

## ROPE BURN

Written by

Arthur O. Thomas, Tom Stohlgren, and Herman Malone

Based on Herman Malone's book, 'Lynched by Corporate America'

Contacts:  
Tom Stohlgren  
tjstohlgren@gmail.com  
Arthur O. Thomas  
Main Man Films, LLC  
+ 1 303 434 8908  
art\_thomas@mainmanfilms.com

FADE IN:

SUPER: "These events are inspired by a true story. Some conversations behind closed doors have been carefully imagined. Some names have been changed to protect the guilty."

EXT. GRANDPARENTS' HOME - DAY

SUPER: "Herman Malone's Grandparents' home, Camden, Arkansas, Fall 1968."

HERMAN MALONE (28), a handsome black man dressed in a military uniform with a duffel bag, walks towards the house. As he is greeted and hugged by his older brother TONY (30), a police car approaches. A white POLICEMAN (40), a brute, yells out of the open window.

POLICEMAN

Hello, Tony. Mighty fine afternoon.

TONY

Yes, it is, Sir.

Herman looks at his brother, then at the policeman.

HERMAN

(to Tony)

I'll be inside.

Herman walks towards the house. The policeman notices.

POLICEMAN

(to Herman)

Hey, soldier BOY! Where do you think you are going, Herman Malone! I wasn't finished talking to you!

Herman drops his bag and turns to rush the car. He is stopped by Tony. From inside the house, Herman's GRANDFATHER (70), gray hair, overalls, sees it all.

HERMAN

What did you say? Why do you bother my family? We've done nothing to you!

TONY

Herman!

POLICEMAN

No, Tony, let him talk. You see, unlike you, these are the kind of--

HERMAN

Say it! Kind of what?

Herman's grandfather approaches the commotion. He places his hand on Herman's shoulder.

GRANDFATHER

(to policeman)

Afternoon, Calvin! How about a slice of apple pie and a tall glass of sweet tea?

POLICEMAN

Now that is what we call service.

GRANDFATHER

(to Herman)

Run on inside and ask your grandmother to bring Calvin here some fixings.

Herman wipes sweat from his brow, perplexed. Before he could react, his grandfather hands Herman a white handkerchief.

GRANDFATHER (CONT'D)

(whispering)

Never let them see you sweat!

Herman wipes off his sweat and TRUDGES toward the house, glaring back at the police officer.

EXT. WOODED AREA - NIGHT

Bushes rustle as Herman whisks past. He is running in fear for his life, panting as he navigates the area. He takes cover behind a fallen tree. Silence competes with his panting.

In pursuit of the fleeing man, the same white Policeman and his PARTNER (30) slowly enter the area with flashlights and have their weapons drawn. They yell.

POLICEMAN

Hey boy! We gonna find you. Want you outta town by morning, Boy!

(beat)

Ain't nothin' gonna become of you anyway. May as well let the swamp take ya now!

HERMAN (V.O.)

One: I'm not sweating now! And two:  
I'm not gonna be bringing you apple  
pie and sweet tea any time soon!

As they look for him, the foot of the Policeman comes within 3 feet of the frightened man. We see a close-up of police boots walking away.

INT. PASTOR JONES' HOUSE - NIGHT

SUPER: "Denver, Colorado, June 1996"

African-American PASTOR FRANK JONES (50) answers the doorbell and hugs Herman (now 46), wearing a U S West company shirt as an engineer.

PASTOR JONES

Whistleblower, huh?

HERMAN

It's something I have to do.

PASTOR JONES

You do millions of dollars worth of business with them, and being chair of the National Black Chamber of Commerce can get complicated quickly.

HERMAN

Already lost millions!

PASTOR JONES

Once that bell has rung, it can't be un-rung!

HERMAN

I'm suing. Gotta fight injustice. It'll be in God's hands. Pray for me.

They hug again.

INT. HERMAN MALONE'S OFFICE. - MORNING

Herman bravely addresses his co-plaintiffs, ERIC MILLS (40s) and HARRY GILES (40s), both of whom are nervous.

HERMAN

David versus Goliath. We've done it! We're suing U S West!

Herman paces and doesn't see Eric and Harry look away.

Herman turns, and the lawyers establish eye contact again.

HERMAN (CONT'D)  
 Don't forget that every black  
 businessman is on trial here, too!

EXT. DENVER DOWNTOWN - CONTINUOUS

ROBERT SCHWAB (60), a crusty reporter, walks down the street to a newsstand, where SAM (60) is stacking papers.

SUPER: "Denver, Colorado, May 1996."

SAM  
 Morning, Mr. Schwab. The usual?

Robert is distracted, looking at the TV screen behind them. In the background, the TV shows following the story of Civil Rights Leader, Jessie Jackson, involved in the Texaco case.

SAM (CONT'D)  
 Long night?

ROBERT  
 Nope. Business as usual, thanks.

SAM  
 What do they say? If you can't beat  
 'em, join 'em!

ROBERT  
 Forgive and forget.

SAM  
 Not if I can help it.

ROBERT  
 The usual.

Sam hands Robert a coffee and two newspapers.

SAM  
 Mr. Schwab? You always get the same  
 two newspapers.

ROBERT  
 It's better the devil you know than  
 the devil you don't.

Sam looks perplexed and then chuckles.

SAM  
Have a good day, Mr. Schwab.

ROBERT  
Same to you, Sam.

Robert heads to the Denver Post's building.

EXT./INT. EXECUTIVE OFFICES - DAY

We see a tall, glass skyscraper of a top Fortune 500 corporation touching the sky.

SUPER: "U S West Communications, Inc."

Inside a palatial office, CEO SKYLAR BAINES (50) stands a few feet away from the head of a large conference table overlooking the city. He is joined by C. EMERSON HARRIS (45), a sleek, well-dressed attorney. Skylar glances at Emerson before turning back to the view.

EMERSON  
Glad I found you. We closed the Denver contract.

Emerson sees the spreadsheets on the table.

EMERSON (CONT'D)  
I looked over what you proposed for the new airport. I think we can make it work.

Skylar gazes over the city, like the Lords of old. He surveys his territory. His reflection is noticeable from the window.

SKYLAR  
My father used to say that business is about making money, and making lots of it!

EMERSON  
According to this, four billion dollars of it.

Skylar turns to face Emerson. He strolls towards him.

SKYLAR  
We cut our overhead in our supply chain and minimized our risk in our minority business dealings to an acceptable percentage.  
(MORE)

SKYLAR (CONT'D)

Based on certain recommendations, we feel our business interest is better served elsewhere, so we can save more money and maximize profits with other, fairer suppliers.

EMERSON

Understood. Some of our suppliers will not be happy about this.

SKYLAR

We have the Denver contract now. We can cut our losses. U S West can still openly promote our minority business program, but we don't have to do anything to back it up. We will be too busy restructuring our supply network to compensate for our new out-of-state contracts.

The conference room door opens partially. A white woman, MARCY (30), sticks her head in the door.

MARCY

Pardon me, Mr. Baines, your conference call with the Western Governors Association is on in five. And, Regina from PR is also waiting to see you.

SKYLAR

Thank you, Marcy. Please send Regina right in.

Marcy exits, as Skylar picks up the phone.

SKYLAR (CONT'D)

Governor. Of course, I am always ready to tee off at ten.

EXT. U S WEST BUILDING - MID-DAY

Eric Mills, Harry Giles, Herman, and Ten black Businessmen (all ages) face Five Reporters, one of whom is Robert Schwab.

ERIC

We have filed a class action racial-discrimination lawsuit against U S West for a hundred and fifty million dollars, representing the black business owners who did business with U S West.

(MORE)

ERIC (CONT'D)

All of the black businesses represented in this suite are people who hauled furniture for U S West, cleaned their offices, and installed telephone equipment.

Eric gets rudely interrupted by Robert.

ROBERT

Mr. Malone, as the chairman of the Black Chamber of Commerce and also RMES, which is the poster company for U S West, you made headlines a couple of years ago for fronting your company for a white business owner. Why be a whistleblower now? What discrimination have you faced?

Everybody on stage is taken aback at the ruthless question from Robert, who fires another question.

ROBERT (CONT'D)

Mr. Malone, what is really behind this? Do you feel U S West is driving you out of town as the two white cops did 20 years ago in your hometown in Arkansas?

Eric is offended by the question and stumbles to answer.

In the back of the crowd, a voice blunders through. We see Emerson and his lynching party - metaphorically speaking.

EMERSON

That is an outrageous claim, Mr. Schwab. U S West has an outstanding reputation for supporting minority-owned businesses.

Eric gets into the fight, and we have a standoff. Reporters start to fire all sorts of questions.

Robert notices the proud demeanor of Herman, a man standing his ground without getting into the confrontation himself. Their eyes meet.

INT. HERMAN MALONE'S FOYER - AFTERNOON

Herman is speaking with beautiful BEVERLY RYAN (42), Herman's friend and confidant, when Robert enters. Rita, a secretary with a crucifix, is surprised by Robert's visit.

RITA  
 Good uuh. Good afternoon. How may I  
 help you?

ROBERT  
 I'm here to speak with Mr. Malone.

Rita glances at her calendar.

RITA  
 Do you have an appointment?

ROBERT  
 (charming)  
 Oh, I just have a couple of  
 questions for Mr. Malone if he can  
 spare a minute or two.

Rita motions for him to have a seat, acknowledging that the  
 impeccably dressed Mr. Malone is just finishing. Robert looks  
 over to see Herman ending a conversation.

HERMAN  
 Thanks, Bev, I can use all the help  
 I can get.

BEVERLY  
 I will keep in touch. Send my  
 regards to Pat.

They give each other a heartfelt hug. She leaves for the  
 exit. Robert rises to greet Herman as he turns toward the  
 secretary. He approaches Herman and extends his hand.

ROBERT  
 Good afternoon, Mr. Malone. I'm  
 Robert Schwab with the Post.

Robert hands Herman his business card. Herman studies it and  
 cringes at the mere mention of a newspaper. His demeanor  
 changes to borderline rudeness and disinterest.

HERMAN  
 You're the reporter! Cheap shot you  
 gave me at the press conference  
 with all those questions.

ROBERT  
 Actually, it was only two. Shake  
 the tree, Mr. Malone, see what  
 comes falling out.

HERMAN  
 I do not have time for this.

ROBERT

I'm only after the truth. I want to grab lunch with you. Get your side of the story.

HERMAN

Let me guess, you want to write about why my little communications company is taking on the conglomerate of U S West?

Phone rings in the b.g.

ROBERT

Ten million is not little. But you're right, I want the story. Do you really feel you have a case? Where is the discrimination?

The phone stops ringing.

RITA

Mr. Malone, it's Beverly for you on line one.

Herman glares at Robert.

HERMAN

You think you've done your homework, Mr. Schwab, because you know my history. Have you met any of the plaintiffs? Do you know their story?

Before Robert can answer.

HERMAN (CONT'D)

Rita, would you please show Mr. Schwab out the door? I am done with his questions.

ROBERT

(humorous)

So, I guess that's a no, then?

INT. HOME OF JUDGE MILES JACKSON - EARLY EVENING

SARAH JACKSON (40), a blonde woman, brings JUDGE MILES JACKSON (42) a cup of coffee in the Judge's den. The judge has a fancy leather briefcase. The room has a crucifix in the distance next to his law degree, a Judge photo, and a wedding photo with Sarah. He's poring over mounds of cases.

SARAH  
Bit of a backlog, dear?

He snickers and smiles.

JUDGE JACKSON  
That's putting it mildly.

SARAH  
Save some energy for me.

JUDGE JACKSON  
I'll try.

SARAH  
(sarcastic)  
Sure you will!

Sarah notices that Judge Jackson is grumpy.

SARAH (CONT'D)  
What's the matter, dear?

Judge Jackson pauses, then smiles at his lovely wife.

JUDGE JACKSON  
Sorry, Sarah. Cases have been  
stacking up, but you look lovely as  
ever.

Judge Jackson moves for a quick kiss. They embrace.

SARAH  
You, Mister, shouldn't bring too  
much of your work home with you!

Judge Jackson smiles again.

JUDGE JACKSON  
I know. I know. I got a David and  
Goliath case coming up, and I know  
Goliath has all the political ties  
in the world. I'm a little worried.

SARAH  
Pray on it, like you always do.  
Everything will be fine.

Judge Jackson smiles again.

JUDGE JACKSON  
I suppose you're right, babe. Come  
on, let's catch the TV news.  
(MORE)

JUDGE JACKSON (CONT'D)

I have to meet a couple of judges  
at the Press Club in an hour.

They begin to walk into the next room. Sarah lovingly  
entwines their arms.

SARAH

See what I mean? Your work never  
stops.

JUDGE JACKSON

I know, but sometimes it's hard.

SARAH

(devilish)

And in meaningful occupations, it  
should be.

They laugh and embrace as they exit.

INT. DENVER PRESS CLUB - NIGHT

A TV shows the Denver skyline and a storyline reading, "U S  
West Consolidates Sub-Contractors." Robert is seated with his  
boss, DENNY 'CHIEF' LEAF (60), who looks up from his laptop  
computer as Ten Patrons (40s-60s; businessmen, only one is  
African-American) ignore the TV, with CEO Skylar Baines on  
camera.

SKYLAR

(on TV)

We're cutting where we need to cut  
to improve profitability. We owe it  
to our customers and shareholders.

Skylar shows a devious smirk. Robert mutters to Denny.

ROBERT

And I guess it's only a coincidence  
that they're mostly minority-owned  
businesses? We'll see about this.

CHIEF

Go get 'em, tiger!

Robert races out.

INT. U S WEST CONFERENCE ROOM - DAY

Skylar, Emerson, and Regina are seated.

