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Timeline of Creating the Original Performance Work, A Scotch Verdict

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Timeline of Creating the Original Performance Work, *A Scotch Verdict*

Part of the journal section “Essays, Studies, and Works”

Cynthia Goatley and Rebecca Burkhardt, "Timeline of Creating the Original Performance Work, *A Scotch Verdict*"

This timeline chronicles the process, collaboration, and creation of the musical *A Scotch Verdict*. This piece will open in a new tab. To navigate within the piece, click the links along the timeline and related content, and use your browser navigation tools.

[View the timeline.](#)

[The original article was an interactive timeline. See the screenshot of the introduction below. When *UNIVERSITAS* was archived in UNI ScholarWorks in October 2021, the format of the article was modified.]

Timeline of *A Scotch Verdict*
[Introduction](#) | [About the authors](#)

Fall 1997 Fall 1998 Nov 1998 Spring 1999 Summer 1999 Mar 2001 2002 Summer 2003 Summer 2004 Summer/Fall 2005
 Jan 2006 Summer 2006 Aug 06 - Jan 07 Jan 2007 Mar 2007 Nov 2008 Jan-May 2009 Summer 2009 Aug 2009 2010 - ??

Timeline of *A Scotch Verdict* Development

We first conceived the idea of writing a hybrid piece containing elements of opera and musical theatre in 1998. The musical, as we now call it, is based on Lillian Faderman's *Scotch Verdict*, which revolves around the true story of Jane Pirie and Marianne Woods who ran a boarding school for girls in 1810 Edinburgh, Scotland. The accusation of one of their students, Jane Cumming, illegitimate grandchild of wealthy and powerful Dame Cumming Gordon, brought ruin upon the school and the schoolmistresses. Jane Cumming had accused the schoolmistresses of committing "unnatural acts" together. This tale told to Dame Gordon led to letters circulated to the families of the other girls of the school, and in a matter of a couple of days, no one remained at the school except for Jane and Marianne. Jane and Marianne went to the best lawyer in Edinburgh to sue Dame Gordon for libel, and from this actual case, we have the complete trial transcript. The tale may sound familiar to you as it is the same story that Lillian Hellman presents in *A Children's Hour*, though she never gave

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PDFs

- [Artifact 1 - Synopsis 2008](#) +
- [Artifact 2 - Short Synopsis 2009](#) +

Introduction: Timeline of *A Scotch Verdict* Development

We first conceived the idea of writing a hybrid piece containing elements of opera and musical theatre in 1998. The musical, as we now call it, is based on Lillian Faderman's *Scotch Verdict*, which revolves around the true story of Jane Pirie and Marianne Woods who ran a boarding school for girls in 1810 Edinburgh, Scotland. The accusation of one of their students, Jane Cumming, illegitimate grandchild of wealthy and powerful Dame Cumming Gordon, brought ruin upon the school and the schoolmistresses. Jane Cumming had accused the schoolmistresses of committing "unnatural acts" together. This tale told to Dame Gordon led to letters circulated to the families of the other girls of the school, and in a matter of a couple of days, no one remained at the school except for Jane and Marianne. Jane and Marianne went to the best lawyer in Edinburgh to sue Dame Gordon for libel, and from this actual case, we have the complete trial transcript. The tale may sound familiar to you as it is the same story that Lillian Hellman presents in *A Children's Hour*, though she never gave credit to the original historical incident.

We faced many difficulties in this project:

- The piece required a complex structure if we were to follow our first instincts about it and use a contemporary and 19th-century timeline.
- It was based on a true story and much of the trial that is used in the piece comes from the voluminous trial transcript. What testimony do we use and what do we not use?
- The near-loss of the rights to Faderman's story in 2006 almost derailed our work when we were planning a staged reading in January 2007.
- What approach would allow us to create a dramatic testament to the human struggle combined with a true story to which we had to remain faithful?
- Which story were we telling? The contemporary Ella and Jess story? Or Jane and Marianne's? And how did one reflect upon the other?

