

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.

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

Defendants.

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**VERIFIED CONSENT MOTION FOR ADMISSION OF MICHAEL BERRY  
TO APPEAR PRO HAC VICE PURSUANT TO  
FLORIDA RULE OF JUDICIAL ADMINISTRATION 2.510**

Comes now Michael Berry, Movant herein, and respectfully requests the following:

1. Movant resides in Wynnewood, Pennsylvania. Movant is not a resident of the State of Florida.
2. Movant is an attorney and a member of the law firm of Levine Sullivan Koch & Schulz, LLP, 1760 Market Street, Suite 1001, Philadelphia, Pennsylvania 19103, Telephone (215) 988-9773, Facsimile (215) 988-9750.
3. Movant's law firm was retained on or about December 28, 2012 by Gawker Media, LLC to provide legal representation in connection with the above-styled matter now pending before the above-named court of the State of Florida (following which the action was immediately removed to federal court and then remanded to the above-named court on March 28, 2013). Movant's law firm has since been retained by defendants Nick Denton (whom plaintiff attempted to serve on August 16, 2013), A.J. Daulerio (who was first served on April

11, 2013), Gawker Media Group, Inc. (which was first served on September 19, 2013, and which has now been dismissed), and Blogwire Hungary Szellemi Alkotást Hasznosító KFT (now known as “Kinja KFT”) (which was first served on October 21, 2013) (together, the “Gawker Defendants”).<sup>1</sup> Movant recently began to assist the Gawker Defendants’ other counsel in representing the Gawker Defendants.

4. Movant is an active member in good standing and currently eligible to practice law in the following jurisdictions: United States Courts of Appeals for the Third, Fifth, Ninth, and Tenth Circuits, the United States District Courts for the Eastern and Middle Districts of Pennsylvania, the District of New Jersey, and the Southern District of New York, and the States of Pennsylvania (Bar Number 86351), New York (Attorney Number 4597308), and New Jersey (Bar Number 027192000).

5. There are no disciplinary proceedings pending against Movant.

6. Within the past five (5) years, Movant has not been subject to any disciplinary proceedings.

7. Movant has never been subject to any suspension proceedings.

8. Movant has never been subject to any disbarment proceedings.

9. Movant, either by resignation, withdrawal, or otherwise, never has terminated or attempted to terminate Movant’s office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings.

10. Movant is not an inactive member of The Florida Bar.

11. Movant is not now a member of The Florida Bar.

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<sup>1</sup> Denton, GMGI and Kinja do not intend to waive their challenges to service and personal jurisdiction by having the undersigned seek pro hac vice admission. In addition, although defendant Kate Bennert was initially named as one of the Gawker Defendants, the time for serving her with process has, after several extensions, now expired.

12. Movant is not a suspended member of The Florida Bar.

13. Movant is not a disbarred member of The Florida Bar nor has Movant received a disciplinary resignation from The Florida Bar.

14. Movant has not previously been disciplined or held in contempt by reason of misconduct committed while engaged in representation pursuant to Florida Rule of Judicial Administration 2.510.

15. Movant has not filed to appear as counsel in Florida State courts during the past five (5) years.

16. Local counsel of record associated with Movant in this matter is Gregg D. Thomas, Esquire, who is an active member in good standing of The Florida Bar and has offices at 601 South Boulevard, P.O. Box 2602 (33601), Tampa, Florida 33606, Telephone (813) 984-3060, Facsimile (813) 984-3070.

17. Movant has read the applicable provisions of Florida Rule of Judicial Administration 2.510 and Rule 1-3.10 of the Rules Regulating The Florida Bar and certifies that this verified motion complies with those rules.

18. Movant agrees to comply with the provisions of the Florida Rules of the Professional Conduct and consents to the jurisdiction of the courts and the Bar of the State of Florida.

19. Counsel for all parties consent to this motion.

WHEREFORE, Movant respectfully requests permission to appear in this court for this cause only.

DATED this 23<sup>rd</sup> day of Jan., 2014

Respectfully submitted,

By: 

Michael Berry

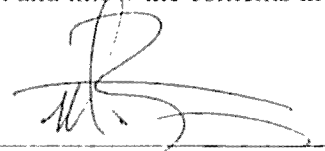
LEVINE SULLIVAN KOCH & SCHULZ, LLP  
1760 Market Street, Suite 1001  
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*Counsel for Gawker Defendants*

State of Pennsylvania

City of Philadelphia

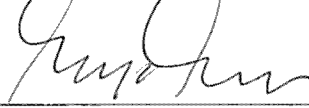
I, Michael Berry, do hereby swear or affirm under penalty of perjury that I am the movant in the above-styled matter; that I have read the foregoing Motion and know the contents thereof, and the contents are true of my knowledge and belief.

  
Michael Berry

I hereby consent to be associated as local counsel of record in this cause pursuant to Florida Rule of Judicial Administration 2.510.

DATED this 15<sup>th</sup> day of January, 2014

THOMAS & LOCICERO PL

By:   
Gregg D. Thomas

Florida Bar No.: 223913  
601 South Boulevard  
P.O. Box 2602 (33601)  
Tampa, FL 33606  
Telephone: (813) 984-3060  
Facsimile: (813) 984-3070

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 3<sup>rd</sup> day of January, 2014, a true and correct copy of the foregoing motion was furnished by U.S. mail to PHV Admissions, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2333, accompanied by payment of the \$250.00 filing fee made payable to the Florida Bar. I further certify that on the 23<sup>rd</sup> day of January, 2014, I caused a true and correct copy of the foregoing to be served electronically upon the following counsel of record at their respective email addresses via the Florida Courts E-Filing Portal:

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*(continued on next page)*

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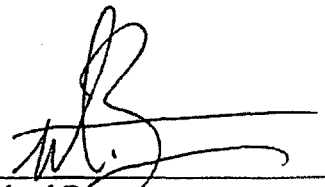
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*Attorneys for Defendant Heather Clem*



Michael Berry