

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.

**PLAINTIFF TERRY GENE BOLLEA’S RESPONSES TO GAWKER MEDIA, LLC’S
REQUEST FOR PRODUCTION OF DOCUMENTS**

Plaintiff TERRY GENE BOLLEA (herein “Responding Party”) hereby responds to
Request for Production of Documents (Set One) propounded by defendant GAWKER MEDIA,
LLC (herein “Propounding Party”) as follows:

PRELIMINARY STATEMENT

Responding Party responds to the Requests for Production subject to, without waiver of,
and expressly preserving: (a) any objections as to the competency, relevance, materiality,
privilege or admissibility of any of the responses or any of the documents identified in any
response hereto; and (b) the right at any time to revise, correct, supplement or clarify any of the
responses herein.

These responses are based upon a diligent investigation undertaken by Responding Party
and his counsel since the service of these Requests. These responses reflect only Responding

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Party's current understanding, belief and knowledge regarding the matters about which inquiry was made. Responding Party has not yet had sufficient opportunity to depose or interview all persons who may have knowledge of relevant facts, or to discover or otherwise obtain and review all documents which may have some bearing on this case.

Consequently, there may exist further information, documents and persons with knowledge relevant to these Requests of which Responding Party is not currently aware. As this action proceeds, Responding Party anticipates that further facts, witnesses and documents may be discovered or identified. Without in any way obligating it to do so, Responding Party reserves the right to offer further or different documents, evidence, or information at trial or at any pretrial proceeding. These responses are not in any way to be deemed an admission or representation that there are no further facts, documents or witnesses having knowledge relevant to the subject matter of these Requests.

GENERAL OBJECTIONS

1. The following Responses, and each of them, are based upon information and writings presently available to, and located by, Responding Party and his attorneys. Responding Party has not completed an investigation of the facts or discovery proceedings in this case and has not completed his preparation for trial. The following Responses, and each of them, are made without prejudice to Responding Party's right to produce evidence based on subsequently discovered facts or documents, and to offer such facts or documents in evidence at the time of trial. The fact that Responding Party has responded to a Request should not be taken as an admission that Responding Party accepts or admits the existence of any facts set forth or assumed by such Request, or that such Response constitutes admissible evidence. The following Responses, and each of them, are made without prejudice to the rights of Responding Party to

introduce evidence of any subsequently discovered facts or documents which Responding Party may later obtain, discover or recall.

2. The documents and information which could or would form the basis of responses to the instant Request for Production, in whole or in part, are still in the process of being identified by Responding Party, and all such relevant documents have not yet been identified, examined or produced. In addition, the significance of documents which may now be in the possession of Responding Party may only become apparent upon further discovery and review of those documents in the context of other documents which have not yet been identified or obtained in the context of later testimony or discovery which may establish their relevance.

3. These Responses are made, and any and all documents are being produced, solely for the purposes of this litigation. Any documents supplied in response to the Requests are being supplied by Responding Party subject to all objections as to competence, relevance, materiality, propriety and admissibility, and to any and all other objections on any ground that would require the exclusion of any document or portion thereof, if such document were offered in evidence in Court, all of which objections and ground are expressly reserved and may be interposed at the time of trial.

4. Responding Party, accordingly, reserves the right to alter or modify any and all Responses set forth herein as additional facts may be ascertained, documents discovered, analyses made, witnesses identified, additional parties identified, legal research completed, and contentions made or expanded.

5. Responding Party objects generally to each and every Request to the extent it calls for information that is protected by the attorney-client privilege and/or the attorney work product doctrine.

6. Responding Party objects generally to each and every Request to the extent it requests any information concerning the content of conversations of any other party to this action or documents in the possession of any other party to this action, other than the Responding Party, in that such information is equally accessible to all parties.

7. Responding Party objects to producing any private and/or confidential business or proprietary information or trade secrets.

8. Responding Party objects to the definition of the word “documents” to the extent that Propounding Party seeks documents not in Responding Party’s possession, custody or control.

9. Responding Party objects to these Requests, and each of them, to the extent they are not limited to the subject matter of this action and thus are irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence.

10. Responding Party objects to these Requests, and each of them, to the extent they are unduly burdensome, oppressive, unreasonably cumulative, duplicative and overbroad.

11. Responding Party objects to these Requests, and each of them, to the extent they seek information to which Propounding Party has equal access.