Two of our synopses for the piece are quite telling about the discovery of the core of the work as does the change of name of the piece from *The Misses Pirie and Woods* to *A Scotch Verdict*.

We have presented a timeline here that reveals the fluid process we went through in our development of the musical. We wish to share our journey with the artistic community, and for those of you who love musicals, to share and demonstrate the winding path with its many blind alleys that is part of a musical's route to production.

Related Content

- [Artifact 1 – Synopsis 2008](#)
- [Artifact 2 – Short Synopsis 2009](#)

Fall 1997

Rebecca Burkhardt discovers a book, *Scotch Verdict* by Lillian Faderman, which she thinks would make a dynamic opera. She approaches Cynthia Goatley with the project. Reluctantly, Goatley agrees to take on the project as a "musical drama" rather than an opera.

CG: "I've never written a musical before!"

RB: "Just write it as a play and we'll go from there."

Related Content

- Synopsis of the book *Scotch Verdict*

The year: 1810 Scotland . A student, Jane Cumming, accuses her school mistresses, Jane Pirie and Marianne Woods, of having an affair in the presence of their students. Dame Cumming Gordon, the wealthy and powerful grandmother of the accusing student, advises her friends to remove their daughters from the boarding school. Within days, the school is deserted and the two women deprived of their livelihood. Lillian Faderman, award-winning author of *Odd Girls* and *Twilight Lovers*, gives an extraordinary rendering of the real-life story on which Lillian Hellman based her famous play, *The Children's Hour*. Faderman reconstructs the libel suit filed by Pirie and Woods that eventually resulted in a scotch verdict - a verdict of not proven or an inconclusive decision. Through court transcripts, judges' notes, and her personal reflections on the witnesses' contradictory testimony and the prejudices of the men presiding over the case, Faderman skillfully documents the social, economic, and sexual pressures that shaped the lives of nineteenth-century women. Provocative and compelling, not only does *Scotch Verdict* point to the marginalization of women by raising issues of class, gender, and sexuality with respect to Pirie and Woods, but also of race in its depiction of Jane Cumming, the half-Indian child who was born in India and out of wedlock to Dame Cumming Gordon's eldest son.

Fall 1998

Goatley undertakes the writing of the first act of the "play" and completes a draft, Spring 1999.

Related Content

- Artifact 3 – Opening of Show 1998

November 1998

Burkhardt travels to Scotland for research on the actual case of Jane Pirie and Marianne Woods.

Related Content

- Photos from trip

Spring 1999

Robert Burns's famous poem, "My Love is like a Red Red Rose," inspires the composition of a ballad, one of the few songs that remain in the current show. Burkhardt's first rendition is for her blues band, Uncle Irene.

Related Content

- Audio – “Red Rose” – Uncle Irene [Jana Johns: Vocals/drums, Rebecca Burkhardt: Piano; Jessie Sauer: Bass]

Summer 1999

Burkhardt writes the lyrics for "Boarding School Roster," written out of a scene from Goatley's text.

Related Content

- Artifact 4 – Original dialogue
- Artifact 5 – First song lyrics

March 2001

An evening of selected scenes and songs from Act I is presented in Davis Hall of the Gallagher-Bluedorn Performing Arts Center. Now the show begins with the Scottish folksong, “Red Red Rose,” and moves into a very different sort of scene than that of 1998. The lead character, Ella, reveals her internal struggle in a ballad, but the quality and placement of the ballad is under discussion by Burkhardt and Goatley. This is the first attempt, “What Is This Love,” music and lyrics by Burkhardt.

