

# Hollywood Unscripted Ep 003 – The Report

**Announcer:** From Curtco Media, there's no place like Hollywood.

**Scott Tallal:** Welcome to Hollywood UNSCRIPTED. I'm your host, Scott Tallal with the Malibu Film Society, and we have some wonderful guests today. Scott Z. Burns, the director, the writer, the producer of multiple films. The one we're here to talk about today is The Report. And joining us for that conversation is producer Jennifer Fox. Welcome.

**Jennifer Fox:** Thank you.

**Scott Z. Burns:** Thanks.

**Scott Tallal:** We're coming to you today from the beautiful bungalow, Number One at one of the best hotels on the coast, the Fairmont Miramar Hotel and Bungalows in Santa Monica. Classic old property. My wife and I just spent our anniversary here earlier this year. It's a wonderful place and we're delighted to have them as our hosts today. The Report has an interesting history because it didn't start out where it ended. Talk to us about that.

**Scott Z. Burns:** Well, it started on an airplane ride on the way up to Sundance a number of years ago. And I had a conversation with Len Amato, who was running films at HBO. And I told him that I had found this article that details sort of the origins of the CIA's enhanced interrogation program. And Len was really interested and we made a deal and decided I would write it there and direct it. And Jen joined us, but it didn't wind up there, no. At some point after a couple of years, they were in the middle of a acquisition with AT&T. And although I don't know that the content of the movie had anything to do with their decision not to make it. It may have just been that they didn't have the funds to make another movie that year. So I can't really hypothesize on the decision itself. But Len called me after a few years and said, I don't think we're going to be able to get this movie made. And I want to make sure you get a chance. And he did something people in Hollywood almost never do, which is helped us get our movie back. And we went out in the wilderness looking for money.

**Scott Tallal:** Now, the original budget, I mean, this was going to be a big budget film.

**Jennifer Fox:** Well, bigger. Still modestly budgeted, but considerably more than we ended up with.

**Scott Tallal:** Right. And what you ended up with, there's this kind of sense in Hollywood sometimes that if a movie has been released by one studio.

**Scott Z. Burns:** Yeah. I mean, there is sort of a tradition that the movie is somehow dinged up if the last person didn't make it. I think that's less true now than it used to be, because now there's more buyers and there's a lot of reasons why someone might not make a movie. But for us, it was a big shock to the system when we were at HBO. We were going to be about an 18 million dollar movie with a shoot 40 or 50 days. And we ended up being an eight million dollar movie with a twenty six day shoot. So it was it was a different world,.

**Jennifer Fox:** But I think a blessing in disguise because on HBO it would not have had a theatrical life. And so at the point that they came to us to say this and Scott was devastated, I was saying, no, no, this was meant to be because we are a big screen movie. And I was excited to have it come out that way and was confident we would be able to draw that level of talent that we did to make it.

**Scott Tallal:** It's an insane cast in this film. I mean, starting with Adam Driver and Annette Bening. And I mean, it just goes on from there. But you're now dealing with a different budget. You're dealing with a different shooting schedule. Everything has to be scaled down. First of all, let's talk about how that affects the script.

**Scott Z. Burns:** Well, there are things that you have to start looking at if you know you have a finite number of locations. Then you have to go back and go, could this scene also work in a location that we've already established or if you've fallen in love with the location but it's a two hour car ride from Manhattan, is it a really good idea to spend that much of your shoot day traveling? So there are a lot of very logistical, practical kind of concerns. And we had the best line producer in all the world Kerry Orent helping us navigate New York City. You just need to come up with a game plan that works for your budget. You can't pretend you still have 18 million dollars if you don't. So we all had to

work together and come up with a look for the film and a schedule and an aesthetic that we could accomplish in 26 days.

**Scott Tallal:** And Jen, how did that affect things on your end?

**Jennifer Fox:** Well, again, I think it the blessing in disguise is that it forced us to have a kind of rigor to the filmmaking and to be super precise. And Scott looked back to films of the 70s that had incredible tension that, people talking in rooms when you can use cranes and all the bells and whistles that you have today. They didn't have before. There's a temptation to use them. And I think that in a weird way, even things like the fact that we couldn't do prosthetics to have Dianne Feinstein really kind of do the things that you see in other films that people can do to change the look of their actors. Instead, we had Annette Bening become Dianne Feinstein in her performance. And to us, it feels like, wow, we could have fallen down the trap of something that we thought would be a benefit. But in fact, would have been a hindrance. And so it was exciting to see in her body language, in her tone of voice, truly becoming Feinstein, in to us a more exciting way.

**Scott Tallal:** People outside of the industry, they always say, well, what does a producer do? I always say that the short answer to that is figure out a way, how not to say no, how to keep everything moving forward. So talk to us about how you did that, especially in terms of attracting the level of the cast that you brought to this project.

