

WHAT IS LIFE WORTH?

by

Max Borenstein

from the memoir by
Kenneth R. Feinberg

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ARCHIVE TELEVISION FOOTAGE

It is summer of 2001. North and South, coast to coast, the PEOPLE OF AMERICA, people of every shape and size and color and creed, are going about their daily lives.

The HUMAN INTEREST MEDIA covers it all: Salmonella at a Wabash County Arby's, the Ten Commandments in an Alabama courthouse, a looming onslaught of Africanized killer bees.

This is a nation profoundly at peace.

INT. METLIFE BUILDING - CONFERENCE ROOM - DAY

The sleek main conference room of the insurance giant. But this might as well be the battlefield of Gettysburg, or a Tijuana dogfighting pit. The air is acrid with bloodlust.

Two teams of ATTORNEYS flank the black onyx table. Armed for battle. Pens cocked, attaches at the ready. Their uneasy eyes are fixed on the one man keeping the peace, the mediator...

KENNETH FEINBERG, early 40s, is the picture of composure. He straightens a gold cuff link embossed with the scales of justice. As the attorneys wait...

KEN

Did anyone bring a CD player?

A confused murmur ripples the ranks. Heads shake.

KEN (CONT'D)

I was thinking Coltrane, A Love Supreme.

Ken hums a phrase of the tune. Both sides stare blankly.

KEN (CONT'D)

No?

The chief lawyer for the PLAINTIFF shifts in her seat.

PLAINTIFF

Mr. Feinberg, if we're ready to begin...

KEN

We're not.

She falls silent. Opposing counsel smirks at the squelch.

DEFENSE

Oh, Ken, before I forget: Joan made me promise to send her best to Dede.

(MORE)

DEFENSE (CONT'D)

I guess they co-chaired an Asthma and Allergy luncheon last spring...

KEN

(deadpan)
Dede, who?

DEFENSE

...huh?
(panicking)
Maybe I'm forgetting her name...
Your wife?

A beat. Excruciating.

KEN

Oh. That Dede.

Awkward snickers pepper the opposing side.

PLAINTIFF

(losing patience)
With all due respect, Mr. Feinberg, my firm may be working this case pro bono, but our time is still valuable. I think it's safe to say both sides only consented to submit to mediation on judge's orders.

Nods of assent from both camps.

PLAINTIFF (CONT'D)

Apparently we do agree on some things.
(a beat)
All the same, in the interest of moving forward, let me be clear: my clients are not in this case for the money and have no intention of settling for any half-measure compromise that lets this company off with a slap on the wrist...

DEFENSE

(taking the bait)
That's very well, counsel, because my client won't be making any offers. The company is committed to fighting these false and malicious allegations in a court of law.

PLAINTIFF

False?! We have over 600 pages of documentary evidence...

The Plaintiff brandishes a massive bound document, the "COMPLAINT FOR DAMAGES." The Defense flaunts an even thicker volume, the "LIFE INSURANCE TERMS OF SERVICE."

DEFENSE

Our Terms of Service are perfectly clear!

The attorneys trade salvos of legal bluster. A poor STENOGRAPHER sweats to keep up...

At some point in the skirmish the two massive documents land, thump-thump, in front of Ken: the "Complaint for Damages" and the "Terms of Service."

Ken aligns the tomes side by side, comparing their bulk. He hums softly to himself, the melody of "A Love Supreme..."

After a moment, the bickering attorneys fall to a hush.

KEN

(looks up)

Hm? Oh, you can carry on.

Ken continues to hum. The attorneys share baffled looks.

PLAINTIFF

Mr. Feinberg?

DEFENSE

Ken?

KEN

How much do you think they weigh?

DEFENSE

I'm sorry?

PLAINTIFF

How much does what weigh?

Ken hefts both the "Complaint" and "Terms of Service."

KEN

These documents.

(a beat)

Camille, do you have your scale?

On cue, Ken's assistant and trusty gal Friday (CAMILLE BIROS) produces a Weight Watchers food scale from her purse, sets it before Ken.

KEN (CONT'D)

Because it occurs to me we could
resolve this all right now, if we
just agreed:

(brandishing documents)

If these bad boys weigh in under a
pound, you go to war.

He drops the thick "Complaint" onto the scale with a thud.
The digital readout blinks nines, maxed out.

Ken lifts the even larger "Terms of Service..."

KEN (CONT'D)

But, me? I'd settle any case that
could break a toe.

THUNK. SMASH TO OUR TITLE SCREEN...

WHAT IS LIFE WORTH?

INT. METLIFE BUILDING - PRESS ROOM - DAY

Flashbulbs pop. Cameras roll. Plaintiff and Defense pose for
a handshake to memorialize their newly minted settlement.

Ken and Camille depart from the lonely rear of the room.
Unnoticed by the press, forgotten by Plaintiff and Defense.

CAMILLE

Ever wish it was you up there?

Ken glances back... The media. The spotlight. The American
dream. He and Camille share a half-smile, "Don't you?"

KEN

Did you pick up the earrings?

INT. COMMUTER JET - FIRST CLASS - DAY

The plane is mid-take off. The sky out the porthole is a
vivid wash of reds and purples. Camille is entranced.

Ken occupies the window seat, half-blocking her view, but he
is too busy scrutinizing a hand-crafted set of Art Deco
earrings to notice. He compares them to a photograph...

FULL FRAME: A sepia wedding photo from the 1940s. The same
earrings are worn by a young bride (Ken's MOTHER-IN-LAW).

KEN

These are perfect. Dede is going to flip. Don't forget to send a thank you to Maurice. And a bottle of that kosher champagne. And tell him we'll set up a lunch next week to go over his De Beers contract...

But Camille is rapt by the sunset, which now silhouettes the lower Manhattan skyline. The TWIN TOWERS of the World Trade Center gleam crimson in the otherworldly light.

CAMILLE

Wow.

KEN

Camille?

CAMILLE

Look at this view...

KEN

Were you listening to me?

CAMILLE

Ken, you've got to see this.

Ken knits his brows, as if to say, "The view is not going anywhere..." But neither is Camille. Ken rolls his eyes and turns to look...

But by now, the gleaming Towers have receded out of view, far below. Gone forever. Leaving nothing but a dusky sky.

KEN

Lovely. Kosher champagne, did you get that?

INT. LIVERY CAB - WASHINGTON, D.C. - MOVING - NIGHT

Stuck in bumper-to-bumper traffic. Ken is rushing through a fast costume change in the back seat. Luxury evening wear.

KEN

How am I doing on time?

CAMILLE

(checking her watch)

Right now she's just going to make you sleep on the couch, but you're two stoplights away from a trial separation.

Out the window, red brake lights as far as the eye can see.

DRIVER

Sorry, they got something going on
at the White House tonight...

KEN

Just stop here.

EXT. PENNSYLVANIA AVENUE - NIGHT

Car horns blare as Ken emerges into the thick of the traffic jam. Pulling on his coat, shooting his cuffs. Sharp. He moves to go... But stops, pats his pockets. Something is missing.

CAMILLE

Think fast!

Ken spins back, just in time to pluck a palm-sized jewelry box from midair. The earrings. Camille winks.

CAMILLE (CONT'D)

Good luck.

INT. CITRONELLE BY MICHEL RICHARD - NIGHT

A vibrant, 5-star hot spot, abuzz with well-heeled VIPs, BUSINESS PEOPLE and POLITICOS. Ken follows the MAITRE D' through the crowded restaurant, ricocheting from one table to the next as he works the room with aplomb.

KEN

Senator... Congresswoman... Justice...

Ken may not hold a seat on the Hill, but these people act like they each owe him theirs.

BUSBOY

Mr. Feinberg!

This last from a passing BUSBOY, arms piled with dishes...

BUSBOY (CONT'D)

How you like them pinstripes sweeping
your hometown boys in Fenway?

KEN

Just wait, Chico. Pedro's coming
off the DL. This is our year!

(a beat, to Maitre D')

How long has she been waiting?

MAITRE D'
Perhaps a half hour. We explained
about the traffic... And the
Bollinger is chilling.

KEN
(producing jewelry box)
Great. Bring it with this.

MAITRE D'
Of course, sir.

And they have reached the threshold of a private area...

MAITRE D' (CONT'D)
(with a flourish)
The Chef's Table.

But the table is abandoned.

KEN
What happened to my wife?

INT. FEINBERG HOME - MASTER BATH - NIGHT

Meet DEDE FEINBERG, Bryn Mawr elegance, with a hint of the
pixie in her eye. She is stunning in evening wear and pearls.
Only right now, she is also green to the gills and keeled
over the toilet, retching violently.

KEN
You should have seen the beltway. I
wouldn't be surprised if Camille
was still stuck in that taxi.

Dede looks up long enough to roll her eyes.

DEDE
Towel...

Ken daubs her brow with a wet cloth. Drizzling her dress...

DEDE (CONT'D)
Careful! Ken...

KEN
Sorry. I'm sorry.

Dede leans back against the cabinetry, and for the first time
we notice that she is pregnant, just beginning to show.

DEDE
This can't possibly be worth it.

KEN
Happy anniversary.

Dede looks up with a glare... But Ken is holding out the pair of Art Deco earrings. And he was right, Dede is floored.

DEDE
These are just like the ones my mother wore at her wedding! How did you..?

Ken shrugs, casually, "Lucky guess."

INT. PENN LAW SCHOOL - LECTURE HALL - DAY

Ken has just finished scrawling a question on the blackboard in large, block letters. It reads... "WHAT IS LIFE WORTH?"

KEN
What. Is. Life. Worth?
(a beat)
Well? Who can give us the answer?

Awkward chuckles ripple the auditorium.

KEN (CONT'D)
(re: SEATING CHART)
Mr. Barron?

A pudgy student (BARRON) stiffens in the front row.

BARRON
Um...

KEN
Tell us about yourself, Benjamin.

BARRON
About... myself?

KEN
Your life. Skills, dreams, accomplishments... Who are you?

BARRON
I was... uh... born in Wichita.

The other students laugh as he squirms.

KEN

Kansas boy. Good. Ever work on a farm?

BARRON

My girlfriend's uncle grew sorghum.

KEN

Your girlfriend's uncle! Very good.
(re: seating chart)
Miss Politano...

A prim student (POLITANO) in the middle...

KEN (CONT'D)

You are Mr. Barron's girlfriend's uncle.

Students laugh.

KEN (CONT'D)

Mr. Barron has just been crushed,
accidentally, beneath an overturned
combine in your sorghum field.

Ken aims a finger at another cowering student (DICKERSON)...

KEN (CONT'D)

Mr. Dickerson will be your counsel...
(another student)

...and Miss Shapiro will represent
Amalgamated Caterpillar,
manufacturer of the combine
harvester that just took poor Mr.
Barron's life, in the Kansas State
civil action of "Mr. Barron v. Mr.
Barron's Girlfriend's Uncle's Farm
and the Caterpillar Company."

(a beat)

Ms. Shapiro, how much do you offer
Mr. Dickerson to settle the case?

SHAPIRO stammers...

KEN (CONT'D)

Let me rephrase. How much is Mr.
Barron's life worth? Give us a number.

SHAPIRO

2 million?

KEN

Mr. Dickerson?

BARRON

(objecting)

That's ridiculous. I'm in law school, I could be earning that much a year by the time I'm 30!

KEN

If you weren't dead. Unfortunately, they're still picking bits of your fingernails out of the sorghum and this is now Mr. Dickerson's decision. Along with Miss...

(re: seating chart)

...Patel, your bereaved mother.

PATEL quickly chimes in with a counter-offer...

PATEL

5 million!

SHAPIRO

3 and a half.

PATEL

Deal!

DICKERSON

Deal!

Barron frowns. Ken shoots him a wink.

JORDY, Ken's Teaching Assistant and a former student, herself, begins to mouth along with the familiar speech.

KEN

So you see, you have not accidentally stumbled into a lecture on Philosophy 101. As far as the law is concerned...

(indicates blackboard,
"What is Life Worth?")

...this is a practical question. The number is the job. And as lawyers, it's all we can do.

INT. PENN LAW SCHOOL - CORRIDOR - DAY

Students flood from the auditorium, lecture dismissed. Ken is already back to work, cell phone at his ear, briefcase in hand. He weaves through the crowd with purpose...

KEN

(into phone)

Are we ready to roll calls?

Ken stops short. A pack of students blocks his path. They are crowded around the break room TELEVISION, craning for a view.

KEN (CONT'D)
Pardon me, Ms. Patel, this is a walkway.

But Patel is glued to the set. Ken pushes through, annoyed.

KEN (CONT'D)
(into phone)
No, let's do it now. I get no reception on the train...

Ken departs down the corridor. But we linger with the crowd, catching a glimpse of the television that Ken ignored...

FULL FRAME: Archive news footage. An iconic image. The Twin Towers of the World Trade Center stand tall above lower Manhattan. A wisp of smoke rises from the North Tower.

CNN ANCHOR (ON TV)
This is a breaking story. We have unconfirmed reports that a small twin-engine plane has crashed into one of the towers of the World Trade Center...

INT. AMTRAK TRAIN - VIRGINIA - MOVING - DAY

John Coltrane's A Love Supreme fills the SOUNDTRACK. Ken listens to the music on a pair of noise-dampening, high-fidelity headphones that drown out the workaday bustle all around him like an invisible fortress of solitude.

Green scenery blurs past the window, but Ken's eyes are shut. He is savoring the one peaceful moment of his day.

SKRRRRREEEEEEEECH! The train lurches to a halt, heaving Ken from his seat. Baggage tumbles down from overhead.

Panicked PASSENGERS clamber for the emergency exits.

They speak into cell phones, spread rumors by scuttlebutt. We can imagine what they must be saying... But Ken can hear none of it. Only, surreally, Coltrane's frenetic tenor sax.

It takes a beat for Ken to remember the headphones.

KEN
(tugging them off)
What's going on?

But the frenzy swirls, heedlessly. Offering only fragments:
 "two planes," "both towers," "under attack..."

EXT. RAILROAD TRACKS - VIRGINIA - DAY

The train has stopped between stations. Passengers flood out onto the tracks, sweeping Ken along. He struggles to fight the current and loses hold of his briefcase, which spills open, disgorging a plume of paperwork.

Ken scrambles desperately to collect it. Chasing his papers through the mass hysteria, up a scrub-grown knoll. Until...

The crowd falls silent.

BLACK SMOKE swirls from the Pentagon, just over the horizon.

Ken's papers flutter to the breeze. He begins to register the weight of the moment.

INT. U.S. CAPITOL BUILDING - DAY

Archive Footage to establish. An emergency joint session of Congress. The mood is keyed with adrenaline and a sense of urgency. Lobbyists for the major AIRLINES are testifying.

AIRLINE

What we're facing is a national transportation emergency. Without immediate Federal loan guarantees and lawsuit suppression, every major airline at this table will be forced into bankruptcy. And these murderers will have succeeded in paralyzing American society.

ARCHIVE FOOTAGE: SENATOR EDWARD KENNEDY takes the floor...

SENATOR KENNEDY

Thank you, Mr. May...

Ken watches from the gallery. He is accompanied by ERIC MOGILNICKI, Senator Kennedy's Chief of Staff.

MOGILNICKI

Sorry I didn't call you back, we've been swamped in session all week. The airlines are peeing themselves, convinced they're going to lose their shirts to a class action by the victims' families.

KEN

Did they do anything wrong?

MOGILNICKI

(pointed)

You're a lawyer, does it matter?

ARCHIVE FOOTAGE: SENATOR CHUCK HAGEL...

SENATOR HAGEL

I now cede the floor to Mr. Leo Boyle, president of the Association of Trial Lawyers of America.

ARCHIVE FOOTAGE: LEO BOYLE...

BOYLE

Thank you, Senator, I'll make this brief. I am here to speak for the victims of this tragedy because they are not here to represent themselves. And I warn you: saving the beleaguered airlines may be our duty as patriots; restricting legitimate lawsuits by the wounded families is not. Doing so would deny due process to the very citizens most directly affected by these attacks. And that is un-American.

(a beat)

If Congress intends to stop these people suing, it had better be prepared to compensate their losses another way.

This resonates through the chamber. Ken follows keenly.

SENATOR HAGEL

How much are we talking?

BOYLE

Senator?

SENATOR HAGEL

What you're calling for - and the lawyers in this chamber can help me - sounds like government sponsored, tort-style compensation of the victims.

BOYLE

Yes, sir. That is one solution.

SENATOR HAGEL

That means adjudicating individual award settlements for thousands of separate claimants.

BOYLE

A flat fee would be another option.

Senator Hagel shakes his head, facing the assembly.

SENATOR HAGEL

I don't know about the rest of my colleagues... Do you all want to put a value on human life, right now?

Senators shift uneasily.

SENATOR HAGEL (CONT'D)

Because I don't.

BOYLE

The statute could appoint a Special Master in charge of the Fund. A compensation czar, if you will.

The notion percolates. Mogilnicki rolls a skeptical eye.

