

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.

GAWKER MEDIA, LLC  
aka GAWKER MEDIA, et al.,

Defendants.

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**DEFENDANTS NICK DENTON'S AND A.J. DAULERIO'S  
MOTION FOR STAY TO SEEK APPELLATE REVIEW**

On July 25, 2016, Plaintiff Terry Bollea filed an emergency motion as to Defendants Nick Denton and A.J. Daulerio asking this Court to vacate and/or modify its June 10, 2016 oral ruling on Defendants' Motion for Stay of Execution Pending Appeal, as well as to assess sanctions and attorneys' fees ("Motion to Vacate"). Per this Court's instructions, Defendants Denton and Daulerio filed their opposition to that emergency motion on July 26, 2016, and both parties filed proposed orders on July 27, 2016. This motion for a brief, provisional stay is being filed contemporaneously with Defendants' proposed orders out of an abundance of caution, as it appears that the Court will not hold a hearing on Plaintiff's motion.

Should the Court enter any order on Plaintiff's July 25, 2016 emergency motion other than one of the orders proposed by Defendants, Defendants respectfully request the Court stay its order for seven days to allow the Second District Court of Appeal to have a meaningful opportunity for appellate review. In determining whether to issue a stay to maintain the status quo during an appellate proceeding, courts have traditionally considered two factors: "the moving party's likelihood of success on the merits, and the likelihood of harm should a stay not

be granted.” *Perez v. Perez*, 769 So. 2d 389, 391 n.4 (Fla. 3d DCA 1999) (citing *State ex rel. Price v. McCord*, 380 So. 2d 1037 (Fla. 1980)). For all the reasons set forth in their opposition to Plaintiff’s emergency motion, Defendants have demonstrated a high likelihood of success on the merits and have illustrated a near certainty of harm should a stay not be granted. *See* Defs.’ Opp. at 14-16. The one-week stay that Defendants request, if neither of their proposed orders is signed, would preserve the status quo long enough to give the appellate court time to fully consider all of the issues raised in Defendants’ Motion for Stay and Plaintiff’s arguments in opposition thereto—or, at the very least, give the Court of Appeal the opportunity to put in place whatever stay it sees fit.

Dated: July 27, 2016

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

Telephone: (813) 984-3060

Facsimile: (813) 984-3070

gthomas@tlolawfirm.com

rfugate@tlolawfirm.com

Seth D. Berlin

Pro Hac Vice Number: 103440

Michael D. Sullivan

Pro Hac Vice Number: 53347

Michael Berry

Pro Hac Vice Number: 108191

Alia L. Smith

Pro Hac Vice Number: 104249

Paul J. Safier

Pro Hac Vice Number: 103437

LEVINE SULLIVAN KOCH & SCHULZ, LLP

1899 L Street, NW, Suite 200

Washington, DC 20036

Telephone: (202) 508-1122

Facsimile: (202) 861-9888

[sberlin@lskslaw.com](mailto:sberlin@lskslaw.com)

[msullivan@lskslaw.com](mailto:msullivan@lskslaw.com)

[mberry@lskslaw.com](mailto:mberry@lskslaw.com)

[asmith@lskslaw.com](mailto:asmith@lskslaw.com)

[psafier@lskslaw.com](mailto:psafier@lskslaw.com)

Steven L. Brannock

Florida Bar No.: 319651

Celene H. Humphries

Florida Bar No.: 884881

BRANNOCK & HUMPHRIES

1111 West Cass Street, Suite 200

Tampa, Florida 33606

Tel: (813) 223-4300

Fax: (813) 262-0604

[sbrannock@bhappeals.com](mailto:sbrannock@bhappeals.com)

[chumphries@bhappeals.com](mailto:chumphries@bhappeals.com)

Secondary Email: [eservice@bhappeals.com](mailto:eservice@bhappeals.com)

*Counsel for Defendants Nick Denton and  
A.J. Daulerio*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 27th day of July 2016, I caused a true and correct copy of the foregoing to be served via the Florida Courts' E-Filing Portal and U.S. Mail on the following counsel of record:

Kenneth G. Turkel  
kturkel@BajoCuva.com  
Shane B. Vogt  
shane.vogt@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

*Attorneys for Plaintiff*

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

*Attorney for Plaintiff*

Timothy J. Conner  
Holland & Knight LLP  
50 North Laura Street, Suite 3900  
Jacksonville, FL 32202  
timothy.conner@hkllaw.com

Charles D. Tobin  
Holland & Knight LLP  
800 17th Street N.W., Suite 1100  
Washington, D.C. 20006  
charles.tobin@hkllaw.com

*Attorneys for Intervenors First Look Media, Inc., WFTS-TV and WPTV-TV, Scripps Media, Inc., WFTX-TV, Journal Broadcast Group, and The Associated Press*

Charles J. Harder  
charder@HMAfirm.com  
Harder Mirell & Abrams LLP  
132 S. Rodeo Drive, Suite 301  
Beverly Hills, CA 90212  
Tel: (424) 203-1600  
Fax: (424) 203-1601

*Attorneys for Plaintiff*

Kristin A. Norse  
Stuart C. Markman  
Kynes, Markman & Fleman, P.A.  
Post Office Box 3396  
Tampa, FL 33601-3396  
knorse@kmf-law.com  
smarkman@kmf-law.com

*Attorneys for Plaintiff.*

Allison M. Steele  
Rahdert, Steele, Reynolds & Driscoll, P.L.  
535 Central Avenue  
St. Petersburg, FL 33701  
amnstee@aol.com  
asteel@rahdertlaw.com  
ncampbell@rahdertlaw.com

*Attorney for Intervenor Times Publ'g Co.*

/s/ Gregg D. Thomas  
Attorney