

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

TERRY GENE BOLLEA professionally
known as HULK HOGAN,

Plaintiff,

vs.

Case No. 12012447CI-011

HEATHER CLEM; GAWKER MEDIA, LLC
aka GAWKER MEDIA; GAWKER MEDIA
GROUP, INC. aka GAWKER MEDIA;
GAWKER ENTERTAINMENT, LLC;
GAWKER TECHNOLOGY, LLC; GAWKER
SALES, LLC; NICK DENTON; A.J.
DAULERIO; KATE BENNERT, and
BLOGWIRE HUNGARY SZELLEMI
ALKOTAST HASZNOSITO KFT aka
GAWKER MEDIA,

Defendants.

_____ /

AFFIDAVIT OF CHARLES J. HARDER

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

CHARLES J. HARDER, Esq. being duly sworn, deposes and says:

1. I am admitted pro hac vice to practice before this Court and am a partner of Harder, Mirell & Abrams LLP, counsel for Terry Gene Bollea in this proceeding. I have personal knowledge of the facts set forth herein.

2. This action has been pending since October 2012. However, discovery has been delayed due to motion practice and issues relating to the joinder of additional parties to this litigation as well as Gawker Media, LLC's unsuccessful attempt to remove this action to federal

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court. On May 21, 2013, Bollea served his first sets of interrogatories, requests for admissions, and document demands on Gawker Media.

3. On May 29, 2013, counsel for Gawker Media requested that Bollea extend the time for any responses to the written discovery by 30 days, stating that this time was needed so that the parties could engage in settlement negotiations. Gawker Media's counsel did not say anything about the discovery being voluminous or it needing time because of hiring a new in-house counsel, and Gawker Media's counsel further did not particularize its request or state which requests would require more time for a response. I did not agree to the extension request because it was not particularized and because my client does not believe that Gawker Media has expressed any serious intent to settle the case.

4. On June 3, 2013, I received an e-mail from Gawker Media's counsel, Seth Berlin, reiterating Gawker Media's request for an extension of time to respond to the initial discovery but also stating a new reason: the allegedly voluminous nature of the request. The requests were not voluminous—just 10 interrogatories and 22 requests for admissions (both well under statutory limits) and 88 document demands. I responded to this request on June 4, 2013 in an e-mail and June 5, 2013, in a letter, in which I stated that Bollea could not agree to a blanket 30 day extension but was willing to work with Gawker Media in the scheduling of its discovery responses. A true copy of my June 5, 2013 letter is attached hereto as **Exhibit A**.

5. Mr. Berlin responded to me on June 6, 2013, again reiterating the request and this time stating that Gawker Media required more time because it had a new in-house counsel working on the discovery responses. A true copy of Mr. Berlin's letter is attached hereto as **Exhibit B**.

6. I responded to Mr. Berlin's letter in an e-mail on June 6, 2013. Once again, I indicated that Bollea was willing to work with Gawker Media regarding scheduling its discovery responses but could not agree to a blanket extension without any showing of which particular requests required more time for a response. A true copy of my e-mail is attached hereto as **Exhibit C**.

7. My client remains willing to discuss scheduling of discovery responses with Gawker Media so long as Gawker Media makes a showing as to which particular discovery will require more time to answer, and the amount of additional time it needs.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information and belief.

Executed this 12th day of June, 2013.


CHARLES J. HARDER

Sworn to and subscribed before me this ____ day of _____, 2013 by _____ who is personally known to me or _____ who has produced _____ (type of I.D.) as identification (check one).

(Signature)

(Type or Print Name)

Notary Public
My Commission Expires:
Commission No.:

*See attached
QA Acknowledgment Form
SJB*

CALIFORNIA JURAT WITH AFFIANT STATEMENT

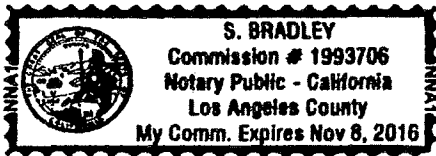
- See Attached Document (Notary to cross out lines 1-6 below)
 See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 _____
2 _____
3 _____
4 _____
5 _____
6 _____

Signature of Document Signer No. 1 _____ Signature of Document Signer No. 2 (if any) _____

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this
12th day of June, 2013, by
Date Month Year
(1) Charles J. Harder
Name of Signer



proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) _____
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Affidavit of Charles J. Harder

Document Date: 6-12-2013 Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1
Top of thumb here

RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here