

# The New York Times

The downfall of one of Hollywood's most powerful players, Leslie Moonves, as chief of CBS was chronicled in countless articles by dozens of media outlets. But one account – “If Bobbie Talks, I’m Finished” -- stood out for revealing a previously untold narrative and for its cinematic storytelling.

The story behind the story began months before published accounts of Mr. Moonves's alleged sexual misconduct emerged. A source suggested to Ellen Gabler that she call Marv Dauer, a down-on-his-luck talent manager with clients who were Mr. Moonves's alleged victims.

As soon as he got off the phone with Ms. Gabler, Mr. Dauer called Mr. Moonves, kicking off an extended effort to turn a potential sexual assault scandal into a manager's moneymaking opportunity.

James B. Stewart, Rachel Abrams and Ms. Gabler spent months reporting the sordid tale of how Mr. Dauer persuaded Mr. Moonves to find work for his accuser -- an actress named Bobbie Phillips -- and to help Mr. Dauer revive his career. Hanging over the conversations between the two men was the possibility that unless accommodated, Mr. Dauer could reveal Mr. Moonves's secrets. At one point, Mr. Moonves showed up at Mr. Dauer's 75th birthday party, mingling with the B-list crowd and signaling that Mr. Dauer was back.

Ultimately, the article revealed, Mr. Moonves was ousted from CBS not because of his pattern of alleged sexual assaults. Instead, CBS had concluded that Mr. Moonves wasn't honest about his efforts to get gigs for Mr. Dauer's clients.

We are proud to nominate this work for a Gerald Loeb Award for feature writing.

**Nomination for  
The 2019 Gerald Loeb Award for Feature**

1. 'If Bobbie Talks, I'm Finished': How Les Moonves Tried to Silence an Accuser

By James B. Stewart, Rachel Abrams and Ellen Gabler

<https://www.nytimes.com/2018/11/28/business/les-moonves-bobbie-phillips-marv-dauer-cbs-severance.html>



# If Bobbie Talks, I'm Finished': How Les Moonves Tried to Silence an Accuser

A trove of text messages details a plan by Mr. Moonves and a faded Hollywood manager to bury a sexual assault allegation. Instead, the scheme helped sink the CBS chief, and may cost him \$120 million.

By James B. Stewart, Rachel Abrams and Ellen Gabler

Nov. 28, 2018

Saturday, April 28, 2018, was Marv Dauer's 75th birthday. It was also going to be his comeback.

After more than three decades as a Hollywood talent manager, Mr. Dauer, tanned and silver-haired, had the aura of success: a house in the tony Brentwood neighborhood of Los Angeles, a cherished collection of sports memorabilia, membership at a country club. People liked to say that Marv knew everyone.

In reality, his client list had dwindled to a few B-list actors. Casting directors ignored his emails. His finances were precarious. He had nearly lost his home to foreclosure.

But now Mr. Dauer had coaxed to his party someone who could change all that.

More than 100 friends, sports figures, casting directors, actors, golf and bridge partners — even kindergarten classmates from Austin, Minn. — had gathered to celebrate at a friend's Los Angeles home. At a V.I.P. table were the biggest names Mr. Dauer could muster: the actor-turned-polemicist James Woods; former Senator Norman Coleman; and Bruce McNall, the former Los Angeles Kings owner who served time for fraud.

Then, at about 8 p.m., a star arrived: Leslie Moonves, the chief executive of CBS and one of Hollywood's most powerful people. Mr. Moonves presented Mr. Dauer with a yellow tie embossed with the logo of the Masters golf tournament.

Mr. Moonves's presence sent a powerful message: Marv Dauer was back. "I didn't even know they were friends," recalled Paul Ruddy, a casting director who was at the party. Jan Daley, a jazz singer and a former client of Mr. Dauer's, said that when she saw Mr. Moonves she was convinced that "Marv had gone up a couple of notches since he managed me." She rehired him days later.

Mr. Moonves had never attended Mr. Dauer's previous parties. So what was he doing there?