**Jennifer Fox:** We had a brilliant casting director who has great relationships named Avy Kaufman, but we also had a script that people were excited to be a part of. And so when we went out with it, we were shocked and heartened by the fact that we would have very significant level people doing pretty small roles.

**Scott Tallal:** I mean, you've got Michael C. Hall, you've got Ted Levine, you've got Tim Blake Nelson, Matthew Rhys, Corey Stoll, Maura Tierney.

**Scott Z. Burns:** You know, there were a few thoughts behind that. First of all, the really beautiful thing about this experience for us was that we had to pay everybody scale because there was no way that we could do anything about that with our budget. And once that happens, that changes the vibe on set. Everybody is there for the same

reason. Everybody's there to try and tell a story. And it doesn't matter if they're there for one day or they're there for the entire shoot. So you'd have people like Corey Stoll show up for a day and he's in one scene, but it's a big scene in six pages and it's really the pivot of the movie. And he showed up. And even when I said to him, I've sort of divided the scene up into three acts so you only really need to do two pages at a time. He said, no, you know, I'm a theater actor and I want to do this thing all as a piece and then you can cut it up later. So when people come that prepared, it's really gratifying. And in looking at how this thing was going to work as a thriller, when you do a movie like the Bourne movie or like Contagion, you get to change locations and there are ways to amplify the stakes. We didn't really have that. This story mainly takes place in Washington. There are scenes that, some black sites. But what we needed to do instead of have new locations is have new actors show up for Adam and Annette to joust against. And so it's fun to watch them go from OK, they have to battle Ted Levine And now they have to battle Michael C. Hall and now they even have to battle Jon Hamm, who sort of is somebody who's playing both sides. So in a sense, our actors became our new locations. And that really influenced a lot of the choices we made. And then there are people who are just fantastic, like Maura Tierney who wanted to help tell the story.

**Scott Tallal:** You talk about Corey Stoll coming and being prepared, and I'm sure everybody was the same way. But it has to go beyond this when you have this level of actor. This has got to be a passion.

**Jennifer Fox:** Absolutely. It's a story that people felt passionately about because they know it's a story that needs to be told. It's an opportunity to have what we believe is the truth told very clearly.

**Scott Z. Burns:** It is really important, especially when you're the writer director, because you do have a relationship with the actors and they are your collaborators. And Adam and Annette were wonderful and if there was a piece of dialogue that wasn't ringing true for them, we could have a conversation. And yes, people do generally show up knowing their lines. They don't always show up understanding the lines. And there's a big difference. And it really mattered in a film like this. You needed to not just be able to make those sounds, but understand the way that this process worked. All of them were incredible students of the story and the experience of Daniel Jones.

**Scott Tallal:** Daniel, who did the original article.

**Scott Z. Burns:** Yeah. Daniel was the Senate's lead investigator into the CIA's enhanced interrogation program. And he spent seven years basically in a windowless room cobbling together the story that became our understanding of this program. And then he had to somehow help usher this thing out in the world, even though there was a lot of resistance from both the CIA and two administrations. So Annette had read the report before we even brought her the project. So she was very, very familiar. Jon Hamm knows politics really well. So does Michael C. Hall. They're both students of American history. And with Adam, he came to us having been in the Marines. And so Adam had an awareness of this and a real curiosity, which was very important because he's playing an investigator.

**Scott Tallal:** In the case of Annette, she actually knows Dianne Feinstein.

**Jennifer Fox:** Yes,.

**Scott Tallal:** That's got to be strange,.

**Jennifer Fox:** I think positively. I think she had great admiration for her and had, if not known her personally, known about her for quite a long time, being from California or not from California, going to school in California.

**Scott Z. Burns:** And she and Warren Beatty knew Senator McCain really well. And his widow, Cindy McCain. So and that was uniquely positioned in that she knew sort of both of these huge figures in the story.

**Scott Tallal:** Talk to us about your relationship and how the two of you worked together.

**Jennifer Fox:** We've known each other a really long time, and for me, it's great because having worked as a writer in Hollywood for a number of years now, I think that number is getting close to about 20. You know, you get to meet people who work at studios and you begin in your own mind to think, oh, this person actually can really help you make a better script and someone else may not be so good at that. And Jen, of all

of the people I ever worked with when she was at a studio, was the best person to work with. And it wasn't just me who felt that way. Obviously, Steven Soderbergh did. He hired Jen to run his company when he and George were working together.

**Scott Tallal:** George Clooney.

**Scott Z. Burns:** Yes. And so Jen obviously came very highly recommended. She's very, very calm. And I sometimes am not. And in a process like this, where you've worked that hard and I can't remember I think it was John Borman who said the movies that we work the longest and hardest on tend to be the ones that never get made. So as the years go by and your investment increases, the stakes are higher for you personally. And so having a partner on the project who would say to me, just keep going, we'll figure it out.

