

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.

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**DEFENDANT GAWKER MEDIA, LLC’S RESPONSES TO  
PLAINTIFFS THIRD REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Florida Rule of Civil Procedure 1.350, Defendant Gawker Media, LLC (“Gawker”) hereby provides this response to Plaintiff’s Third Request for Production of Documents dated November 1, 2013.

**REQUESTS AND RESPONSES**

**REQUEST NO. 107:** All DOCUMENTS that constitute or RELATE TO COMMUNICATIONS between, among, or involving any GAWKER officers, managers, or employees, including without limitation via email, Instant Message, text message, Twitter direct message, online chatroom, and/or Campfire, RELATING to Terry Gene Bollea aka Hulk Hogan.

**RESPONSE:** Gawker objects to this Request on the grounds that it is duplicative of numerous other prior requests to Gawker, including, but not limited to, Request Nos. 1, 32, and 66. To the extent that this Request seeks the production of documents related to websites other than gawker.com which are published by Gawker but not at issue in this lawsuit, Gawker also objects on the grounds that such documents are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Gawker further objects to this Request to the extent that

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it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine.<sup>1</sup> Subject to and without waiving these objections, Gawker states that it will produce any non-privileged documents responsive to this Request in its possession, custody, and control.

**REQUEST NO. 108:** All DOCUMENTS that constitute or RELATE TO COMMUNICATIONS between, among, or involving any GAWKER officers, managers, or employees, including without limitation via email, Instant Message, text message, Twitter direct message, online chatroom, and/or Campfire, RELATING to the VIDEO.

**RESPONSE:** Gawker objects to this Request on the grounds that it is duplicative of numerous other prior requests to Gawker, including, but not limited to, Request Nos. 3, 10, 32, 51, 52, 53, and 54. Gawker further objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine. Subject to and without waiving these objections, Gawker states that it will produce any non-privileged documents responsive to this Request in its possession, custody, and control.

**REQUEST NO. 109:** All DOCUMENTS that constitute or RELATE TO COMMUNICATIONS between, among, or involving any GAWKER officers, managers, or employees, including without limitation via email, Instant Message, text message, Twitter direct message, online chatroom, and/or Campfire, RELATING to the SEX TAPE.

**RESPONSE:** Gawker objects to this Request on the grounds that it is duplicative of numerous other prior requests to Gawker, including, but not limited to, Request Nos. 11, 33, 34,

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<sup>1</sup> In connection with Gawker's Responses to Plaintiff's Third Request for the Production of Documents, Gawker will provide a log of documents, if any, that have been either withheld or redacted as privileged under the attorney client privilege and/or protected by the work product doctrine which were created prior to the commencement of the Lawsuit, as that term is defined in Plaintiff's First Request for Production of Documents to Gawker.

35, 56, and 58. Gawker further objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine. Subject to and without waiving these objections, Gawker states that it will produce any non-privileged documents responsive to this Request in its possession, custody, and control.

**REQUEST NO. 110:** All DOCUMENTS that constitute or RELATE TO COMMUNICATIONS between, among, or involving any GAWKER officers, managers, or employees, including without limitation via email, Instant Message, text message, Twitter direct message, online chatroom, and/or Campfire, RELATING to Heather Clem.

**RESPONSE:** Gawker objects to this Request on the grounds that it is duplicative of numerous other prior requests to Gawker, including, but not limited to, Request No. 5. Gawker further objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine. Subject to and without waiving these objections, Gawker states that it will produce any non-privileged documents responsive to this Request in its possession, custody, and control.

**REQUEST NO. 111:** All DOCUMENTS that constitute or RELATE TO COMMUNICATIONS between, among, or involving any GAWKER officers, managers, or employees, including without limitation via email, Instant Message, text message, Twitter direct message, online chatroom, and/or Campfire, RELATING to Todd “Bubba” Clem.

**RESPONSE:** Gawker objects to this Request on the grounds that it is duplicative of numerous other prior requests to Gawker, including, but not limited to, Request No. 7. Gawker further objects to this Request to the extent that it seeks the production of documents protected

from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine. Subject to and without waiving these objections, Gawker states that it will produce any non-privileged documents responsive to this Request in its possession, custody, and control.

