

For The Win

By Ryan Moore

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Time and Place

Chicago. February through May 2012

Character List

Don-Diego Cervantes	Plaintiff's quixotic attorney; vigorous sports-better and drinker, not especially good at either. Older – nearing retirement.
Bruce Palmer	Plaintiff. Late-twenties, teacher.
Vladimir Smirnoff	Owner of Mambrino's Helmet; part-time bookie.
Mike Brown	Chicago Bulls' head coach
Rick Small	Chicago Bulls' assistant coach
Tino Moran	Chicago Bulls' trainer
Defense Counsel	
Judge Kопон	
Reporters	
Sportscaster	

ACT 1

Scene 1 (Midseason struggles)

February 2012. Bulls' Coach Mike Brown answers questions from reporters during a postgame conference following a disappointing loss to the Charlotte Bobcats. Bulls' trainer Tino Moran is at Coach Brown's side, as usual.

REPORTER

Coach, can you comment on your team's effort out there today against the Bobcats? They certainly left something to be desired.

COACH BROWN

(agitated)

Look, we've been through this before. It's midseason. Guys are just trying to keep up with the schedule. Talk to me in April and May – when it really counts – about effort.

REPORTER

What about Derrick's knee? Any update on his prognosis?

COACH BROWN

Talk to the trainer.

REPORTER

What do you think about this new schedule? Next month you have two stretches where you play four games in five nights, and then, in May, one where you play seven games in ten days.

COACH BROWN

Look, what do you want me to say? Do I think it's absurd? Absolutely. Do I want to get fined \$25,000? Apparently yes, since I just gave my previous answer.

(laughs)

In all seriousness...our guys are professionals. Our training staff is top-notch, and we've been down this road before. We're going to do everything we can to make it through these stretches. But again, none of this matters until April. Playoffs. We're too good – *if* we stay healthy – not to make 'em. Our guys know that, our coaches know that, the owner knows that. I hope you know that. I don't have these two championship rings because I don't know how to handle that.

REPORTER

Coach – any development with your contract extension?

COACH BROWN

(visibly upset, but controlled – kind of Mercurial)

I-....No. No more questions.

He abruptly rises and exits, leaving Tino Moran alone with the reporters.

REPORTER

Tino, what can you tell us about Derrick's knee?

TINO MORAN

He's fine, just banged up. What'dya expect for a guy that takes such abuse?

Scene 2 (Coach's office)

Coach Brown aggressively enters his office, followed by assistant coach Rick Small. He grabs a bottle of scotch from the shelf, slams it on his desk, and sits down.

COACH BROWN

Jesus fuckingggg CHRIST! It never ends with these idiots.

(in a whiney voice)

“Coach, what can you tell us about this?...” “Coach, what can you tell us about that?...”
“Coach, why won’t my wife sleep with me anymore?...”

Coach Brown pours himself – and devours – a glass of scotch, sits down, and sighs.

COACH SMALL

Ahh, come on. You know they’re harmless. Are you really *that* upset? You’re the coach of the Bulls for God’s sake. I mean, you basically just made \$14,000 to sit there and answer some questions.

COACH BROWN

No, *I* made \$9,000. The federal *government* just made \$5,000 for my catering to these dildos. Jesus Rick, it never ends. I get it from the media, I get it from the players, and I get it from the fuck-wad NBA Commissioner.

Downs another glass of scotch, pounds glass on his desk.

And then – as if I’m not bleeding enough down there – what happens when *I* hint at a contract extension? Huh? *I’m* somehow the fucking bad guy because *I* ask to be compensated for my work. What a world!

COACH SMALL

What do you mean, “you get it from the players?”

COACH BROWN

Derrick and his fucking knee. He’s worried that he’s got permanent damage down there. You know, like Greg Oden – infinite potential but can’t stay healthy to save his life. He thinks I don’t know that? We don’t win championships without him, without an all-star power-forward.

COACH SMALL

That’s Right. Deng is a stud, and he’s carried us a lot over the years, but there’s zero chance we hoist those banners without the Secretary of Defense. But we need to monitor his knee with his injury proneness.

COACH BROWN

Oh Jesus, Rick, you too with this media shit?

(*in mocking voice*)

“Re-JEC-ted by Secretary of Defense . . .” “Whaaaat a play by the, Secretary of Defense...”

Trainer TINO MORAN enters, exhausted from his media session. He grabs a glass from the shelf, – he’s obviously done this many times before – pours three fingers, and sits.

TINO MORAN

What happened, skip? The media used to have class, dignity. Now-a-days, with Twitter and Facebook, everybody’s gotta be in the know, now.

Sips drink.

Bun’cha blood-hungry animals out there, ya ask me.

COACH BROWN

It's a different breed out there, serge. You know how the current discourse has shifted – everyone's entitled to everything whenever they fucking want it.

TINO MORAN

Yea...But hey, Derrick's knee...and this schedule. We may have some problems here. I mean, there's no way in hell he can hold up four games in five nights – twice.

COACH BROWN

(annoyed)

Yea. I fucking know. But you remember what happened last time I tried to be *reasonable*? I told those microphone-toting sharks out there that the Derrick may need some rest mid-season because of this protracted schedule. And what'd I get? Two cocks in my ass – one from the league commissioner and another from that doltish ESPN commentator, Tim Gnome.

Takes another drink.

But hey, who's hanging the championship banner now, huh? The strategy clearly works. These guys can't handle this absurd schedule, and everyone knows it. I just have to play it cool now, and then when these circus stretches come up, we'll fake an illness or play up knee soreness.

TINO MORAN

Ahhhh!!! I knew my guy had a plan! To another ring and another banner!

Coach Brown and Tino Moran finish their drinks while Coach Small looks on, somewhat out of place.

Then Coach Small, hesitant to speak up, finally says

COACH SMALL

Coach, I don't want to be the wet rag here, but you know we've got some marquee matchups at the end of these stretches, right? I mean, we're hosting Miami and Boston at the end of the first stretch. Then at OKC and Los Angeles at the end of the second. Are we really going mail these games in?

COACH BROWN

Jesus, you bloody tampon, what'dya want me to do? These guys play and our title hopes are gone. You understand? 'Gone' with a capital 'G.' G.T.F.O. as my idiot son likes to say. We're in this business to win rings, not "MAR-quee MATCH-ups."

Grabs his coat, searches for his gloves.

(To TINO MORAN)

Hey T, you seen my gloves? It's colder'n Nancy Pelosi's snatch out there.

(raucous laughter from TINO MORAN, reserved and forced laughter from Coach Small)

TINO MORAN

Sure thing boss, right here.

Scene 3 (Let's sue the bastard...)

February 2012. Don-Diego Cervantes is in Mambrino's Helmet, a dive bar in Chicago's South Loop. He is there to watch the Bulls-Heat game, a marquee matchup shown on ESPN. Don-Diego, an attorney, is wearing his favorite cowboy hat and boots.

