

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.

**PLAINTIFF'S THIRD REQUEST FOR PRODUCTION OF DOCUMENTS
TO DEFENDANT A. J. DAULERIO**

Pursuant to Florida Rules of Civil Procedure 1.350, Plaintiff Terry Gene Bollea, professionally known as Hulk Hogan ("PLAINTIFF") hereby requests that Defendant A. J. Daulerio produce for inspection and copying each of the documents or categories of documents described hereafter at the law offices of Bajo | Cuva | Cohen | Turkel, 100 North Tampa Street, Suite 1900, Tampa, Florida 33602, on January 14, 2015, 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 86 through 90 within thirty days from the certificate of service.

Definitions and Instructions

As used in this Request for Production of Documents:

1. “YOU” or “YOUR” or “DAULERIO” means Defendant A.J. Daulerio and all agents, representatives, attorneys, and all other PERSONS acting on his behalf.

2. “COMMUNICATION(S)” means any correspondence, contact, discussion, or exchange between any two or more PERSONS. Without limiting the foregoing, “COMMUNICATION(S)” includes all DOCUMENTS, telephone conversations or face to face conversations, meetings and conferences.

3. “DOCUMENT(S)” means all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise (including but without limitation to, email and attachments, “instant” messages or “IM” messages, “wall” postings on Facebook, Myspace postings, Twitter postings or “tweets,” correspondence, memoranda, notes, diaries, minutes, statistics, letters, telegrams, contracts, reports, studies, checks, statements, tags, labels, invoices, brochures, periodicals, telegrams, receipts, returns, summaries, pamphlets, books, interoffice and intraoffice COMMUNICATIONS, offers, notations of any sort of conversations, working papers, applications, permits, file wrappers, indices, telephone calls, meetings or printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications, changes and amendments of any of the foregoing), graphic or aural representations of any kind (including without limitation, photographs, charts, microfiche, microfilm, videotape, recordings, motion pictures, plans, drawings, surveys), and electronic, mechanical, magnetic, optical or electric records or representations of any kind (including without limitation, computer files and programs, tapes, cassettes, discs, recordings), including metadata.

4. “ENTITY” means any 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.

5. “GAWKER” means Defendant Gawker Media, LLC and its members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on any of their respective behalves.

6. “GAWKER WEBSITES” means all websites owned or controlled by GAWKER, including GAWKER.COM, DEADSPIN.COM, GIZMODO.COM, IO9.COM, JALOPNIK.COM, JEZEBEL.COM, KOTAKU.COM, LIFEHACKER.COM, and any of their respective sub-sites.

a. “GAWKER.COM” means the website located at www.gawker.com.

b. “DEADSPIN.COM” means the website located at www.deadspin.com.

c. “GIZMODO.COM” means the website located at www.gizmodo.com.

d. “IO9.COM” means the website located at www.io9.com.

e. “JALOPNIK.COM” means the website located at www.jalopnik.com.

f. “JEZEBEL.COM” means the website located at www.jezebel.com.

g. “KOTAKU.COM” means the website located at www.kotaku.com.

h. “LIFEHACKER.COM” means the website located at www.lifehacker.com.

7. “KINJA” means Defendant Kinja KFT f/k/a Blogwire Hungary Szellemi Alkotast Hasznosito KFT and its members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on any of their respective behalves.

8. “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.

9. “POSTED SEX VIDEO” means the one minute forty-one second long video that was initially made available 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>.

10. “RATTER” means the entity of unknown form or origin operating the website found at www.Ratter.com, its members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on any of their respective behalves.

11. “REFER(S) TO” or “RELATE(S) TO” means concerning, respecting, referring to, summarizing, digesting, embodying, reflecting, establishing, tending to establish, tending not to establish, evidencing, not evidencing, comprising, connected with, commenting on, responding to, disagreeing with, showing, describing, analyzing, representing, constituting or including.

12. “SEX VIDEO” refers to any and all versions of the video of PLAINTIFF engaged in sexual activity with HEATHER CLEM, all excerpts therefrom, and all edited iterations thereof, including the POSTED SEX VIDEO.

13. Throughout this request, the singular shall include the plural and the plural shall include the singular.

14. The following terms should be read as if they were synonymous, and each should be taken to include the meaning of all of the others: related to, related in any manner to, concerning, referring to, alluding to, responding to, connected with, with respect to, commenting

on, about, regarding, announcing, explaining, discussing, showing, describing, studying, reflecting, analyzing or constituting.

15. If you contend that it would be unreasonably burdensome to produce all the documents called for in response to any request, you should: produce all documents that are available without unreasonable burden; and describe with particularity the reasons why production of the remaining documents would be unreasonably burdensome.

16. In the event that any responsive document cannot be produced in its entirety, you are requested to produce the document to the fullest extent possible, specifying the reasons for your inability to produce the remainder and describing to the fullest extent possible the contents of the unproduced portion.

17. With respect to your responses to the following requests for production, if any document or any portion of any document is withheld because of a claim of privilege, please state the basis for your claim of privilege with respect to such document or portion of any document and the specific ground(s) on which the claim of privilege rests, and including, with respect to documents: the date appearing on the document, or if no date appears, the date on which the document was prepared; the name of the person(s) to whom the document was addressed; the name of each person, other than addressee(s), to whom the document, or a copy thereof, was sent or with whom the document was discussed; the name of the person(s) who signed the document, or if not signed, the name of the person(s) who prepared it; the name of each person making any contribution to the authorship of the document; the general nature or description of the document; and the number of pages it contains.

18. In the event that any documents or things that would have been responsive to this request have been destroyed, discarded or lost, please identify each such document or thing, including: the nature of the document or thing; the author(s) and addressee(s) of any document;

any indicated or blind copies of any document; the document's subject matter, number of pages and attachments or appendices; all persons to whom the document was distributed or persons who have seen the thing; the date of destruction, discard or loss; and, if destroyed or discarded, the reasons therefor and the identity of the person(s) authorizing or carrying out any such destruction or discard.

19. A separate answer shall be furnished for each request.

REQUESTS FOR PRODUCTION OF DOCUMENTS

86. All DOCUMENTS that constitute, REFER OR RELATE TO any agreement or contract between RATTER and KINJA from the inception of RATTER to present.
87. All COMMUNICATIONS between DAULERIO and KINJA from January 1, 2012 to the date of YOUR response to these requests.
88. All COMMUNICATIONS between RATTER and KINJA from January 1, 2012 to the date of YOUR response to these requests.
89. All DOCUMENTS that constitute, REFER OR RELATE TO any agreement or contract between KINJA and any other PERSON OR ENTITY from January 1, 2012 to the date of YOUR response to these requests.
90. All COMMUNICATIONS between KINJA and any other PERSON OR ENTITY from January 1, 2012 to the date of YOUR response to these requests.

DATED: December 15, 2014

/s/ Kenneth G. Turkel

Charles J. Harder, Esq.

PHV No. 102333

Douglas E. 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

Email: charder@hmafirm.com

Email: dmirell@hmafirm.com

-and-

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: cramirez@bajocuva.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 Florida E-Portal system this 15th day of December, 2014 to the following:

Barry A. Cohen, Esquire
Michael W. Gaines, Esquire
Barry 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
jrosario@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
Levine Sullivan Koch & Schulz, LLP
1899 L. Street, NW, Suite 200
Washington, DC 20036
sberlin@lskslaw.com
psafier@lskslaw.com
asmith@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