MOGILNICKI

(under his breath)

Compensation czar? More like "fall guy." Jesus Christ. I wouldn't want to be that poor sonofabitch.

But Ken hears only "opportunity." His gears, spinning...

INT. FEINBERG HOME - KITCHEN - NIGHT

Dede and Ken eat dinner in silence at the kitchen counter. A small TELEVISION is tuned to CNN's round-the-clock coverage.

DEDE

Camille said you were on the Hill today.

Ken momentarily stiffens. There is a tension in the air, something unspoken. Something he is hoping to avoid.

KEN

Just meeting Ted for lunch.

DEDE

He must be a wreck. They've been in joint session all week.

KEN

Mm...

(changing the subject)

Did you reach your cousin in the City?

DEDE

He was out of the office that day.

KEN

Oh. Thank god.

DEDE

I told you that. Last night.

KEN

Right... Sorry.

ON SCREEN: Archive news footage. The CNN ANCHOR...

CNN ANCHOR (ON TV)

Congress today passed the Air Transportation Safety and System Stabilization Act, instituting a Victim Compensation Fund for families affected by the attacks of 9/11. A search is underway for a Special Master to head the Fund...

Ken promptly shuts off the TV.

KEN

This is delicious, honey.

DEDE

Thank god for what?

KEN

Hm?

DEDE

You said "thank god."

KEN

That Mark is safe.

DEDE

That we didn't know anyone?

KEN
Well, of course...

DEDE
Because that would be a conflict of
interest...

KEN
Right... What?

Dede stares bullets.

DEDE
Jesus, Ken. Don't tell me you
didn't throw your hat in the ring
for that job. The victim fund?

KEN
Me? No. I haven't even...
(playing Devil's Advocate)
Well, for one thing, the timing is
wrong. You're due in five months
and I'm...

DEDE
...the most qualified torts lawyer
in the country. And if anyone else
gets this job, our daughter will be
a constant reminder of her father's
one missed opportunity to wind up
in the history books!

KEN
He won't be a reminder.

DEDE
She won't have to be.

KEN
(a beat, then)
She?

Dede nods. A girl. They share a smile, Ken's marred by just a
hint of utter terror.

KEN (CONT'D)
Most girls grow up to have
boyfriends, don't they?

DEDE
Looks like you can't catch a break,
today. When's your interview?

INT. DEPARTMENT OF JUSTICE - HALLWAY - DAY

Ken strides confidently down the hall, adjusting his scales of justice cuff links. His handmade John Lobb wingtips click-clack on the marble floor.

INT. DOJ - OFFICE OF THE ATTORNEY GENERAL - DAY

Behind the desk sits the man himself, JOHN ASHCROFT.

ASHCROFT

We must be very clear that the purpose of this Fund is philanthropic. A safety net to help the victims move on with their lives...

KEN

And ignore the fact that we're giving the airlines a free pass.

Ashcroft halts, mid-gesture.

KEN (CONT'D)

You can speak frankly, sir.

ASHCROFT

(a beat, sizing Ken up)

It is felt that for the Fund to be a success, no fewer than 80 percent of the eligible families must opt in voluntarily.

KEN

That won't be a problem.

(a beat)

Though I happen to know the White House told you to shoot for 75.

ASHCROFT

(touché)

Call it my insurance policy.

KEN

I'll call it my quid to some future quo.

ASHCROFT

I do admire a man with confidence.

(perusing Ken's RESUMÉ)

(MORE)

ASHCROFT (CONT'D)

Looking over your credentials - national leader in mass torts, innovator in new techniques of mediation, alternative dispute resolution... You must be chomping at the bit on this one.

KEN

I just want to serve my country in its time of need, sir.

ASHCROFT

A true patriot.

(a beat, testing)

Student of history, too, I'd imagine. And here you are with a shot at making some. Heck, if I was you, Ken, I'd almost be excited.

Ken nearly cracks a smile, but holds his poker face, passing muster. Ashcroft creaks back in his chair.

ASHCROFT (CONT'D)

There is one thing, though. Says here, you served two years as Chief of Staff for Senator Kennedy. If I'm not mistaken, the Senator is still a Democrat. Which would make you a Democrat. And Democrats, you may have noticed, are not the flavor of the season.

KEN

Unless you mean hunting season.

Ashcroft frowns.

KEN (CONT'D)

(changing tack)

I had hoped you would be gracious enough to overlook that fact.

ASHCROFT

No, Ken, you hoped I'd realize I don't have a choice. A nation in shock, families in mourning, and everyone's prying eyes right on us, looking for a solution that we don't got. Heck, this ain't a statute, it's a perfect storm!

(a beat, shrugs)

Luckily, when it came to actual numbers, our noble representatives on the Hill passed the buck.

(MORE)

ASHCROFT (CONT'D)

To one man: a "Special Master." You ever heard such a ridiculous title? Specially screwed.

Ashcroft blows steam.

ASHCROFT (CONT'D)

If I pick an insider for that job, a party man, friend of the President? That makes me the dumbest pig in the poke. Other hand, I pick a Democrat, liberal credentials...

(re: resumé)

...12 pages long? Well, then, my ass might just get to keep this chair. If the Fund fails to soothe, comfort and ease the pain of these grieving families, it's the Democrat's fault. Then again, if by a miracle you do manage to pull this off...

(a beat, grins)

Don't we look open-minded for crossing the aisle to find you?

Ken smiles demurely.

ASHCROFT (CONT'D)

Got any surprises for me?

KEN

I want to do it for free.

INT. KENNETH FEINBERG & ASSOCIATES - CONFERENCE ROOM - NIGHT

The 28th floor of a D.C. high-rise. Windows on 3 sides overlook the White House, the Mall, the Capitol Building. Squeezed into the space are the firm's three-dozen ATTORNEYS and twice as many PARALEGALS and support STAFF.

Ken stands at the head of the gathering, surrounded by the handpicked team that will be working on the Fund. They are:

DEBORAH, Ken's longtime associate, and an attorney whose legal acumen is matched only by her shrewd common sense; Jordy, a rookie lawyer who we recognize as the teaching assistant from Ken's class; and, of course, Camille.

KEN

(addressing the room)

I want to thank you good people and wish you luck holding down the fort.

(MORE)

KEN (CONT'D)

That means bringing in some money, while Deborah, Jordy, Camille and I do our very best to spend it on a good cause.

Chuckles all around. Ken lifts his champagne in a toast...

KEN (CONT'D)

Here's to doing what we can to help the victims of this tragedy. To the success of the Fund!

Resounding "Cheers!" Ken soaks it in.

JORDY

(aside)

Enjoy this drink, ladies. We won't have another for two years.

The FUND CALENDAR hangs on the wall. The deadline, "DECEMBER 22, 2003," is circled in red. More than a little daunting.

DEBORAH

Speak for yourself...
(guzzles the drink)
I'll be having plenty.

Ken stands at the window, hands on hips, gazing out upon the glittering lights below. His city.

DAVID

When you twisted my arm to quit Wall Street and move my wife and kids down to this swamp, you promised me there was money to be made in the law.

This is DAVID FEINBERG, Ken's cantankerous older brother.

KEN

Did I steer you wrong?

DAVID

No. Not yet.

KEN

I just brought in the biggest case this firm will ever see.

DAVID

Yeah, pro bono.

KEN

(a sour look)

This isn't business, Dave.

DAVID

Nope.
(a beat, pointed)
It's definitely personal.

KEN

Are you trying to tell me you
aren't proud?

DAVID

No, I'm proud of you, Ken.

KEN

You just don't think I know what
I'm getting myself into.
(a beat)
Come on, Dave. When's the last time
you saw me take on something I
couldn't handle?

DAVID

7th grade. Rope climbing at the
Junior Olympics.

KEN

I got the silver!

DAVID

And you probably still remember the
kid's name who beat you. You don't
know how to lose, Ken...

KEN

And I won't have to. This one isn't
that kind of a case. It's not about
winning or losing.

DAVID

That's what I'm afraid of.

A beat.

CAMILLE

Ken, the President's on line 1.

KEN

President of what?
(a beat, realizing)
Whoa!

Ken leaps to the desk and grabs the phone.

KEN (CONT'D)
 (into phone)
 Mr. President?

The room falls silent. All eyes are on Ken. His are lit up.

KEN (CONT'D)
 (into phone)
 Yes, sir...

Ken notices that the room is focused on him. He puts a conspiratorial finger to his lips to signal "quiet," and hits the "SPEAKER" button, cuing the voice of the PRESIDENT...

PRESIDENT (ON SPEAKER)
 I want you to know you have our full support. But you're taking the heat on this thing. Next time we talk in public, it'll be at your award banquet... Or your funeral.

KEN
 (half-joking)
 I had something more like the Supreme Court in mind. Saw Rehnquist the other day, he looked a little pale...

A beat. No reply.

PRESIDENT (ON SPEAKER)
 Ken, did I lose you?

Camille has been holding the "MUTE" button.

CAMILLE
 (to Ken, admonishing)
 Are you finished, Mr. Chief Justice?

Ken blushes. Camille lifts her finger from the "MUTE" button.

PRESIDENT (ON SPEAKER)
 I think I lost him... Ken?

KEN
 Uh... Yes, sir. Thank you, Mr. President. I won't disappoint.

INT. KENNETH FEINBERG & ASSOCIATES - "WAR ROOM" - DAY

The once sleek, well-appointed conference room is now cluttered with innumerable file boxes and document binders. Charts and calculation formulae paper the walls.

A large map of Lower Manhattan has been delineated with tacks and string. The Fund Calendar is marked off with 'X's to denote that 2 weeks have elapsed. It is the tail end of a logistics marathon. Dawn breaks out the window. Exhaustion has set in.

And no one has logged more hours than Ken. He pages through a fat 3-ring binder filled with column after column of numbers and statistics. This is the "Presumptive Claims Formula."

The rest of the team awaits his verdict in suspense...

KEN

We're going to get some flack on the proximity definition and for leaving out mental anguish and PTSD, but other than that...

(a beat, finally)

It looks good.

Sighs of relief, satisfaction. Camille remains dubious.

CAMILLE

That sure is a lot of numbers...
How much do you think it weighs?

KEN

You think I wouldn't rather keep it simple? We have to answer questions our Congress never considered: who gets the money? A spouse or a parent? A brother or a sister?

DEBORAH

Then there's fiancées. Are they entitled to anything? Or same-sex partners?

KEN

Or how do we treat someone whose final will and testament would bequeath 2 million dollars of the taxpayer's money to the Dog and Cat Museum?

(a beat)

Simple is out of the question.

CAMILLE

I'm just saying, these are people.
Not lawyers.

KEN

Well, that's what we're for.

(standing)

I think we're ready. Good work, ladies.

Ken stands to go. But Camille stays put.

KEN (CONT'D)
Is there a problem?

CAMILLE
Nothing too big, just... who are they?

KEN
Who are who?

CAMILLE
The victims' families? The victims?
Who are we supposed to contact?

KEN
(not quite following)
What do you mean? Don't we have a list?

Camille lifts a thick stack of papers.

CAMILLE
Sure, we have 10...
(one after another)
Pentagon... Airline flight
manifests... Those are the easy ones.
But the Towers?

JORDY
All we have is piecemeal. NYPD...
Port Authority...

CAMILLE
The firemen are still too busy
putting out the flames and picking
through the pile for pieces of their
own to return our phone calls.

JORDY
And whatever records there were of
who passed security that morning...

KEN
(catching on)
All gone.

A beat. Ken processes the magnitude of the situation.

CAMILLE
No one even seems to know how many
names we're looking for.

INT. GRAND CENTRAL TERMINAL - DAY

The rush hour commute in the busiest terminal in the biggest city in America. Only, right now, you could hear a pin drop.

Shell-shocked COMMUTERS gather around, as if magnetized by the giant wailing wall of 10 foot tall temporary bulletin boards that spans the rotunda. Every inch of the wall is teeming, plastered with handmade memorials and "Missing" signs of the sort one usually posts for a runaway pet.

Boughs of flowers in various stages of decay are clustered at the base. Tears flow freely among the various pilgrims who have come to pay their respects. This is our first glimpse of the human cost.

Moving amidst the crowd are Camille, Jordy, and Deborah. Each of them works a different section of the wall, meticulously copying every name and phone number onto an endless list...

Their tears flow, too. Even as they wipe and fight them off, trying to do the job.

INT. FEINBERG HOME - LIVING ROOM - NIGHT

The wee hours. Miles Davis' elegiac Sketches of Spain fills the darkened room. Ken sits on the floor, an island in a sea of paperwork. He pores over the numbers just one more time...

Until his eyelids droop.

Ken jolts himself awake. Deep breaths. No time for sleep. He ups the volume on the stereo.

INT. FEINBERG HOME - MASTER BEDROOM - NIGHT

The MUSIC gets louder... Dede muffles the sound with her pillow. 6 months pregnant. Wide awake. And all alone.

INT. NYC - STUYVESANT HIGH SCHOOL - GYMNASIUM - DAY

The first town hall meeting. People filter in. A deeply uncomfortable silence pervades the air.

Camille mans reception at the door, logging names onto the ever growing list. Each name corresponds to one of the three hundred faces that fill the bleachers, a crowd as diverse - economically, ethnically, culturally - as America itself. All united and isolated by a shared, yet un-sharable, grief.

Jordy moves solemnly from row to row, passing out the "Regulations" booklet. But few seem to read it. Mostly, the document is being rolled, folded, nervously toyed with. At best, it is eyed with suspicion.

Ken and Deborah regard the crowd from the stage...

KEN

I thought we encouraged them to bring lawyers.

Even a cursory look tells us that few of them did so.

DEBORAH

I made it clear top representation was available at no cost.

(a beat)

Sorry, Ken.

KEN

No problem. It was the lawyers I was afraid of. How do I look?

DEBORAH

Is that a rhetorical question?

Ken smiles confidently and takes the podium. The room falls to a hush.

KEN

Hello...

SQUEEEEEAK! The microphone whines. Ken jerks back.

Jordy rushes up and adjusts the mic. She taps it twice, then gives the thumbs up, "good to go."

KEN (CONT'D)

As some of you know, my name is Kenneth Feinberg, and I'm here to explain how the 9/11 Fund will work...

WIDOWER (O.S.)

What's this about life insurance?

The impatient voice belongs to a blue-collar WIDOWER.

KEN

If you please hold your questions, we'll allow plenty of time for those, later. I think we should start at the beginning...

Ken displays a copy of the "Regulations."

KEN (CONT'D)

I believe you've all been given a copy of the basic procedures and regulations for the Fund. If you turn to page 11...

WIDOWER

It says here there's a deduction for life insurance!

KEN

(sharp)

As I said there will be more time for questions later. But, yes, claims will be offset in proportion to external awards.

WIDOWER

So you're saying I get punished because my wife planned ahead?

KEN

That part of the regulations is mandated by Congressional statute, and totally out of my control...

WIDOWER

It ain't fair!

A disgruntled murmur ripples through the crowd.

KEN

Please remember, this Fund is meant to provide a safety net, not a fortune...

This provokes a louder rumble. A Latina WOMAN...

WOMAN

You think we want a fortune?

KEN

(backpedaling)

What I meant to...

Ken seems frustrated with their inability to grasp the tenets of the Fund. But here, the crowd's patience expires. The hall erupts in a flurry of questions. An elderly GRANDMOTHER...

GRANDMOTHER

What about donations from my church?

KEN
 (flustered)
 If you please raise your...

A middle-class soccer MOM...

MOM
 This says awards will be based on
 recorded earnings. My son was a
 first year associate, but he was
 promised a raise at Christmas...

An African American FATHER...

FATHER
 Why shouldn't everyone just be
 given the same amount?

A manual LABORER...

LABORER
 This is America: they gotta save
 the big bucks for the stockbrokers!

A white-collar WIDOW takes offense...

WIDOW
 How dare you?! My husband worked 40
 years to get where he was! He's
 worth every penny they can afford!

But now an Eastern European SISTER...

SISTER
 My brother mopped the halls, what
 about him?!

The crowd shatters into fractious bickering - the petty one-
 upsmanship of grief. A middle-aged HUSBAND...

HUSBAND
 These rules don't say anything
 about emotional suffering. I was on
 the phone with my wife when the
 Tower fell. I listened to her die!

A retired FIREMAN...

FIREMAN
 My son gave his life to save people!

Camille, Deborah and Jordy look on helplessly.

KEN

(trying to restore order)
 Hey! Quiet! There will be a time and a place for all your issues to be heard. The key now is to see the Fund for what it is: the only rational choice.

But by now, emotion has simmered to a boil.

LABORER

Rational for them! Here we are, arguing about money... That's their plan! Pay us off! Shut us up! When the only real way to get at the truth is to take them all to court!

KEN

Listen, I understand what you all are going through...

Wrong thing to say. Camille, Deborah, and Jordy wince in unison.

WIDOWER

You understand?!

KEN

Please!

The shout momentarily hushes the crowd.

KEN (CONT'D)

Now, I know this program is not business as usual. But it is the only real game in town. And I am sure that if we can settle down, raise our hands, take turns, and be respectful towards each other...