Four months later, Mr. Moonves was pushed out by CBS's board after 12 women told The New Yorker that he had sexually harassed or assaulted them. But those accusations didn't directly cause Mr. Moonves's fall. As Mr. Dauer says the mogul told him before and after the birthday party, only one woman could bring him down: "If Bobbie talks, I'm finished."



Marv Dauer at his home in Los Angeles. "All I know," he said, "is that I'm a key witness with \$120 million at stake." Elizabeth Weinberg for The New York Times

# 1. 'I wanted to use the baseball bat to knock his head off'

Mr. Dauer grew up in Minnesota, in a small town that was home to the company that manufactured Spam. He got a job in Los Angeles selling computer terminals to stockbrokers. But he craved proximity to Hollywood's celebrities and beautiful women. In 1984, he enrolled in a class to learn how to be a talent manager. Soon he was prowling Hollywood parties for aspiring actresses whose careers he might manage. Mr. Dauer had "nothing but young girls around him," Mr. McNall recalled.

Despite occasional successes, Mr. Dauer struggled to escape daytime television. In 1993, a casting director introduced him to an actress who looked like his ticket out: Bobbie Phillips.

Ms. Phillips was 25 and still thought of herself as a small-town girl from South Carolina, but something about her radiated star power. She'd done some modeling, posed for the cover of fitness magazines and made a couple of appearances on "Married ... with Children."

Mr. Dauer prided himself on selecting clients who, as he said in one of a series of recent interviews, "light up a room." He signed Ms. Phillips after one meeting. She landed a small role in the 1995 film "Showgirls" and starred on the short-lived UPN drama "The Watcher."

Mr. Moonves, the president of Warner Bros. Television at the time, had crossed paths with Mr. Dauer on golf courses and tennis courts. After a mutual friend introduced them, they had lunch, and Mr. Dauer arranged for Ms. Phillips to meet Mr. Moonves. Even as a top executive, he often signed off on who got which roles.

When Mr. Dauer told Ms. Phillips that he had set up the meeting, she wasn't sure who Mr. Moonves was. Mr. Dauer impressed on her that he was one of the most formidable names in entertainment. He had just launched "Friends" and "E.R." He could make her career.

On the afternoon of Tuesday, March 7, 1995, Ms. Phillips arrived at the Warner Bros. studio in Burbank. Mr. Moonves, married with three children, gestured for her to sit. "I'm going to set you up with John Levey," he told her, referring to the casting director for "E.R." As Mr. Moonves called Mr. Levey and left a message, Ms. Phillips noticed a baseball bat leaning against his desk.

In a recent interview, Ms. Phillips described what happened next. Mr. Moonves led her to an easel that showed the status of various Warner Bros. productions. She examined it, then turned to face him. "Look how hard you make me," Mr. Moonves said. She saw that he had undone his trousers, exposing his erect penis.

"Be my girlfriend and I'll put you on any show," he said, in Ms. Phillips's recollection — and then grabbed her by the neck, pushed her to her knees and forced his penis into her mouth.

Moments later, the intercom buzzed. It was Mr. Levey returning Mr. Moonves's call. Fumbling with his pants, Mr. Moonves returned to his desk. "I have this great actress," Ms. Phillips heard him say.

“I felt my blood rushing in my body,” Ms. Phillips recalled. “I was vibrating. I can still feel it.” She walked to the desk. As she grabbed the bat, her eyes locked on a photo of Mr. Moonves’s wife on a bookshelf. “All I could think,” she said, “was that I wanted to use the baseball bat to knock his head off.”

Mr. Moonves finished the call. “John wants to meet you,” he said. His relaxed demeanor stunned Ms. Phillips. She put down the bat, made up an excuse to leave and ran out the door.

“I strongly believe that the sexual encounter with Ms. Phillips more than 20 years ago was consensual,” Mr. Moonves said in a statement to The Times.

Later that day, Mr. Dauer called Ms. Phillips and asked how the meeting had gone. “Not very well,” she said. “I don’t want to talk about it.”

