

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

PETER ROSE,

Plaintiff,

v.

JOHN DOWD,

Defendant.

DEMAND FOR JURY TRIAL

Case No.

COMPLAINT

Plaintiff Peter Rose (“Rose”), by his attorneys, Martin Garbus (*pro hac vice* pending), counsel to Eaton & Van Winkle LLP, and August J. Ober, IV of the Law Offices of August J. Ober, IV and Associates, LLC, as and for his complaint in the above-entitled action, hereby alleges as follows:

PARTIES

1. Rose is a natural person who is a citizen of the State of Nevada, residing in Las Vegas, Nevada.
2. Defendant John Dowd (“Dowd”) is a natural person who, upon information and belief, is a citizen of the States of Massachusetts and/or Virginia, residing in Chatham, Massachusetts and/or Vienna, Virginia.

JURISDICTION AND VENUE

3. The Court has subject matter jurisdiction over the state law claims asserted in this action based on diversity of citizenship pursuant to 28 U.S.C. §1332(a) because the matter in controversy (a) exceeds the sum or value of \$75,000, exclusive of interest and costs, and (b) is between citizens of different States.
4. This District is a proper venue for this action pursuant to 28 U.S.C. §1391 because a substantial part of the events or omissions giving rise to the claims occurred in this District.

FACTS COMMON TO ALL CLAIMS

I. Rose's Major League Baseball Career

5. Rose is a former professional Major League Baseball ("MLB") player and manager.

Rose played in MLB from 1963 to 1986.

6. Rose played for the Cincinnati Reds (the "Reds") from 1963 to 1978. During that time he was known as the heart and soul of one of MLB's greatest all time teams, the Big Red Machine. During the 1970s, Rose and the Reds won six National League ("NL") West Division titles, four NL pennants, and two World Series titles.

7. Rose played for the Philadelphia Phillies (the "Phillies") from 1979-1983, during which they won three NL East Division titles and a World Series title.

8. At the time the Phillies signed Rose, he had more lucrative offers from other teams. When asked why he accepted the Phillies' offer, Rose explained that the Phillies were his first choice.

9. Rose helped deliver the Phillies their first ever World Series title in 1980, his second season as a Phillie.

10. Rose resumed his career with the Reds in 1984 and immediately became their player-manager. On September 11, 1985, Rose broke Ty Cobb's all-time hits record.

11. After retiring as a player in 1986, Rose continued to manage the Reds until on or about August 24, 1989.

12. Rose's playing honors include the NL Rookie of the Year, three NL batting titles, two gold glove awards, NL MVP, and World Series MVP. Rose was a seventeen-time All-Star and remains MLB's all-time hits record-holder with 4,256 career hits.

II. Rose on MLB's Ineligible List

13. Because of reports that Rose had bet on baseball, MLB began a confidential investigation concerning whether he engaged in conduct not in the best interests of baseball.

14. Upon information and belief, in 1989, Dowd was a practicing attorney associated with the firm of Akin, Gump, Hauer & Feld LLP (“Akin Gump”).

15. On or about February 23, 1989, Dowd, through Akin Gump, was engaged by the Office of the Commissioner of MLB to act as special counsel to confidentially investigate Rose.

16. Upon information and belief, in connection with that confidential investigation, Dowd and two associates and/or detectives interviewed 110 witnesses and compiled thousands of pages of documentation.

17. One of the people interviewed by Dowd was Michael Bertolini, with whom Rose had associated.

18. Dowd issued a confidential written report to the Commissioner, dated May 9, 1989 (the “Dowd Report”). It was two hundred and twenty five pages long, and was a compilation of all the evidence he had garnered against Rose. It included a detailed analysis of the results of his investigation, based on recorded conversations, testimony under oath and documentary evidence compiled and relied upon. In the Dowd Report, Dowd concluded that Rose had bet on the Reds in 1985-87 in violation of Major League Rule 21. A section of the Dowd Report was dedicated to the “Rose-Bertolini Betting”.

19. That confidential investigation culminated in a confidential agreement, on or about August 23, 1989, between Rose and the Office of the Commissioner of MLB, who at the time was Commissioner of MLB A. Bartlett Giamatti. The Commissioner did not make any formal findings, but Rose acknowledged that Giamatti had a factual basis to impose a penalty. The

Commissioner imposed and Rose accepted a disciplinary sanction declaring him ineligible in accordance with Major League Rule 21 and placed on the Ineligible List, but reserving his right to apply for reinstatement. Rose was (and has been) effectively banned from working in MLB or participating in MLB events without permission.

20. Being on the Ineligible List also effectively barred Rose from being eligible to be elected to the National Baseball Hall of Fame, pursuant to a rule it adopted in 1991.

*III. Dowd's prior efforts to harm and injure Rose
and inconsistencies in regard to his statements made*

21. Ever since Dowd investigated Rose in 1989 and Rose was placed on the Ineligible List, Dowd actively sought to prevent Rose from ever being reinstated by MLB or elected to the Hall of Fame, and he ultimately made maliciously false and reckless claims against Rose (as more fully set forth, *infra*).

22. Over the years, Rose has sought reinstatement with MLB. In 1992, Rose first applied for reinstatement. It was the last year of Fay Vincent's tenure as Commissioner. When he was a deputy commissioner for MLB, he had recommended Dowd to be special counsel. As Commissioner, Vincent never acted on Rose's application.

23. In 1998, Rose applied for reinstatement with Vincent's successor, Commissioner Bud Selig. Though it was reported that Selig seriously considered it and met with Rose on November 25, 2002, he never acted on Rose's applications. Nevertheless, as a result, Dowd openly advocated against Rose and his reinstatement, as evidenced by various conflicting statements he made in the press.

24. The Dowd Report expressly states that "[n]o evidence was discovered that Rose bet against the Cincinnati Reds."¹

¹ This is stated at page three, FN 3 of the Dowd Report.

25. But on December 12, 2002, NY Post reporter Joel Sherman reported that “Dowd said he had reliable evidence that Rose indeed bet against his team and was ‘close’ to being able to officially put it into his report, but was prevented by the need to get the report done quickly.” Dowd has never identified this purportedly reliable evidence to which he referred in his interview with Mr. Sherman because he had no such evidence. (A true and correct online copy of Sherman’s 12-12-02 article is attached hereto as Exhibit 1.)

26. On the very same day that the NY Post reported that Dowd said he had “reliable evidence” that Rose bet against the Reds, NY’s Daily News reported about its interview with Dowd, in which he admitted that he did not find any evidence that Rose bet on the Reds to lose. (A true and correct online copy of O’Keefe’s 12-12-02 article is attached hereto as Exhibit 2.)

27. These direct contradictions by Dowd on the very same subject matter are evidence that Dowd would lie when his personal animus toward Rose overcame him. Dowd’s statement that he had reliable evidence that Rose bet against the Reds was maliciously false and reckless and intended to harm Rose.

28. On or about May 19, 2003, Dowd was interviewed by Bob Edwards of National Public Radio (along with Cincinnati Reds broadcaster Marty Brennaman). Dowd made clear that he thought Rose should not be reinstated under any circumstance. (A true and correct online copy of NPR’s article about its 5-19-03 interview is attached hereto as Exhibit 3.)

29. As reported by the LA Times in a January 6, 2004 article by David Wharton ([published at <http://articles.latimes.com>]), Dowd created a website at <http://www.thedowdreport.com> entitled “DowdReport.com” which states, among other things, “[r]ecently, there has been much renewed interest in the Dowd report and in Pete Rose’s lifetime banishment from Baseball.” (A true and correct online copy of Wharton’s 1-6-04 article is attached hereto as Exhibit 4.)

30. For twelve or more years, Dowd has maintained his website and posted the Dowd Report, where it remains to this day (as of the filing of this complaint). On his website, Dowd never recanted his charge to Mr. Sherman (and others, as identified below) that he had evidence that Rose bet against the Reds.

IV. Dowd's concerted effort to prevent Rose from being reinstated leading up to the July 14, 2015 All-Star Game in Cincinnati

31. On or about January 25, 2015, Robert Manfred succeeded Bud Selig as Commissioner of MLB.

32. On or about February 26, 2015, Rose again applied for reinstatement with MLB. That same day, Commissioner Manfred reportedly said (as reported in a February 28, 2015 Newsday article by Steven Marcus [published at <http://www.newsday.com>]) that Rose "is free to submit a request for reinstatement or reconsideration and I'll deal with it." Mr. Marcus said comments by Manfred "appear[ed] to have rekindled the debate regarding the possible lifting of Pete Rose's lifetime ban..." (A true and correct online copy of Marcus's 2-28-15 article is attached hereto as Exhibit 5.)

33. Dowd again began to openly advocate against Rose and his reinstatement, telling Mr. Marcus that "Manfred should 'remember the historical force of the rule, that no one in the history of baseball who has been declared on the permanently ineligible has ever been readmitted to the game.'" Ex. 5.

34. Because of Rose's ineligibility status, he needed special permission to participate in official MLB events. That includes MLB's annual All-Star game.

35. The 2015 MLB All-Star game was to be held on July 14th, 2015 in the Great American Ballpark in Cincinnati, the home field of the Reds.

36. Commissioner Manfred said in March, 2015 that Rose would be granted permission to participate in the All-Star game festivities planned in Cincinnati.

37. As part of the MLB's 2015 All-Star game festivities, MLB created a "Franchise Four" promotion in which MLB fans voted for the 4 players who were the most impactful players who best represented the history of each franchise. MLB planned to honor the home team Reds' fans by presenting their Franchise Four, as part of the pre-game ceremony. It was anticipated that Rose would be voted in, and Commissioner Manfred also allowed his participation in the Franchise Four pre-game celebration.

38. Dowd gave an interview to James Pilcher of the Cincinnati Enquirer, who published an article on March 21, 2015 entitled "Pete Rose's investigator: Never let him back in baseball" (published at <http://www.cincinnati.com>). In it, Mr. Pilcher reported that Manfred had said he would meet privately with Rose and consider his request for reinstatement. (A true and correct online copy of Pilcher's 3-21-15 article is attached hereto as Exhibit 6.)

39. In Pilcher's article, Dowd again made clear his opposition to Rose ever being reinstated under any circumstance. He also repeated his charge that he had evidence that Rose bet against the Reds, although this time he claimed "that evidence didn't reach the standard to include in our report." Ex. 6, pg. 5 of 13.

40. Upon information and belief, in connection with Rose's 2015 request for reinstatement, Dowd met with MLB executive John McHale Jr. in May or June, 2015 for several hours to discuss Dowd's investigation and the evidence he had compiled.

41. On or about June 23, 2015, Dowd was interviewed by sports radio show host Jim Rome (broadcast by CBS Sports Radio and affiliate radio stations in the U.S.) to talk about newly found documentary evidence recently reported on by ESPN about Rose.

42. During the Rome interview, Dowd repeated his charge that he had evidence that Rose bet against the Reds and said, among other things, “[i]t’s just this **terrible arrogance that affects this guy** and his people and you know, shame on him; **he’s now been caught bare ass in front of this commissioner, and I love it.** And now, he’s standing out there naked.”.....“**He had Bertolini running young women down in Florida for his satisfaction,** so you know he’s just not worthy of consideration or to be a part of the game; this is not who we want in the game of baseball.” (A true and correct online copy of Mr. Rome’s show’s article about his 6-23-15 interview is attached hereto as Exhibit 7.)

43. Dowd’s comment to Jim Rome about Bertolini “running young women” for Rose’s satisfaction (which was false and malicious and recklessly made) was intended to harm Rose.