RESPONSES TO REQUESTS FOR PRODUCTION

The Preliminary Statement and General Objections are incorporated into each response below, regardless of whether specifically mentioned. The specific objections set forth below are not a waiver, in whole or in part, of any of the foregoing General Objections. Subject to and without waiver of these objections, Responding Party responds below.

REQUEST 1:

Any and all documents identified in your responses to Defendant Gawker Media, LLC’s

First Set of Interrogatories to Plaintiff (the “Interrogatories”) or consulted by you in connection with the preparation of your responses to the Interrogatories.

RESPONSE TO REQUEST 1:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that it is vague and ambiguous.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents are identified in interrogatory responses and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 2:

Any and all documents in any manner related to the Gawker Defendants, or any of them.

RESPONSE TO REQUEST 2:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome in that it potentially sweeps within its scope documents of little relevance to the case. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks

documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request on the ground that it is vague and ambiguous.

REQUEST 3:

Any and all documents in any manner related to the Video.

RESPONSE TO REQUEST 3:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents exist and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 4:

Any and all documents in any manner related to any communications you had about the Video.

RESPONSE TO REQUEST 4:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and

information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request on the ground that it is vague and ambiguous.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents exist which are relevant or reasonably likely to lead to the discovery of admissible evidence and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 5:

Any and all documents in any manner related to the Gawker Story.

RESPONSE TO REQUEST 5:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents exist and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 6:

Any and all documents concerning any employment by you during the Relevant Time Period.

RESPONSE TO REQUEST 6:

Responding Party objects to this Request to the extent that it seeks documents protected

from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome, in that it asks for all documents that “concern” any employment of Responding Party. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request on the ground that it is vague and ambiguous. Responding Party objects to this Request to the extent that it seeks to invade Responding Party’s privacy and the privacy of third parties.

REQUEST 7:

Any and all documents concerning any Sexual Relations you had with any person not your then-wife during the years 2002 to 2006, inclusive.

RESPONSE TO REQUEST 7:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action,

nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

REQUEST 8:

Any and all documents concerning any Sexual Relations you had with Heather Clem during the Relevant Time Period.

RESPONSE TO REQUEST 8:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of Heather Clem.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents exist which are relevant or reasonably likely to lead to the discovery of admissible evidence and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 9:

Any and all documents concerning any communications about Sexual Relations between you and Heather Clem during the Relevant Time Period.

RESPONSE TO REQUEST 9:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of Heather Clem.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents exist which are relevant or reasonably likely to lead to the discovery of admissible evidence and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 10:

Any and all documents concerning any communications with Todd Alan Clem about Sexual Relations during the Relevant Time Period.

RESPONSE TO REQUEST 10:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents exist which are relevant or reasonably likely to lead to the discovery of admissible evidence and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 11:

Any and all documents concerning any communications with Todd Alan Clem about Sexual Relations between you and Heather Clem during the Relevant Time Period.

RESPONSE TO REQUEST 11:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party

further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents exist which are relevant or reasonably likely to lead to the discovery of admissible evidence and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 12:

Any and all documents concerning any videotapes you have made of yourself engaged in Sexual Relations during the Relevant Time Period.

RESPONSE TO REQUEST 12:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

Without waiver of the foregoing, Responding Party responds as follows: Responding Party never made a sex tape for the purpose of public dissemination, and thus there are no

responsive, non-privileged documents that relate to any sex tape that Responding Party made for the purpose of public dissemination.

REQUEST 13:

Any and all documents concerning any videotapes made of you engaged in Sexual Relations during the Relevant Time Period.

RESPONSE TO REQUEST 13:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

Without waiver of the foregoing, Responding Party responds as follows: Responding Party is unaware of any recording of his sexual activity made for the purpose of public dissemination other than the video recording with Heather Clem made without his knowledge, and thus there are no responsive, non-privileged documents that relate to any recording of Responding Party having sex that were made for the purpose of public dissemination, other than documents relating to the Heather Clem sex tape. To the extent non-privileged documents exist relating to the Heather Clem sex tape, which are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 14:

Any and all documents relating to the purported “commercial value” of your name, image, identity, and persona as referenced in paragraph 32 of the Complaint during the Relevant Time Period.

RESPONSE TO REQUEST 14:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party’s privacy and the privacy of third parties.

REQUEST 15:

Any and all documents concerning any contracts that you claim were canceled or not renewed as a result of alleged actions by the Gawker Defendants or any of them.