The next day, Mr. Moonves called and said he wanted to introduce Ms. Phillips to producers. When Mr. Dauer relayed the exciting news, Ms. Phillips replied: “Absolutely not. Keep him away from me.” She told Mr. Dauer that she would never speak to or work with Mr. Moonves again. She started crying.

“I didn’t want to push her, but she told me he violated her,” Mr. Dauer said in an interview. “He must have done something awful.”

Before the incident with Mr. Moonves, Ms. Phillips said, she had loved going to auditions. Now the prospect gave her anxiety attacks. She refused to attend meetings alone with studio executives. Once, before a movie screening, she was so scared of potentially encountering Mr. Moonves that she vomited in an alley outside the theater.

Ms. Phillips landed some minor roles, but her career never took off. She married, had a son, divorced and remarried. Her second husband, concerned about stress, reminded her that she didn’t need to be on camera. In 2003, she retired from acting and eventually moved with her family to the Toronto area.

## 2. A secret correspondence

Last fall, The New York Times and The New Yorker published exposés detailing allegations of sexual misconduct against the producer Harvey Weinstein, and all over Hollywood people started to wonder which powerful man would be next.

At CBS, rumors spread that Mr. Moonves had a #MeToo problem. In November 2017, a Times reporter, following up on a tip, called Mr. Dauer and asked about Mr. Moonves and sexual misconduct. Flustered, Mr. Dauer said he couldn’t talk but would call back.

He immediately thought of Bobbie Phillips.





Mr. Dauer and Bobbie Phillips. On March 7, 1995, she says, Mr. Moonves sexually assaulted her in his office. Elizabeth Weinberg for The New York Times

By coincidence, the two had recently reconnected. Ms. Phillips had gotten back into acting and landed a role in a foreign film; Mr. Dauer had asked if he could try to get her parts in Hollywood.

On Dec. 4, six days after The Times contacted him, Mr. Dauer emailed Mr. Moonves: “Leslie — it’s very important you call me.” Moments later, Mr. Moonves was on the phone. It was the first time in years that the two men had spoken.

Mr. Dauer and Mr. Moonves have given different accounts of the conversation, but they agree on one crucial point: They discussed the possibility of getting Ms. Phillips an acting gig to keep her happy.

In the version Mr. Moonves provided to outside lawyers for CBS, Mr. Dauer told him reporters were calling about Ms. Phillips and that she was “making noises” and “always looking for work.” A spokesman for Mr. Moonves, Chris Giglio, said Mr. Dauer pressured Mr. Moonves to get jobs for Ms. Phillips and his other clients.

In Mr. Dauer’s telling, he was simply trying to alert Mr. Moonves about the media calls. In an interview and a sworn declaration, he said it was Mr. Moonves who broached the idea of doing something — finding her acting work — to “make amends” to Ms. Phillips. (Mr. Giglio denied Mr. Moonves ever said that.) Mr. Moonves told Mr. Dauer that he was bracing for an article about his sexual conduct.



“I think I’ll be O.K.,” Mr. Moonves said, according to Mr. Dauer’s sworn statement. “But if Bobbie talks, I’m done.” Mr. Moonves asked him to convince Ms. Phillips not to speak publicly. As the call ended, Mr. Moonves told Mr. Dauer never to contact him by email because his secretary might read the messages. He gave Mr. Dauer two cellphone numbers to use to text him.

A few days later, Mr. Dauer texted Mr. Moonves that the Times reporter had called again.

“No need to talk to them,” Mr. Moonves replied.

“I won’t,” Mr. Dauer agreed. It was the beginning of a monthslong cascade of hundreds of text messages, which were reviewed by The Times, and whose contents could determine whether CBS pays Mr. Moonves an exit package of \$120 million — or nothing at all.

### 3. ‘I feel sick all the time,’ Mr. Moonves texted

After his initial phone call with Mr. Moonves, Mr. Dauer phoned Ms. Phillips. According to her, Mr. Dauer said he had “run into” Mr. Moonves, who had brought up the long-ago incident. Mr. Dauer told her that Mr. Moonves “feels horrible about what happened, and he has a young son, so please don’t ruin his life.” He added that Mr. Moonves “wants to make amends,” including by offering her work.