DON-DIEGO CERVANTES

Dios MIO!

SPORTSCASTER

There you have it folks. The Miami Heat survive a thriller here in Chicago. Despite Bulls' coach Mike Brown's controversial game-time decision to sit three starters – including all-stars Rose and Deng – the Bulls nearly stole one here in the U.C. This spells trouble for the Heat. If they want to contend for a championship they need to tick these easy wins off their schedule with ease. Instead they have a nasty habit of playing down to their opponents.

On the other side, say what you will about Coach Brown's decision – he's thinking about the ring. Period. He's gearing his guys up for another title run, and he knows his players need rest. Of course a little notice would be nice, and I'm sure the NBA Commissioner will have a thing or two to say about this. But Heat fans should take note: while the Bulls lost the battle, they're well on their way to winning the war.

DON-DIEGO CERVANTES

It's a thing of beauty, *la roja de mi ojo*, when a plan works out.

VVLADIMIR SMIRNOFF

Are you talking to anyone in particular, my good man?

DON-DIEGO CERVANTES

Why you, comrade. I'm speaking to you. Quite a game we just witnessed.

VLADIMIR SMIRNOFF

Bunch of lazy pigs, you ask me. I don't care for American sports.

DON-DIEGO CERVANTES

Well I find that hard to believe. You've made a handsome profit as a bookie while running the helmet. A good chunk of it from me.

VLADIMIR SMIRNOFF

Da. But not tonight! How did you know Brown would sit Derrick and Deng?

DON-DIEGO CERVANTES

Simple. You don't have to listen to your horses. You don't have to rest them when they're tired.

Sips his beer.

DON-DIEGO CERVANTES CON'T

But you just might not make it to your destination.

VLADIMIR SMIRNOFF

So, what? The Bulls are making sure they get to their destination?

DON-DIEGO CERVANTES

Comrade, we've known each other a long time. You've taken a great deal of money from my failed sports acumen over the years. So you know I'm no expert. I come here because you are as close to family as I've got, and I enjoy the excitement of some money riding on the games.

VLADIMIR SMIRNOFF

Da, da. Another cerveza for the cowboy, on the house.

DON-DIEGO CERVANTES

Your Spanish needs work.

Sips drink.

DON-DIEGO CERVANTES CON'T

Ahhh. But I do appreciate you, Victor. So I'm going to let you in on a secret of life. People, when they are pressed into a corner, are no different than animals. At least, those people who are successful. They figure out what to do to get out of their situation, and they do it.

Another long sip.

DON-DIEGO CERVANTES CON'T

Coach Brown was up against a wall. We know Derrick's knee has been bugging him, and he has a history of knee problems. *Dios mio*, imagine if he tore his ACL! Our season would be over. You know the Bulls are solidly in the second-seed in the East. They don't win the *campeonado* –

VICTOR SMIRNOFF

Campenado?...no comprendo, cowboy.

DON-DIEGO CERVANTES

Championship, my good friend. Ever hear of context clues? The Bulls don't win the *campeando* in February. Or in March, or April. They win it in May and June. So when your best player is ailing from a long stretch, you sit him now, rather than risk injury later.

VICTOR SMIRNOFF

Da. But Coach Brown said numerous times that Derrick's knee was fine, just a little banged up. He even said last week that he would play every game of the series. What is a bookie supposed to do with people like this?

DON-DIEGO CERVANTES

Keep me as a client. You'll win your money back before too long.

Pounds the rest of his beer.

DON-DIEGO CERVANTES CON'T

Oh, and don't forget your *cabeza*, your common sense. It can come in handy.

VICTOR disappears behind the counter for a moment. As he leaves BRUCE PALMER enters and sits at the bar two seats down from DON-DIEGO. Sighing loudly, and speaking to no one in particular, Bruce says:

BRUCE PALMER

Imagine that it's your birthday. A big birthday. Your big 40th birthday. It's a big deal. Your family decides to take you out for a nice steak dinner. Your wife is there. Kids, parents, the neighbors you don't care too much for. All the people that surround your life.

Victor returns and tends to his new patron.

VICTOR SMIRNOFF

(Puzzled)

Can I help you, comrade?

BRUCE PALMER

Get me a shot of your cheapest whiskey and a PBR.

Takes a deep breath.

BRUCE PALMER CON'T

So there you are, out at a nice steakhouse surrounded by your family on a very special night. And because it's such a special occasion, and because your father-in-law is paying, you decide to treat yourself. You order a bone-in filet. Market price? Don't ask, don't tell.

VICTOR SMIRNOFF

Returning with the drinks.

One well shot if whiskey. One Pabst Blue Ribbon.

BRUCE PALMER

Downs the shot of whisky.

All meal you are excited for this cut. A bone-in filet. You've always seen it. You've always seen other people order it. But not you. You're frugal, you're responsible, you make the wise decisions – but tonight, on your birthday, you indulge.

DON-DIEGO CERVANTES

Turns his attention to Bruce

Dios mio, amigo. What is the meaning of this rant?

BRUCE PALMER

Unfazed

There she is, the waitress. She turns the corner with a tray full of food. She makes her way around the table, serving your family and friends the bounty of their orders. Then she gets to you. She sets a plate down in front of you, and you can barely contain yourself. You're foaming at the mouth. You take a whiff and you smell – nothing. You look down and you see – cube steak. *Is there anything else I can get for ya 'll?* The smug waitress asks. But you are too stunned to speak. All of your excitement, gone. All of your anticipation, deflated. You are left there with a piece of leather and garnish.

Sighs, takes a drink of his PBR.

DON-DIEGO CERVANTES

Where I come from, my good man, we have a saying for situations like that.

BRUCE PALMER

Oh yea? What's that?

DON-DIEGO CERVANTES

Looking at Victor and laughing, he responds

Bon appetite!

Laughter from Victor and Don-Diego.

BRUCE PALMER

Is something funny?

VICTOR SMIRNOFF

Where I am from, comrade, we are lucky to have any food at all. If you like, we have steak here on our menu, but I'm afraid it's no better than the shoe leather you were just served.

DON-DIEGO CERVANTES

Victor, your steak is a health-code violation waiting to happen. I wouldn't wish that upon my worst enemy.

BRUCE PALMER

Don't you guys understand? I'm not talking about any steak at a steakhouse. I'm talking about Coach Brown and his decision to sit Derrick and Luol. There I am, at the Madhouse on Madison. I paid \$500 for these tickets – five hundred bucks! I waited all week for this matchup with the Heat. This was our chance to avenge last season's horrific loss in the playoffs. And then, as I'm entering the stadium I get a tweet saying Coach Brown decided to sit both Derrick and Luol.

VICTOR SMIRNOFF

Creative metaphor, comrade. It looks like you got burned as well?

