

EXHIBIT 11

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION

TERRY GENE BOLLEA,
professionally known as HULK
HOGAN,

Plaintiff,

Case No.
12-012447-CI-011

vs.

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

Defendants.

_____ /

VIDEOTAPED
DEPOSITION OF: BUBBA THE LOVE SPONGE CLEM

DATE: March 3, 2014

TIME: 12:09 p.m. to 3:07 p.m.

PLACE: Thomas & LoCicero, P.L.
601 South Boulevard
Tampa, Florida

PURSUANT TO: Notice by counsel for Defendants
for purposes of discovery, use at
trial or such other purposes as
are permitted under the Florida
Rules of Civil Procedure

REPORTED BY: Aaron T. Perkins, RPR
Notary Public, State of
Florida at Large

Volume 1
Pages 1 to 182

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Attorneys for Plaintiff

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et al.

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Attorney for Bubba the Love Sponge Clem

ALSO PRESENT:

Honorable James Case
Mike Byrd, videographer
Terry Gene Bollea

1 he's not -- he doesn't care for me, so --

2 Q. Why do you think he doesn't care for you?

3 A. I don't know. I don't know.

4 Q. Do you care for him?

5 A. I don't have any problems with him. When I
6 was hired in '08, he did mornings. I inherited his
7 show. They asked me if -- they knew that we had a
8 little bit of a strained relationship. Cox management
9 asked me if I wanted them to get rid of him. And in
10 2008 I told them, No, absolutely I don't want to cost a
11 guy his job. If you guys -- they found a place for him
12 in afternoons, and he's done well. So when I had my
13 opportunity, I said, No, I have no problem with him.

14 Q. Mike Waters?

15 A. Yeah. Mike Waters, he's been with me since
16 1996. He's still with me.

17 Q. And what does he do?

18 A. He's my main parody guy. He's very, very
19 talented. I've got a lot of respect for him. We get
20 along great. He's been my longest employee.

21 Q. Matt Loyd?

22 A. Yeah. Matt Loyd worked with me until two
23 thousand and, I think, twelve and left to do his own
24 show in -- over at Cox.

25 Q. Is he in Tampa?

1 A. Yes, I think so. He doesn't work -- he
2 doesn't work there any longer.

3 Q. Did he leave on good terms?

4 A. I thought so, but I think I've later found
5 out that maybe not so much.

6 Q. What do you mean?

7 A. I speculate that he was the one that stole
8 this tape.

9 Q. Why do you speculate that?

10 A. I have just done some of my own fact checking
11 and some of my own due diligence, and I think he is the
12 one that stole this tape from my office.

13 Q. What kind of fact checking and due diligence
14 have you done?

15 A. With regards to the only two people that had
16 access to my office when we moved from our one studio
17 to another, him and another guy. And I think that he's
18 the one that subsequently provided it to you guys.

19 Q. Who was the other guy?

20 A. There is another gentleman named Broderick
21 Epps who works for me. And him and Matt were the two
22 people that specifically had access to my office where
23 this was kept. And shortly after Mr. Loyd left is when
24 this came out.

25 Q. In mentioning Broderick Epps, what does he --

1 A. No.

2 Q. Are you still friendly?

3 A. It's ambiguous. There is -- there is
4 nothing. There is -- if I saw her, I would be
5 friendly, yeah. I have nothing against her. I just
6 don't ever see her.

7 MR. BERRY: This is a good time to take a
8 break, Judge.

9 THE WITNESS: Thank you.

10 THE VIDEOGRAPHER: Off the record at 3:07.

11 (A recess was taken at 3:07 p.m.)

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21 S T I P U L A T I O N

22 It is hereby stipulated and agreed upon by
23 and among the attorneys present and the witness
24 that reading and signing of the deposition by the
25 witness is waived.


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CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, the undersigned authority, certify that
BUBBA THE LOVE SPONGE CLEM, personally appeared before
me and was duly sworn.

WITNESS my hand and official seal this 15th day
of March, 2014.



