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

TERRY GENE BOLLEA professionally known as HULK HOGAN,

Plaintiff,

Case No.: 12012447-CI-011

vs.

HEATHER CLEM; GAWKER MEDIA, LLC aka GAWKER MEDIA; et al.,

Defendants.
_____/

MOTION TO DISMISS OF DEFENDANT GAWKER MEDIA GROUP, INC.

Defendant Gawker Media Group, Inc. ("GMGI"), by and through its undersigned counsel, specially appears and hereby moves to dismiss Plaintiff's First Amended Complaint. As grounds for this motion, GMGI states as follows:

1. Plaintiff filed his First Amended Complaint ("Complaint" or "Am. Compl.") on December 28, 2012, which added GMGI as a defendant.

2. Plaintiff effectuated service of the Complaint on GMGI on September 19, 2013. Defendant agreed to extend GMGI's time to respond to the Complaint until October 11, 2013.

3. GMGI moves to dismiss the Complaint on the grounds that plaintiff has failed (a) to plead facts alleging any wrongful conduct by it, or (b) to plead any facts or to demonstrate any tortious activity in Florida that would support the exercise of this Court's jurisdiction over it.

4. In addition, GMGI joins, and expressly adopts and incorporates, Gawker Media, LLC's Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim, filed January 4, 2013.[1]

MEMORANDUM OF LAW

FACTUAL BACKGROUND

In this lawsuit, plaintiff Terry Gene Bollea, the professional wrestler known as Hulk Hogan, challenges the publication on the "website www.Gawker.com" of an article (the "Gawker Story") commenting on a video (the "Video") depicting him having sexual relations with the wife of his then best friend, along with brief and heavily edited excerpts from the Video ("the Excerpts"). Am. Compl. ¶¶ 1, 26, 28. The basic facts relevant to the publication of the Gawker Story and Excerpts are set forth in the motion to dismiss of Gawker Media, LLC ("Gawker"), and need not be repeated here. The following additional facts are relevant specifically to GMGI and its independent grounds for dismissal.

Plaintiff's allegations. As plaintiff alleges in his Complaint, GMGI is a Cayman Islands corporation. Am. Compl. ¶ 13. The Complaint does not attribute any tortious conduct specifically to GMGI. Instead, the Complaint lumps GMGI together with five other Gawker entities, refers to them collectively as "Gawker Media," and then attributes to that collective the act of publication giving rise to this lawsuit. *Id.* at ¶¶ 19-20, 28-29, 35. Other than the purely conclusory and legally insufficient assertion that the other Gawker entities "were and are under

[1] That Motion to Dismiss was initially filed in federal court during the period in which these proceedings were removed to the Middle District of Florida, and was submitted in this Court together with a Notice of Filing dated April 29, 2013, because those motion papers were not forwarded to this Court by the federal court when this case was remanded. Because that motion addresses the merits of each of plaintiff's causes of action, and because those merits are before the District Court of Appeal in connection with Gawker Media, LLC's appeal of this court's order entering a temporary injunction, defendants have deferred scheduling that motion for a hearing until after the appellate court rules so that its decision can inform this court's adjudication of that substantive motion for failure to state a claim.

the control of" GMGI, *id.* at ¶ 17, no facts are pleaded to explain why it is appropriate to treat GMGI and these other parties – which are conceded to be separate and distinct business entities, *see id.* at ¶¶ 12-16 – as a combined entity, collectively responsible for the complained of conduct. Indeed, plaintiff has now voluntarily dismissed three of those entities: Gawker Sales, LLC, Gawker Technology, LLC, and Gawker Entertainment, LLC.

In addition, the Complaint pleads, purely on information and belief, that *all* of the Gawker Defendants – including GMGI – "were and are agents, licensees, employees, partners, joint-venturers, co-conspirators, owners, principals, and employers of the remaining Gawker Defendants, and each of them are, and at all times herein mentioned were, acting within the course and scope of that agency, license, partnership, employment, conspiracy, ownership, or joint venture," and that "the acts and conduct herein alleged of each of the Gawker Defendants were known to, authorized by, and/or ratified by the other Gawker Defendants, and each of them." *Id.* at ¶ 24. Again, no facts supporting this legal contention are alleged.

