

**EXHIBIT C**

Motion for Final Judgment on Writ of Garnishment

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

TERRY GENE BOLLEA professionally  
known as HULK HOGAN,

Case No.: 12012447-CI-011

Plaintiff,

vs.

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

Defendants.

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**BOLLEA'S OBJECTION TO DAULERIO'S CLAIM OF  
EXEMPTION AND REQUEST FOR HEARING**

Plaintiff, Terry Bollea known professionally as Hulk Hogan ("Mr. Bollea"), by counsel and pursuant to Florida Statute § 77.041, objects to the Claim of Exemption filed by Defendant, A.J. Daulerio ("Mr. Daulerio"), on August 23, 2016, and requests a hearing to decide the validity of Mr. Daulerio's claim of exemption. In support, Mr. Bollea states as follows:

**Introduction**

Mr. Daulerio is a \$115.1 million judgment debtor who maliciously posted secretly recorded, explicit video of Mr. Bollea naked and having sex on the Internet without his consent. Five months after the verdict, Mr. Daulerio's debt remains unpaid. Now, he is trying to falsely portray himself as a destitute journalist who is being victimized by routine efforts to collect the money he owes. In reality, while refusing to pay a dime toward the judgment, Mr. Daulerio has been squandering substantial amounts of money traveling and pampering himself on a lavish full-time vacation in Florida. He is not entitled to exempt what little money and property he has not yet dissipated.

### Factual Background

For years, Mr. Daulerio was well-compensated by Gawker for abusing the power of the Internet and First Amendment to bully and humiliate people by posting private images of them online against their will. His targets ranged from an NFL quarterback to a girl being raped in a bathroom; which earned him the title of the “Worldwide Leader in Dong Shots.”

In October of 2012, Mr. Daulerio picked a fight with someone who found the strength to endure four years of contentious litigation against Gawker’s team of lawyers, and the public humiliation that went along with it. Mr. Bollea fought back, and in March 2016 brought Mr. Daulerio before a jury to stand accountable for his actions.<sup>1</sup> That jury told Mr. Daulerio and others like him that he did not have the right to publish revenge porn under the guise of news to attract “shameless voyeurs and deviants” to Gawker.com. That jury also decided that Mr. Daulerio had a very heavy price to pay for trying to pass off explicit images from a nonconsensual sex tape as “journalism.”

Apparently, Mr. Daulerio thinks he should be able to just walk away from this debt. He also refuses to recognize that what he did was wrong. Instead, he continues to exhibit a defiant arrogance and lack of appreciation for the consequences of his choices. Immediately following his August 17, 2016 deposition in aid of execution, Mr. Daulerio lashed out in the press, referring to the court-ordered discovery as “ludicrous,” and claimed that he was being held “hostage” because \$1,500.00 in his bank account was frozen. (*See, Exhibit A*) Shortly thereafter, Mr. Daulerio had his counsel send a flippant letter (which was needlessly attached to

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<sup>1</sup> Mr. Daulerio continues to raise litigation funding as a red-herring. The verdict and judgment in this case are based on the facts, not how Mr. Bollea found the financial wherewithal to stand-up against a multi-national media conglomerate so that he could try to ensure that the First Amendment would never again be abused by unscrupulous bloggers to generate millions of dollars by needlessly and gratuitously inflicting shame and humiliation on others by posting private images of them online against their will.

the Claim of Exemption so that it would be publicly available), in which they mock Mr. Bollea for trying to collect the money that the jury decided Mr. Daulerio owes.

Mr. Bollea is not to blame for Mr. Daulerio's financial situation. Likewise, Mr. Bollea bears no fault for Nick Denton's decision to cut Mr. Daulerio loose to face the consequences of the judgment alone; while Mr. Denton secured a \$200,000 loan for himself from Gawker before it filed bankruptcy so that he could retain independent counsel to file for bankruptcy protection. The fact that Mr. Denton abandoned Mr. Daulerio, and Mr. Daulerio's self-inflicted financial situation, do not excuse him from paying what he can toward the judgment.

**Mr. Daulerio is Not Legally Entitled to Florida or New York Exemptions**

As it now stands, Mr. Daulerio is not legally domiciled in Florida or New York. In May 2016, Mr. Daulerio decided to leave New York for an extended vacation in Florida. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]<sup>2</sup> He is apparently about to leave Florida for a new job in California. (See, Ex. A to Claim of Exemption.)