RESPONSE TO REQUEST 15:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and

burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request on the ground that it is vague and ambiguous. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

Without waiver of the foregoing, Responding Party responds as follows: Responding Party will endeavor to produce any documents that relate to the termination of Responding Party's endorsement contracts after the Sex Tape was published by Gawker Media, to the extent such documents exist, within a reasonable amount of time.

REQUEST 16:

Any and all documents concerning any commercial opportunities you claim were lost by you as a result of alleged actions by the Gawker Defendants or any of them.

RESPONSE TO REQUEST 16:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request on the ground that it

is vague and ambiguous. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

Without waiver of the foregoing, Responding Party responds as follows: Responding Party will endeavor to produce any documents that relate to the termination of Responding Party's endorsement contracts and Responding Party's inability to obtain work from World Wrestling Entertainment after the Sex Tape was published by Gawker Media, to the extent such documents exist, within a reasonable amount of time. Discovery is continuing and there may have been other such lost opportunities.

REQUEST 17:

Any and all documents concerning the "market value" of your publicity rights as alleged in paragraph 82 of the Complaint.

RESPONSE TO REQUEST 17:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request to the extent that it prematurely calls for expert opinion.

REQUEST 18:

Any and all documents concerning your place of residence during the years 2002 to 2006, inclusive, including any temporary or part-time residences.

RESPONSE TO REQUEST 18:

Responding Party objects to this Request to the extent that it seeks documents protected

~~from disclosure by the attorney-client privilege and/or attorney work product doctrine.~~

Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

REQUEST 19:

Any and all documents concerning any contract or other agreement between you and a third party for which you received compensation during the Relevant Time Period.

RESPONSE TO REQUEST 19:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

REQUEST 20:

Any and all documents concerning your claim that you were set up in the Video,

including without limitation as reported at <http://www.tMZ.com/2012/03/07/hulk-hogan-sex-tape>.

RESPONSE TO REQUEST 20:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant information.

Without waiver of the foregoing, Responding Party responds as follows: Responding Party has not yet located any documents that relate to his claim that he was set up (other than the sex tape itself and the Gawker and other media stories about it, which are equally available to Gawker Media), but discovery is continuing.

REQUEST 21:

Any and all documents concerning your statement that “During that time, I don’t even remember people’s names, much less girls,” including without limitation as reported at <http://www.tMZ.com/2012/03/07/hulk-hogan-sex-tape-partner-tMZ-live/>.

RESPONSE TO REQUEST 21:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party’s privacy and the privacy of third parties.

REQUEST 22:

Any and all documents concerning the affair you had while married to Linda Hogan as recounted in your autobiography, *My Life Outside the Ring*.

RESPONSE TO REQUEST 22:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

REQUEST 23:

Any and all documents concerning any and all efforts by you to remove the Video or any portion thereof, from other sites on the Internet besides Gawker.com.

RESPONSE TO REQUEST 23:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents exist and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 24:

Any and all documents relating to attempts by you to prevent dissemination or

publication of the Video, or any portion thereof, in any form or media prior to the publication of the Gawker story.

RESPONSE TO REQUEST 24:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Without waiver of the foregoing, Responding Party responds as follows: To the extent non-privileged documents exist and are not equally available to Gawker Media, Responding Party will endeavor to collect and produce them within a reasonable period of time.

REQUEST 25:

Any and all documents concerning any public statements made by you about the Video.

RESPONSE TO REQUEST 25:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request to the extent that the documents requested are in the possession, custody, or control of, or equally available to, Propounding Party.

REQUEST 26:

Any and all documents concerning any public statements made by you about the Gawker Story.

RESPONSE TO REQUEST 26:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request to the extent that the documents requested are in the possession, custody, or control of, or equally available to, Propounding Party.

REQUEST 27:

Any and all documents concerning any damages you believe you have suffered as a result of the publication at www.gawker.com of excerpts of the Video and the Gawker Story.

RESPONSE TO REQUEST 27:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request to the extent that it prematurely calls for expert opinion and analysis. Responding Party further objects to this Request on the ground that it requires Responding Party to produce documents that would not be created until trial.

Without waiver of the foregoing, Responding Party responds as follows: Discovery is continuing regarding Responding Party's damages theories, and Responding Party reserves the right to produce such documents in the future when they are determined.

REQUEST 28:

Any and all documents concerning any security system at the home of Heather and Todd Alan Clem, depicted in the Video, during the Relevant Time Period.

RESPONSE TO REQUEST 28:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Without waiver of the foregoing, Responding Party responds as follows: Responding Party does not have any responsive documents in Responding Party's possession, custody, or control.