Related Content

- Audio 1 – “My Love is like a Red Red Rose” [Stephanie Karr: Vocal/Jane Pirie, Susan Chamberlain: Piano]
- Audio 2 – “Scene 1 – The Fight” [Brianne Waychoff Kelsey, Valerie Johnson: Ella]
- Audio 3 – “What is this Love” [Dr. Jean McDonald: Vocal/Ella, Susan Chamberlain: Piano]
- “What is this Love” (lyrics)

2002

Goatley revises the Act I libretto. This revision was a continual process throughout the development of the piece. The opening of the show is changed again.

Related Content

- Artifact 6 – Opening of Show 2002

Summer 2003

Goatley and Burkhardt begin spending a week in the summer on Washington Island, Wisconsin, in order to give full attention to *The Misses Pirie and Woods*. This summer the first act is revised and a first draft of Act II completed. Goatley begins to write lyrics. A timeline of the piece is constructed and Goatley and Burkhardt move portions around to where they seem to best fit in the story. This was never a chronological piece, but Goatley and Burkhardt needed to be clearer in the through-line. Among other compositions, Burkhardt completes "Marianne's Song" which is cut before it ever appears in any of the workshops or performances.

Related Content

- Artifact 7 – “Marianne’s Song” 2003
- Sheet Music

Summer 2004

More work at Washington Island. Goatley re-drafts Act II and Burkhardt expands the "Red Rose" ballad to a duet between Marianne (1810) and Jess (current time), "Red Rose Duet," a song which remains in the current show. Kelsey, Ella's partner, is now named Jess.

Related Content

- Audio – “Red Rose Duet” [Julie Baldwin: Vocal/Jess, Sarah Duvel: Vocal/Marianne, Joel Waggoner: Piano, Robert Espe: Violin]

Summer 2005 - Fall 2005

Another week spent on Washington Island to keep revising the show in preparation for a Professional Development Assignment application by Goatley to direct a staged reading of the piece January 2007. Work in the fall ties up all the loose ends of the libretto so Burkhardt can finish the music. The show opening changes yet again. This time the schoolmistresses find their school prior to the Ella and Jess argument.

Related Content

- Artifact 8 – Opening of Show 2005

January 2006

An in-house cold reading of the book and lyrics to date with UNI faculty and staff occurs.

Summer 2006

Burkhardt finishes all the music for Act I. "Jane's Song," first heard in March 2001, is expanded into "You Can Hold Me, Too," a song that is no longer in the show.

Related Content

- Audio – “You Can Hold Me, Too” [Cassandra Naaktgeboren: Vocal/Jane Cumming; Dr. Robin Guy: Piano]

August 2006 - January 2007

Burkhardt completes all the music in Act II for the approaching reading. To Goatley's lyrics, Burkhardt sets this music for the first Judge's entrance, "The Judges Convene."

Related Content

- Audio – “The Judges Convene” [Jeffrey Birch: Glenlee; Joel Waggoner: Meadowbank; Jeremiah Shobe: Hope; Rhys Talbot: Robertson]

January 2007

The first staged reading of *The Misses Pirie and Woods* is performed on the Strayer-Wood Theatre stage in front of an audience of about 350. Lillian Faderman, author of *Scotch Verdict*, presents a lecture about the book, “*Scotch Verdict: The Shifting Target of Censorship*,” during her visit to UNI. At this point, the show includes eighteen songs and twenty-three characters. Ella's "I Never Fail" and "Grandmother's Dream" will not make it through the most current revisions. Dame Cumming Gordon's character will also be cut.

Related Content

- Artifact 9 – Song list 2007
- Poster from reading (designed by Kristen Nice)
- Audio 1 – “I Never Fail” [Sandra Walden: Ella, Genadi Zagor: Piano, and Juann Davilos: Flute]
- Audio 2 – “Grandmother's Dream” [Dr. Carol Kreuscher: Dame Helen Cumming Gordon and David Utterbach: Piano]
- Audio 3 – “Dr. Federman's Lecure” [Lillian Federman, with introduction by Cynthia Goatley]

March 2007

The show is revised over spring break based on observations from the reading. Another in-house cold reading takes place in April with the goal of making further revision as needed to submit for musical theatre workshops in Fall 2007. Goatley and Burkhardt are notified in March 2008 that they have been accepted for a concert performance at Theatre Building Chicago.