44. On or about June 25, 2015, Dowd was interviewed by sports radio show host Christopher Russo (broadcast on Sirius Radio) to talk about Rose and about the new ESPN evidence. Before eventually refusing to respond to Russo and hanging up on him, Dowd admitted, when directly challenged by him, that he had no evidence that Rose had bet against the Reds. That contradicted what Dowd had first claimed to Joel Sherman in 2002 (para. 25, *supra*), and then again most recently to both James Pilcher (as reported in his article) (para. 39, *supra*) and to Jim Rome (as stated during his recorded radio interview)(para. 42, *supra*), namely that he had evidence that Rose had bet against the Reds.

V. *Dowd maliciously and recklessly defames Rose during a radio interview the day before the July, 2015 All-Star game*

45. Dowd had previously given approximately six to seven interviews about Rose to long-time television and radio sports broadcaster/producer Bill Werndl over the years. Mr. Werndl’s entire sports broadcast career (which began in 1966) was in Philadelphia (except for a 12 year stint in San Diego that ended in 2008).

46. In July, 2015, Werndl was with the AM radio station WCHE 1520, situated in West Chester, Pennsylvania, about 25 miles west of Philadelphia. Dowd agreed with Werndl to be interviewed by him about Rose on air.

47. The interview took place on July 13, 2015, telephonically, and was broadcast to WCHE 1520 AM's listening audience in the entire region encompassing the City of Philadelphia.

48. During it, Dowd was asked "If Pete Rose and you were in a room, and gambling wasn't the topic and this had nothing to do with anything else, do you find Pete a likeable person? Not a likeable person? Do you see the window inside his soul and forget about all this?"

Dowd stated :

No. I've been asked that question -- whether he had any moral bearings at all. And the answer is no. you know, there is a lot of other activity. He constantly violated the concept of laws. **Michael Bertolini, you know, told us that he not only ran bets but he ran young girls for him down at spring training, ages 12 to 14. Isn't that lovely. So that's statutory rape every time you do that.** So, he's not ... he's just not, you know, the kind of person that I find very attractive. He's a street guy.

49. In addition to being broadcast, the interview was also posted on WCHE 1520 AM's website as a podcast, meaning it was readily accessible to anyone online.

50. Dowd's July 13, 2015 statements that Bertolini "ran young girls" for Rose, thereby committing statutory rape, were false and malicious and were designed to injure Rose and did.

VI. *Dowd's defamation of Rose is reported on and pursued;
Dowd refuses to recant, claiming it was "blown out of proportion"*

51. Dowd's July 13, 2015 false and malicious accusations of statutory rape of young teens by Rose on Philadelphia radio was re-published, and reported on. On August 6, 2015, it was first reported by Randy Miller of NJ Advance Media for NJ.com.² (A true and correct online copy of Miller's 8-6-15 article is attached hereto as Exhibit 8.)

52. Rose first learned of Dowd's false and malicious accusations of statutory rape of young teens from Mr. Miller that same day, and vehemently denied them on the record. Ex. 8

53. The next day, Rose's representatives Ray Genco and Mark Rosenbaum spoke directly with John McHale Jr. (who had recently met with Dowd) to discuss Dowd's accusations, at which time McHale advised that MLB had no information and nothing in its files to support Dowd's accusation that Bertolini "ran young girls" for Rose or committed statutory rape.

54. On August 7, 2015, Miller spoke with Dowd about his accusations of statutory rape and Rose's denial. Dowd reportedly told Miller "I have nothing further to say on it"; "I just don't want to discuss it anymore, I think this was blown out of proportion." When Miller reminded him that he was the one to make the accusations (of statutory rape), and that they were serious, he reportedly agreed, stating "They are. You ought to go talk to Michael Bertolini about them. He's the one that made them." (A true and correct online copy of Miller's first of two 8-7-15 articles is attached hereto as Exhibit 9.)

² NJ Advance Media is, according to its website, a media company that provides content for affiliated newspapers in New Jersey and Pennsylvania, including NJ.com, The Star-Ledger, and The Express-Times of Easton, Pa.

55. As separately reported by Miller later on August 7, 2015, Mr. Bertolini released a public statement through his lawyer Nick De Feis that:

Mike categorically denies the allegation. He never did any such thing, nor did Pete Rose, nor did Mike say anything to Dowd about the subject. The story is libelous to him and to Rose and should be retracted immediately.

(A true and correct online copy of Miller's second of two 8-7-15 articles is attached hereto as Exhibit 10.)

56. The (Philadelphia) Inquirer Daily News (published online at <http://philly.com>) ran a story about it on August 6th, with reporter Tommy Rowan quoting Dowd's false and malicious accusations of statutory rape of young teens by Rose and Rose's denial made to Miller (of NJ Advance Media). (A true and correct online copy of Rowan's 8-6-15 article is attached hereto as Exhibit 11.)

57. Rose and his lawyer met with MLB executives on or about September 24, 2015, including Commissioner Manfred and John McHale Jr. to discuss Rose's request for reinstatement. During the meeting, the subject of Dowd's accusation of statutory rape by Rose with young teens was discussed. Rose once again vehemently denied the accusations to Commissioner Manfred and Mr. McHale.

58. In December, 2015, Commissioner Manfred rejected Rose's request for reinstatement.

**FIRST CLAIM FOR RELIEF
AGAINST DOWD
(Defamation *Per Se*)**

59. Rose repeats and realleges each and every allegation contained in paragraphs 1 through 58 hereof as if fully set forth herein.

60. Dowd's on-air statements during WCHE 1520 AM's 7-13-15 broadcast that "Michael Bertolini, you know, told us that he not only ran bets but he ran young girls for him down at

spring training, ages 12 to 14. Isn't that lovely. So that's statutory rape every time you do that" are entirely false in every respect.

61. Rose never did any such thing and until the Dowd accusations, no one had ever claimed he did.

62. What Dowd attributes to Bertolini is false: Bertolini states he never told Dowd any such thing.

63. Dowd's repetition of the statements he attributes to Bertolini and his own statements, *in toto*, are defamatory *per se*, in that they are comprised of false accusations that Rose committed statutory rape.

64. Dowd knowingly made and thereby published his defamatory *per se* statements not only to Bill Werndl and Paul Jolovitz, who were present for the interview (and everyone else in the broadcast booth), but also knowingly made them during an on-air radio broadcast and thereby published them via WCHE 1520 AM to its entire listening audience in the Philadelphia and surrounding broadcast region.

65. Inasmuch as Dowd made his defamatory *per se* statements in direct response to the question "If Pete Rose and you were in a room, and gambling wasn't the topic and this had nothing to do with anything else, do you find Pete a likeable person?", such statements were clearly applicable to Rose.

66. Dowd's statements are comprised of false accusations of statutory rape and the reasonable listener would understand its defamatory meaning.

67. Dowd made his defamatory *per se* statements in response to the question "If Pete Rose and you were in a room, and gambling wasn't the topic and this had nothing to do with anything else, do you find Pete a likeable person? Not a likeable person? Do you see the window inside

his soul and forget about all this?’” and the reasonable listener would understand an intent by Dowd that his statements pertained to Rose.

68. Dowd’s statements are defamatory *per se* and Rose need not prove monetary harm resulting from their publication as a component of his claim.

69. Nevertheless, Rose has suffered actual compensatory harm to his reputation and standing in the community by reason of Dowd’s defamatory *per se* statements, and was initially and has since remained frustrated, distraught, upset, and distressed, resulting in actual compensatory harm in the form of personal humiliation and mental anguish and suffering.

70. Among other things, Dowd’s defamatory *per se* statements (both those he attributes to Bertolini and his own statements) were purportedly derived from an investigation that he conducted as special counsel to the Commissioner of MLB about Rose, they materially differed from earlier statements he had made on the same subject matter, and he reiterated his contention that Michael Bertolini made them even after he was made aware that Rose had vehemently denied them.

71. Dowd knew his defamatory *per se* statements to be false when he made them, had a high degree of awareness of their probable falsity, must have entertained serious doubts as to their truth or otherwise had a reckless disregard of whether or not they were false, such that they were made with actual malice.

72. Dowd’s defamatory *per se* statements were also made with common law malice, that is, ill will and/or an evil motive.

73. Rose is entitled to recover punitive damages in an amount to be determined at trial.

74. By reason of the foregoing, Rose seeks judgment in an amount to be determined by a jury at trial, but which amount exceeds the jurisdictional minimum of \$75,000 exclusive of

interest and costs.

**SECOND CLAIM FOR RELIEF
AGAINST DOWD
(Defamation)**

75. Rose repeats and realleges each and every allegation contained in paragraphs 1 through 74 hereof as if fully set forth herein.

76. Dowd's on-air statements during WCHE 1520 AM's 7-13-15 broadcast that "Michael Bertolini, you know, told us that he not only ran bets but he ran young girls for him down at spring training, ages 12 to 14. Isn't that lovely. So that's statutory rape every time you do that", that is, Dowd's repetition of the statements he attributes to Bertolini and his own statements, *in toto*, to the effect that Rose committed criminal offenses consisting of serious sexual misconduct (namely, statutory rape with young teens) are defamatory in that they tend to harm Rose's reputation as to lower him in the estimation of the community or to deter third persons from associating or dealing with him.

77. At the time Dowd defamed Rose, Rose had existing product endorsement deals.

78. Rose's endorsement deals were abandoned because of Dowd's accusations of criminal offenses by Rose consisting of statutory rape and serious sexual misconduct with young teens.

a. Ducere Pharma abandoned its endorsement agreement with Rose

79. Rose signed an endorsement agreement in December, 2014 with Ducere Pharma, LLC, headquartered in New Hope, Pennsylvania, about 40 miles north of Philadelphia. The agreement was signed on Rose's behalf and for his personal services by his agent CEI Sports, Inc., with his full authority and consent to grant the rights to such personal services, for which Rose would be paid by CEI Sports.

80. Rose was to promote Mayoflex pain relieving cream for Ducere Pharma. Photographs of Rose for that promotion had already been taken for use on in-store point of sale promotional

materials, and Rose received an initial fee of \$65,000. They were in the midst of the campaign.

81. Ducere Pharma and Rose were also in continuing communications for the exercise of an option to continue to use Rose for that promotion and to expand it to other products.

82. After and because Dowd defamed Rose with accusations of statutory rape, Ducere Pharma abandoned the promotion. Ducere Pharma did not exercise its option to continue and expand the campaign featuring Rose.

83. Rose would have earned not less than \$71,000 under the existing agreement, had Ducere Pharma exercised its option.

b. Skechers abandoned its endorsement agreement with Rose

84. Rose entered into an agreement in or about April, 2014 with Skechers to do an advertising campaign featuring him, to be launched with a humorously toned television commercial, extending across all media with Rose appearing in print, outdoor, online and point-of-sale materials through 2015. The agreement was signed on Rose's behalf and for his personal services by his agent CEI Sports, Inc., with his full authority and consent to grant the rights to such personal services, for which Rose would be paid by CEI Sports.

85. Rose's contract with Skechers was for a term of October 1, 2014 through December 31, 2015, and contained an option by Skechers to extend the term for the same compensation.

86. The commercial featuring Rose began airing in the months before the Super Bowl and received favorable comments and reviews.

87. The commercial was so well received that Skechers re-launched that commercial during the Super Bowl on February 1, 2015. In the days beforehand, Skecher's president,

Michael Greenberg, gave a statement (published in Adweek):

Pete isn't just a baseball legend, he's an American icon—and there's no better place for an American icon than the Super Bowl. Besides, what better place is there for Pete to state his case for the Hall? Maybe the hundred million plus people watching will turn the tide.