**Scott Tallal:** Well, the other thing I would imagine is that over 20 years or so, you've developed a shorthand.

**Jennifer Fox:** Absolutely.

**Scott Z. Burns:** Yeah.

**Jennifer Fox:** Yeah. We can speak our minds to one another. There's no holding back. So we'll be able to tell each other what you think at any given moment, but know that it's gonna be OK tomorrow. You're not going to wake up the next day and be like, I'm out. You form these little families as you make films and you kind of collect the people who you work well with and you regroup. Kerry Orent, the line producer I've done several films with him and we've both worked with Soderbergh quite a bit. And so we were able to pull together a group of people that we trust and know. And it's almost this kind of sad moment when the band breaks up and you all go your separate ways and then we kind of come together and get to do it again now, in this process, as we're out talking about the film.

**Scott Tallal:** It's my understanding that you've been quoted as saying that your original vision for this film ended up being very different from the way the film finally turned out.

**Scott Z. Burns:** Yeah. You know, when we started this article that I found in Vanity Fair was largely about these two psychologists, Bruce Jessen and Jim Mitchell, who were Air Force psychologists who had worked at a thing called SERE School. And what SERE school is, is training we give our special forces guys so that in the event they're captured by regimes that do horrible things like torture people, they'll be prepared for it. It was never intended as a way of getting the truth out of people. If anything, it's been used historically to get false confessions. So that story was really about those two guys. And I, like Steven Soderbergh and Jen, we're all big Mike Nichols fans. And I loved Catch-22 and I loved Strange Love. And so I thought maybe I could do an absurdist comedy that really looked at what these guys claimed they could do. Somewhere along the way in doing my research, the report came out. So that was December of 2014. And when the report came out, we looked at it. We were able to get in touch with Daniel Jones through Senator Feinstein's office. And he told us this odyssey he went on to get the truth out and it felt more relevant to tell the story of a guy trying to tell the story. So we threw away whatever pages we had and started over.

**Scott Tallal:** Now, as you're doing your research on the script, is there anything that you found out that just surprised you?

**Scott Z. Burns:** Yeah, there are a few things that were really stunning to me. The most stunning thing is because this story happened over the course of seven years. It's really hard for people to track it in real time. You would hear a story about the CIA destroying tapes or you would hear a story about a waterboard, but it had never really been put together into a two hour movie and it hadn't been shaped to be a thriller because it took so long. But it's really a remarkable story of persistence. And within it there are, I think, things that are really shocking. I mean, there are two things that always stand up for me. One is that the CIA did their own investigation. They did it because Leon Panetta, when he took over the CIA, wanted like any good administrator to know what did we do? What the hell happened? What's our exposure here? And so they did their own investigation and it came up with the exact same conclusions that Dan and his team did. And yet the CIA suppressed this report. It just somehow wound up on Dan's server one day. And so even though the CIA to this day refutes the findings of the United States Senate study, their own documents said the same things. That was pretty big. I hadn't realized that this wasn't just the CIA versus the Senate. The CIA was actually suppressing its own findings. And then the second thing is that after five years of this program, five years of

torturing people, they finally did an assessment of their own program. And their own findings were that it didn't work and that they should talk to other governments and law enforcement about what sort of interrogation techniques do work. I think for me, those were the two sort of really stunning revelations.

**Jennifer Fox:** When we started working on this project it was five years ago and Obama was in office. The program was shut down. At that point, we felt the movie was important and crucial and urgent and that accountability was incredibly important. And as time went on, it became more relevant every day. So it wasn't like one big aha moment, but it just felt like with every month, with every year, suddenly we're in an election. We think that Hillary Clinton is going to win. We have no sense whatsoever that we're going to end up with the presidency that we have. And then on the campaign trail, Donald Trump says, I would bring back torture or much worse. At that point, we thought, we were doing this, thinking in case this ever comes back, maybe even not in our lifetime. But it felt like the program was over. And now suddenly we have a candidate who's saying he could bring it back or worse. Now, we never anticipated that this would become as crucial as it has. And now as time continues to go on, issues of accountability have become more and more important to everyone. And even the concept of a report was something that was much harder for people to understand before the Mueller report. And as we watch the way in which our system works, I think people have a much greater understanding of the role of oversight than they did when we started this project.

**Scott Tallal:** Right. Scott, I understand that you have a bit more personal connection to the world of psychology. Talk to us about that and how it influenced and informed your decision making.

