



## Personal Foul? *Deadspin* and an Iconic Athlete Epilogue

After hearing in October 2010 from a source who allegedly had photos and voicemails from Jets Quarterback Brett Favre to Jets in-house reporter Jenn Sterger, *Deadspin* Editor A. J. Daulerio met with Nick Denton, Gawker's founder. Denton told Daulerio to meet with the source and verify what was on offer before making any payment. Daulerio contacted the source, and offered to fly him/her to New York on October 6 so Daulerio could see the photos and hear the voicemail in person.

Daulerio went to the hotel to meet the source, but left the \$12,000 cash payment at the office. "What if I get whacked on the head?" he later said. "It's always a possibility."<sup>1</sup> After viewing the source's evidence, the two took a cab to *Deadspin*'s office. Daulerio retrieved the cash in an envelope and brought it downstairs. He exchanged the money for a USB drive containing all the files.

USB drive in hand, Daulerio met with Gaby Darbyshire, the media company's chief operating officer and legal director. She questioned whether publishing the pictures and voicemails was "absolutely necessary for the story." Daulerio assured her that it was. They also discussed the potential risks. "Once it was clear that the images had been widely circulated, and thus the tipster who sent them to us had not broken the law in obtaining them, I told AJ that it was fine to go ahead," Darbyshire says.<sup>2</sup> "We were united at the time of publication." Darbyshire had Daulerio "sign documents assuming responsibility for protecting the source's identity."<sup>3</sup>

Daulerio wrote a post for *Deadspin* that included a montage of the photos, pictures of Sterger and Favre (not together), and the voicemails. Before making the post public, he sent the URL along with a password to a second source to verify the photos and voicemails. (He also emailed Sterger to warn her that the photos were going to be published.) Once Daulerio received confirmation, he made the post public on the afternoon of Thursday, October 7. He wrote:

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<sup>1</sup> Gabriel Sherman, "The Worldwide Leader in Dong Shots," *GQ*, February 2011.

<sup>2</sup> Email from Gaby Darbyshire to author, February 15, 2012.

<sup>3</sup> Sherman, *GQ*, February 2011.

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This is the evidence she told us about last September. Sadly, Jenn is still reluctant to talk on the record about the matter. Everything shown in the above video was acquired from a third party.<sup>4</sup>

Daulerio, as well as *Deadspin*, Favre, Sterger and the post itself, became headline news in the mainstream media. Daulerio was interviewed by all the major networks and cable news channels. The post generated over 3 million page views within 10 days.<sup>5</sup> Numerous media critics and journalists discussed the ethics of breaking a promise to a source and the news value of the photos, and debated “checkbook journalism.”

The day the *Deadspin* post appeared, Brett Favre was asked for a comment about the photos and voicemails. By then Favre had rejoined his former team, the Minnesota Vikings, for the 2010-2011 season. “I’m not getting into that. I’ve got my hands full with the Jets and am trying to get some timing down with our guys, so that’s all I’m going to discuss,” he said.<sup>6</sup> (By coincidence, Favre would be facing his old team, the New York Jets, the following Monday.)

On Friday, October 8, 2010, the National Football League announced that it would look into the allegations concerning Favre to determine whether he had violated its personal conduct policy. On October 29, Jenn Sterger’s cable show, *The Daily Line*, was cancelled due to low ratings after a seven-month run. On Wednesday, December 29, the NFL fined Favre \$50,000 for his refusal to cooperate in the investigation. The league could not establish whether Favre had sent the photos and voicemails to Sterger.<sup>7</sup>

In late November 2011, Nick Denton announced on Twitter that Daulerio would move from his position as editor of *Deadspin* to editor of the publishing group’s flagship blog, Gawker. Daulerio assumed his new role on January 1, 2012. During Daulerio’s 3½-year tenure at *Deadspin*, the site’s monthly US audience rose from 500,000 to 2.6 million.<sup>8</sup>

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<sup>4</sup> A.J. Daulerio, “Brett Favre’s Cellphone Seduction of Jenn Sterger (Update),” *Deadspin*, October 7, 2010. See: <http://deadspin.com/5658206/brett-favres-cellphone-seduction-of-jenn-sterger>

<sup>5</sup> David Carr, “When Salacious is Irresistible,” The Media Equation blog, *The New York Times*, October 17, 2010. See: <http://www.nytimes.com/2010/10/18/business/media/18carr.html>

<sup>6</sup> “NFL looking into Favre allegations,” *Associated Press*, Saturday, October 9, 2010.

<sup>7</sup> Judy Battista, “Fine is Likely to be the Final Play in Favre’s N.F.L. Career,” *New York Times*, December 29, 2010. See: <http://www.nytimes.com/2010/12/30/sports/football/30favre.html?hp>

<sup>8</sup> Brian Stelter, “Gawker Names Editors for Two Blogs,” *The New York Times*, November 28, 2011. See: <http://query.nytimes.com/gst/fullpage.html?res=9506EEDB1230F93AA15752C1A9679D8B63&ref=gawkermedia>