SKYLAR

Emerson, come up with a strategy to deal with each company. We need to make all of them settle on our terms and spin it in the press.

EMERSON

I'm the man for the job.

INT. DENVER POST - DAY

Robert walks in to see his Editor (60), and shuts the door as we peek into the office from outside. Robert appears to plead with the Editor, who holds his thumb and finger, indicating Robert has only a little leeway.

BEGIN MONTAGE OF Robert meeting with the various plaintiffs.

-- Meets with Eric

-- Meets with Harry

-- Meets with Johnny

END MONTAGE

INT. JACKIE RAYMOND'S HOUSE - MORNING

Robert meets with Jackie. Robert is perplexed as he takes notes.

ROBERT

US West moved its business from you and gave it to the transposition manager's friend for no apparent reason?

INT. DENVER POST - DAY

Robert tries to get a statement from U S. West officials and gets nowhere fast.

INT. U S WEST BUILDING PRESS ROOM - DAY

REGINA BRUBAKER (40), a stunning, powerful PR businesswoman, faces five reporters (one is Robert), with Emerson and an Assistant (30s) behind her.

REGINA

Thank you all for coming. I will make a brief statement. Yes, it is true we have consolidated our suppliers so that we can improve profitability and market share. We are shocked that Mr. Herman Malone, who made close to ten million dollars with us, will stoop so low for this frivolous lawsuit. We have provided, and will continue to provide, jobs for the black community and build strong business relationships with our suppliers through our business minority program. As for the lawsuit, we know the claim has no basis, and the courts will find in our favor.

Before Regina turns to walk away, Robert fires a question.

ROBERT

Why then were almost 95% black-owned and minority businesses let go in 1994 in a matter of a few months? Why then were those same contracts given to white business owners?

Emerson steps to the mic on cue.

EMERSON

Business is business, Mr. Schwab. If other vendors can do the same work at a lower price, should we now discriminate against the free-market system? Should color make a difference on the bottom line?

ROBERT

Are you saying that all your black suppliers deliver a lower standard of work than your white business suppliers?

EMERSON

(calmly and confidently)  
Mr. Schwab, if you wish to make that distinction between white people and African Americans, that is your prerogative...

Questions start flying, but Regina, Emerson, and the Assistant leave. Robert hangs his head in disbelief.

INT. COUNTY CLERK'S OFFICE - DAY

The phone rings and the male COUNTY CLERK (40) answers.

COUNTY CLERK  
Morning, how can I help?  
(listens)  
What is the Case Number?  
(listens)  
Got it!

He types on his computer keyboard and stares at the screen.

COUNTY CLERK (CONT'D)  
Well, there is no movement on the  
case.  
(listens)  
Just what I said. No movement.  
Contact the law firm, sir. Okay?  
(listens)  
Thank you, sir.

The Clerk hangs up.

INT. HERMAN MALONE'S BOARD ROOM - NIGHT

Herman and the other plaintiffs are staring at the TV,  
watching Emerson and his Assistant leave the room.

Herman presses the remote, and the TV turns off. The men and  
women are speechless. Herman's secretary, Rita, barges in the  
door. Herman looks at her and shakes his head.

HERMAN  
Harry Giles will be here in the  
morning, and hopefully, Eric too,  
but I'm struggling to get in touch  
with him.

The plaintiffs look worried.

HERMAN (CONT'D)  
Everything will be fine. They'll  
both be here tomorrow afternoon.

INT. HERMAN MALONE'S OFFICE - MORNING

Herman is on the phone.

ERIC (O.S.)  
I won't be coming.

HERMAN

The case is not moving forward.

ERIC (O.S.)

I'm doing my best, but in the past year, there have been a few bumps in the road professionally and personally. The case might have to be put on hold 'til I can commit to it 100%. But I'll phone Harry and talk to him.

EXT./INT. HERMAN MALONE'S HOUSE - NIGHT

The house looks dark as Herman enters the two-story house. He hangs his coat up and sets down his briefcase. He switches on the kitchen lights and heads straight for the fridge. He opens it. Confused, he closes it. He heads for the microwave. Nothing, she left him nothing...

PAT

You're going through with this, aren't you?

Startled, Herman jolts around.

HERMAN

Oh. Saw the light was off. Thought you'd be in bed by now.

Pat stares at Herman intently. Herman tries to deflect, turns back around close the microwave, and heads to the fridge and open its, contemplating dinner? Not making any eye contact.

HERMAN (CONT'D)

Through with what? Do we still have some of that sweet potato pie left?

PAT

Did you hear what I said?

Herman closes the fridge to give Pat his full attention.

HERMAN

Yes, I heard you. What do you want me to say?

PAT

Start by telling me how this is all supposed to work. We barely see you anymore. How long is this supposed to continue?

HERMAN

Yes, we've had a few setbacks, but we're dealing with them.

PAT

By throwing in your lot against U S West, the very people who keep the lights on? If you continue this, it will cost you everything! Is that what you want?

Herman is endearing.

HERMAN

Pat, I love you so much. And I live for the kids. You know, U S West has been backing out of its contracts with minority-owned businesses. I am fighting for a world where a businessman is judged by the quality of his work, not the color of his skin.

PAT

That someone does not have to be you!

HERMAN

Do I just turn my back on the community, and what the Bible tells me is wrong?

PAT

Then you're living in another world. Meanwhile, the kids and I have to live in this one. Does God care about that?

Herman steps to console her, but she shakes her head and refuses his gesture.

PAT (CONT'D)

I left you a towel and a shaving kit on the couch. I'm going to bed.

Pat leaves. Herman looks perplexed as she walks away. He decides to follow her, stopping short of the hallway to the stairs, when he sees the shaving kit and a blanket on the couch.

EXT./INT. DENVER HOTEL - MORNING

Harry meets with fellow-plaintiffs Johnny and Jackie, who look angry.

HARRY

Talked with Eric before breakfast.  
No one's filed depositions, and  
things are moving very slowly.

JACKIE

Yeah, it's slow, but Eric knows the  
case, and it's risky to take it  
away from him now.

HARRY

We had agreed the risk was  
acceptable because the bad  
publicity to U S West would press  
them to settle, but I think we have  
to fire Eric. You with me?

They all nod, 'yes.'

INT. HERMAN MALONE'S OFFICE - MORNING

Herman tries to remain calm in the room with Harry, Johnny,  
and Jackie.

HERMAN

We have to be in the Judge's  
chambers in two days, but we have a  
new lawyer flying into town  
tonight.

HARRY

I can go with you to meet with him,  
Herman.

HERMAN

Thanks, Harry.

INT. DENVER HOTEL - MORNING

A TV in the background (or a newspaper) shows the Texaco  
case. Herman and Harry are glued to the news as the new  
lawyer, WILLIAM "BILLY" PARKER (35), and unkept man, joins  
them.

BILLY

Don't worry, gentlemen. You're in good hands. Eric has already sent me everything.

HERMAN

That's very reassuring.

BILLY

Only two challenges lie ahead.

HARRY

What?

BILLY

A case like this has never been tried, and with a backlog in the Denver circuit court, the other side uses that to their advantage.

HERMAN

And two?

BILLY

The next challenge is to make sure that your truth and the other plaintiffs get added to the suit.

Billy whispers to Herman.

BILLY (CONT'D)

I hear you are a man of faith. Pray for a miracle because that is what you will need.

INT. HERMAN MALONE'S OFFICE - NIGHT

Herman closes his bible and prays.

HERMAN

Asking for that miracle, God.

INT. COURTROOM - MORNING

US District Court Judge Miles Jackson enters his courtroom.

BAILIFF

All rise. The Honorable Judge Miles Jackson, presiding.

The lawyers and plaintiffs stand. We see Emerson and PORTER (35; a black lawyer representing U S West) and Billy Parker for the NBCC, the plaintiffs.

SUPER: "Denver, Colorado, March 1998."

BAILIFF (CONT'D)

Be seated.

Herman and Harry sit in the seats behind their lawyer. The bailiff states the normal courtroom protocol, and everyone waits for the judge to settle.

JUDGE JACKSON

Any motions.

Emerson stands immediately.

EMERSON

Move for a mistrial.

BILLY

Objection, Your Honor.

The Judge reads his notes.

JUDGE JACKSON

Council, I am confused as to the size class and who it would be.

BILLY

Well, Your Honor, I represent the NBCC of which the plaintiffs are members of...

JUDGE JACKSON

Mr. Parker, have you even seen these documents? It looks like it was written by an activist, not a lawyer. The document on class certification is obscure at best. The NBCC has failed to prove any losses and damages that occurred by doing business with U S WEST. Can you show proof of this?

Flustered, Billy takes a second to compose himself.

BILLY

Your honor, NBCC is the very pillar that represents and fights for black business owners. As such, a loss to black business is a loss to the NBCC.

JUDGE JACKSON

Based on what evidence, Mr. Parker?  
This is a court of law.

EMERSON

They have nothing, Your Honor, and  
they know it.

BILLY

Evidence 3c, the letter from Harry  
Giles, himself...

Emerson rolls his eyes as Billy continues. The Judge waves a  
piece of paper over the edge of his bench.

JUDGE JACKSON

This affidavit?

Before Parker can answer, Judge Jackson continues. He waves a  
finger at Billy.

JUDGE JACKSON (CONT'D)

Mr. Harry Giles does not supply  
evidence of his conclusion...

Judge Jackson reads from the affidavit.

JUDGE JACKSON (CONT'D)

We feel they have been wronged...

BILLY

Your Honor, we have a witness who  
can testify to this letter.

JUDGE JACKSON

Finally, let's have it then. Bring  
him on and let's hear his  
statement. Any objection, Mr.  
Emerson?

EMERSON

None, Your Honor. We welcome it. We  
can finally put this matter to  
rest.

WILEY WILSON (50, African American), one of the plaintiffs,  
takes the stand as a deeply depressed man.

LATER

As Mr. Wilson steps down, EMERSON stands to speak to the  
judge.

EMERSON (CONT'D)

As you can see, Your Honor, there is no evidence of discrimination. Also, Your Honor, we have reached the statute of limitations on the supposed discrimination of U S West. They have also failed to calculate the monetary damages, if any.

JUDGE JACKSON

Agreed, council, but I will allow the case to go forward, but not as a class action, since the plaintiffs did not give enough proof. As a result, NBCC is removed as a plaintiff.

BILLY

Your Honor, if it pleases the court, we would like these three new plaintiffs to be added to our suit against U S. West, as they represent suppliers that have been let go by the company.

Billy hands the judge a document.

EMERSON

Your Honor...

JUDGE JACKSON

Agreed, Mr. PARKER. I will allow these plaintiffs to sue. But you'd better get your story straight and come better prepared next time.

BILLY

Thank you, Your Honor.

JUDGE JACKSON

I will allow one month for discovery before I hear pre-trial motions. Case adjourned, gentleman.

The Judge slams his gavel on the bench.

EXT./INT. DENVER PRESS CLUB - NIGHT

Robert darts across a busy street and into the Denver Press Club. The Bartender has a sour look as he wipes down the bar. Three patrons look on as a blurred TV newscast plays.

BARTENDER

The Usual? Suppose you heard the news.

ROBERT

(sighs)

Yes.

The Bartender hands him a drink. He downs it.

ROBERT (CONT'D)

Somehow, he slipped by me.

The phone rings, and the bartender picks it up.

BARTENDER

Yes, he's here.

The Bartender points the phone at Robert, who takes it.

ROBERT

This is Bob.

(pause)

So you found him. Great. He won't get off so easily this time.

INT. DINER - LATE AFTERNOON

Herman, Billy, the plaintiffs, and Harry celebrate this bittersweet victory and talk about their next moves.

EXT. DINER - LATER

Herman steps out of the diner on his way home. A moment later, Robert comes running up behind him and shouts.

ROBERT

Mr. Malone! Mr. Malone!

Herman looks to see Robert racing up to him with his notebook and pen out. He stops and catches his breath.

ROBERT (CONT'D)

Missed you at court today.

HERMAN

You!

(sighs)

It was deliberate.

Herman turns around and walks away. Robert follows him like a puppy.

ROBERT

You did not answer my first question. I did my homework on the plaintiffs. I understand their story. You were U S West's poster boy. Was it really discrimination? It seems like you just have an axe to grind. Care to comment?

Herman stops, turns around, and studies the man.

HERMAN

Yes, I do.  
(disbelief)  
Why do you care? Do you even care?

ROBERT

Maybe the stories are true. Maybe U S West is covering something up? Aren't you an activist? Give your side of the story. Tell me what's really going on.

HERMAN

So that you can bend my words to your viewpoint and bias. You are all the same.

ROBERT

Who is judging who now? Maybe you don't like to see a man judged by the color of his skin. Who says I do?

He hands Herman another business card. Robert is searching for a connection to Herman and thinks he may have found it.

HERMAN

Or maybe I just don't like reporters, Mr. Schwab!

HERMAN turns around and walks away.

INT. PRESS CONFERENCE - DAY

We see Pastor Jones and four Ministers (various ages) of greater metropolitan Denver Ministerial Alliance announcing their support for Herman, with 5 to 10 Denver contractors (hard hats) stepping up to meet them.

PASTOR JONES

Herman, they all support you in your racial discrimination lawsuit.  
(MORE)

PASTOR JONES (CONT'D)  
Reverend Philip Johnson has a few  
words.

Herman smiles graciously and shakes hands with Rev. Johnson.

The crowd gathers around Rev. Johnson as the scene fades into  
the next scene in a lawyer's office.

INT. LAWYER OFFICE - DAY

We see a contentious clash of lawyers in Emerson's office.  
Porter is with Emerson, and Billy and Harry are with Herman.

