

# EXHIBIT A



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June 5, 2013

VIA EMAIL AND U.S. MAIL

Seth D. Berlin, Esq.  
LEVINE SULLIVAN KOCH & SCHULZ LLP  
1899 L Street, NW, Suite 200  
Washington, DC 20036  
Email: sberlin@lskslaw.com

Re: *Bollea v. Gawker Media LLC, et al.*  
Case No. 12012447-CI-011

Dear Mr. Berlin:

This letter responds to yours of June 5, 2013. Our first discussion regarding a “request” for a 30-day extension on Gawker’s response date to Plaintiff’s discovery took place on May 29, 2013, at the courthouse in St. Petersburg following our appearance at the hearing on Plaintiff’s motion for an OSC regarding contempt sanctions against Gawker. You did not say anything at that time about the discovery supposedly being “voluminous.” Rather, you told me that Gawker wanted to receive a settlement offer from Plaintiff and, if such an offer was to be made, that there should be 30-day extension on all discovery to allow the parties to discuss settlement. You also told me that you were unavailable the week of July 8 for depositions but that you were available the week of July 15 for depositions. On June 4, 2013, I sent you an email with the same depositions scheduled for the week of July 15.

In light of past practices by Gawker regarding settlement (and everything else in this case), we do not believe that your request for a settlement discussion was in good faith and, instead, was an effort to delay discovery and other aspects of this litigation. Therefore, Plaintiff declines to make a settlement offer at this time and instead seeks to obtain Gawker’s discovery responses, documents and depositions. (Notwithstanding, if Gawker truly seeks a good faith settlement discussion, it is free to make a settlement offer at any time and settlement discussions can proceed simultaneously with discovery.)

In your email of June 3, 2013, you changed your approach and stated, for the first time, in an email, your position that Plaintiff’s discovery is supposedly “voluminous.” Your email said nothing about wanting to postpone discovery because of settlement issues, as you had stated before.

Mr. Seth D. Berlin, Esq.  
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Regarding your new position that the discovery is supposedly “voluminous,” we fail to see how 10 interrogatories is voluminous. Please explain that. Moreover, please explain why the initial 30-day statutory period is insufficient for Gawker, its two law firms, and numerous attorneys to provide written responses to those 10 interrogatories. Your law firm has shown several times in this case that it is easily capable of preparing scores of pages of court briefings in a matter of only 2 days. Please explain why it will require you more than 30 days to answer 10 interrogatories.

Likewise, 22 requests for admission, which simply request that the defendant admit or deny the statement, are not voluminous. Nor have you provided any explanation, either in your email of June 3, or your letter of today’s date, for why you need more time than the statutory 30 days to provide these responses.

Similarly, the 88 document requests propounded by Plaintiff also are not voluminous. I would expect that there are few documents that pertain to most of the requests, and I also assume that the vast majority of the documents requested are electronically stored and can easily be located and transferred to a disk and produced in that format. You have not explained, either in your email of June 3, or your letter of today’s date, why you need more time than the statutory 30 days to (a) serve written objections and responses, or (b) look for and begin to produce Gawker’s responsive documents. I would expect these rather simple tasks to be easily accomplished within a 30-day period. Gawker’s counsel has done far more work in a small fraction of that time, repeatedly in this case. Rather, it appears to be a matter of priorities and you do not appear to be placing any priority at all on Gawker’s discovery obligations.

Notwithstanding the foregoing, I stated to you in my email of June 4, 2013, that if you needed extra time to produce certain of the documents requested, to please let me know and we would “work with you on it.” You have declined my reasonable offer. You also have not identified any documents that cannot be located or produced within the statutory 30 days, or why specifically you request additional time to produce documents.

It is my belief, based upon Gawker’s bad faith litigation practices throughout this case, that your intent is to obtain an extra 30 days based on false pretenses (namely, alleged settlement discussions); that you would then wait the entire 60 days only to serve blanket objections to the discovery and little or no substantive discovery responses; and then force Plaintiff to further delay its case by meeting and conferring regarding those responses and ultimately bringing one or more motions to compel Gawker to comply with its discovery obligations. For obvious reasons, we will not allow ourselves to be taken advantage of in such a way.

In light of the foregoing, please be advised that we intend to move to compel full and complete responses to all discovery, and all responsive, non-privileged documents within Gawker’s possession, custody and/or control.

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If you wish to bring a motion in addition to ours, then feel free to do so. However, your motion will not preclude us from bringing our own motion, which will be calculated to require Gawker to fully comply with its discovery obligations.

As stated in my email on June 4, 2013, we intend to proceed with depositions commencing the week of July 15, 2013, and will complete those depositions once all questions have been asked and answered, and after Gawker has fully produced its responsive documents. Thus, if Gawker continues to refuse to comply with its obligations regarding written discovery responses and document production, then we will take the first round of depositions the week of July 15, 2013, and take a subsequent round of depositions of the same witnesses and/or additional witnesses after Gawker's discovery responses and document production have been fully produced.

We reserve all rights, including the right to seek monetary sanctions for Gawker's bad faith discovery practices.

Very truly yours,

A handwritten signature in black ink, appearing to read "Charles J. Harder", with a long horizontal flourish extending to the right.

CHARLES J. HARDER Of  
HARDER MIRELL & ABRAMS LLP

cc: Paul J. Safier (by email)  
Gregg D. Thomas (by email)  
Rachel E. Fugate (by email)  
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