(a beat)

Well, then we can make the best of a bad situation and attempt to move on with our lives.

Silence. Finally. Ken collects himself, ready to move on...

CHARLES WOLF

This is not a game, Mr. Feinberg...

The statement comes from a dignified, silver-haired gentleman. Soft-spoken, but with a quiet intensity. A man we will come to know as CHARLES WOLF.

The entire crowd murmurs in accord. It is the first time we've seen them agree on anything. And their common bond now amounts to a shared resentment of the man on stage.

CHARLES WOLF (CONT'D)

To you, this may be business. To me, it's my wife.

INT. STUYVESANT HIGH SCHOOL - MAIN HALL - NIGHT

The meeting is adjourned. Families filter out, a disgruntled mob. Camille, Deborah, and Jordy field a bevy of questions and concerns as a shell-shocked Ken packs his briefcase.

ROUGHNECK

Hey, Special Master!

Ken finds himself face to face with a brick shit-house.

KEN

Hello. Nice to meet you, Mr...

ROUGHNECK

Joe.

KEN

Joe. I'm afraid I'm running late for a flight. If you have any questions, though...

ROUGHNECK

I lost two cousins.

KEN

I... I'm truly sorry.

ROUGHNECK

(cornering Ken)

How did I know the lawyer they'd send would come along with a name like Feinberg?

KEN

Excuse me?

But with that, the man is gone. Vanished into the crowd. Leaving Ken trembling at the threat...

DEBORAH

What the hell was that?

INT. TOWN CAR - JERSEY SUBURBS - MOVING - DAY

Ken occupies the back seat, his face pale. An imposing new BODYGUARD drives the vehicle.

EXT. JERSEY SUBURBS - FULD HOME - DAY

The TOWN CAR pulls to a stop at the curb, and Ken emerges. The Bodyguard hustles out to follow.

KEN
(stopping him)
It's okay. I can take it from here.

Ken mounts the porch of the modest dwelling. The Bodyguard follows, anyway. Ken pauses to object...

BODYGUARD
Orders, sir.

KEN
(relenting)
After you.

INT. FULD HOME - DEN - DAY

Wood paneling. Law books line the shelves. A framed gavel and other laurels tell us this is the inner sanctum of "Chief Judge Stanley H. Fuld of the NY State Court of Appeals."

Long since retired, JUDGE FULD is sharing a snifter of brandy and a Cuban cigar with Ken, his sullen, beleaguered protégé. Fuld peers out the shuttered window, where the Bodyguard stands sentinel on the porch.

JUDGE FULD
Afraid I'm going to plunge a knife
in your back, Ken?

KEN
You should have seen these people,
judge. They were like a pack of
wolves baying for my blood...

JUDGE FULD
Come here to whine, did you?

KEN
(a beat, suitably scolded)
No, I'll just drink my drink, thank you.

Fuld settles into a leather chair. He swirls his brandy.

JUDGE FULD

I ever tell you the story of
Richard Bland Lee?

KEN

I probably wasn't listening.

JUDGE FULD

Top lawyer in the country, about
190 years ago. Titan in his field.
Thomas Jefferson once called him
"the wisest man south of the
James." Sound familiar?

KEN

Jefferson? I think I've heard of him.

JUDGE FULD

Well, as far as anyone could see,
Richard Lee was America's chosen
son. And young Richard, he'd be the
first to claim the prize.

(a beat, pointed)

How's that for familiar?

Ken shrugs.

JUDGE FULD (CONT'D)

Anyway, it's 1816 and Richard's
boyhood pal James Madison appoints
him chief commissioner to adjudicate
claims arising out of the loss and
destruction of life and property
during the War of 1812.

And now this does sound familiar. Ken perks, accordingly.

JUDGE FULD (CONT'D)

Deeply moved by the peoples'
considerable losses - not to
mention fearful of being run out of
town on a rail - Richard comported
himself generously.

(a beat, translating)

He gave away a lot of money.

KEN

And?

JUDGE FULD

Poor Richard wound up lambasted in the press. Persona non grata on the Hill. Ruined his career. No more than a tragic footnote to the history of this great land...

(a beat)

Which is how come you never heard of him.

Ken deflates. Not quite the encouragement he had anticipated.

KEN

You're telling me not to be generous?

JUDGE FULD

No. Being generous just ruined Richard's career. Imagine what might have become of the rest of him if he'd have been stingy.

(a beat)

Besides, I didn't say he didn't do the right thing.

KEN

But the public wasn't happy...

JUDGE FULD

Nope.

KEN

And the families weren't grateful?

JUDGE FULD

They gave lives and got money. Would you be?

KEN

So I'm damned either way.

JUDGE FULD

No good deed goes unpunished, Ken.

KEN

Is that supposed to make me feel better?

JUDGE FULD

By no means...

(sits forward)

It's supposed to remind you, this has nothing to do with your feelings.

Hold on Ken. The backhanded pep talk sinks in.

EXT. JERSEY SUBURBS - FULD HOME - NIGHT

The Bodyguard rouses from a daydream, as Ken bursts out the door, visibly re-energized. Already on the phone...

KEN

Washington Post? Yes, can I have
the national desk, please?

INT. TOWN CAR - MOVING - DAY

The whole team is assembled, on the go. Ken sits in the front passenger seat, adjusting the dial on the jazz station. He exudes an air of renewed confidence.

Deborah, Jordy and Camille share the back bench, a copy of The Washington Post fanned out between them.

FULL FRAME: Front page. The beaming smile of Ken Feinberg. Headline... "9/11 FUND: SPECIAL MASTER BANKS ON SUCCESS."

CAMILLE

(reading aloud)

"Mr. Feinberg, for his part,
remains unshakably confident that
upwards of 90 percent of eligible
families will join the Fund..."

JORDY

90 percent?!

DEBORAH

What the hell happened to 80?

KEN

(shrugs, matter-of-factly)

Frankly, I think we have no excuse
not to hit 95.

DEBORAH

Are you nuts?! Is he nuts?

KEN

We're giving out millions of
dollars, tax free.

DEBORAH

This isn't about the money, Ken.
Didn't you see those people? We're
being driven by a fucking
Bodyguard, for godsakes!

KEN
 (a measured smile)
 Read the paper.

Deborah glares.

CAMILLE
 "Says Mr. Feinberg, quote: 'I have no doubt the survivors and families victimized by the attacks of September 11th will soon rally to the Fund. They may never be 'satisfied.' Who would be? But they will make the rational choice, and accept the extraordinary generosity of a united nation that shares their grief.'"

Camille folds the paper, skeptical. Deborah, seething. As the car pulls into view of the STATEN ISLAND CIVIC CENTER...

Agitated families already mill about outside. Some with protest signs... "9/11 FUND = HUSH MONEY!" Heads turn as the car approaches. Rabid stares. A chant: "No more Fein-berg!"

KEN
 (gulping)
 Maybe we can try a back entrance?

INT. STATEN ISLAND CIVIC CENTER - AUDITORIUM - DAY

The crowd of 500 plus is abuzz with barely restrained rancor. Ken trembles as he takes the podium.

KEN
 Good evening, ladies and...

VOICE
 How dare you?!

ANOTHER VOICE
 We should spit on your children
 like you spit on ours!

Anger erupts. Ken steels himself, riding it out. Until...

CHARLES WOLF
 Stop!
 (a beat)
 Let the man speak.

The same soft-voiced, silver-haired gentleman. The crowd simmers down. This man commands respect.

KEN

Thank you...

VOICE

You're an asshole!

Charles Wolf shoots a look in the direction of the voice, but whoever it was has backed down. Wolf gives Ken the nod.

KEN

I... I want to apologize to those of you here that attended the last session. I was flustered. What I meant to express, the truth of it, is that I don't know what you are going through. But I am here on behalf of the people of the United States to offer our help to you in this terribly painful time.

This resonates.

KEN (CONT'D)

So please... What do you need? How can we make this easier for you?

INT. STATEN ISLAND CIVIC CENTER - LOBBY - DAY

The meeting is over. Ken seems pleased with himself. He is back in control, glad-handing a line of grieving families.

FRANK ABATE is a rough-hewn fireman. He jostles up on a pair of crutches, his leg encased in a cast below the knee.

FRANK

Do you have a minute, Mr. Feinberg? I tried to catch you at the meeting downtown, but it was pretty nuts.

KEN

Of course. Call me Ken.

FRANK

I'm Frank Abate. FDNY...
(proudly displays cast)
That's how I got this.

KEN

Thank you for your courage, Mr. Abate.

FRANK

Frank.

Frank shakes Ken's hand. His own is trembling. Nerves.

FRANK (CONT'D)

My brother, too. Nicholas... We were in the same ladder company.

KEN

Is he here?

But Frank's grim look answers the question.

KEN (CONT'D)

I'm very sorry.

FRANK

We got separated when the first tower went. I was out on the curb with this leg, so I didn't see him. But the captain said he went back into the other building to help.

KEN

That takes a hero.

FRANK

Yeah. Only it wasn't any use. I mean, the engineers and stuff knew that second one was coming down. They told the PD to give an evac order, and everything. I was trying to relay to Nick, but our radios... They stink. Hardly even work in high-rise buildings, if you can believe that. In New York City!

KEN

I had no idea.

FRANK

(working up steam)

Oh, that's just it! The public never does. But they knew all about it. City Hall, the FD brass. All those suits! We been filing reports for years, but you can guess where they tell us to shove 'em!

By now Frank is red in the face, the frustration unbearable.

FRANK (CONT'D)

So you see, that's... That's why it happened so bad, like it did. Negligence. Top down.

(MORE)

FRANK (CONT'D)
Cheap, fucking negligence. And
Nick, and a whole bunch of other
boys - good, brave boys... They're
gone for nothing.

Frank wipes tears with thick fingers, sniffing it back.

KEN
I didn't know any of that.

FRANK
I want the world to know it.

KEN
I understand...

FRANK
I want, when you file your report
or whatever, you make sure that
story is in there. You make sure
they change things, so it don't
happen again. Can you do that?

Ken stammers, suddenly at a loss. A beat.

KEN
Well, I... We can put that all on
the record.

FRANK
But not just talk. I want it to
change. That's what I'm here for.
That's why I'm alive.

Ken swallows, desperate. He grabs Camille.

KEN
Camille, can you come over here?
This is Camille Biros, our
administrator. She'll be happy to
tell you all about the process...

FRANK
(cutting him off)
Oh, I don't need to know anything
else. I just need your word on this
one thing, Mr. Feinberg. And then
me and my wife, and Nicky's widow,
the whole family... We'll sign
right up for your Fund, no problem.
And you can keep the handouts, too.
(a beat)
Just promise me that.

CAMILLE
 (prodding Bodyguard)
 You got to get him out of here.
 (to Frank)
 I'm sorry, Mr. Feinberg is running
 late. I can field any further...

But Frank is still holding Ken's hand, squeezing it.

FRANK
 Can you promise me?

A beat. Ken squirms.

KEN
 I can promise to do my utmost.

EXT. STATEN ISLAND CIVIC CENTER - NIGHT

Ken and company hustle towards the car. Camille has been admonishing the Bodyguard. He is on the defensive.

BODYGUARD
 That man didn't appear to pose a threat...

CAMILLE
 This isn't about physical threats, it's
 about protection. We can't leave Ken
 exposed like that, do you understand?

BODYGUARD
 I'm sorry, Mr. Feinberg. I'll get
 there sooner, next time.

KEN
 Don't worry about it.

But Ken's pallor belies his stoicism. He is shaken.

CHARLES WOLF
 Mr. Feinberg!

A fist grabs Ken by the wrist... And the Bodyguard leaps into action, restraining a stunned Charles Wolf.

KEN
 (horrified)
 No! Let him go!

Ken tugs the Bodyguard away. Wolf has been his one apparent ally in this thing, and Ken is loathe to lose him.

KEN (CONT'D)
I'm terribly sorry, we've had some...

CHARLES WOLF
I can imagine.

Wolf collects himself, dusting his suit.

KEN
Are you all right?

CHARLES WOLF
Fine, thank you. My name is Charles Wolf.

KEN
I want to thank you for...

CHARLES WOLF
I believe in civility.

KEN
After the last time, I was kind of worried when you stood up... But I'm sure glad you did.

CHARLES WOLF
You'll be seeing a lot of me, Mr. Feinberg.

KEN
Ken. And I'm happy to hear it.

CHARLES WOLF
I wouldn't speak so soon. I've started a web site called "Fix the Fund." Please, take a flier...

Wolf offers one from a stack.

FULL FRAME: The flyer... "ADD YOUR NAME TO THE CHORUS CALLING FOR MAJOR CHANGES TO THE VCF! VISIT WWW.FIXTHEFUND.COM."

CHARLES WOLF (CONT'D)
I think you'll find I'm one of your biggest critics.

KEN
Is that right?
(guard back up, weary)
Well, you can take a number from Camille. Nice meeting you, Charles.

Ken hands back the flyer and ducks into the car. It drives off. Wolf watches it go. Unfazed by the brush off.

INT. FEINBERG HOME - DINING ROOM - DAY

A Sunday morning. Ken is working from home. The dining table is spread with paperwork, charts and calculations. Charlie Parker plays sax on the stereo, as Ken conducts a one-sided conversation with Dede in the kitchen.

KEN

It went well, truly. Much better. It's all a question of gradual progress...

INT. FEINBERG HOME - KITCHEN - DAY

Dede is kneading dough for a french bread, her pregnancy increasingly discernible beneath a flour-speckled apron.

KEN (O.C.)

What you have to realize is these people aren't lawyers. I mean, more and more, they're hiring ones - good people, also doing this pro-bono - and that's helping...

Dede rolls her eyes and ups the volume on the counter-top TV, trying to drown out Ken's monologue, and his jazz.

INT. FEINBERG HOME - DINING ROOM - DAY

Ken raises his voice, instinctively, to compensate.

KEN

But basically, these are people in grief and, you know? It's all about professionalism on my end...

The SOUND of the television gets louder. So does Ken.

KEN (CONT'D)

A fair, even tone, that's the key. They may see it as cold, at first, but they will soon start to realize my detachment is the greatest gift I can offer! Getting bogged down in sentiment would only hamper things and lead to critical errors in...

Ken catches himself screaming. The deafening television...

KEN (CONT'D)

Dede?

INT. FEINBERG HOME - KITCHEN - DAY

Ken stamps in from the dining room and shuts off the TV.

KEN

Honey, I'm trying to have a conver...

Dede flips the TV back on, cutting Ken off.

ON SCREEN: Archive Footage. "The Charlie Rose Show."
Featuring... "CHARLES WOLF, FOUNDER, FIXTHEFUND.COM."

KEN (CONT'D)

Oh, this one is a real piece of work...

CHARLES WOLF (ON TV)

The biggest problem of all is the man running things. Mr. Kenneth Feinberg is everything the Founding Fathers of this nation were striving to avoid...

KEN

Gimme a break.

DEDE

Do you mind?

ON SCREEN: A wide-shot reveals that Charles Wolf is flanked by several supporters. Faces we recognize from the town hall meetings. The most relevant, for our purposes, being Frank Abate. He wears full FDNY regalia, and a bitter scowl.

CHARLES WOLF (ON TV)

The statute itself is flawed at the core, providing for no judicial review or Congressional oversight, which makes Mr. Feinberg judge, jury and executioner...

KEN

This man has no clue...

CHARLES WOLF (ON TV)

But worst of all is his manner. He has been patronizing, manipulative and at times, even cruel. He has lost his composure on several occasions, demonstrating serious lapses in judgment.

(MORE)

CHARLES WOLF (ON TV) (CONT'D)
 (a beat)
 He recently referred to Staten
 Island as "a third-world country."

Dede shoots Ken a caustic look.

KEN
 A man threatened me there, Dede!

ON SCREEN: The host, CHARLIE ROSE...

CHARLIE ROSE (ON TV)
 That's quite a damning indictment,
 Mr. Wolf. If Mr. Feinberg is
 watching, I would like to extend an
 offer to him to join us, next week,
 and debate these issues publicly...

KEN
 Where's the phone? I'll set it up
 right now.

He begins to rummage for the phone. Dede frowns.

DEDE
 Ken...

KEN
 This will be good. Public perception.
 The American people aren't all so
 clouded by emotion. I'll be able to
 tell them what the Fund is all...

DEDE
Ken!

A piercing shout. It stops Ken in his tracks.

DEDE (CONT'D)
 Maybe for once you should try
 listening.

A beat. Hold on Ken, as this registers.

FULL FRAME: On screen, Charles Wolf is somber...

CHARLES WOLF (ON TV)
 My wife Katherine was the most
 courageous person I have ever
 known. I'm doing this for her. She
 would stand up to anyone for
 something she believed in.

MATCH CUT TO:

INT. TELEVISION STUDIO - "THE CHARLIE ROSE SHOW" - NIGHT

Charles Wolf sits opposite Ken. He has just said his piece.