EMERSON  
Mr. Parker, it's in your client's  
best interest to accept a  
settlement offer.

BILLY  
It's a low-ball offer! Ridiculous!

HERMAN  
(to Emerson)  
We would never accept it. U S West  
must take responsibility for the  
lives you're ruining!

EMERSON  
That's for a jury to decide!

Billy hands Emerson a list of names; Skylar's name is on top.

BILLY  
This is who we demand to depose!

EMERSON  
Skylar is too busy! U S West plays  
hardball! We're not giving an inch!

Emerson hands his list to Billy, who acts overwhelmed and out-  
gunned.

INT./EXT. U S WEST BUILDING - DAY

Robert tries to connect with U S West officials, but he has  
been given the run around by them.

As Robert exits the building, he sees Harry Giles with  
Emerson's assistant, Porter.

Robert's attention is broken by a Man (MARK REITZ; 40) who approaches him outside and gives him a note. Note reads: "Batin's 9 PM tonight."

Robert shoves the note in his pocket and stomps away.

INT. LAWYER OFFICE - DAY

Emerson Harris waits impatiently with a court Recorder (30s white, pantsuit). Herman enters looking like he hadn't slept. His same shirt is wrinkled. A clock reads 8:05 AM.

EMERSON

Good morning, Mr. Malone. I see you're five minutes late. I'm afraid your attorney hasn't shown up yet, and we're pressed for time.

The Recorder takes notes and records everything.

HERMAN

I understand.

Herman takes a seat. He's tired.

EMERSON

Can we get you anything? Water? Coffee? Sweat roll? A freshly pressed shirt?

HERMAN

No, I'm fine.

EMERSON

You know all named parties named in a lawsuit have the right to conduct discovery, a formal investigation, to find out more about the case?

HERMAN

Yes, I understand.

EMERSON

And you realize that you are under oath, and any non-truths may be punishable as perjury?

HERMAN

Yes, I understand that, too.

Herman becomes anxious. Wipes his sweating palms on his pants.

EMERSON

Perhaps...

Herman blurts out, cutting him off.

HERMAN

(concerned)

Did your office receive a call from  
a lawyer by the name of Billy  
Parker?

EMERSON

Not to my knowledge.

(beat)

Perhaps he will make it to the  
trial.

Herman stares at his watch.

HERMAN

(to himself)

That's the plan.

Emerson adjusts his seat and pulls it closer to the table. He  
turns on the audio recorder and looks at Herman.

EMERSON

Please state your full name and  
address for the record, and state  
whether or not you have come here  
today of your own accord, and  
without duress.

HERMAN

My name is Herman Malone...

LATER -- the clock reads 11:45 A.M.

EMERSON

Thank you for your testimony, Mr.  
Malone. I have no reason to believe  
any of your testimony was  
untruthful.

HERMAN

I'm an honest man.

EMERSON

Indeed, you may be, Mr. Malone.  
There's just one question I would  
like to revisit, if I may.

HERMAN

Yes?

EMERSON

I stated that U S West cancelled hundreds of honest contracts with contractors and subcontractors every year. Some of them are African American, Hispanic, Asian, white, and Native American.

HERMAN

Yes, but...

EMERSON

And I asked you if you had any direct written or recorded physical evidence that any of these cancellations, successful or not, were decided solely based on the race or ethnicity of the contractors or subcontractors, and your answer was 'no'.

HERMAN

I said that based on the words physical evidence and solely...

EMERSON

Exactly. And are you aware that last year alone, Mr. Malone, that U S West spent approximately \$323 million with women and minority-owned firms?

HERMAN

Yes, but...

Emerson checks his watch.

EMERSON

I'm sorry, Mr. Malone. That's all we have time for today.

Herman stands, disgruntled.

HERMAN

But...

EMERSON

You'll have your day in court, Mr. Malone. We have to depose the other plaintiffs in the case. Good day, sir.

Malone glares at the empty seat next to his, and then at Emerson. The Recorder looks sympathetically at Herman as he exits the office. Herman shuts the door behind him.

HERMAN  
(to himself)  
He's going to eat the others alive!

LATER

Herman, angry and alone, calls Billy and gets no answer.

Herman pulls out Schwab's business card and leaves Robert a voice message:

HERMAN (CONT'D)  
Mr. Schwab. Herman Malone. We need  
to talk. Pierre's at Eight P.M.?

INT. BATIN'S BAR - NIGHT

Robert meets with his mystery man, MARK REITZ (40), over drinks. Mark whispers.

MARK REITZ  
There are elements within U S West  
that are very racist, and they're  
coming from the top.

Robert takes careful notes as Mark whispers. During the conversation, Robert's phone rings. He doesn't recognize the number, so he doesn't answer it.

Robert makes a note: "Meet with Herman."

EXT./INT. HERMAN MALONE'S HOUSE - NIGHT

Herman Malone steps into a beautiful, but dark, two-story house. He flips on the living room light to see no blanket or shaving kit on the couch. Herman turns around and notices their bedroom light is on, so Pat must still be awake. He walks to the stairs, about to go up to their room, but the bedroom light goes off. Disappointed and defeated, he goes back to the living room. Herman kicks off his shoes, takes off his suit jacket, sinks into the couch, and lies back with his eyes wide open, staring at the ceiling.

INT. LAWYER OFFICE - DAY

Emerson is grilling Johnny Briggs as the Recorder smiles and takes notes. Again, no other lawyer is present.

EMERSON

Isn't it true, Mr. Briggs, that your business was earning almost half-a-million dollars a year from U S West?

Johnny looks confused and flustered.

JOHNNY

Before they cut me by eighty-five percent. And we never had complaints! And...

EMERSON

And isn't it true that a bigger, rival company in your home state started offering cheaper rates of transportation for the same materials and supplies?

JOHNNY

Yes, but...

Johnny turns and looks at the door, as if to plan his escape.

EMERSON

Certainly, you can't expect U S West to go with the higher bid if they want to make a profit for their investors and keep rates low, can you, Mr. Briggs?

JOHNNY

No, but...

EMERSON

Let the record show that Mr. Briggs strongly supports a free-market economy.

Johnny is stunned by the events and watches as Emerson stands to signal the end of the meeting.

JOHNNY

(concerned)

Can I make a statement for the record?

EMERSON

I'm afraid that's all the time we have for today, Mr. Briggs. Thank you for coming.

Emerson points towards the door. The Recorder looks with pity on Johnny as he exits.

Moments later.

Jackie is sweating and gripping his armrests like the electric chair as Emerson dances rhetorical questions around him. No other lawyer is present. The sympathetic recorder does her job with a sad face.

EMERSON (CONT'D)

Mr. Redmond, you said you thought U  
S West would keep your contract  
forever?

JOHNNY

It's Redmonds. If they needed us,  
yes.

EMERSON

You realize that forever is a long  
time? Even if someone else came  
along with a better price?

JOHNNY

No one had a better price. We made  
sure of that!

EMERSON

But if someone did have a better  
price? And they could prove they  
did?

Johnny squirms in his chair like he's frying.

Moments later.

Geraldine Sanchez is in an Italian gray suit, and her distinguished Mexican-American Attorney (60) sits next to her. Emerson is surprisingly polite. Coffee cups litter the table.

EMERSON (CONT'D)

Ms. Sanchez, thanks again for  
coming today. Your testimony has  
been insightful. Again, your  
attorney is free to ask for  
clarification or stop the  
deposition at any time. Can we get  
you more coffee? Water?

GERALDINE

Let's just finish up.

EMERSON

You've stated, on record, that you feel you might have been discriminated against because you are a Latina.

(beat)

What if U S West shows, and they will, that they were increasing subcontracts with women-owned and Hispanic-owned firms to better distribute janitorial duties in corporate offices? Firms that had lower bids than your own company. Would you be able to prove discrimination then?

ATTORNEY

(to Geraldine)

Don't answer that.

Geraldine pauses, but can't help herself. She's angry. The Attorney is pulling Geraldine from the office, but not before she speaks up.

GERALDINE

(to Emerson)

It's odd, don't you think, that so many Latino and African-American businesses were ruthlessly targeted in a few short years, while white-owned subcontractors did so well?

Emerson looks but doesn't respond. Geraldine stares at him.

GERALDINE (CONT'D)

That was a question!

Emerson glances down before writing on a notepad.

EMERSON

Good afternoon.

After Geraldine and her attorney exit, Emerson calmly speaks to the recorder.

EMERSON (CONT'D)

Let the record show that Ms. Sanchez's angry outburst and accusatory remarks were unaccompanied by written evidence.

EXT./INT. EXECUTIVE OFFICES - CONTINUOUS

Inside a palatial office, CEO Skylar Baines is seated at the head of a large conference table. Emerson Harris enters with a smile.

EMERSON

Morning, sir. I thought you should know that our depositions went as expected. We wiped the floor with them.

SKYLAR

Glad to see you're earning your paycheck.

EMERSON

We have made insignificant settlement offers. I am confident that we can settle with most of the plaintiffs. We also proposed a settlement meeting, and they all agreed.

SKYLAR

I think it's time to reach out again to our new friend from the NBBC.

EMERSON

Will do. If I am not mistaken, I think he likes an early morning tee-off. So should I have Marcy schedule a lunch meeting?

SKYLAR

(confident smile)  
Yes!

EMERSON

Mr. Herman Malone.

SKYLAR

I don't like exceptions, Mr. Harris.

Emerson leaves with a purpose.

INT. PIERRE'S RESTAURANT - NIGHT

Robert arrives at the restaurant. Herman is already seated next to BEVERLY RYAN (30), Herman's friend and confidant, as the waiter pours them both another cup of coffee.

Herman spots Robert. Bread, butter, water, and coffee cups are on the table.

HERMAN  
(to Robert)  
You're late!

Before Robert can react, Beverly smiles and stands to shake Robert's hand.

BEVERLY  
Hello, I'm Beverly. It is nice to meet you.

ROBERT  
The pleasure is mine. I am Robert Schwab.  
(jokingly)  
And I am late. You expecting anybody else?

HERMAN  
(stoic)  
No, Mr. Schwab.

ROBERT  
(to Herman)  
Well, I see that you are in good company. How long have you been married?

Herman and Beverly eye each other before breaking out in laughter.

BEVERLY  
Actually, we are friends who grew up in the same church.

ROBERT  
Catholic?

BEVERLY  
Oh, heavens no, we are Baptists, of the southern variety.

The waiter returns to the table and fills the water glasses.

ROBERT  
Waiter, may I have a scotch? Make it a double.

After a few awkward moments, Herman speaks up.

HERMAN  
I don't like or trust the press,  
Mr. Schwab, but...

ROBERT  
Please call me Bob.

HERMAN  
Excuse me.

Herman continues buttering his English muffin as he speaks to Robert.

ROBERT  
Bob, not Robert. Bob will do fine.

A waiter approaches their table, and they order their drinks.

ROBERT (CONT'D)  
I met with an U S WEST employee who  
claims that a racist note was stuck  
to his computer after returning  
from a meeting.

HERMAN  
What?  
(beat)  
By whom? What did it say?

ROBERT  
He does not know who it's from. The  
note just read, 'nigger lover.'

HERMAN  
It still hurts, but I've been  
called worse.

Beverly takes Herman's hands to console him.

ROBERT  
Apparently, he was questioning some  
discrepancies around the minority  
business program.

HERMAN  
Do you believe me now?

ROBERT  
(smiles)  
I might. Like I said, smoke,  
fire...

For the first time in the meeting, Herman smiles. Robert raises his class with Herman. After they share the moment, Robert straightens himself and grabs his notepad. He flips through the pages and stops on one that contains the word Texaco.

ROBERT (CONT'D)

How much do you two know about the Texaco case?

HERMAN

We all followed it as best we could.

ROBERT

What's interesting is that Texaco will likely agree to pay substantial damages and assume responsibility for its part in the case and settle it out of court.

HERMAN

Assuming responsibility and admitting guilt are important.

ROBERT

So I assume you still want to fight this issue.

(beat)

But why?

Herman stares at Robert with a curious look and shakes his head without responding.

BEVERLY

Let's just say that it's important to him.

ROBERT

(off Beverly)

That may be, but you don't see the flaw in your premise.

Beverly leans in, looking at Herman, then to Robert.

BEVERLY

Flaw?

Robert has Herman's attention.

ROBERT

You are up. I mean, it's like fighting a giant. Why would you subject yourself to this?

HERMAN

It's the right thing to do.

Robert is observing a man determined to stand on principle.

ROBERT

I see, but U S West is a giant, I mean big.

HERMAN

It's the right thing. And besides...

(beat)

To bring down Goliath, all David needed was a little rock and a lot of faith. And we have four plaintiffs with similar stories.

ROBERT

Five small business owners against a top Fortune 500 company might be too small a rock.

HERMAN

Don't misjudge the magnitude of our faith, Mr. Schwab.

Herman and Beverly hold hands for a moment.

ROBERT

You're married with three children?

Beverly lets go of Herman's hand.

HERMAN

Beverly, my wife, Pat, the kids, and I go to the same church.

ROBERT

(unconvincing)

I see.

HERMAN

No. I don't think you do. Beverly is helping me research similar business discrimination cases.

ROBERT

(to Beverly)

And what usually happens?

BEVERLY

Big companies worry about their public image, and they settle cases out of court.

HERMAN

I won't let that happen.

Beverly glares at Herman. Robert sees this as the Waiter returns with a double scotch.

BEVERLY

(whispers to Herman)  
Maybe you should hear him out.

HERMAN

(angry)  
If they're doing what I think they're doing, U S West deserves bad publicity!

ROBERT

So you're taking this class action suit to trial?

HERMAN

Absolutely!