BRUCE PALMER

Damn right I did! Wait – what do you mean, as well?

DON-DEGO CERVANTES

Besides owning Mambrino's Helmet, the finest watering hole this shitty building houses, Victor here is a –

VICTOR SMIRNOFF

Business consultant, yes. I consult people with business.

DON-DIEGO CERVANTES

Business consultant, yes of course. A sports-related business consultant.

VICTOR SMIRNOFF

Da, da.

BRUCE PALMER

(Impatient)

OK, exactly what does this have to do with anything?

DON-DIEGO CERVANTES

Victor didn't realize that Coach Brown would sit Derrick and Luol. Not many people did, in fact. But the information was there – the writing was on the well.

VICTOR SMIRNOFF

Wall, Don-Diego. You mean to say the writing was on the wall.

BRUCE PALMER

What wall? He was on Jim Gonme just the other day – he said *point blank* that he was going to play Derrick and Luol. There were rumors that both would sit. Derrick and his knee, clearly he needs some rest. And Luol plays nearly every minute of every game. I get it. Guys need their rest –

DON-DIEGO CERVANTES

So what is the problem, friend?

BRUCE PALMER

Agitated, he throws his arms up.

What is the problem?! What is THE PROBLEM?! He lied, that's the problem. After his interview on Gnome I bought two tickets to tonight's game against Miami. I purposely waited to see if those two would play. Otherwise, what's the point.

DON-DIEGO CERVANTES

I understand, amigo.

BRUCE PALMER

Oh, now the cowboy understands.

Drinks his beer. Then, looking at Don-Diego, he says

BRUCE PALMER CON'T

And what is the deal with this get-up? You look like you just came from wrangling cattle or something.

DON-DIEGO CERVANTES

Not exactly, good sir. You have sullied the mood and I must relocate.

As Don-Diego gets up to move, Victor stops him

VICTOR SMIRNOFF

Hold on a second, Don-Diego. I have package for you.

Hands Don-Diego an envelope of cash – his profits from the bet against the Bulls.

DON-DIEGO CERVANTES

Ahh, yes, I almost forgot. Your “consulting business.” Thanks comrade.

Finishes beer, tips the empty to Victor

DON-DIEGO CERVANTES (CONT'D)

I'll be in my usual booth – I'd like another, when you get a chance.

Then, as he leaves, Don-Diego turns to Bruce

DON-DIEGO CERVANTES (CONT'D)

And I'm sorry about your cube steak, my good man.

BRUCE PALMER

Now furious

There was no cube steak! There was never any cube steak! This caballero is more oblivious than Don Quixote.

VICTOR SMIRNOFF

That caballero, comrade, is a lawman; that is to say, a lawyer. And not half bad either, from what I hear.

BRUCE PALMER

A lawyer, huh? Does he wear the cowboy getup in court?

VICTOR SMIRNOFF

You better believe it. It is his, how do you say, stick.

BRUCE PALMER

Schtick, you mean. Dressing up like a buffoon is his *schtick*.

VICTOR SMIRNOFF

Da, da. Here, another PBR for the man with the cube steak.

BRUCE PALMER

For the love of God, there is no cube steak!

VICTOR SMIRNOFF

We get it, Romeo. Now here's your tab.

BRUCE PALMER

Great. First Brown takes my \$500 and doesn't give me what I pay for. Now Mambrino's Helmet is charging me \$9 for the whiskey. I asked for the cheapest.

VICTOR SMIRNOFF

Da. And it is. Look, silly man. If you feel you lost money, if you feel you were cheated, why don't you sue him?

BRUCE PALMER

Genuinely laughing out loud.

You must be joking! Sue? Sue whom? Coach Brown? The NBA? Michael Jackson's managing company?

VICTOR SMIRNOFF

I'm not sure. Don-Diego is the lawman. Go ask him – he's sitting right over there.

Act 2

Scene 1 (Is this seat taken?)

BRUCE PALMER

Walks over to table where Don-Diego is sitting by himself reading a magazine. Bruce clears his throat

Excuse me, caballero; I think we got off on the wrong foot. My name is Bruce Palmer. I have a business proposition to discuss with you.

DON-DIEGO CERVANTES

Don't bother, amigo. I don't negotiate with cowards.

BRUCE PALMER

Excuse me?

DON-DIEGO CERVANTES

You heard me. Cowards. I don't need them, and I don't discuss "business propositions" with them.

Takes a drink, turns a page of his magazine.

DON-DIEGO CERVANTES CON'T

Besides – you don't have what it takes to sue Coach Brown.

BRUCE PALMER

What did you? How did you?

Stunned and taken aback.

BRUCE PALMER CON'D

Do you have this bartender mic'd?

DON-DIEGO CERVANTES

Dios mio, friend, of course not. But that is what you want, right? This is your “business proposition,” right?

BUCE PALMER

Unsure how to answer.

Yes. No. Well, sort of.

DON-DIEGO CERVANTES

Please leave me alone, good sir.

BRUCE PALMER

Wait. Just hear me out – five minutes and then I’m gone.

DON-DIEGO CERVANTES

I’ve already heard you. I’ve heard all about your cube steak and, frankly, I don’t have too much sympathy. I believe Coach Brown is in the business of hoisting banners, not winning these matchups and making babe-in-the-woods fans happy.

BRUCE PALMER

Now look here. You may disagree with me, but don’t you dare call me over extended.

DON-DIEGO CERVANTES

He speaks! He may just have some fight in him after all.

Drinks beer until empty.

DON-DIEGO CERVANTES CON'T

Come, take a seat, and buy me another beer. Let's talk business.

BRUCE PALMER

I want to sue Coach Brown. He defrauded me. He sold me a bone-in filet and delivered sausage patty from McDonald's.

DON-DIEGO CERVANTES

Well, no, not exactly.

BRUCE PALMER

What do you mean? It's exactly like that.

DON-DIEGO CERVANTES

Did you see a game between two NBA teams?

BRUCE PALMER

Yes, but minus Derrick Ro-

DON-DIEGO CERVANTES

You saw the game. Your ticket – the service that you're alleging was sub-par – was a game. And you saw that game.

BRUCE PALMER

Yes, OK, I did. So what?

DON-DIEGO CERVANTES

This would be different if, say, a team of high-school students took the court. Then you wouldn't have a game between two NBA teams.

BRUCE PALMER

Look, if the game is called due to weather, your ticket transfers to the makeup game. Why can't my ticket transfer to a full-rostered makeup game?

DON-DIEGO CERVANTES

Because you're not making anything up! The game was played. The Bulls recorded a loss.

BRUCE PALMER

But I should get a makeup because the only reason I came to this stupid game was to see the marquee matchup. To see Rose torch the Heat. To see Luol dominate the Heat's big men down low. Without those two starters I would never have purchased those tickets.

