

# EXHIBIT 7

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR PINELLAS COUNTY

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TERRY GENE BOLLEA, professionally  
known as HULK HOGAN,

Plaintiff,

No. 12-012447-CI-011

vs.

HEATHER CLEM; GAWKER MEDIA, LLC,  
aka GAWKER MEDIA, et al.,

Defendants.

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HEARING BEFORE THE HONORABLE PAMELA CAMPBELL

DATE: October 29, 2013  
TIME: 10:22 a.m. to 12:31 p.m.  
PLACE: Pinellas County Courthouse  
545 First Avenue North  
St. Petersburg, Florida  
REPORTED BY: Susan C. Riesdorph, RPR, CRR  
Notary Public, State of  
Florida

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I N D E X

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## P R O C E E D I N G S

1  
2 THE COURT: We're here on Case No. 12-012447,  
3 Terry Bollea versus Gawker Media and others.  
4 Today we are here for a number of motions.

5 I saw a bunch of correspondence going back  
6 and forth about the notebook. I'm going to tell  
7 you, it was just, I have to say, irritating to  
8 read some of the correspondence.

9 Let me make it really clear for everybody.  
10 I'm sure I've said this before. You all are  
11 required to file things through the ePortal. We  
12 can't see it yet, which is a technical difficulty  
13 for us. So I rely on -- I have to rely on the  
14 attorneys to send me copies of motions ahead of  
15 time. So if somebody wants to put together a  
16 notebook, I greatly appreciate it. If somebody  
17 just wants to send me copies individually, since  
18 I'm paying for the toner cartridges since the  
19 government doesn't give us enough money for the  
20 toner cartridges, I'm not printing out all your  
21 long volumes of stuff. So if somebody would  
22 please send me copies of them -- a notebook is  
23 really good and helpful. It's just helpful. It  
24 just makes our proceedings much more efficient. I  
25 think hopefully you all have been with me enough

1 complaint. So --

2 MR. HARDER: Right.

3 THE COURT: -- here we are. So we're a year  
4 into the complaint almost. And at what point in  
5 time do you say, well, this is what we're -- at  
6 some point in time, we'll let you know. No. The  
7 time to let them know is now. We're doing the  
8 discovery now.

9 MR. HARDER: I understand, Your Honor. Our  
10 damages are twofold in terms of the economic  
11 damages. One is Gawker Media's unjust enrichment.  
12 Gawker Media received upwards of five million  
13 unique viewers because of this sex tape. They  
14 posted it. Millions and millions of people went  
15 to their websites, and they gained a large number  
16 of new viewers. And ad revenues were generated  
17 because of that, both short-term ad revenues and  
18 long-term ad revenues because now they have  
19 potentially five million new people who come to  
20 their websites. Perhaps they never knew about  
21 Gawker and or their other websites and now they do  
22 and now they frequent those websites.

23 So what we're undertaking is an analysis --  
24 and our motion to compel is seeking this  
25 information -- an analysis of where Gawker was

1 and eliminate from the picture, you know,  
2 publishing it online.

3 Unless there are any questions about all of  
4 the various things that we've talked about, I'll  
5 sit down. Because some of that was related to our  
6 affirmative motion, I probably would like to just  
7 reserve a brief amount for rebuttal.

8 THE COURT: Okay. We're stopping at noon.  
9 So let me throw this out, because I still want to  
10 allow him an opportunity, Mr. Harder. And I  
11 understand part of the motion to compel. In going  
12 through a lot of this yesterday, it seems to me  
13 that there are going to be -- Mr. Harder thinks  
14 it's objectionable, you think it's not  
15 objectionable as -- when you get into the actual  
16 deposition itself.

17 It seems to me that the appointment of a  
18 special magistrate would be -- for discovery  
19 purposes would be an efficient tool so that there  
20 was somebody right there at the -- during these  
21 depositions to make calls. I was trying to think  
22 of who would that person be. I think this is a  
23 unique case that would require a unique person.

24 So the person I was thinking about -- and  
25 I -- you're Mr. Berlin, right?

1 well. There is an interrogatory -- I think  
2 No. 12, but I may be mis-recalling that -- that  
3 asked for the plaintiff to set forth his theories  
4 of damages. We have no sort of meaningful answer  
5 to that. It would seem to me that the first step  
6 in going down the road that Your Honor just  
7 outlined would be to do that.

8 THE COURT: I think that's a good idea.

9 MR. BERLIN: Then we can bring the motion  
10 that you just described so that we're all on the  
11 same page and we won't have these problems.

12 THE COURT: I think you're right. In  
13 interrogatory No. 12, it says, identify any and  
14 all damages purportedly suffered by you as a  
15 result of alleged actions by the Gawker defendant  
16 and then explain with particularity the basis for  
17 your calculation of such alleged damages. So I'm  
18 thinking that --

19 MR. HARDER: We gave them a supplemental  
20 response to that.

21 THE COURT: You did?

22 MR. BERLIN: I don't believe there's any  
23 supplemental response to that, Your Honor. We got  
24 a supplemental response to document requests. We  
25 have no supplemental response to that.

1 MR. HARDER: I may be mistaken.

2 THE COURT: Mr. Harder will look at it. If  
3 he can give that to you let's say prior to  
4 November 11th or whenever the deposition is  
5 scheduled, that would be helpful. Is his  
6 scheduled on the 11th?

7 MR. BERLIN: I believe he's the 12th,  
8 Your Honor.

9 THE COURT: Okay. So perhaps you could give  
10 that response by the 8th, which is the Friday  
11 before.

12 MR. HARDER: I will.

13 THE COURT: Okay. Anything else that I can  
14 give clarification on?

15 MR. COHEN: Yes, Your Honor. The deposition  
16 of Mr. Clem, is it my understanding that he's not  
17 going to show up on the 11th or is he --

18 MR. BERLIN: His lawyer is saying he's not  
19 available, but we have for two months asked for a  
20 different day and said, look, we'll release you on  
21 that day if you give us a different day. We  
22 haven't. I would ask the Court to authorize us to  
23 proceed because we have counsel coming in from all  
24 over the country.

25 THE COURT: It seems to me like it's



## 1 REPORTER'S CERTIFICATE

2  
3 STATE OF FLORIDA :

4 COUNTY OF HILLSBOROUGH :

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6  
7 I, Susan C. Riesdorff, RPR, CRR certify that I  
8 was authorized to and did stenographically report the  
9 foregoing proceedings and that the transcript is a true  
10 and complete record of my stenographic notes.11 I further certify that I am not a relative,  
12 employee, attorney, or counsel of any of the parties,  
13 nor am I a relative or employee of any of the parties'  
14 attorney or counsel connected with the action, nor am I  
15 financially interested in the outcome of the foregoing  
16 action.17 Dated this 31st day of October, 2013, IN THE  
18 CITY OF TAMPA, COUNTY OF HILLSBOROUGH, STATE OF  
19 FLORIDA.20  
21  
22  
23  
24  
25  
Susan C. Riesdorff, RPR, CRR, CLSP