ROBERT

(concerned)  
I hope you have the best team of lawyers in the country!

HERMAN

William "Billy" Parker. My long-time attorney, Les Goldman, decided to represent my wife.

ROBERT

Ouch!

HERMAN

Billy may be a little young and inexperienced, but his resume looked very strong! Finest schools and pedigree. Strong religious foundation.

Herman eyes the waiter.

ROBERT

You haven't met him?

HERMAN

We meet tomorrow morning. I'm sure  
he'll be fine.

Robert jots down a few notes.

ROBERT

William "Billy" Parker. What else  
do you want from me?

HERMAN

Report the truth. That's all I ask.

Robert downs the scotch.

ROBERT

I've got to go. My editor isn't  
giving me much leeway. If you'll  
excuse me.

They all stand and shake hands. Robert exits. After he's  
gone, Beverly reaches her arm across to Herman's.

BEVERLY

You sure you want to do this?

HERMAN

Very sure.

BEVERLY

You could lose everything?

Herman looks away.

HERMAN

(in thought)

I think I already have.

INT. CHEAP MOTEL - NIGHT

William "Billy" Parker does a few lines of cocaine on the  
nightstand. We see a scantily clad Woman (23) with a tattoo  
on the back, head into the bathroom.

INT. DENVER POST - DAY

Robert is typing up the story on his laptop computer. His  
phone RINGS. It's his boss, CHIEF (60), an old-school  
journalist.

ROBERT  
Business desk, Robert speaking.  
(beat)  
Afternoon, Chief. Yes, I have been  
following this.

Robert puts him on speaker, while he types.

CHIEF (O.S.)  
This could be very interesting.

ROBERT  
Has a vendor ever taken on the  
company with which they are  
contracted?

CHIEF (O.S.)  
Not sure, but it smells like a  
first.

ROBERT  
I'm on it! One photo, front page?

CHIEF (O.S.)  
Business section, below the fold.

ROBERT  
Come on, Chief. This is going to be  
big!

CHIEF (O.S.)  
Am-West has big ties. Below the  
fold.  
(beat)  
For now. Get me proof.

Robert hangs up the phone. He's upset. He scans through a  
file containing articles about the U S West case. He pulls  
out a pad and starts writing.

INSERT: Various articles about the case. Showcasing multiple  
aspects of the trial, plaintiffs, etc.

ROBERT  
(to himself)  
The archives!

He races out.

LATER

Robert races back to his desk with a huge stack of files. He  
opens the first file, reads, and smiles.

ROBERT (CONT'D)  
Now, we're getting somewhere!

INT. LAWYER OFFICE - DAY

Emerson smiles as a shady-looking Italian-American Private Investigator, GINO (55), enters in a gray-striped suit and sunglasses with eight files.

GINO  
Got 'em, Boss. Everything's right there.

EMERSON  
Did anybody see you come in?

GINO  
Came in through the loading dock, back stairs, service elevator. Nobody saw nothin'.

EMERSON  
Main findings. Go.

Gino tosses one file to Emerson, who looks at a summary page.

GINO  
Plaintiff, Johnny Briggs, small time trucker whose business is going bankrupt, owes a lot of people a lot of cash.

EMERSON  
Next.

Gino tosses three more files to Emerson.

GINO  
Ditto for Jackie Raymonds, Geraldine Sanchez, and Herman Malone. Raymonds and Mack need money by the end of the month. Malone has more business sense, and may be a little problem.

EMERSON  
Next.

GINO

Martin Tynan is a publicity hound looking to get in on a class action suit, and he ain't never done business with your employer. We could pressure him.

EMERSON

No. Back to Malone. What's his soft spot?

Gino tosses another file.

GINO

Wife, kids, and church. Neighbors say they hear the wife yelling some nights. Things ain't happy in paradise.

EMERSON

What's that last file?

Gino slides it over.

GINO

Judge Miles Jackson. Negro. Deeply religious on the inside. Director and vice-chair of the Iliff School of Theology in 1983. Wife, Sarah, is white. Word is he's fair. May have bigger judgeships in mind. He'll need supporters like your employer to get anywhere.

EMERSON

Any other thoughts?

GINO

Outside of Malone, I could try this case and win.

Emerson stands, upset.

EMERSON

We don't want a trial. Or bad PR. We want to settle, you idiot.

Emerson points to a back door.

EMERSON (CONT'D)

Get me more on Malone! Today.

Gino scurries toward the back door.

GINO  
Okay, boss.

Gino races out as Emerson picks up the phone.

INT. HERMAN MALONE'S PLANT - DAY

Herman greets the plaintiffs as they arrive at his plant with one hand and a phone in the other. It's very casual and friendly, but everyone seems to be focused on the meeting. Herman finishes the call while the plaintiffs settle in.

HERMAN  
Well, Billy and Harry have not shown up yet. I will keep you posted on the developments. Thanks for your support, Reverend Demmer. Will see you tomorrow at the settlement meeting.

Herman puts his phone in his pocket and walks to address the group. Herman has a worried look on his face as he looks at the plaintiffs.

JACKIE  
Where are Harry and Billy?

Herman quickly composes himself.

HERMAN  
Billy has a family emergency, and I'm waiting to hear back from Harry. I left him a couple of messages. I'm sure he'll be here shortly.

JOHNNY  
Well, I guess we can start so long. Harry can fall in when he joins us.

Herman is more focused.

HERMAN  
Ok, sounds good. So you all know the offer we got from Emerson. What counteroffer do we want to give them?

We see the whisper and express negative positions with heads shaking 'no.'

We see Harry's chair and Billy's chair remain empty.

EXT. HERMAN MALONE'S HOUSE - NIGHT

Herman unlocks the door to his dark house. Again, he flips on a light to see the empty couch. However, this time, Pat sits in the comfortable chair across from the couch, waiting for him. A dinner plate and a 'Happy Anniversary' card sit on a TV tray. A clock reads 11:30 PM. Herman has three red roses in his hand.

PAT

Look what the cat dragged in?

Herman keeps an upbeat demeanor.

HERMAN

Prep for the trial. Got you roses like on our first date.

He hands the roses to Pat. She accepts them with contempt.

PAT

(cold)

It was a dozen, and you gave them to me at five PM, not in the middle of the night!

HERMAN

(Angry)

Pat, I don't have time for this. You don't know what I've been going through.

PAT

(angry)

Because you are never at home. You work all day and prepare for court all night. What do you expect?

Herman cuts her off.

HERMAN

(loud)

Pat, I am in the middle of this trail, fighting for justice. Standing up for a principle, so we can leave a legacy...

Pat sharply interjects.

PAT

No! Do not drag us into this mess! Did you ever think to ask if we, your family, wanted to be part of your crusade?

Pat tosses the flowers on the floor and marches upstairs.

HERMAN

What do you want from me?

We hear a door SLAM upstairs. Herman takes off his coat and throws it at the couch in frustration. Herman paces as he takes off his tie. Herman notices the tray, stops pacing, and reaches for the card. The card reads, "Happy 10th Anniversary. I love you."

INT. LAWYER OFFICE - DAY

REV. PATRICK DEMMER (50s) and REV. ACEN PHILIPS, (50s) and two Associates (40s) arrive at the 10 AM settlement meeting. Porter immediately spots them, motions a security guard his way, and is accompanied by another lawyer as they approach them. They introduce themselves to the ministers.

PORTER

Morning, Ministers. What brings you here?

REV. PHILIP JONES

Morning. We are here for the plaintiffs...

Before Rev. Philip Jones could continue, PORTER interrupts.

PORTER

(professional)

Unless you're a plaintiff, that will not be possible. Information pertinent to the plaintiffs will be presented, which is not open to outside parties.

REV. PHILIP JONES

Why not? This is a public case, is it not?

PORTER

Yes, it is, but the cash settlements that will be discussed are not.

Emerson gestures to Porter.

PORTER (CONT'D)

Gentlemen, U S West thanks you for your support in community matters. John, here...

Porter introduces them with a hand motion to the Security Guard (40, a uniformed monster). The security guard takes a step closer.

PORTER (CONT'D)  
Will escort you to the door.

SECURITY GUARD  
Gentlemen, please follow me.

INT. U S WEST CONFERENCE ROOM - DAY

As the atmosphere started to settle, HERMAN took his coffee and looked for a seat at the boardroom table. The long rectangular table and exquisite art pieces on the wall were typical of big corporate America, with the modern mahogany table and sleek black leather chairs. HERMAN takes the chair at the opposite end of the table, directly facing off against Emerson and his team. The atmosphere awkward and uneasy.

Harry Giles and Billy Parker are seated to the left, close to the U S West team. The plaintiffs sit at the bottom right where Herman took his seat.

Just as Herman takes a sip of his coffee and leans in to whisper something in the ear of a Plaintiff next to him, Emerson nods at Harry. Harry stands and clears his throat.

HARRY  
I urge you to take the settlement.  
(to Johnny)  
It's the best you'll get!  
(to Jackie)  
Time to put all this behind you and  
get back to work.  
(to Herman)  
Family matters most.

This is a low blow to people fighting for equal treatment, and the plaintiffs lower their heads, except Herman, who continues to stare at Emerson.

HARRY (CONT'D)  
Besides, we're between a rock and a  
hard place because we'd have to pay  
Billy. After all, the NBCC isn't  
any part of this lawsuit! And,  
Billy's asking for more money!

Herman continues to stare at Emerson, while the other plaintiffs look at one another in disbelief.

Reading their reactions to all of this, Herman's pulse started racing. He reacts quickly and swiftly, launching himself out of his chair.

HERMAN

Harry, how dare you?!

(angry)

Why are you speaking on behalf of us? Do you represent the plaintiffs now, or does Mr. Parker?

Billy is very quiet, not saying a word. At that moment, all the plaintiffs jumped in with something to say.

BILLY stands up and calms everyone down.

BILLY

I'd like a 15-minute recess.

Emerson nods in agreement.

As the group breaks up, Herman sees Porter handing a mobile phone to Harry as the people of U S WEST leave the room for the plaintiffs.

Harry takes the phone and walks out of the room, beckoning for Billy to follow him.

Harry's phone rings, and he answers it.

SKYLAR (O.S.)

How is the settlement hearing going?

HARRY

(whispering to Skylar)

The plaintiffs will take the deal, but if left unchecked, Herman could sway them.

SKYLAR

Thanks for your help. Now, give the phone back to Porter.

Porter takes the phone and listens to Skylar's instructions carefully, acknowledging every word. After his conversation with Skylar, Porter whispers to Emerson.

PORTER

Push the settlement back to a different location. No settlements should be forced today.

Everybody meets back in the boardroom.

PORTER (CONT'D)

Mr. Malone, Plaintiffs, we ask that you meet us in Kansas City at a later date to proceed with the settlement, to discuss what you hear tonight before a final settled agreement is reached.

HARRY

(to the Plaintiffs)

I agree! We can postpone the meeting to April 30th, where we can resume our meeting in Kansas City.

As they leave the boardroom, Emerson openly addresses Harry.

EMERSON

Harry, we'd like you to ride in Skylar's plane with us to Kansas City.

HARRY

Sure thing. Sounds great!

We see Harry climb into a chopper with Emerson on the roof of the building. Skylar welcomes them both.

INT. DENVER POST - MORNING

Robert gets a call from Regina.

ROBERT

Regina Burke, U S West. Thanks for calling back.

(listens)

Yes, I agree it's about time.

(listens)

Yes, I'd love to hear your side of the story. Can't wait!

EXT./INT. EXECUTIVE OFFICES - DAY

Robert enters the building, notebook in hand. He steps to the Information Desk, where a cute Receptionist (30) greets him.

RECEPTIONIST

Good afternoon. Welcome to U S West. How can I help you?

ROBERT

I'm Robert Schwab from the Post, Business Section.

(MORE)

ROBERT (CONT'D)

I am here for my interview with Mr. Skylar. He should be expecting me.

RECEPTIONIST

Sir, you will have an opportunity, like everybody else, to ask your questions at the press conference.

ROBERT

What do you mean press conference?

RECEPTIONIST

We are announcing our new minority business program.

ROBERT

(frustrated)

What?

She hands him a press badge.

RECEPTIONIST

Here you go. Please sign here and here. It will start in ten minutes.

Robert, a bit confused, signs quickly, grabs the badge, and runs out the front door. He runs to the nearest pay phone, tries to get a couple of quarters. Fumbles to get it in and make the call.

INT. HERMAN MALONE'S OFFICE - DAY

Herman sits alone in a spacious office. A clock on the wall reads 2:55. He stares aimlessly at business reports showing downward arrows. He is motionless. His thoughts are disrupted as a ringing phone shatters his silence. He snatches the handset and answers.

HERMAN

(anxious)

This is Herman Malone!

(relief)

Hi, Bob.

(beat)

What?

(louder)

What?

(focused)

No, we'll take the bull by the horns. I am on my way. Don't do anything without me.

EXT. U.S. WEST BUILDING - DAY

Robert and Herman try to confront U S West. On the steps of the building stand two men; one a female African-American TV Reporter (SUZI CARUTHERS), and the other is CEO Skylar Baines. A hefty white Cameraman (30) films the two. Suddenly, three vans from the major TV networks race in with their reporters. A Security Guard (40; uniformed brute) allows them to film from further back. Regina Burke holds a full three-ring binder with the letters "M-W-B-E" on the cover.

Herman Malone makes his way through the small crowd (Ten onlookers) as he approaches the top of the stairs, where he tries to get on camera. Perspiration can be seen on Herman's forehead.

Herman reaches into his pocket, removing a white handkerchief, and blots the sweat from his brow.

