

**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; NICK DENTON; A.J.
DAULERIO,

Defendants.

BOLLEA'S MOTION TO TAX COSTS AGAINST DAULERIO

Plaintiff, Terry Gene Bollea professionally known as Hulk Hogan ("Mr. Bollea"), moves, **only as to Defendant, A.J. Daulerio ("Mr. Daulerio")**,¹ for the entry of an order awarding him his costs incurred in this proceeding, as the prevailing party, following a jury trial held March 1 through March 21, 2016, the jury's March 18, 2016 and March 21, 2016 verdicts and the entry of a Final Judgment and Permanent Injunction on June 7, 2016. The grounds upon which this motion is based and reasons it should be granted are as follows:

1. On June 7, 2016, this Court entered its Final Judgment and Permanent Injunction against Mr. Daulerio, as well as the other Defendants, which awarded Mr. Bollea \$115,100,000 against Mr. Daulerio and reserved jurisdiction to award costs to Mr. Bollea.

¹ At this time, because of their pending bankruptcy proceedings and the associated automatic stays, Mr. Bollea is not moving for costs against Defendants, Gawker Media, LLC and Nick Denton, will full reservation of rights.

2. As a result of the Verdicts, Final Judgment and Permanent Injunction, Mr. Bollea is the prevailing party against Mr. Daulerio, and is entitled to an award of his taxable costs incurred in this proceeding, pursuant to Section 57.041, *Fla. Stat.*

3. Pursuant to Section 57.071 and the Statewide Uniform Guidelines for Taxation of Costs in Civil Actions, Mr. Bollea is entitled to recover the following costs, which were reasonably necessary to prosecute his case at the time the action precipitating the costs was taken:

- a. the original and one copy of depositions and court reporter's *per diem* for all depositions;
- b. the original and/or one copy of electronic depositions and the cost of the services of a technician for electronic depositions used at trial;
- c. telephone toll and electronic conferencing charges for the conduct of telephone and electronic depositions;
- d. the costs of copies of documents filed with the court, which are reasonably necessary to assist the court in reaching a conclusion;
- e. the costs of copies obtained in discovery, even if the copies were not used at trial;
- f. reasonable fees for expert deposition and trial testimony, and the costs of preparation of court-ordered reports;
- g. costs of subpoena, witness fee and services fees of witnesses for deposition and/or trial;
- h. court reporting costs other than depositions;
- i. reasonable court reporter's *per diem* for the reporting of evidentiary hearings, trial and post-trial hearings;
- j. reasonable charges incurred for special magistrates;
- k. mediation fees and expenses;
- l. costs and fees of mediator;
- m. reasonable travel expenses;

- n. reasonable travel expenses of experts;
- o. reasonable travel expenses of witnesses;
- p. electronic discovery expenses, including the cost of producing copies of electronic media and converting electronically stored information for production;
- q. filing fees; and
- r. service of process.

4. Moreover, pursuant to Florida law, Mr. Bollea seeks recovery of all costs relating to matters which served a useful purpose and are directly related to the trial and the development of his case. *Schumacher v. Wellman*, 415 So.2d 120, 122 (Fla. 4th DCA 1982); *Winn-Dixie Stores, Inc. v. Vote*, 463 So.2d 459, 460 (Fla. 2d DCA 1985). The Court's latitude in granting costs is dictated by the nature of the case. *Payne v. Payne*, 481 So.2d 551 (Fla. 2d DCA 1986).

Given the nature of this case, the following costs should be included:

- a. costs associated with expert witness research, inspection and examinations to enable the expert to testify, as well as costs associated with the preparation of trial exhibits used by the expert;
- b. costs for preparation of trial exhibits and demonstrative aids, as well as the audio/visual presentation of Mr. Bollea's case at trial;
- c. costs of photocopies of documents produced in discovery, filed with the court and received into evidence;
- d. expedited charges for deposition, hearing and trial transcripts; and
- e. the costs of acquiring documentary evidence and the costs of copying documents obtained through discovery.

5. Mr. Bollea will supplement this motion with Affidavits of Costs from his counsel as soon as practicable.

WHEREFORE, Mr. Bollea respectfully requests that the Court enter an order awarding him his taxable costs incurred in connection with this proceeding against Defendant, A.J. Daulerio, and grant such other and further relief as the Court deems just and appropriate.

Respectfully submitted,

/s/ Kenneth G. Turkel

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via e-mail this 5th day of August, 2016 to the following:

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