Subsequent developments. Whatever basis plaintiff might have had when he initially filed his lawsuit for believing that GMGI is a proper party, he can have no such basis now. Shortly after the filing of plaintiff's initial complaint in federal court, undersigned counsel advised plaintiff's counsel that "the only entity that publishes the video challenged in plaintiff's Complaint is Gawker Media, LLC" and that "the entities other than Gawker Media LLC are not in any event subject to the jurisdiction of the Florida court," requesting as a result that plaintiff "voluntarily dismiss the remaining defendants so that we can all focus on what we understand to be plaintiff's primary issue." 10/25/12 Email from S. Berlin to Plaintiff's Counsel (attached hereto as Exhibit A). After the case was re-filed in this Court, Gawker's counsel again advised that "Gawker Media, LLC has voluntarily accepted service and has appeared in the action. It is

the one responsible for the content of gawker.com. . . . [T]here are no claims against the other defendants and in most cases no jurisdiction over them in Florida," including as is pertinent here that "Gawker Media Group, Inc. [does] not have any operations or any employees." 4/17/13 Email from G. Thomas to Plaintiff's Counsel (attached hereto as Exhibit B); *see also id.* (reiterating that Gawker Media, LLC "is the entity that actually operates gawker.com"). In response, plaintiff's counsel then advised that, before making a determination, he wanted to take discovery. Although jurisdictional motions are often decided at the outset of a case without the benefit of discovery, plaintiff has now had the opportunity to take significant discovery here since GMGI was not served until almost ten months after Gawker Media, LLC had appeared.

During that discovery process, Gawker Media, LLC has produced various documents – including balance sheets and income statements for the past three-and-a-half years – demonstrating that it has annual revenues in the tens of millions of dollars and is not a sham company created to defraud creditors.[2] Gawker Media, LLC also provided detailed and verified interrogatory responses about itself and the other defendants, including GMGI. For example, in response to an interrogatory asking it to "Describe the role and line of business of Gawker and each company affiliated in any way with Gawker throughout the period between January 1, 2010 and the present," Gawker stated in pertinent part:

> **Gawker Media Group, Inc.:** Gawker Media Group, Inc. is a holding company whose sole assets are equity securities in its two subsidiaries, Gawker Media, LLC and Kinja, KFT.[3] Gawker Media Group, Inc. has no employees or

[2] Given the confidential nature of Gawker Media, LLC's financial records, they have not been submitted to the Court. They have been produced to plaintiff's counsel, marked as "Confidential" under the Agreed Protective Order entered in this case on July 25, 2013.

[3] Kinja KFT was previously known as "Blogwire Hungary Szellemi Alkotast Hasznosito KFT," which is a Hungarian software and intellectual property holding company and a defendant in this action that has not yet been served.

operations. . . . While Gawker Media, LLC could in theory make distributions to Gawker Media Group, Inc., to date it has not done so.

Gawker Media, LLC: Gawker Media, LLC is the publisher of the Gawker Media Websites [defined to mean Gawker.com, Deadspin.com, Gizmodo.com, io9.com, Jalopnik.com, Jezebel.com, Kotaku.com, and Lifehacker.com], and employs writers, editors and administrative staff to create, edit and publish content on the Gawker Media Websites. As is pertinent to this action, Gawker Media, LLC is the publisher of the Gawker Story and the Excerpts, is solely responsible for writing, editing, and publishing the Gawker Story, and receiving and editing the Video from which the Excerpts accompanying the Gawker Story were derived. Gawker Media, LLC also employs software engineers who develop software and who ensure that the Gawker Media Websites operate effectively. Gawker Media, LLC additionally employs salespersons who sell advertising for the Gawker Media Websites.

Gawker Media, LLC's Responses to Second Set of Interrogatories at 2-4 (Resp. to Int. No. 12) (attached hereto as Exhibit C).[4]

Following substantial written discovery, Plaintiff also took full-day depositions of Gawker Media, LLC's President, defendant Nick Denton; its corporate designee, Vice President of Operations Scott Kidder; and gawker.com's former editor, defendant A.J. Daulerio. Mr. Kidder testified under oath that Gawker Media Group, Inc. is "a holding company whose sole

