

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.

_____ /

**FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS
TO DEFENDANT HEATHER CLEM**

Pursuant to Florida Rules of Civil Procedure 1.350, Plaintiff Terry Gene Bollea, professionally known as Hulk Hogan (“PLAINTIFF”) hereby requests that Defendant Heather Clem produce for inspection and copying each of the documents or categories of documents described hereafter at the law offices of Bajo Cuva Cohen & Turkel, P.A., 100 North Tampa Street, Suite 1900, Tampa, Florida 33602, within thirty (30) days of service of this request.

Definitions and Instructions

As used in this Request for Production of Documents:

- (a) “GAWKER” means Defendant Gawker Media, LLC and its parent

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company, subsidiaries, affiliated companies, including but not limited to Gawker Media Group, Inc., Gawker Entertainment, LLC, Gawker Technology, LLC, Gawker Sales, LLC, and/or Blogwire Hungary Szellemi Alkotast Hasznosito KFT, and all of their members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on any of their respective behalves.

(b) “GAWKER.COM” means the website located at www.gawker.com, as well as any agents, attorneys, and consultants therefor, and all other PERSONS acting or purporting to act on its behalf.

(c) “BLOGWIRE HUNGARY” means Defendant Blogwire Hungary Szellemi Alkotast Hasznosito KFT and its parent company, subsidiaries, affiliated companies, and all of their members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on any of their respective behalves.

(d) “PLAINTIFF” means Plaintiff Terry Gene Bollea (professionally known as Hulk Hogan), as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

(e) “HEATHER CLEM” or “YOU” means Defendant Heather Clem aka Heather Cole, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on her behalf.

(f) “BUBBA CLEM” means Bubba Clem aka Todd Clem (professionally known as Bubba the Love Sponge), as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

(g) “PERSON” means any individual, firm, partnership, association, proprietorship, joint venture, corporation, governmental agency, or other organization or legal or business entity, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on its behalf.

(h) “WEBPAGE” means the webpage located at <http://gawker.com/5948770/even-for-a-minute-watching-hulk-hogan-have-sex-in-a-canopy-bed-is-not-safe-for-work-but-watch-it-anyway>.

(i) “RECORDING” shall mean any audio and/or visual recording, in any medium, analog or digital.

(j) “VIDEO” refers to the full-length RECORDING of PLAINTIFF engaged in sexual activity with HEATHER CLEM from which the SEX TAPE was excerpted, all excerpts therefrom, and all edited iterations thereof.

(k) “SEX TAPE” means the 101 second long RECORDING posted at the WEBPAGE.

(l) “COMMUNICATION” means any correspondence, contact, discussion, or exchange between any two or more PERSONS. Without limiting the foregoing, “COMMUNICATION” includes all DOCUMENTS, telephone conversations or face-to-face conversations, electronic messages (including e-mails, texts, internet postings, and/or any other form of electronic communication), meetings and conferences.

(m) “DOCUMENT” means the original and any copy (except for identical copies) of any document or thing subject to production under the Florida Rules of Civil Procedure, that is in your actual or constructive possession, custody, or CONTROL, including any written, printed, recorded, typed, mechanical, electronic, computer stored

or graphic matter of any kind however produced or reproduced and all drafts thereof. Any copy containing thereon or attached thereto any alterations, notes, comments, or other material not included in any original or other copy shall not be deemed an identical copy but shall be deemed a separate document within the foregoing definition.

(n) “CONTROL” shall mean the right to secure, or a reasonable likelihood of securing, the DOCUMENT or a copy thereof from another PERSON having actual physical possession thereof. If any DOCUMENT requested was, but is no longer in YOUR possession or subject to YOUR CONTROL as defined herein, YOU are instructed to state what disposition was made of it and the date or dates, or approximate date or dates, on which such disposition was made.

(o) “RELATE TO” or “REFER TO” means concerning, respecting, summarizing, digesting, embodying, reflecting, establishing, tending to establish, delegating from, tending not to establish, evidencing, not evidencing, comprising, connected with, commenting on, responding to, disagreeing with, showing, describing, analyzing, representing, constituting or including, or having any connection with.