SUZI

This is Suzi Caruthers, reporting live with U S West Regina Burke with a surprise announcement from this Fortune 500 giant. Ms. Burke?

REGINA

U S West is proud to enter the new millennium with an increased commitment to our Minority and Women Business Enterprise Program.

The crowd cheers. Herman is bewildered.

REGINA (CONT'D)

We've long realized that women make up half of our customer base, and minorities continue to be an expanding customer base here in the West. Today, we make a stronger commitment to women- and minority-owned businesses in our U S West family.

CUT TO:

INT. U.S. WEST OFFICE - CONTINUOUS

Robert Schwab is pacing in the office of MS. BRUBAKER (25), an attractive blonde.

ROBERT

If there's nothing you can tell me about minority-owned business contracts, why did you agree to meet me?

Robert looks out the window and down to the street. He sees the small crowd below him.

MS. BRUBAKER

Our upper-level managers are all busy. I didn't know...

Robert races out of the office.

BACK TO:

EXT. U.S. WEST BUILDING - CONTINUOUS

Regina Burke is waving as she is whisked away by a Security Guard (40; tough). All TV reporters, except Suzi, vanish.

SUZI

Thank you, Ms. Burke. We all trust your Minorities and Women Business Enterprise Program will be a huge success.

Herman tries in vain to get the attention of Suzi and the Cameraman, but they scurry away through the crowd. Herman stands alone outside the building when Robert runs out and sees him.

ROBERT

What was that all about?

HERMAN

A well-orchestrated preemptive strike.

ROBERT

What?

Herman trudges away while speaking.

HERMAN

Watch the news tonight. You'll see!

Robert looks up to Ms. Brubaker's office and smirks.

ROBERT

(to himself)

We're being watched, and we're being played!

Robert trudges away.

INT. PIERRE'S RESTAURANT - NIGHT

Robert and Herman sit opposite one another in the booth.

ROBERT  
(annoyed)  
We just got played.

HERMAN  
Ruthlessly.

Pastor Jones enters and whispers to a waiter, who points over to Herman and Robert. The pastor joins them.

PASTOR JONES  
Evening, gentlemen.

HERMAN  
Hi, Terry. Thanks for coming.

A WAITRESS (20s) stops to get the Pastor's order.

WAITRESS  
What can I get for you, Sir?

PASTOR JONES  
Coffee with cream. Three sugars.

Waitress walks off.

PASTOR JONES (CONT'D)  
How are you doing, Herman?

HERMAN  
They have us against the ropes.  
(determined)  
But if they think I'm going to roll  
over, they have another thing  
coming.

PASTOR JONES  
So what is your plan?

Robert looks out the window, takes a breath, and turns back to the conversation.

ROBERT  
At least we know U S West's plan,  
divide and conquer.

PASTOR JONES

What makes you say that?

ROBERT

Harry Giles tried to convince Herman and the plaintiffs to settle.

(pause)

In front of U S West! They pulled a publicity stunt to reinforce their narrative because they know we do not have the resources to mount a quick defensive strategy.

PASTOR JONES

What narrative

HERMAN

(disdain)

That we really have no case. They're calculating...

PASTOR JONES

Ground like that is not easily taken.

ROBERT

(to Herman)

You need to fight back the same way.

PASTOR JONES

(to Herman)

My advice? Let God do the fighting! You do the trusting. Don't stoop to their level.

ROBERT

That said, I've looked up all of their discrimination and disgruntled employee complaints in the past ten years. They settle every time.

HERMAN

And everything is hushed up. No admission of guilt.

ROBERT

Jip, complete with non-disclosure.

HERMAN

Buried?

ROBERT

Forgotten...

HERMAN

(resolute)

Well, I refuse to. We have to make some noise. What if we united all the pieces?

PASTOR JONES

Indeed, the bible says a three-fold cord is not easily broken. You're going to have to stand united if you want to win this.

ROBERT

Then you'll need a team, Herman.

HERMAN

My thoughts exactly. We need to get everyone together. Take it to the people. Get our message out, whatever it takes.

Herman and Robert give each other determined looks.

PASTOR JONES

Can I pray for you two?

HERMAN

Of course.

Pastor Jones leans in, bows his head, and begins to pray.

EXT. HERMAN MALONE'S OFFICE - DAY

Herman and his co-plaintiffs raise their joined hands in unity before a single African-American TV reporter (50) and cameraman (50). It has the look of an unsuccessful press conference, but Herman stands poised and ready. Robert stands out of the picture with his camera. He is sad until Herman lashes out.

HERMAN

U S West is targeting African-American businesses much like Goliath, who thought that his mere size could intimidate his much smaller foe. We have the utmost confidence in our justice system. All we are demanding is fair and equal treatment.

(MORE)

HERMAN (CONT'D)

And like David, who so eloquently  
defeated the giant, we too shall  
prevail!

Robert snaps a photo and smiles, but the plaintiffs lower  
their hands, looking frightened and nervous.

INT. LAWYER OFFICE - DAY

INTERCUT PHONE CONVERSATION

Emerson is on the phone with Martin Tynan. Martin is on a  
massage table with a beautiful Masseuse (25) rubbing his  
shoulders.

EMERSON

Mr. Martin Tynan?

Martin is annoyed to get a call.

MARTIN

Who is this?

EMERSON

Emerson Harris, Esquire. We have  
something to discuss, Mr. Tynan.

MARTIN

Like what?

EMERSON

The other plaintiffs are drowning  
under financial pressure as a  
result of this suit. They will take  
our offers.

MARTIN

And if they don't?

EMERSON

They will, a friend from the NBBC  
office assures us of that.

MARTIN

Aaah! You think I might be the  
first to settle out of court, then?

EMERSON

We think you're a reasonable man  
who sees the handwriting on the  
wall. When the judge dismisses the  
case, you get nothing.

MARTIN

And if he does not?

EMERSON

From where we are sitting, it's a long shot. A case like this has never won in court.

MARTIN

I will think about it.

EMERSON

Take our offer, Mr. Tynan. It expires by the end of the day.

CLICK. The Masseuse works on Martin's legs, while he ponders the message.

CUT TO:

In Emerson's office, he quickly picks up the phone again.

INT. AIRPORT HOTEL CONFERENCE ROOM - DAY

SUPER: "KANSAS CITY, APRIL 30th."

Emerson and Herman sit confidently on opposite ends of a large conference room table. Herman has a chair reserved next to him for his absent lawyer. The air is thick with an awkward silence. The other plaintiffs, Johnny Biggs, Jackie Raymonds, and Geraldine Sanchez, sit nervously on either side of the table towards Herman.

Geraldine leans over to Herman.

GERALDINE

Where are Billy and Martin?

HERMAN

If Billy's not here, he's not getting paid. I am telling you that...

EMERSON

We can give your attorney five more minutes, Mr. Malone.

HERMAN

He said he'd be here.

The plaintiffs groan.

EMERSON

This shouldn't take long. I think you'll be pleased with our offer, given your present situation.

HERMAN

Present situation?

EMERSON

Inability to prove economic losses by a supposed larger class of African-American business owners, of course.

HERMAN

We, in the room, were certainly harmed economically.

The plaintiffs groan uncomfortably. Johnny is angry.

JOHNNY

Eighty-five percent of my company's income! Don't think I've been harmed? You...

EMERSON

Mr. Briggs, many individual companies have boom and bust periods all the time. That's business! It's always risky!

JACKIE

And we all went bust at the same time is just a coincidence?

EMERSON

You are five of hundreds of contractors and thousands of subcontractors, Mr. Raymonds. Others may be experiencing boom periods! It's the ebb and flow of the markets.

GERALDINE

And we just happened to be Black and Brown? Another coincidence?

HERMAN

We are strong in our unity, Mr. Harris. Let's see your proposed settlement numbers.

Emerson pulls five envelopes from a briefcase and stands.

EMERSON

These are personal and confidential offers, which are accompanied by complete non-disclosure agreements.

JOHNNY

What?

EMERSON

You may never disclose the amount of your settlements, even among yourselves, or the contract is voided, and you have to return every cent, and you're liable for damages that could be ten-times the amounts specified.

JACKIE

Damages?

HERMAN

For hurting the saintly image of U S West in the eyes of the blissfully unaware public?

GERALDINE

Doesn't seem fair.

EMERSON

You will have forty-eight hours to accept or reject these offers. A future offer may be much lower.

Herman stands.

HERMAN

If one of us caves, it's over.

Emerson hands out the envelopes. Each plaintiff opens them one at a time. They have the look of disgust and betrayal as they read the numbers.

SUPER "Plaintiff's total request for damages = \$85,400,000. U S West's proposed settlement total = \$1,270,000."

One by one, the plaintiffs fold their letters, put them in their coat pockets, shake their heads, and exit without a word. Herman remains for a moment.

HERMAN (CONT'D)

U S West cost me forty million dollars in damages, and you have the nerve to offer me three-hundred-fifty-two thousand dollars?

(MORE)

HERMAN (CONT'D)

(beat)

We will see you in court!

Herman ceremoniously rips up his settlement offer. Emerson looks slowly around the room with an evil stare.

EMERSON

We, Mr. Malone?

Herman stares at Emerson. Then he looks up to the heavens and back at Emerson with a smile.

HERMAN

Yes, I said we, Mr. Harris!

Emerson and Herman sit confidently on opposite ends of a large conference room table. Herman has a chair reserved next to him for his absent lawyer. The other plaintiffs, Johnny Biggs, Jackie Raymonds, Geraldine Sanchez, and Martin Tynan, sit nervously on either side of the table towards Herman.

EMERSON

We can give your attorney five more minutes, Mr. Malone.

HERMAN

He said he'd be here.

The plaintiffs groan.

EMERSON

This shouldn't take long. I think you'll be pleased with our offer, given your present situation.

HERMAN

Present situation?

EMERSON

Inability to prove economic losses by a supposed larger class of African-American business owners, of course.

HERMAN

We, in the room, were certainly harmed economically.

The plaintiffs groan uncomfortably. Johnny is angry.

JOHNNY

Eighty-five percent of my company's income! You don't think I've been harmed? You...

EMERSON

Mr. Briggs, many individual companies have boom and bust periods all the time. That's business! It's always risky!

JACKIE

And we all went bust at the same time is just a coincidence?

EMERSON

You are five of hundreds of contractors and thousands of subcontractors, Mr. Raymonds. Others may be experiencing boom periods! It's the ebb and flow of the markets.

GERALDINE

And we just happened to be Black and Brown? Another coincidence?

Martin clears his throat, but doesn't speak. He's sweating and nervous. Herman stares at him like Judas Iscariot.

HERMAN

We are strong in our unity, Mr. Harris. Let's see your proposed settlement numbers.

Emerson pulls five envelopes from a briefcase and stands.

EMERSON

These are personal and confidential offers, which are accompanied by complete non-disclosure agreements.

JOHNNY

What?

EMERSON

You may never disclose the amount of your settlements, even among yourselves, or the contract is voided, and you have to return every cent, and you're liable for damages that could be ten-times the amounts specified.

JACKIE

Damages?

HERMAN

For hurting the saintly image of U  
S West in the eyes of the  
blissfully unaware public?

GERALDINE

Doesn't seem fair.

EMERSON

You will have forty-eight hours to  
accept or reject these offers. A  
future offer may be much lower.

Herman stands.

HERMAN

If one of us caves, it's over.

Emerson hands out the envelopes. Each plaintiff opens them  
one at a time. They have the look of disgust and betrayal as  
they read the numbers.

One by one, the plaintiffs fold their letters, put them in  
their coat pockets, shake their heads, and exit without a  
word. Herman remains for a moment.

HERMAN (CONT'D)

We will see you in court! I will  
see you in court. I will not be  
paid to go away.

Herman ceremoniously rips up his settlement offer. Emerson  
looks slowly around the room with an evil stare.

EMERSON

We, Mr. Malone?

Herman stares at Emerson. Then he looks up to the heavens and  
back at Emerson with a smile.

HERMAN

Yes, I said we, Mr. Harris!

INT. RESTAURANT - DAY

Pat is having her monthly women's lunch with her upscale  
associates (Three well-dressed Women in their 50s). The  
ladies are talking. Pat is in good spirits.

WOMAN #1

I thought the artist did an  
excellent job.

PAT  
Yes, what was her name? I think it  
was listed on the program.

Pat reaches into her purse to retrieve the program. The  
waiter returns with the check and bends down to speak with  
Pat.

WAITER #2  
(whispering in Pat's ear)  
Excuse me, Mrs. Malone, do you have  
another card? This one declined.

Pat is embarrassed, but assumes it was a technical issue. She  
retrieves the Arts Program.

PAT  
(to the ladies)  
Kara Walker is the artist.

WOMAN #2  
That's it!

PAT  
(to waiter)  
Frederic, kindly run it again.

WAITER #2  
Mrs. Malone, I ran it three times.

The stand-off between Pat and the waiter is observed by one  
of the women. She motions for the check.

WOMAN #1  
(to the waiter)  
Darling, you just bring that to me.

The waiter takes a new credit card from the woman and walks  
away.

PAT  
(forced smile)  
Now, that wasn't necessary.

WOMAN #1  
It happens to the best of us,  
darling. Besides, you've treated  
us for years.

Pat looks up, somewhat embarrassed, but relieved. Then, she  
excuses herself and heads to the bathroom. Everyone sees that  
something is clearly wrong.

INT. RESTAURANT - CONTINUOUS

Pat breaks down crying, stressed by the whole situation.

INT. CAFE - DAY

Herman is eating breakfast alone when Beverly enters and joins him.

BEVERLY  
I thought I'd find you here.  
(whispers)  
Why haven't you called?

HERMAN  
I don't know.

Herman waves over his Waiter (21, upbeat).