[4] Gawker Media, LLC also provided a detailed, three-page response to an interrogatory inquiring about the making, editing, subtitling, dissemination, transmission, distribution, publication, sale, and offering for sale of the Video and the Excerpts. *See* Gawker Media, LLC's Responses to Plaintiff's First Set of Interrogatories at 7-10 (Resp. to Int. No. 5) (attached hereto as Exhibit D).

purpose is to facilitate ownership in Gawker Media, LLC and Kinja, which is a Hungarian company." Kidder Tr. at 42:12-15 (relevant pages attached hereto as Exhibit E). In response to questioning about plaintiff's efforts to secure a take down of the Gawker Story and Excerpts from gawker.com, Mr. Kidder reiterated that Gawker Media, LLC "published the story and Gawker Media, LLC is solely responsible for its content." *Id.* at 246:17-25. For his part, Mr. Denton testified that he did not believe he was paid any salary by Gawker Media Group, Inc. because "I don't think the Gawker Media Group, Inc. actually does any business of that nature. It is a holding company." Denton Tr. at 161:18-20 (relevant pages attached hereto as Exhibit F). Mr. Daulerio was questioned at great length about his role in preparing the Gawker Story and the Excerpts, and none of that testimony even arguably suggested that he was doing so on behalf of GMGI.

Following those depositions, defendants' counsel again requested that plaintiff voluntarily dismiss the improperly sued entities from this case so that we would not have to burden the Court with unnecessary motions practice. *See* 10/4/13 Email from S. Berlin to Plaintiff's Counsel (attached hereto as Exhibit G). While plaintiff voluntarily dismissed three of the five entities other than Gawker Media, LLC, *see* page 3 *supra*, plaintiff has insisted on proceeding against GMGI and, once it is served, Kinja, KFT.

Even were there any doubt at the outset of the case about the proper corporate defendant, the discovery described above has resolved the issue conclusively. Nevertheless, for the avoidance of any doubt, GMGI also submits the attached Affidavit of Scott Kidder ("Kidder Aff.") (attached hereto as Exhibit H), an officer of GMGI, which further confirms that GMGI is a holding company with no employees or operations, that it does not publish anything, and that it

played no role in publishing the Gawker Story and Excerpts, which is the allegedly tortious act supposedly giving rise to this Court's jurisdiction over this foreign defendant.

ARGUMENT

In Part I, we demonstrate that, altogether apart from the adequacy of plaintiff's pleading more generally, plaintiff has failed to plead sufficient facts alleging that GMGI engaged in any even arguably tortious conduct (whether in Florida or otherwise). This argument is based solely on Plaintiff's Amended Complaint. In Part II, we demonstrate, based on the full record placed before the Court, that plaintiff has failed to meet his burden of establishing any basis for this Court's exercise of personal jurisdiction over GMGI.

I. Failure to State a Claim

Plaintiff's Complaint bases each of his purported causes of action against the Gawker Defendants on the publication of the Gawker Story and/or the Excerpts on the Gawker website. *See* Am. Compl. ¶¶ 1, 5, 28, 57-60, 67-71, 78, 80, 86, 95, 103. While Gawker Media, LLC has conceded that it, as the operator of the Gawker website, published the Gawker Story and the Excerpts, plaintiff has not otherwise pleaded any facts to indicate that any of the other named business entities – including GMGI – played any role in that publication. Simply grouping all of the entities together as "Gawker Media," and then generally alleging that this collective "owns, operates, controls and publishes several Internet websites, including the Gawker site," Am. Compl. ¶¶ 19-20, is insufficient in the absence of any specific facts about each particular entity's role. Florida's pleading rules require that a plaintiff plead his case "with *sufficient particularity* so that the trial judge in reviewing the ultimate facts alleged may rule as a matter of law whether or not the facts alleged are sufficient as to the factual basis for the inferences the pleader seeks to draw and are sufficient to state a cause of action." *Beckler v. Hoffman*, 550 So. 2d 68, 71 (Fla.

