July 31, 2025

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Re: Request for Investigation into Extortion of Paramount Global

Dear Attorney General Bonta and District Attorney Hochman,

We write to ask your offices to open a criminal investigation into the recent payments made or promised to Donald J. Trump, his personal associates, or his special interests by Paramount Global and Skydance Media, both companies that have offices and operations in California and Los Angeles County. While some of these payments ostensibly were made to settle a frivolous lawsuit brought by Trump against Paramount subsidiary CBS Broadcasting Inc., the evidence strongly suggests that the lawsuit and its settlement merely veiled Trump's true purposes—namely, to chill the freedom of the press and unlawfully extort payments and other things of value.

If these payments were made in exchange for Federal Communication Commission approval of a pending $8 billion merger of Paramount with Skydance, or under fear or threat that the FCC would or might refuse to approve the sale unless the payments were made, then they are likely unlawful and evidence that Trump and other high-level Trump associates participated in criminal extortion and coercion schemes. Your office should immediately undertake an investigation, ensure the preservation of relevant evidence, and prosecute participants in the illegal extortion or coercion scheme.

Background

In October 2024, Trump brought a baseless $20 billion lawsuit against Paramount, a U.S. media and entertainment company that owns CBS and other media subsidiaries. The lawsuit claimed that 60 Minutes, a long-running and well-respected CBS current events television show, deceptively edited its interview with then-Vice President Kamala Harris. 60 Minutes' editing procedures were industry standard, and the lawsuit was widely disparaged by the legal community as an

unconstitutional effort by Trump to undermine the freedom of the press.[1] For several months, Paramount seemed prepared to defend its journalists and journalistic integrity. In March 2025, Paramount, in its memorandum to support its motion to dismiss Trump's complaint, wrote:

> This lawsuit is an affront to the First Amendment and is without basis in law or fact. Plaintiffs President Donald J. Trump and Representative Ronny Jackson, public officials at the highest ranks of our government, seek to punish a news organization for constitutionally protected editorial judgments they do not like.[2]

Then in late June 2025, Paramount abruptly entered into mediated settlement discussions with Trump. Trump's lawsuit had no merit. But Paramount needs FCC approval of its deal to be acquired by Skydance Media for $8 billion.[3] The sale, if approved by the FCC, would bring a massive payday to Paramount's controlling shareholder, Shari Redstone, who publicly said that she favored settlement with Trump even as she ostensibly recused herself from settlement discussions.[4] But the FCC withheld its approval. Trump's FCC Chair, Brendan Carr, has eschewed the FCC chair's traditionally independent role; instead, he "wears a gold pin of Trump's face on his lapel," and has been described by Blair Levin, former chief of staff to former FCC Chairman Reed Hundt, as "the first FCC chair who has defined his job as doing the president's bidding."[5]

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[1] *See* Jameel Jaffer, *This Is Not a Moment to Settle with Trump*, N.Y. TIMES, (Feb. 4, 2025), https://www.nytimes.com/2025/02/04/opinion/trump-media-lawsuit-freedom.html; David Bauder & the AP, *Paramount Will Pay $16 Million in Settlement with Trump Over '60 Minutes' Interview*, AP NEWS (July 2, 2025), https://apnews.com/article/trump-media-harris-minutes-paramount-6415042fe910ae60b432dd8c73ef61b2; Katie Fallow, *Paramount's Trump Lawsuit Settlement: Curtain Call for the First Amendment? (Guest Column)*, VARIETY (July 3, 2025), https://variety.com/2025/biz/opinion/paramount-trump-lawsuit-settlement-first-amendment-column-1236446790; Annabelle Timsit, *CBS Releases Harris Interview Materials Amid Trump, FCC Pressure. What to Know*, WASH. POST (Feb. 6, 2025), https://www.washingtonpost.com/style/2025/02/02/harris-cbs-interview-fcc-complaint-trump-lawsuit.

[2] Defendant's Memorandum of Law in Support of Their Motion to Dismiss Plaintiffs' Amended Complaint for Lack of Subject-Matter Jurisdiction and Failure to State a Claim at 2, Trump v. Paramount Glob., No. 2:24-CV-00236-Z, (N.D. Tex. Mar. 6, 2025), https://storage.courtlistener.com/recap/gov.uscourts.txnd.396451/gov.uscourts.txnd.396451.52.0.pdf.