WAITER  
Coffee and a whole wheat muffin?

BEVERLY  
You got it, Rick.

She waits for the Waiter to exit.

BEVERLY (CONT'D)  
Is Pat not taking your financial  
swing well?

HERMAN  
It's not a swing, it's a long slide  
down. She blames me.

BEVERLY  
Not U S West? I'll bring Pastor  
Jones over to talk with Pat.

HERMAN  
No need, she's got that covered. I  
should have diversified when times  
were good. Can't argue with that.

BEVERLY  
Did you pray on it?

HERMAN  
You know I did, but I might have  
waited until times were bad.

BEVERLY  
Are they that bad?

The waiter returns with a coffee and a muffin.

WAITER  
Here you go, Beverly.

BEVERLY  
Thanks, Rick. Keep the coffee  
coming for the two of us.

WAITER  
You bet!

The waiter exits.

HERMAN  
Things have gotten very bad.

BEVERLY  
How bad?

Herman looks away.

BEVERLY (CONT'D)  
That bad, huh?

Herman looks into Beverly's eyes.

HERMAN  
I'm bankrupt.  
(beat)  
I haven't told Pat.

Beverly reaches across the table to grab Herman's hands. As she's holding them and looking into Herman's eyes, Pat steps into the diner. She sees them, turns, and storms out.

BEVERLY  
Pat! It's just me.

HERMAN  
I'll tell her.

Herman races out the door.

EXT. DOWNTOWN DENVER - CONTINUOUS

Herman races after Pat and catches her, placing a hand on her shoulder. She shakes it off and stomps away.

HERMAN  
It's not what you think. We're just  
friends.

PAT  
We're broke.

Herman just can't seem to catch up to Pat.

HERMAN  
We're not broke in the heart. At least, I've never been bankrupt before.

PAT  
We can't pay for the house, the cars, the insurance.

HERMAN  
U S West hurt us. We'll bounce back.

PAT  
You hurt us. This lawsuit consumed you. I lost a husband, the kids lost a father, and you're about to lose your business!

Herman stops chasing Pat. He looks down to the ground in sadness, before looking up to the heavens with a questioning look. He yells once more to Pat.

HERMAN  
I'm sorry, Pat.  
(to himself)  
So sorry.

Herman sulks as he walks away.

INT. HERMAN MALONE'S OFFICE - DAY

Herman is alone, and unshaven in a wrinkled suit, he stares into his office space. His Secretary RITA enters with a cup of black hot coffee and a Danish pastry.

RITA  
You've been glued to the phone all morning.

Herman shakes out of his stare and smiles weakly. She tries to find a spot amongst the clutter of papers and files. She places them next to his open Bible.

HERMAN  
How can I ever thank you?

RITA

You can use that travel shaving kit  
you keep in the cupboard in your  
washroom!

Herman shakes his head and smiles.

HERMAN

Yes. Forgot about that!

The moment is interrupted by a phone call. Herman immediately  
picks it up.

HERMAN (CONT'D)

What?

(disbelief)

All of them?

(pause, perplexed)

What do you mean?

(pause)

Dial tone. Herman puts down the phone.

RITA

What, what?

HERMAN

Billy Parker... The plaintiffs...

(shock, disbelief)

They settled.

Herman walks over to his coat hanger in a trance-like state.  
Time seems to stop. He takes his jacket and puts it on.

RITA

Mr. Malone!

(pause)

Mr. Malone! Can you hear me? I do  
not think you should be alone right  
now.

Herman heads out the front door, paying no attention to Rita.  
She looks down at his desk. On a pile of papers is Robert's  
business card. She picks it up and looks at it. Then looks at  
the door...

RITA (CONT'D)

Herman, you are not alone in this.  
God is with you.

Rita picks up the phone and dials the number.

INT. DENVER PRESS CLUB - NIGHT

Herman sits at the bar, swirling ice in a glass as he takes a last sip. Herman motions the glass to the bartender.

HERMAN  
Can I get another?

The bartender takes his glass and steps away to prepare him a drink. Robert sneaks up behind Herman.

ROBERT  
I'll have what he's having. Make it  
a double.

Robert puts his bag on the bar next to him.

HERMAN  
What are you doing here?

ROBERT  
Orders to make sure you stay well  
clear of the edge.

HERMAN  
(sarcastic)  
I should never have joined the suit  
then.

The bartender puts the drinks down.

ROBERT  
Touché.  
(to the bartender)  
Two Lemon slices, please.

Robert takes a sip of his drink. All of a sudden, Robert spits out his drink.

ROBERT (CONT'D)  
(disgusted)  
What is this?

The bartender looks confused at Herman, then Robert.

BARTENDER  
(obvious)  
Club soda?

ROBERT  
(to Herman)  
Ok, now I know you definitely went  
over the edge.

For the moment, there is an awkward silence. They both break out in a smile, and Herman lifts his glass for a cheers and chuckles to himself. Robert motions to the bartender.

ROBERT (CONT'D)  
Please, some whiskey in mine.  
(winks)

The bartender takes his glass.

HERMAN  
(serious)  
You heard what happened.

The bartender puts a glass in front of Robert. Robert takes a sip.

ROBERT  
(satisfied)  
Better. Yes, I heard. Interviewed them all just before I came. Part of being impartial.

HERMAN  
(frustrated)  
Then you know they settled for nothing.

ROBERT  
Yes.  
(pause)  
I know...

Herman sharply interrupts.

HERMAN  
(angry)  
What is it that you think you know, huh? They're all sellouts.  
(pause)  
You'll never understand! What is it that you think you're reporting on? Mmmh?

Robert keeps on point patiently.

ROBERT  
(sincere)  
Most of them felt things were getting really bad. Creditors, mortgages, rentals, and family. If you and they lose, nobody gets anything.  
(MORE)

ROBERT (CONT'D)

Three years is a long time for a case. John Briggs' wife was about to divorce him.

HERMAN

Have you lost anything in your life as a...

Robert slowly puts his glass down.

HERMAN (CONT'D)

...result of standing up for something. You know you guys...

ROBERT interjects quickly.

ROBERT

(calm)

You are angry and frustrated. I understand you're looking for someone to blame.

HERMAN

(confrontational)

You have no idea what I want.

ROBERT

I think that is my queue. Maybe I am reporting on the wrong story after all.

Herman looks straight ahead of him, refusing to acknowledge anything that was said. Robert takes his bag, throws it over his shoulder, and leaves.

INT. HERMAN MALONE'S OFFICE - EVENING

Herman looks at the piles of papers on the table. On top of the papers is a flat file that reads "Chapter 11 Bankruptcy protection," and next to it, a closed bible. Herman tries to muster up a prayer. Hand rubbing his face look at the ceiling.

HERMAN

Father, Jesus, I...

Frustrated, he rubs his hands. He moves his chair away from his desk. He needs some space.

HERMAN (CONT'D)

Lord, I come to you.

All of his pent-up anger suddenly lashes out. He pounds his desk with his fist.

HERMAN (CONT'D)  
 (angry, loud)  
 You left me in hell! What am I  
 supposed to do with all this?  
 Aren't you a God of justice?  
 (pause)  
 I am losing everything.

Herman waits for a response. Looks straight up at God.

HERMAN (CONT'D)  
 (shouting)  
 Come on. Where are you? Answer me!  
 (pleading)  
 Please, just answer me...

Tears start to stream down his face.

HERMAN (CONT'D)  
 (softly)  
 Please... do not abandon me. I need  
 your help.

Herman crashes into the table, his face hidden in his arms.

INT. U.S. WEST BUILDING, SKYLAR'S OFFICE - DAY

Skylar sits behind his desk with Three White Contractors (various ages; Two males and one female) in seats at his desk.

They are discussing business when Skylar's phone rings. He picks it up.

SECRETARY (O.S.)  
 Emerson and Porter are here to see  
 you.

EMERSON  
 (into the phone)  
 Send them in.  
 (to contractors)  
 That's all for today.

The Contractors depart immediately as Emerson and Porter enter.

SKYLAR  
 We have to completely crush Mr.  
 Malone before this gets to court.

PORTER

Word is that Mr. Malone is filing for bankruptcy protection. We could use that as leverage to make him settle.

Skylar, Emerson, and Porter nod in agreement.

INT. CHURCH - NIGHT

On the wall is a banner that reads, "Men of Purpose." Two men are standing with Pastor Jones. He shakes their hands as they say goodbye. Herman enters the door as the men leave. Pastor Jones steps lively to greet and hug Herman as he enters the church.

HERMAN

You're still here.

PASTOR JONES

I am just about to lock up.

Pastor Jones sees the distress in Herman's face. The Pastor motions for Herman to sit.

PASTOR JONES (CONT'D)

Come, sit. What's on your mind?

Herman takes a seat, heavy with emotion.

HERMAN

I do not know anymore. I have lost everything. The plaintiffs have sold me out. Even God has abandoned me.

Silence.

HERMAN (CONT'D)

Pat left me.

(pause)

I'm not sleeping at home anymore.

PASTOR JONES

Give her time. She needs to process this as much as you do.

HERMAN

I hate what U S West is doing. Fighting for justice pays a price.

PASTOR JONES

Maybe a price that Pat did not want to pay, even if it was the right thing to do.

Pastor Jones takes a moment before he continues.

PASTOR JONES (CONT'D)

What will you do to get your family back?

(pause)

Admit you made a mistake. Take responsibility.

HERMAN

Are you on U S West's side now? Should I just turn a blind eye to injustice?

PASTOR JONES

No. You could have handled this differently with your family and without abandoning your principles.

HERMAN

What are you saying?

Pastor Jones waits for the penny to drop.

HERMAN (CONT'D)

U S West is not the same. Should I just forgive and forget? Make as if it never happened?

PASTOR JONES

(compassionate)

Should Pat?

Herman shakes his head.

PASTOR JONES (CONT'D)

Take Job. One of the richest men in the bible, who lost everything. His story is one of faith, but not in the way we think.

HERMAN

What do you mean?

PASTOR JONES

When Job took all his grievances to God. Even the ones he had with God Himself.

HERMAN

I did that. I had it out with God last night. A lot of good it did me.

PASTOR JONES

I understand. Job is a man just like us. He did not hide his true feelings, even if those feelings were ugly. He ultimately trusted that God is good; he trusted that God knows how to write his life story.

HERMAN

And, if I lose?

PASTOR JONES

Depends on your definition of winning. Fighting injustice is bigger than you. Just because you were unjustly treated does not make you qualified to fight it.

Pastor Jones lets his statement sink in with Herman.

HERMAN

I don't understand.

PASTOR JONES

Maybe for God, there is more to this than our version of justice.

(pause)

The end is reconciliation; the end is redemption; It is the love of God working in the lives of men.

HERMAN

Where did you get that?

PASTOR JONES

Dr. Martin Luther King. Forgiveness gives us the power not be stuck in the past nor be a victim of a broken future, but ultimately to know that justification belongs to God. You cannot fight injustice if you can't forgive.

HERMAN

I don't know about all of this.

PASTOR JONES

Yes, you do. That's what makes it so hard. That is why we do it in His strength. Maybe the amount of time & grace he gives us to come to terms to forgive God gives in equal amount to turn from destroying lives through discrimination.

INT. HOTEL ROOM - EARLY MORNING

Herman sits at a table, busy reading his bible. He closes it and starts to pray.

HERMAN

God, it's hard to forgive U S West, but if this is what You really want, I'd like to ask You to give me the strength to forgive. "Clean my Heart oh Lord, that I might fight injustice.

After his prayer, he stands and grabs his coat.

INT. COURTROOM - DAY

Herman and his bankruptcy Lawyer, KURT LANDI (40s), sit to the right of the courtroom while U S West is represented by Three Attorneys, including Mr. Porter, sitting to the left facing the judge's bench. Judge Murillo walks into the courtroom straight to his chair. Everyone rises until the judge motions them to sit.

JUDGE MURILLO

Morning, gentlemen.

KURT LANDI

Morning, Your Honor.

PORTER

Morning, Your Honor.

Judge Murillo takes his seat, and before he can get settled, Porter stands and addresses the judge.

PORTER (CONT'D)

Your Honor, we propose that an outside examiner be appointed to manage RMSE, while Mr. Malone files for bankruptcy.

(MORE)

PORTER (CONT'D)

We are also prepared to write the thirty-six-thousand-dollar worth of debt off if Mr. Malone accepts our settlement offer of \$250,000.

JUDGE MURILLO

Which is it, Mr. Porter? You cannot have both.

PORTER

Your Honor?

JUDGE MURILLO

This is not civil court, Mr. Porter. This is a bankruptcy hearing. RMSE is only here filing their petition today, as you well know.

Kurt quickly stands to defend his client before things get any worse.

KURT LANDI

Your Honor.

JUDGE MURILLO

Please, Mr. Landi, let me finish.

KURT LANDI

Yes, Your Honor.

JUDGE MURILLO

(to Porter)

RMSE requires no external party. I am sure you will work out the particulars of your case in the proper court. In terms of examining. As you well know, all evidence submitted by Mr. Malone on behalf of his company is under oath. So if any information is misrepresented, he will be prosecuted to the fullest extent of the law.

PORTER

(aggressive)

But Your Honor!

JUDGE MURILLO

(authoritative)

Mr. Porter, I will not let you use  
this bankruptcy case to put  
leverage on Mr. Malone for your  
client. Do I make myself clear?!

PORTER

Yes, Your Honor.

The Judge, Herman, and Kurt wait until the U S West lawyers  
leave.

EXT. COURTHOUSE - MORNING

Robert stands at the bottom of the steps as Herman leaves the  
court building. Herman sees Robert and walks to meet him. As  
he reaches, he stretches out his hand.