5th DCA 1989) (emphasis added); *see also Continental Baking Co. v. Vincent*, 634 So. 2d 242, 244 (Fla. 5th DCA 1994) ("Florida's pleading rule forces counsel to recognize the elements of their cause of action and determine whether they have or can develop the facts necessary to support it, which avoids a great deal of wasted expense to the litigants and unnecessary judicial effort."). That standard has not been met here, where the allegations purporting to state a claim against the entities other than Gawker Media, LLC are purely general and conclusory. *See, e.g.*, *Lawrie v. Ginn Cos.*, 2010 WL 3746725, at *4 (M.D. Fla. Sept. 21, 2010) ("allegations of 'generalized conduct' against multiple defendants are only proper if the complaint also alleges *facts* which evoke more than the 'the mere possibility' that *each individual defendant* acted unlawfully") (emphasis added).[5]

With regard to GMGI specifically, plaintiff cannot make up for the absence of any facts attributing tortious conduct to GMGI by asserting that all of the different Gawker entities "were and are under the control of" GMGI. Am Compl. ¶ 17. As plaintiff himself alleges, Gawker Media, LLC is a limited liability corporation, organized and operating under the laws of Delaware, while GMGI is a Cayman Islands corporation. Am. Compl. ¶¶ 12-13. As a Delaware limited liability corporation, Gawker Media, LLC is an entity legally distinct from its owner (GMGI), and its conduct cannot be imputed to any affiliated entity absent some basis for disregarding its separate legal status. *See, e.g.*, *Arbor Place, L.P. v. Encore Opportunity Fund,*

[5] The same goes for plaintiff's general "information and belief" allegation that "Defendants, and each of them, were and are the agents, licensees, employees, partners, joint-venturers, co-conspirators, owners, principals, and employers of the remaining Gawker Defendants, and each of them are, and at all times herein mentioned were, acting within the course and scope of that agency, license, partnership, employment, conspiracy, ownership, or joint venture." Am. Compl. ¶ 24. Those are simply legal conclusions unsupported by specific facts, and the court need not and should not credit them. *See Dr. Navarro's Vein Ctr. of Palm Beach, Inc. v. Miller*, 22 So. 3d 776, 778 (Fla. 4th DCA 2009) (in reviewing sufficiency of complaint on a motion to dismiss, "[m]ere statements of opinions or conclusions unsupported by specific facts will not suffice") (quoting *Brandon v. Pinellas Cnty.*, 141 So. 2d 278, 279 (Fla. 2d DCA 1962)).

LLC, 2002 WL 205681, at *6 (Del. Ch. Jan. 29, 2002) (observing, in case involving affiliated LLCs, that "[t]he separate existence and rights of discrete entities is well established in Delaware law and the Court is reluctant to ignore such separate existence even in the case of a wholly-owned subsidiary"). A mere allegation that one corporate entity is "controlled" by another is insufficient to disregard their status as legally distinct entities. Absent a showing that the controlled party – in this case, Gawker Media, LLC – was "formed or used for some illegal, fraudulent, or other unjust purpose, the mere fact of . . . ownership and control . . . [i]s insufficient to justify piercing [the] corporate veil" separating them. *Hobbs v. Don Mealey Chevrolet, Inc.*, 642 So. 2d 1149, 1156 (Fla. 5th DCA 1994). Indeed, as the Florida Supreme Court has emphasized, were the law otherwise – that is, if mere ownership were sufficient to hold a parent corporation liable for alleged torts by a subsidiary – "it would completely destroy the corporate entity as a method of doing business and it would ignore the historical justification for the corporate enterprise system." *Dania Jai-Alai Palace, Inc. v. Sykes*, 450 So. 2d 1114, 1120 (Fla. 1984) (quoting *Advertects, Inc. v. Sawyer Indus., Inc.*, 84 So. 2d 21, 23-24 (Fla. 1955)).

Because plaintiff has not alleged that Gawker Media, LLC was formed, or is being used, for some improper purpose, he has not asserted any basis for stating a claim against its parent corporation, GMGI, based on its subsidiary's allegedly tortious conduct. *See, e.g.*, *McFadden Ford, Inc. v. Mancuso ex rel. Mancuso*, 766 So. 2d 241, 242 (Fla. 4th DCA 2000) (dismissing claims against affiliated company where plaintiff failed to allege wrongdoing sufficient to pierce the corporate veil); *see also, e.g.*, *Stern v. News Corp.*, 2010 WL 5158635, at *4 (S.D.N.Y. Oct. 14, 2010) (parent corporation cannot be held liable for publication of its subsidiary absent some basis for piercing corporate veil). Because there is no allegation – nor in good faith could there

be – that Gawker Media, LLC was "formed or used for some illegal, fraudulent, or other unjust purpose," *Hobbs*, 642 So. 2d at 1156, there is no basis to disregard it as a distinct corporate entity and to impute its allegedly tortious conduct to GMGI. Accordingly, the claims against GMGI should be dismissed with prejudice for failure to state a claim upon which relief can be granted.