DON-DIEGO CERVANTES

Aha. So it's not the poor quality of the game you're upset about, amigo, it's the fact that you were duped into buying tickets you otherwise would not have.

BRUCE PALMER

What? I don't understand. I watched a sub-par game. What I watched is not what I paid for.

DON-DIEGO CERVANTES

It is you, it seems, who is more oblivious than Don Quixote.

BRUCE PALMER

Oh - please, enlighten me.

DON-DIEGO CERVANTES

Without the promise of this matchup – that is, the two full-stocked teams playing against each other – you would have stayed home. Right?

BRUCE PALMER

That's right.

DON-DIEGO CERVANTES

OK, amigo, then there's our theory. Common-law fraud. Detrimental reliance.

BRUCE PALMER

What are those?

DON-DIEGO CERVANTES

Pulls out an iPad and clicks icons for a moment, in silence.

OK. Here. Common-law fraud, at least under Illinois law. That's where we center our theory.

BRUCE PALMER

No, no. Contract. I had a contract – an agreement – that he broke.

DON-DIEGO CERVANTES

Gets ready to put his iPad away.

No. Listen here, amigo. If you want my help you are going to hear my theory. Otherwise you can be on your way.

BRUCE PALMER

Annoyed.

Fine, Don-Diego. Be my guest.

DON-DIEGO CERVANTES

A contract claim will not work. Nor will detrimental reliance. Under Section 90 of the Restatement (Second) of Contracts, you would only be entitled to – at most – the cost of the ticket. A common-law fraud claim, however, may have some value. It has a number of elements, or requirements, that we will need to prove. Or, more realistically, need to plead, in order to enter into settlement negotiations with Coach Brown.

BRUCE PALMER

What's the first?

DON-DIEGO CERVANTES

Coach Brown would need to have made a false statement of material fact – a fact that he knew was false at the time he made it.

BRUCE PALMER

Which he did! Coach Brown said that both Derrick and Luol were playing in Sunday night's game. And then, poof, they were gone.

DON-DIEGO CERVANTES

Not so fast, caballero. All Coach Brown said was, as far as he knew, Derrick and Luol were playing. In order to be false, he would need to have known that Derrick and Luol were not playing when he made those statements.

BRUCE PALMER

Which he did! Can't you tell? I just know he knew. It's not the first time he's done this, Don-Diego. Did you know that?

DON-DIEGO CERVANTES

Annoyed

Yes, Bruce, I do know that.

BRUCE PALMER

OK, so we establish a pattern to satisfy his knowledge. We say, "Look, he knows it's a long season; he knows Derrick and Luol are injury prone; he knows this schedule doesn't set up well; and he knows that his team needs to sell tickets. So he knows he needs to lie." You know, to cover has ass.

DON-DIEGO CERVANTES

No judge in his or her right mind would accept that.

Drinks beer.

DON-DIEGO CERVANTES CON'T

Look, I know you're right. I know he knew those two weren't playing. That's how I knew the Heat would win that game. Coach Brown plays to win championships. But he's smart. He can't just come out and say the players are sitting, otherwise –

BRUCE PALMER

Otherwise people like me wouldn't pay top-dollar for these tickets!

DON-DIEGO CERVANTES

Exactamente! This goes to the second element – that Coach Brown intended his audience to rely on the statement.

BRUCE PALMER

It's also why we need to sue this guy and end this practice once and for all.

DON-DIEGO CERVANTES

Well, there is good news. A silver lining, if you will.

BRUCE PALMER

A silver what?

DON-DIEGO CERVANTES

Nevermind. If we can sufficiently plead these two requirements, then we should be home free. We also need to prove that you were justified in relying on that promise.

BRUCE PALMER

If I can't rely on a man's word, what can I rely on?

DON-DIEGO CERVANTES

Bruce, that was a trick I pulled. Your reliance is far from reasonable. You listened to a coach parrot out some canned answers on the TV. How in the world could you have thought that was reasonable?

BRUCE PALMER

What else was I supposed to do?

Pauses for a second.

BRUCE PALMER (CON'T)

Wait a minute. The people sitting next to me. They decided to take a trip up from Nashville to watch Luol play. He's their favorite player ever. They told me that, after Brown's press conference, they decided to buy the tickets and load up their camper to Chicago. You're going to tell me that that's unreasonable?

DON-DIEGO CERVANTES

Maybe this helps. A strength-in-numbers argument, huh?

BRUCE PALMER

Yes, yes. Strength in numbers.

DON-DIEGO CERVANTES

Well, remember. This may not matter. The goal here is to raise attention, remember? Not just to survive on the pleadings. So long as we raise an argument heard before a competent judge – and so long as people in the media hear about it – we will be moving in the right direction.

(Thinks for a moment)

DON-DIEGO CERVANTES CON'T

Caballero, what do you know about creating webpages?

BRUCE PALMER

Webpages? What in the world for?

DON-DIEGO CERVANTES

To get the word out. We may need to turn this into a class action, and to do that we must let people know. Then we can spread the link through Facebook and Twitter.

BRUCE PALMER

(Excited)

You know what? I just got an email about a class-action lawsuit against LAFitness. I was a member there and they abruptly ended my membership.

Pauses for a moment

BRUCE PALMER CON'T

You know, this really might work. What else do we have to prove?

DON-DIEGO CERVANTES

These requirements really big hurdles for us. We need to show that the purpose of Coach Brown's false statement was to get people to buy tickets –

BRUCE PALMER

- Well, why else would he make it, if not to induce suckers like me to fill the seats? Besides, you said it yourself: Brown is smart. He's done this before, and he knows his duty is to the team. He needs to ensure those seats are filled.

DON-DIEGO CERVANTES

Si, caballero. If we can make it this far, we should have little problem here. Finally, we need to establish that your reliance led to your injury.

BRUCE PALMER

Bingo. Where do we go from here, comadre.

DON-DIEGO CERVANTES

We need to discuss fees.

BRUCE PALMER

Annoyed

Oh, OK. I knew there was a catch. You lawyers and your fees. Always looking out for number one?

DON-DIEGO CERVANTES

I could have billed you thousands of dollars for the work I've done. I could bill you tens of thousands more for the work that I will do. But I don't want to do that because I want to help you. But you need to understand something: I am sticking my neck out there. I am taking time away from my work to help you. So you will appreciate it, and if, God willing, we recover more than the clothes on our back from this, I will collect one third of all compensation.

BRUCE PALMER

Fine, whatever. One third sounds fine.

DON-DIEGO CERVANTES

OK, we're set. The next move will be to draft and file a complaint. Normally this is a quick process because I have templates for various claims. But I've never done this, and pleading is so hard with these types of cases, so it will take some time. I'll have it filed by the end of this week.

BRUCE PALMER

Excellent, amigo. We're really doing this, huh? We're really going to sue the bastard.

Scene 2 (Bad press...)

At the press conference following the game, Coach Brown is taking some hostile questions from reporters.