Given these facts, Mr. Daulerio is not entitled to claim any personal property exemptions under New York or Florida law. These exemptions are only available to residents domiciled in those states. See *In re. Dixon*, 153 B.R. 594, 597 (M. D. Fla. 1993); *In re: Jewell*, 347 B.R. 120 (W.D. N.Y. 2006).

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<sup>2</sup> Despite publicly discussing his current financial condition and some of his assets, Mr. Daulerio designated his entire August 17, 2016 deposition "Confidential." Accordingly, portions of this Objection have been redacted. Mr. Bollea has filed a Motion to Determine Confidentiality contemporaneously herewith. Thus, while Mr. Daulerio is publicly taunting Mr. Bollea and crying poor, Mr. Bollea cannot disclose the specific facts to refute that claim at this time.

Mr. Daulerio's Waste of Assets Should be Charged Against Him

Even if Mr. Daulerio could claim statutory exemptions under Florida or New York law, he is not entitled to exempt the garnished funds in his bank account (nor any of his other remaining property) because he has already wasted more money and property than such exemptions (if available) would allow. It is settled law that a debtor's exemptions may be charged with the value of property that he concealed or withheld from his creditors; and that the concealment of or failure to surrender property is treated as a selection *pro tanto* by the debtor of his property exemptions. *In re. Wallace*, 191 B.R. 929, 933 (M. D. Fla. 1996). When a debtor fails to account adequately for property, the court may also charge against the personal property exemptions allowed under law. *Id.* Notably, no specific finding of fraudulent or corrupt intent on the part of the debtor is necessary to charge against the personal property exemptions. *Id.*

Over the past several months, Mr. Daulerio has dissipated [REDACTED] of dollars<sup>3</sup> on an extended vacation in Florida, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



## 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 26th day of August, 2016 to the following:

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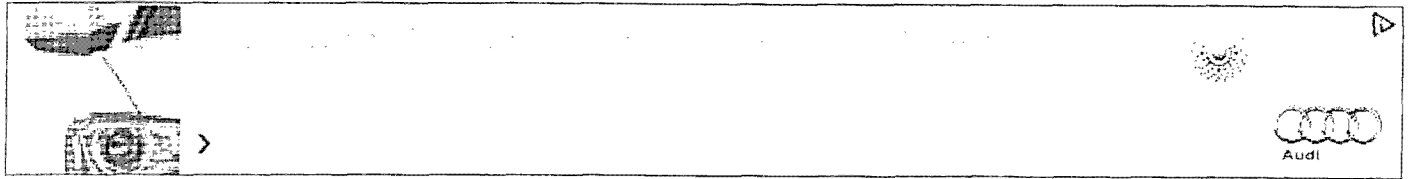
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/s/ Kenneth G. Turkel

Attorney



**EXHIBIT A**  
**TO BOLLEA'S OBJECTION TO DAULERIO'S CLAIM OF**  
**EXEMPTION AND REQUEST FOR HEARING**



Tech / #HulkVsGawker

AUG 18, 2016 @ 08:08 PM 65,509 VIEWS

# Former Gawker Editor Lashes Out At Peter Thiel, Calls Freeze On His Checking Account 'Ludicrous'

**Matt Drange**, FORBES STAFF*I write about technology and money + power in Silicon Valley.* **FULL BIO** ✓

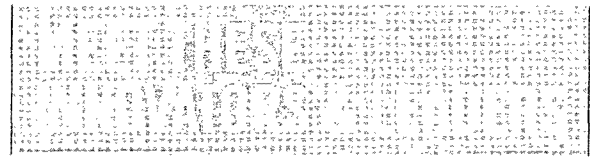
Former Gawker editor A.J. Daulerio sits in a Florida courtroom earlier this year during a trial against Terry Bollea, aka Hulk Hogan, over a story Daulerio wrote that included an excerpt of a sex tape featuring Hogan and his friend's wife. (Photo by John Pendygraft/Getty Images)

**By Matt Drange and Ryan Mac****Forbes**

A.J. Daulerio, the ex-Gawker editor who wrote the 2012 story that originally included an excerpt of the Hulk Hogan sex tape he and his employer were successfully sued over, lashed out at Peter Thiel on Thursday. Daulerio questioned the motives of going after his personal assets to satisfy a portion of the \$140.1 million judgement in the case.