“It was shocking to learn that someone was reaching out to me who had so hurt me and so altered the course of my life and who I had tried so hard and successfully to put in my past,” Ms. Phillips said.

She was angry at Mr. Dauer for engaging with Mr. Moonves, but she assured him that she had no intention of speaking to journalists, and that she might even be willing to forgive Mr. Moonves. In 2012, her son had committed suicide, and she had spent years trying to heal. “A central teaching in my life is forgiveness,” she told The Times. “I told Marv to tell him I didn’t want anything,” she added. “I had already moved forward in my life, and did not wish to go backwards.”

After talking to Ms. Phillips, Mr. Dauer texted Mr. Moonves: “I just was on the phone with Bobby and I think you are going to be very very happy.”

With Ms. Phillips agreeing to keep quiet, Mr. Dauer tried to ingratiate himself with his powerful new friend.

“Time magazine just picked persons of the year — those that turned in sexual harassments,” he texted on Dec. 8, suggesting with a vulgarity that the world was messed up. He added: “There must be some doctors or peacemakers or military that Have contributed more to the planet than these women.” Mr. Moonves didn’t respond.

Mr. Dauer arranged for a former Los Angeles Dodger, Reggie Smith, to give Mr. Moonves’s son baseball lessons and an autographed ball. (Mr. Moonves didn’t acknowledge the gift until prodded. “Did Charlie like the ball?” Mr. Dauer asked. “Sorry. He Loved it,” Mr. Moonves texted.)

At the same time, Mr. Dauer missed few opportunities to remind Mr. Moonves that he was being hounded by reporters.

Dec. 13: “NY Times just called again. Obviously I did not answer the phone.” Mr. Moonves replied: “Thanks. Praying.”

Dec. 14: “There’s going to be a way to beat these bastards,” Mr. Dauer wrote. “Even I’m not sleeping too well.”

Dec. 18: “Just got a voicemail from The NY Times. Same lady. I wonder when they will realize I’m not speaking to them.” Mr. Dauer added that it was “about the 10th time they’ve called me.” Mr. Moonves answered: “This sucks.”

On Dec. 31, Mr. Dauer and Mr. Moonves met at Art’s Delicatessen, and the C.E.O. denied assaulting Ms. Phillips. Afterward, Mr. Dauer told Ms. Phillips, who was upset.

“I did not sleep as I am feeling anger that Moonves is not sorry — and is calling me a liar basically,” she wrote to Mr. Dauer in a Facebook message on Jan. 6. “He is not allowed to play the victim card here. I did not bring this up as you know. I simply responded that I believe in forgiveness and moving forward in life. But, I will not be made a victim again ... I am doing my best to be a positive, forgiving person in my life. None of us are perfect. However, this does not sit well. I will go meditate and try to find my peace.”

The next day, Ms. Phillips watched the Golden Globes on TV. Oprah Winfrey took the stage and acknowledged the generations of women who had endured sexual assault. “They’re the women whose names we’ll never know,” Ms. Winfrey said.

“My God, this is me,” Ms. Phillips thought.

Later, Mr. Dauer texted Mr. Moonves that the speech had “made the natives restless.” He added: “My hope is when she is working all this will go far far away.”

“I feel very bad about the whole thing,” Mr. Moonves wrote back. “I feel sick all the time.”

“I know,” Mr. Dauer said.

“Is she ok for now?” Mr. Moonves asked.

“Yes. Absolutely,” Mr. Dauer typed. “I told her to be patient and she said terrific.” He added, “I certainly believe I can put this to bed.”

But Ms. Phillips was not O.K. Over the next two months, she suffered mysterious pains in her ear and jaw. She sought help from doctors and twice went to the emergency room. No one could diagnose her. Finally, a doctor asked if she had some kind of suppressed trauma. Perhaps stress was causing the physical symptoms.