**Scott Z. Burns:** Yeah, both my parents are psychologists. They're both retired. But I grew up with parents who practice psychology in different ways. But my understanding of psychology based on my parents talking about it over dinner for 18 years of my life was that this was a thing that existed to help people and that there was a thing in the world called the Hippocratic oath and that although psychologists are not medical doctors, the expectation is still to do no harm and to not injure people. And it was shocking to me to understand that there were these two psychologists who thought they could weaponize psychology and make people tell the truth that they had, in quotes,



because this is what the CIA said, the special sauce. Now, maybe growing up, I should have realized that my parents could weaponize psychology, but not in this way and not using these SERE techniques that involve torture. And this isn't really news. You can go back and find quotes from Napoleon who was not, from what I understand, a particularly nice guy. But even Napoleon said that torture doesn't work. You just get false information. And so the idea that these techniques were gonna somehow keep people safe was ludicrous. And yet the CIA gave these guys a contract for a lot of money.

**Scott Tallal:** As I understand it, what was in the initial report was redacted a lot.

**Scott Z. Burns:** The initial report was sixty seven hundred pages and that document's classified. Dan Jones was tasked with turning it into an executive summary, which is about 500 pages, and that is still online. You can go in and check that out. And that was really the document that I looked at when writing about the program. The agreement that I made with Dan Jones was if I'm going to write a scene about the program, I want to pull the language and the situation from the report itself. And that was really important to both he and myself. The story that Adam tells of what Dan's life is like is something that obviously needed to be compressed because it was seven years of a person's life that we had to squeeze into two hours.

**Scott Tallal:** Right. One of the things about the movie is you strictly focus from Daniel's standpoint on his professional work. You don't go deeper backstory on that. Talk to us about that decision.

**Jennifer Fox:** Those scenes were written.

**Scott Z. Burns:** Yeah,.

**Jennifer Fox:** They just weren't as good but not because we don't have a brilliant writer because the focus of the movie is on his work. And so anytime you went home with him, you just didn't care because what was happening at work was so urgent that it felt almost like you were ticking a box and not doing a scene that was essential.

**Scott Z. Burns:** Part of the claustrophobia that I wanted people to feel about Dan's mission in the movie was that you pretty much just see him at work. And if we went

home and showed the typical scene of the partner who's embittered because he's not paying attention or the empty fridge or the guy staring at the ceiling, that would open up the movie and sort of release that tension,.

**Scott Tallal:** I would have to think the process of making a film like this changes you.

**Jennifer Fox:** Absolutely.

**Scott Tallal:** How so?

**Jennifer Fox:** Well, even just filming torture is sickening and horrible. And so to imagine what it must have been to inflict this on people. And I'm even putting it from the point of view of the people that did it and the people that worked around those people. The film shouldn't be an indictment on the CIA as a whole because there were many people who were against it, who spoke out, protested. Who quit. Who asked to be transferred. And so to imagine what it would have been to be in the room. I'm watching people simulating this and I know they're safe because I'm a part of making sure that it's safe. And it's horrifying to be a part of. Just that in itself was really moving and terrible experience.

**Scott Z. Burns:** I think it does in a lot of ways. I mean, what Jen's talking about is certainly true. You know, the days that we shot the scenes of Abu Zubaydah, he was an actor who, it was his first movie and he was of Lebanese descent, just like Abu Zubaydah. And you look around at your crew and it's primarily white people and you realize what this must have been like. That there is a real racial component to this, that we did the things we did to these people, these people being Arab men, because they didn't look like us and they don't believe in the same faith that most of us have. And so, again, it was this issue of the other. And if you dehumanize somebody and turn them into the other, it gets easier to do these things. And you learn that even when you're faking it on a movie set. I think for me, the other real transformative part of this is a lot of times in Hollywood, people I think are taught and told, well, you should make something that is obviously commercial and doing a story that's political or that has a point of view about the moment in which we live is. it's not cool, it's not what you do. And for me, taking the part of myself that was very passionate to work with me every day was really gratifying. And seeing how the actors behaved and having an opportunity to help tell a story that was relevant to this moment really was a profound experience.

**Jenny Curtis:** Hi, this is Jenny Curtis, producer of Hollywood UNSCRIPTED. We hope the show is igniting your passion as much as it is ours. Please subscribe, rate us and leave a review. It really does matter as we bring you more inspiring conversations with the filmmakers you admire. Now back to the show.

**Scott Tallal:** I would imagine that the process of coming home is different at the end of the day.

**Jennifer Fox:** Oh, yeah, I mean, I have two small kids. And so just how fragile our democracy is and how quickly things can change. It becomes all the more present. The decisions that are made in darkness can have a big effect. And luckily, at the end of this film, what you learn is that a law changed and this has been stopped. But there is this feeling that it could come back. It could come back with a pen stroke.

**Scott Z. Burns:** And another thing that I think for all of us that was really not something we anticipated was, in my research I spent a lot of time speaking to senators and journalists. But I also spoke to people from the military. And I think I went into it expecting the military to say, well, you know, when you capture people on the battlefield, you got to do what you gotta do. But they actually said the opposite. What they told us was that fighting for America meant that you didn't do that, that you agreed to the Geneva Convention, that you followed the United States military's code of conduct, and that these techniques are against the law and it's against what they believe in and what they do.

