

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT,
IN AND FOR PINELLAS COUNTY, FLORIDA,
CIVIL DIVISION

TERRY GENE BOLLEA, Professionally
known as HULK HOGAN,

Plaintiff,

CASE NO. 12-01247-CI-011

vs.

HEATHER CLEM a/k/a Heather Cole an
Individual, GAWKER MEDIA LLC,
and BUBBA THE LOVE SPONGE CLEM
a/k/a Todd Alan Clem,

Defendants.

_____ /

**DEFENDANT, HEATHER COLE'S, RESPONSE TO DEFENDANT, GAWKER
MEDIA, LLC'S, FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Defendant, Heather Cole (hereinafter referred to as "Ms. Cole"), by and through the undersigned counsel, responds to the First Request for Production propounded by Defendant, Gawker Media, LLC, under Certificate of Services dated August 2, 2013, as follows:

1. Any and all documents that relate to Gawker.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

2. Any and all documents that relate to Plaintiff.

RESPONSE: See attached emails from Bubba the Love Sponge dated April 19, 2012 and from Ms. Cole dated April 23, 2013.

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3. Any and all documents that relate to the Gawker Story.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

4. Any and all documents that relate to the Bollea Video.

RESPONSE: See attached emails from Bubba the Love Sponge dated April 19, 2012 and from Ms. Cole dated April 23, 2013.

5. Any and all documents that relate to the creation of the Bollea Video.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

6. Any and all documents that relate to any recordings of you engaging in sexual relations with Plaintiff.

RESPONSE: See attached emails from Bubba the Love Sponge dated April 19, 2012 and from Ms. Cole dated April 23, 2013.

7. Any and all documents that relate to any sex video.

RESPONSE: Ms. Cole objects to this request to the extent it seeks items/documents protected from disclosure by Judge Campbell's Order of October 29, 2013.

8. Any and all communications between you and Gawker.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

9. Any and all communications between you and anyone that relate to any recordings of you engaging in sexual relations with Plaintiff.

RESPONSE: See attached emails from Bubba the Love Sponge dated April 19, 2012 and from Ms. Cole dated April 23, 2013.

10. Any and all communications that relate to any offers from anyone to buy or sell any recordings of you engaging in sexual relations with Plaintiff

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

11. Any and all documents concerning any surveillance or audio or video recording system that was in the room where the Bollea Video was recorded.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

12. Any and all communications that relate to any decision to record sexual relations between you and Plaintiff.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

13. Any and all communications that relate to any plan or proposal to distribute, disseminate, sell, license, post, broadcast and/or exhibit any recordings of you engaging in sexual relations with Plaintiff.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

14. Any and all documents that relate to any money or other consideration that was paid or received in connection with the recording of you engaging in sexual relations with Plaintiff including without limitation the Bollea Video.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

15. Any and all documents that constitute or evidence any agreement(s) relating to the recording of you engaging in sexual relations with Plaintiff.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

16. Any and all documents that constitute or evidence any agreement(s) relating to the recording of you engaging in sexual relations with any person other than Plaintiff.

RESPONSE: Ms. Cole objects to this request to the extent it seeks items/documents protected from disclosure by Judge Campbell's Order of October 29, 2013.

17. Any and all documents that relate to any discussions between you and Plaintiff regarding the recording of any sexual relations.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

18. Any and all communications from Plaintiff in which Plaintiff consents, or declines to consent, to the recording of any sexual relations.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

19. Any and all communications from Plaintiff in which Plaintiff consents, or declines to consent, to the dissemination and/or distribution of a recording of any sexual relations.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

20. Any and all communications from Plaintiff objecting or declining to consent to the dissemination and/or distribution of the Bollea Video.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

21. Any and all documents that relate to how the Bollea Video was obtained by Gawker.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

22. Any and all documents between you and Plaintiff relating to sexual relations.

RESPONSE: None.

23. Any and all communications between you and anyone else relating to sexual relations between you and Plaintiff.

RESPONSE: Ms. Cole Objects to this request as it seeks attorney/client protected docs. Without waving said objections, Ms. Cole reports that the only communication regarding that request outside that of counsel is attached.

24. Any and all documents that relate to any reason or reasons why Sexual Relations between you and Plaintiff was recorded.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request.

25. Any and all documents that relate to any reason or reasons why anyone other than you, Mr. Clem or Plaintiff has a copy of the Bollea Video or any portion thereof.

RESPONSE: Ms. Cole has no knowledge of the existence of documents related to this request, nor is she in possession, custody, or control of documents related to this request

26. Any and all recordings of sexual relations between you and Plaintiff.

RESPONSE: No recordings responsive to this request are in possession, custody, or control of Ms. Cole.

27. Any and all documents that constitute or reflect marital - settlement agreements and divorce decrees between you and Mr. Clem.

RESPONSE: See attached

- a. **The marital settlement agreement**
- b. **The divorce decree**
- c. **The prenuptial agreement.**

28. Any and all documents from your marital proceeding with Mr. Clem that in any way refer to or relate to any recordings of sexual relations, including without limitation the Bollea Video.

RESPONSE: See attached

- a. **My marital settlement agreement**
- b. **The prenuptial agreement**

Date: 11-21-13



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of November, 2013, that a copy of the foregoing has been served via electronic mail to:

Fredrick H.L. McClure, Esq., Fredrick.mcclure@dlapiper.com;
Charles J. Harder, Esq., charder@hmafirma.com;
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Date: 11-21-13



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