Ms. Phillips, left, in the 1995 film “Showgirls.” Vudu

## 4. Mr. Moonves dodges a bullet

As Mr. Moonves and Mr. Dauer texted back and forth, Michael J. Aiello, a top lawyer at the firm Weil, Gotshal & Manges, was investigating Mr. Moonves. He had been hired by CBS’s independent directors to look into the sexual assault rumors about Mr. Moonves — rumors that CBS believed were being pursued by, among others, the journalist Ronan Farrow in *The New Yorker*.

On Jan. 16, Mr. Aiello interviewed Mr. Moonves by phone. Mr. Moonves disclosed that a female television executive had filed a police complaint against him for sexual assault. He also said that there had been an incident with an unnamed actress — Ms. Phillips — in which he exposed himself and that she “ran out of room,” according to notes of the interview reviewed by *The Times*. When Mr. Aiello asked for more detail about that incident, Mr. Moonves said they had engaged in consensual oral sex. He did not explain why, if that were the case, she had fled.

Mr. Moonves said nothing about the possibility of CBS finding the actress a job.

Mr. Aiello advised the CBS board members that they had nothing to worry about with Mr. Moonves.

The next month, CBS showed a sudden interest in working with Mr. Dauer’s clients. According to Mr. Dauer, the network’s head of casting, Peter Golden, contacted him about possible roles for Ms. Phillips. She ended up auditioning for a new CBS series called “*In the Dark*.” Another client, Eva

LaRue, read for a part on “Charmed.” Two others, Joshua Morrow and Philip Boyd, met with Mr. Moonves.

Mr. Dauer gave Mr. Moonves a prized possession: an autographed Babe Ruth photo. “I’m pretty sure it will be in safekeeping with your family for a long time,” Mr. Dauer texted.

On Feb. 16, Mr. Moonves seemed to dodge a bullet. The long-feared article by Mr. Farrow appeared in The New Yorker, but it was about President Trump’s alleged affair with a former Playboy bunny, Karen McDougal — not about Mr. Moonves.

Mr. Dauer texted Mr. Moonves that Ms. McDougal was an old friend. “I knew about the affair over a year ago,” Mr. Dauer wrote, “so you can tell I know how to keep my mouth shut.”

## 5. ‘You need to make some money’

By March, nothing of real value had materialized for any of Mr. Dauer’s clients. He intensified the pressure on Mr. Moonves in a text on March 27: “I heard from Bobbie today asking is there anything at CBS. I told her I would ask.” And: “I have made like no money for 36 months.”

“Tell her I am looking,” Mr. Moonves replied. “It’s pilot time and most things are shooting. When series begin she will get some guest star jobs and hopefully it gets bigger from there. OK?” He added, “I hope she is doing okay.”

“She’s doing better than me,” Mr. Dauer said.

“I will try to help. Let’s set your guys up” with Mr. Golden, the casting director, Mr. Moonves texted. “You need to make some money.”

“If I would not of hit a royal flush last year in Vegas,” Mr. Dauer replied, he would have lost his home.

For weeks Mr. Dauer had been badgering Mr. Moonves to come to his 75th birthday party. When he finally confirmed that he and his wife — Julie Chen, a host of CBS’s daytime show “The Talk” — would attend, Mr. Dauer was thrilled. “When you get to valet tell him that Marv Dauer said you are a VIP so your car will be parked very close and you can get out of there,” Mr. Dauer texted.

At the April 28 party, guests mingled in the backyard, where tables were piled with small cards on which people could write birthday messages for Mr. Dauer. When Mr. Moonves arrived, Mr. Dauer escorted him around, introducing him to impressed acquaintances.