II. Failure to Establish Personal Jurisdiction

For these same reasons, plaintiff also has failed to provide any basis for this Court to exercise personal jurisdiction over GMGI.

As an initial matter, it is *plaintiff* who bears the ultimate burden of establishing, both legally *and* factually, that the Court has personal jurisdiction. *Venetian Salami Co. v. Parthenais*, 554 So. 2d 499, 502 (Fla. 1980) (holding that once a defendant raises facts challenging personal jurisdiction, "[t]he burden is then placed upon the plaintiff to prove by affidavit the basis upon which jurisdiction may be obtained"). *See also Clement v. Lipson*, 999 So. 2d 1072, 1074 (Fla. 5th DCA 2008) (on motion to dismiss for lack of personal jurisdiction, it is the plaintiff who must "demonstrate the basis for long-arm jurisdiction by" providing an affidavit "or other evidence, like a deposition transcript"); *Wendt v. Horowitz*, 822 So. 2d 1252, 1255 (Fla. 2002) (same). In adjudicating that issue, the Court may properly consider the parties' affidavits as well as facts revealed during any discovery that has already occurred in the case. *See Mancher v. Seminole Tribe of Florida*, 708 So. 2d 327, 328 (Fla. 4th DCA 1998) (noting "that a court may consider affidavits when determining a motion to dismiss under very limited circumstances . . . includ[ing] a challenge of personal jurisdiction"); *Gahn v. Holiday Property Bond, Ltd.*, 826 So. 2d 423, 427-28 (Fla. 2d DCA 2002) (relying on disclosures made during discovery in reviewing motion challenging personal jurisdiction); *Blumberg v. Steve*

Weiss & Co., 922 So. 2d 361, 363 (Fla. 3d DCA 2006) (deciding motion to dismiss for lack of personal jurisdiction based upon facts revealed during discovery).

Here, the record in the case conclusively demonstrates that there is no basis for exercising jurisdiction over GMGI. Plaintiff concedes in his complaint that GMGI is not a citizen or resident of Florida. *See* Am. Compl. ¶¶ 14-16. Plaintiff does not contend that GMGI has sufficient contacts with the State of Florida to provide this Court with general jurisdiction over it; rather, the only asserted basis for jurisdiction over GMGI is that it "ha[s] committed tortious acts within the state of Florida," and therefore is within the State's long-arm jurisdiction. Am. Compl. ¶ 8.

But long-arm jurisdiction, whether premised on Florida Statutes § 48.193(1)(a), which applies to defendants who do business in the state, or Florida Statutes § 48.193(1)(b), which applies to defendants who commit tortious acts within the state, requires what is manifestly missing in the case of GMGI – conduct in the forum state that gave rise to the cause of action. *See Execu-Tech Bus. Sys., Inc. v. New Oji Paper Co.*, 752 So. 2d 582, 584 (Fla. 2000) (stating that Florida courts can exercise long-arm jurisdiction when a "foreign corporation commits a 'tortious act' on Florida soil"); *Camp Illahee Investors, Inc. v. Blackman*, 870 So. 2d 80, 85 (Fla. 2d DCA 2003) ("By its terms, section 48.193(1) requires connexity between the defendant's activities and the cause of action."); *Schwartzberg v. Knobloch*, 98 So. 3d 173, 177 (Fla. 2d DCA 2012) ("[J]urisdiction may be asserted upon nonresident persons or entities in accordance with [section 48.193(1)(a)] where the cause of action arises from that person's business activities in Florida.").