(p) In the event any request herein calls for information or for the identification of a DOCUMENT which you deem to be privileged, in whole or in part, the information should be given or the DOCUMENT identified to the fullest extent possible consistent with such claim of privilege, and you should state the nature of the privilege claimed and specify the grounds relied upon for the claim of privilege.

(q) A separate answer shall be furnished for each request.

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. All DOCUMENTS that RELATE TO GAWKER.
2. All DOCUMENTS that RELATE TO PLAINTIFF.
3. All DOCUMENTS that RELATE TO the SEX TAPE.
4. All DOCUMENTS that RELATE TO the VIDEO.
5. All DOCUMENTS that RELATE TO the creation of the VIDEO.
6. All DOCUMENTS that RELATE TO any RECORDINGS of YOU engaging in sexual activity with PLAINTIFF.
7. All DOCUMENTS that RELATE TO any RECORDINGS of YOU engaging in sexual activity with anyone other than BUBBA CLEM during the time when YOU were married to BUBBA CLEM.
8. All COMMUNICATIONS between YOU and GAWKER.
9. All COMMUNICATIONS between YOU and anyone that RELATE TO any RECORDINGS of YOU engaging in sexual activity with PLAINTIFF.
10. All COMMUNICATIONS that RELATE TO any offers from anyone to buy or sell any RECORDINGS of YOU engaging in sexual activity with PLAINTIFF.
11. All DOCUMENTS concerning any surveillance or audio or video recording system that was in the room where the VIDEO was recorded.
12. All COMMUNICATIONS that RELATE TO any decision to record sexual activity between YOU and PLAINTIFF.
13. 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 activity with PLAINTIFF.

14. 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 activity with PLAINTIFF.

15. All DOCUMENTS that constitute or evidence any agreement(s) RELATING TO the RECORDING of YOU engaging in sexual activity with PLAINTIFF.

16. All DOCUMENTS that constitute or evidence any agreement(s) RELATING TO the RECORDING of YOU engaging in sexual activity with any person other than PLAINTIFF.

17. All DOCUMENTS that RELATE TO any discussions between YOU and PLAINTIFF regarding the recording of any sexual activity.

18. All COMMUNICATIONS from PLAINTIFF in which PLAINTIFF consents, or declines to consent, to the recording of any sexual activity.

19. All COMMUNICATIONS from PLAINTIFF in which PLAINTIFF consents, or declines to consent, to the dissemination and/or distribution of a RECORDING of any sexual activity.

20. All COMMUNICATIONS from PLAINTIFF objecting or declining to consent to the dissemination and/or distribution of the VIDEO and/or the SEX TAPE.

21. All DOCUMENTS that RELATE TO how the VIDEO was obtained by GAWKER.

22. All COMMUNICATIONS between YOU and PLAINTIFF RELATING TO sexual activity.

23. All COMMUNICATIONS between YOU and anyone else RELATING TO sexual activity between YOU and PLAINTIFF.

24. All DOCUMENTS that RELATE TO any reason or reasons why sexual activity between YOU and PLAINTIFF was recorded.

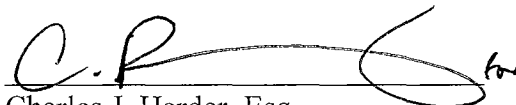
25. All DOCUMENTS that RELATE TO any reason or reasons why anyone other than YOU, BUBBA CLEM or PLAINTIFF has a copy of the VIDEO or any portion thereof.

26. All RECORDINGS of sexual activity between YOU and PLAINTIFF.

27. All DOCUMENTS that constitute or reflect marital settlement agreements and divorce decrees between YOU and BUBBA CLEM.

28. ALL DOCUMENTS that from your marital proceeding with BUBBA CLEM that in any way refer to or RELATE TO any RECORDINGS of sexual activity, including without limitation the VIDEO and/or SEX TAPE.

DATED: July 18, 2013



Charles J. Harder, Esq.

PHV No. 102333

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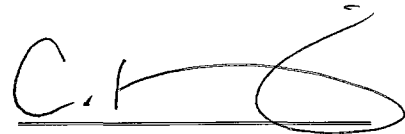
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via e-mail this 18th day of July, 2013 to the following:

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