CHARLIE ROSE

Mr. Wolf has said some pretty critical things about your administration of the Fund, Mr. Feinberg. How would you respond?

Ken fidgets in his seat. His gaze skitters anxiously around the room, until he finds Dede in the wings. Their eyes lock.

CHARLIE ROSE (CONT'D)

Mr. Feinberg?

KEN

I, uh... I'm sorry. I am not here to debate Mr. Wolf.

CHARLIE ROSE

(taken aback)

Shall I remind you of his more substantial critiques?

KEN

(swallowing pride)

Mr. Wolf is right about many things. There is no doubt I have made some errors in my approach.

(facing camera)

But I would like to change course. I want to invite all the families watching this program to meet with me, personally. One-on-one. With or without an attorney present. No confrontation, no commitments. These hearings will be for you to tell your stories.

(a glance to Dede)

And "hearing" will be the operative word.

INT. KENNETH FEINBERG & ASSOCIATES - KEN'S OFFICE - DAY

Ken's office is a spare, orderly chamber. Crisp lines, uncluttered shelves, a sparkingly tidy desk. At the moment, however, the desk is scattered with an array of snapshots documenting the life of a YOUNG MAN. His parents, a proud middle-aged COUPLE, narrate the details.

FATHER

And these last ones are from the prom...

KEN

(patience wearing thin)
Marvelous.

FATHER

Well, I guess that's it.

KEN

Thank you so much for sharing.

Ken eagerly helps to gather the photos into a pile...

MOTHER

Wait! Confirmation!

FATHER

(lights up, remembering)
How could I forget?! Matt insisted on
wearing this silly white dinner jacket...

MOTHER

Like a pudgy little James Bond!

They plop another shoebox of photos onto the desk.

KEN

Are you sure you wouldn't rather talk
about what you feel you deserve...
Financially speaking?

Blank stares.

MOTHER

We thought...

KEN

No. I'm sorry. This is your hearing.
(a beat, indicating BUFFET)
We have croissants...

A HAND grabs a croissant. PULL OUT to reveal... Another hearing. The hand belongs to an elderly WOMAN. She struggles to butter a croissant with arthritic fingers. Ken looks on.

KEN (CONT'D)

(restively)
Do you need...?

The knife clatters to the desk, smearing butter. Ken winces. The Woman retrieves the knife. And, slowly, with great difficulty, continues to butter her pastry.

KEN (CONT'D)
 (finally)
 Can I...?

Ken snatches the knife and croissant from her hands, and with a single, authoritative smear, butters it himself.

KEN (CONT'D)
 How's that?

The Woman only stares.

KEN (CONT'D)
 More butter?

The Woman breaks into tears.

DISSOLVE TO:

Fingers yank Kleenex from a box. Yet another hearing.

A hand-crafted, miniature sailboat occupies the desk. A WIDOW is flipping through an album of photos showing her HUSBAND sailing the tiny vessel in reflecting pools around the world.

WIDOW
 This little boat made Harry the
 happiest man in the world.

Ken blinks with bewilderment.

DISSOLVE TO:

An answering machine sits on the desk.

WIDOWER
 This is Debra's phone message from
 the 103rd floor.

KEN
 You really don't have to... That
 is, you needn't relive...
 (a beat, desperate)
 It won't affect your compensation.

The WIDOWER glares. This is not about the compensation.

WIDOWER
 I want you to hear it.

KEN

Play it.

DISSOLVE TO:

A tackle box, brimming with colorful fishing flies. Ken endeavors to feign admiration...

KEN (CONT'D)

They're really... Very...

OLDER WIDOW

You can hold onto them, if you like.

KEN

Oh? I don't think I could...

OLDER WIDOW

Just while you evaluate things.

KEN

Well, it's really just a calcu...
(catching himself this time)
Thank you.

DISSOLVE TO:

The once pristine desk is now teeming with artifacts and memorabilia of lives, cut short. It is dark out the window. The end of an endless week. Ken is finally alone.

He dangles a fishing fly from the miniature sailboat, rolls his eyes.

INT. KENNETH FEINBERG & ASSOCIATES - OUTER OFFICE - NIGHT

Ken sweeps out of his office, coat and briefcase in hand... He stops.

Frank Abate is seated on the waiting room couch. He is surrounded by an extended family of 4. They are...

KAREN, 35, but with the tired eyes of a mother who's worked too hard for what she has to show. NICK JR., 7, sullen and cagey - the weight of maturity already sitting heavily on his shoulders. PATRICK, 5, tender and skittish - he clings tight to his older brother's protective embrace. And TYLER, 3, still innocent - wondering why he's up past bedtime. He clutches a tattered BASEBALL MITT.

KEN

Mr. Abate... I saw you on TV with Charles Wolf. I'm pleased to see you here.

Frank just glowers.

INT. KENNETH FEINBERG & ASSOCIATES - KEN'S OFFICE - NIGHT

Karen hovers tensely, as Ken pulls out a chair.

KEN

Please, sit down.

She does. Bolt upright.

KEN (CONT'D)

Can I get you a drink, anything to eat?

KAREN

We ate on the drive down. I think that's how come we hit traffic.

(a beat)

I hope I'm not keeping you...

KEN

No. Take all the time you need.

(settles back behind the desk)

Frank told me what happened to your husband... Nick. The frustration must be unbearable.

KAREN

Frank thinks this is all a scam. Just more red tape to cover up mistakes.

But something about Karen's demeanor says she may not agree.

KEN

I'm glad to see you still have an open mind.

KAREN

I heard there would be transcripts. I think the boys would want their father's story on the record.

KEN

Of course. Please...

KAREN

Do you take notes, or something?

KEN
 (realizing)
 Right... Um... Actually, our
 stenographer went home for the day.

KAREN
 Oh.
 (a beat, then)
 Can't you type?

INT. KENNETH FEINBERG & ASSOCIATES - OUTER OFFICE - NIGHT

A very tense silence. Frank sits stiffly on the couch. Arms draped, protectively, around his nephews. Tyler can hardly sit still. Camille catches his eye from her seat at the reception desk. She sticks out her tongue. Tyler giggles.

INT. KENNETH FEINBERG & ASSOCIATES - KEN'S OFFICE - NIGHT

A mini-cassette recorder whirs on the desk. The red "RECORDING" light blinks as tape rolls within.

KAREN
 My name is Karen Abate. My husband,
 Nicholas, was a New York City Fire
 Fighter, Ladder Company 67 out of
 Staten Island...

She halts. That was the easy part.

KAREN (CONT'D)
 I don't... Do you have like a list
 of questions or something?

KEN
 Everyone seems to do it differently.

KAREN
 Oh. This is harder than I thought.

KEN
 You don't have to say anything, if
 you're not comfortable.

KAREN
 My husband of 8 years and I can't
 even think of something to say.
 Pathetic, huh?

Ken winces. Emotion is not his forte. But Karen needs help.

KEN

Nick was a dad, wasn't he?

KAREN

(brightening)

Nick was the greatest dad! I used to call him "Mr. Mom."

KEN

Mr. Mom, is that right?

KAREN

You should have seen it. He'd come home on a summer night, toss a baseball with Nicky Jr., read Patrick a Dr. Seuss... He didn't even mind when Tyler made, so he could change the diapers.

KEN

You're kidding me.

KAREN

No, he always loved that part!

Karen laughs. Ken eases.

KEN

My wife is pregnant and diapers are one thing I'm not rushing into.

KAREN

I know! I always tell Nick he's crazy...
(stops, catching herself)
That is, I used to.

KEN

(a beat, distracting her)

Tell me more about Nick. If he could cook, I'm officially jealous.

KAREN

Oh, Nick was great in the kitchen! That was his job at the firehouse. On date nights, after we tucked the boys in, he'd light candles all around the house and make this amazing turkey meatball lasagna.

KEN

Turkey, huh?

KAREN

Yeah, he loved pork, but he used to say, "never in lasagna." I don't know where he got that from...

KEN

(admiringly)

A cook who changes diapers... He sounds like quite a catch.

KAREN

(fading)

Nick was my whole world. People say, "move on," but I won't ever get over his death. I know that. I'll never be in love again. I'll never remarry...

KEN

It's still so soon...

KAREN

Never.

Ken pales.

KAREN (CONT'D)

Even now, if I could trade my life for his...

Karen trails off.

KAREN (CONT'D)

Do you have a tissue, or something?

KEN

(quickly, offering one)

Of course.

Karen plucks a tissue from the box, daubing tears.

KAREN

Is that it?

KEN

(a beat, snapping back)

Um... Almost.

Ken rifles the desk for a form, returning to familiar ground.

KEN (CONT'D)

This is the basic claims form. There's no need to fill it out just now.

(MORE)

KEN (CONT'D)

But you should know that the award will take into account your circumstances as a single mother. Right at the start, the bare minimum is 250,000 dollars for loss of life, plus 50,000 for each dependent - your boys - so that right there is a minimum of 400,000 dollars. And like I say, that's before...

KAREN

I won't be taking any money.

KEN

Well, not right now, of course...

KAREN

There is no minimum for Nick.

KEN

But this is for you and the boys. To make things... easier.

Karen hands back the claims form and rises to her feet.

KAREN

If gold is the best thing we have in the world, Nick was gold. If there's something better than that, he was it, too.

(a beat)

Thank you for listening, Mr. Feinberg.

INT. KENNETH FEINBERG & ASSOCIATES - OUTER OFFICE - NIGHT

All three boys are now engaged in a game of hide-and-go-seek. Nick and Camille, on all fours, stalk the premises for his hidden brothers. As if on cue, the door to Ken's office swings open.

NICK JR.

Gotcha!

But it is only Karen. She seems startled to see her eldest son at play. Nick Jr. quickly collects himself.

NICK JR. (CONT'D)

Sorry, mom.

CAMILLE

We were just having some fun.

Tyler and Patrick scamper out of various cabinets. Tyler toddles up to Ken, holding out the tattered baseball mitt like a sacrificial offering.

KEN
Is this for me?

TYLER
This is daddy's...

NICK JR.
(snatching the glove)
Hold onto that, Tyler.

INT. FEINBERG HOME - LIVING ROOM - NIGHT

A Red Sox game plays softly on the television. Ken arrives home, staggers through the front door into the foyer. He is ashen, marked by the pain that he has now let into his life.

KEN
Dee?

No response.

KEN (CONT'D)
(a beat, growing concerned)
Dede? Where are you? Dede?! Dee...!

Panicking, Ken tears through the house, until...

He stops. Dede is fast-asleep on the couch. Ken's noise-dampening headphones cover her ears.

KEN (CONT'D)
(relieved)
There you are.

Ken's panic subsides. Yet a quiet terror lingers in his stare as he watches Dede, her belly, his child, their future.

SOUND FADES to silence. Then the voice of a VICTIM...

VICTIM 1 (V.O.)
Jill was due in March. A baby girl...
I lost them both. Just like that.

BEGIN MONTAGE --

Of Dede's pregnancy. Various brief scenes, but no sound. The the voices of VICTIMS are all that Ken can hear.

-- The Ultrasound. The developing FETUS. 10 fingers, 10 toes. Dede glows, touching the baby's hand with hers...

VICTIM 2 (V.O.)

They asked me if James wore a wedding ring. I said, "Always, why?" Because all they could find was his left hand...

Ken is haunted.

-- The baby shower. Dede and her friends squeal as she unwraps a pair of adorable footed pajamas...

VICTIM 3 (V.O.)

I heard women screaming in the background. This alarm kept repeating, "Please evacuate the building." And Amy, she had such a sense of... she actually laughed, "I think I know I have to get out of the damn building!"

Ken forces a smile.

-- The delivery room. NURSES administer to Dede...

VICTIM 4 (V.O.)

We sat by that hospital bed for 4 days. On the 5th, he died... But when they took off the bandages, it was another man. We spent 4 days praying for a stranger.

Dede squeezes Ken's hand, and the BABY is born. Ken tears up.

-- A Jewish temple. Ken and Dede cradle their infant LESLIE, as the RABBI performs the naming ceremony.

VICTIM 5 (V.O.)

I used to have a very strong faith in God, but how can I accept this?

-- A few months older, Leslie wriggles belly-up on a baby blanket. Dede tickles her, laughing...

VICTIM 6 (V.O.)

Every night my son lays on the floor and says, "Mommy, I'm playing dead so I can be with my Daddy."

Leslie's joyful, innocent eyes find Ken. He has to look away.

-- Leslie's 1st birthday. The family celebrates, including David, his wife, and their children. We'll meet them later. For the moment, what matters is the person missing...

VICTIM 7 (V.O.)

We used to travel as a family. All around the world... Now I live in fear for the girl I have left.

Ken watches the celebration from the back of the room. Fear in his eyes. Isolated, utterly, from their joy.

VICTIM 7 (V.O.) (CONT'D)

And every sudden sound I hear, I'm sure that's it. I'm going to lose her, too.

END MONTAGE.

INT. FEINBERG HOME - KITCHEN - DAY

Leslie is 16 months. Towheaded and adorable. She giggles from her high chair, as Ken prepares her bottle, preoccupied...

BBBRRRRZZZZT!

Ken drops the bottle, splattering milk across his wingtips. His cell phone vibrates on the counter.

KEN

Damnit. Honey? I have to get this...

Ken steps over the spilled milk as Dede enters.

KEN (CONT'D)

(grabbing his coat)

Sorry.

And he's off, answering the call. Leslie cries.

DEDE

Leslie wants her daddy!

This stops Ken at the door. He turns back, a forced smile.

KEN

Just 6 more weeks!

INT. KENNETH FEINBERG & ASSOCIATES - KEN'S OFFICE - DAY

The desk abounds with a cornucopia of human relics. The STENOGRAPHER clatters along, as a FIANCÉE relates her tale. Ken listens intently.

FIANCÉE

Only the weekend before it happened, we spent Labor Day at his folks' place on the Island. Cyndi and I tried to churn ice cream, but it came out all mushy.

Ken allows a prudently measured smile.

FIANCÉE (CONT'D)

My own mom and I aren't close and I never really had a dad... I remember feeling, for the first time ever, like this is what it means to have parents.

(wistful)

It was almost like that was reason enough, right there, to start a life with Chris. I even teased him about it, after. Like I was marrying him to get to his folks!

She giggles through the veil of tears. But Ken restrains his own. He knows these stories never have a happy ending.

KEN

Now, they won't return your calls.

The Fiancée nods, stifling a sob.

KEN (CONT'D)

Their attorney forwarded me a copy of the letter...

FULL FRAME: In Ken's hand, a New York attorney's letterhead. We make out the phrase "CEASE AND DESIST." Along with... "THE VICTIM PHONED HIS PARENTS REPEATEDLY IN THE DAYS PRIOR TO THE EVENT, INFORMING THEM OF HIS PLANS TO CANCEL THE WEDDING."

FIANCÉE

(heartsick)

They say Chris told them he was having second thoughts, but it isn't true. Why would they say that? I don't even care about the money.

KEN

I don't think it is the money.

FIANCÉE

I just want us to face this together.

KEN

(feeling her pain)

Maybe losing Chris is so hard, they can't bear to admit they lost so much more. Not just their son, but the husband he would have been. The father... You.

Ken sees the Fiancée's lips quiver, the tell-tale sign of an imminent breakdown. He tries to distract her.

KEN (CONT'D)

Why don't you tell me how you two met? A frat party, wasn't it?

FIANCÉE

My sorority...

(smiling)

It's actually a pretty funny story.

INT. KENNETH FEINBERG & ASSOCIATES - BREAK ROOM - DAY

Ken grabs a quick coffee, as Jordy follows with a note pad.

KEN

I need you to get me a meeting with those parents. I'm not letting that girl go away with nothing.

JORDY

The rules are very clear about...

KEN

I made the rules.

(a beat, determined)

If we cut that girl off now, she loses everything she had.

DAVID (O.C.)

What if she's lying?

Ken wheels to see David. He leans up against the doorjamb.

DAVID (CONT'D)

It would be a big payday.

KEN

Go back to business, Dave.

(to Jordy)

How are we doing on that widow in Ghana?

JORDY

The ambassador is throwing a hissy fit. Their inheritance laws are very clear. Money cannot pass from a man to his wife when there are male heirs in the family.

KEN

And her children?

JORDY

Six girls.

Ken winces at the injustice.

KEN

I'm not giving 900,000 dollars to some half-cousin the victim barely knew. Send her the check.

JORDY

(objecting)

Ken...

KEN

I'll take the heat.

Jordy nods. And walks out, past David, still at the door.

DAVID

Hard work, playing Solomon.

KEN

You have a problem, Dave?

DAVID

You're a good man, Ken. But these people aren't all saints. And you can't solve all their troubles...

KEN

(lashing out)

Tell that to Karen Abate!

DAVID

Who?

KEN

Tell it to all of the 2,000 widows.

DAVID

(a beat)

I'm just saying, before all this...
These are just regular people. Regular.
How many of those widows do you think
were planning to file for divorce?

KEN

Come with me...