As noted above, plaintiff has not pleaded any facts to indicate that GMGI published the Gawker Story and/or the Excerpts or that it otherwise engaged in any other tortious conduct in

Florida. And, even apart from the adequacy of plaintiff's pleading, the Kidder Affidavit, interrogatory responses, and deposition testimony all make clear that, in fact, GMGI played no role in publishing the Gawker Story and/or the Excerpts. *See* Kidder Aff. ¶ 5; Interrog. Resps. No. 12(3); *see also* Kidder Tr. at 42:11-15. Nor has Gawker Media, LLC made any monetary distributions to GMGI. *See* Interrog. Resps. No. 12(1); Kidder Aff. ¶ 6. Accordingly, there is no basis for exercising specific jurisdiction over GMGI. *See, e.g.*, *Crownover v. Masda Corp.*, 983 So. 2d 709, 712 (Fla. 2d DCA 2008) (dismissing complaint where the plaintiff failed to "allege sufficient jurisdictional facts to subject the defendant to long-arm jurisdiction"); *Kertesz v. Net Transactions, Ltd.*, 635 F. Supp. 2d 1339, 1347 (S.D. Fla. 2009) (under Florida law, no basis for specific jurisdiction over particular defendant where causes of action arose out of an act of publication and plaintiff did not plead acts of publication by that defendant).

Finally, this Court cannot exercise jurisdiction over GMGI based on the alleged conduct of its subsidiary, Gawker Media, LLC, within the state of Florida. *See, e.g.*, *Aldea Commc'ns, Inc. v. Gardner*, 725 So. 2d 456, 457 (Fla. 2d DCA 1999) (no basis for long-arm jurisdiction over affiliated defendant where plaintiff did not adequately plead alter-ego theory of liability). Personal jurisdiction may be exercised over a corporation based on the actions of its subsidiary only where there is some basis for piercing the corporate veil separating them – namely, that the controlled entity was "formed or used for some illegal, fraudulent, or other unjust purpose." *See, e.g.*, *Hobbs*, 642 So. 2d at 1155-56. However, as set forth above, plaintiff has not pleaded any actual facts that would support proceeding against GMGI on an alter-ego or veil-piercing theory, and discovery has confirmed that no such facts exist. For these reasons, GMGI should be dismissed from this case for lack of personal jurisdiction.

CONCLUSION

WHEREFORE, Defendant GMGI respectfully requests that the Court grant this Motion and dismiss Plaintiff's First Amended Complaint with prejudice as to it.

Dated: October 11, 2013

Respectfully submitted,

THOMAS & LOCICERO PL

By: */s/ Gregg D. Thomas*
Gregg D. Thomas
Florida Bar No.: 223913
Rachel E. Fugate
Florida Bar No.: 0144029
601 South Boulevard
P.O. Box 2602 (33601)
Tampa, FL 33606
Telephone: (813) 984-3060
Facsimile: (813) 984-3070
gthomas@tlolawfirm.com
rfugate@tlolawfirm.com

Seth D. Berlin
Pro Hac Vice Number: 103440
Alia L. Smith
Pro Hac Vice Number: 104249
Paul J. Safier
Pro Hac Vice Number: 103437
LEVINE SULLIVAN KOCH & SCHULZ, LLP
1899 L Street, NW, Suite 200
Washington, DC 20036
Telephone: (202) 508-1122
Facsimile: (202) 861-9888
sberlin@lskslaw.com
psafier@lskslaw.com

Counsel for Defendant
Gawker Media Group, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of October 2013, I caused a true and correct copy of the foregoing to be served by mail and email upon the following counsel of record:

Kenneth G. Turkel, Esq.
kturkel@BajoCuva.com
Christina K. Ramirez, Esq.
cramirez@BajoCuva.com
Bajo Cuva Cohen & Turkel, P.A.
100 N. Tampa Street, Suite 1900
Tampa, FL 33602
Tel: (813) 443-2199
Fax: (813) 443-2193

David Houston, Esq.
Law Office of David Houston
dhouston@houstonatlaw.com
432 Court Street
Reno, NV 89501
Tel: (775) 786-4188

Charles J. Harder, Esq.
charder@HMAfirm.com
Harder Mirell & Abrams LLP
1801 Avenue of the Stars, Suite 1120
Los Angeles, CA 90067
Tel: (424) 203-1600
Fax: (424) 203-1601

Attorneys for Plaintiff

Barry A. Cohen, Esq.
bcohen@tampalawfirm.com
Michael W. Gaines
mgaines@tampalawfirm.com
Barry A. Cohen Law Group
201 East Kennedy Boulevard, Suite 1000
Tampa, FL 33602
Tel: (813) 225-1655
Fax: (813) 225-1921

Attorneys for Defendant Heather Clem

/s/ *Gregg D. Thomas*

Attorney