[3] *Skydance Media and Paramount Global, MB Docket No. 24-275*, FED. COM. COMM'N, https://www.fcc.gov/transaction/skydance-paramount (last visited July 29, 2025). Skydance Media is owned by David Ellison, son of close Trump ally Larry Ellison, who purportedly is providing most of the $8 billion bid for Paramount. David Streitfeld & Theodore Schleifer, *How Trump Could Make Larry Ellison the Next Media Mogul*, N.Y. TIMES (Apr. 2, 2025), https://www.nytimes.com/2025/04/02/technology/trump-larry-ellison-tiktok-oracle.html.

[4] Benjamin Mullin, Lauren Hirsch & Michael M. Grynbaum, *Paramount Board Clears Possible Path for Settling Trump's '60 Minutes' Lawsuit*, N.Y. TIMES (Apr. 29, 2025), https://www.nytimes.com/2025/04/29/business/media/paramount-cbs-60-minutes-trump-lawsuit.html.

[5] Sarah Ellison & Jeremy Barr, *How Trump's media war brought Paramount to its knees*, WASH. POST (July 2, 2025), https://www.washingtonpost.com/politics/2025/07/02/trump-paramount-cbs-

Paramount settled on July 1, 2025. It agreed to pay $16 million toward Trump's attorney fees and to fund his presidential library or purported charitable causes chosen by Trump.[6] Soon thereafter, Skydance met with the FCC about the merger.[7] On July 24, 2025, the FCC approved Skydance's acquisition of Paramount.[8] Now it appears that Paramount and Skydance may have taken other, unreported-to-the-court actions in order to secure FCC approval of the merger. Trump claimed that once the merger is approved, Skydance would contribute $20 million in advertising, public service announcements, or similar programming to Trump as part of a side deal to the $16 million settlement.[9] And CBS canceled the popular program The Late Show after its host Stephen Colbert, a longtime critic of Trump (and indeed of many politicians), derided the settlement on air as "a big fat bribe."[10] Trump posted on Truth Social that he "absolutely loves" The Late Show's cancellation.[11] Paramount also agreed to hire an ombudsman at CBS News to investigate complaints of "political bias," which has the potential to limit journalistic freedom at CBS.[12]

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settlement-media. Notably, in November 2024—after Trump filed his lawsuit and announced that Carr was his choice for FCC Chair—Carr said he would consider the accusations against 60 Minutes when deciding whether to approve the merger. Gene Maddaus, *Trump's Pick to Bring Digital Culture Wars to FCC: He's Going to Be a Loud Mouthpiece*, VARIETY (Nov. 19, 2024), https://variety.com/2024/politics/news/brendan-carr-trump-fcc-mouthpiece-big-tech-1236213823.

[6] Edward Helmore, *Paramount settles with Trump for $16m over 60 Minutes interview with Kamala Harris*, GUARDIAN (July 2, 2025), https://www.theguardian.com/media/2025/jul/02/paramount-settles-with-trump-for-16m-over-60-minutes-interview-with-kamala-harris.

[7] Todd Spangler, *Skydance Promises FCC It Will Appoint CBS News Ombudsman to Review 'Complaints of Bias,' Says Paramount Has Eliminated DEI*, VARIETY (July 23, 2025), https://variety.com/2025/tv/news/skydance-promises-fcc-eliminate-dei-paramount-cbs-news-ombudsman-1236467977.

[8] Press Release, U.S. Fed. Com. Comm'n, FCC Approves Skydance's Acquisition of Paramount CBS (July 24, 2025), https://docs.fcc.gov/public/attachments/DOC-413229A1.pdf.

[9] Todd Spangler, *Trump Makes Unconfirmed Claim Skydance Will Give Him $20 Million in 'Advertising, PSAs or Similar Programming' After Paramount Merger Goes Through*, VARIETY (July 22, 2025), https://variety.com/2025/tv/news/trump-unconfirmed-claim-skydance-20-million-advertising-psas-paramount-deal-1236467234; Todd Spangler, *Trump Claims '60 Minutes' Settlement is Worth As Much as $35 Million Including 'Advertising'; Paramount Denies Deal Includes PSAs*, VARIETY (July 4, 2025), https://variety.com/2025/tv/news/trump-60-minutes-lawsuit-settlement-advertising-35-million-paramount-psa-1236447353.

[10] Sian Cain, *The Late Show With Stephen Colbert to End in 2026 as CBS Cancels Show*, GUARDIAN (July 17, 2025), https://www.theguardian.com/tv-and-radio/2025/jul/18/the-late-show-with-stephen-colbert-to-end-in-2026-as-cbs-cancels-show.

[11] Donald J. Trump (@realDonaldTrump), TRUTH SOCIAL (July, 18, 2025, at 9:16AM), https://truthsocial.com/@realDonaldTrump/posts/114874422468516376; Nicole Markus, *Stewart, Colbert slam CBS, Trump for cancellation of late night franchise: 'Fear and pre-compliance*,' POLITICO (July 22, 2025), https://www.politico.com/news/2025/07/22/donald-trump-colbert-jon-stewart-reaction-00467249.

