

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.

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**PLAINTIFF’S THIRD REQUESTS FOR PRODUCTION OF DOCUMENTS  
TO DEFENDANT GAWKER MEDIA, LLC**

Pursuant to Florida Rules of Civil Procedure 1.350, Plaintiff Terry Gene Bollea, professionally known as Hulk Hogan (“PLAINTIFF”) hereby requests that Defendant Gawker Media, LLC produce for inspection and copying each of the documents or categories of documents described hereafter at the law offices of Bajo Cuva Cohen & Turkel, P.A., 100 North Tampa Street, Suite 1900, Tampa, Florida 33602, on December 6, 2013, at 10:00 a.m.

Pursuant to the provisions of Florida Rule of Civil Procedure 1.350, you are required to produce the documents requested below, numbered 107 through 115, within thirty days from the certificate of service.

\*\*\*ELECTRONICALLY FILED 11/01/2013 5:07:44 PM: KEN BURKE, CLERK OF THE CIRCUIT COURT, PINELLAS COUNTY\*\*\*

## **Definitions and Instructions**

As used in this Request for Production of Documents:

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

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

(c) “COMMUNICATION” means any correspondence, contact, discussion, or exchange between any two or more PERSONS. Without limiting the foregoing, “COMMUNICATION” includes all DOCUMENTS, telephone conversations or face-to-face conversations, electronic messages, meetings and conferences.

(d) “DOCUMENT” means the original and any copy (except for identical copies) of any document or thing subject to production under the Florida Rules of Civil Procedure, that is in your actual or constructive possession, custody, or CONTROL, including any written, printed, recorded, typed, mechanical, electronic, computer stored or graphic matter of any kind however produced or reproduced and all drafts thereof. Any copy containing thereon or attached thereto any alterations, notes, comments, or

other material not included in any original or other copy shall not be deemed an identical copy but shall be deemed a separate document within the foregoing definition.

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

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

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

(h) “VIDEO” refers to the full-length video of PLAINTIFF engaged in sexual activity with HEATHER CLEM, all excerpts therefrom, and all edited iterations thereof.

(i) “SEX TAPE” means the 101 second long video posted at the WEBPAGE.

(j) In the event any request herein calls for information or for the identification of a DOCUMENT which you deem to be privileged, in whole or in part, the information should be given or the DOCUMENT identified to the fullest extent

possible consistent with such claim of privilege, and you should state the nature of the privilege claimed and specify the grounds relied upon for the claim of privilege.

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

## **REQUESTS FOR PRODUCTION OF DOCUMENTS**

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.

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.

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.

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.

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.

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.

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 COMMUNICATIONS, and YOUR internal COMMUNICATIONS regarding same.

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.

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.

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.

DATED: November 1, 2013

/s/ Charles J. Harder  
Charles J. Harder, Esq.  
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Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via e-mail this 1st day of November, 2013 to the following:

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/s/ Kenneth G. Turkel  
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