

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’S SECOND REQUEST FOR ADMISSIONS
TO DEFENDANT GAWKER MEDIA**

Plaintiff Terry Gene Bollea, professionally known as Hulk Hogan (“PLAINTIFF”), by counsel and pursuant to Florida Rule of Civil Procedure 1.370, requests Defendant Gawker Media (“GAWKER”) to admit the truth of the following matters of fact within 30 days from the certificate of service.

I. INSTRUCTIONS and DEFINITIONS

A. In answering these requests for admissions, you are to respond truthfully and in good faith on the basis of all information that is presently available to you, regardless of whether such information was obtained directly by you, by your attorneys, their agents, employees or investigators.

ELECTRONICALLY FILED 11/1/2013 5:07:44 PM: KEN BURKE, CLERK OF THE CIRCUIT COURT, PINELLAS COUNTY

B. If good faith requires that you deny only a portion of any matter as to which an admission is requested, or that you qualify your response to any given request for admission, specify and admit so much of the request as is true and deny or qualify only that portion of the request as to which good faith requires a denial or qualification.

C. Each request shall be answered fully unless it is in good faith objected to, in which event the reasons for your objection shall be stated in detail. If an objection pertains to only a portion of a request, or a word, phrase, or clause contained within it, you are required to state your objection to that portion only and to respond to the remainder of the request, using your best efforts to do so. Your response hereto is to be signed and verified by the person making it, and the objections signed by the attorney making them.

D. You may not give lack of information or knowledge as a reason for failure to admit or deny unless you state in writing that you have made reasonable inquiry and that the information known or readily obtainable by you is insufficient to enable you to admit or deny.

E. Should you discover that any response to the requests for admission propounded herein was incorrect when made, you shall upon such discovery or determination amend such response.

F. “YOU” or “YOUR” or “GAWKER” means Defendant Gawker Media and its parent company, subsidiaries, affiliated companies, and all of their members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on any of their respective behalves.

G. “PLAINTIFF” means Plaintiff Terry Gene Bollea (professionally known as Hulk Hogan), as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

H. "PERSON" means any individual, firm, partnership, association, proprietorship, joint venture, corporation, governmental agency, or other organization or legal or business entity, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on its behalf.

I. "WEBPAGE" means the webpage located at <http://gawker.com/5948770/even-for-a-minute-watching-hulk-hogan-have-sex-in-a-canopy-bed-is-not-safe-for-work-but-watch-it-anyway>.

J. "SEX TAPE" means the 1:41 second long video posted at the WEBPAGE.

K. In the event any request herein calls for information or for the identification of a document which you deem to be privileged, in whole or in part, the information should be given or the document identified to the fullest extent possible consistent with such claim of privilege, and you should state the nature of the privilege claimed and specify the grounds relied upon for the claim of privilege.

L. A separate answer shall be furnished for each request.

II. REQUEST FOR ADMISSIONS

23. At the time YOU posted the SEX TAPE, YOU had the technological capability to blur the recording so that PLAINTIFF's genitals were not visible.

24. At the time YOU posted the SEX TAPE, YOU had the technological capability to pixelate the recording so that PLAINTIFF's genitals were not visible.

DATED: November 1, 2013

/s/ Charles J. Harder
Charles J. Harder, Esq.
PHV No. 102333

HARDER MIRELL & ABRAMS LLP
1801 Avenue of the Stars, Suite 1120
Los Angeles, CA 90067
Tel: (424) 203-1600
Fax: (424) 203-1601
Email: charder@hmafirm.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
Email: cramirez@bajocuva.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via e-mail this 1st day of November, 2013 to the following:

Barry A. Cohen, Esquire
Michael W. Gaines, Esquire
bcohen@tampalawfirm.com
mgaines@tampalawfirm.com
jrosario@tampalawfirm.com
Counsel for Heather Clem

Gregg D. Thomas, Esquire
gthomas@tlolawfirm.com
rfugate@tlolawfirm.com
kbrown@tlolawfirm.com
Counsel for Gawker Defendants

Seth D. Berlin, Esquire
Paul J. Safier, Esquire
Alia L. Smith, Esquire
sberlin@lskslaw.com
psafier@lskslaw.com
asmith@lskslaw.com
Pro Hac Vice Counsel for
Gawker Defendants

David R. Houston, Esquire
Law Office of David R. Houston
432 Court Street
Reno, NV 89501
dhouston@houstonatlaw.com

Charles J. Harder, Esquire
charder@hmafirm.com
Co-counsel for Plaintiff

/s/ Kenneth G. Turkel _____
Attorney