[12] David Bauder, *Paramount gets green light for $8 billion merger. But what is the psychic cost for company?,* AP NEWS (Jul. 26, 2025), https://apnews.com/article/paramount-skydance-merger-cbs-news-trump-85560c3c7aaaa1fe894380683e66a89c.

It appears that Trump, his personal lawyer Boris Epshteyn, and senior officials in Trump's administration used the threat of rejecting the pending merger to secure payments, free services, and the ability to interfere in CBS's journalism, news coverage, and programming.[13] Trump's lawsuit, in other words, may not merely be an unconstitutional effort to undermine the freedom of the press and exert control over disfavored news coverage. It may also have played a role in an illegal scheme of extortion.

Basis for Criminal Investigation

Extortion

California defines extortion as follows in Pen. Code, § 518(a):

> Extortion is the obtaining of property or other consideration from another, with his or her consent, or the obtaining of an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right.

Extortion is a felony punishable by a term of imprisonment for two, three, or four years. Pen. Code, §§ 520, 1170(h).

Per Pen. Code, § 519, in the context of extortion, fear can be induced by a threat to "do an unlawful injury to the person or property of the individual threatened or of a third person." "In order to establish extortion, 'the wrongful use of force or fear must be the operating or controlling cause compelling the victim's consent to surrender the thing to the extortionist.'"[14]

Trump's threats of economic and reputational harm to Paramount and its subsidiaries are clearly intended to induce fear. He baselessly sued the company for $20 billion, he threatened to strip CBS of its broadcasting license, and his own FCC Chair refused to move forward with approving an $8 billion merger. Indeed, in November 2024, Carr announced that as FCC Chair, he would consider the accusations against 60 Minutes when deciding whether to approve the merger.[15] Those were high, fear-inducing stakes for Paramount and Skydance executives to navigate.

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[13] Jessica Toonkel, *Inside Trump and Paramount's Wrangling Over the '60 Minutes' Settlement*, WALL ST. J. (Jul. 2, 2025), https://www.wsj.com/business/media/trump-paramount-cbs-lawsuit-settlement-9d127f32.

[14] *People v. Bollaert* (2016) 248 Cal.App.4th 699, 725 [203 Cal.Rptr.3d 814, 836], quoting *Chan v. Lund* (2010) 188 Cal.App.4th 1159, 1171 [116 Cal.Rptr.3d 122, 131], *as modified on denial of reh'g (Oct. 28, 2010)*, quoting *People v. Goodman* (1958) 159 Cal.App.2d 54, 61 [323 P.2d 536, 541].

[15] Gene Maddaus, *Trump Pick to Bring Digital Culture Wars to FCC: He's Going to Be a Loud Mouthpiece*, VARIETY (Nov. 19, 2024), https://variety.com/2024/politics/news/brendan-carr-trump-fcc-mouthpiece-big-tech-1236213823.

Pen. Code, § 518(b) defines "consideration" as "anything of value." "Property" is defined to include both real and personal property, with "personal property" including "money, goods, chattels, things in action, and evidences of debt." Pen. Code, § 7(a)(10, 12). Courts have stated that the definition of personal property "does not create an exclusive list of personal property limited to those specifically named."[16]

As a result of his threats, Trump obtained the following property of significant value as consideration: $16 million in attorney's fees and funds for his special interests from Paramount, $20 million to amplify his chosen messages from Skydance, and clear indications that Paramount and Skydance would take immediate measures to control their employees and outlets from reporting or statements adverse to Trump's interests.

The threatened acts need not be illegal on their own. "Extortion… criminalizes the making of threats that, in and of themselves, may not be illegal."[17] It is no defense to extortion where, as here, the threatened or actual imposition of harm has been used to extract payments from the company or person being extorted. And funneling extorted money through a court settlement does not shield either party from criminal liability.