INT. KENNETH FEINBERG & ASSOCIATES - KEN'S OFFICE - DAY

Ken pulls David into the office and slams the door.

KEN

I want you to meet Miss Sarah Mannelta.

David stops cold, as he sees the burn victim (SARAH), slumped in a wheelchair. A young lady, but her face so scarred beyond recognition that it would be impossible to tell. She is flanked by a West Indian CAREGIVER.

KEN (CONT'D)

This is my brother, David. He's the firm's business manager. Sarah's brother worked with her at Marsh and McLellan.

DAVID

(stunned)

It's nice to meet you.

A beat. No reply. Only the faintest tick of what might be an eye, somewhere buried beneath her disfigured brow.

KEN

(letting it linger)

Sarah finds it difficult to speak.

Ken lifts a typed page from Sarah's lap.

KEN (CONT'D)

Is this your statement? Would you like to hear it aloud, as we enter it into the record?

Ken nods to the Stenographer, who resumes her seat.

KEN (CONT'D)
 Dave, why don't you read it?

DAVID
 I...

Ken stares him down, so much empathy to give these days, but none left for anyone outside the victim pool. David takes the page with trembling hands, humiliated.

DAVID (CONT'D)
 (reads, haltingly)
 "What do I want you to know? I want you to know that I am a fighter. I fight every day for quality of life. I..."
 (holding it together)
 Um... "One day... One day I intend to get to a place where I can thrive, not just survive. And if you didn't know any of this except for my medical records, before you sits a..."

David gulps. This is emotional terrorism. He glances to Ken for reprieve. But Ken is giving none.

DAVID (CONT'D)
 "A 32-year-old female. Who is disfigured, handicapped, brain damaged, and emotionally depressed... But I hope that you can see I am also so much more than that..."

David wipes tears, no more use restraining them.

DAVID (CONT'D)
 "I am a survivor."

INT. KENNETH FEINBERG & ASSOCIATES - OUTER OFFICE - DAY

Camille leads Sarah and her caregiver to the door. Ken looks on. David is still shaking from the punishment...

KEN
 You think she's in it for a payday, too?

DAVID
 (spins, fuming)
 You sick fuck. You think sitting through that every day makes you a hero?

KEN
 This isn't about what I am...

DAVID
You're a bully!

KEN
I'm trying to show you these people
are human beings, David, not all
checkcashers looking for handouts
from the treasury...

DAVID
They're not all martyrs, either!
And you being one too isn't going
to save them! You think if you take
enough punishment, it makes you one
of them, but you're wrong...
(a beat, annihilating)
You can't ever take enough for that.

David walks off, leaving Ken, speechless.

A MAN looks up from his paper on the waiting room couch. It
is John Ashcroft. He notices Sarah wheeled out of the office.

ASHCROFT
Jesus Christ, that's a rough one.
How much did he get?

KEN
She.

ASHCROFT
Oh.

KEN
8 million.

Ashcroft whistles.

ASHCROFT
Well, at least... I guess that's fair.

KEN
(a long beat)
No. Fair is the last thing it is.

INT. BISTRO BIS CAFÉ - LUNCHEON - DAY

Ashcroft devours the remains of a gourmet Kobe beef burger.
Ken picks absently at a frisée salad. He is a plagued man.

ASHCROFT

And what's your take on this web site, this... What do they call it?

KEN

Fix the Fund.

ASHCROFT

I heard they claim to be something like 3,500 families strong.

KEN

(and this is rote, by now)
I'm confident the hearings are having a positive effect.

Ashcroft cocks a dubious eyebrow.

ASHCROFT

Been almost 2 years. And 3,500 families, that's almost two thirds... Now, Ken, I got all the faith in the world in you, but let's just say some folks I know are starting to get nervous.

(a beat)

I need something from you, here.

KEN

6 weeks is a long time. Most people can afford to hold out, hedge their bets. Once they're forced to choose, they'll come around. You don't have to worry...

(forcing it)

It's the only rational thing to do.

Ashcroft tries to read him.

ASHCROFT

I don't have to worry? Then how come you look like you swallowed a skunk?

(a beat)

Ken?

KEN

Hm?

ASHCROFT

If you're so sure the Fund's gonna succeed...

KEN

(decisively)
It will.

EXT. WASHINGTON, D.C. - CAPITOL HILL - DAY

A snow flurry. Ashcroft departs in a Federal SUV. Ken and Camille look on, breath pluming in the freezing air.

CAMILLE

How did it go? Did he offer to lower the number?

KEN

He was practically begging.

CAMILLE

Thank god.

KEN

I told him we'd hit 90, as promised.

CAMILLE

You, what?! Jesus, Ken...

KEN

Is this about numbers or the people we listen to every day?

Camille, grudgingly, shakes her head.

KEN (CONT'D)

So where do we stand?

CAMILLE

About 1,000 signed up right away. Another 800 have been trickling in over the last year and a half. That puts us at a whopping 33 percent.

Ken blows air, looking down... An abandoned magazine peeks out of the gutter slush.

FULL FRAME: Newsweek. Ken's intrepid visage graces the cover.

KEN

I guess it's a good thing we keep such a low profile.

INT. KENNETH FEINBERG & ASSOCIATES - "WAR ROOM" - NIGHT

It is late. The team is still hard at work. Ken stuffs files into his briefcase.

KEN

Have a good weekend, ladies. I've got baby-sitting duty. I'll be on my cell.

JORDY

(covering her phone)

Ken, wait... You need to take this.

KEN

I told you, I'm running late...

(a beat, off her look)

Who is it, a victim?

JORDY

A lawyer.

KEN

Tell him if he needs me, I'm back in the office tomorrow morning at 5AM.

But Jordy's expression tells Ken this one is urgent.

JORDY

Sorry.

KEN

(relenting)

Give me 5 minutes. Tell Camille I'll take it on the road.

INT. JAGUAR - MOVING - NIGHT

Ken speeds up the highway in his sleek sports car. Music blares, Ornette Coleman's Free Jazz. After a beat, the phone vibrates in his lap. Ken lowers the music only slightly.

KEN

(into phone)

Hello?

INT. ALEXANDER'S OFFICE - QUEENS - NIGHT

Attorney VICTOR ALEXANDER - pugnacious, principled, to the point - sits at his desk. INTERCUT with Ken.

ALEXANDER

Mr. Feinberg?

KEN

Yes, sir. How can I help you?

ALEXANDER

My name is Victor Alexander. I'm a lawyer for Marie Valens.

KEN

I'm sorry, I'm behind the wheel. Is Mrs. Valens a...

ALEXANDER

(correcting)

Miss.

KEN

Is Miss Valens a victim of the 9/11 attacks?

ALEXANDER

Did you meet with a woman by the name of Karen Abate, widow of Nicholas Abate? Mr. Abate was a fireman with three young boys, ages 7, 5, and 3...

KEN

Yes, of course. "Mr. Mom."

ALEXANDER

I beg your pardon?

KEN

I remember. What is it about him?

ALEXANDER

Please understand, I don't mean to cause trouble for you, Mr. Feinberg...

KEN

It's all right, I'm used to it. Go ahead.

ALEXANDER

My client, Miss Valens, was Mr. Abate's mistress.

SKKKREEEEEEEEEEECH! Ken slams on the brakes, nearly rear-ending the car ahead. He shuts off the stereo.

KEN

Excuse me, I'm not sure I heard you right...

ALEXANDER

You did. Miss Valens and Mr. Abate had two daughters of their own, ages 2 and 4 at the time of the attacks.

Ken reels, trying to process...

ALEXANDER (CONT'D)

I have DNA test results proving paternity. My secretary will fax them over to your office tomorrow.

(a beat)

Mr. Feinberg?

KEN

Yes. I, uh... I'll look forward to reviewing them.

ALEXANDER

Like I said, I'm not trying to make trouble. I just need you to know that when you cut that check for Mr. Abate it goes to five children, not three. Have a good night.

CLICK. Ken sits frozen at an intersection as the traffic light turns green. The car behind him honks, repeatedly.

EXT. BETHESDA SUBURBS - FEINBERG HOME - NIGHT

The Jaguar jumps the curb as Ken wheels it into the driveway and jolts to a halt. After a moment, he stumbles out.

INT. FEINBERG HOME - FOYER - NIGHT

Ken staggers in, dazed. The house is dark, empty. No Dede, no Leslie. There is a handwritten note on the rug. It reads...
"LEFT HER WITH BEA. GUESS YOU'RE OFF THE HOOK. D."

EXT. BETHESDA SUBURBS - DAVID'S HOME - NIGHT

A nearly identical dwelling, same block, just up the street. BEA has answered the door. She is David's buoyant, maternal better-half. Presently, however, she is frowning at Ken.

BEA

Dede made me promise to lock you out.

(a beat, incapable of animus)

Come on in...

INT. DAVID'S HOME - LIVING ROOM - NIGHT

The same floor-plan as Ken and Dede's home, but a different universe, entirely. Warm, familial, manic with the energy of two pre-pubescent boys, BEN and SAM. Bea drags Ken inside.

BEA

Have you eaten this week? You look like a ghost. Sit down, I'll fix you a plate. Just don't say anything...

(stage whisper)

The boys are watching the game.

In this case, "boys" refers to David, who is glued to the Celtics game on TELEVISION. His sons seem more immediately occupied with a pair of handheld electronic gaming devices. Ken's own daughter, Leslie, is busy gumming the hem of her Uncle David's vintage Larry Bird jersey.

DAVID

(without looking up)

Want a drink? Bea, get him a drink...

KEN

(slumping to the couch)

No, I'm fine... Thanks.

DAVID

How about a daughter?

David offers Leslie...

KEN

(a haunted look, far away)

Listen, I'm sorry about today...

DAVID

Forget it. Another few weeks, and you can get back to real life. This one's gonna be a regular shop-a-holic, mark my words. She's been carrying around Bea's 2,000 dollar Louis Vuitton all night.

Leslie clutches the strap of the designer purse in her tiny fist. She paws at Ken's hand. He musters a weak smile.

BEA

Bon appetit!

Bea places a heaping plate of leftovers onto Ken's lap. Followed by a glass of wine.

KEN

Bea, this is really too much...

BEA

Oh, I'm well aware. Just trying to remind you what it's like.

(a beat, barbed)

If I was Dede, a glass a wine, a quiet dinner... that sort of thing might even convince me I still had a husband.

INT. QUEENS TRIPLEX - VALENS APARTMENT - DAY

A small apartment teetering on the verge of unkempt. Not unlike its resident, MARIE VALENS. Too-much makeup, too-tight denim. How could Nick have strayed from Karen Abate for this?

MARIE

Sorry I didn't have the time to straighten up. The girls are with my aunt, and it's the only time I can get any sewing done.

(a beat, trying hard)

Can I get you a pop? Maybe something harder?

KEN

Is Mr. Alexander here?

MARIE

Oh, he won't be here 'til 4:30.

KEN

(checking his watch)

Am I early? I was sure Camille told me 4.

MARIE

Oh? Must be a mix-up. Here, sit down. I made gingerbread.

Ken grudgingly takes a seat at the cramped kitchen table. Marie slides into the chair beside his, a little too close.

MARIE (CONT'D)

I hope Vic told you, I don't want to cause any pain for that family.

KEN

He mentioned that.

(a beat)

As far as you know, Nick never told Karen about your... relationship?

MARIE

Oh no! He wouldn't do that. Nick was real clear about our arrangement.

KEN

Your arrangement?

MARIE

(defensive)

He didn't support me, or nothing. Just the girls.

KEN

So you actually planned to have children together?

MARIE

Planned? Oh no, that was definitely an accident. But once it happened... Well, we're Catholic, you know? I mean, Nick was. I'm more "cafeteria style," like they say...

(a beat)

I guess you could say the whole baby thing just landed on my tray. Two helpings.

Marie smiles at the turn of phrase. Ken does not.

MARIE (CONT'D)

To tell the truth, we did consider the other option, at first. Nick even drove me to a clinic way out in Jersey. But both of us, we just couldn't...

(a beat)

Anyways, Nick promised to help, and he was good to his word. That was Jenna, she's our first.

KEN

And your second?

MARIE

Belle. We did plan to have her. Or at least we didn't try to stop it. I guess, once we started, what's one more?

(a beat, lighting up)

It's like having a family...

Marie pulls over a picture frame...

FULL FRAME: The photo. Marie with NICK ABATE, proud father. He cradles his two GIRLS.

Ken has to look away.

MARIE (CONT'D)

I know this must seem ugly to you.

KEN

I'm not here to judge anyone.

MARIE

But he really was a good man. His wife...

KEN

(icicles)

Karen.

MARIE

Nick never told me her name. She never even knew he worked nights at the scrap yard. That's the only money that went to us, because he didn't want it to "come out of their mouths." That's how he said it.

(a beat, awkwardly)

Can I pour you some tea?

KEN

No, thank you.

MARIE

You know, with Nick gone, that makes me the breadwinner for all three of us.

(a beat)

Vic tried to explain to me how the Fund works. 50 grand per kid, right? But the main... What do you call it?

KEN

Beneficiary.

MARIE

Yeah. That'd be the wife... Karen. She gets the rest?

KEN

That's right, yes...

(back to terra firma)

Dependent awards can be adjusted somewhat. According to circumstances. But the bulk of the claim does belong to the legal heir. It's hers to distribute as she sees fit.

MARIE

Yeah. That's the thing... I mean,
I'm a single mother now.

KEN

You were always a single mother,
Miss Valens.

This is harsh. But Marie has a tougher shell than it looks.

MARIE

I just thought if you heard my
story... Well, I thought you might try
to help. You know, break the news to
Mrs. Abate? See if she might be...
(laying a hand on Ken's)
...willing to share?

Ken hardly has a moment to react, before Marie is up close.

MARIE (CONT'D)

That's why I'm so glad you came out
here a little early, see?

Her fingers toy with the laces of her bodice-style blouse.

KEN

I think I really should be...

MARIE

Let me pour you some tea.

Marie leans across the table, breasts inches from Ken's nose.
The bodice thread comes loose... a breast droops out,
becoming overtly visible.

KEN

Oh, my god! No!

Ken shoves back in his chair. Marie covers up, mortified.

BBBBRRRZZZZZZT! The doorbell rings.

Marie rushes to answer it, re-threading her blouse. Ken
hastily gathers his things, making for the door, himself.

KEN (CONT'D)

Thank you for the gingerbread, Miss
Valens...

But VICTOR ALEXANDER now blocks the door.

ALEXANDER
Going so soon, Mr. Feinberg?

MARIE
(still flustered)
There was a mix-up....

KEN
(struggling to compose himself)
If you'll excuse me, I have another
appointment and I'm running late...

EXT. QUEENS TRIPLEX - DAY

Ken walks briskly towards his rental car. Alexander dogs him
close behind.

ALEXANDER
Before you go, I need some
assurance that Miss Valens can
anticipate fair consideration.

KEN
Mrs. Abate is her husband's primary
beneficiary. Your client is entitled to
100,000 dollars for the two children.

ALEXANDER
(objecting)
This is a case with extraordinary
circumstances...

KEN
And I can probably tack on another
50,000, but...

Alexander catches up to Ken. The two men walk side by side.

ALEXANDER
Twice that amount would still fall
considerably short, Mr. Feinberg. Even
to see the girls through high school.

KEN
I'm afraid there's nothing more I can do.

ALEXANDER
I happen to know that Mrs. Abate's
brother-in-law is allied with Charles
Wolf. No one in that family has any
intention of joining the Fund.

KEN

I'm confident that she will...

ALEXANDER

My client would be entitled to her award.

KEN

I couldn't transfer a claim without...

ALEXANDER

Consent.

(a beat)

That's what I'm asking for. I assume you're headed there, now?

Ken stops. They have reached the car.

ALEXANDER (CONT'D)

I would ask that you inform Mrs. Abate of the situation as soon as possible. Otherwise, as much as I would hate to bring any more pain to a grieving widow, I will be forced to do it myself.

(staunchly)

Miss Valens deserves security for her family's future.

A beat. Alexander has Ken pegged. And cornered.

KEN

Stay away from that family.

ALEXANDER

You have my word. If I have yours.

Alexander extends a conciliatory hand. Ken merely stares.

ALEXANDER (CONT'D)

You'd make a fine judge, Mr. Feinberg. When all this is over, I hope those fellas make it worth your time.

EXT. STATEN ISLAND NEIGHBORHOOD - ABATE HOME - DAY

A humble street of affordable, working-class homes. One of the few remaining, so close to Manhattan. This is the Abate residence. An American flag is planted in the lawn, and another on the GMC TRUCK. "NEVER FORGET."

INT. RENTAL CAR - STATEN ISLAND NEIGHBORHOOD - PARKED - DAY

Ken sits behind the wheel of the car, parked in front of the Abate house. He does not move. He is petrified.

His cell phone buzzes, but Ken does not seem to hear it.

DISSOLVE TO:

LATER - DUSK

The cell phone buzzes again: "11 MISSED CALLS." Street lights flicker on as the gloaming sets in. Ken remains behind the wheel, frozen in thought. He has been here for hours. Tormented.

