

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.

**OBJECTIONS OF TERRY BOLLEA TO NOTICE OF INTENT TO SERVE
SUBPOENA FOR PRODUCTION OF DOCUMENTS WITHOUT DEPOSITION
IN ANOTHER STATE AND PROPOSED NON-PARTY SUBPOENA**

Plaintiff, Terry Gene Bollea (“Mr. Bollea”), by counsel, pursuant to Rule 1.351(b) of the Florida Rules of Civil Procedure, files this Objection to Gawker Media, LLC’s (“Gawker”) September 18, 2014 Notice of Intent to Serve Subpoena for Production of Documents without Deposition in Another State and the corresponding proposed Subpoena Duces Tecum without Deposition directed towards the **Law Office of David Houston** (located in Nevada) submitted therewith. In support of Plaintiff’s objections, Plaintiff states as follows:

1. The requests are directed to the office of Plaintiff’s litigation counsel and seek documents directly relating to this litigation and other potential lawsuits. As such,

{BC00055673:1}

the requests impermissibly seek documents protected by the attorney-client privilege, the work product doctrine, the common interest doctrine and/or the settlement privilege. (For example, the requests seek all communications between Mr. Houston's office and Bubba Clem's attorneys, and all communications between Mr. Houston's office and Heather Clem's attorneys, regarding the lawsuit.)

2. Plaintiff objects to the subpoena on the grounds that it is overbroad in scope and time, does not identify the documents requested with sufficient particularity, unduly burdensome, oppressive, and harassing; it is not reasonably calculated to lead to the discovery of admissible evidence; and it invades upon Plaintiff's constitutional privacy rights. (For example, the requests seek all documents that relate to Mr. Bollea and his public relations consultants, all documents that relate to Mr. Bollea and TNA, and all communications with any media outlet regarding Mr. Bollea.)

3. Pursuant to Rule 1.351(b) of the Florida Rules of Civil Procedure, because Mr. Bollea served this objection to the production sought in the subpoenas, "the documents or things shall not be produced pending the resolution of the objection...." A privilege log is not required until such time as Plaintiff's broader, preliminary objections have been addressed. *Gosman v. Luzinski*, 937 So.2d 293 (Fla. 4th DCA 2006).

DATED: October 3, 2014

/s/ Kenneth G. Turkel

Kenneth G. Turkel, Esq.

Florida Bar No. 867233

Christina K. Ramirez, Esq.

Florida Bar No. 954497

BAJO | CUVA | COHEN | TURKEL

100 North Tampa Street, Suite 1900

Tampa, Florida 33602

Tel: (813) 443-2199

Fax: (813) 443-2193

Email: kturkel@bajocuva.com

Email: eramirez@bajocuva.com

-and-

Charles J. Harder, Esq.
PHV No. 102333
Douglas Mirell, Esq.
PHV No. 109885
Harder Mirell & Abrams LLP
1925 Century Park East, Suite 800
Los Angeles, CA 90067
Tel: (424) 203-1600
Fax: (424) 203-1601
charder@hmafirm.com
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by E-Mail via the e-portal system this 3rd day of October, 2014 to the following:

Barry A. Cohen, Esquire
Michael W. Gaines, Esquire
The Cohen Law Group
201 E. Kennedy Blvd., Suite 1000
Tampa, Florida 33602
bcohen@tampalawfirm.com
mgaines@tampalawfirm.com
jhalle@tampalawfirm.com
mwalsh@tampalawfirm.com
Counsel for Heather Clem

David R. Houston, Esquire
Law Office of David R. Houston
432 Court Street
Reno, NV 89501
dhouston@houstonatlaw.com

Gregg D. Thomas, Esquire
Rachel E. Fugate, Esquire
Thomas & LoCicero PL
601 S. Boulevard
Tampa, Florida 33606
gthomas@tlolawfirm.com
rfugate@tlolawfirm.com
kbrown@tlolawfirm.com
Counsel for Gawker Defendants

Seth D. Berlin, Esquire
Paul J. Safier, Esquire
Alia L. Smith, Esquire
Michael D. Sullivan
Levine Sullivan Koch & Schulz, LLP
1899 L. Street, NW, Suite 200
Washington, DC 20036
sberlin@lkslaw.com
psafier@lkslaw.com
asmith@lkslaw.com
msullivan@lkslaw.com
*Pro Hac Vice Counsel for
Gawker Defendants*

Julie B. Ehrlich, Esquire
Levine Sullivan Koch & Schultz, LLP
321 West 44th Street, Suite 1000
New York, NY 10036
jehrlich@lskslaw.com
*Pro Hac Vice Counsel for
Gawker Defendants*

Michael Berry, Esquire
Levine Sullivan Koch & Schultz, LLP
1760 Market Street, Suite 1001
Philadelphia, PA 19103
mberry@lskslaw.com
*Pro Hac Vice Counsel for
Gawker Defendants*

/s/ Kenneth G. Turkel
Attorney