88. The Super Bowl commercial featuring Rose was well received and widely popular.

89. Because of the success of the Rose commercial, another Skechers commercial featuring Rose was under consideration as part of the existing advertising campaign agreement.

90. Had Skechers exercised its renewal option and another commercial gone forward, Rose would have earned not less than \$250,000 pursuant to his written agreement.

91. After Dowd defamed Rose with false accusations of statutory rape, Skechers did not exercise its renewal option.

92. By reason of Dowd's defamatory statements, Rose has been caused to suffer actual compensatory harm to his reputation and standing in the community and was initially and has since remained frustrated, distraught, upset, and distressed, resulting in actual compensatory harm in the form of personal humiliation and mental anguish and suffering, together with specific monetary harm, including, but not limited to (a) the abandonment of an existing endorsement agreement with Dusere Pharma resulting in monetary damages of not less than \$65,000, and (b) the abandonment of an existing endorsement agreement with Skechers resulting in monetary damages of not less than \$250,000.

93. Dowd's defamatory statements were made with both actual malice and common law malice.

94. In view of the foregoing, Rose is also entitled to recover punitive damages in an amount to be determined at trial.

95. By reason of the foregoing, Rose seeks judgment in an amount to be determined by a jury at trial, but which amount exceeds the jurisdictional minimum of \$75,000 exclusive of interest and costs.

THIRD CLAIM FOR RELIEF
AGAINST DOWD
(Tortious Interference with Existing or Prospective Contractual Relationship)

96. Rose repeats and realleges each and every allegation contained in paragraphs 1 through 95 hereof as if fully set forth herein.

97. Rose's commercial for Skechers was well-received and, given its broadcast during halftime of the 2015 Super Bowl, widely-viewed.

98. As evidenced by various on-air interviews given by and articles quoting Dowd in 2015, Dowd was studiously aware of all of Rose's public statements and appearances.

99. Upon information and belief, there were 114.4 million viewers of the 2015 Super Bowl in the United States, making it the most watched broadcast in U.S. television history.

100. Upon information and belief, Dowd knew of Rose's endorsement with Skechers by reason of (a) the record setting viewership of the 2015 Super Bowl, (b) the favorable comments and press given to Rose's commercial when it began airing in the months prior to the Super Bowl, (c) the nationwide attention Rose's commercial garnered during and after the 2015 Super Bowl, and (d) Dowd's demonstrable knowledge of all things done and said by Rose publicly.

101. Upon information and belief, given the foregoing, Dowd's on-air statements during WCHE 1520 AM's 7-13-15 broadcast that "Michael Bertolini, you know, told us that he not only ran bets but he ran young girls for him down at spring training, ages 12 to 14. Isn't that lovely. So that's statutory rape every time you do that" was purposeful action specifically intended to harm Rose's endorsement agreement with Skechers.

102. Dowd's purposeful action, specifically intended to harm Rose's endorsement agreement with Skechers, was not legally privileged or justified in any respect.

103. There existed a reasonable likelihood that Skechers would have renewed its endorsement contract with Rose pursuant to its option but for Dowd's tortious interference with same.

104. By reason of Dowd's tortious interference, Rose was caused to suffer damages, *to wit*, the compensation to which he would have been entitled had Skechers renewed its endorsement contract with Rose.

105. By reason of the foregoing, Rose seeks judgment in an amount to be determined by a jury at trial, but which amount exceeds the jurisdictional minimum of \$75,000 exclusive of interest and costs.

WHEREFORE Plaintiff Peter Rose demands a money judgment against Defendant John Dowd for the amounts described herein and an award of punitive damages, together with costs and expenses, including attorneys' fees, of this action, and such other and further relief as the Court deems just and proper.

Dated: West Chester, Pennsylvania
July 6, 2016

LAW OFFICES OF
AUGUST J. OBER, IV AND ASSOCIATES, LLC

/s/ AUGUST J. OBER IV

By: _____
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BREAKING NEWS

Woman on UCLA shooter's 'kill list' found dead in Minnesota



SPORTS

ROSE-PROBE BOMBSHELL – DOWD HAD EVIDENCE PETE BET AGAINST REDS; ROSE EXPOSED -PROBER: HE LIKELY WAGERED AGAINST THE REDS

By Joel Sherman

December 12, 2002 | 5:00am

John Dowd, who wrote the damning report that led to Pete Rose's expulsion from baseball 13 years ago, said the report was not as damning as it could have been.

The Washington D.C.-based lawyer revealed yesterday that if the investigation would have continued a little longer it would have shown the all-time hit leader not only bet on Reds' games, but actually bet against the team he was managing.

That made another of Dowd's disclosures yesterday all the more stunning. Dowd said by phone that he has been told that part of Rose's reinstatement agreement would make him manager of the Reds again.

Dowd, who investigated Rose for Commissioners Peter Ueberroth and Bart Giamatti in 1989, said the time constraints to get his examination finished and try to stem a matter that was soiling the sport, forced him to stop pursuing certain avenues. Thus, the official Dowd Report states: "no evidence was discovered that Rose bet against the Cincinnati Reds."

However, Dowd said he had reliable evidence that Rose indeed bet against his team and was "close" to being able to officially put it into his report, but was prevented by the need to get the report done quickly.

"I think that is probably right," Dowd said when he asked if he thought Rose gambled against the Reds.

In any case, Dowd said Rose did not bet on the Reds whenever two pitchers, including Mario Soto, started, which "sent a message through the gambling community that the Reds can't win" on those days.

Dowd also said he has lingering concerns about the extent Rose was involved in a cocaine distribution ring in the late 1980s.

In the Sept. 2001 issue of Vanity Fair, former Rose associate Tommy Gioiosa said Rose invested money in cocaine deals. Dowd also worries Rose is still vulnerable to people he might owe money to from that time, making him a greater risk to provide inside information again if he is allowed back into major league clubhouses.

"[Rose's possible reinstatement] begs a lot of questions," Dowd said. "Because I would like to ask all the questions over where he denied ever betting while he was under oath. I'd like to find out whom he was dealing with and whom he owed money to, and whether he is still indebted to any of those people. I would like to ask him about the cocaine business [in Ohio] and whether he was a cocaine distributor down the line. I would like to know what he has been doing the last 12 years and whether he is still gambling.

"This is serious business, especially since he's told someone he is going to be manager of the Reds. The people of Cincinnati should be assured that all of these things have been checked out."

Neither Roger Greene, Rose's agent, nor Roger Makley, his attorney, returned calls yesterday. Selig refused comment on any issue involving Rose, including if there was an understanding Rose would become manager of the Reds again.

"A person called me [Tuesday] and said he had a conversation two weeks ago with Rose in which Rose said he sat with [Bud] Selig and they came to the agreement if [Rose] made the proper admissions, he would manage the Reds again," Dowd said by phone. "[The Reds] want to

get rid of [manager Bob] Boone and bring in Rose as manager."

Reds chief operating officer John Allen, reached in his office, denied that any side deals have ever been talked about.

"There is absolutely nothing to this," Allen said. "We've had no discussions and I'd know about something like this because I am the COO of this team and I am the liaison to ownership."

Allen said he has heard many rumors involving Rose, but that the Reds are not involved in reinstatement negotiations in any way. Allen said if Rose were reinstated he could imagine his organization asking Rose to come to spring training as a special instructor as it does with other former Reds greats such as Johnny Bench, but that "Bob Boone is our manager." Allen said, "absolutely not" when asked if there have been any meetings to discuss making Rose manager should he be reinstated.

News broke this week that Rose met with Selig on Nov. 25 about possible reinstatement. During both the investigation into whether he bet on baseball as manager of the Reds from 1984-89 and in the aftermath of Aug. 23, 1989 when he signed an agreement for a lifetime ban, Rose has steadfastly denied betting on baseball.

Apparently, as a parameter of reinstatement, Rose would make a public acknowledgment in some form that he did, indeed, bet on baseball. If reinstated, Rose would probably become eligible for the Hall of Fame and allowed to work within the major leagues again.

Dowd said he finds that possibility "stunning." Among his litany of problems with Rose, Dowd said is that he has seen no evidence over the past 13 years that Rose "reconfigured his life" as Giamatti asked the baseball great to do at the time of his banishment. Thus, Dowd sees no reason to make Rose the first player ever allowed back from the permanently ineligible list.

"It sends a powerful, powerful, powerful message that if you cross the Rule 21 (gambling on baseball) line, you're not getting back in, baby," Dowd said about keeping Rose out. "I don't understand the rationale for changing that."

PETE'S WORLD ACCORDING TO DOWD

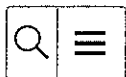
*On Rose betting against the Reds: "I think that is probably right."

*Claims Rose would not bet when Mario Soto and a second unnamed Reds pitcher were on the mound – a clear sign to betting world that Reds may not win.

* Implicates Rose in 1980s cocaine ring: "I would like to ask him . . . whether he was a cocaine distributor."

*Says Reds are planning to make Rose manager if he is reinstated.

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ARCHIVES



TO PETE'S RETURN, FAY SAYS NO WAY! Ex-commish: Bud taking big gamble

BY MICHAEL O'KEEFFE FOLLOW

NEW YORK DAILY NEWS Thursday, December 12, 2002, 12:00 AM



The men who exiled Pete Rose from baseball have a message for Commissioner Bud Selig: Not so fast. Selig could unwittingly expose baseball to future gambling scandals if he lifts the game's 13-year ban on Rose and makes the all-time hit king eligible for Cooperstown, former commissioner Fay Vincent told the Daily News yesterday. John Dowd, the lawyer who led the investigation into Rose's alleged gambling and prepared the famous "Dowd Report" that condemned Charlie Hustle to a lifetime ban, also urges caution. "Selig is getting involved in a very high-risk venture," Vincent says. "This could be the defining mistake of his tenure as commissioner.

" According to Major League Baseball rules, any player, manager or executive who bets on his own team faces a permanent ban, a rule Vincent believes has protected the game for decades. Without that kind of death penalty, he says, fans will question the outcome of games, making baseball seem more like professional wrestling than real sport. "The commissioners, at least up until this time, have understood that this is a deterrent that really works," says Vincent, who has had a long-running feud with Selig, who Vincent believes orchestrated his ouster as commissioner in 1992. "If there is an epidemic of gambling in baseball five years from now, it would be Selig's responsibility for removing that deterrent. "People say players get paid too much to get involved with gamblers," adds Vincent. "But what about the home-plate umpire, who has far more ability to influence the outcome of a game?

" The Daily News reported earlier this year that Vincent secretly placed umpires Frank Pulli and Richie Garcia on two years' probation in 1989 for gambling. The penalty was not more severe, Vincent says, because there was no evidence the umpires bet on baseball. Pulli now works in baseball as an umpire supervisor. Vincent would not say if he supports or opposes reinstating Rose without knowing what terms and conditions baseball would impose on him. Vincent says if he was still commissioner, he would require Rose to travel around the country lecturing about why gambling can be detrimental to baseball. "The issue is not whether he bet on baseball - he clearly did," Vincent says. "The issue is whether it's in baseball's best interest to reinstate Pete Rose. Otherwise, if he becomes the manager of the Reds, how do you know he won't bet on baseball again?"

