

# EXHIBIT 5

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 TERRY GENE BOLLEA'S THIRD SUPPLEMENTAL RESPONSE TO  
INTERROGATORY NO. 12 PROPOUNDED BY GAWKER MEDIA, LLC**

**PROPOUNDING PARTY: Defendant GAWKER MEDIA, LLC**

**RESPONDING PARTY: Plaintiff TERRY GENE BOLLEA**

**SET NO.: ONE**

Plaintiff TERRY GENE BOLLEA (herein "Responding Party") hereby supplements his response to Interrogatory No. 12 propounded by defendant GAWKER MEDIA, LLC (herein "Propounding Party") as follows:

**PRELIMINARY STATEMENT**

Responding Party responds to the Interrogatories subject to, without intending to waive, and expressly preserving: (a) any objections as to the competency, relevance, materiality, privilege or admissibility of any of the responses or any of the documents identified in any response hereto; and (b) the right at any time to revise, correct, supplement or clarify any of the responses herein.

3. Disgorgement of Gawker Media's profits, and the profits of Gawker's owners, managers and/or employees, resulting from the unlawful dissemination of the Hulk Hogan sex tape at issue and the accompanying narrative describing Hulk Hogan naked and having sex in a private place;

4. General emotional distress damages that would naturally and foreseeably result from being the subject of a publicly released sex tape on the Internet, watched by approximately 5.35 million people (distress that did not involve Plaintiff needing to seek medical attention or treatment); and

5. Punitive damages, based on the outrageous nature of Defendants' conduct.

Responding Party also seeks costs and a permanent injunction as described in the operative Complaint.

Responding Party has not yet designated an expert witness for purposes of testifying at trial in this action and therefore reserves the right to present additional information by way of expert testimony, expert reports and/or documents relied upon by experts in presenting such testimony and/or reports.

Responding Party's investigation and discovery are continuing, and Responding Party reserves the right to alter or modify this response as additional information is learned through his investigation and discovery into the underlying facts.

**THIRD SUPPLEMENTAL RESPONSE TO INTERROGATORY 12:**

Without waiver of the objections previously stated, Responding Party further responds as follows:

Responding Party presently intends to seek damages at trial, as follows:

1. The reasonable value of a publicly released sex tape featuring Hulk Hogan, released on the Internet with viewership of approximately 5.35 million unique viewers during the period of October 4, 2012, through April 25, 2013, at Gawker.com, and several million more viewers at other sites that obtained the video from Gawker.com.

2. The reasonable value of 5.35 million unique Internet users visiting the Gawker.com homepage and/or the webpage featuring the Hulk Hogan sex tape, and any other Gawker affiliated websites/webpages during the period of October 4, 2012, through April 25, 2013, because of the existence of the Hulk Hogan sex tape at Gawker.com. To clarify, “reasonable value” as used herein includes, without limitation, any increase in value of either Gawker.com and/or Gawker Media, LLC attributable, directly or indirectly, to the existence of the Hulk Hogan sex video at Gawker.com.

3. Disgorgement of Gawker Media’s profits, and the profits of Gawker’s owners, managers and/or employees, resulting from the unlawful dissemination of the Hulk Hogan sex tape at issue and the accompanying narrative describing Hulk Hogan naked and having sex in a private place. To clarify, “profits” as used herein includes, without limitation, any increase in profits of either Gawker.com and/or Gawker Media, LLC attributable, directly or indirectly, to the existence of the Hulk Hogan sex video at Gawker.com.

4. General emotional distress damages that would naturally and foreseeably result from being the subject of a publicly released sex tape on the Internet, watched by approximately 5.35 million people (distress that did not involve Plaintiff needing to seek medical attention or treatment); and

5. Punitive damages, based on the outrageous nature of Defendants’ conduct. Responding Party also seeks costs and a permanent injunction as described in the

operative Complaint.

Responding Party has not yet designated an expert witness for purposes of testifying at trial in this action and therefore reserves the right to present additional information by way of expert testimony, expert reports and/or documents relied upon by experts in presenting such testimony and/or reports.

Responding Party's investigation and discovery are continuing, and Responding Party reserves the right to alter or modify this response as additional information is learned through his investigation and discovery into the underlying facts.

DATED: June 24 2013

/s/ Charles J. Harder  
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@hmafirma.com](mailto:charder@hmafirma.com)

-and-

Kenneth G. Turkel, Esq.  
Florida Bar No. 867233  
Christina K. Ramirez, Esq.  
Florida Bar No. 954497  
BAJO CUVA COHEN & TURKEL, P.A.  
100 North Tampa Street, Suite 1900  
Tampa, Florida 33602  
Tel: (813) 443-2199  
Fax: (813) 443-2193  
Email: [kturkel@bajocuva.com](mailto:kturkel@bajocuva.com)  
Email: [cramirez@bajocuva.com](mailto:cramirez@bajocuva.com)

Counsel for Plaintiff