**Jennifer Fox:** There's also this sense of heroism that I think we saw in Dan, but as it went on became more and more apparent and that the end of the process, when Annette saw the film for the first time, she said something like this, this film is really about our system working. And there's a line in the film where John Hamm's character, as Denis McDonough says, in how many countries could a report like this even be written? And she goes on to say, I don't want to be just the country that writes the report and I want to be the one that releases it. And that's what I intend to do. There's a real sense of pride. We do have a system of checks and balances. It can be used properly for that.

**Scott Tallal:** What was the reaction from other members of the cast, from Adam and from the other principals after they step away from the project and then look back at it? What have you heard from them?

**Jennifer Fox:** Well, Adam doesn't watch his own work, as many actors don't watch their own work, I think. But he experienced it. He left it. He, you know, he read every line and is one of those people who will not say a word unless he truly understands the meaning behind it. So he goes very, very deep on everything he does and says. And I know that everyone has great pride in having been a part of this film.

**Scott Z. Burns:** That's been the feedback I've gotten from everybody. Even people like Jennifer Morrison, who doesn't have as big a part as she might have in other movies and doesn't really technically play one of the good guys. Her response was, I feel so honored that I get to help tell the story. And that's the most you can hope for when you go to work in the morning.

**Scott Tallal:** This is two hours of pretty heavy, dark stuff. As a writer, structurally, as a director, how do you break that pattern and come up for lightness and then go back down again? Talk to us about that.

**Scott Z. Burns:** With all the songs, with the musical numbers. No. There are moments of levity in the film and they generally come from language. There's a lot of absurdity in this, just like there is in *Strangelove* and in *Catch 22*. And so it really all goes back to the CIA deciding to call what most human beings would call torture, enhanced interrogation. Like it's, you know, somehow some enriched breakfast cereal and so there is some humor and some levity to be found in the language and in some of the absurdity of these situations. The other thing that we did that generally doesn't get done with movies or it hasn't been the case with films that I've been involved in, is we did table read after table read, after table read. And so we were able to hear this thing out loud. And what dawned on me after about the second table read is that this was a reasonable approximation of what we were gonna wind up with, because a lot of this was people talking to each other. And if it didn't work in a table read, then I had to go back and work on it harder. What I wanted to do was create a thriller and I wanted to create it with language and with frustration and by keeping this constant forward movement.

**Jennifer Fox:** But they're also very conscious choices that Scott made, lens choices, on the production design, on camera angles to enhance that feeling of tension that you have and the urgency that it has, despite the fact that it's very dense. That combined with actors who can exquisitely deliver those lines and do it with such passion and intensity that you can't look away. It's, it's impossible for Adam Driver to be boring as I've heard, both Scott and Steven Soderbergh say. He's compelling and it's compelling because he so understands what he's saying. Annette Bening would look at the script in our rehearsal period and say, tell me exactly what this means, because I'm tripping up on this. And Scott would quickly realize well that means I haven't written that line quite right. And let's work it out. And so the actors were a big part in making what was there more understandable. We became so in the weeds on it that there's certain things that just were shorthand to us it was like, of course, everyone should know what that means, but it is quite technical. And they helped us make it much more human. And the emotion that they put behind it really does it all.

**Scott Z. Burns:** Yeah. The thing that I wrote before this was a play that was done at the Public Theater in New York. And I think the great thing about the theater is every day you get to hear your piece read out loud and every night you go home and try and make it better. I used that experience to really make sure that if this thing was a radio play, it would still be understandable, but it would also keep you leaning forward.

**Scott Tallal:** So talk to us about that rehearsal process.

**Scott Z. Burns:** Well, Annette was incredibly generous about her time. Obviously, if the shoot's only twenty six days, you don't have anyone for a really long time. But in the case of a Annette, she really wanted to work. That sort of set a tone for the entire cast and the entire experience. We would work five days a week. We would do five, six pages a day, which on a movie is a lot, dialogue for all five or six of those pages. And she would show up really knowing her work and then it would be Friday and we would wrap and she would say, so what time do we start tomorrow? And I would say, oh, we have tomorrow off. And she would just look at me and say, well, then we rehearse. And I was like, if you want to rehearse, come on over to my house and we'll sit around the table. And that level of commitment to work when you're looking at somebody as established as Annette is inspiring to everybody on the crew. She would really push on those scenes and want to understand exactly what we were saying in all of them. And

that makes it possible to stay on that kind of a schedule. If you don't have that level of commitment, you're not going to get there. She and I would find YouTube clips of Senator Feinstein lecturing Ted Cruz on gun control. And you could see her sort of absorb all that is Feinstein and kind of make a note of her voice, her mannerisms. Because what I had told her from the beginning is you can't do an imitation. If you do an imitation the entire cast has to figure that out. You need to do a distillation. You need to figure out just enough so that people accept you as Senator Feinstein, but not so much that they're, like Jen said, that they're, you know, they're looking for the crack in your makeup or your fake nose. It wasn't about that. It was about doing just enough so that you believe her and she accomplishes that.