REPORTER

Coach, a bit of a shocker tonight. All week we were told Derrick and Luol would be out there, and then...nothing. Take us through the decision process.

COACH BROWN

Look, Derrick's knee has been bothering him. We did everything we could, put him through drills, full-contact drills. But at the end of the day we felt that he couldn't go. We felt he would be a better help to the team from the sideline.

Sips water.

COACH BROWN CON'T

And the same thing with Luol. The guy is a warrior, always out there for 48 minutes. He's been battling a virus for this entire stretch. You have to understand – four games in seven nights is grueling. His body needed a rest.

REPORTER

What about Derrick's knee? Will this be a problem long-term?

COACH BROWN

Talk to Timo for more. But know this – Derrick will be fine. That's why we rested him, to ensure he will be ready to go come playoffs.

REPORTER

Why weren't they on the sidelines? Why did you send them home completely?

COACH BROWN

It was felt that a complete rest would be ideal. They could go home and get some rest while our guys fought a valiant battle without them.

REPORTER

What kind of a message does that send to fans, to the media, to America?

COACH BROWN

That we play to win. Period. We don't work this hard all season to win these mid-season matchups. We work this hard to win hardware. This move improves our equity – our chances of shipping another set of rings. Championships – that's the message this sends.

REPORTER

Can you tell us about the reports that the Bulls' owner contacted you in disappointment?

COACH BROWN

Guys, use your common sense. The game literally just ended. I haven't heard nothing from no one.

After a pause of silence.

Thanks, guys.

Scene 3 (...it goes both ways)

Coach Brown retires to his office after the interview. He is joined by Coach Small and Tino Pinella.

COACH BROWN

God. Fucking. Dammit.

Pours himself a glass of scotch.

COACH BROWN CON'T

Well, at least I wasn't blindsided. I knew it was coming. Fucking idiots.

COACH SMALL

Annoyed by Coach Brown's arrogance.

Aww, come on, Coach. Can't you understand why people are upset? You all but guaranteed that Derrick and Luol would be playing tonight.

COACH BROWN

I didn't guarantee shit! That's what you still have to learn, and that's why you're always going to be an assistant coach. Understand that people are dumb. They're dumb fucking idiots, and they don't know what they want. It's my job as coach of this team to know what they want. Rings, that's what it's all about. Rings, championships, banners, statutes to Michael Jordan.

Takes another drink.

COACH BROWN CON'T

You don't get *those* from winning marquee matchups.

TINO MORAN

Amen! Coach Brown, you are a genius. How do you get the nerve to take it from these people?

COACH BROWN

I've been battered in this business for decades. What doesn't kill you makes you stronger, and I damn sure ain't dead.

TINO MORAN

Ahh, I love this guy. And good news – I got a text from Derrick. He says his knee is feeling better and he'll be 100% by next week.

COACH SMALL

Any word from Luol?

COACH BROWN

Jesus, Rick. You should pick up a microphone and a yarmulke and get out there with the reporters. Utterly fucking shameless.

COACH SMALL

Well?

TINO MORAN

His prognosis remains unchanged. He should probable rest another couple of games.

COACH BROWN

Well, we've got the Warriors and Pistons coming up. I doubt anyone will be up in arms if Luol misses these games.

Sips drink.

Such absurdities.

COACH SMALL

Don't you think one of the reasons people are mad is the fact that you told them – darn were reassured them – that Derrick and Luol were playing?

COACH BROWN

I don't know what goes on in these cunt-buckets' heads. And no, I didn't "*all but guarantee*" anything! I said, as of then, that they were in. And, as of then, they were in. What's the problem, Hilary?

COACH SMALL

The problem is that, at the time, they weren't in! You've known forever that Derrick would need time off. And you knew it would come during these marquee matchups. And you allowed the media to believe he would play.

TINO MORAN

Well, Hilary, as you said a few months back, "at this point, what difference does it make" whether coach knew about it or not?

Hearty laughter from Coach Brown

The end result is the same – we lost the battle but are poised to win the war.

COACH SMALL

I still have no idea why you all are comparing me to Hilary Clinton.

COACH BROWN

Because you are a –

Coach Brown is interrupted by a phone call.

COACH BROWN CON'T

Can't I catch a break! It's the owner, one second.

Answering the phone with poised confidence:

Hello?...

Yes, sir...

I remember, sir...

Why? You see those two banners hanging up there?

Laughter from Tino Moran

Yea, that's Tino...

He says Derrick's gonna be fine, sir.

With all due respect, sir...

Okay, with no due respect - you should leave these decisions to me. The Coach, the leader. This happened last year, and what happened? We were repeat-champions by June..

Very good sir, thank you.

Hangs up the phone.

Jesus! It amazes me how someone so shortsighted could be so successful!

TINO MORAN

Old money, Old Top. You know that.

COACH BROWN

Takes drink.

Maybe so. He'll come around. It might not be until June, but he'll come around. All I want to do is –

Coach Brown is again interrupted by a phone call.

- fuck a duck in a pickup truck! A New York are code, probably the NBA Commissioner.

TINO MORAN

More like the Police Commissioner

COACH BROWN

Answering the phone

Hello?

Yes, who is this?

Yes sir, how are you?

Well, sir, I never promised a thing.

I didn't know anything! This was a game-time decision, sir. Nothing could be done.

I understand, sir.

I'm not sure how this is fair?

Very good sir. We here in Chicago look forward to our first three-peat since the Second Coming of Michael!

Hangs up the phone.

\$200,000.

COACH SMALL

What? Is that a fine?

COACH BROWN

No, it's how much it would cost to get you dick longer than four inches.

Laughter from Tino Moran, while Coach Small grows visibly upset.

Of course it is a fine.

Leans back, takes a deep breath.

Wow. This one hurts.

COACH SMALL

Didn't you just buy your wife a new Porsche Cayenne?

COACH BROWN

Yea. And I was gonna buy one for you and T until this phone call!

TINO MORAN

Don't worry, skip. We can use our championship bonus to buy ones for ourselves. I got me a nice little 911-Turbo with last season's bonus. What'd you get, boss man?

COACH BROWN

I bought Smallie's wife a seafood dinner and then took her to town.

COACH SMALL

Grunts audibly, then stands up to leave.

That's it – I don't need this shit anymore.

TINO MORAN

Where are you going, big guy?

COACH SMALL

If there's no other legitimate team business, I'd rather not spend my Sunday evening with two people who treat me like a used Kleenex.

COACH BROWN

Rick, I'm sorry. Give me a break. I'm getting laid into for over \$200 large, and my testicles are on a stake right now.

COACH SMALL

Sure thing, sir. I'll see you tomorrow.

Coach Small exits. Meanwhile, back at Mambrino's Helmet, word spreads of Bruce and Don-Diego's lawsuit.