**REQUEST NO. 112:** All DOCUMENTS that constitute or RELATE TO COMMUNICATIONS between, among, or involving any GAWKER officers, managers, or employees, including without limitation via email, Instant Message, text message, Twitter direct message, online chatroom, and/or Campfire, RELATING to the WEBPAGE.

**RESPONSE:** Gawker objects to this Request on the grounds that it is duplicative of numerous other requests to Gawker, including, but not limited to, Request Nos. 12 and 69. Gawker further objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine. Subject to and without waiving these objections, Gawker states that it will produce any non-privileged documents responsive to this Request in its possession, custody, and control.

**REQUEST NO. 113:** All DOCUMENTS that constitute, REFER or RELATE to all COMMUNICATIONS that YOU received from January 1, 2005 through the present that request the removal of photos, video or other content containing nudity and/or sexual content, including YOUR response to such take down COMUNICATIONS, and YOUR internal COMMUNICATIONS regarding same.

**RESPONSE:** Gawker objects to this Request on the grounds that it is duplicative of Request Nos. 27 and 28 to Gawker. Gawker also objects to this Request on the grounds that it calls for the production of documents that are neither relevant nor reasonably calculated to lead

to the discovery of admissible evidence. Gawker further objects to this Request on the grounds that it is unduly burdensome, seeking the production of documents from a period of more than eight years, and such communications may have come to any number of current or former employees. Gawker further objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and the attorney work-product doctrine. Subject to and without waiving these objections, Gawker states that it has already produced all non-privileged documents responsive to this Request in its possession, custody or control that refer or relate to communications from plaintiff.

**REQUEST NO. 114:** All DOCUMENTS that constitute or contain minutes of any meeting of any directors, managers, officers, shareholders and/or website editors RELATING to content posted on any GAWKER website from July 1, 2009 to the present.

**RESPONSE:** Gawker objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and the attorney work-product doctrine. To the extent that this Request seeks the production of documents related to websites other than gawker.com which are published by Gawker but not at issue in this lawsuit, Gawker objects on the grounds that the Request is overbroad and seeks the production of documents that are neither relevant nor likely to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Gawker states that it does not have any meeting minutes relating to content posted on any Gawker website.

**REQUEST NO. 115:** All DOCUMENTS that constitute or contain minutes of any meeting of any directors, managers, officers, shareholders and/or website editors RELATING to

advertising revenue of GAWKER or any GAWKER website or affiliate from July 1, 2009 to the present.

**RESPONSE:** Gawker objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and the attorney work-product doctrine. To the extent that this Request seeks the production of documents related to (1) websites other than gawker.com which are published by Gawker but not at issue in this lawsuit and (2) other “affiliates” of Gawker, Gawker objects on the grounds that the Request is overbroad and seeks the production of documents that are neither relevant nor likely to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Gawker states that it does not have any meeting minutes relating to the advertising revenue of Gawker.

**REQUEST NO. 116:** All DOCUMENTS that constitute or contain minutes of any meeting of any directors, managers, officers, shareholders and/or website editors RELATING to traffic statistics of GAWKER or any GAWKER website or affiliate from July 1, 2009 to the present.

**RESPONSE:** Gawker objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and the attorney work-product doctrine. To the extent that this Request seeks the production of documents related to (1) websites other than gawker.com which are published by Gawker but not at issue in this lawsuit and (2) other “affiliates” of Gawker, Gawker objects on the grounds that the Request is overbroad and seeks the production of documents that are neither relevant nor likely to lead to the discovery of admissible evidence. Subject to and without

waiving these objections, Gawker states that it does not have any meeting minutes relating to traffic statistics.

Dated: December 20, 2013

THOMAS & LOCICERO PL

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 20th day of December, 2013, I caused a true and correct copy of the foregoing to be served electronically upon the following counsel of record at their respective email addresses via the Florida Courts E-Filing Portal:

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