**Jennifer Fox:** She did it so well that Dan Jones, who spent seven years working very closely with the Senator, would stand next to him on set. And every now and then, Annette would walk by in her costume. And it would be like, I felt like I just saw my old boss walk by that was so freaky. And she took it on. There was a moment when she was moving from one part of the room to another and I remember Scott was thinking like, oh, maybe she hurt herself. She's like hobbling a little bit. No, that was just her body language. She was walking in the way that the senator walked.

**Scott Tallal:** Any other interesting tales from the set?

**Jennifer Fox:** When you asked the question earlier about when your budget is cut so drastically, what do you do? And you just proceed as if until you have it. So we ended up prepping before we were financed and we were able to do that because we have a great line producer with great relationships and also a crew that like our cast, came on to do this for very little, next to nothing, started working on this film in faith. And it wasn't until three weeks before we started shooting that we could pay anyone. So we had been prepping for eight to 10 weeks looking for locations, all of our department heads on, but we couldn't really pay them until that point. There's a lot of stress on me and on Scott because we're thinking if we can't pull this together, we've just had all of these people working for us for this long. And you just have to keep the dream alive and you have to keep saying, no, no, we're going, it's happening. It's a done deal until it's really a done deal. And finally, it was just in the nick of time. And that was because we had in the 11th hour a financier that came in and wrote a check for the other 50 percent. Vice came in for four million dollars. And Eddy Moretti was our angel, came in and wrote a check for

another four because we were negotiating with various parties to try and make four other one million dollar deals work. And it was just too complicated in the amount of time we had.

**Scott Tallal:** And you did not have distribution locked at that point?

**Jennifer Fox:** No, we did not have distribution until we went to Sundance with the film when it was complete. And there we sold it to Amazon.

**Scott Z. Burns:** I mean, there were days during during prep. I remember getting in a location scout van one day and calling Jen in a panic and going, I can't get back in a van with these people who are working so hard. And I know we don't have any money in the bank.

**Jennifer Fox:** And I would say this film may fall apart for many reasons, but it's not going to be you. Get in the van and keep going.

**Scott Z. Burns:** So I got in the van because she said, get in the van. When we got to Sundance, it was really, a very surreal experience. We had never really shown the film to more than about ten or fifteen people at once, in part because our post schedule wasn't really any more luxurious than our shoot schedule. So we had done screenings for friends, as you do, you know, ten or fifteen at a time. But it wasn't like a normal studio experience where you have test screenings and you get some feedback and people fill up cards.

**Jennifer Fox:** And you get feedback from strangers. Your friends tell you different things than strangers will.

**Scott Z. Burns:** And a room with 15 people is also a kind of experience. In a theater with two or three hundred people in a movie like this it becomes a shared experience. With 15 people it's really not a critical mass that it begins to become sort of an experiment in civics and what the shared experience means at a cinema. So all of a sudden we're in Sundance and they gave us the spot at Eckles opening weekend. And I went online to see what kind of a room Eckles was. And it holds twelve hundred people. We get closer and closer to the date and asked how we're doing. And they said, oh,

well, everything sells out at Sundance. But yeah, your movie's completely sold out. There's a big wait list and I'd written a little speech to go out and give at the beginning. I sort of felt like this could be it. We may never really screen the movie again. And I better thank everybody and like pay up all my debts. And I got out there and I just froze and I sort of put my little piece of paper away and thanked everybody for coming. And I went and sat down behind Steven Soderbergh. And it's a really surreal experience to have worked on something for that long. And, you know, you don't know you don't really know until someone pushes play. And then there were people laughing at things that I always hoped that people would laugh at. But I'd never had the experience, because there are things where if you're in a tiny room, you may not laugh out of fear of embarrassing yourself, but when there's twelve hundred people, all of a sudden this laughter would ripple across. And I actually turned to Steven and I said, I think it might be working.

**Jennifer Fox:** You could feel people leaning in and you could hear a pin drop and no one was moving. And then it was over and erupted in this giant standing ovation. And we brought out Dan Jones and to then see another standing ovation for Dan was also incredible. And people thanking him for his service. And that night, I think, must've been most surreal for him. Yeah.

**Scott Tallal:** You have lots of choices about where you're going to roll out your film. Why Sundance as opposed to any other festival?

**Jennifer Fox:** It was the time of year, honestly. That was when we were ready. And you can't keep your money waiting for too long to find a buyer. So it was really the obvious place for the point that it was the next big market.

