

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, *et al.*,

Defendants.

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**GAWKER MEDIA, LLC's OBJECTIONS TO PLAINTIFF'S NOTICE OF INTENT  
TO SERVE SUBPOENA IN ANOTHER STATE ON GOOGLE, INC.**

Pursuant to Florida Rules of Civil Procedure 1.351(b) and 1.410, Defendant Gawker Media, LLC ("Gawker") hereby objects to plaintiff's Notice of Intent to Serve Subpoena for Documents in Another State, filed September 5, 2014, and its proposed subpoena to Google, Inc. (a California company) submitted therewith. In support of its objections, Gawker states as follows:

1. The discovery sought is overbroad in scope and time, it is harassing, and it would impose an undue burden on a non-party. And significant portions of the discovery sought are not relevant to this litigation and are not likely to lead to the discovery of admissible evidence. (*E.g.*, plaintiff's request for *all* "exit traffic statistics" for *all* of Gawker's websites for a period of nearly *four years* and plaintiff's requests for *all* "query data" and *all* "trends data" for such terms as "Sex Tape," "Gawker," "Denton," "Hulk," and "Hogan" since January 1, 2011.)

2. To the extent that the requests seek information about Google's relationship with Gawker (or any of the other defendants in the case), such as their contracts and financial transactions, that information should be sought in a document request directed to those

defendants (who may then object to its discoverability in the normal course). A non-party should not be burdened by such requests. Indeed, those requests seek information that is neither relevant nor reasonably calculated to lead to the discovery admissible evidence.

3. To the extent that the requests seek information about websites other than gawker.com, such requests exceed the permissible bounds of discovery imposed by this Court in its Order on Plaintiff's Motion to Compel Further Responses from Gawker Media, LLC, dated February 26, 2014 ("all documents that relate to website traffic, clicks, hits, visitors and/or page views at each of the Gawker websites from January 1, 2010 to the present, including the websites Deadspin, Gizmodo, io9, Jalopnik, Jezebel, Kotaku, and Lifehacker" not required to be produced). In any event, those requests seek information that is neither relevant nor reasonably calculated to lead to the discovery admissible evidence.

4. To the extent that the requests seek any information that would identify a "user" or would identify individuals who visited any of Gawker's websites or conducted a Google query, those requests implicate the interests of third parties who have nothing to do with this litigation and no means to object to the subpoena.

Pursuant to Rule 1.351(b) of the Florida Rules of Civil Procedure, "the documents or things" requested in the proposed subpoena "shall not be produced pending the resolution of the objection."

Dated: September 22, 2014

Respectfully submitted,  
THOMAS & LOCICERO PL

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 22nd day of September 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:

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