

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.

_____ /

SUPPLEMENTAL AFFIDAVIT OF SETH D. BERLIN

I, Seth D. Berlin, hereby affirm under penalty of perjury that the following is true and correct:

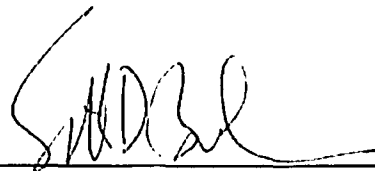
1. The statements made in this affidavit are based on my personal knowledge.
2. I submit this supplemental affidavit in further response to plaintiff's Exceptions to Special Discovery Magistrate Case's Report and Recommendation regarding Defendants' Fifth Motion to Compel.
3. In my prior affidavit, dated March 18, 2014, I described my conversations with the FBI and the U.S. Attorney's Office. In response, plaintiff argued that my prior affidavit "should be rejected" because it was "based on inadmissible hearsay statements supposedly made by the U.S. Attorney's Office," and because it "fail[ed] to present an Affidavit or letter . . . regarding the government's assertion of the law enforcement privilege."
4. While I believe that, as an officer of the Court, my representation about my conversations with government officials should be more than sufficient to be considered by the Court, for the avoidance of any doubt I attach hereto as Exhibit A an email exchange dated

ELECTRONICALLY FILED 4/8/2014 4:09:32 PM: KEN BURKE, CLERK OF THE CIRCUIT COURT, PINELLAS COUNTY

March 18 and 19, 2014 with Sara Sweeney of the United States Attorney's Office concerning the Government's position. In that email exchange, Ms. Sweeney confirms that:

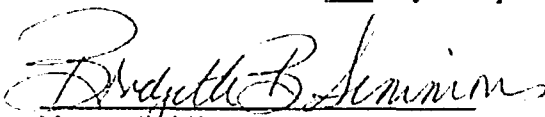
- (a) "The Government is not asserting any privilege with respect to documents that Terry Gene Bollea or his counsel have in their possession, including the documents on the privilege log supplied to" the Government;
- (b) the Government "so informed Mr. Bollea's counsel";
- (c) Gawker "would not be interfering in any way with any investigation if those documents were disclosed or if [it] contact[s] witnesses who may have provided information to the Government"; and
- (d) while "it is possible that someone may have [so] requested of Mr. Bollea or his counsel in the past," it is currently the case that "Mr. Bollea and his counsel have not been instructed by the Government not to speak about these subjects or any investigation."

5. In light of the foregoing, the Court should overrule Plaintiff's Exceptions to Judge Case's Report and Recommendation.



Seth D. Berlin

Sworn before me this 8th day of April 2014:



Notary Public