REQUEST 29:

Any and all documents concerning any emotional distress purportedly suffered by you

arising from the alleged actions of the Gawker Defendants or any of them.

RESPONSE TO REQUEST 29:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and

burdensome. Responding Party objects to this Request to the extent that it seeks to invade

Responding Party's privacy and the privacy of third parties. Responding Party further objects on

the ground that Responding Party is asserting a "garden variety" emotional distress claim,

alleging that Gawker Media's conduct was of the sort that by its very nature would cause a

reasonable person emotional distress. Such claims do not require or permit discovery of

Plaintiff's medical or mental health records.

Without waiver of the foregoing, Responding Party responds as follows: Responding Party is unaware of any responsive documents within Responding Party's possession, custody, or control at this time. Discovery is continuing.

REQUEST 30:

Any and all documents concerning any medical providers or health care professionals you have seen from January 1, 2006 to the present.

RESPONSE TO REQUEST 30:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and

burdensome. Responding Party objects to this Request to the extent that it seeks to invade

Responding Party's privacy and the privacy of third parties. Responding Party further objects on

the ground that it is asserting a “garden variety” emotional distress claim, alleging that Gawker Media’s conduct was of the sort that by its very nature would cause a reasonable person emotional distress. Such claims do not require or permit discovery of Plaintiff’s medical or mental health records.

REQUEST 31:

Any and all documents concerning the time and effort you have devoted to developing your career “as a professional champion wrestler, motion picture actor, and television personality” as alleged in the Complaint.

RESPONSE TO REQUEST 31:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party’s privacy and the privacy of third parties.

REQUEST 32:

Any and all documents concerning your reputation, goodwill, and brand as alleged in the Complaint.

RESPONSE TO REQUEST 32:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

REQUEST 33:

Any and all documents concerning your purported acquisition of the copyright to the Video.

RESPONSE TO REQUEST 33:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request to the extent it seeks confidential settlement communications.

Without waiver of the foregoing, Responding Party responds as follows: Responding Party will endeavor to collect and produce the documents through which Todd Clem transferred his copyright interest in the Video to Responding Party, within a reasonable period of time.

REQUEST 34:

Any and all documents concerning the settlement of your claims against Todd Alan Clem, including any documents containing communications between you or your agents or attorneys and the agents or attorneys of Todd Alan Clem.

RESPONSE TO REQUEST 34:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request to the extent it seeks confidential settlement communications. Without waiver of the foregoing, Responding Party responds as follows: Responding Party will endeavor to collect and produce the documents which comprise the settlement agreement between Responding Party and Todd Clem.

REQUEST 35:

Any and all documents published about you in any newspaper, magazine, book, or other hard-copy or electronically published publication during the Relevant Time Period.

RESPONSE TO REQUEST 35:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and

information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that documents requested are in the possession, custody, or control of, or equally available to, Propounding Party.

REQUEST 36:

Any and all audio recordings, video recordings, transcripts, notes, or other documents that relate in any manner to the Video or the Gawker Story.

RESPONSE TO REQUEST 36:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request to the extent that documents requested are in the possession, custody, or control of, or equally available to, Propounding Party.

REQUEST 37:

Any and all documents related in any manner to any damages you claim to have suffered as the result of the alleged conduct of the Gawker Defendants or any of them.

RESPONSE TO REQUEST 37:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Request to the extent that it prematurely calls for expert opinion

and analysis. Responding Party further objects to this Request on the ground that it requires Responding Party to produce documents that would not be created until trial. Responding Party objects to this Request to the extent that it is also repetitive and covered by other discovery requests.

Without waiver of the foregoing, Responding Party responds as follows: Discovery is continuing regarding Responding Party's damages theories, and Responding Party reserves the right to produce such documents in the future when they are determined.

REQUEST 38:

Any and all documents related in any manner to any special damages you claim to have suffered as the result of the alleged conduct of the Gawker Defendants or any of them.

RESPONSE TO REQUEST 38:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request to the extent that it prematurely calls for expert opinion and analysis. Responding Party further objects to this Request on the ground that it requires Responding Party to produce documents that would not be created until trial. Responding Party objects to this Request to the extent that it is also repetitive and covered by other discovery requests.

Without waiver of the foregoing, Responding Party responds as follows: Discovery is continuing regarding Responding Party's damages theories, and Responding Party reserves the right to produce such documents in the future when they are generated or identified.