RATATATATAT! A fist pounds the window glass. Ken jolts.

EXT. STATEN ISLAND NEIGHBORHOOD - ABATE HOME - DUSK

The fist belongs to Nick Abate Jr. Almost 2 years older now. All bundled in winter wear.

KEN
(rolling down the WINDOW)
Hey there, Nick.

NICK JR.
Hey.

INT. ABATE HOME - DINING ROOM - NIGHT

A tight but treasured starter-home, less in disarray than one might expect from the habitat of a trio of growing boys. They are tearing through the house, at present, having abandoned Karen and Ken to the remnants of dinner at the table.

Ken goes about stacking plates...

KAREN
I'd rather you just relax...

KEN
Please. With those 3 Tasmanian devils running around, it seems to me, you're the one who could use a little downtime.

Ken ferries the plates through a swinging door, into the adjoining kitchen.

INT. ABATE HOME - KITCHEN - NIGHT

Ken installs himself at the sink and hikes his sleeves, nearly scalding himself on the hot water.

KAREN

Careful! I wish you wouldn't do this. I feel like a terrible host.

KEN

Nick would have done it, right? Besides, I could use a little practice being "Mr. Mom."
(a beat, joking)
I'm just glad Tyler's no longer in diapers!

Karen laughs, easing for the first time. Ken's cell phone buzzes. He sees it. Caller ID reads... "DEDE." Ken ignores it, noticing a wedding photo magneted to the fridge...

FULL FRAME: The photo. Nick Abate, in black tie. His arms encircle the very pregnant belly of his bride.

KEN (CONT'D)

Tell me about the wedding.

KAREN

Oh, that one was just for show. For the family, you know? I was only a few months when we made it official at city hall. I told Nick I didn't want anything all grand just to prove he loved me, but he liked to do things "the right way." He pulled double shifts for 5 months. Wouldn't take a dime from my folks, or anything. Just so we could have that picture on the fridge...

(wistful)

He was always thinking of the little things.

A beat.

KEN

You look radiant.

KAREN

Hm?

Ken means the photo. Of course.

KAREN (CONT'D)

Oh... Big as a circus tent. But I guess not too bad, considering.

KEN

And that's Nick Jr., huh? The best man at mom and dad's wedding?

KAREN

What? Oh, you mean inside me? No, that isn't Nicky I'm carrying...

(a beat, darkening)

We lost that one.

KEN

Lost?

KAREN

She was almost 16 weeks early.

KEN

A little girl?

KAREN

Jennifer... You know, most dads don't want little girls, but Nick always did.

Ken whitens. Something obscure, coming into a sort of focus.

KAREN (CONT'D)

(changing the subject)

Come on, you want the grand tour?

INT. ABATE HOME - FINISHED BASEMENT - NIGHT

A worn easy chair faces a dated projection TV. The pine laminate walls are lovingly hanged with Yankees memorabilia.

KAREN

That's where Nick punched his fist through the ceiling when Piazza flied out to end the series.

Karen indicates a fist-sized hole in the low-slung ceiling.

KEN

Ouch!

KAREN

You aren't kidding, three fingers! That man broke more bones...

KEN

He chose a dangerous line of work.

KAREN

He thought he was a cat, that one. 9 lives. And he lived every last one of 'em!

KEN

A job like that, you two must have talked about the possibility of something happening.

KAREN

He wanted me to move on.

KEN

(hopeful)
Well, maybe one day...

KAREN

I won't do that.

KEN

(wincing)
You know, Karen, there's something I've been wondering about Nick...

KAREN

(cutting him off)
He made this for our Anniversary...

She pulls down a lucite-framed parchment of calligraphy text.

KAREN (CONT'D)

I guess he was practicing calligraphy from one of those "Dummies" books at the station. The quote is from Dr. Zhivago. That's the book I made him read when we first went out. I was sort of testing him, but he actually made it all the way through.

FULL FRAME: The parchment. A hamfisted, overly florid script.

KEN

(reading aloud)
"However far back you go, it is always outside of yourself that you find your identity.

(MORE)

KEN (CONT'D)

In the work of your hands, in your family, in other people. The you in others, that is your soul. That is what you are...

(a beat, moved)

"And what does it matter if later on that part of you is called a memory. That is still you, the you that enters the future in others."

Then the sign-off... "TO MY SOUL, MY FUTURE, MY... KAREN."

KAREN

So what was it you wanted to ask about Nick?

KEN

Hm? Oh...

The SOUND of a footstep shatters the moment. It is Frank.

FRANK

You better go mind the boys, Karen. They're into the pots and pans.

KAREN

(rolls her eyes)

One thing they don't warn you about when you have kids. The only effective way to childproof a house is to wear a condom.

And she's off to be a mom... Leaving Frank, alone with Ken. An arctic chill between them.

FRANK

What are you doing here?

KEN

I was in town. I wanted Karen to see the award calculation.

Ken unfolds it from his pocket. If that was his reason for coming, it took him an awful long time to get around to it.

KEN (CONT'D)

Presumptive, of course...

(a beat, translating)

That is, not final.

FRANK

I know what it means to presume.

Frank snatches the paper, eyeing it mistrustfully. From elsewhere in the house, the clang and clatter of pots and pans mix with children's laughter and Karen's muted voice.

KEN

Frank, can I ask you a question?
You and Nick were very close...

FRANK

My kid brother.

KEN

I assume you'd know if there was anything... I don't know, something he wouldn't necessarily tell Karen.
(a beat, how to say this?)
Like hidden... relations?

FRANK

All my brother's relations are under this roof. That's them banging away over your head.

KEN

Well, see, the reason I ask is...

But Ken stops. He hasn't got the nerve to say it. Yet there is something in Frank's stare to suggest he doesn't have to.

FRANK

(too firmly)
My brother was a family man, Mr. Feinberg. We're not signing anything.

KEN

Karen is going to have to put food on the table, Frank, send the boys to college...

FRANK

Nick died because people like you held the purse strings. Now you think you can make it right by taking a few hours out of your busy schedule to toss money on his grave?

Frank tosses the claim papers to Ken's feet.

FRANK (CONT'D)

Karen and the boys are joining the lawsuit. With me.

INT. FEINBERG HOME - FOYER - NIGHT

Dede squeezes through the front door, juggling Leslie and a mammoth satchel of baby things. She finds the house dark. Flickering candles edge the floors. Chet Baker croons a melancholy melody on the stereo. Jazz, but the romantic kind.

INT. FEINBERG HOME - DINING ROOM - NIGHT

Dede inches in cautiously. The table is set with fine china.

KEN

I didn't think you'd be in the mood
for peanut butter and jelly, so I
ordered take out.

Ken holds a pair of champagne flutes. This is unexpected.

DEDE

I... I'll call Bea. Maybe they can
watch Leslie.

Dede shoulders Leslie, picking up the phone. No dial tone.

KEN

I unplugged it.

DEDE

(disbelief)
And your cell?

KEN

The only people I want to hear from
tonight are under this roof.

Ken trades Leslie for a glass of champagne... Sniffing her.

DEDE

(re: diaper)
I can do it...

KEN

Not a chance.

Ken whisks Leslie away, moving up the stairs.

KEN (CONT'D)

Why don't you just sit down and start
making friends with Mr. Dom Perignon?

DEDE
 (suspicious)
 Ken... what did you do?

DISSOLVE TO:

The candles have burned down. Leslie sleeps in her high chair. Ken and Dede are on their second bottle of champagne. They sit in silence. Dede savors her new man. She licks a thumb to wipe a blotch of orange baby-mush from his sleeve...

DEDE (CONT'D)
 Looks like you spilled some Gerber's.

INT. FEINBERG HOME - LESLIE'S ROOM - NIGHT

Ken tucks a snoozing Leslie into her crib, planting a gentle peck on her crown. She shifts, nearly rousing. Ken holds his breath. After a moment, Leslie eases back into her slumber.

INT. FEINBERG HOME - MASTER BEDROOM - NIGHT

The lights are dimmed. Dede is posing lengthwise, under the satin bedsheet. Odalisque. She beckons, seductively. Ken spreads a ravenous grin and slowly, dramatically, crawls onto the bed. The tense thrill of attraction. Until...

DEDE
 Ouch, my foot!

KEN
 Sorry!

Ken shifts his weight, pinching the flesh of Dede's thigh.

DEDE
 Ay!

KEN
 Sorry, sorry...

A beat. These two are definitely out of practice.

KEN (CONT'D)
 (depressing)
 Maybe we better just...

But Dede silences Ken with a forefinger to his lips.

DEDE
 Shh...

She shakes her head, "We can do this." And slowly, sultrily, slides her finger into his mouth. Ken sucks on it for a moment. His eyes flutter shut.

DEDE (CONT'D)
Oh, Christ...

Dede cracks up, laughing.

DEDE (CONT'D)
(trying to control herself)
Sorry, I'm sorry!

But the giggles are contagious and soon Ken, too, is rolling in hysterics... Laughing. Just laughing. Until they roll apart, spent.

KEN
Oh, my god... Was it good for you?

It may not be sex. But right now, it is good enough.

INT. FEINBERG HOME - KITCHEN - DAY

Dede is indulging a rare moment of peace, frying up pancakes and grooving to classic rock on the stereo. Miles Davis has been displaced from Ken's turntable. A Creedence Clearwater Revival record spins. This is Dede's music.

TINKTINKTINK! Dede jumps, startled. She looks up.

Deborah is at the French doors, tapping a car key against the glass. She indicates her cell phone, "Where's Ken?"

Dede frowns.

INT. KENNETH FEINBERG & ASSOCIATES - CORRIDOR - DAY

Ken, Deborah, Jordy, and Camille stride, an air of urgency.

JORDY
Someone leaked our numbers to the press.

DEBORAH
We're guessing DOJ, trying to lower expectations before the deadline.

CAMILLE
I'm dodging calls from the Post, the Times and CNN.

KEN
What do I have today?

CAMILLE
(re: schedule)
Hearing, hearing, hearing... Looks
like hearings. Booked solid.

KEN
Good. That's what works.

DEBORAH
Does it, Ken?
(off his look)
Don't get me wrong, these one-on-
ones are great PR. And people do
seem to appreciate the time. But no
one is actually changing their
minds about the Fund.

KEN
Define "no one."

And by now, they have reached their destination. Jordy
unlocks the door of a walk-in file closet.

INT. KENNETH FEINBERG & ASSOCIATES - FILE CLOSET - DAY

A small room with a tiny table and a single chair. The walls
are lined from top to bottom with steel file cabinets.

JORDY
The drawers marked green are the ones
we've signed. About 1,800 families.

Jordy indicates a row of 5 drawers marked green. On the
opposite wall, over a dozen other drawers are marked red.

JORDY (CONT'D)
That leaves approximately 3,600,
still uncommitted. 99 percent of
whom are seriously considering
legal action.

Oof.

CAMILLE
On the bright side, only 98 percent
of them still blame you.

JORDY
The good thing is, they have a leader...

Jordy slaps a thick file into Ken's hands... "CHARLES WOLF."

JORDY (CONT'D)
He requested a face-to-face.

KEN
(relenting)
Fly him down. I'll hear him out.

DEBORAH
It's not that simple.

JORDY
He's got major problems with our numbers...

KEN
This isn't about numbers, these families
want to be heard.

DEBORAH
This is a lawsuit, Ken! No amount of
listening makes it go away.
(a beat)
You're going to have to decide how
much more you're willing to give.

INT. KENNETH FEINBERG & ASSOCIATES - FILE CLOSET - DAY

Ken pores over charts and figures at the cramped table.

CAMILLE
The meeting's set for tomorrow. Here's
a printout of Wolf's complaints. And
Jordy mocked up a version of our
charts with his numbers factored in.

She drops yet another stack of binders onto the desk.

KEN
(dreading it)
Thanks...

CAMILLE
If that's all, it's Sunday. I think
I'm going to work from home tonight.

Camille shuts the door on her way out. Leaving Ken alone with
his numbers. And Charles' numbers. Everyone's numbers.

INT. KENNETH FEINBERG & ASSOCIATES - CORRIDOR - NIGHT

A JANITOR buffs the marble hallway, flipping off fluorescent light-banks as he passes. iPod MUSIC twitters from his ears. He locks the door to the file closet...

INT. KENNETH FEINBERG & ASSOCIATES - FILE CLOSET - NIGHT

Ken jolts from a doze, his cheek indented with calculator keys. He sees the blurry passing figure of the Janitor, through the frosted glass.

KEN

Hey, wait!

INT. KENNETH FEINBERG & ASSOCIATES - CORRIDOR - NIGHT

The SOUND of pounding from within the file closet... But the Janitor is too busy bouncing along to Tupac.

INT. KENNETH FEINBERG & ASSOCIATES - FILE CLOSET - NIGHT

Ken pats pockets, but finds no keys, no cell phone. A glance at the table, spread with graphs and figures.

KEN

Goddammit!

Ken sweeps the table clear in a single motion. He slumps to the chair, facing a bleak wall of drawers, all red.

All except for one at the bottom. This drawer is marked in gray. It reads... "HOLDOUTS." Intrigued, Ken opens the drawer and withdraws its contents. A thin stack of case files. Ken opens the top folder... "GRISELDA SOTO."

FULL FRAME: The file is a single page... "AGE: 81. IMMIGRATION STATUS: ILLEGAL. INTEREST IN FUND: NONE. INTEREST IN LAWSUIT: NONE. PLAN OF RECOURSE: NONE."

INT. KENNETH FEINBERG & ASSOCIATES - FILE CLOSET - DAY

A shaft of light washes over Ken, hunched at the table. Case files are spread out all around him. Photos and personal information, all stamped in grey ink... "HOLDOUT."

CAMILLE

Call off the search party, I found him!

Jordy and Deborah hustle over. Ken looks up, eyes bloodshot. He has not slept. He checks the time, suddenly in a rush.

KEN

I have to go. Camille, get me on the first flight to New York.

CAMILLE

New York? You have a meeting with Charles Wolf...

KEN

Reschedule.

DEBORAH

He's waiting in the conference room!

KEN

You take it. I don't have time to argue about numbers right now.

Ken gathers the "HOLDOUT" files and sweeps into the hall.

INT. KENNETH FEINBERG & ASSOCIATES - CORRIDOR - DAY

Deborah hotfoots to catch up to a striding Ken.

DEBORAH

Where the hell are you going?

KEN

(producing "SOTO" file)

This is an 80-year-old woman on a fixed income whose son and primary caretaker died in the attacks. She won't take our money, she won't sue...

DEBORAH

She's 80 years old!

KEN

And she's got no one left. Go worry about a lawsuit, I've got a stack of men and women here who are doing nothing.

DEBORAH

Ken, you can't force every person...

KEN

My mandate is to help these people!

Deborah smacks the files out of Ken's hands, cutting him short... The papers scatter across the floor.

DEBORAH

Your mandate was to bring this in at 75 percent! But you had to be a hero and bank our careers on 90.

(a beat, sinking in)

That's right. Not just yours... And I think at this point, we'd all be happy to settle for breaking 50.

KEN

Screw the numbers!

Heads turn in adjoining offices.

KEN (CONT'D)

To hell with checking these people off a list just so they stay out of court and keep their mouths shut long enough for a photo op with the American flag!

DEBORAH

You're way out of line, Ken. This isn't hush money, and you know it.

KEN

It is if we're too afraid to listen.

Ken collects the "HOLDOUT" files from the floor.

KEN (CONT'D)

Let them sue. Anyone who turns down 2 million dollars tax free in favor of a go-nowhere lawsuit does it because they have something they need to say and because saying it is the only way they can find to move on with their lives...

(re: "HOLDOUT" files)

These people are still looking for one.

He looks up... Sees Charles Wolf at the conference room door.

KEN (CONT'D)

(without missing a beat)

Good day, Mr. Wolf.

And Ken departs. Leaving Wolf speechless. Deborah, in shock.

EXT. SPANISH HARLEM - SOTO TENEMENT BUILDING - DAY

A very different world from any we've seen thus far. Ken struggles to compare the address from the "SOTO" file to faded marks on the door of the dilapidated tenement.

A half-dozen WOMEN and CHILDREN peer out warily from various tiers of the fire-escape, spying on Ken.

KEN

Hi there...!

The women and children duck back inside. Ken sinks.

MO

You INS?

MO is a 12-year-old boy, tawny, scrawny, streetwise. He blows bubble-gum from a perch on the stoop railing.

MO (CONT'D)

They think you're INS.

KEN

I'm not. I'm looking for Mrs. Soto. Her son was killed on 9/11.

MO

People die here every day.

KEN

But she's entitled to...

(searching)

The government wants to give her a lot of money. It's like she won the lottery.

MO

Ha. I knew you were government.

INT. TENEMENT BUILDING - SOTO APARTMENT - DAY

A dingy railroad flat. 5 or 6 folding tables occupy the majority of floorspace, suggesting that if this was once merely a dwelling it is now a workspace. Ken notices a pair of triple-beam balances, a digital scale, plastic baggies.