Criminal Conspiracy

Pursuant to Section 182(a) of California's Penal Code, the crime of conspiracy occurs where:

> … two or more persons conspire:
> (1) To commit any crime.
> (2) Falsely and maliciously to indict another for any crime, or to procure another to be charged or arrested for any crime.
> (3) Falsely to move or maintain any suit, action, or proceeding.
> …
> (5) To commit any act injurious to the public health, to public morals, or to pervert or obstruct justice, or the due administration of the laws. …

[16] *People v. Kozlowski* (2002) 96 Cal.App.4th 853, 865 [117 Cal.Rptr.2d 504, 515]; *see also*, *People v. Leyvas* (1946) 73 Cal.App.2d 863, 865 [167 P.2d 770, 771].
[17] *Flatley v. Mauro* (2006) 39 Cal.4th 299, 326 [46 Cal.Rptr.3d 606, 627, 139 P.3d 2, 19–20]; *see also, Philippine Export & Foreign Loan Guarantee Corp. v. Chuidian* (1990) 218 Cal.App.3d 1058, 1079 [267 Cal.Rptr. 457, 467], *reh'g denied and opinion modified (Apr. 13, 1990)* ("[I]in many blackmail cases the threat is to do something in itself perfectly legal, but that threat nevertheless becomes illegal when coupled with a demand for money.").

When individuals "conspire to commit any other felony, they shall be punishable in the same manner and to the same extent as is provided for the punishment of that felony." *Id.*

In implementing his extortion scheme against Paramount and Skydance, Trump coordinated with senior administration officials, including FCC Chair Brendan Carr, and personal associates like his lawyer, Boris Epshteyn. Further investigation is required to determine whether these coordinated efforts constitute criminal conspiracy under California law.

These facts provide a basis for investigating whether Trump[18] and senior Trump officials and associates engaged in criminal schemes to extort Paramount and/or its soon-to-be owner Skydance.

Immunity Does Not Preclude Prosecution

The immunity available to federal officials under the Supremacy Clause of the U.S. Constitution is not available in all circumstances and does not preclude criminal investigation and prosecution here. The Supremacy Clause "is designed to ensure that states do not 'retard, impede, burden, or in any manner control' the execution of federal law." *New York v. Tanella*, 374 F.3d 141, 147 (2d Cir. 2004) (quoting *McCulloch v. Maryland*, 17 U.S. (4 Wheat.) 316, 436 (1819)). It does not protect federal officers who act outside the law or beyond what is subjectively and objectively necessary and proper. *Cunningham v. Neagle*, 135 U.S. 1, 75 (1890); *Kentucky v. Long*, 837 F.2d 727, 744 (6th Cir. 1988) ("Under *Neagle*, a state court has no jurisdiction if (1) the federal agent was performing an act which he was authorized to do by the law of the United States and (2) in performing that authorized act, the federal agent did no more than what was necessary and proper for him to do."); *Battle v. State*, 252 Md. App. 280, 258 A.3d 1009, 1021 (2021) (rejecting Supremacy Clause immunity for a DHS officer who was prosecuted for assaulting a civilian outside the scope of his duties and beyond what was necessary and proper).

If a criminal investigation finds even one of the following—that federal officials lacked legal authority, did not believe their actions were authorized, or could not have reasonably believed so—then state prosecution may proceed. As it should here; neither Trump nor any other official involved in the scheme can mistake extortion for a lawful enterprise.

These likely violations of California state criminal laws warrant investigation and, if appropriate, prosecution. The fact that this conduct involves the President of the United States and senior officials in his administration provides no shield to

[18] While the U.S. Supreme Court in *Trump v. United States*, 603 U.S. 593 (2024), held that presidents are entitled to at least presumptive immunity for official acts, extortion and conspiracy to commit extortion cannot be defined as official acts.

appropriate investigation and prosecution for criminal acts that do not satisfy the *Neagle* test.

Trump's scheme may also violate federal criminal statutes, including the Hobbs Act. *See* 18 U.S.C. § 1951(a) (criminalizing extortion, defined as "the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right"). But the fact that an offense also violates federal law does not release state law enforcement from its obligations to investigate and prosecute acts that violate state criminal laws. That is particularly true here, where the Department of Justice, the Federal Bureau of Investigation, and other federal law enforcement agencies have been corruptly co-opted by Trump. Federal agencies are obligated to investigate federal offenses impartially, but have not done so and, under current leadership, will not do so. This abdication threatens the safety of our people and the stability of our democratic institutions and leaves state and local authorities no choice but to step in to protect their citizens. If local and state authorities also abdicate their civil and criminal enforcement responsibilities, the people will be left at the mercy of the criminal whims of federal officials, including Trump and his allies.

Conclusion

The Supreme Court has long understood that our country must have "a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials." *New York Times Co. v. Sullivan*, 376 U.S. 254, 271 (1964). Media companies should not be ceding the constitutionally necessary independence of their journalists or commentators for political or economic advantage or to avoid harm threatened by the politically powerful, and Trump and his associates cannot engage in criminal schemes to suppress the press. Because the facts indicate that this has happened here, an immediate and thorough criminal investigation is needed to determine whether charges should be brought. We ask your office to promptly undertake this review.

Sincerely,

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