November 2008

The performance at Theatre Building Chicago takes place. The opening again is changed and Ella has yet a different ballad, "I Can't Win, I Can't Lose."

Related Content

- Artifact 10 – Opening of Show 2008
- Poster from 2008 Performance (Vernon/Theatre Building)
- Audio – “I Can’t Win, I Can’t Lose” [Kelli Harrington: Ella, Gary Powell: Piano]

January - May 2009

After the reading, the director, Elizabeth Margolius suggests that she, Goatley, and Burkhardt work together to re-structure the piece to clarify its direction. Goatley and Burkhardt work with her over a weekend, creating an outline of scenes and songs that would stay, as well as scenes and songs that would go. New libretto scenes were identified for writing as well as new songs.

Related Content

- Artifact 11 – Song List 2009
- Artifact 12 – Working Outline
- Artifact 13 – Opening of Show 2009

Summer 2009

Goatley and Burkhardt revise again based on the new re-structuring. Another opening to the show is created. Now there are fifteen songs and eighteen characters. The title of the musical is changed to *A Scotch Verdict*. It has become Ella's journey and trial.

Related Content

- Artifact 14 – Current Song List
- Artifact 15 – Opening of Show 2009

August 2009

Elizabeth Margolius comes to UNI to participate in a two-week workshop for Goatley and Burkhardt to hear the new structure and make changes as they work to move the musical towards its final form. Three video clips demonstrate the major changes that have occurred since Goatley and Burkhardt first began writing the piece. Ella's song, which was last titled "I Can't Win, I Can't Lose," now appears in short segments throughout the work. The music is the same, but the lyrics have changed drastically and the title is "Ahead or Left Behind."

Related Content

- Video Clip 1 – Opening [Melisa Wallace: Ella, Katy Slaven: Jess]
- Video Clip 2 – The House Scene [Melissa Wallace: Ella, Katy Slaven: Jess, Marie Schmidt: Jane Pirie, Cassandra McNally: Marianne]
- Video Clip 3 – Ella on the Stand [Melisa Wallace: Ella, Katy Slaven: Jess]
- Artifact 16 – Program

2010

In reducing the musical to its basic drive, it seems sparse, and the next revision will be to add some of the meat back to the bones. However, the new structure tells the story as Goatley and Burkhardt envision it.

About the Authors

Cynthia Goatley

Professor of Theatre, Dr. Goatley came to UNI in 1992. She taught students at the University of Houston, Trinity University, Gustavus Adolphus College, and Macalester College before joining the Theatre Department at UNI. Her Ph.D. is from Bowling Green State University in Ohio in the areas of Theory/Criticism and Directing.

Professionally, Dr. Goatley has directed and performed with theatre companies from Texas to Minnesota. She directed the regional premiere of *The Komagata Maru Incident* at Cherry Creek Theatre in Mankato, MN. In Minneapolis she performed with Outcaste Theatre and Penelope's Web Theatre and directed the regional premiere of *The Wolfwoman of Washington Square South* at Park Square Theatre.

As a director at UNI, Dr. Goatley's productions include *Mad Forest*, *On the Verge*, *Born in the RSA*, *In the Heart of America*, *Sir Patient Fancy*, and *A Man's a Man* among others. She played the role of Vivian Bearing in *Wit*, a Two Friends Theatre Company production in 2004. Dr. Goatley has been recognized by the American College Theatre Festival for Meritorious Achievement in Directing for her productions of *The Laramie Project* and *The Singular Life of Albert Nobbs*.