"It's ludicrous that a billionaire like Peter Thiel is spending his wealth on lawyers to freeze my \$1,500 bank account and figure out the value of my rice cooker and old furniture," Daulerio told FORBES in a statement. "If Mr. Thiel really believed in the First Amendment, he would not be funding lawyers to chase my meager assets and instead would try to justify the \$115.1 million verdict in front of an appeals court. Instead, he's using his fortune to hold me hostage to settle a decade-long grudge that has nothing to do with me or Hulk Hogan."

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As FORBES first revealed in May, Thiel financed Hogan's lawsuit as part of an effort to bring down the media company. Daulerio's comments are his first public statements about case since the jury awarded its verdict in March.

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The judgement, awarded to Hogan (real name: Terry Bollea) earlier this year after a Florida jury found that Gawker invaded the former wrestler's privacy, triggered a series of events that culminated today in the approval of Gawker Media's sale to media conglomerate Univision. Daulerio is jointly liable, along with Gawker's parent company and Denton, for \$115.1 million of the judgement. Daulerio, however, is the only defendant in the case who hasn't filed for bankruptcy protection. Hogan's lawyers are now going after Daulerio, even though he has told the court he is essentially broke.

In a signed affidavit submitted to the court

 **Forbes**

→ount, all of  
s attorneys.

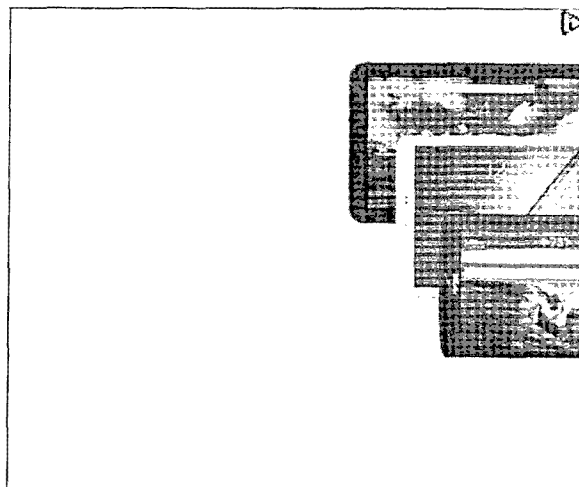


with student loan debt and credit card debt, Daulerio's net worth is negative, according to his affidavit. Daulerio was deposed for hours on Wednesday afternoon about his assets.

Thiel declined to comment through a spokesman. In an op-ed published by the New York Times in advance of Gawker's auction earlier this week, Thiel said that "cruelty and recklessness were intrinsic parts of Gawker's business model." He condemned the website for blurring the line between an individual's right to privacy and the public interest. "For my part, I am proud to have contributed financial support to his case. I will support him until his final victory — Gawker said it intends to appeal — and I would gladly support someone else in the same position."

Denton announced earlier on Thursday that Gawker's flagship website, Gawker.com, will cease to exist after next week. Denton, who is expected to leave once the sale he negotiated with Univision is completed next month, told staff that he was unable "to find a single media company or investor willing also to take on Gawker.com. The campaign being mounted against its editorial ethos and former writers has made it too risky."

Lawyers for Hogan declined to comment, but are expected to continue pursuing Daulerio in the coming weeks, starting with a review of his bank statements going back four years. Daulerio is living in a short-term apartment in Florida, and hasn't worked since shutting down the startup he founded after leaving



Daulerio is due back in court on Oct. 31, when he will face possible sanctions from the court for allegedly misrepresenting the value of his limited shares in Gawker Media. Before the company filed for bankruptcy in June, Daulerio and Denton pledged all of their shares as collateral while Gawker's lawyers appeal the verdict in the case. Daulerio doesn't have his own attorney, and Gawker's request to cover the cost of his continued legal defense is currently pending with a federal judge in New York (Hogan's lawyers objected to the request, arguing that it would constitute a conflict of interest).

Gregg Leslie, the legal defense director for the Reporter's Committee for Freedom of the Press, said the case is exceptional. Leslie's organization represents news outlets around the country, and is unaware of any case where an individual journalist has had to pay the lion's share of a jury verdict. "It's hard to say whether it's a particularly vindictive streak on [Hogan's] part, or is the just the normal way they do business, where you win a verdict and go after anything you can," Leslie said. "It certainly starts to look like an act of harassment if you aren't ever going to recover anything meaningful from the person and you are dragging them through it."



Follow Ryan on Twitter at @rmiac18 or email him at rmac@forbes.com. Follow Matt on Twitter at @MattDrange or email him at mdrange@forbes.com.

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