KEN

Does she live here alone?

A FIGURE ducks from a dark doorway. Ken catches the profile of a shaved head, sunglasses, a glint of metal in hand.

MO

No, she was living here before with Berto. Since he died, these other ones pay the rent. I guess they don't mind her staying.

Ken takes a deep breath, swallows, moves on. They reach a closet-sized bedroom, where a wrinkled grandmother sits on a rickety cot. This is GRISELDA SOTO. Ken kneels to greet her.

KEN

Hola, Señora Soto.

Griselda looks up, longingly, her eyes milky with cataracts.

GRISELDA

Buenos tardes.

MO (SUBTITLE)

I'm here with a man who wants to give you money.

Griselda responds in Spanish. Something clatters in another room. Muffled voices.

MO (CONT'D)

She says she don't need any money.

KEN

Tell her it's for her son, for Berto.

Mo translates into Spanish.

GRISELDA (SUBTITLE)

Oh, that's nice...

MO (SUBTITLE)

You can use it for anything you want. And no need to worry anymore about immigration.

GRISELDA (SUBTITLE)

That would be very nice.

Ken produces the claims form, filled out in his hand.

KEN

The form is all filled out. All she has to do is sign, here.

Mo translates. Griselda responds.

MO
She says she don't see good enough.

GRISELDA
(in broken English)
Leave here... Roberto read...

KEN
Oh! Wonderful. Roberto, is that her nurse?

MO
Her son.

Mo taps the case file under Ken's arm...

FULL FRAME: A photo of a handsome, young man, ROBERTO SOTO.

KEN
(remembering)
Roberto Alejandro...

Griselda lights up at the name, speaking in Spanish.

MO
She says he'll be home for dinner.

Ken darkens.

GRISELDA (SUBTITLE)
Berto will be so excited for the
money. He works so hard.

Ken is staring at a death certificate... "ROBERTO SOTO."

KEN
Miss Soto, your son... Tell her...

Mo gives him a look, "are you sure?" Ken fades. He takes back the form with a shaking hand. Moving to go...

GRISELDA (SUBTITLE)
Oh, but leave the paper! Berto can
sign it when he comes home...

KEN
Miss Soto, your son is dead.

And there it is. Only in the wrong language.

KEN (CONT'D)
(to Mo)
Tell her.

After a reluctant beat, Mo does so.

GRISELDA (SUBTITLE)
You are confused.

KEN
(to Mo, who translates)
He died on September 11th...

GRISELDA (SUBTITLE)
No, not Berto...

KEN
Another busboy who survived said Berto
stayed behind to care for a woman who
twisted her ankle on the stairs...

GRISELDA (SUBTITLE)
That was not Berto.

KEN
Your son was a hero.

A beat. Mo's translation catches up. Griselda sits back.
Perhaps the truth even sinking in.

GRISELDA
Thank you.

KEN
That's what the money is for. For
Roberto. For your loss.

Ken sets the form in her lap. Lays his hand on hers...

KEN (CONT'D)
Tell her, I'll send for a lawyer. He
can help you put the money in a bank.
(a beat)
I am sorry. I wish Roberto was here,
instead.

GRISELDA (SUBTITLE)
Me, too.

Ken squeezes her hand. A bittersweet smile. Satisfied, at
least, at last, he's made a difference. He moves to go.

GRISELDA (SUBTITLE) (CONT'D)
I'll give these to Berto, when he
comes home.

Ken stops at the door.

GRISELDA (CONT'D)
 (in broken English)
 Berto be very happy for money.

Ken pales.

GRISELDA (SUBTITLE) (CONT'D)
 Thank you, sir.
 (a beat, and this is true)
 You are a good man.

INT. KENNEDY AIRPORT - DOMESTIC TERMINAL - DAY

PASSENGERS board the D.C. shuttle. Ken paces at the gate, squeezing in one last call. Desperation in his tone.

KEN
 (into phone)
 Please tell Mr. Currin I can be in
 London by tomorrow afternoon...

The FLIGHT ATTENDANT announces "Final Call" over the intercom. Ken holds up a finger to stall her.

KEN (CONT'D)
 But did you tell him it comes with
 no strings at...?
 (a beat, fading)
 No, I understand.

INT. DAVID'S HOME - LIVING ROOM - NIGHT

Both Feinberg clans are united for a shared Sunday supper. Bea and Dede sip wine at the table. The boys play with their cousin Leslie on the floor. David watches the TV, where his beloved Celtics lose another. He clicks it off with a grumble.

INT. FEINBERG HOME - DINING ROOM - NIGHT

Ken is hunched at the table. Yet another file is spread out before him. A gray label marks it... "HOLDOUT." But Ken is more occupied at present with a Red Label. In fact, he has put a pretty solid dent in the bottle.

DAVID
 (from the doorway)
 Maybe you ought to call it a night.

KEN
(without looking up)
Is this going to be another speech?

Ken belts a slug, wincing. He is not much of a drinker.

KEN (CONT'D)
Because I'll do you one better: I'm
stuck! I don't know what I'm doing wrong.
I don't know how to do it right. I want
to help, but I got 3,600 people who hate
my guts for trying and the rest...
(re: "HOLDOUT" files)
Hardly know what day it is. So please,
Dave, for godsake, tell me what to do.

DAVID
You're doing the right things, Ken.

KEN
Jesus Christ, I hope not! Because I
promised the President... To hell with
the President! I owe these people!

DAVID
You're giving these people everything
you have.

KEN
I'm trying. I... I tried talking, I
tried listening. About their lives,
about what they lost. Two years of this.
They're the ones in grief, but half the
time I'm paralyzed. What do I say? I
just sit there... Like a fucking sponge!

DAVID
You're doing everything right...

KEN
Well, it's not working!

Ken shoves the files away, splashing his whiskey. The amber liquid seeps into the paperwork. Like a sponge. David pulls the files out of the spilt whiskey. Drying them.

KEN (CONT'D)
Tell me, Dave. What can I do?

DAVID
Do what you do better than anyone.

KEN

I'm a calculator...

DAVID

These people need that! They need a sponge. But they also need that. They need someone who can sit there and take it, then dust himself off and do the job: the best he can for the most he can. They need someone who can live with that.

Hold on Ken, as this sinks in.

INT. DOJ - OFFICE OF THE ATTORNEY GENERAL - DAY

Ashcroft slurps coffee, skimming "VCF" charts and figures.

ASHCROFT

I hear you've been out of the office. Meeting with these... what do they call them, "holdouts?"

(Ken nods, warily)

And they're still doing nothing?

KEN

For the most part, they show no interest in the Fund.

ASHCROFT

Or the lawsuit?

(a beat, a nod)

So out of curiosity, how many are we talking? 200, 300 families?

KEN

Approximately 12.

ASHCROFT

But they command special regard, is that it? As they go, so go the lot of them? That sort of thing?

Ashcroft is offering Ken an out. But Ken is beyond that.

KEN

Most people don't know they exist.

ASHCROFT

Yet you've been focusing on them...

KEN

I've devoted some...

ASHCROFT
 (cutting him off, sternly)
 With 2 weeks to go.
 (a beat, sitting back)
 You know, Ken, I've been known to have
 whole wet dreams in which all I fancy
 is the public humiliation of a member
 of the Democratic party. It's true. But
 this here, this ain't politics.

Ashcroft sits forward, a look: "You owe me one, pal."

ASHCROFT (CONT'D)
 (into INTERCOM)
 Paul, draft up a bill to extend the
 VCF deadline...

KEN
 (eyes widen)
 No!

ASHCROFT
 No? Numbers like these, you ought
 to be begging for an extension.

KEN
 More time won't help.

ASHCROFT
 Listen, just cause you're neck-deep and
 starting to like the sound of gargling...

KEN
 Sir, I'm confident...

Ashcroft slams the table.

ASHCROFT
 Damn it, Ken, I'm trying to save your
 ass! These people need more time!

But Ken is calm. Confidence welling back from someplace deep.

KEN
 These people need to make a decision. No
 one ever did that without a deadline.

ASHCROFT
 So I can promise the President,
 what? 12 more families? Out of
 6,000?! While the rest of them sue
 us to hell?!

KEN

No, sir...
 (just coming to this himself)
 We're shifting focus back to the
 potential litigants.

ASHCROFT

Shit, Ken, if I didn't know better...
 (stops, hearing this last)
 Back to the litigants?

KEN

Yes, sir.

ASHCROFT

Well, shit... And you think... That
 is, you feel confident about this?

KEN

(freshly determined)
 You can tell the President I'll
 deliver his 90 percent.

INT. KENNETH FEINBERG & ASSOCIATES - CORRIDOR - DAY

Deborah keeps up as Ken hustles down the corridor.

DEBORAH

What do you mean no more holdouts?

KEN

We're moving on.

And into the conference room.

INT. KENNETH FEINBERG & ASSOCIATES - "WAR ROOM" - DAY

The entire firm has assembled for an announcement.

KEN

Okay, everybody, listen up! For the
 next 10 days, all other business stops.

A murmur through the crowd. Ken's stare meets David's -
 finding approval, support.

KEN (CONT'D)

Jordy has a script and Camille has
 a list of the potential litigants.
 We start rolling calls immediately!

And that's it. Jordy and Camille begin to pass out binders and field a battery of baffled questions.

DEBORAH

All these extra hands are swell, Ken.
But this isn't telemarketing. What makes you think they'll be any more successful selling the Fund than we were?

KEN

They're selling a different Fund.

Ken slaps a new document into her hand... "VCF SCHEDULE OF MINIMUMS - REVISED."

KEN (CONT'D)

I doubled the dependent minimums.

DEBORAH

You...? 100,000 per?

Ken nods. Deborah processes this, confidence returning.

DEBORAH (CONT'D)

Boy, am I glad you're back.

The current NUMBERS are posted on the BIG BOARD... "1,938 JOINED. 3,623 REMAINING. 35%."

DISSOLVE TO:

INT. KENNETH FEINBERG & ASSOCIATES - "WAR ROOM" - DAY

The CALENDAR has been 'X'ed out. There is 1 week remaining. Jordy tabulates the latest numbers... "2,836 JOINED. 51%."

JORDY

We just broke even!

Fists pump in a silent cheer. Making progress. If slowly.

INT. KENNETH FEINBERG & ASSOCIATES - KEN'S OFFICE - DAY

Ken is on a speaker-phone conference call. He seems pleased.

KEN

I think your client is making a very wise decision, Ms. Chen...

Camille peeks in. Ken presses the "MUTE" button.

CAMILLE
Lawyer from Queens.

KEN
Take a message.

CAMILLE
He already left one. Name's...
(re: note)
Alexander.

Ken stiffens.

CAMILLE (CONT'D)
He asked if you "spoke to her." Said
to tell you, you have until Sunday.
He said you'd know what that meant.

She ducks back out. Ken pales. Still holding "MUTE." Frozen.

LAWYER (ON SPEAKER)
Mr. Feinberg? Mr. Feinberg...?

INT. FEINBERG HOME - LIVING ROOM - NIGHT

The wee small hours. Ken sits awake, Leslie asleep in his arms. His cheeks are sallow with dried tears, or maybe just exhaustion. MUSIC plays softly on the turntable. But not jazz. It is Dede's Creedence record, the song Feelin' Blue.

The stairs creak. Dede enters drowsily, in her nightgown.

DEDE
You and Miles have a fight?

KEN
(reaching for the REMOTE)
Sorry, I'll turn it down.

DEDE
No, leave it. What happened to your jazz?

KEN
Change in perspective, I guess.
(a beat)
I'll be up soon. Why don't you go back
to bed?

Dede steps up behind Ken's chair. She lays a tender, caressing hand on his shoulder. Ken flinches.

KEN (CONT'D)
Go on. I'll just be a minute...

DEDE
You did your best.

Ken squirms. Dede holds him tighter.

DEDE (CONT'D)
Hey...
(turning his head to hers)
This is not on you.

Ken turns away, trying to hold it back.

KEN
Please...

DEDE
(grabbing him)
The good ones and the bad ones, Ken.
They're not on you.

KEN
(tearing up)
Please, just...

But Dede holds him tight. Won't let him get away.

DEDE
They are not on you.

Ken sobs. Dede clutches him tighter, ever tighter...

DEDE (CONT'D)
It's not on you.

INT. KENNETH FEINBERG & ASSOCIATES - "WAR ROOM" - DAY

Another shift of attorneys man the phones. 4 days remain. But the numbers on the big board are bleak: "3,225 JOINED. 58%."

Ken sits in silence. He is regarding the Abate file...

FULL FRAME: Karen and Nick Abate's wedding portrait.

Ken slaps the file shut with a steely look. He slides it into his briefcase. The time has come.

INT. KENNETH FEINBERG & ASSOCIATES - CORRIDOR - DAY

Ken pulls on his coat, moving with purpose towards the exit.

CAMILLE

Ken... Where are you going?

KEN

I'm taking an earlier flight to the city. There's some business...

CAMILLE

Well, can you take one more, first?

KEN

I thought I was clear for the day.

INT. KENNETH FEINBERG & ASSOCIATES - OUTER OFFICE - DAY

Ken lurches to a stop. Charles Wolf sits tensely on the waiting area couch.

CAMILLE

I thought so, too.

Wolf rises to his feet. Ken girds himself, uneasy.

KEN

I hope you heard we doubled the dependent minimums.

CHARLES WOLF

I'm not here for that.

KEN

I know it's only a start, but I do think it brings us more in line with...

CHARLES WOLF

I'm not here about numbers.

KEN

(a beat)

If it's about me running out on our meeting, I want to apologize. I know there's no good excuse, but...

CHARLES WOLF

I understand you went to see Mrs. Soto.

Ken stops.

CHARLES WOLF (CONT'D)
Griselda Soto? Mother of...

KEN
Roberto Alejandro.

CHARLES WOLF
He had a sister in San Juan who found us on the web. She's angry at the City. She feels errors were made with emergency response. Avoidable, foreseeable errors... She's encouraged her mother to take legal action. She asked me to approach Mrs. Soto about the lawsuit, which I did.

KEN
(catching on)
And Mrs. Soto was grateful you came. She told you, "Please leave the papers... Berto will read them when he comes home."

A beat. Wolf softens in acknowledgment of their shared frustration. Their shared pursuit. This is what he came for.

CHARLES WOLF
Is your stenographer in?

INT. KENNETH FEINBERG & ASSOCIATES - KEN'S OFFICE - DAY

The mini tape recorder whirs softly on the desk.

CHARLES WOLF
Is there some way... How do people usually go about this?

KEN
Up to you, there's no protocol.

CHARLES WOLF
(dismally)
Oh... I see.

Ken marvels at Wolf, so tentative here, so wretched. He can hardly believe this is the same composed, authoritative man.

KEN
Well, sometimes people like to start with an object. Is there anything that belonged to your wife...?

CHARLES WOLF
 (brightening)
 I have this tape.

Wolf produces a cassette tape from his coat.

CHARLES WOLF (CONT'D)
 I had thought I would submit it for
 the record.

KEN
 We can play it now, if you like.

Charles nods, gratefully. Ken takes the tape and inserts it into the stereo behind his desk. He presses "PLAY" and the tape crackles to life, an old recording.

CHARLES WOLF
 Kath found this a few years ago,
 when she travelled back to Swansea
 for her father's funeral.

ON TAPE: The sound of shuffling. Then a little girl's voice (KATHERINE), very English, very proper...

KATHERINE (ON TAPE)
 To my mummy and daddy, I would like
 to sing "All Things Bright and
 Beautiful..."
 (singing)
*All things bright and beautiful,
 All creatures great and small,
 All things wise and wonderful:
 The Lord God made them all...*

The singing is blithe, seraphic, otherworldly. From someplace long ago and lost forever. Charles sobs, openly, letting go. Ken has nothing to do but watch, heartbroken. And feel.

INT. STATEN ISLAND CIVIC CENTER - AUDITORIUM - NIGHT

The site of our last VCF town hall meeting. The auditorium is packed to overflow with 9/11 families. Astonished murmurs percolate the assembly, in reaction to a large banner that spans the stage. It reads... "THE FUND IS FIXED!"

On stage, Ken sits with Dede, Deborah, Jordy and Camille. Dede squeezes his hand as he makes final corrections to the pages of a speech. Charles Wolf speaks from the podium.

CHARLES WOLF

As most of you know, ever since the Fund began almost two years ago, I have been one of Kenneth Feinberg's harshest and most public critics.

This elicits appreciative, respectful nods.

CHARLES WOLF (CONT'D)

He can make a cold first impression. But I have come to see that what lies at his core is a desire to help.

At this, the crowd falls silent.

CHARLES WOLF (CONT'D)

If you give him a chance, I believe you will find that Mr. Feinberg is committed to hearing your concerns and increasing our awards in every legitimate way he can.

Wolf nods to Ken, who rises to take the floor.

HECKLER

How much did he increase yours to get you to betray us?!

Wolf pales.

CHARLES WOLF

Please, I would never...