Aaron T. Perkins, RPR
Notary Public - State of Florida
My Commission Expires: 2/27/2016
Commission No. EE173286



1 REPORTER'S CERTIFICATE

2 STATE OF FLORIDA
3 COUNTY OF HILLSBOROUGH4
5 I, Aaron T. Perkins, Registered Professional
6 Reporter, certify that I was authorized to and did
7 stenographically report the deposition of
8 BUBBA THE LOVE SPONGE CLEM; that a review of the
9 transcript was not requested; and that the transcript
10 is a true and complete record of my stenographic notes.
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13 I further certify that I am not a relative,
14 employee, attorney, or counsel of any of the parties,
15 nor am I a relative or employee of any of the parties'
16 attorney or counsel connected with the action, nor am I
17 financially interested in the action.
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Aaron T. Perkins, RPK

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Defendants.

CONTINUED VIDEOTAPED
DEPOSITION OF: BUBBA THE LOVE SPONGE CLEM

DATE: March 3, 2014

TIME: 3:21 p.m. to 6:02 p.m.

PLACE: Thomas & LoCicero, P.L.
601 South Boulevard
Tampa, Florida

PURSUANT TO: Notice by counsel for Defendants
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Notary Public, State of
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Volume 2
Pages 183 to 345

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Attorney for Bubba the Love Sponge Clem

ALSO PRESENT:

Honorable James Case
Mike Byrd, videographer
Terry Gene Bollea

1 is a very private dad who -- whose family means very
2 much -- a lot to him and who doesn't necessarily enjoy
3 drama or -- or any type of fame other than just to do
4 his best.

5 Q. Well, how -- how is that different than the
6 Hulk Hogan character?

7 A. Well, when Mr. -- Mr. Hogan is in the four
8 corners of a wrestling ring, there is a time to be Hulk
9 Hogan and there is a time to be Terry Bollea. His
10 closest friends, his ex-wife, probably his current
11 wife, call him Terry. They don't call him Hulk. They
12 call him Terry. He's Terry. When he's not wrestling,
13 he's Terry. He doesn't -- if he was full of himself
14 and he wanted to be Hulk Hogan, he would tell you to
15 make sure you call me Hogan or Hulk. I never saw that.
16 People that knew him as Terry called him Terry. And
17 that's how -- that's how you could differentiate or how
18 people could differentiate whether he's -- the camera
19 is on or off, per se, with regards to working for the
20 wrestling industry or the entertainment business.

21 Q. And what did you call him?

22 A. Both. Terry and Hulk, I mean -- or Hogan or
23 Hootie. His nickname was Hootie to me, just kind of a
24 term of endearment, Hootie, kind of a play on words.

25 Q. And how did that come about?

1 A. Oh, just -- just -- just Hootie was Hootie.
2 That's just how -- it just kind of came.

3 Q. Did anybody else call him that?

4 A. Well, people in the show and stuff would call
5 him Hootie.

6 Q. How did you decide when to call him Terry and
7 when to call him Hulk or Hogan or Hootie?

8 A. There was no rhyme or reason as to how. I
9 mean, there is no rhyme or reason. I didn't
10 specifically call him Terry when he was at home or --
11 or Hogan when he was wrestling. It was just
12 whatever -- I very rarely called him Hulk. It was
13 pretty much Terry or Hootie. I can't think of hardly
14 any times that I ever called him Hulk.

15 Q. What was he known for when you-all were close
16 friends?

17 A. Well, in my opinion, he's -- he's noted as
18 being one of the, you know, most famous people in
19 the -- in the world who got famous through -- he was
20 pretty much right there at the -- when wrestling went
21 from a Pay-per-view, watch-it-theaters type deal, into
22 your living room, Terry was very instrumental in that
23 progression. And, you know, obviously, the Rocky III
24 movie propelled him into that arena as well. And so,
25 you know, we all men -- men in here probably grew up

1 THE VIDEOGRAPHER: Off the record at 5:36.

2 (A recess was taken.)

3 THE VIDEOGRAPHER: On the record at 5:39.

4 BY MR. BERRY:

5 Q. When was the first time that Heather and Hulk
6 had sex?

7 A. Well, the first and only time was that time
8 that you guys have the videotape of.

9 Q. Do you recall what year that was?

10 A. No.

11 Q. And had they had any sexual contact before
12 that?

13 A. No, not -- not -- I don't think so.

14 Q. And so if I understand the chronology, you
15 mentioned this to Hulk, and then at some point -- at
16 some point shortly thereafter, they had sex?