REPORTER

This just in to SportsScenter: Chicago Bulls' Coach Mike Brown was just fined \$200,000 for sending stars Derrick Rose and Luol Deng home before tonight's game against the Miami Heat. This is nothing new. You'll recall that Brown did this one before, last year, sitting three stars unexpectedly. He was fined then, only \$50,000. Looks like the Commish is trying to send a message: while sitting players is fine, you must comply with league policy and provide adequate notification. I'm sure Coach Brown isn't sweating this too much – his team is the two-time defending champs, and they are poised for a three-peat!

DON-DIEGO CERVANTES

Swift justice, it seems.

BRUCE PALMER

Justice? I don't know what justice you're talking about. Sure, Brown pays \$200,000. But what about me? What about everyone else at the game? Nothing. The rich just keep getting richer.

Tools around in his iPhone.

The rest of us are here twiddling our thumbs.

DON-DIEGO CERVANTES

My good man, have you no manners? Did your mother not tell you it is poor practice to play with your iPhone in front of company?

BRUCE PALMER

Company? You're not company, Don-Diego. You're counsel. I pay you and you represent my best interests – like sticking it to that slime ball Coach Brown.

DON-DIEGO CERVANTES

I don't recall you paying me a peso yet for my services.

BRUCE PALMER.

I don't recall you counseling met yet, counselor. And you know the agreement.

DON-DIEGO CERVANTES

Of course I do, sir. What are you doing on your iPhone?

BRUCE PALMER

I just updated my Facebook profile: "Just met with a Chicago-based attorney, going to sue Coach Brown for all he's worth!"

DON-DIEGO CERVANTES

Take that down immediately!

BRUCE PALMER

(Annoyed)

Excuse me?

DON-DIEGO CERVANTES

Take down your Facebook post this instant! Do you know how much trouble that site gets people in?

BRUCE PALMER

What are you talking about, Don-Diego? Everybody does it. It's no big deal.

DON-DIEGO CERVANTES

Facebook is the career-ruiner, the case-destroyer. Do you know what happens if this gets out?

BRUCE PALMER

Nothing is getting out, Don-Diego. There is nothing to worry about.

As Bruce says this, Victor turns up the volume on the TV. There is a breaking news report:

REPORTER

This just in to SportsCenter: One of our very own reporters has a breaking story out of Chicago. In the hours following the Bulls' close loss to the Heat – the loss in which Coach Brown decided to sit Derrick Rose and Luol Deng less than an hour before tipoff – we

have gotten word that one fan is suing Coach Brown. Details right now are sketchy, but we have confirmation from social media that a disappointed fan, Bruce Palmer, has retained counsel and intends to sue Coach Brown.

DON-DIEGO CERVANTES

Dios mio...

REPORTER

Reaction to the news has been overwhelmingly negative. One poster commented, “This is unbelievable! What a country we live in. Such a shame.” Another commented on Twitter, “I am ashamed to be an American #getoveryourself.” But not all reaction has been negative. One of our commentators wrote, “This is a shameful practice that Coach Brown has gotten away with for way too long. The NBA commissioner’s fine clearly isn’t enough, it’s time we make a change. Props to the individual brave enough to stand up to authority.” Asked if he thought the claim had merits the commentator noted, “Well, it’s weak. But we have a problem and this sports-fan, I hope, is seeking a solution. If this can increase awareness and dialogue on the problem, then I think it’s a win for everyone.”

DON-DIEGO CERVANTES

That was quicker than expected.

BRUCE PALMER

What do you mean, “quicker than expected?” This is unreal! How did they get my Facebook post so quickly!

DON-DIEGO CERVANTES

Because that’s what happens these days. What you put on Facebook can be accessed by anyone at anytime from anywhere. But this may not be a bad thing.

BRUCE PALMER

Really? Why not?

DON-DIEGO CERVANTES

Normally, Facebook could be the case destroyer. But here a big part of our strategy is social awareness. This policy that Coach Brown has is harmful. It hurts a lot of people and it is very inconsiderate of those that actually spend their hard-earned money on sporting events. But the available *legal* remedies are quite sparse. That doesn't mean that we have no *other* means of redress.

BRUCE PALMER

So, what, you're just going to publicly shame him into paying me back?

DON-DIEGO CERVANTES

Not exactly.

Leans in.

Escuchame. Listen. How do you think things get done in the world? Hmm? You engineer change. People, just like you and me, make things happen. Right now there is a status quo in professional sports that, as you and I see things, is unacceptable. Now we have a chance to make a change.

BRUCE PALMER

No, I got robbed by that good-for-nothing kike-of-the-year contender Brown. And I want to get my money back.

DON-DIEGO CERVANTES

Exasperated

Senor, I don't think you fully understand your position in all of this. Yes, a remedy for the harm done to you is something we will seek. But the harm is not just the extra money you paid for these tickets when Coach Brown, at least arguably, knew the product would be of a substantially lesser value.

BRUCE PALMER

Yea, a cube steak for the price of a bone-in filet!

DON-DIEGO CERVANTES

Right. That is wrong. And, in order to fix it, we need to remedy the problem, and, hopefully, one of the consequences from that is a remedy for you.

BRUCE PALMER

OK. What does this social-media charade have to do with this?

DON-DIEGO CERVANTES

It's a means to an end. Think about it. If we lose at law – that is, if a judge disagrees with our theory and thinks it's absurd – then what do we do? We can sit on our hands and cry about our cube steaks. Or we can do something. I'm choosing the latter. We draw up public attention and, hopefully, scrutiny, on this conduct. That way the pressure surrounding the Bulls' organization specifically, and the NBA generally, will force Coach Brown, and the league, to act. So regardless of what happens to us, other lawsuits could follow.

BRUCE PALMER

Don-Diego, you seem to be touched in the head. In fact I have no idea how you ever became a lawyer. You see how negative this publicity is? Look at this Tweet I just received about this: "I hate you, whoever you are, and I hope you die. #timetogrowup." We're getting attention, alright. Negative attention. I really wish I hadn't made that Facebook post.

DON-DIEGO CERVANTES

Patience, my dear good sir, is a wonderful thing.

BRUCE PALMER

A virtue, Don-Diego. They say that patience is a virtue. And I have no idea how that will help us out here.

DON-DIEGO CERVANTES

The plan has been in action for just over an hour and we already have targets on our back. The winds are shifting. People are realizing how harmful and disrespectful this policy is, and they are going to demand change.

BRUCE PALMER

Or they'll demand that I jump out of a window.

DON-DIEGO CERVANTES

Then it's my job to make sure it is a one-story window. Be prepared for what is to come, Bruce. Things will get worse before they get better.

BRUCE PALMER

Reading his phone.

My daughter just texted me: "OMG dad, you're an embarrassment. I am ashamed to tell people I'm your daughter. Please grow up already." It looks like things can only get better, Don-Diego.

