

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 FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS  
TO DEFENDANT GAWKER MEDIA GROUP, INC.**

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 Group, Inc. 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 12, 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 1 though 88, within thirty days from the certificate of service.

\*\*\*ELECTRONICALLY FILED 11/7/2013 11:15:11 AM: 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 “GMGI” means Defendant Gawker Media Group, Inc., and any PERSONS acting on its behalf.

(b) “GAWKER” means Defendant Gawker Media Media Group, Inc., and its parent company, subsidiaries, affiliated companies, 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.

(c) “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.

(d) “PLAINTIFF” means Plaintiff Terry Gene Bollea (professionally known as Hulk Hogan), as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

(e) “HEATHER CLEM” means Defendant Heather Clem aka Heather Cole, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on her behalf.

(f) “BUBBA CLEM” means Bubba Clem aka Todd Clem (professionally known as Bubba the Love Sponge), as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

(g) “A.J. DAULERIO” means Defendant A.J. Daulerio as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

(h) “KATE BENNERT” means Defendant Kate Bennert, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on her behalf.

(i) “NICK DENTON” means Defendant Nick Denton, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

(j) “PERSON” means any individual, firm, partnership, association, proprietorship, joint venture, corporation, governmental agency, or other organization or legal or business entity, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on its behalf.

(k) “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.

(l) “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.

(m) “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.

(n) “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.

(o) “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>.

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

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

(r) The “LAWSUIT” means the action currently pending before the Circuit Court of the Sixth Judicial Circuit, in and for Pinellas County, Florida, Case Number 12012477CI-011; the lawsuit that was pending in the United States District Court, Middle District of Florida, Tampa Division, Case Number 8:12-cv-02348-JDW-TBM;

the lawsuit that was pending in the United States District Court, Middle District of Florida, Tampa Division, Case Number 8:13-cv-00001-T-JDW-AEP; and the lawsuit that was pending in the United States Court of Appeals for the Eleventh Circuit, Case Number 12-15959-C.

(s) “IDENTIFY,” when used in reference to an individual, means to state his or her full name, present address, if known, telephone number, e-mail address, and present employment position and business affiliation. When used in reference to an ENTITY, “IDENTIFY” means to state whether that ENTITY is a corporation, partnership, limited liability company, limited liability partnership, or other organization, and the name, present and last known address of its principal place of business. “IDENTIFY,” when used in reference to a DOCUMENT, means to state the date, the author, the addressee, type of document, and any other means of identifying with sufficient particularity to meet the requirements for its inclusion in a request for production of documents pursuant to the Florida Rules of Civil Procedure.

(t) 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.

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

## **REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. All DOCUMENTS that RELATE TO the formation of each of the GAWKER companies.
2. All DOCUMENTS that RELATE TO the identity of the owners of each of the GAWKER companies.
3. DOCUMENTS sufficient to establish the state of incorporation and principal place of business of each of the GAWKER companies.
4. All DOCUMENTS that contain or constitute organization charts for GAWKER.
5. All DOCUMENTS that RELATE TO business and/or financial transactions of any kind between YOU and any other GAWKER entity, manager, officer, director, executive, or shareholder.
6. DOCUMENTS sufficient to show the line of business and/or types of business activities engaged in by YOU.
7. All DOCUMENTS that RELATE TO COMMUNICATIONS between YOU and any other GAWKER entity, manager, officer, director, executive, or shareholder.
8. All DOCUMENTS that RELATE TO shareholder distributions made by YOU.
9. DOCUMENTS sufficient to IDENTIFY YOUR shareholders, and the percentage share of GMGI owned by each shareholder.
10. DOCUMENTS sufficient to IDENTIFY the shareholders or owners of Gawker Media, LLC, and the percentage share of Gawker Media, LLC owned by each shareholder or owner.
11. DOCUMENTS sufficient to IDENTIFY the shareholders or owners of Kinja KFT, and the percentage share of Kinja KFT owned by each shareholder or owner.

12. All DOCUMENTS that RELATE TO COMMUNICATIONS between YOU and anyone in the United States.
13. All DOCUMENTS that RELATE TO any business transactions between YOU and anyone in the United States.
14. All DOCUMENTS that RELATE TO any movements of money between YOU and anyone in the United States.
15. All DOCUMENTS that show or identify a United States address and/or telephone number for YOU, including without limitation 210 Elizabeth Street, Fourth Floor, New York, NY 10012.
16. All DOCUMENTS constituting or containing YOUR official minutes of meetings, corporate resolutions, board of directors resolutions, and/or shareholder resolutions.
17. All DOCUMENTS that RELATE TO the purpose of the formation of GMGI.
18. All DOCUMENTS that RELATE TO any contacts between GMGI and the United States.
19. All DOCUMENTS that RELATE TO any contacts between GMGI and the State of Florida.
20. All DOCUMENTS that mention GMGI and the LAWSUIT.
21. All DOCUMENTS that mention GMGI and the SEX TAPE.
22. DOCUMENTS sufficient to establish the location, bank, and balance of each bank account in YOUR name.
23. DOCUMENTS sufficient to establish the location, financial institution, and balance of each account holding money or assets belonging to GMGI.

24. All DOCUMENTS that contain or constitute statements of account for any bank account or account holding money or assets belonging to GMGI.
25. DOCUMENTS establishing the capitalization and equity of each direct or indirect subsidiary of GMGI.
26. All DOCUMENTS that contain or constitute reports made to any government agency regarding the financial performance or condition of any GAWKER entity.
27. All DOCUMENTS that contain or constitute reports made to any government agency regarding any financial transaction between GAWKER entities.
28. All DOCUMENTS that contain or constitute financial statements for any GAWKER entity.
29. DOCUMENTS sufficient to IDENTIFY every employee or independent contractor of GMGI.
30. All DOCUMENTS that RELATE TO any lawsuit (other than the LAWSUIT) filed against YOU in any court within the United States.
31. All DOCUMENTS that RELATE TO any lawsuit filed by YOU in any court within the United States.
32. All DOCUMENTS that RELATE TO any COMMUNICATIONS between GMGI and any government agency within the United States.

DATED: November 7, 2013

/s/ Charles J. Harder  
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-and-

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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 7th day of November, 2013 to the following:

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