" Baseball officials would not comment yesterday on Rose's attempts to be reinstated, but Selig's silence is in sharp contrast with the past, when he has repeatedly and pointedly said there was nothing in Rose's 1997 reinstatement application to warrant lifting the ban. Vincent believes Selig is responding to immense pressure from fans and three Hall of Famers: Mike Schmidt, Rose's teammate on the Phillies from 1979-83, and Joe Morgan and Johnny Bench, who played with Rose on the Big Red Machine teams of the 1970s. "Seventy-five percent of the public wants him back because we are a nation that forgives everyone, from Richard Nixon to Bill Clinton to Pete Rose," says Vincent, who adds that Americans are much more tolerant of gambling than they were in 1989, when lotteries and casinos were limited to a handful of states. Rose attorneys Roger Makley and Gary Spicer did not return calls for comment. Baseball's investigation into Rose began in late 1988, when then-Commissioner Peter Ueberroth's office received a call from a Sports Illustrated reporter who said the magazine was preparing a story that accused Rose, then the manager of the Reds, of betting on his own team. "None of us believed it was true," Vincent remembers. Rose was called to New York in February 1989, just as spring training was beginning, and asked about the allegations. "He said he never bet on baseball, but he bet on everything else," Vincent remembers. "It made sense. Why would anyone be so stupid as to bet on their own

team?

" Ueberroth left baseball in March 1989 and was succeeded by National League president Bart Giamatti, who was left to deal with the investigation being conducted by Dowd, a former Department of Justice prosecutor hired to look into the allegations. Dowd confirmed baseball's worst fears: Rose, one of the game's most popular players, had committed the biggest sin a baseball player could commit: He bet on baseball - including games he managed. "There's no question he bet on the Reds," Dowd told the Daily News, citing evidence included in his 225-page report, including betting slips in Rose's own handwriting, a bookie's notebook that documents his bets and testimony from several of his associates. The most damning evidence against Rose included telephone records maintained by the Reds. Former owner Marge Schott, angry that players were using clubhouse phones for free, ordered the operator at Cincinnati's Riverfront Stadium to keep track of telephone calls. "We found that Pete had made regular calls to a bookie," Vincent says. Dowd says he did not find evidence that Rose bet on the Reds to lose. But when Rose did not bet on a game, he unwittingly gave bookies valuable information - that he didn't think the Reds would win. "Rose would not place bets when Mario Soto pitched," Dowd says. "That sends a signal to gamblers.

" "Pete Rose corrupted baseball," Vincent adds. Rose was polite but repeatedly denied he bet on baseball when confronted by Dowd with the evidence against him during a deposition conducted in the cafeteria of a Catholic convent in Dayton, Ohio, in April 1989. The convent was selected by Makley to shield Rose from the media. "He did not enjoy it when I showed him the betting slips and played the tapes for him, but he behaved himself," Dowd remembers. In August 1989, Rose, who was facing prosecution for tax evasion, consented to the lifetime ban with the belief that he could be reinstated after a year. In the agreement he signed, he does not admit guilt. But afterward, Giamatti shocked Rose by telling reporters he believed Rose had bet on the Reds. Rose denied betting on baseball or the Reds, a position he has stood by. Rose served five months in a halfway house for tax evasion in 1990, and has spent the last

years selling memorabilia, running two south Florida restaurants, being host of a radio talk show and drumming up public opinion for reinstatement. "The problem with Pete is one of arrogance," Dowd says. "He thinks he's a legend, that he's bigger than baseball.

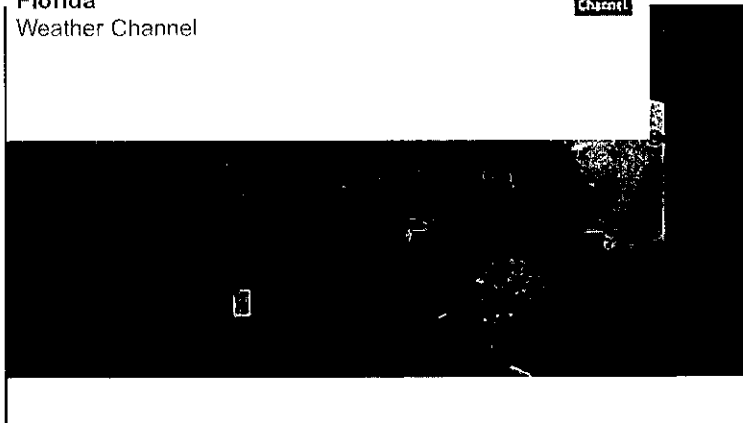
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Tropical Storm Colin Takes Aim at
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U.S.

The Pete Rose Controversy

Debate Revived over Status of Baseball Legend's Ban

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May 19, 2003 · 12:00 AM ET

Heard on Morning Edition

Hear an extended version of Bob Edwards' interview with lawyer John Dowd.



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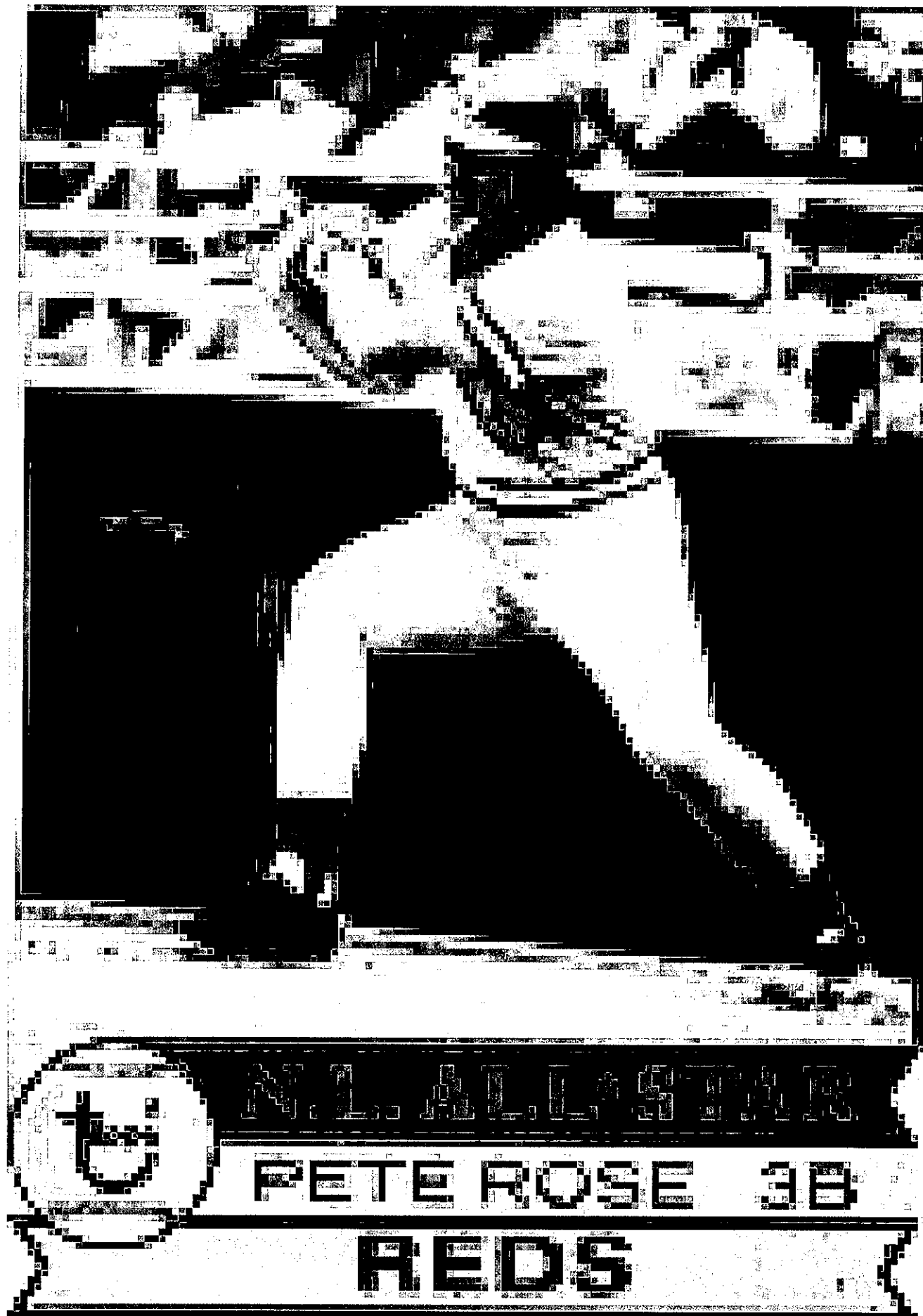
Hear an extended version of Edwards' interview with Reds announcer Marty Brennaman.



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Pete Rose, seen on an 1979 baseball card, is one of the game's greatest players, leading in career hits (4,256) and at-bats, (14,053).

Card courtesy Eric Westervelt, NPR News

Hear Pete Rose Historical Moments

- ④ Announcers Marty Brennaman and Joe Nuxhall describe Rose's 4,192nd hit, which broke Ty Cobb's career record on Sept. 11, 1985.
- ④ The late Baseball Commissioner Bart Giamatti explains the decision to ban Rose in 1989.
- ④ Rose reacts to being banned from baseball in 1989.



A 1983 All-Star Game baseball signed by Pete Rose.

Ball courtesy Eric Westervelt, NPR News

One memorable September night in 1985 at Cincinnati's Riverfront Stadium, Pete Rose transformed his baseball career into something legendary. With hit number 4,192, Rose passed Ty Cobb to become baseball's career leader in hits. At the time, Rose — who played so hard he was nicknamed Charlie Hustle — was a cinch to be elected to the baseball Hall of Fame.

But four years later, Rose was banned from the sport after an investigation found he had gambled thousands of dollars on baseball games as a player and a manager for the Cincinnati Reds. Rose said he "made some mistakes" but denied betting on baseball.

Major League Baseball officials are considering giving Rose a second chance at reinstatement — a move that potentially would allow him to enter the Hall of Fame. Rose made his case to Commissioner Bud Selig several months ago. There are indications that Selig might reinstate Rose — if he admits that he bet on baseball and apologizes for it.

NPR's Bob Edwards examines the debate over Rose in interviews with attorney and investigator John Dowd, whose report accused Rose of betting on baseball, and long-time Cincinnati Reds broadcaster Marty Brennaman, who says Rose should be allowed into the Hall of Fame — if Rose apologizes first.

"You know, he's maintained all these years that he never bet on baseball," Brennaman says. "He may be the only one on Earth that believes that."

Brennaman, himself a Hall of Fame member, says Rose has to "throw himself on the mercy of the court" — baseball officials and fans. The announcer says that accepting Rose's apology would not mean that gambling is condoned by baseball. After all, Brennaman says, other players have been reinstated after committing serious offenses, including domestic violence.

But Brennaman says Rose shouldn't necessarily be allowed to come back as a manager. "Anytime there was a questionable move on his part, the question [about gambling] would then come up," Brennaman says.

Dowd says Rose should not be allowed back into baseball under any circumstances. "The issue is protecting the game, not protecting Mr. Rose and his reputation," Dowd says. "That's the judgment that's been made on anyone who's ever bet on the game and I think we ought to honor that."

"In my judgment, I don't think there are any circumstances that justify his return to the game... If you let Rose back in, then the message to anyone who gambles and

gambles on the game is that if you throw enough of a public relations tantrum and admit that you did it, then you ought to be back in the game."

Dowd notes that no one who's been declared permanently ineligible to participate in baseball has ever been readmitted. Commissioner Selig is "coming up against a great deal of powerful history on a rule that has been time and again demonstrated to prevent the corruption of the game."

The force of the rule is "remarkable," Dowd says. The best evidence of that is the day that then-Baseball Commissioner Bart Giamatti banned Rose, the commissioner "got calls from ballplayers all over the country" thanking him for "protecting the rule because they obey it. It's posted right on the clubhouse door and they get reminded every spring what it is because experience has taught us that (gambling) really does undermine the game and it can't be ignored."