HERMAN

(sincere)

I am sorry.

(pause)

What I said the other night was not  
needed.

Robert pats Herman on the back.

ROBERT

(smiles)

Yes, you could have handled it  
better.

HERMAN

Yes, you are right.

(serious)

I want to invite you to come with  
me to my neighborhood.

ROBERT

(unsure)

Okay...

HERMAN

Don't worry. We will be fine.

You're with me. I trust you.

(pause)

I would like to share some part of  
my life with you.

ROBERT

I like it. I am honored. So, how was the bankruptcy court?

Herman rolls his eyes a bit.

HERMAN

U S West is trying to derail my efforts as usual. But I won in bankruptcy court, if there is such a thing.

Kurt interrupts their conversation.

KURT LANDI

Herman, before I leave, here is the business card of Chip Sanders. He is expecting your call.

Herman takes the business card.

HERMAN

Thank you. Thanks so much for what you did today.

KURT LANDI

No problem, Herman. I will send the rest of the paperwork to your office. Give me a call if you have any questions once you have looked it over.

INT. BOUTIQUE COFFEE SHOP - MORNING

Herman meets his new lawyer, CHIP SANDERS (40s), for coffee.

HERMAN

Chip Sanders, Attorney at Law. I heard a lot of good things about you from Kurt Landi.

CHIP SANDERS

Kurt's a good man. How can I help?

They whisper and discuss the upcoming case.

EXT. HERMAN'S OLD NEIGHBORHOOD - MORNING

Robert is in a black neighborhood with Herman. Herman sees himself as a young black man (18).

HERMAN  
Reminds me what I'm fighting for.

ROBERT  
A better future for them.

HERMAN  
I'm gonna have to clear things up  
between God and me.

Herman goes out of way to speak to a young black man.

HERMAN (CONT'D)  
The best way any black man can  
fight injustice is to take  
ownership of his own life, get a  
job, and take care of his family.

The young man looks at Herman as the voice of experience.

INT. HERMAN MALONE'S OFFICE - DAY

Herman sees that his office is clean and ready. He prays.

HERMAN  
God, I ask your forgiveness for U S  
West, and for the betrayal of the  
other plaintiffs. Please forgive me  
for handling things with my family.  
I ask for your help to reconcile  
with Pat and the kids. I also ask  
your favor in the court case moving  
forward, and that you will give me  
peace, which transcends all  
understanding. Lastly, I ask for  
your help to give me strength. I'm  
gonna need it!

INT. COURTROOM - DAY

SUPER: "Pretrial motion, Herman Malone vs. U S West."

The Bailiff (50) and Court Reporter (40) wait undisturbed for the JUDGE LORENZO (55) to enter. Emerson and Porter also wait confidently. Herman sits calmly, STOIC next to Chip. Robert sits behind them in the first pew. The clock reads 9 A.M. Porter looks over at Emerson, who gives him the nod, to which Porter turns to Chip and Herman.

PORTER

Mr. Malone, it's not too late to take our offer.

Porter pauses for a reaction.

PORTER (CONT'D)

We will not offer this again.

Herman wants to say something, but Chip beats him to it.

CHIP SANDERS

I think you know my client's answer.

Porter sees the judge's chamber door open. The judge enters the court, and the Bailiff announces him.

BAILIFF

Herman Malone vs. U S West, Judge Lorenzo presiding.

Everybody sits down.

JUDGE LORENZO

Gentleman, are you ready?

PORTER & CHIP SANDERS

Yes, Your Honor.

JUDGE LORENZO

Mr. Porter, please. You may proceed.

PORTER

Your Honor we would like a motion to dismiss on the grounds that Mr. Malone has not brought sufficient evidence to prove his claim of racial discrimination, which is well past Colorado State Law's status of limitation's two-year period. His contract with U S West ended in 1994, two years before the National Black Chamber of Commerce filed its suit.

CHIP SANDERS

Your Honor, if I may. You will see that the evidence we provided shows that Mr. Malone's contract went to a white non-minority contractor.

PORTER

Your Honor, U S West never committed contractually or made any promise to Mr. Malone to supply him with construction work to make up for the loss of the pipeline contract, which RMES was responsible for.

Judge Lorenzo looks down at the documents before flipping a few over. He pulls out one particular document.

JUDGE LORENZO

This document states that someone at U S West left a derogatory racial note on Mark Reed's computer after he had some questions on U S West's minority program.

PORTER

But Your Honor...

JUDGE LORENZO

Mr.Porter! I would say at the very least this would support a prima facie case. What about Jim Rudy, a white U S West foreman, who questioned whether black-owned companies should get pipe delivery contracts?

PORTER

That is hearsay, Your Honor. As to the note on Mark Reed's computer. That note does not reflect the sentiments of the values of U S West or the minority business program.

CHIP SANDERS

Your Honor, in 1994, six minority owned businesses, of which the majority were black-owned, including my clients, were not renewed. Of those six, one was janitorial, and another was office supplies. I can understand if their contracts were not renewed, but really, conduit and inter-duct?

PORTER

Our minority program was to develop woman-owned businesses, which was going to be the intended focus of the program because it aligned itself with the long-term interest of U S West, while supporting the women in the community. We are not contractually obliged to renew our contracts with the same people.

Judge Lorenzo quickly searches through the documents in front of him and scans through them.

JUDGE LORENZO

I agree, Mr. Porter. But the question is, can you prove that? This document refers to a leather-bound prospectus that describes the plans for a minority program. Can I please have that document?

Behind the desk, Emerson stands up.

EMERSON

Your Honor, if I may.

JUDGE LORENZO

Yes, Councilor.

EMERSON

The document has been misplaced, unfortunately, but we have an affidavit from the head of the program who had it in her charge as proof of its existence.

JUDGE LORENZO

That will not do. I order you to produce that document.

EMERSON

Unfortunately, we cannot, Your Honor.

Judge shuffles his papers together.

JUDGE LORENZO

Well, in that case, Mr. Emerson and Mr. Porter, Mr. Malone will have his day in court.

Judge hits the bench with his gavel. Herman's face is frozen. He cannot believe his ears.

As Chip and Robert congratulate him, it sinks in. Chip, Herman, and Robert cannot be happier. Emerson and Porter look at one another in disbelief (what just happened).

INT. COURTROOM - DAY

We see the same Judge Miles Jackson, Bailiff, Reporter, and team of lawyers next to Emerson. Herman and Chip are locked onto Porter. The clock reads 9:30 A.M.

Then, we see the jury: with eleven white jurors (7 male, 4 female) and one Latina juror.

Porter is addressing the jury in a polite, underplayed way.

PORTER

You will see not a shred of evidence, no proof whatsoever, proving racial discrimination on the part of U S West, a company that prides itself on its Minority and Women-Owned Business partners, contractors, and subcontractors.

(louder)

This suit has no merit in truth!

JUDGE JACKSON

(impatient, to Chip)

Okay. Proceed, councilor, your witness.

CHIP SANDERS

We'd like to call Patty Medford of U S West to the stand.

Herman, surprised, turns in his seat to see PATTY MEDFORD (35; A smoking hot blonde, who is sworn in and takes the stand. Chip is serious and straightforward.

CHIP SANDERS (CONT'D)

Ms. Medford, please state your name and job title at U S West.

Patty seduces the jurors with her smile and tight dress.

PATTY

Patty Medford, I'm the U S West official in charge of implementing our minority-owned and women-owned businesses program.

CHIP SANDERS

Ms. Medford, your CEO, Skylar Baines, has been all over the news waiving the guidelines for this so-called minority-owned and women-owned businesses program. Can you produce a copy for the jury?

PATTY

Why, no. Not at this time.

CHIP SANDERS

Why not, Ms. Medford?

PATTY

It's like the Ten Commandments. We're all committed to helping minority-owned and women-owned businesses without having to produce the stone tablets every time.

Herman covers his face. The jury loves Patty. Emerson smiles. Chip keeps his composure. He walks back to his table and picks up a document.

CHIP SANDERS

(at Patty)

Ms. Medford, we are not just going to take your word for it.

(at Judge Jackson)

Your Honor, I would like to submit into evidence the court report page 77 section as marked from the pretrial motions.

PORTER

Objection, Your Honor! Relevance?

CHIP SANDERS

It will become apparent shortly, Your Honor.

JUDGE JACKSON

Move it along, counselor.  
Sustained.

CHIP SANDERS

Ms. Medford. The guidelines are in your charge, right?

PATTY

Yes.

CHIP SANDERS  
Can you describe it?

PORTER  
Objection, Your Honor! Relevance?

CHIP SANDERS  
Please, Your Honor. It will become clear.

JUDGE JACKSON  
Sustained.  
(at Chip)  
Get to it fast! The witness will answer the question.

PATTY  
It's an A4 leather-bound prospectus.

CHIP SANDERS  
In the pretrial motion, Judge Lorenzo ordered U S West to produce a copy of the prospectus. To which your counsel could not. Since you're in charge of the women's business minority program at U S West, do you know why Mr. Porter was unable to produce a copy? I remind you are under oath.

Patty looks at Porter, then Emerson, who both stare at her ruthlessly.

CHIP SANDERS (CONT'D)  
Ms. Medford, please answer the question.

PATTY  
Because...  
(pause)  
Well, because...

CHIP SANDERS  
(looking at the Jury)  
Is it not true that you actually have no idea where it is, and that is why you cannot produce it?

EMERSON  
Objection! Leading the witness, Your Honor.

CHIP SANDERS

Ms. Medford, do you have the book  
or not?

PATTY

No.

CHIP SANDERS

Redirect, Your Honor?

Judge Jackson nods, 'yes.'

CHIP SANDERS (CONT'D)

To your knowledge, Ms. Medford,  
does the prospectus outline or even  
hint at discrimination against  
black owned business?

PATTY

No.

CHIP SANDERS

To your knowledge, have you been  
asked to implement any procedures  
and protocols against black-owned  
businesses that would prohibit or  
encumber black owned business to do  
business with U S West or any other  
minority group?

PATTY

No.

CHIP SANDERS

No further questions, Your Honor.

JUDGE JACKSON

You may step down, Miss. Call your  
next witness, Mr. Sanders.

CHIP SANDERS

Your Honor, we'd like to call  
Martin Wright to the stand.

The jurors watch Patty return to her seat, as a nerdish  
accountant-type, MARTIN WRIGHT (30) in a suit, is sworn in  
and takes the stand.

CHIP SANDERS (CONT'D)

Mr. Wright, please state your name  
and position at U S West.

MARTIN

My name is Martin Wright. I'm a contract officer for U S West.

CHIP SANDERS

And lately, have you cancelled several contracts by black-owned...

EMERSON

Objection, Your Honor. Mr. Wright is not on trial here.

JUDGE JACKSON

Overruled. Answer the question.

MARTIN

No.

CHIP SANDERS

No?

MARTIN

That's not within my authority to do so.

Chip looks stunned again. Herman covers his face again. Emerson smiles.

CHIP SANDERS

Oh. Right. We have you here about the note on your computer...

EMERSON

Objection, Your Honor, is there a question here?

JUDGE JACKSON

Please ask direct questions, Mr. Sanders. You know the drill.

CHIP SANDERS

Is it true you work mostly on African-American contracts?

MARTIN

Yes, Sir. Usually, getting them up and going is part of contact compliance. Anything else is handled by another department within U S West.

CHIP SANDERS

And your co-workers know that you work to help get African-American contracts in place?

Martin looks away, sad.

MARTIN

Yes, Sir.

CHIP SANDERS

And you came back from a coffee break to your desk one day, and there was a large note taped to your computer display. Is that not true, Mr. Wright?

MARTIN

That's true.

CHIP SANDERS

And what did that note read, Mr. Martin?

MARTIN

It read...

Martin looks away again.

CHIP SANDERS

Loudly please. What did the note say, Mr. Wright?

MARTIN

It said, "Nigger Lover!"

The jury gasps. Herman sits up straight. Emerson squirms.

CHIP SANDERS

No further questions.

EMERSON

May I cross, Your Honor?

JUDGE JACKSON

Quickly. We're pressing lunch.

Emerson quick steps to Martin.

EMERSON

Do you have that note with you, Mr. Wright?

MARTIN

I tore it up.

EMERSON

I see. Or, I can't see it, as the case may be. Is it possible that someone was just joking around, Mr. Wright?

MARTIN

(upset)

If so, the jokes started years ago when...

Emerson cuts him off.

EMERSON

That's all we have for you.

Chip Sanders pops out of his seat.

CHIP SANDERS

We'd like to call Herman Malone to the stand.

Herman takes the stand.

JUDGE JACKSON

Mr. Malone, I'd like to remind you that you're still under oath.

HERMAN

Yes, Your Honor.

CHIP SANDERS

Mr. Malone, can you describe, again, your past successes working for U S West?

Herman is excited to answer this question.

EMERSON

Objection: Past performance is not a predictor of future success.

(beat)

Just ask any stockbroker.

Several jurors chuckle.

JUDGE JACKSON

Sustained. Please keep those remarks to yourself, Mr. Harris.

CHIP SANDERS

Your Honor, I mean to show that there was no other reason to cancel Mr. Malone's contract, and the contracts of all those other plaintiffs...

Judge Jackson slams down the gavel and glares at Chip.

JUDGE JACKSON

Councilors approach the bench.

Emerson smiles. Chip frowns. Herman listens in.

JUDGE JACKSON (CONT'D)

I warned you, Mr. Sanders. There is to be no mention of the plaintiffs who have settled! One more outburst and I'll hold you in contempt!

Emerson smiles as he returns to his chair.

EMERSON

I've got some questions for Mr. Malone, Your Honor.