**Scott Z. Burns:** Yeah. The morning after we sold the film, I was at breakfast and I ran into Eddy Moretti, he had a big smile on his face. I said, you know, Eddie, this is the first morning in about two years where I didn't wake up and go, oh man, I owe Eddie Moretti four million dollars. So that was a really good feeling and Amazon was great. It's this really interesting inversion of your experience when you have a movie that people want to buy.

**Jennifer Fox:** Because that it became a bidding war. We had people, multiple parties who wanted it. And it was one of those crazy all night negotiations where we had a



meeting at midnight and then we're sent out of the room at 1:30 or something. And the agents and lawyers stay behind. And the morning we wake up to a text saying, okay, we're closed.

**Scott Z. Burns:** Yeah. That was that was a good morning to wake up.

**Scott Tallal:** And why did you finally do the deal that you ultimately accepted?

**Jennifer Fox:** They were the most prepared. They came there, I think, wanting to buy it. They had prepared marketing ideas. They had really done their homework in a way that we were impressed by. And it was one of those, We're gonna close this tonight and yeah, the decision was made to do that rather than hold out for the next morning and to keep it going.

**Scott Z. Burns:** And we also having sort of gone a different path after HBO wanting a theatrical release. They were willing to give us the best of both worlds. They understood that and they wanted to support that. And it's been really interesting in talking to them because they do actually value it. I mean, I've been asked by them to do little film clips about how important it is that people see movies in theaters. And so I don't think they exist to annihilate the theatrical experience. But the other thing that is important is because of the subject matter of this movie, because it's not a superhero movie. It may not have ever penetrated into places in America where there isn't enough theaters for this kind of film. There's the theater at the mall and it generally runs bigger studio fare, so it is gratifying to all of us that eventually this movie will make it onto Amazon Prime. And people all over the world will see that. So that was important, I think, to all of us that this story reach as many people as it could. And, you know, they really accepted and embraced what the film was about.

**Scott Tallal:** So I would imagine this process was really kind of an emotional roller coaster. Talk to us about the highs and talk to us about the lows.

**Scott Z. Burns:** You know, for me, I think the first big low, I was actually in my doctor's office when Len Amato called me and I went from getting bad news that HBO wasn't going to make the movie to getting bad news that I had disc issues in my back, which in a way I think maybe gave me perspective about health being more important than

anything. But there were other moments along the development path where I remember Tony Gilroy, who is a writer I have great admiration for. I brought him an early draft and I could tell he didn't like it. And Tony frequently hasn't liked things that I write and he helps me make them better. And he could tell that I was really discouraged that I had been at this for a long time. I sort of sat back in my chair and he looked at me. He goes, you can't give up. I mean, nobody else is going to tell this story. And that line is in the movie. And I remember getting up from the table and writing down: Nobody else is going to tell the story. It was a really lovely moment in terms of the sense of community and the relationship you have with a fellow filmmaker that someone can see you sort of struggling and continue to push you forward. So that was a big high for me. And also seeing dailies and having some sense early on that what Annette was doing was so remarkable and that Adam had so much conviction and that the decisions that Eigil Bryld, the cinematographer and I had made about the grammar of this piece, and how we were going to treat the flashbacks, that those things were working. That makes you want to get up in the morning and go back.

**Scott Tallal:** Do you guys have any stories about something that struck you as odd or funny when you're making the movie together?

**Scott Z. Burns:** Everything in the main body of the movie is on sticks around the dolly. And the language that we had sort of decided on was the flashbacks were going to be all handheld. We really use these uncoated lenses and sort of pursue getting flares. And it was going to have a very different look. And it was exciting because it was sort of like starting over with a whole different movie. And the first of these scenes was supposed to look like an airbase at a black site. And of course, we were in New York, so our air base at a black site was the parking lot of the stage that we shot at. And we were going to get rid of all the buildings and do the special effect thing, which was already making me nervous, because when you don't have a budget, you're kind of wondering if any of this stuff is going to work. And we started shooting it. And I think I was so anxious about, are the special effects going to work that I stopped really thinking about how the camera should be behaving. And we'd done a couple of takes and they were OK, but they felt a little flat. And Jen walked over to me and said, you've gotta like channel your inner action director, pretend this is a Bourne movie, act like you're Paul Greengrass. And it made a huge difference because I think it was one of those things where my anxiety about the length of the day and the distractions of working on a very low budget

sort of special effects situation had made me forget what you're never supposed to forget, which is what is the scene about.

**Jennifer Fox:** As a producer when there will be an issue I feel like it's my job to have the perspective of it's going to be OK and we're gonna fix it. And this is how we're going to fix it. So we'd regularly be on these roller coasters and I'd try and get ahead of, hey, we're hitting a low now and we need to come up with a solution for how to turn it into something that will inevitably be a positive. The pressure is really on Scott to execute that on the day and so really trying to keep the focus where it needs to be. Keep your eye on the ball because we're making a great movie here.