Selig has not said when he might rule on Pete Rose's application for reinstatement.

Related NPR Stories

Jan. 21, 2000: Pete Rose meets with major league owners to discuss his efforts to be reinstated.

Oct. 27, 1999: Morning Edition commentator Frank Deford speaks in favor of reinstating Rose to Major League Baseball.

Feb. 8, 1991: Morning Edition commentator Red Barber chats with guest host Mara Liasson about why Rose won't be allowed into the Baseball Hall of Fame.

Oct. 25, 1999: NPR's Robert Siegel speaks with New York Times columnist Robert Lipsyte about the controversy over NBC interviewer Jim Gray asking Rose whether he would apologize for gambling.

Web Resources

Pete Rose's official site

The Dowd Report (Adobe Acrobat required)

Other documents about Rose

Pete Rose career highlights

Pete Rose stats

The Baseball Hall of Fame's answer to the 'frequently asked question' about why Rose is not a member

A Baseball Hall of Fame Web page about Rose joining the '3,000-hit Club' in 1978

Cincinnati Enquirer coverage of Rose's attempts to be reinstated into baseball

Former President Jimmy Carter's 1995 letter to USA Today in favor of forgiving Rose

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Dowd Finally Is Vindicated

The investigator and author of report on baseball gambling by Pete Rose endured years of criticism.

January 06, 2004 | David Wharton | Times Staff Writer

For more than a decade, Pete Rose insisted that the investigator whose report painted him as a baseball gambler was wrong.

If ever John Dowd wanted to say "I told you so," Monday was his chance.

But as news broke that Rose had admitted to betting on baseball, a secretary at Dowd's law firm in Washington said he was traveling and unavailable for comment.

It was left to Fay Vincent, Dowd's friend and former baseball commissioner, to speak for him.

"It's total vindication and it's been 14 years in coming," Vincent said from his winter home in Florida. "I mean, he took a lot of abuse and not just from Rose."

Others had joined in criticizing Dowd and his 1989 investigation.

Roger Kahn, an authorized biographer of Rose, wrote that Dowd "played dirty pool with Pete" and that his probe was reminiscent of Sen. Joseph R. McCarthy's hunt for Communist Party sympathizers. Baseball historian Bill James contended for years that the report was flawed.

Rose claimed investigators had blackmailed witnesses against him and called the report a pack of lies, among other things, in interviews.

"Pete must think we all just fell off a turnip truck," Dowd told The Times in 1999, adding: "The evidence was overwhelming and non-contradicted."

A former Marine captain, Dowd earned his law degree at Emory University in 1965 and later worked for the Justice Department as a trial attorney in the tax division and chief of an organized crime strike force.

Vincent met him while serving as an associate director for the Securities and Exchange Commission.

"He had convicted a bunch of mafia guys," Vincent recalled. "That's a tough game he played."

Though they knew each other only casually, Vincent later called upon Dowd when rumors began circulating about Rose, who had retired as baseball's all-time hits leader and was managing the Cincinnati Reds.

The commissioner's office decided to launch an investigation and Vincent, a deputy commissioner at the time, recommended Dowd, who had left the government for private practice.

"We all thought Rose was telling us the truth and that we wouldn't find anything to the contrary," Vincent said. However, he added, "We needed a guy who was a good investigator, a tough cookie."

Dowd, who calls himself a lifelong fan of the game, soon told baseball executives: "There's a lot here."

The evidence included interviews, telephone records and canceled checks. His voluminous report detailed hundreds of baseball wagers, and dozens on Cincinnati to win.

In August 1989, Rose agreed to a lifetime ban under the condition that he neither admit to nor deny the allegations.

By no means would that be Dowd's last high-profile case.

His clients included Sen. John McCain (R-Ariz.) during the "Keating Five" scandal and former Arizona Gov. Fife Symington, who faced bank fraud charges. Last year, he represented a former Enron executive who pleaded guilty to insider trading.

But it was the Rose investigation that most consistently kept his name in the news.

"I don't think any of us could have imagined," Vincent said.

Interest remained strong enough over the years that a Web site, dowdreport.com, was launched.

"I am making the Dowd Report and the agreement signed by Pete Rose and Commissioner [Bart] Giamatti available in this forum so that the public may draw its own conclusions," Dowd states on the site.

There was another enduring effect on his life. Soon after Rose's ban, the chain-smoking Giamatti died of a heart attack. Dowd had grown close to him.

"John, who smoked three packs of unfiltered Camels a day, gave up smoking the day Bart died," Vincent said. "He went cold turkey and I don't think he ever

smoked again."

Nor did Vincent believe Dowd regretted taking the Rose case.

"He's taken a lot of shots," Vincent said. "But the work he did was terrific."

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<http://www.newsday.com/sports/baseball/pete-rose-should-not-be-reinstated-fay-vincent-says-1.9989521>

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Pete Rose should not be reinstated, Fay Vincent says

February 28, 2015 By STEVEN MARCUS steven.marcus@newsday.com



CINCINNATI - SEPTEMBER 11: Pete Rose takes part in the ceremony celebrating the 25th anniversary of his breaking the career hit record of 4,192 on September 11, 2010 at Great American Ball Park in Cincinnati, Ohio. He was honored before the start of the game between the Pittsburgh Pirates and the Cincinnati Reds. (Photo by Andy Lyons/Getty Images) (Credit: GETTY IMAGES Andy Lyons)

Recent comments by Major League Baseball commissioner Rob Manfred appear to have rekindled the debate regarding the possible lifting of Pete Rose's lifetime ban for betting on baseball games.

Manfred said Thursday that Rose, MLB's all-time hits leader with 4,256, is "free to submit a request for reinstatement or reconsideration and I'll deal with it."

Rose, then manager of the Reds, essentially was banned Aug. 24, 1989, when he accepted a place on baseball's permanently ineligible list after an investigation led by lawyer John Dowd determined he had bet on baseball. Rose later spent five months in prison after pleading guilty to two charges of filing false income tax returns.

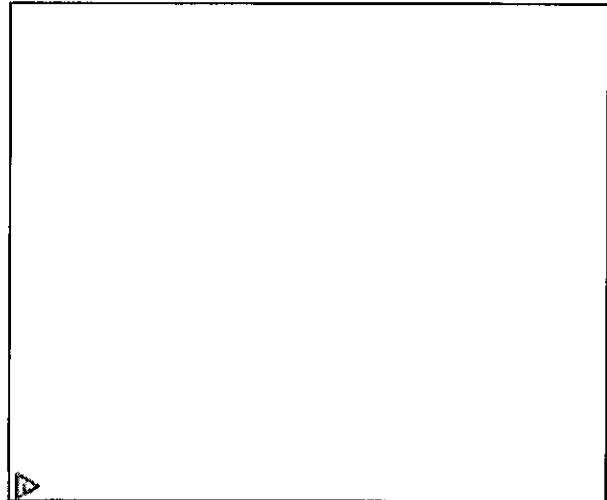
Manfred said Thursday it would be incorrect to characterize his position on Rose as any different from that of predecessor Bud Selig, who during his 22 years took no action on Rose's application.

Still, any consideration at all would not sit well with Selig's predecessor, Fay Vincent, the then-deputy commissioner who spearheaded the investigation that led to Rose's banishment. Vincent, commissioner from 1989-92, said he hopes Manfred denies the request if Rose, 73, applies for reinstatement. Vincent succeeded

A. Bartlett Giamatti, who imposed the penalty, after Giamatti's death.

A spokesman said Rose would not comment.

"The Pete Rose case is not about Pete Rose, so the issue of 'has he served his time, does he deserve mercy?' is in my book irrelevant," Vincent, 76, said Friday. "This issue has always been the deterrent in baseball against gambling [and] is almost perfectly successful. It never happens, and the reason it doesn't happen is if you touch that third rail, you're out of baseball for life whether you're a Hall of Famer or not, and nobody's ever been reinstated."



"For a commissioner to change that deterrent -- advertisement | advertise on newsday without an awful lot of very careful examination -- would be a bad mistake," Vincent said. "I don't believe Rob Manfred is up to that kind of mistake. I don't think he's going to do it, either."

Manfred said if Rose applied for reinstatement, he would be required to review it.

"From the very beginning, it was contemplated that under our rules, a player can always apply for reinstatement," he said. "I've never said I was going to look at this [immediately]; what I said was I would deal with a request from Mr. Rose if and when he makes it."

Dowd said Manfred should "remember the historical force of the rule, that no one in the history of baseball who has been declared permanently ineligible has ever been readmitted to the game."

Rose's status also has come into focus because Cincinnati is hosting the All-Star Game in July and Rose -- who makes a living signing sports memorabilia -- is expected to take part in some of the festivities.

"Despite all that he did, Rose remains an icon in Cincinnati," said Hal McCoy of Fox Sports Ohio, a Hall of Fame writer who has covered the Reds for more than 40 years. "He comes to games often, supposedly pays his way in. When they show him on video, the place goes crazy. All the emails and remarks I get are always 'Put Pete in the Hall of Fame, Pete belongs in the Hall of Fame.'"

Even if Manfred reinstated Rose, it would not assure his entrance into the Hall of Fame. Because he was on the ineligible list, his name never appeared on the ballot of voting members of the Baseball Writers' Association of America. Phil Pepe, a past president of the BBWAA, said straw polls at the time showed Rose getting 50 percent of the votes, far below the required 75 percent.

Rose's candidacy, should he ever be reinstated, would be considered by the Expansion Era Committee consisting of retired players, managers, executives, writers and historians.

Edward Stack, former president of the Hall of Fame, doubts Manfred will take any action should Rose apply, saying: "If I was a betting person, which I'm not, I'd bet Manfred's not going to do anything different from what Selig did -- sit on it."

< back to article

Pete Rose's investigator: Never let him back in baseball

JOHN DOWD SAYS HOLDING FIRM ON ROSE'S BAN IS THE ONLY WAY TO
PROTECT THE GAME FROM THE CORRUPTION OF MONEY.

James Pilcher, jpilcher@enquirer.com (/staff/11209/james-pilcher)

Any player, umpire, or Club or League official or employee, who shall bet any sum whatsoever upon any baseball game in connection with which the bettor has a duty to perform, shall be declared permanently ineligible.

Q: Pete Rose, the Manager of the Cincinnati Reds, bet with you on Cincinnati Reds baseball games; is that correct?

- Admitted bookie Ron Peters to MLB special investigator John Dowd, April 5, 1989

PETE ROSE AND JOHN DOWD 26 YEARS LATER

Pete Rose's investigator: Never let him back in baseball

Pete Rose is a lot of things to a lot of people. Charming anti-hero. Pariah who doesn't deserve to be. A guy who deserves another chance. A symbol of the way baseball used to be and should still be played. A traitor to the game. A gambling addict whose sickness cost him his life. Lost soul. Charlie Hustle. The hit king, who should be in the Hall of Fame.

But the man who led the investigation of Rose and sat face-to-face with him for two full days of interviews, says today that baseball's all-time hit leader should never be allowed back into the game.

To John Dowd, former special counsel to the commissioner of baseball, hired to probe those now infamous allegations, Rose is the supreme example of why betting on professional baseball is such a sin when done by those within the game itself.

"This (gambling) is just such a terrible business ... it really does infect the game," Dowd told The Enquirer in a lengthy interview last week. "Pete committed the capital crime of baseball.