JUDGE JACKSON

Proceed, if there is no objection from Mr. Sanders.

Chip is stoic.

CHIP SANDERS

No objection, Your Honor.

Emerson circles Herman like a vulture.

JUDGE JACKSON

You've made a lot of money off of U S West contracts over the years. Is that not true, Mr. Malone?

HERMAN

True, but we earned every penny of it. We worked hard...

EMERSON

(interrupting)

Just answer the question, yes or no.

HERMAN

Yes.

Herman squirms.

EMERSON

Companies have the right to renegotiate contracts to look for a better deal, to save their customers and stockholders money, do they not?

HERMAN

They do, but...

EMERSON

Just answer the question.

HERMAN

Yes.

The clock reads 10:30 A.M.

LATER

The clock reads 11:50 A.M. Emerson looks at the clock and smiles. He addresses this next question to the jury, as he points to Robert and Beverly in the courtroom.

EMERSON

So, after all your research, with the help of Denver Post reporter, Mr. Robert Schwab, and your beautiful assistant-slash-friend, Ms. Beverly Ryan, have you failed to unearth one shred of physical evidence proving U S West made any of its business decisions based solely on race or ethnicity? A single memo? A single order of materials or supplies? A note? Anything we can all see with our own eyes, Mr. Malone?

Herman is exhausted.

HERMAN

All of our contracts dropped at the same time, when we'd done a good job for a fair price...

Judge Jackson hammers down with his gavel.

JUDGE JACKSON

Just answer the question.

HERMAN  
No physical evidence.

Emerson sits down triumphantly.

EMERSON  
No further questions, Your Honor.

Judge Jackson slams the gavel.

JUDGE JACKSON  
Lunch recess. We'll re-adjourn in  
one hour.

Judge Jackson slams the gavel again.

LATER

The courtroom looks the same. Herman sits up in his seat, proud, next to Chip Sanders. Emerson smiles. A white Jury Foreman (55), who is a nicely dressed farmer, stands.

JUDGE JACKSON (CONT'D)  
Ladies and gentlemen of the jury,  
have you reached a verdict?

JURY FOREMAN  
We have, Your Honor.

The Jury Foreman hands the note to the Bailiff, who brings it in to the judge.

JUDGE JACKSON  
Is this your verdict?

JURY FOREMAN  
Yes, it is, Your Honor.

The Jury Foreman sits down.

JUDGE JACKSON  
Section A. Do you find by  
preponderance of the evidence that  
the plaintiff proved its racial  
discrimination in contracting claim  
against the defendant?  
(beat)  
The answer is...no.

Herman slumps in his chair.

JUDGE JACKSON (CONT'D)

Do you find by preponderance of the evidence that the plaintiff proved its negligence claim against the defendant?

(beat)

The answer is...no.

Herman slumps further down.

JUDGE JACKSON (CONT'D)

Question Seven. State the amount of damages, if any, which the plaintiff had that were caused by the conduct of the defendant.

(beat)

The answer is left blank... no damages have been awarded.

Herman is devastated. Emerson and his team are shaking hands. Chip Sanders covers his head with both hands.

Emerson and his lawyers continue to celebrate.

Herman is in total disbelief, shaking his head, 'No, no, no.' Scenes run through his head...

BEGIN MONTAGE

1. Herman and four other plaintiffs with their hands clasped and held high.

2. Herman is alone in his office, looking at a gloomy income graph.

3. Herman, slamming the phone down on Robert (their most recent call).

4. Herman, walking into his near-empty house.

END MONTAGE

HERMAN

(Looking up, hands together in prayer)

I still have you, Lord.

Beverly and Robert approach Herman and Chip.

HERMAN (CONT'D)

We get another trial. We'll win the next one, I'm sure of it.

Beverly hugs Herman. Herman extends a hand to Robert to shake, but Robert moves in for a hug.

ROBERT  
Guess, you're not rid of me yet!

HERMAN  
Indeed. I need to do one more thing.

Herman walks over to Emerson and Porter. Herman stretches out his hand to Porter.

HERMAN (CONT'D)  
Gentleman, I wish you well. See you in the next round.

Emerson and Porter look at one another, dumbfounded. They shake his hand cautiously. Herman smiles and walks back over to Robert and Beverly.

Robert glares over at Emerson.

ROBERT  
I don't think they deserve that.

HERMAN  
I am thankful to God that we got this far. Thanks, Bob, for all you've done for me. Bev, you too.

ROBERT  
(endearing)  
Bob. You called me Bob. You've come a long way, Herman. You have come a long way indeed.

They laugh. Herman puts his arm around Robert as they exit the courtroom. Beverly follows.

INT. CHURCH - NIGHT

Herman walks slowly down the aisle. To his surprise, he sees Pat talking to Pastor Jones and his wife, RACHEL (40s). All three of them conclude their conversation, and Pat stands up and walks his way. The pastor and his wife stay seated.

HERMAN  
I did not expect to see you here.

PAT  
Neither did I. Testing the waters, so to speak.

(MORE)

PAT (CONT'D)

You have inspiring faith. Heard what happened in court.

HERMAN

Yes. We had a small victory in the end. God is busy with something. Listen, I want to tell you...

PAT interrupts.

PAT

I know HERMAN. Pastor Jones told me what happened. I think you need to tell the kids. They will appreciate that it's coming from you.

(pause)

I need some time still, but we can talk once I am ready. I promise.

Herman nods as he takes in what she says.

HERMAN

Take all the time you need. I am not going anywhere.

PAT

Thanks, Herman.

She leans in and gives him a short hug.

PAT (CONT'D)

Have a good evening.

HERMAN

Thanks, and same to you.

Pat briefly turns around and waves goodbye to Pastor Jones and his wife. Pastor Jones' wife stands up and walks towards Herman. She leans into him as they meet.

RACHEL JONES

I will see her out. Good to see you.

Herman walks to meet Pastor Jones as Rachel tries to catch up with Pat.

Pastor Jones meets Herman with a hug and motions for Herman to take a seat.

HERMAN

(smiles)

Thanks for meeting me.

PASTOR JONES

The smile looks good on you, my friend.

HERMAN

They still don't last long these days. Even with the small victory in court.

PASTOR JONES

Pat said the same thing to me.

HERMAN

Terry, I've given my life to this case and almost lost my family in the process.

PASTOR JONES

Herman, no man or woman is perfect. You sought justice for others and paid a dear price yourself. Could you have done better at home with Pat and the kids? Hindsight is a perfect science.

HERMAN

You said it.

PASTOR JONES

Business opportunities come and go, even if you diversify, but finding and keeping true love is hard.

The Pastor puts his arm around Herman.

HERMAN

Now, that would be a miracle.

PASTOR JONES

We can all learn from our past, and we can make it right today. If your faith in this trial came through, have faith that God can restore your relationship with Pat.

Herman smiles weakly.

PASTOR JONES

I am officially off the clock.

Pointing to the roof.

PASTOR JONES (CONT'D)

But He never sleeps nor slumbers.  
He is always ready to hear from us.

They both smile as the Pastor exits. Herman prays. After a pause, he talks aloud as he looks around.

HERMAN

You pulled me out of my grandpa's house to go to war.

(beat)

You allowed two white cops to toss me out of my home state.

(beat)

I, I never really forgave them for that. Reckoning is in your hands. I choose to forgive them. As I pray that you will forgive me.

(beat)

You watched me build my company and my family with my own two hands, and I lost them both. Forgive me for neglecting my wife and kids. They needed me to. Thank you that I can receive your mercy even if I did nothing to deserve it.

(beat)

But like being called to war, I was called into that courtroom. You are the only one who can bring true justice, justice in the world for my kids, grandkids, and for my community, the nation, and the world. You know what justice looks like for U S West and for those who lost dearly as a result of their wrongdoing. I leave it in your hands. You see beyond what I can see.

Herman stands to exit. He takes a few steps toward the door, and he stops, and turns.

HERMAN (CONT'D)

Like you, Lord. It was something I just had to do! Help me to recognize what Your justice is and the courage to stand for it.

(MORE)

HERMAN (CONT'D)

When to show mercy and love as You  
have shown me, and when not to  
relent in cases where speaking out  
is truly needed.

He turns and walks out. From the rectory, we see that Pastor Jones is listening. He notices Tommy, the former gang leader, who is watching. Tommy smiles as he looks to heaven.

EXT. CHURCH - NIGHT

Herman sees Robert sitting on the steps.

HERMAN

Now I know you're a stalker.

ROBERT

I need a few more quotes for the  
article I'll be writing long after  
you're in bed.

HERMAN

Couch.

ROBERT

Uh oh.

HERMAN

You said it. I could use a friend.

ROBERT

Press Club is still open. How about  
some coffee? I'll buy.

HERMAN

You'll have to!

Robert laughs. Then Herman laughs weakly.

EXT. DESERTED STREET - NIGHT

Herman and Robert walk along on a dark street.

HERMAN

So that's the story. I hope she'll  
come back.

ROBERT

But the strain of another trial?

HERMAN

And selling the house. It's going to be too much, I know.

Robert puts an arm around Herman.

ROBERT

But future generations are going to thank you.

HERMAN

You think so?

ROBERT

I know so. Every large company will be monitoring for discriminatory practices. The world will be a better place.

HERMAN

Even without the second trial.

ROBERT

You put the fear of God in Goliath.

HERMAN

Say that in your article tomorrow, will ya?

ROBERT

You bet I will!

They walk on, talking and laughing.

INT. HERMAN MALONE'S OFFICE - DAY

SUPER: "One month later..."

The secretary's desk is vacant and covered in moving boxes, and Herman is on the phone, when two Businessmen in suits and a Businesswoman in a pantsuit walk in. They have shiny black briefcases.

BUSINESSMAN #1

Mr. Malone, do you have a minute?

Herman is caught off guard.

BUSINESSWOMAN

Herman Malone, it's an honor to meet you.

He is still perplexed and uncomfortable as the office is in disarray.

HERMAN

Oh, come in. Come in. I am sorry, I wasn't expecting guests. My apologies.

The visitors watch as Herman scurries to put together a makeshift seating area. One person picks up a copy of the "Lynched By Corporate America" book, and after scanning it, returns it to an empty bookcase. Herman reacts.

HERMAN (CONT'D)

No need, that bookcase is being donated to a local church. I'll take that.

Herman reaches for the book and places it back on a stack of his personal belongings.

BUSINESSMAN #2

We've left several messages on your secretary's phone. When we didn't hear back, we decided to try to contact you in person.

Herman shakes all their hands. They sit.

HERMAN

(confused and defeated)  
But I don't understand. I mean, I told the people at the bank that the...  
(beat)  
the payment.

Herman leans forward, placing his head in his hands for a few seconds. Herman regains his composure.

HERMAN (CONT'D)

So what can I do for you?

BUSINESSMAN #1

Actually, it's what we can do for you.

The two men turn towards the woman.

BUSINESSWOMAN

Maybe it would help if we told you why we are here.

HERMAN  
(curious)  
Yes, it would.

BUSINESSWOMAN  
Mr. Malone, you've won the bid for communications at the new five-billion-dollar Denver International Airport.

Herman responds calmly.

HERMAN  
(calm)  
That's very welcome news for my company.

BUSINESSMAN #2  
You are sharing the bid fifty-fifty, actually, but it should still make for a very lucrative deal.

HERMAN  
Sharing the bid?

BUSINESSWOMAN  
The committee wanted half of the contract to go to an African-American-owned company after following all the stories about you from that Post reporter.

HERMAN  
Bob Schwab.

BUSINESSMAN #1  
That's him.

HERMAN  
With whom am I sharing the contract?

They look at each other before responding.

BUSINESSMAN #1  
U S West.

Herman recoils, and they notice.

BUSINESSMAN #2  
Wait! They're going out of business. Being bought out by a bigger corporation.

HERMAN  
(shocked)  
Really?

BUSINESSMAN #2  
Is that a problem?

HERMAN  
No, I can work with anybody.

BUSINESSWOMAN  
We knew you would. How soon would  
you be able to start going over the  
plans?

Businessman #1 has the papers ready to sign. Herman signs them.

HERMAN  
We can begin immediately.

BUSINESSMAN #2  
Hoping you'd say that.

INT. AIRPORT PROJECT JOB SITE - DAY

Herman and his team are going through the site, reviewing plans. After a moment, Rita shows up pushing a cart of food to the frame of what will become a conference room. Herman takes notice.

HERMAN  
(slightly agitated)  
How much food did you buy? We are  
on a budget, you know.

Rita ignores his comment and keeps pushing the cart.

RITA  
If you are hungry, the food will be  
in the conference room.

Herman reluctantly follows her around a partially built wall. There, he sees a new banner which reads, "RMES Communications". There is a crowd assembled. Among them, Herman sees Pat, Robert, Tommy, and Beverly.

The crowd asks for a few words from their leader. Colin, who plays Herman in the film, is now in the crowd as a janitor.

CROWD  
(shouting)  
SPEECH! SPEECH! SPEECH!

HERMAN

(the real Herman Malone)  
Ladies and gentlemen, members of  
the press, corporate America, and  
most importantly, my family. My  
name is Herman Malone, and the  
story you just watched actually  
happened to me, and I wrote a book  
with my good friend, Robert Schwab,  
who is watching from heaven. I'd  
just like to say, it's important to  
fight for what you believe in.  
Fight for what is right!

Herman smiles.

CUT TO: BLACK

CREDIT ROLL:

To include, "In memory of Robert Schwab and Herman Malone."

Rope Burn was inspired by the book, 'Lynched By Corporate  
America.'

INSERT: Images and video footage of the actual incident,  
along with excerpts from the taped interview with Robert  
Schwab and Herman Malone.

FADE OUT.

THE END