Dr. Goatley spent two years teaching in Poland at the University of Gdansk having been awarded two consecutive Fulbright Scholarships. While there, she directed a production of *Crimes of the Heart* with the Maybe Theatre Company. In 2007, Dr. Goatley was awarded the College of Humanities and Fine Arts Teaching Award and in 2002, the Regents Award for Faculty Excellence.

From The Playwrights' Center in Minneapolis, Dr. Goatley received a Jones Commission award for her play *Underbodies* and an Honorable Mention for a Jerome Fellowship. Both her full-length play, *A Sudden Loss of Altitude*, and her ten-minute piece, *Live Nativity Tech*, have been produced at UNI. Dr. Goatley's play about ADHD, *Catching Butterflies*, was commissioned by Teatr Wybrzeze in Poland and has since been performed by Sturgis Youth Theatre in Cedar Falls, Iowa, and in Sacramento, California. *Scotch Verdict* was a semi-finalist for the Eugene O'Neill National Music Theatre Conference and in 2008 received a concert performance at the Theatre Building Chicago under the direction of Elizabeth Margolius.

Rebecca Burkhardt

Professor Rebecca Burkhardt joined the University of Northern Iowa faculty as Director of Orchestral Activities in 1988. Besides her duties as Music Director of the Northern Iowa Symphony Orchestra, she is Music Director for the UNI Opera Theatre.

From *Dialogue of the Carmelites* and *Madame Butterfly* to *Fiddler on the Roof* and *HAIR*, her theater performances encompass the gamut of music-drama and musical comedy. She has appeared as guest conductor of the Moscow Chamber Orchestra, Waterloo/Cedar Falls Symphony Orchestra, Opera Illinois, and as Music Director of the Northern Iowa Youth Orchestra and the Dubuque Youth Symphony. Her performance of Beethoven's *Symphony No. 7* opened the Gala Concert inaugurating the new Gallagher-Bluedorn Performing Arts Center on the UNI Campus.

She visited Russia during a performance tour with the Northern Iowa Chamber Orchestra where she performed with the Moscow Chamber Orchestra and conducted the Symphony Orchestra on its tour of New York City. She toured Costa Rica with the Northern Iowa Symphony Orchestra and has performed as a guest conductor of the Waterloo-Cedar Falls Symphony Orchestra on several occasions.

Dr. Burkhardt is a member of the music theory and conducting faculties in the School of Music at UNI, and active as guest conductor, clinician, and performer. She performed as guest clinician and conductor for the Iowa All-State Orchestra and performed with that group at the National Governor's Convention in Des Moines (2005). In 2003 she was given the Award for Faculty Excellence by the Iowa Board of Regents and served as National President of the College Orchestra Directors Association from 2008-2010.

Her musical *A Scotch Verdict*, written in collaboration with UNI theatre professor Cynthia Goatley, was presented in a concert performance November 2008 as a part of Stages, a new musical festival sponsored by Theatre Building Chicago. A native of Texas, Dr. Burkhardt earned a Bachelor of Music Education degree in Horn Performance from Southwestern University (TX), a Master of Music Education degree from the University of North Texas, and her Ph. D. at the University of Texas, Austin.

Related Content Artifacts

Introduction Related Content Artifact 1 – Synopsis 2008

SYNOPSIS of *The Misses Pirie and Woods*, 2008

Book and Lyrics by Cynthia Goatley, Music and Lyrics by Rebecca Burkhardt

Based on the book, *Scotch Verdict* by Lillian Faderman

A professor's research into the lives of two 19th century school mistresses, Jane Pirie and Marianne Woods, leads her to Edinburgh, Scotland, and into an obsessive dream world of speculation. Haunted by the image of a woman in a chair, alone, Ella seeks the meaning behind this mystery as she leaves her partner, Jess, to pursue a research fellowship in Scotland. The 20th

century and the 19th intertwine as Ella delves into the lives of Jane and Marianne, unfolding Ella's story with it as the distant and not so distant past collide.