DON-DIEGO CERVANTES

No, Bruce. They can get worse. Much, much worse.

BRUCE PALMER

How? How in the world can it get worse?

DON-DIEGO CERVANTES

You may be asked to interview on “60 Minutes.”

After a short pause.

Another *cerveza*?

Scene 1 (Oral arguments)

In court at the Daley Center. Council for Coach Brown filed a 2-615 motion to dismiss and the parties are arguing orally in front of Judge Kopon.

JUDGE KOPON

Counsel for defense, are you ready to proceed?

DEFENSE COUNSEL

Yes, Your Honor.

JUDGE KOPON

Very good.

DEFENSE COUNSEL

Good morning, Judge Kopon. Today we are arguing about a man who sued an NBA coach for trying to win a championship. Plaintiff filed a common-law fraud claim against Chicago Bulls' coach Mike Brown for his decision in February of this year to make a game-time decision to sit two starters, Derrick Rose and Luol Deng.

JUDGE KOPON

Oh, I love that Derrick Rose! He has such heart and he plays with such ferocity!

DEFENSE COUNSEL

As does my wife, Judge. Derrick is the reason that she watches the Bulls, so you can imagine how disappointed we were – the whole city was – when word hit that he was not playing.

JUDGE KOPON

Yes, counsel, we all were a bit disappointed. But all looks well now.

DEFENSE COUNSEL

Exactly right. And that is exactly why – at least in part – you should grant our motion to dismiss plaintiff's cause of action here. Common-law fraud has stringent pleading requirements, and plaintiff simply hasn't met them. I direct the Court's attention to *Connick v. Suzuki Motor Co., Ltd.*, the landmark Illinois Supreme Court decision on point. The Court stressed – in no uncertain terms – that a common-law fraud claim requires allegations with “specificity and particularity” such that “fraud is the necessary or probable inference, including what misrepresentations were made, when they were made, who made the misrepresentations and to whom they were made.”

JUDGE KOPON

And, understandably, you feel plaintiff has fallen short. Mr. De Cervantes, any response?

DON-DIEGO CERVANTES

Yes You Honor, and may I as well note how much of a pleasure it is to argue in your presence once again. I trust all is well.

Clears his throat.

DON-DIEGO CERVANTES CON'T

In the week leading up to the game, Coach Brown gave a press conference. At this conference he was asked about the health of Derrick Rose and Luol Deng. He responded that they were banged up but healthy enough to play. He was then pressed, specifically, whether or not they would play. He answered affirmatively. It is our contention that he knowingly made a false representation, intending others to purchase tickets and attend a game the otherwise might not have.

JUDGE KOPON

Counsel?

DEFENSE COUNSEL

Based on what, Your Honor? Mr. De Cervantes has presented nothing but words for his proposition. The idea that Coach Brown *knowingly* made false representations is preposterous – not more likely than not. And further –

JUDGE KOPON

- I'm inclined to agree, Mr. De Cervantes. What can you add to persuade me otherwise?

DON-DIEGO CERVANTES

Pattern, Your Honor. This isn't the first time Coach Brown has done this. He did it knowing that Derrick and Luol needed rest. He did it last season when he told reporters that Luol Deng would play the night before the game. He did it again right before the playoffs last year, sitting nearly the entire starting five. And he did it now, knowing the backlash he would get if he didn't.

JUDGE KOPON

I'm still not convinced.

DON-DIEGO CERVANTES

Look also at the reliance. It was doubtless justifiable. Mr. Palmer, a hard working citizen of this state and country saved up his money, was concerned that Derrick and Luol wouldn't play, and waited for confirmation. He got it and relied upon it.

JUDGE KOPON

Let's assume you're right. If I disagree with you on Coach Brown's actual knowledge – and intent that reliance occur – you lose.

DON-DIEGO CERVANTES

Your Honor –

JUDGE KOPON

- I disagree with your argument regarding knowledge. How in the world can you expect to convince, to prove to a jury, that this is true? As I see things, counsel, you have no facts to support your allegations. Nothing but pure conjecture. Why should I allow this to continue for a moment longer?

DON-DIEGO CERVANTES

Because, Judge –

JUDGE KOPON

- I shouldn't, that's the answer. And I won't. Defense's motion to dismiss is granted, but I'm doing so without prejudice. If you can find a way to re-plead with sufficient backing then I'd like to explore this further. Until then, this case is dismissed.

DEFENSE COUNSEL

Thank you, Your Honor.

DON-DIEGO CERVANTES

Thank you, Your Honor.

Scene 2 (Moral arguments)

Coach Brown, Coach Small, and TINO MORAN are all in Brown's office discussing the pending motion-to-dismiss hearing and the Bulls' playoff strategy. MORAN grows increasingly frustrated and isolated.

COACH BROWN

Got damn it! Who else is *excited!*. I can't wait until the judge slams the door on the face of that idiot fan and his lawyer. Who the *FUCK* do they think they are messing with me!? The two-time defending –

TINO MORAN

- Soon-to-be three-time, boss.

COACH BROWN

That's right. You'd better believe it. This case should have been shut before it was open.

COACH SMALL

Well, to be fair, they do have a point.

COACH BROWN

What did you say?

COACH SMALL

The plaintiff, the fan. He does have a point. You did lie to the media – those “microphone-toting sharks” – you lied to them. He may not be able to prove it, but you lied to them.

COACH BROWN

Of course I lied to them, Rick. What'd ya expect me to do? Tell the *truth* and get the shaft? No sir. I lie, I take the heat, and have a winning season. I sacrifice my pinky to save my body. I lose the battle to win the war.

COACH SMALL

Shifting in his seat, placing his hand in his pocket.

Why on *earth* are you so difficult?

COACH BROWN

Well, I'm sorry, *Dr. Phil*. I didn't realize I should be so kind and patient with these poor idiot souls. They are just so *fucking* –

Coach Brown is interrupted by a phone call

-dumb. I bet that's them!

Answers the phone

Hello?

Yes.

Well *Hell Yes!* Great work, old-top. I knew you had it in you.

And say hi to that pretty little wife of yours for me.

Hangs up the phone.

Annnnnnnnd, *They Gone.*

TINO MORAN

All right, boss! Way to go. This calls for a celebration!

COACH SMALL

At 11:30 in the morning?

TINO MORAN

Pouring three glasses of scotch.

Yes, you wet rag, at *eleven thirty in the morning.*

Passes glasses, raises for a toast.

To Coach Brown, and to another banner!

Brown and Moran drink, Small places his glass down and sighs.

COACH BROWN

Ahh, come on Smallie. What's the matter with you these days? You're a bigger bitch than Michelle Obama for Chris's sake.

Laughter from Tino.

COACH SMALL

That's IT! I've had enough of your bullshit.

Stands up.

Mike, you really are a bad person, you know that? You treat people like objects. Like garbage. I don't understand how you can yell at me and treat me the way you do.