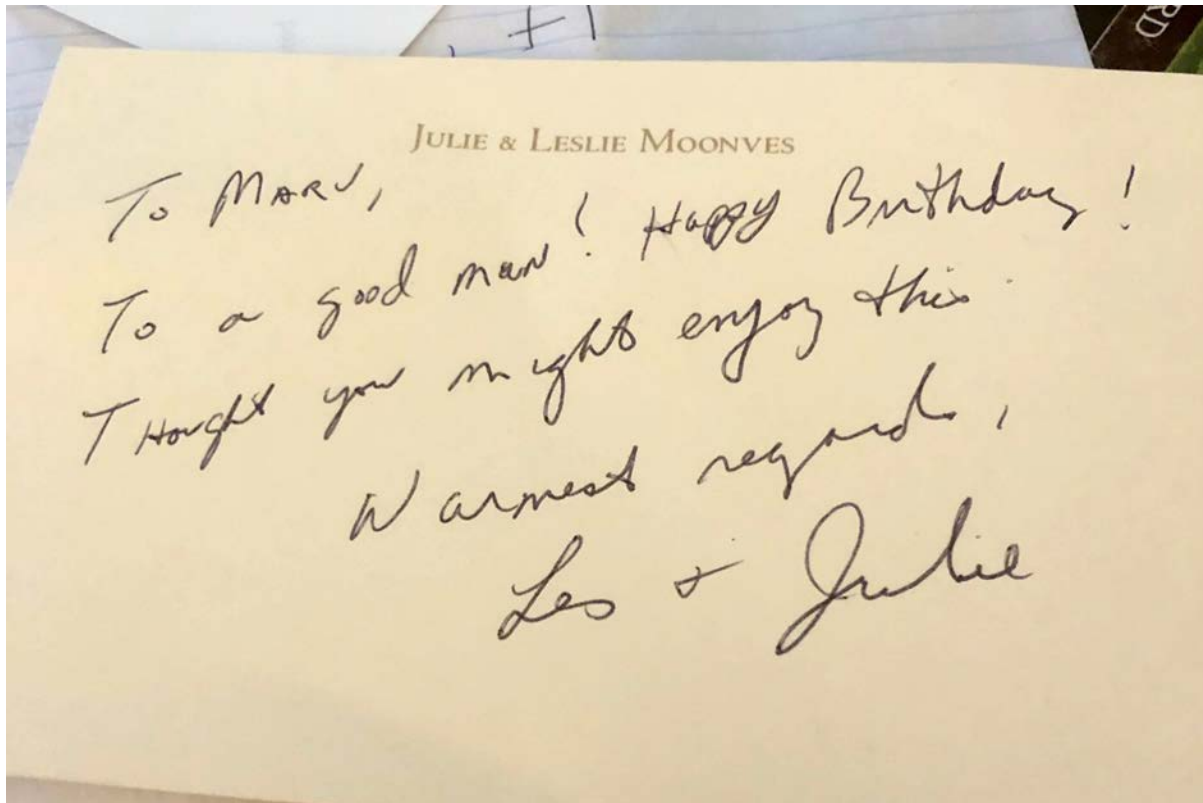
At one point, Mr. Moonves chatted with Ms. LaRue, she recalled. “It’s been way too long since you’ve worked for CBS,” he told her.

Along with the Masters necktie, Mr. Moonves gave Mr. Dauer a handwritten note: “To a good man! Happy Birthday!”

“What a great party!!!” Mr. Moonves texted Mr. Dauer afterward. “We had a ball.”

“Thank you again so much for attending — I don’t know if there’s any way to express how grateful I am,” Mr. Dauer responded. He added that Ms. LaRue was excited “that you would like her back working on your network! After they announce the new pilots I will start looking for things and bother you.”

“I will help,” Mr. Moonves wrote.



A letter from Mr. Moonves to Mr. Dauer for his 75th birthday. Marv Dauer

## 6. ‘A big, friendly woman clad in overalls’

On May 14, CBS sued its largest shareholder, Shari Redstone, trying to weaken her control of the company. It was a declaration of civil war that meant Mr. Moonves’s conduct would face intense scrutiny from Ms. Redstone’s camp. That made it even more important to keep Ms. Phillips quiet.

