

Deborah Dugan Fires Back at Recording Academy, Cites Evidence of Alleged Attempts to 'Influence' Grammy Noms

 [variety.com/2020/music/news/deborah-dugan-recording-academy-grammy-awards-nominations-tampering-](https://www.variety.com/2020/music/news/deborah-dugan-recording-academy-grammy-awards-nominations-tampering-)

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In response to her termination Monday, ousted Recording Academy president/CEO Deborah Dugan's attorneys have fired back at the organization with a supplemental charge of discrimination that includes multiple new allegations, including what it claims is evidence of an attempts by the Academy — and longtime Grammy Awards executive producer Ken Ehrlich — to influence the nominations process. The document also includes what it claims is new evidence of the Academy's efforts to retaliate against her, particularly after her bombshell legal complaint of Jan. 21, which the new document supplements.

In the earlier complaint, Dugan, who was placed on leave just days before the Grammy Awards, accuses the organization of multiple instances of misconduct, including improprieties in the Grammy voting procedure; "egregious conflicts of interest, improper self-dealing by Board members... and a 'boys' club' mentality"; "exorbitant" legal fees paid to outside law firms; and that attorney Joel Katz, an Academy executive affiliated with one of those law firms, attempted to "woo" and kiss her. Her complaint also brought forth an accusation that her predecessor, Neil Portnow, raped an unnamed female artist; Portnow said he was exonerated after a third-party investigation).

The new document cites an email from Ehrlich that it claims implies a superstar artist would be more likely to perform on the Grammy Awards telecast if that artist received a nomination.

"On October 24, 2019," the document reads, "Mr. Ehrlich, the Producer of the Grammys, sent an email to Ms. Dugan and Mr. Mason and outrageously attempted to use his position to influence nomination votes. Specifically, Mr. Ehrlich attempted to press the Academy into nominating a song by a particular superstar in order to increase his ability to convince the superstar to perform at the Grammys. The email reads, in part: 'looking at the [American Music Awards] nominations this morning, it's more about who's NOT there than who is.....and [superstar] is definitely not gonna be happy. minor representation at best.....sooo.

"I think there's a case to be made to [superstar] that a performance of [song] from [album] on our show, should it be nominated,'" it continues, "'and that a blowout performance of that song, which IS a Grammy song, might . . . So, should there be some discussion in a certain room at your meetings next week for Record, Album and Song, and if it involves making a choice between [one album] vs. [a second album], my thought from knowing

[superstar] since [superstar] was a child, is that [superstar] might see the wisdom of a [] performance [of a song from the second album] . . . I'm jus sayin. Ken.' Mason responded, 'Gotcha. Thanks Ken.'"

The document also cites what it claims are other improprieties in the nomination process, specifically the post-vote alterations that nominating committee are permitted to make, and what it depicts as an awkward situation wherein people who are directly involved in potentially nominated releases briefly leave the room when they are up for discussion. It cites one Board member as writing to Dugan and Mason, "We need a solution to how we can eventually phase out the "Nomination Review" [referring to the nomination review committees] (or "Nomination Selection" as I prefer to call it . . . I think we need to look at the "add ons" that the Nomination review has the power to use. At the moment they can basically pick their own nominees. I don't feel comfortable with how they are being used."

It cites another as saying, "In the Best Jazz Vocal category I know for a fact that artists who have recordings up for awards in a given year, are still a part of the selecting committee for that year. I understand these folks must excuse themselves and leave the room when their recordings are up for voting, but minutes later they are back in the room with the same folks."

Reps for the Academy and Ehrlich did not immediately respond to *Variety's* requests for comment.

Also in the new document, Dugan's attorneys allege:

- * Since she filed her complaint, "the Academy has subjected her to repeated, ongoing and egregious retaliation," including a lawsuit "asserting outrageous, false and frivolous allegations" that was filed by Proskauer Rose, one of the law firms she asserted is "in bed" with the Academy.