4-7 Baseball		
W Chicago	+2000	
W Cleveland	+2000	
L Golden St	-2200	
L Washington	-2200	
		-400
4-7 Baseball		
L Philly	-2400	
L LA Dodgers	-2400	
		-4800
4-8 Baseball		
W Reds	+2000	
L Boston	-2200	
W Minnesota	+2000	
W California	+2000	
		+3800
4-8 Baseball		
L San Antonio	-2200	
L Dallas	-2200	
L Philly	-2200	
L New Jersey	-2200	
		-8800

"But this is bigger than just Pete Rose. There is a reason we haven't had another gambling case in 26 years. This case wasn't about Pete – this case was about protecting the integrity of the game. When we investigated (former Philadelphia Phillies star) Lenny Dykstra for gambling, he told us: 'Thank God for Pete Rose because now I know what the ultimate price was.' "

Rose officially re-applied for reinstatement to baseball last week, and newly appointed Major League Baseball Commissioner Rob Manfred said he would meet privately with Rose and consider the request. But Manfred also specifically said that he would review the report Dowd submitted in 1989 on Rose's gambling, as well as baseball's constitution and the actual agreement Rose reached with then-commissioner Bart Giamatti.

Following Rose's lifetime ban in August 1989, The Enquirer retained a copy of the original Dowd report. The Enquirer also kept thousands of the supporting documents released following the announcement.

Pete Rose's investigator: Never let him back in baseball

These documents include betting slips with Rose's handwriting on them which show wagers on baseball and the Reds, extensive phone records which track the bets and depositions with bookies and convicted cocaine dealers.

We reviewed the 225-page Dowd report and other documents again last week, and this much is clear: Rose has a very high legal hurdle to clear for reinstatement, especially if he wants to argue against the merits of the report or against baseball's rule against gambling, or to question the legitimacy of his agreement with Giamatti.

"Commissioner Manfred is a good man and is going about this in the right way, but it is true that people nowadays really need to understand what happened and why it happened," said Dowd, who is now retired from private practice and lives in Virginia. "And I hope that the commissioner will concentrate on that.

"And that there hasn't been a gambling case since Pete."



Baseball Commissioner A. Bartlett Giamatti gestures during a news conference, Thursday, Aug. 24, 1989, New York. Giamatti announced Cincinnati Reds Manager Pete Rose is banned for life from baseball for gambling on his own team, and that Rose may apply for reinstatement after one year.

(Photo: AP/David Cantor)

It never had to be this way

ROSE COULD HAVE WIPED THE SLATE CLEAN

Interviews with Dowd and others reveal this: Rose could have avoided his eventual conviction on tax evasion and his five months in prison – in addition to his lifetime ban from baseball – if he had only come clean in 1989.

It was fairly common knowledge back then that Giamatti was open to a suspension for Rose if the Reds manager would admit to gambling on baseball and enter treatment for his gambling addiction.

Yet, according to Dowd, it went further than that. Dowd now says he and Giamatti worked with federal prosecutors and even the FBI to work out a deal that any pending charges for tax evasion against Rose would be dropped if he came clean.

In addition, FBI agents worked behind the scenes to ensure that Rose's gambling debts with the New Jersey loan sharks and bookies that numbered in the hundreds of thousands would be forgiven, Dowd now says.

"We never got a chance to finalize the deal or figure anything out because Pete got in his own way and his lawyers shut us down," Dowd said. "And throughout the whole process, (Rose's attorney) Reuven Katz

Pete Rose's investigator: Never let him back in baseball and all of them thought they could strong arm us and Bart, this Yale professor. But they found out that Bart had steel in his backbone."

However extensive the deal would have been, Rose's stubbornness and bravado cost him, according to those close to him at the time. In addition to being banned from baseball, Rose eventually was convicted of tax evasion for not claiming income he won on horse racing and earnings from autograph signings at memorabilia shows.

He served five months at a medium-security prison in the same Illinois town that produced former Cleveland Indians catcher Ray Fosse. (That's the catcher injured in an infamous home-plate collision with Rose during the 1970 All-Star Game at Riverfront Stadium.)

Baseball great Pete Rose leaves Marion Federal Prison Marion, Illinois Monday, Jan. 7, 1991 after being released. Rose must now report to a halfway house in Cincinnati, Ohio. In the background is a guard tower. (AP Photo/Mark Jenkins)

(Photo: ASSOCIATED PRESS)

"I remember sitting down with him (Rose) at an autograph show as this was all going down," former Rose associate Tommy Gioiosa told the Enquirer last week. "Now remember, I'm already under indictment for my cocaine charge. I told him that – while I would never turn my back on him – he needed to take the heat for what he did and maybe he could get his life back.

"But the Pete Rose of that day and age wanted nothing to do with that. It was that ego and arrogance that made him such a great ball player and made him think that he would never get into trouble."

Katz was a well-known local lawyer who represented Rose as well as other entertainment and sports figures. Now retired, Katz declined to comment for this story when reached via email.

Rose declined to discuss specifics of his case or reinstatement with an Enquirer reporter when approached during an autograph signing session at a Las Vegas sporting goods and memorabilia store March 16. The Enquirer also reached out to Rose's business manager Joie Casey, who said he would discuss the story with Rose. But Casey did not then respond to the questions Saturday.

He did say that he would like to be reinstated into baseball and get elected into the Baseball Hall of Fame, but added that it was not his choice.

"That would be nice," Rose said. "We'll see."

Rose's gambling activities

WAS IT MORE THAN JUST BETTING ON OWN
TEAM?

Pete Rose's investigator: Never let him back in baseball

Rose wagered on up to 10 games a night at about \$2,000 a game, according to the betting slips included in the documents that Dowd relied upon as well as witness testimony.

Yet Rose was involved in much more insidious activities than gambling on baseball, according to interviews and documents. Even deeper than a manager betting on his own team to win. And even darker than gambling itself.

Did Rose bet on his own team to lose? Dowd says he and his two investigators uncovered evidence that he did, "although that evidence didn't reach the standard to include in our report."

Dowd says he saw a pattern: Rose didn't bet on the Reds when pitchers Bill Gullickson or Mario Soto were starting.

Paul Janszen and wife, Danita (Marcum) Janszen in 2013.
(Photo: Provided)

"That part is true ... Mario Soto was a hell of a pitcher," said Paul Janszen, baseball's key witness against Rose and the first to speak to Dowd and acknowledge Rose's gambling. "But he had been hurt and when he came back from that injury, Pete didn't have a lot of faith in him. As for Gullickson, he was just in one of those slumps that players get into."

But Janszen says he never made any bets against the Reds for Rose at any point.

Further testimony in the documents shows that when the Riverfront Stadium scoreboard was inoperative or down for repairs, Rose would communicate from the dugout during games using hand signals to get information on the night's results from around the league.

BRI No. 39-0064 Page 1

On February 26, 1989, Paul Janszen was contacted at 5668 Springdale, Cincinnati, Ohio, and, in the presence of Danita Marcum, furnished the following information to Kevin M. Hallinan and Joseph E. Daly:

Janszen worked for Queen City Barrel Company selling steel drums until 1986. His father had been an executive with the company until 1986 when it changed hands and his father quit. Janszen said he controlled 80% of the drum sales even though the company had 15 salesmen.

After leaving the drum company he started his current business which is selling baseball memorabilia. He started this business by going to baseball card shows and contacting players to get their autographs on balls, caps, bats, photos and other items. He now has about 30 to 40 players that he obtains autographed items from. He pays the players a certain amount when he obtains the autographs and resells the items at a marked up amount. He mainly sells the items through advertising in the Sports Collectors Digest and sells by mail order.

Michael Bertolini also was in this same business. Bertolini took purchasers for hundreds of thousands of dollars by keeping the money they would send in to buy memorabilia and not mailing the merchandise. Janszen has received many calls from angry customers demanding their merchandise as they recognized Janszen's 513 area code as the same one Bertolini used and they thought Janszen was connected with Bertolini. The name of Bertolini's company is Hit King, which stands for Pete Rose. Bertolini also works for a company called Capital Cards when putting on his baseball card shows. Janszen believes Rose met Bertolini in early 1986.

In 1987 when the Reds scoreboard was not working properly and did not show the scores of the other games being played, Rose would signal Janszen from the dugout, asking how he (Rose) was doing on his betting. Janszen would call a 900 number or a 312 area code number to get the scores and signal the results to Rose in the dugout.

In 1987 Bill Bergesch was with the Reds and Janszen would sit in on discussions between Rose and Bergesch when they talked about trading players. Both Bergesch and Rose felt their jobs were not secure at that time. Rose introduced Janszen to Bergesch.

Janszen was introduced by Rose to the Reds players at spring training in 1987. After the incident in the hotel in Cleveland

Pete Rose's investigator: Never let him back in baseball

"That was just silliness ... he gave me seats behind home plate and I could see him, and he would just shrug as if to say 'How am I doing?'" Janszen said. "And I would go and dial the 1-800 number and get the scores and come back and either give him a thumbs up or down. He was just bored because he wasn't on the field anymore."

Dowd says he stopped digging after gathering the proof necessary to substantiate the gambling allegations. But he says other evidence came to light that Rose was involved in buying cocaine as a way to support his gambling habit and pay off his debts.

Dowd's investigators interviewed Don Stenger, a convicted cocaine dealer, in April 1989. Stenger met Rose through Janszen and Gioiosa. Stenger's 1989 federal sentencing sheet on cocaine and tax evasion charges is included in the documents.

Stenger told investigators that he got cash to buy cocaine to later sell from Janszen, Gioiosa and others, not from Rose. He assumed Rose knew he was dealing drugs.

PRIVILEGED AND CONFIDENTIAL/ATTORNEY WORK PRODUCT

MEMORANDUM

TO: Commissioner of Baseball File
FROM: Terence J. Lynam *[Signature]*
DATE: April 11, 1989
RE: Interview of Don Stenger

On April 6, 1989 Kevin Hallinan and I interviewed Don Stenger at the office of his attorney, Carl Poplar, in Cherry Hill, New Jersey. Stenger was born January 9, 1955, in Cincinnati. He grew up in Cincinnati and lived there through 1985 when he moved to New Jersey to run a Gold's Gym there. He is currently employed as the operator of Gold's Gym in Cherry Hill. He has a small ownership interest in the gym which increases year by year and can ultimately amount to 49% of the business after many years.

Stenger was a competitive body builder until 1983. He knew Michael Fry to say hello beginning around 1981 and 1982. Stenger won a national body building title in 1983 and Fry knew Stenger because of his reputation in body building. Michael Fry owned Gold's Gym in Cincinnati and Stenger went to work with Fry at the gym. Gold's Gym opened in Cincinnati around the end of 1984. Prior to going to work at the gym Stenger already had a cocaine habit. Fry was the sole owner of Gold's Gym. Stenger ran the gym on a day to day basis and was a instructor. Fry was a cocaine distributor. In early 1985

"Stenger stated that Rose was never involved in cocaine in any way and was never involved and never expressed any interest in financing any cocaine deals," the summary of that interview says.

Janszen testified in 1989 that Rose knew about the cocaine buy. He now says that while Rose never dealt cocaine directly, he did provide cash to buy it.

"What you have to understand is that Pete did not want to get into the drug business, but that the opportunity just presented itself," Janszen told The Enquirer last week. "Stenger was short on cash and was on his way to Florida to buy more.

"And Pete said 'Hey, what kind of return can you get?' Stenger said you could double your money in a month or two weeks. And he had a couple

Pete Rose's investigator: Never let him back in baseball
 hundred thousand dollars lying around – he got it
 out of a bag he had stashed in the drop ceiling in
 his basement."