**Scott Z. Burns:** There are a couple of other great moments. I think it was my second day working with Annette and it's hard not to go to a place where you want to be professional, but inside of you, you watch the monitor and you go, Oh my God, I'm directing. Annette Bening and I don't think I'll ever lose that sort of reaction to some of these things. But, you know, it's traditional when you're working with an actor who's established to come up to them and say, I'm really happy with what you did. I'm ready to move on. Would you like another? And I was always raised to treat people that way on the set. And so Annette said, you know, I'll have another. And she did something kind of interesting. And I was like, that was cool, too. Yeah, I'll probably use one of those last two. Anything else you want to explore? She's like, can I have one more? So I give her another. And then I gave her another and I walked back and I'm like, wow, those are all great. What do you think? And she said, I think you have a lot of pages to shoot today and I came here to act. So if you keep telling me that I have the chance to keep acting, I'm going to say yes. But you have to go make your movie. So I think you should probably move on.

**Jennifer Fox:** And our first idea is sweating bullets, because we really only have time to do three or so takes at the most. Usually it's two.

**Scott Z. Burns:** It was great because it was sort of a reminder of why we do this, that you run around setting up all the gear and there isn't a lot of time to play and that in the playing you find stuff. And so I realized that, yeah, I had to move fast, but I had to act like we were moving slow because even if we didn't have the time to play, a part of my job was to create the impression that we did so that the actors have that experience.

They don't want to feel rushed. I remember years ago when I was working on the Bourne movie, I was talking to a guy in law enforcement about shooting a gun, and he said that if you try and go fast, it actually ends up making you go slow. If you go steady you actually go fast. That's really to me, the secret is being able to create a rhythm and a pace that allows people to do their work and keep your sort of inner demons that are freaking you out away from them. That's not going to help anybody do their job.

**Scott Tallal:** Is this experience going to affect the way you move forward as a director, you think? And if so, how?

**Scott Z. Burns:** Well, I would like to move forward as a director. You know, I directed a movie that Jen produced 10 years ago,.

**Jennifer Fox:** Not a theatrical, for television.

**Scott Z. Burns:** It was a TV movie. And I had always wanted to get back and do this. And I had written a movie called Side Effects that Steven Soderbergh ended up directing. And Steven had come to me after I had struggled for years to get a cast and get financing. And he had seen me struggling. And he said, I really like that script. How would you feel about me directing it? At first I was put off because it was mine, but I really thought about what that means. And if it's mine and I'm the writer, then my obligation is to that story. And if you're a screenwriter in this community and Steven Soderbergh comes and says he wants to direct your movie, that's about as good as it gets. And so I felt if I'm the steward of that story, then it's my job to help Steven make it. But while we were doing that, he said to me, go home and write something for yourself. You've worked really hard. You deserve that opportunity. And when Jen and I sent him the script, he said, you're the only person who's gonna be able to direct this, you know the rhythm of this language. You know what can get cut. You know what needs to stay. You need to do this. And he was really gracious about helping,.

**Jennifer Fox:** But there was no reason for this film to happen in the sense that this is not the kind of film that is really financeable. And then it was this act of perseverance on everybody's part to make it happen. It took five years and we're glad that it came out when it did. And just getting to do it felt like a great honor. The whole time.

**Scott Z. Burns:** Yeah. So, no, I mean, answer your question. I hope I get to do more. And also, I think it was a really good lesson in acts of will, you have to will a lot of these things into existence because people can't necessarily see inside of your head. So they may not see the movie that you can see and that you have to keep pushing forward, which was also something that Jen always told me and that has had a huge impact on me.

**Scott Tallal:** The Report coming out theatrically and will be on Amazon, the release date on Amazon.

**Jennifer Fox:** Theatrically November 15th and on Amazon Nov. 28.

**Scott Tallal:** Well, I want to thank today's guests, producer Jennifer Fox and writer director Scott C. Burns. Thank you so much for coming by the studio here at the beautiful Fairmont Miramar Hotel and bungalows.

**Jennifer Fox:** Thank you.

**Scott Z. Burns:** Thanks

**Jenny Curtis:** Hollywood UNSCRIPTED is created by Curtco Media and presented in cooperation with the Malibu Film Society. This episode was hosted by Scott Tallal, with guests Scott Z. Burns and Jennifer Fox, produced and edited by Jenny Curtis. Sound Engineering by Michael Kennedy, recorded at the Fairmont Miramar Hotel and Bungalows. The score from The Report featured as the music in this episode was composed by David Wingo and provided courtesy of Amazon Studios. The executive producer of Hollywood UNSCRIPTED is Stuart Halperin. The Hollywood unscripted theme song is by Celeste and Erik Dick. If you're enjoying this show, please share it and remember to rate review and subscribe to this podcast for more conversations with top industry professionals discussing the movies you love.

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