

# EXHIBIT 2

\*\*ELECTRONICALLY FILED 10/29/2013 8:18:46 AM: KEN BURKE, CLERK OF THE CIRCUIT COURT, PINELLAS COUNTY\*\*

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**From:** Charles Harder <charder@hmafirm.com>  
**Sent:** Tuesday, September 03, 2013 5:50 PM  
**To:** Seth Berlin  
**Cc:** Ken Turkel (KTurkel@bajocuva.com) (KTurkel@bajocuva.com);  
cramirez@BajoCuva.com; dhouston@houstonatlaw.com; Seth Berlin; Paul Safier; Alia  
Smith; Julie Ehrlich; gthomas@tlolawfirm.com; Rachel E. Fugate  
**Subject:** Re: Bollea v. Clem -- Summary

Confirmed. I also confirmed this on Friday.

Charles J. Harder  
HARDER MIRELL & ABRAMS LLP  
1801 Avenue of the Stars, Suite 1120  
Los Angeles, California 90067  
[www.HMAfirm.com](http://www.HMAfirm.com)  
(424) 203-1600

Sent from my iPhone

On Sep 3, 2013, at 4:32 PM, "Seth Berlin" <[SBerlin@lskslaw.com](mailto:SBerlin@lskslaw.com)> wrote:

Counsel – Following up on my call with Charles on Friday and the email below, I would appreciate it if you would confirm in writing ASAP that plaintiff agrees (a) to extend the time for Gawker Sales and Gawker Technology to answer or otherwise respond to the Complaint until October 18, 2013 and (b) to withdraw the returns of service on Kate Bennert and Gawker Entertainment. Otherwise, we will be required to file two potentially unnecessary motions by this Thursday, Sept. 5 (when I will be out to observe a religious holiday) raising jurisdictional and service issues, including the falsity of the service affidavits for Ms. Bennert and Gawker Entertainment. Please advise ASAP.

The other issues we sought to confirm are somewhat less time sensitive, but we would also appreciate a response as soon as Charles's schedule allows. Thank you.

Seth

Seth D. Berlin  
<[image001.jpg](#)>  
(202) 508-1122 | Phone

**From:** Seth Berlin  
**Sent:** Friday, August 30, 2013 6:30 PM  
**To:** [charder@HMAfirm.com](mailto:charder@HMAfirm.com)  
**Cc:** Seth Berlin; Paul Safier; Alia Smith  
**Subject:** Bollea v. Clem -- Summary

Charles,

Thank you again for taking the time to speak with Paul and me today. Sorry to trouble you with one last email before you depart on your vacation, but I thought it might be helpful to summarize what each of

us was going to do as the result of our call. Please let me know if my understanding is mistaken in any respect.

You have agreed:

- To accept our representation that neither Kate Bennert, nor Gawker Entertainment, LLC, was served, that plaintiff will not as a result seek to default them, and that no motion or other response is required.
- To extend until October 18 the time for Gawker Technology, LLC and Gawker Sales, LLC to answer or otherwise respond to the Complaint, so that you can take the deposition of Gawker's corporate designee and can assess whether there is any reason to keep either entity in the case.
- To supplement your response to Interrogatory No. 12 to provide us with your existing theories of damages, with the understanding that the response can be further supplemented.
- To provide us with copies of documents related to Mr. Bollea's acquisition of a copyright in the Video (RFP 33) and his settlement with Bubba Clem (RFP 34).
- To identify in writing each document request for which reasonably diligent search efforts have uncovered no responsive documents.
- To provide a written representation to the effect that you are currently withholding no documents on grounds of privilege, other than documents created since you were engaged to initiate the litigation.

We have agreed:

- To provide a supplemental response to Interrogatory No. 5 confirming that Gawker Media, LLC has no knowledge about how the Video might have been created, other than what has been reported in other publications (which have been identified and produced to you).
- To provide a copy of Gawker Media, LLC's style guide.
- To inquire with our client about the feasibility of providing you with Gawker Media, LLC's revenues broken down by month.

Again, please let me know if you believe I have gotten any of this wrong. Otherwise, I would appreciate your responding to confirm that my understanding is correct (particularly with respect to the first two bullet points concerning service and motions practice for Ms. Bennert and the three former Gawker subsidiaries, all of which would otherwise require action next week).

Thank you and have an enjoyable vacation with your family.

Seth

Seth D. Berlin  
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