A few days later, Mr. Moonves emailed Mr. Golden, the CBS casting director, regarding a new series, “Blood and Treasure,” about an art thief and an antiquities expert who pursue a terrorist. In the email, Mr. Moonves suggested that two of Mr. Dauer’s clients — Ms. LaRue and Mr. Boyd — could get parts. As for Ms. Phillips, Mr. Moonves texted Mr. Dauer that he was “looking into Blood and Treasure.”

A couple of months later, though, nothing had materialized. Mr. Dauer was losing patience. He and Mr. Moonves met again at Art’s Delicatessen, and Mr. Moonves reiterated that the oral sex had been consensual. “I was never a predator, I was a player,” he said, according to Mr. Dauer and

a person close to Mr. Moonves.

Mr. Dauer warned Mr. Moonves that Ms. Phillips was “getting very angry,” according to the person close to Mr. Moonves. “It’s been eight months and you haven’t gotten anything for her.” After the meal, Mr. Moonves asked Mr. Golden, the casting director, to find Ms. Phillips a job, Mr. Moonves later told CBS’s outside lawyers.

On July 19, Mr. Farrow contacted CBS for comment. The New Yorker was preparing to publish an article in which six women — not including Ms. Phillips — accused Mr. Moonves of sexual misconduct.

One evening around that time, Mr. Dauer said, he was watching a Minnesota Twins game on TV when Mr. Moonves called and asked him to delete their text messages. Mr. Moonves added that he “was asking all of his other friends to do the same.” Mr. Dauer didn’t comply. The spokesman for Mr. Moonves denied that he asked Mr. Dauer to delete the messages.

The next week, while Mr. Dauer was on an annual fishing trip in Minnesota, he visited the Spam Museum in his hometown and bought T-shirts to give Mr. Moonves and his son. That week, a casting director contacted Mr. Dauer to say that CBS was interested in Ms. Phillips for a guest role on “Blood and Treasure.”

The role, however, turned out to be less than Mr. Dauer had envisioned. The character, Erica, was listed as “a big, friendly woman clad in overalls.” The job paid \$1,500 for a day’s shooting. “I don’t quite know how to put this,” Mr. Dauer told The Times, “but let’s say that hell hath no fury like a woman scorned.” Mr. Dauer told CBS that Ms. Phillips was declining the offer. (Ms. Phillips denied having been angry.)

Later that day, Mr. Moonves called Mr. Dauer, sounding frantic.

“They’re coming out with an article in The New Yorker,” he said, according to Mr. Dauer. Ms. Phillips “has got to take this job or I’m done.” A friend listened on speakerphone and confirmed the account to The Times.

Mr. Golden soon followed up, according to Mr. Dauer. “She’s got to take the role,” Mr. Golden said. He raised the offer to \$5,000. Ms. Phillips said she rejected it.

Mr. Golden said he didn’t recall any phone conversation with Mr. Dauer and denied making an offer of \$5,000.

“I didn’t care about this particular role, and yet top CBS brass suddenly are eager for me to accept it,” Ms. Phillips said. “It all seemed so baffling to me.”

The New Yorker article appeared the next day. “The moment I read that there were other women he had victimized, the light bulb went off,” she said. “I realized I had been manipulated beyond words and that his outreach to me was phony, an attempt to silence me. This all caused me

incredible pain, both physical and emotional, as I had to grapple with the fact that I had allowed the same monster to victimize me twice, in the 1990s and once again some 20 years later.”

## 7. The final days

CBS’s board convened on July 30, three days after The New Yorker article was published, to consider Mr. Moonves’s fate. Despite the women’s on-the-record accounts, Mr. Moonves insisted that any sexual encounters had been consensual.

Mr. Moonves’s boardroom support ran deep. “I don’t care if 30 more women come forward and allege this kind of stuff,” one director, Arnold Kopelson, remarked to his colleagues. (Mr. Kopelson died in October.) CBS hired two law firms to investigate, but Mr. Moonves kept his job.

On Aug. 11, Mr. Dauer and Mr. Moonves spoke again. The C.E.O. reiterated: “If Bobbie talks, I’m finished,” according to Mr. Dauer.

