

FADE IN

EXT. MOTEL -- NIGHT (CURRENT TIME, SAN DIEGO)

A sign for "Family Travels Motels" swings in a brisk wind. The parking lot is less than half full. The motel is down-scale, on the outskirts of the city. We move closer to Room 111. An older CHEVY SEDAN and a BLACK BMW SEDAN are in front of 111. Even closer, we hear loud voices through the wind.

INT. ROOM 111 -- CONTINUOUS

BAXTER PEARSON, 55, trim, energetic and Armani-clad, paces. He has the look of one who gets massages regularly, pays \$150 for a haircut, and hasn't touched a lawnmower in years.

ABILIO BATISTA, 69, sits on the edge of the bed. A lifetime in the sun has dried his skin. He uses his gnarled hands to talk and speaks with a Portuguese accent.

Both men are well along in their argument.

PEARSON

I told you, and I told your buddies on the wharf -- it's an investment. Nothing is certain. There are risks.

BATISTA

So you say now. But you said then this was the chance of a lifetime.

PEARSON

And it was. And you took it. And your buddies did. Now you sue my ass? That's bush league.

BATISTA

You told me to get all those fishermen involved. We ...

Batista is overwhelmed, near tears

BATISTA (CONT'D)

Invested all we had. Years pulling in nets off Chile. At sea for months. All gone. And you're the bastard that stole it. With your fancy cars and your fancy clothes.

PEARSON

And you think a class action lawsuit is the answer? That's bull shit, Abilio. By the time all the lawyers finish with all of us ...

Pearson's pacing is almost at sprint speed by now. He takes a breath, seeks calm.

PEARSON (CONT'D)

We're in a slump right now. Families can't travel. A hundred bucks to fill the tank. You saw the lot was half full. We need to reorganize the company. That's why this meeting. Man-to-man, Abilio, drop the lawsuit. It's in the way.

BATISTA

More lies. Just like the lies that sucked us in. And I took your lies to my friends, just like you asked.

PEARSON

I didn't hear any of you whining when you got those big checks.

BATISTA

Who knows where you got that money. Those early checks were bait. Then we invested more. Then more bait. We even invested the bait. All we had was with you. All gone. "Family Travels Motels." All crap.

A stalemate. Pearson paces, flushed, breathing hard. Then Batista stands, bent from hard work and financial disaster.

BATISTA (CONT'D)

We're doing what we have to do.

PEARSON

You're a stubborn, stupid old fool.

BATISTA

And you're a slick, lying son of a bitch. We're going to win and we're going to take all you got. Your time on the society pages is over. And your cars, jewelry -- your five homes -- we're going to get it all.

Batista shuffles toward the door.

PEARSON

You'll regret this.

BATISTA

Fuck you.

As Batista nears the door, Pearson grabs a lamp, the room goes black and we hear metal hitting skull.

INT. COURTROOM -- DAY

A busy San Diego criminal court, calendar call. JACK KENNEY (35), boyish, sits in the jury box along with other attorneys. None are candidates for best-dressed, especially Jack. Jack bites his fingernails, clicks a pen over and over.

JUDGE IRA FEINBERG (60s) works through the calendar at flank speed, handling the cases as his bored CLERK (Female, 40s) calls case after case.

ATTORNEYS (of all stripes, ages) mill about, and TWO DEPUTY DISTRICT ATTORNEYS (30s), harried, shuffle files to match cases to accuseds. One look at this courtroom and it'd be easy to conclude our criminal justice system is broken.

CLERK

People vs. Clark Edward Howard, aka
Edward Clark Howard, aka Howard Edward
Clark, aka ...

JUDGE FEINBERG

We get the point. Counsel?

Jack is at counsel table; the accused, CAUCASIAN (45), shuffles forward, the SOUND of leg chains and arm shackles being disconnected by a BAILIFF (Male, 50s) as he walks.

JACK

Time to confer, your Honor?

Feinberg nods, saving energy. Jack whispers to his client.

FEINBERG

Waive reading?

JACK

Yes, Your Honor.

FEINBERG

Plea? Surprise me, counsel.

JACK

Not guilty.

Feinberg turns to the Deputy DAs. LISA SANDERS (35), moderately attractive, stands.

LISA

No bail, your Honor. It's a third-
strike case.

JACK

Request separate hearing on bail.