Act I begins with Ella's celebration of the publication of her new book. The haunting image of Jane Pirie, alone in a chair, again arrives, propelling Ella back through her story of search, obsession, and loss. Jane and Marianne find the perfect accommodation for a boarding school in the new part of Edinburgh. Dame Gordon's enrollment of her half-Indian illegitimate granddaughter, Jane Cumming, makes the school become a profitable reality, but the addition of Marianne's meddlesome aunt drives a wedge between Jane and Marianne. Ella is haunted by dreams as her involvement in this story and her curiosity as to the true nature of the relationship between Jane and Marianne obsess her. Eventually, the school is destroyed in a tale told by Jane Cumming to her grandmother of unnatural acts between the two school mistresses. One by one, the girls are taken from the boarding school. When Jane and Marianne finally discover the nature of the accusation, their bold move is to seek the best lawyer in Edinburgh to sue Dame Gordon for libel.

Ella continues her search for Jane Pirie in Act II as the courtroom proceedings between Dame Gordon and the mistresses materialize from the pages of the trial transcript. Testimony by the girls tells of unusual nighttime noises, whispered secrets, and passionate arguments between the mistresses. These are roundly refuted by the cross-examination of John Clerk, attorney for the mistresses. Ella is called to the witness stand in her day dream version of the trial and is brought face to face with herself and her fears as the verdict of not guilty is rendered in favor of Dame Gordon. As Jane and Marianne part, Ella makes a different decision, returning home to Jess. Ella arrives to an empty apartment, but Jess returns bringing Ella's sweater which Jess had inadvertently packed. Jane Pirie's image intervenes, shifting Ella back to the present and her "lonely" celebration when Jess enters to encourage Ella to come to bed. Jane will forever sit alone in her chair and Ella is no longer alone.

Introduction Related Content Artifact 2 – Short Synopsis 2009

SYNOPSIS of *Scotch Verdict*, 2009

Book and Lyrics by Cynthia Goatley, Music and Lyrics by Rebecca Burkhardt

Based on the book, *Scotch Verdict* by Lillian Faderman

Ella's latest project becomes the key to facing self-imposed fears. A last-minute grant award to complete the research for her book takes Ella to Edinburgh, Scotland, and instigates a final break with her partner Jess. Ella's subject is the 1810 case of Jane Pirie and Marianne Woods, owners and operators of a girls' boarding school in Edinburgh, who were accused of "indecent acts" by one of their students, grandchild of a wealthy patron, Dame Cumming Gordon. Upon the destruction of the school through devastating rumor, the ladies sue Dame Gordon for libel. Ella's search leads her closer to her subjects, triggering nightmares and flashbacks of her past with Jess. The distant and not-so-distant past collide as the trial of 1810 becomes a personal trial. Ella

pronounces her own guilt, but out of this unforgiving judgment comes hope for the future: Ella discovers who she is and what she wants, leaving open the possibility of a life with Jess.

Fall 1997 Related Content – Synopsis of the book *Scotch Verdict*

Fall 1998 Related Content Artifact 3 – Opening of Show 1998

November 1998 Related Content – Photos from trip

Spring 1999 Related Content Audio – “Red Rose” – Uncle Irene [Jana Johns: Vocals/drums, Rebecca Burkhardt: Piano, and Jessie Sauer: Bass]

Summer 1999 Related Content Artifact 4 – Original Dialog

Summer 1999 Related Content Artifact 4 – First Song Lyrics

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March 2001 Related Content Audio 3 – “What is Love” [Dr. Jean McDonald: Vocal/Ella and Susan Chamberlain: Piano]

March 2001 Related Content Lyrics “What is this Love”

2002 Related Content Artifact 6 – Opening of Show 2002

Summer 2003 Related Content Artifact 7 – “Marianne’s Song” 2003

Summer 2003 Related Content Sheet Music

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Ella and Katy Slaven: Jess]

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