The next week, Mr. Moonves was interviewed by lawyers for the CBS board from the firms Covington & Burling and Debevoise & Plimpton. He said the encounter with Ms. Phillips had been consensual. “Oral sex just came about,” he told the lawyers. “I didn’t ask her for it.”

Only in a follow-up interview two days later did Mr. Moonves divulge that he had sought roles for Ms. Phillips and had asked Mr. Golden for help. He said he’d been worried that she might go public. “I realize the circumstances were not great,” he said to the lawyers. “I thought it was relatively minor.” Mr. Moonves also said that he and Mr. Dauer had talked every now and then, but “it wasn’t a lot of contact.”

During a later interview, Mr. Moonves acknowledged that seeking a job for Ms. Phillips was “inappropriate.” When a lawyer asked if he had tried to get work for Ms. LaRue, he responded: “Absolutely not.”

Upon learning that Mr. Moonves had tried to find a job for an accuser, the CBS board held an emergency meeting with their lawyers. The focus was on Mr. Moonves’s relationship with Mr. Dauer. Until that point, the lawyers had recommended keeping Mr. Moonves as C.E.O. Now their view was shifting. Nancy Kestenbaum, a Covington & Burling partner, told the CBS directors she had serious concerns about his candor and judgment. “This is a deal-breaker,” she said. The lawyers recommended Mr. Moonves be put on leave.

Before the board acted, Ms. Kestenbaum tried to corroborate Mr. Moonves’s account. On Aug. 26, she called Mr. Dauer and then sent him two text messages. He ignored them. “Don’t talk to them,” Mr. Moonves told Mr. Dauer, according to Mr. Dauer. The spokesman for Mr. Moonves denied that he said that.

It was their last conversation. On Sept. 9, CBS’s board forced Mr. Moonves to step down. Mr. Dauer never got to deliver the Spam T-shirts.





Mr. Dauer grew up in Austin, Minn., a small town that is the home of the company that manufactures Spam. Elizabeth Weinberg for The New York Times

## 8. ‘I wouldn’t even know how to blackmail someone’

Whether Mr. Moonves was honest with CBS’s investigators could determine whether he collects a \$120 million severance payment. If he was fired for cause, CBS doesn’t have to pay him anything. Under his contract, failing to cooperate fully in a company investigation constitutes “cause.”

One fact that could influence that determination: CBS lawyers recently discovered that Mr. Moonves deleted many text messages with Mr. Dauer from his iPad, according to a person familiar with the internal investigation.

Mr. Dauer still had them.

Ms. Phillips has hired a lawyer, Eric M. George, to pursue claims against Mr. Moonves and CBS, including that he caused her emotional distress by dangling job possibilities to keep her silent and defamed her by insisting the encounter was consensual. Mr. Moonves “reopened these wounds, causing medical injuries and effectively ending her acting career,” Mr. George said in an interview.

In a mediation proceeding, Mr. George said he was seeking \$15 million for his client. Negotiations with Mr. Moonves’s lawyers collapsed. Mr. George told The Times that Ms. Phillips was weighing her options.

Mr. Dauer said he had recently signed “some terrific young girls,” but that he no longer managed Ms. Phillips or Ms. LaRue. “I don’t know how I got in the middle of this,” he said. “All I know is that I’m a key witness with \$120 million at stake. I can’t even imagine a sum of money like that.”

“I had no idea how big this would be,” he continued. “A friend of mine said maybe I should take a trip, get out of town. And another friend asked me, ‘Has the head of a dead horse shown up in your bed yet?’”

Without prompting, Mr. Dauer denied that he had attempted to blackmail Mr. Moonves. “I wouldn’t even know how to blackmail someone,” he said. “Not in my wildest dreams. Yes, I did try to get my clients parts. That’s my job. That’s what managers do.”

Doris Burke, Susan C. Beachy and Alain Delaquerière contributed research.

A version of this article appears in print on Dec. 2, 2018, on Page BU1 of the New York edition with the headline: ‘If Bobbie Talks, I’m Finished’: How Les Moonves Tried to Silence an Accuser

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