COACH BROWN

Now wait –

COACH SMALL

- All I've ever tried to do is be a voice of reason, a conflicting opinion. Julius Caesar had nothing but idiot yes-men running around with him. And how did that work out? You're not always right, and your methods aren't always above the belt. And you need to be told that once in a while.

TINO MORAN

Watch your place, Rick. This is a grownup conversation we're having here.

COACH SMALL

Don't I know it! You're about to walk Scott-free from this, Mike. Some poor guy – a stadium full of poor guys – paid his hard-earned money to see the best against the best. You gave him McDonald's when he paid for Morton's.

COACH BROWN

Scott-free? What about the \$200,000? And the firestorm from the media? Scott-free my ass. There's a reason you ain't the head honcho, Smallie, it's because you can't take the pressure. Few can. But you must in order to win.

COACH SMALL

Then why are you the only one, coach? Why are you the only one to whom the rules do not apply?

COACH BROWN

Because I'm the only one with the brain and the balls to pull it off, skip. That's why.

COACH SMALL

Well I've had enough. I can no longer be a part of this operation.

TINO MORAN

Easy, big fella. Do you know what you're doing?

COACH SMALL

Of course I do – *I think before I speak.*

COACH BROWN

Well good riddance. Give Hilary my regards, you bloody tampon!

Pours another drink.

Coach Small walks to the door. Then, he stops and turns around, reaching in his pocket.

COACH SMALL

I'm not just leaving you, skip. I'm recording you.

Pulls out tape recorder.

I got everything you said – the F words, calling everyone idiots ,and, most of all, how you knowingly lied to the media.

TINO MORAN

You rat fucking weasel!

COACH BROWN

Laughing.

Well, you really are a weasel. This won't matter a whit, Einstein. Don't you speak English? The judge granted the motion to dismiss – to dismiss!

COACH SMALL

Maybe so. But the world needs to know what a giant ass hole you are. And if they still want to love you and the Bulls that's their right. But they need to know.

Turns to leave, then pauses again.

Oh, and it was dismissed without prejudice – meaning they can re-plead if more facts come to light. Have a nice day, sir.

Scene 3 (For the win)

Don-Diego Cervantes and Bruce Palmer meet at Mambrino's Helmet to discuss the case

BRUCE PALMER

Can you believe the good news! We finally caught a break.

DON-DIEGO CERVANTES

Indeed, amigo, it looks like we have. Assistant Coach Small comes through in the clutch.

BRUCE PALMER

So you have the tape?

DON-DIEGO CERVANTES

You better believe it. But do me a favor: please keep this off of Facebook. We could go to jail for eavesdropping – Illinois is a two-party-consent state.

BRUCE PALMER

Great! What's our next step?

DON-DIEGO CERVANTES

Well, there's been another development that you need to know about. Coach Brown made an offer. He wants the tape to be kept quiet, and he's willing to pay.

BRUCE PALMER

An offer!? How much?

DON-DIEGO CERVANTES

\$50,000

BRUCE PALMER

Fifty – *thousand* dollars?

Leans back.

Wow, that is incredible. Probably just a drop in the bucket to that fuck. And it's just for us since we didn't pursue a class action.

DON-DIEGO CERVANTES

Probably. But *escuchame*, listen: That settles all claims you have against him. And you have to turn over the tape. Believe me, if you ever bring this up again – either the tape of the case or the settlement – he will crucify you.

BRUCE PALMER

I get it, I get it. When can I get paid?

DON-DIEGO CERVANTES

Not so fast, my friend. This is the wrong move here. We've got him vulnerable, and we need to set a precedent. We need to make it clear that this behavior is wrong. If you accept you will be turning your back on everyone else that was harmed.

BRUCE PALMER

I don't care! Fifty thousand, Don-Diego. And that's a pretty healthy cut for you as well.

DON-DIEGO CERVANTES

Bruce, what did we say when we initially decided to go forward?

BRUCE PALMER

That we were going to sue the bastard.

DON-DIEGO CERVANTES

Laughing.

Yes, yes we did. But we also said the goal was change. We wanted to stop this poor behavior from continuing –

BRUCE PALMER

- No. *You* said that was the goal. My goal has always been compensation, and this is it baby! I'm taking the offer, and there's not a damn thing you can do about it.

Victor turns up the volume on the TV as Coach Brown makes a statement regarding Assistant Coach Small's abrupt resignation

VICTOR SMIRNOFF

Hey, comrades, check this out.

COACH BROWN

On the TV

As you heard, Coach Small resigned this morning after years of great service. He was a leader and a good man. He always challenged me to think deeper and harder, and we would not have won these rings without him. He will be missed.

REPORTER

Coach, what can you say about the speculation that this had something to do with the pending lawsuit against you that just got dismissed?

COACH BROWN

Nothing. Talk to my lawyer. And, as far as I know, Coach Small wasn't aware the suit was going on. At least until now, if he's watching this. Thanks for that, by the way.

Laughter.

Just one note on the lawsuit. I know this sore-headed fan was disappointed when Derrick and Luol couldn't play. We were all disappointed, myself included. But I think it's a sad day in America when that entit- that disappointment leads to a lawsuit. This has been a trying time for my me and my family. All I ever did was try to win championships. I hope you all understand and appreciate that – all I've ever done has been about winning.

REPORTER

Speaking about championships, you guys recently secured the number-one seed going into the playoffs. How do you like your matchup with the Milwaukee Bucks?

COACH BROWN

Great. We swept 'em during the regular season and we match up perfectly. Derrick, Luol, and the whole crew are well-rested and ready to attack. We've never been more ready to win a championship.

Thank you, no more questions.

Exits.

VICTOR SMIRNOFF

Love him or hate him, he can really inspire trust. He could run for office!

BRUCE PALMER

And he's shelling out fifty large! What a sucker!

DON-DIEGO CERVANTES

I will take the check, minus my cut, and have a payment for you within 48 hours. Take care of yourself, Mr. Palmer.

BRUCE PALMER

You too, Don-Diego. And maybe now I'll go out for another steak – a bone-in this time!

Leaves the bar.

VICTOR SMIRNOFF

Not a bad haul, eh, Don-Diego?

DON-DIEGO CERVANTES

Smile on his face.

Not a bad haul, indeed.

VICTOR SMIRNOFF

How did you know this would happen if you knew how weak your claim was?

DON-DIEGO CERVANTES

Easy, old top. Have I taught you nothing? Coach Small has been stressed the entire season, at odds with Coach Brown and the trainer. He's alienated and he was ready to explode. He just happened to be kind enough to bring a tape recorder.

VICTOR SMIRNOFF

You are always one step ahead, Don-Diego.

DON-DIEGO CERVANTES

You know that's not true.

Sips beer.

Now that I've got some extra cash, what odds can you lay me on the Bulls completing the three-peat?