Gioiosa disclosed Rose's involvement in an article
 in Vanity Fair

(<http://www.vanityfair.com/news/2001/09/peter-rose-200109>) published in 2001, saying in that
 article that Stenger and Rose had indeed
 discussed the possible cocaine deal. Gioiosa also
 said then that he and Stenger later picked up cash
 from Rose's house from a housekeeper there, and
 Stenger later returned with another bag of cash.

In that article, Stenger denied the allegations.

The Enquirer asked
 Gioiosa directly
 about the alleged
 cocaine connection.

Gioiosa, a former junior college player and a friend
 of Rose's son, Pete Jr., was the only Rose friend
 who did not testify against him – either to Dowd or to law enforcement.

"Pete needed money to invest and pay back his debts," said Gioiosa, who served 38
 months of a five-year federal sentence for conspiracy to distribute cocaine. Now 57,
 Gioiosa works as a nutrition supplement salesman in Ormond Beach, Fla.

When asked again about Rose and any connection to cocaine dealing, Gioiosa declined
 to answer yes or no.

"Let's just say it was a dark time for everyone. Pete was not a drug dealer but he needed
 to do whatever it took to feed his (gambling) addiction."

Gioiosa also says he doesn't regret holding back on what he knew about Rose.

"If I had spilled my guts, Pete probably would have gone to prison for a long time," Gioiosa
 said. "And baseball would have pounded a lot more nails into his coffin in terms of coming
 back than there are now.

"But Pete was sick with addiction. That drove all his
 actions ... he wasn't looking to be introduced to folks
 in New York connected to the mob to take on his
 large debts. That's what his sickness forced him to
 do."

Dowd said his report clearly shows that Rose bet
 while he was player-manager for the Reds in 1986.
 Rose has continually denied betting on baseball as a
 player, even though he acknowledged in 2007 during
 an ESPN radio interview that he bet on the Reds
 "every night" as a manager.



Thomas P. Gioiosa, former housemate of former Cincinnati
 Reds manager Pete Rose, leaves the Federal Building in
 Boston in this April 7, 1989

(Photo: AP/Jon Chase)

Pete Rose's investigator: Never let him back in baseball

The documents also indicate that at one point, Rose owed at least \$250,000 to a loan shark in New Jersey with ties to organized crime families in New York, with Dowd now saying those debts could have been as high as \$500,000. One document from that time states that a bookie who had talked to Dowd, a private detective and the head of MLB security, mysteriously suffered a broken arm soon after that interview – "while throwing a baseball" – and that he had probably been "discouraged" from speaking further.

Cincinnati Reds manager Pete Rose talks with reporters following the Cardinals Reds baseball game in St. Louis Sunday, May 14, 1989. The Reds manager, suspected of gambling talked with reporters after every game during a news conference, but only discussed the game and baseball in general.

(Photo: AP/AI Behrman)

Janszen says that Rose indeed was betting in 1986 when he was player-manager. He also says he was "shocked" to find out that Rose was not only laying bets with local bookies using him as the middleman, but also with bigger players on the East Coast at the same time.

ORIGINAL	
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5	NEW YORK, NEW YORK
6	
7	In the Matter of:
8	Peter Edward Rose, Manager,
9	Cincinnati Reds Baseball Club
10	
11	
12	Deposition of PAUL G. JANSZEN taken in
13	Cincinnati, Ohio, on April 4, 1989, at 12:20 o'clock p.m.
14	
15	APPEARANCES:
16	JOHN M. DOWD, Esq.
17	Special Counsel for the Commissioner
18	Heron, Burchette, Ruckert & Rothwell
19	Suite 700
20	1025 Thomas Jefferson Street, N.W.
21	Washington, D.C. 20007
22	
23	Gary L. Baldwin
24	Certified Verbatim Reporter/Notary Public

"Double-booking bets, that was just insanity," Janszen said. "But that just shows how this was a sickness for him and is to this day.

"And the problem with Pete is that unlike other addicts, he had a support system in terms of making money and all these fans that he has never hit true rock bottom."

To Dowd, it was what Rose's gambling had done to the game of baseball that was at the heart of why the investigation and subsequent ban was so important.

"To be honest, it doesn't really matter whether he bet for or against the Reds, or as a player or just a manager," Dowd said. "What matters is that, by the end, he owed a half a million to some pretty unsavory people, who were actually in the clubhouse from time to time.

"Imagine a half a million mortgage over your head every time you walked out on the field to go to work and wondering how you were going to pay that off, especially to those kinds of people," Dowd said. "That's how insidious this had become."

The decision

RULE 21(D)(2) AND THE GIAMATTI AGREEMENT

The other legal reviews Manfred has pledged to undertake include Rule 21 of baseball's constitution, specifically Section (d), Subsection (2).

That rule was written in the wake of the Chicago "Black Sox" scandal of 1919. Professional gamblers paid off a number of players from the Chicago White Sox to throw games and allow the Cincinnati Reds to take the 1919 World Series. (That included all-time great "Shoeless" Joe Jackson, although supporters say that while he took the money, he played his best in the series.)

Horrified at what had become of the nation's pastime, the owners of the teams at the time appointed former federal judge Kenesaw Mountain Landis as the sport's first commissioner. He immediately banned the players involved and created the rule that stands now. In fact, a sign with the rule is posted in every minor and major league clubhouse in the nation.

In the former Reds clubhouse in Riverfront Stadium, the sign hung near the players' mailboxes, and close to the clubhouse phone, in a hallway that separated a group of lockers. This was a location where Rose would have seen it every day. Currently it hangs in a frame as one enters the Reds clubhouse at Great American Ball Park.

The rule includes no provision for appeal or reinstatement, apart from a standard grievance process through the contract with the players' union that is addressed elsewhere (and that would not cover non-players such as managers).

"And to me, being put on the permanently ineligible list means you are there for life," said Dowd.

Manfred also said he wants to review the agreement Giamatti and Rose reached in 1989. That five-page document states the specifics of the investigation and outlined Rose's chances to respond. It also clearly states that "the Commissioner will not make any formal findings or determinations on any matter including without limitation the allegation that Peter Edward Rose bet on any Major League Baseball game."

Given that Giamatti explicitly said at the press conference announcing the deal that he felt Rose had indeed bet on baseball, Rose may have a slender opening all these years later, according to one legal expert.

"Major League Baseball made a promise not to issue any formal findings, but you could make the argument on paper that baseball has nonetheless issued formal findings throughout the years, between what Giamatti said as well as Dowd's



Then-Cincinnati Reds manager Pete Rose in the dugout during an away game in 1989.

(Photo: Enquirer file)

statements that Rose was guilty as charged," said Jeffrey Standen, dean of the Chase School of Law at Northern Kentucky University. Standen published a paper in 2010 that argued for Rose's reinstatement.

"Basically, Rose got nothing in return for this deal and MLB abrogated its promise to him," Standen said.

26 years later


DOWD REPORT STANDS TEST OF TIME

As for the Dowd report itself, it came as a result of a three-month investigation into Rose's gambling, culminating in the 225-page report and supporting documentation. Dowd and his two detectives interviewed 110 witnesses and collected thousands of pages of documents all while battling lawyers and banks.

"That report was rock solid; there are no holes there," said noted Harvard University law professor Alan Dershowitz, who argued on behalf of Major League Baseball in a mock trial televised by ESPN in 2003. Dershowitz said he spent several weeks going over the report and documentation to prepare for the mock trial, which he wound up losing as the mock jury voted 8-4 to reinstate Rose.

"Even though that was the result, I can say that the legal evidence in this case is overwhelming and there is no way to argue the merits and facts of the case if you are Pete Rose," Dershowitz said. "If I were him, he needs to basically ask for compassion. Reading all that documentation, there is no way to get around what he did and how it impacted the game."

Yet as influential as they were, Dowd's findings were never fully published until 1999, when the University of Mississippi law school printed all 225 pages in its law journal.



FBI 3 rd July			
W 25 ANKS 2nd	-200	+25	
W 25 ALBANE	-64	25	
L 25 DAL	-7 1/2		-35
L 15 CHIF	-4 1/2		19.5
W 25 DET	P	25	
W 25 CINTI	-64	25	
W 25 PHO	-8	25	
W 15 PHILLY	+5 1/2	16.5	
W 15 PIT	P	15	
L 15 ATL	+5 1/2		15
L 5 TORO	1 st 2 nd PP		11
W 5 W/BOX	+5 1/2	5.5	
		162	80.5
		80.5	
		91.5	

"I remember reading that anytime a sportswriter wrote a column saying Pete got a raw deal, that John Dowd would mail him a Xerox copy of the report ... and, lo and behold, a week later, there would be a column retracting the previous position," said University of Mississippi law professor Ronald Rychlak, who wrote the introduction for that issue. "That's why we published it. And I remember trying to be balanced and fair when I wrote what I did, but you can't come away from reading that report and not have a strong position."

Those who went through the investigation process agree. Gioiosa acknowledges that Dowd "certainly did his homework."

"All Mr. Dowd did was lay out the facts, and they were pretty much all right," he said.

Janszen says that he was initially leery of Dowd and his investigators, but the process produced "the truth and all the facts."

"The title of that report should be integrity," Janszen said. "It is as accurate now as it was then. You could not find better men than the ones who did this. And people need to know the truth of what went on."

Dowd says that not only was the report the subject of follow-up investigations by major news outlets such as Sports Illustrated and The New York Times, but by subsequent MLB commissioner Bud Selig. In fact, Selig was strongly considering reinstating Rose in the early 2000s.

JUNE 22, 1989: Investigator John Dowd testifies before Judge Norbert Nadel that Baseball has evidence Pete Rose bet on Reds' games.
 (Photo: The Enquirer/Glenn Hartong)

Pete Rose's investigator: Never let him back in baseball
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John Dowd on Pete Rose: 'He's just a gambling bum out there pouting, and feeling sorry for himself'

June 23, 2015 1:41 PM

Filed Under: Cincinnati Reds, John Dowd, Pete Rose




In 1989, Major League Baseball banned Pete Rose from the sport after a report from former federal prosecutor John Dowd found that the all-time hit king had bet on baseball through mob-connected bookmakers from 1984 to 1986 while playing and managing the Cincinnati Reds games. Rose still claimed he never bet on games while playing, but yesterday ESPN released a report that the network had obtained documents containing copies of pages from a notebook found at the home of former Rose connection Michael Bertolini that contradicts Rose's story and confirms what Dowd stated for 26 years. The notebook was seized in a raid shortly after Rose was ruled permanently ineligible from baseball. Dowd shared his reaction to the latest news on The Jim Rome Show.

"I was pleased to see it and it confirmed everything we'd already proved circumstantially," Dowd said. "But, more importantly, it put the lie to his recent statements on San Diego radio and New York radio that he never

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bet as a player. So this is after he's reapplied for admission, so he's lying now to his fourth commissioner and that's not good."

There's no doubt the documents ESPN received are authentic according to Dowd, which verify Rose is still lying about his complete involvement.

"In terms of the betting in 1986 as a player, there's just no doubt that he did. No amount of tap dancing by Pete and his public relations people are going to make that go away," said Dowd. "I'm glad this commissioner has seen what a liar this guy is. I've put up with all of his lies, slings of arrows and false acquisitions for 26 years, and I welcome Rob Manfred to the club."

Dowd says Rose's ego has once again came back to bite him and his true colors are on display for Manfred and the entire world.

"It's just this terrible arrogance that affects this guy and his people and you know, shame on him; he's now been caught bare ass in front of this commissioner, and I love it," Dowd said of Rose. "And now, he's standing out there naked."

The former federal prosecutor says this will be an easy decision for Manfred to deny Rose's latest attempt for reinstatement.