REQUEST 39:

Any and all documents related in any manner to your claim in your Complaint that

Gawker Defendants, or any of them, acted with “actual malice.”

RESPONSE TO REQUEST 39:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request to the extent that documents requested are in the possession, custody, or control of, or equally available to, Propounding Party.

Without waiver of the foregoing, Responding Party responds as follows: Discovery is continuing, and Responding Party reserves the right to produce such documents in the future when they are generated or identified.

REQUEST 40:

Your tax returns, state and federal, including all related schedules and attachments or similar forms reflecting the receipt of income and the payment of taxes, during the Relevant Time Period.

RESPONSE TO REQUEST 40:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party’s privacy and the privacy of third parties.

REQUEST 41:

Any and all documents concerning your financial condition during the Relevant Time Period including, but not limited to, financial statements, financial summaries, financial reports, and statements of financial condition.

RESPONSE TO REQUEST 41:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request on the ground that it is vague and ambiguous. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

REQUEST 42:

Any and all documents reflecting any testimony provided by you in connection with any judicial or administrative proceeding to which you were a party or witness.

RESPONSE TO REQUEST 42:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Request on the ground that the Request is overbroad and

burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

REQUEST 43:

Any and all documents related to any criminal, civil or administrative proceeding to which you were a party, subject or target, including without limitation any divorce proceeding (including without limitation from Linda Hogan).

RESPONSE TO REQUEST 43:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome. Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

REQUEST 44:

Any loan or mortgage application signed by you during the Relevant Time Period.

RESPONSE TO REQUEST 44:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that it is so broad on its face that it requires production of irrelevant documents and information. Responding Party further objects to this Request to the extent that it seeks documents that are not relevant to the claims, defenses, or subject matter of the instant action, nor reasonably calculated to lead to the discovery of admissible evidence. Responding Party objects to this Request to the extent that it seeks to invade Responding Party's privacy and the privacy of third parties.

REQUEST 45:

To the extent not produced in response to the foregoing requests, any and all documents that refer or relate in any manner to the privacy interests you claim were violated by the Gawker Defendants or any of them.

RESPONSE TO REQUEST 45:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the ground that the Request is overbroad and burdensome.

REQUEST 46:

To the extent not produced in response to the foregoing requests, any and all documents that relate in any manner to the conduct of Gawker Defendants that you have challenged in your Complaint.

RESPONSE TO REQUEST 46:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party objects to this Request on the grounds that the Request is overbroad, burdensome, and harassing.

REQUEST 47:

To the extent not produced in response to the foregoing requests, any and all documents that relate in any manner to the conduct of Heather Clem that you have challenged in your Complaint, including without limitation any documents relating to your claim that Heather Clem participated in creating the Video and your claim that Heather Clem was involved in disclosing the Video to the Gawker Defendants, or any of them.

RESPONSE TO REQUEST 47:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party also objects to this Request to the extent that it calls for documents that are not in its possession, custody, or control.

REQUEST 48:

To the extent not produced in response to the foregoing requests, any and all documents

that support, refute, contradict, or otherwise in any manner relate to the allegations in your Complaint.

RESPONSE TO REQUEST 48:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity.

REQUEST 49:

Any and all documents related to any person that you intend to or may call to testify as an expert witness at trial of this matter, including without limitation documents relating to the qualifications of such person, documents on which such person will rely to formulate his or her expert opinion, and documents that embody any form of such person's expert opinion.

RESPONSE TO REQUEST 49:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request to the extent that it prematurely calls for expert opinion and analysis. Responding Party further objects to this Request on the ground that it requires

Responding Party to produce documents that would not be created until trial. Without waiver of the foregoing, Responding Party responds as follows: Responding Party has not yet engaged any experts to testify at trial in this case.

REQUEST 50:

To the extent not produced in response to the foregoing requests, any and all documents

that you intend to or may rely upon during trial of this action, either as evidence or for purposes of impeachment, or for refreshing the recollection of a witness.

RESPONSE TO REQUEST 50:

Responding Party objects to this Request to the extent that it seeks documents protected from disclosure by the attorney-client privilege and/or attorney work product doctrine.

Responding Party objects to this Request on the ground that the requested documents are not identified with reasonable particularity. Responding Party further objects to this Request on the ground that it requires Responding Party to produce documents that would not be created until trial.

DATED: August 21, 2013

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. First Class Mail this 21 day of August, 2013, to the following:

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*and via e-mail this
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