- * That the Academy's "false explanations" for placing her on administrative leave on Jan. 16 "have been all over the map," and that the initial explanation "amounts to nothing more than a claim that Ms. Dugan was possibly rude" to her former assistant.

- *That "Dugan was put on leave because she engaged in protected activity and turned down the Academy's offer of settlement. The Academy wanted Ms. Dugan out, but knew that it has no cause to terminate her."

- *That "despite promising Ms. Dugan that it would make no substantive statement regarding the decision to place her on leave, the Academy immediately leaked news of the decision to the press."

*That “Katherine J. Edwards, the supposedly ‘independent investigator’ retained by the Academy to ‘investigate’ an official complaint to the Academy’s Human Resources department about allegations later leveled in her complaint “was handpicked and recommended to the Academy by Proskauer,” which “received and has continued to receive ‘millions’ of dollars in legal fees from the Academy — as evidenced by the organizations 990 tax records. Among Dugan’s proposals to the Academy’s Board was a dramatic reduction in the fees paid to outside law firms.

* That the Academy responded to a letter Dugan sent on Jan. 29 requesting to waive Dugan’s contractual requirement to arbitrate any claims against it by “sued Ms. Dugan by filing a Statement of Claim against her with the American Arbitration Association (the “AAA Complaint”)...clearly orchestrated by Proskauer and Mr. Mason with the hope that Ms. Dugan would feel threatened and intimidated and decide to drop her claims against the Academy.”

* That on Monday “the Academy terminated Ms. Dugan’s employment without cause, and immediately leaked that information to the press, along with defamatory and retaliatory quotes,” calling it “a message to women and minorities of all walks of life that the Academy is more interested in protecting itself than remedying sexual harassment, discrimination and voting irregularities, and that anyone who dares to stand against the Academy’s unlawful conduct will be harshly punished.”

* It disputes in detail claims in the Academy’s AAA Complaint, which has not been made public, that state:

-Upon her arrival to the Academy, Ms. Dugan made little effort to understand the Academy’s culture;

-Dugan hired consultants without Board approval;

-Dugan pushed forward with an office renovation without approval;

-Dugan did not speak well at one particular televised event (referencing Dugan’s stilted appearance the Grammy Awards nominations in December, at which it states “Ms. Dugan’s teleprompter was inaccessible / not working well during the press conference, and she made the best of a bad situation. This snafu was confirmed by Gayle King of CBS, who also was present”);

-Dugan failed to accept Board criticisms and mandates (citing responses to Dugan from Mason that include his comments, “You are well on your way” and “Thank you for the productive meeting last week”; and another from Ehrlich to an unnamed artist that reads in part, “Four months into the Great Deborah Experience and loving it.....she’s everything you said.....and more!!!”;

-Dugan accessed and disclosed “confidential” information, including to the media (it accuses the Academy of doing that, citing a “January 16, 2020 email from Mr. Mason notifying Ms. Dugan that she was being put on leave said, “the Recording Academy does not intend to provide any statement or comment regarding the status of your employment or leave of absence other than, if asked, to say that you have taken a leave of absence and/or that the Recording Academy will follow its usual policy of refusing to comment on private, personnel-related matters and issues”; it continues, “just minutes later, the Board issued a statement to the press stating that Ms. Dugan had been “placed” on administrative leave “in light of concerns raised to the Recording Academy Board of trustees, including a formal allegation of misconduct by a senior female member of the Recording Academy team.”

The new portion of the document concludes, “The real reason that Ms. Dugan has been terminated is clear: she was willing to stand up and fight against the Academy’s boys’ club environment, sexual harassment, gender and race discrimination, self-dealing, conflicts of interest and award nomination voting irregularities, among other misogynistic misconduct.”

In response to Variety’s requests for specific information on the Academy’s allegations against Dugan and her allegations against it, a rep for the organization told Variety on Monday, “One independent investigation found that her allegations are categorically false. The other independent investigation found that the allegations against her are true. The Board of the Recording Academy voted to dismiss her for cause based on these and other matters.” It declined to provide further details.

Variety will have more on this situation as it develops.