SCOTTIE

I'd laugh, Harvey, but I just got fired.

HARVEY

From the firm?

SCOTTIE

No. But the firm won't be happy. Which is why I'm not already on a plane.

HARVEY

The Scottie I know is tougher than that--

SCOTTIE

Is she?

Harvey looks at a Harvard Club calendar.

HARVEY

Hey, you want to go back to Harvard and see a lecture on why women are better at science? That should cheer you up.

Scottie can't help but laugh.

SCOTTIE

Maybe. But I'm not going with you.

HARVEY

Come on, still friends--

Scottie looks him dead in the eye.

SCOTTIE

I'm getting married, Harvey. His name is Steve. He asked me a month ago. When I get back to London, I'm going to say yes.

This hits Harvey like a freight train.

(CONTINUED)

35 CONTINUED: (2)

35

HARVEY

What do you want me to say?

A moment.

SCOTTIE

Nothing.

Scottie stands to leave, but Harvey pulls her into an unexpected hug. It's the most intimate gesture we've seen him give. And lest he reveal himself too much.

HARVEY

Sorry I won.

Scottie smiles. She puts her hand on his cheek.

SCOTTIE

No, Harvey. I'd hate it if you were sorry about that.

She turns. Harvey watches her walk away.

36 INT. MIDTOWN BAR - NIGHT

36

CLOSE-ON a group of associates, including Kyle, downing jagermeister. Mike walks by and Kyle pulls him into a headlock.

KYLE

This guy is my favorite punching bag!

MIKE

And this guy is covering everyone's tab!

Mike pulls Kyle's wallet out of his pocket and throws it to the bartender. A cheer erupts from the crowd. Kyle's too drunk to care. Mike sits down on a stool at the bar. Rachel comes up next to him.

RACHEL

You didn't have to do that, you know.

MIKE

I know.

RACHEL

I could've handled it.

(CONTINUED)

36 CONTINUED:

36

MIKE

I know.

RACHEL

That was a thank you, in case you
couldn't tell.

MIKE

I could tell.

Rachel gives him a little smile.

RACHEL

Jenny was a great witness.

Mike's suddenly uncomfortable.

RACHEL (CONT'D)

Really likable. And pretty.

Mike pauses.

MIKE

She's an old friend.

Rachel takes this in.

RACHEL

Am I your friend?

MIKE

It was a little hard to tell this
week.

RACHEL

I know I was hard on you--

MIKE

It's okay--

RACHEL

But did it ever occur to you to
wonder why I was so mad at you?
It's -- I expect more out of you
than most people.

MIKE

Why?

Rachel stares at him. There's such an intensity, a
vulnerability in her eyes. Mike sees it. He's overwhelmed
by it. She's about to say something and she stops.

(CONTINUED)

36 CONTINUED: (2)

36

RACHEL

You're a smart guy, Mike. You can figure it out.

MIKE

You said you wouldn't date anyone from the office.

RACHEL

You're a lawyer. You're not supposed to take no for an answer.

OFF Mike.

37 INT. LOUIS'S OFFICE/HALLWAY/HARVEY'S OFFICE - LATER

37

Harvey enters from his goodbye with Scottie. The firm is empty. He walks to his office, notices that Louis is at his desk. Harvey walks in and puts an envelope on Louis's desk. Louis is about to gloat to Harvey, but sees something in Harvey's expression that prevents him from saying anything. As Harvey walks out, Louis opens the envelope and we see it is filled with cash. Their wager. Harvey walks back to his office, sits at his desk and starts working.

END OF EPISODE