

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.

\_\_\_\_\_ /

**DEFENDANT A.J. DAULERIO'S RESPONSES  
TO PLAINTIFF'S FIRST SUPPLEMENTAL REQUEST  
FOR PRODUCTION OF DOCUMENTS**

Pursuant to Florida Rule of Civil Procedure 1.350, Defendant A.J. Daulerio ("Daulerio") hereby provides this response to Plaintiff's First Supplemental Request for Production of Documents dated January 28, 2014.

**SUPPLEMENTAL DEMAND AND RESPONSE**

**SUPPLEMENTAL DEMAND:** For each request for production of documents previously propounded by Terry Bollea to A.J. Daulerio in this action, produce any responsive documents within A.J. Daulerio's possession, custody, and control which have not previously been produced.

**RESPONSE:** Having responded to 84 requests, and having produced all relevant non-privileged documents within his possession custody or control, Daulerio objects to plaintiff's Supplemental Demand, effectively seeking to renew each of those 84 requests, as unlikely to lead to the discovery of admissible evidence and, as a result, unduly burdensome. Daulerio further objects to plaintiff's Supplemental Demand to the extent it could be construed as requesting him to undertake the burden of conducting a renewed search of his email account and

\*\*\*ELECTRONICALLY FILED 3/4/2014 6:25:55 PM: KEN BURKE, CLERK OF THE CIRCUIT COURT, PINELLAS COUNTY\*\*\*

other documents; such a search is unlikely to lead to the discovery of admissible evidence, particularly given that (a) Daulerio, who no longer works for Gawker Media, LLC, has no reason to believe that any non-privileged, relevant documents created since his previous document production would be revealed by such a search and (b) documents related to the time period during which the Gawker Story and Excerpts were posted have already been produced. Daulerio further objects to plaintiff's Supplemental Demand to the extent that it does not seek the production of documents related to the underlying events at issue, but instead seeks the production of documents gathered by his attorneys in preparation of his defense of this action; such documents are protected against discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine.<sup>1</sup> Daulerio further objects to plaintiff's Supplemental Demand on each of the grounds previously asserted in connection with each of plaintiff's prior requests for production, and incorporates such prior objections as if fully set forth herein in their entirety. Subject to and without waiving the foregoing objections, Daulerio will produce any non-privileged, responsive documents responsive to plaintiff's Supplemental Demand of which he is aware.

---

<sup>1</sup> As noted in footnote 1 of Daulerio's original document responses, Daulerio does not possess any documents protected by the attorney-client privilege and/or work product doctrine that were created prior to the commencement of the Lawsuit, as that term is defined in Plaintiff's Document Requests. Consistent with the prior practice of the parties, documents protected by attorney-client privilege and/or the work product doctrine created after the filing of the Lawsuit have not been logged. In addition, Daulerio will not produce pleadings and other papers filed in the Lawsuit, and communications among all counsel after the filing of the Lawsuit, as all such documents are already in the possession of Plaintiff and his counsel.

Dated: March 4, 2014

Respectfully submitted,

THOMAS & LOCICERO PL

By: /s/ Gregg D. Thomas

Gregg D. Thomas

Florida Bar No.: 223913

Rachel E. Fugate

Florida Bar No.: 0144029

601 South Boulevard

P.O. Box 2602 (33601)

Tampa, FL 33606

Tel: (813) 984-3060; Fax: (813) 984-3070

gthomas@tlolawfirm.com

rfugate@tlolawfirm.com

and

Seth D. Berlin

Pro Hac Vice Number: 103440

Michael Berry

Pro Hac Vice Number: 108191

Alia L. Smith

Pro Hac Vice Number: 104249

Paul J. Safier

Pro Hac Vice Number: 103437

Julie B. Ehrlich

Pro Hac Vice Number: 108190

LEVINE SULLIVAN KOCH & SCHULZ, LLP

1899 L Street, NW, Suite 200

Washington, DC 20036

Tel: (202) 508-1122; Fax: (202) 861-9888

sberlin@lskslaw.com

mberry@lskslaw.com

asmith@lskslaw.com

psafier@lskslaw.com

jehrich@lskslaw.com

*Counsel for Defendant A.J. Daulerio*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4th day of March 2014, I caused a true and correct copy of the foregoing to be served via the Florida Courts' E-Filing Portal upon the following counsel of record:

Kenneth G. Turkel, Esq.  
kturkel@BajoCuva.com  
Christina K. Ramirez, Esq.  
cramirez@BajoCuva.com  
Bajo Cuva Cohen & Turkel, P.A.  
100 N. Tampa Street, Suite 1900  
Tampa, FL 33602  
Tel: (813) 443-2199  
Fax: (813) 443-2193

David Houston, Esq.  
Law Office of David Houston  
dhouston@houstonatlaw.com  
432 Court Street  
Reno, NV 89501  
Tel: (775) 786-4188

Charles J. Harder, Esq.  
charder@HMAfirm.com  
Harder Mirell & Abrams LLP  
1925 Century Park East, Suite 800  
Los Angeles, CA 90067  
Tel: (424) 203-1600  
Fax: (424) 203-1601

*Attorneys for Plaintiff*

Barry A. Cohen, Esq.  
bcohen@tampalawfirm.com  
Michael W. Gaines, Esq.  
mgaines@tampalawfirm.com  
Barry A. Cohen Law Group  
201 East Kennedy Boulevard, Suite 1000  
Tampa, FL 33602  
Tel: (813) 225-1655  
Fax: (813) 225-1921

*Attorneys for Defendant Heather Clem*

/s/ Gregg D. Thomas  
Attorney