17 A. Yes.

18 Q. And as far as you know, they only had sex one
19 time?

20 A. Yes.

21 Q. Do you know, just roughly, what year this
22 was?

23 A. No.

24 Q. Do you know whether they ever had any sexual
25 encounter at the radio station where you worked?

1 MR. HARDER: Well, hopefully, it can be 30
2 days after I get the transcript.

3 MR. BERRY: Right, right, right. That's what
4 it --

5 MR. BERLIN: Yeah. Thirty days from the date
6 of receiving the transcript.

7 MR. BERRY: Yeah, yeah. Sorry.

8 JUDGE CASE: All right.

9 THE VIDEOGRAPHER: Off the record at 6:02.

10 (Deposition concluded at 6:02 p.m.)

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21 S T I P U L A T I O N

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CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, the undersigned authority, certify that
BUBBA THE LOVE SPONGE CLEM, personally appeared before
me and was duly sworn.

WITNESS my hand and official seal this 14th day
of March, 2014.



Aaron T. Perkins, RPR
Notary Public - State of Florida
My Commission Expires: 2/27/2016
Commission No. EE173286



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3 COUNTY OF HILLSBOROUGH

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13 employee, attorney, or counsel of any of the parties,
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15 attorney or counsel connected with the action, nor am I
16 financially interested in the action.

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ALSO PRESENT:

Honorable James Case
Mike Byrd, videographer
Terry Gene Bollea

1 A. Yes.

2 Q. And at that point, this wasn't affecting your
3 friendship, then, over that summer?

4 A. Not that -- not that I can recall. He -- he
5 believed me.

6 Q. Do you recall ever joking around with him
7 about it?

8 A. No. This is not a joking matter at all.

9 Q. Okay. Did you ever recall joking around with
10 him about having sex with Heather during that time
11 period?

12 A. Well, obviously, we've had some parody
13 elements here.

14 Q. During this time period.

15 A. I can't recall what we joked around about. I
16 would probably say no.

17 Q. Going back to the -- well, have you ever
18 heard the Hulk use the "N" word when talking about
19 African-Americans?

20 MR. HARDER: I will object.

21 MR. DIACO: Join.

22 MR. HARDER: I think that's outside the
23 scope, Your Honor. I don't think this has
24 anything to do with this case, which is about
25 Gawker posting a sex tape. And I think it's

1 highly inflammatory, and I think the motivation on
2 the other side to get at this information is
3 calculated to do more harm to Mr. Hogan, when
4 enough harm has already been done to him.

5 MR. BERRY: I will try it a different way and
6 we'll see if we get -- we'll address this without
7 the objection.

8 THE COURT: Okay.

9 BY MR. BERRY:

10 Q. Looking back at this exhibit here, which was
11 the April 26th publication of The Dirty, it says at the
12 bottom: Terry, do you remember what you said about
13 black people on the sex tape? You are not Dog the
14 Bounty Hunter.

15 Having seen that, do you recall whether Hulk
16 Hogan ever used the "N" word?

17 MR. HARDER: Again, Your Honor, I'm objecting
18 on the same grounds. That has nothing to do with
19 whether Mr. Hogan knew or didn't know that he was
20 being filmed, knew or didn't know about the
21 distribution of the tape, was involved in
22 anything. Those are the subjects of the case.
23 The subject of the case is not a witch hunt about
24 whether he ever used a racial comment or not.

25 MR. DIACO: Judge, I would just also add that

1 MR. HARDER: Your Honor, about the content of
2 the tape. There is two tapes. One is the minute
3 40 seconds that Gawker posted on the Internet.
4 There is nothing about anything racial at all in
5 that. And they produced to us a 30-minute video.
6 There is nothing racial that has to do with that.

7 What we're talking about here is
8 thedirty.com, which is making some sort of an
9 allegation about the content of the tape, that I
10 assume that they are talking about the tape that
11 they provided to us that doesn't have any of this.

12 So now it's become this -- this effort to try
13 to find something to pin on him that's outside of
14 the scope of the case, has nothing to do with
15 newsworthiness, because if they are claiming that
16 something in that tape is newsworthy, they never
17 put it up on their website and they never produced
18 it to us.

19 So this is something that's outside of that
20 scope.

21 MR. BERLIN: We -- we don't know what's on
22 the full tape. We know what's on the tape that
23 was provided to us, which is not necessarily the
24 full tape. And we're trying to get to the bottom
25 of this.

S T I P U L A T I O N

It is hereby stipulated and agreed upon by
and among the attorneys present and the witness
that reading and signing of the deposition by the
witness is waived.

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