HECKLER

Judas!

KEN

(scrambling to intercede)
Please...

FRANK

You can keep your blood money!

This comes from Frank Abate, at the back of the crowd. His gaze meets Ken's. It is bitter, accusatory. He stands.

FRANK (CONT'D)

Let's get out of here...

A whole section stands with him, many of them fellow FDNY. They depart noisily, leaving the remaining crowd in a dither. Ken lingers frozen at the microphone, as the room erupts in disgruntled chatter. A replay of the first town hall melée.

The beam of a slide projector falls onto a screen behind Ken. He squints, a deer in headlights. Then notices that he is missing his speech. The pages lay abandoned on his chair, out of reach. Deborah quickly hands them up.

KEN
(shuffling pages, stalling)
Ladies and gentlemen...

FULL FRAME: The speech. Paragraphs of text, separated by charts from the corresponding slide presentation. It reads...
"I AM HERE TO PRESENT THE REVISED CLAIMS CALCULATION..."

KEN (CONT'D)
(reading)
I am here today...

Ken stops. All the faces in the crowd. Ken lowers the speech.

KEN (CONT'D)
Mr. Abate is right, I don't deserve
your trust.

The chattering stops. The team shares a worried look.

KEN (CONT'D)
Most people only agree to trust me on
judge's orders. For you, an act of
Congress. The only person who does
seem to trust me on a daily basis is
my wife, don't ask me why, and my
daughter Leslie. But she'll learn
better just as soon as she can talk.

This garners a few snickers in the crowd.

KEN (CONT'D)
I'm really here today to tell you
I'm a jerk.
(off Dede)
And one lucky jerk, at that. One
with a beautiful wife and a baby.
And a brother and a family that puts
up with me. I work hard, but I've
had every advantage. I earn a living
that puts me in the upper class of
the wealthiest nation in the world.
But don't get me wrong, I'm still
complaining! None of that ever
stopped me from wanting more.
Because I'm a lucky American jerk.
(a beat)
Most of you were, too.
(MORE)

KEN (CONT'D)

Your lives changed, mine didn't. Me, and a lot of others. We know nothing about your loss. And I hope to god, we never do. But I will tell you this. If Leslie ever came home from the playground with so much as a hangnail or a chipped tooth at somebody else's hand, and the government sent some heartless jerk up on stage offering to bring me "justice," telling me what I ought to do, how I ought to "act sensibly" and "move on..."

(gaining steam)

Well, I'd give that jerk a piece of my mind. Maybe I'd take his money, maybe I'd demand more. Probably, I'd just tell him where to stick it. Because I don't care what he had to give me, it could be all the money in the world... It could never be nearly enough.

A long beat. Silence.

DEBORAH

(stunned)

That was different.

Ken offers Wolf a heartfelt nod, then grabs his coat, descends the stage, walks up the aisle, and out the door.

CAMILLE

Where the hell is he going?

Dede smiles, proudly, knowing.

EXT. STATEN ISLAND NEIGHBORHOOD - ABATE HOME - NIGHT

Ken mounts the front porch, steeled and determined.

FRANK (O.C.)

She ain't home.

Ken jolts. A point of flame flares in the darkness. Frank shifts in the shadows, creaking the rusted porch swing.

FRANK (CONT'D)

Kids are asleep. Karen and Irene are having a girls' night.

He aims his cigarette at an identical tract HOME across the way. Through the lit kitchen window, Karen and IRENE ABATE are visible, gossiping gaily.

KEN

Is that your house? My brother and I are neighbors, too.

Frank blows smoke.

FRANK

I don't know what kind of lawyer talk you put in Wolf's ear, but you can put it away. And the checkbook, too. We're fighting for Nick.

KEN

I can accept that.

FRANK

But you think you know better? For Karen, anyways? And the boys?

KEN

I wouldn't presume...

FRANK

You think she's not strong enough. Or too strong. You see her being loyal to a dead man and you can't understand why.

KEN

It's not my place to understand. Or judge anyone. Mrs. Abate needs to do what she thinks is right.

FRANK

(sizing Ken up, suspiciously)
She will do that. No need for you to keep dropping by, stirring shit up.

KEN

The Fund ends tomorrow. This is the last you'll see of me.

FRANK

Well, that's the first thing out of your mouth I can honestly say I'm happy to hear...

KEN

But...

Frank creaks forward in the swing, darkening.

FRANK

But what?

KEN

There's something Mrs. Abate has to hear, first. Before she does whatever she thinks is right.

FRANK

Oh?

Frank stands, coming face to face with Ken, imposing.

FRANK (CONT'D)

Well, like I said, her and Irene are busy for the night. So you can tell me and I'll pass it along.

KEN

I'd rather tell this to Karen in person.

FRANK

We don't have any secrets in this family, Mr. Feinberg. Whatever it is, you can tell it to me.

KEN

(a beat)

I don't think I have to. I think you already know.

Frank shoves past Ken, into the house.

INT. ABATE HOME - FOYER - NIGHT

Ken follows Frank through the door.

KEN

Frank...

FRANK

Nick was loyal to this family.

KEN

This isn't about Nick.

FRANK

He was loyal to me!

(face to face, heated)

He went back into that tower for me.

(MORE)

FRANK (CONT'D)

You know that? I didn't tell you that part. For all I know he heard the call to evacuate and said, "Fuck it, my brother Frank's in there. I'm going in." Meantime, I was too busy sitting on my ass, fiddling with a radio.

Frank heaves. All the rage, bitterness aimed inward, now.

FRANK (CONT'D)

You think because he made mistakes, I don't owe him? Karen don't owe him? Everyone does things they ain't proud of, maybe some of us even make a habit of it...

(searching)

What if you croaked tomorrow? You got a family. What's your secret? What's the worst thing they'd find out? Maybe sometimes you were just looking out for number one, no holy motives? Every once in a while, on a full moon, say... When you weren't out there being a hero?

KEN

I'm no hero.

FRANK

Yeah, but you're no devil, either. Those things you do, those selfish things, they may make you ashamed, they may even keep you up at night, crying to your own brother.

(a beat)

That's right, Mr. Feinberg, Nick wasn't proud of it. But I told him then what I'm telling you...

(grabbing Ken, tears falling)

Those things don't make you who you are. Nick was a good man. He was a family man. He just loved so much...

Ken is deeply moved. But he must stay on track.

KEN

Nick would want his children taken care of. All of them. He wouldn't put himself above that. Because that kind of mistake, that does make you who you are.

(a beat)

The other family will be joining the Fund as full beneficiaries.

(MORE)

KEN (CONT'D)

I would rather Karen doesn't find out when she reads it in the report.

Frank swallows hard. He nods, "I'll tell her."

KAREN (O.C.)

What are their names?

FRANK

Karen!

Frank wheels around to see Karen in the doorway. She keeps her gaze on Ken, abandoning Frank to his guilt.

KEN

Jenna and Belle.

A long beat. Crushed. But somehow stoic.

KAREN

He always wanted girls.

Her sheer calm is shattering. Ken toughs it out.

KEN

(producing a CLAIMS FORM)

The information is all filled out. This isn't a hard sell, but if do you change your mind, I can bend the rules and make you both full beneficiaries.

Ken sets the form on a stand by the door, avoiding Karen's eye, knowing it would be the end of him. He departs.

INT. KENNETH FEINBERG & ASSOCIATES - "WAR ROOM" - DAY

3 days to go. The whole firm is assembled, ready to process a last-minute flood of applications. The big board reads...
"3,325 JOINED. 2,125 REMAIN. 61%."

INTERN

Mail's here!

The room takes a collective deep breath as an INTERN rushes in, trailed by the African-American dreadlocked MAIL WOMAN.

MAIL WOMAN

Who wants to sign for these?

She holds up maybe 20 Express Mail envelopes. That's it. Deborah, Jordy, Camille, and Ken exchange a glum look.

DISSOLVE TO:

2 days left. The board tally has climbed by a digit... "62%." The firm waits in tense silence as the Mail Woman returns...

A dozen more envelopes.

DISSOLVE TO:

The calendar is 'X'ed out. Deadline day. The rest of the firm has been dismissed. Only the stalwart team remains.

The board still reads... "62%." A death knell.

Ken squeaks back in his chair and stands. He walks out. The ladies exchange a look.

CAMILLE
Bathroom break?

JORDY
Maybe he's hiding 2,000 families in there.

The ladies laugh, enjoying a moment of levity, all the strain and frustration temporarily abated. The Mail Woman enters. The ladies instantly clam up, hopeful...

The Mail Woman sets a bundle of about two dozen envelopes onto the table. Better than nothing, but the ladies can't help but deflate. Failure.

The Mail Woman looks to the door... where another MAIL WORKER wheels in a handtruck stacked with bins stuffed with Express Mail envelopes.

DEBORAH
Are these all... Oh my god!

MAIL WOMAN
I got you 5 more bins in the truck.

The mail workers brush past Ken in the doorway.

CAMILLE
Ken, look!

Ken drops his jaw. He quickly helps the ladies unload and sort the hundreds of applications. Not quite relieved.

KEN
We're not even close to 80.

DEBORAH
But it's a good dent.

FRANK (O.S.)
Looks like this is the place to be.

Frank teeters anxiously at the door, clutching a claims form.
Ken looks up, surprised to see him. Pleased.

CAMILLE
(skimming Frank's form)
This all appears to be in order. Can
I get you anything, coffee, a bagel?

Frank takes in the "War Room." The sudden activity. Success.

FRANK
Better hit the road.

KEN
(stopping him)
What about...?

FRANK
(shakes head, apologetic)
She's her own person.

Ken fades.

KEN
I'm glad you came.

INT. OFFICE BUILDING - ELEVATOR - DAY

Ken is seeing Frank out. They stand in an awkward silence.

FRANK
You're from Boston, right?

KEN
Brockton, Mass.

FRANK
You hear the Sox just signed Schilling?

KEN
It's our year.

FRANK
Ha. Keep dreaming.

Their eyes meet. Nothing operatic, just mutual respect.

INT. OFFICE BUILDING - LOBBY - DAY

The elevator doors slide open, Ken and Frank emerge.

LIEUTENANT (O.S.)
Mr. Feinberg!

A uniformed Navy LIEUTENANT with a missing arm and a dozen other men and women have been waiting for the elevator.

LIEUTENANT (CONT'D)
Thank you.

He puts his application into Ken's hand. The other families follow, about half of them military. One by one, piling Ken's arms with applications. Presently, several more families enter the lobby. Few of them, we recognize. Ken knows them all and addresses each by name. No monumental words are exchanged, but none need to be.

Their eyes express appreciation for Ken's efforts, for his hard work, for his respect. But mostly, for leaving the choice up to them. Ken's eyes well with humility.

At the doors, a FEDEX MESSENGER struggles to wheel in a dolly stacked high with boxes of applications.

INT. KENNETH FEINBERG & ASSOCIATES - "WAR ROOM" - NIGHT

The team feverishly processes applications...

JORDY
I can't feel the ends of my fingers.

CAMILLE
And there's another hundred in the stack, at least.

DEBORAH
Should we wake the President?

JORDY
Let's get drunk.

DEBORAH
Let's get drunk in the morning.
Right now, I just want to sleep.

CAMILLE
Here, here!

KEN
All right, call it a night. I'll
lock up. Good...

ALL
(cutting him off)
Good work, ladies!

Exhilarated, exhausted laughter all around. The ladies gather their things. Ken embraces each as they depart. Deborah, last. They share a smile of deep affection, gratitude. Yet something in Ken's eyes belies his satisfaction.

DEBORAH
I know... Not all of them.

Ken ambles slowly to his dark office.

INT. KENNETH FEINBERG & ASSOCIATES - KEN'S OFFICE - NIGHT

Ken is left alone at his desk, lost in a clutter of memory and memorabilia. Pictures, fishing flies and tiny sailboats.

KAREN (O.C.)
Nick Jr. thought I should add this
to the collection...

Karen enters with Nick's tattered baseball mitt.

KEN
(shocked, hopeful)
Please, sit down.

Karen remains standing.

KAREN
Deborah let me in. Congratulations.
(a beat)
Did they come?

The other family. Ken changes the subject.

KEN
You make sure to thank Nicky for the
glove...

KAREN
Are they beautiful?

Ken balks. But this is what she's come for.

KAREN (CONT'D)

I'm sorry for them. Nick would have been a great dad for girls. I didn't know they were girls...

(a beat)

I didn't want to know.

And there it is. Karen knew about Marie. All along.

KAREN (CONT'D)

Nick used to slip out, after dinner. There'd be a phone call. He'd say, "That was Frank, there's a 3-alarm in the city." With the boys, we needed all the overtime he could rack up, so I'd kiss him goodbye. Pretend I couldn't smell he was lying... What kind of firefighter wears aftershave to a 3-alarm blaze?

(a beat)

Then I'd be over with Irene. Frank would come stumbling in after a few beers. I'd say, "How'd it go with the 3-alarm?" He'd look at me, know immediately, and with the straightest face you ever saw, go, "Nicky's just mopping up. He was a real hero, tonight. You should have seen him. May be awhile, though. Don't wait up."

(a beat, swallowing pain)

I don't hate him for that. That was the code. I don't hate Nick, either. I never wanted...

Karen chokes up, wiping tears. Ken helps her into a seat.

KEN

Of course not.

KAREN

But that woman? I used to think about her. I used to think, if those 3-alarms... If one of them turned out to be real. And she... Well, that'd be it. New York City would quit catching fire after every Abate family dinner, and I'd have my husband back. The boys would have their dad...

(stifling a sob)

I wished her dead. That was me.

KEN

You didn't do this, Karen.

KAREN
God tests us...

KEN
What happened to Nick had nothing to do...

KAREN
(standing to go)
I can't take the money...

KEN
It's not on you.

KAREN
I can't...

KEN
(grabbing her)
Wait! Do you hear me?

KAREN
I'm sorry... I'm so sorry...

Ken holds her close.

KEN
This is not on you.

INT. OFFICE BUILDING - CORRIDOR - NIGHT

Karen dabs bloodshot eyes as Ken sees her to the elevator.
She produces the crumpled claims form from her purse.

KAREN
(shaking her head)
Sorry.

KEN
Karen, please, it's not too...

She hands him the wadded up paper. The doors slide shut.

KEN (CONT'D)
...late.

Ken fades, crumpling the form. But stops. He sees something.

FULL FRAME: The balled up form. One line is visible. A
signature... "KAREN ABATE."

Ken freezes. Then leaps into action.

INT. KENNETH FEINBERG & ASSOCIATES - "WAR ROOM" - NIGHT

Ken rummages the applications on the conference table, finding the rubber "TIME RECEIVED" stamp. Ken thumbs the adjustable wheel, literally turning back the clock. He inks the stamp and brands Karen's claim... "RECEIVED."

Ken tucks the form in amidst the pile and stands back.

INT. FEINBERG HOME - LIVING ROOM - NIGHT

The house is dark. The television plays softly. Ken enters quietly, shedding his coat at the door. About to collapse onto the sofa, Ken notices Dede, fast asleep. Leslie, in her arms. A tender smile graces his eyes.

FULL FRAME: On TV. Archive News Footage. Iraq, Guantanamo, Orange Alerts. A nation no longer at peace.

Ken shuts it off. His war is over.

Careful not to wake Dede, Ken curls onto the couch beside her. He slides a gentle arm around her body, and his daughter's. And lays there like this, a long beat.

His eyes are bloodshot, spent, but he holds them open. Making himself take this quiet moment to cherish what he has.

Then his eyes fall shut. Ken drifts asleep.

SLOW FADE TO BLACK:

ROLL SUPERS, one after the next...

97% OF ELIGIBLE FAMILIES WHO SUFFERED A LOSS ON 9/11 OPTED INTO THE FUND.

THEY RECEIVED ALMOST \$7 BILLION IN TAX-FREE COMPENSATION.

FEWER THAN 90 PEOPLE ULTIMATELY DECIDED TO SUE. KEN DOUBTED THEIR CHANCES OF SUCCESS, BUT WISHED THEM THE BEST OF LUCK.

OF THE 12 "HOLDOUT" FAMILIES, 5 JOINED THE FUND. 7 REMAINED PARALYZED BY GRIEF. THEY DID NOTHING.

KENNETH FEINBERG'S FIRM REMAINS AT THE FOREFRONT OF MASS TORT MEDIATION.

BUT IN THE WAKE OF THE FUND, KEN SHIFTED HIS PERSONAL FOCUS.

LIFE SEEMED TOO SHORT TO WASTE ON THE FORTUNE 500.

THESE DAYS, HE TEACHES MORE, WORKS MOSTLY ON PRO BONO CASES, AND NEVER PLANS FARTHER THAN A YEAR IN ADVANCE FOR ANYTHING.

IN 2007, KEN OVERSAW THE DISTRIBUTION OF OVER \$7 MILLION IN CHARITY TO THE VICTIMS OF VIRGINIA TECH.

CAMILLE HAS BEEN STUBBORNLY BY HIS SIDE ALL THE WAY.

THE END