"I don't think the commissioner will readmit him," said Dowd. "I think he's a smart honest commissioner; there's nothing to add to the game; there's no upside for the game of baseball; Major League Baseball to have Pete Rose admitted to the game. None."

Dowd says when Rose finally admitted in 2004 he bet on baseball while managing, that had nothing to do with coming clean and everything to do with needing money.

"It was just another fraud to get a million dollars from that book publisher. And the book publisher only published 40,000 copies so he lost a fortune on that. So Pete induced him to give him a million dollars on a disclosure that he bet on baseball as a manager and then he very carefully navigated his way through our report," said Dowd. "The book was a fraud. He bet as a player and he denied betting as a player in the book so it's just another game."

Dowd says Rose wanting into the Hall of Fame is all about dollars.

"He wants to put HOF on the balls and memorabilia he signs so he can make money. That's all this is about, that's all Pete is about," said Dowd. "Pete is not some great Hall of Fame player, he's not, he's done nothing for his community, he's done nothing for the game, he's done nothing for youngsters, nothing on the positive side."

Rose supporters also need to be educated Dowd says.

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"They ought to read the report. His supporters are people who haven't read the report," said Dowd. "They interviewed Mike Schmidt the other day on ESPN, you know Mike Schmidt's out there, 'we ought to forgive Pete, we ought to let him go,' they asked him if he ever read my report, he said 'no'. So if the people who haven't read the report are out there wallowing in their ignorance, if they read the report they will go throw up, I mean it's disgusting how bad it is. It's not a close call, there's nothing close about this case."

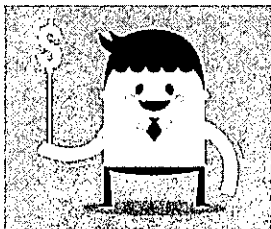
Dowd says it's simple, Rose is still who he's always been: a crooked cheat who doesn't deserve to be admitted into Cooperstown.

"He's just a street criminal, that's all. He cheated customs, he cheated the IRS, he broke the rules of baseball, he hung out with drug dealers. He had Bertolini running young women down in Florida for his satisfaction, so you know he's just not worthy of consideration or to be a part of the game; this is not who we want in the game of baseball," said Dowd. "He's just a gambling bum out there pouting, and feeling sorry for himself, he hasn't done anything to help the youngsters in this country, he hasn't stopped gambling."

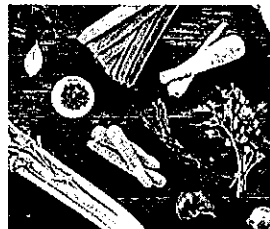
John Dowd

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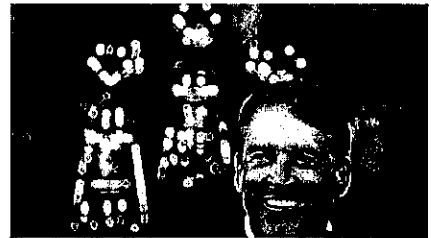
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New bombshell: Pete Rose accused of statutory rape; hit king denies claim



By **Randy Miller** | NJ Advance Media for NJ.com

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on August 06, 2015 at 6:01 PM, updated August 25, 2015 at 7:16 PM

Pete Rose bet on his own team?

That's nothing compared to a new bombshell that, if true, could end any talk of Major League Baseball's hit king having his lifetime ban lifted.

MORE: Dowd responds to Rose's denial

John Dowd, the investigator whose findings led to Rose's ban in 1989 by former MLB Commissioner Bart Giamatti, claims he was told by former Rose associate Michael Bertolini that Rose committed statutory rape on young girls during his playing and/or managerial career.

RELATED: Pete Rose's former associate 'categorically denies' making statutory rape allegations

In a July 13 interview with **WCHE** in West Chester, Pa., that hadn't surfaced until now, the former federal organized crime investigator said, "Michael Bertolini told us that not only did he run bets, but he ran young girls for him down in spring training. Ages 12-14. Isn't that lovely? So that's statutory rape every time you do that."

Rose was floored when told of the allegations in a phone interview Thursday with NJ Advance Media. He vehemently denied the accusations.

"Oh, my God!" the 74-year-old Cincinnati Reds and **Philadelphia Phillies** great said while driving from California to Las Vegas. "Where was my family all of this time in spring training? I never went to spring training without my family except for my first year when I was a rookie. It's shocking.

"What level are they going to reach to next? What's Dowd going to talk about next? Something from 50 years ago when I was 24 years old? I don't know why anybody would believe that. It's unbelievable. That's the best one so far."

PLUS: Pete Rose weighing legal options, may sue John Dowd for statutory rape allegations

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All Stories

Dowd, 74, made the statutory rape allegations during a 19-minute interview on July 13 with WCHE hosts Bill Werndl and Paul Jolovitz after being asked whether he found Rose likable.

Here is a transcript of that part of the interview:

Q: Do you find Pete a likable person? Did you see the window inside his soul?

Dowd: "Ah, no. I don't. I've been asked that question whether he had any moral bearings at all and the answer is no. There's a lot of other activity. ... Michael Bertolini told us that not only did he run bets, but he ran young girls for him down in spring training. Ages 12-14. Isn't that lovely? So that's statutory rape every time you do that. So he's just not the kind of person that I find very attractive. He's a street guy.

"Did I get along with him? Yes. If I'd had gotten him alone do I think could have brought him around? Yes. He knew we had him. When I played the tapes for him and also showed him the betting slips and fingerprints, he turned green and gray. I mean, I thought he was going to go over in that disposition I took of him. He knew he was a goner. And then he chisels. He gets this book and defrauds the publisher a million bucks. The guy only sold 40,000 copies, so he lost a million. He says, 'I wanna come clean.' He didn't come clean."

Ray Genco, Rose's attorney, also shot down the allegations to NJ Advance Media in an email Thursday.

"Today we learned that during a July podcast Mr. Dowd communicated that Pete Rose had no moral bearings," Genco wrote. "Though I disagree, we maintain our commitment not to respond publicly to topics relating to Pete's pending application for reinstatement.

"However other statements Mr. Dowd made during that and potentially other interviews, (too ugly to repeat) do elicit a response. The statements were malicious, untrue and are categorically denied. They impact Pete's family and I respect his instinct to immediately protect them. I'd ask any person or entity associated with these statements to fully and immediately retract them."

A spokesman for Major League Baseball was contacted by NJ Advance Media and had no immediate comment other than to say the allegations would be passed along to higher-ups.

FROM THE ARCHIVES: Rose, still banned but still beloved, talks baseball

NJ Advance Media attempted to reach Dowd for further comment, but calls to his Massachusetts home were not answered. Also, attempts to reach Bertolini by phone were unsuccessful.

These allegations come six weeks after ESPN's *Outside the Lines* **produced an alleged copy** of a Bertolini notebook showing Rose had bet on baseball as a player. After denying for 15 years that he bet on baseball, Rose admitted in 1997 that he had placed bets on his team while managing the 1987 and 1988 Cincinnati Reds.

In March, Rose, banned for life for betting on baseball, **petitioned new baseball commissioner Rob Manfred for reinstatement** and received a response that the case will be given a "full and fresh look."

The ESPN report alone seemingly jeopardized Rose's shot at having his ban lifted, which could lead to him working for a major-league club and/or being eligible for induction to the Baseball Hall of Fame for the first time. Rose is currently a baseball analyst for Fox Sports.

"I'm excited and very happy that (Manfred) is reviewing my status," Rose said. "I'm not going say anything else about the commissioner. He's saying we'll let it play out and we'll go from there."

Manfred apparently has begun his investigation because Dowd said in his radio interview that he recently met for "several hours" with John McHale, "who was assigned by Rob Manfred to put all the facts together into review on my report and the investigation. So we met for several hours and I briefed him not only on the investigation and the results, but also the drama we had over the last 25 years."

Dowd predicts Rose's ban will not be lifted.

"I don't think Commissioner Manfred is a fool," Dowd said. "I think he'll decide this thing the right way."

Randy Miller may be reached at rmiller@njadvancemedia.com. Follow him on Twitter @RandyJMiller. Find NJ.com Philadelphia Sports on Facebook.

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Pete Rose rape allegations: John Dowd says they have been 'blown out of proportion'



By **Randy Miller** | NJ Advance Media for NJ.com

[Email the author](#) | [Follow on Twitter](#)

on August 07, 2015 at 11:40 AM, updated August 25, 2015 at 7:14 PM

After accusing Pete Rose of committing statutory rape and hearing Rose's denial, investigator John Dowd now says the allegations have been "blown out of proportion."

The former federal crime investigator, whose Dowd Report uncovered Rose's gambling on baseball and led to the all-time hit leader's lifetime ban in 1989, wouldn't elaborate on the serious **bombshell allegations he made against Rose in a recent radio interview.**

ALSO: Pete Rose accused of statutory rape; hit king denies claim

"I have nothing further to say on it," Dowd told NJ Advance Media on Friday morning from his home in Massachusetts. "I just don't want to discuss it anymore. I think this was blown out of proportion."

Dowd was reminded that he's the one who leveled the stunning accusations during a July 13 **radio interview with WCHE** in West Chester, Pa., that only recently was uncovered by NJ Advance Media.

Dowd, making the allegations publicly for the first time, said he was told by Michael Bertolini, a former Rose associate, that Bertolini had supplied Rose with girls, ages 12 to 14, during his playing or managing career.

During the radio interview, Dowd wasn't specific about a time period, and he failed to elaborate when asked for clarity by NJ Advance Media on Friday. Dowd, however, agreed that the allegations are serious.

"They are," Dowd said. "You ought to go talk to Michael Bertolini about them. He's the one that made them."

Attempts to reach Bertolini, a former Long Island resident, have been unsuccessful.

While asked during the radio interview whether he finds Rose likable, Dowd responded: "Ah, no. I don't. I've been asked that question whether he had any moral bearings at all and the answer is no. There's a lot of other activity. ... Michael Bertolini told us that not only did he run bets, but he ran young girls for him down in spring training. Ages 12 to 14. Isn't that lovely? So that's statutory rape every time you do that. So he's just not the kind of person that I find very attractive. He's a street guy."

Reached on his cell phone by NJ Advance Media on Thursday, Rose denied the allegations.

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"Oh, my God!" he said. "Where was my family all of this time in spring training? I never went to spring training without my family except for my first year when I was a rookie. It's shocking."

Ray Genco, Rose's attorney, added in an email: "The statements were malicious, untrue and are categorically denied. They impact Pete's family and I respect his instinct to immediately protect them. I'd ask any person or entity associated with these statements fully and immediately to retract them."

Dallas Green, Rose's former manager with the **Phillies**, believes **Dowd is out to get Rose.**

Major League Baseball, contacted by NJ Advance Media, has not responded to Dowd's comments.

These allegations were made while new MLB commissioner Rob Manfred is taking a "fresh look" at the case in response to Rose making an **official filing for reinstatement** last April. If Rose is reinstated, he could enter the Hall of Fame. He also would be eligible to work for a major league team or league. Rose is currently a baseball analyst for Fox Sports.

Dowd said during his radio interview and confirmed to NJ Advance Media that he's recently met for "several hours" with MLB chief information officer/executive VP John McHale Jr., who is running the investigation for Manfred.

Dowd's meeting with McHale raises several questions: Did Dowd tell him about the rape allegations? Is MLB pursuing these? Did MLB know about these allegations previously? Does MLB believe they are credible?

Dowd refused to discuss the specifics of his meeting with McHale.

"Our meeting was a month or so ago and they're doing a very good job, a very thorough job," Dowd said Friday. "Pete's in the hands of the commissioner and we'll just let it go there."

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