

EXHIBIT 6

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.

_____ /

TELEPHONIC HEARING BEFORE
THE HONORABLE JAMES CASE,
without confidential sessions

DATE: February 24, 2014

TIME: 1:32 p.m. to 3:27 p.m.

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

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1 publicist doesn't keep one. His publicist didn't
2 work on this particular event, in any event, so
3 she wouldn't have one even if they did keep press
4 clipping files on things she worked on, because
5 she didn't work on this one.

6 But from someone from Mr. Bollea's point of
7 view, there is so much media out there that -- and
8 it's all available at any time. You go to Google
9 and you type in "Terry Bollea Today Show 2012,"
10 you'll get probably a whole bunch of articles
11 about how he was on the Today Show. It's not just
12 from the "today.com" or the "nbctoday.com"; it's
13 from all kinds of folks, because everyone likes to
14 report on what other people reported on. And so
15 you just get this huge explosion of media reports.

16 I'm not sure that the things that Gawker is
17 seeking are relevant. I talked to Seth after he
18 filed the motion, and we had a meet-and-confer
19 conference after the fact. And I said if we have
20 any list of the media people that he spoke to, I'm
21 happy to get that to you. Elizabeth Traub doesn't
22 have it, and Mr. Bollea has not been able to find
23 it. And, Your Honor, if he can find it, I'm happy
24 to give that over to them. But it's not the type
25 of thing that he keeps, and if he -- it may not be

1 in his possession, so --

2 THE COURT: Okay.

3 MR. HARDER: And as far as sanctions,
4 obviously, we oppose sanctions. I don't want
5 anyone saying I don't oppose sanctions. I just
6 don't feel that anything is sanctionable here. I
7 don't think that we did anything wrong, and I
8 don't think that the motion was necessary. And
9 Mr. Berlin could have given me a call after he
10 sent his meet-and-confer letter and says, Let's
11 talk, and, What are you willing to give? And I
12 would have had this conversation with him and the
13 things that I am willing to do, such as look
14 through the phone records for the relevant phone
15 calls as opposed to giving over all of the phone
16 calls of 2012. I would have been happy to do
17 that.

18 And as far as -- and the schedule of
19 reporters that he spoke to, I told Mr. Berlin I'm
20 happy to give it to him when we find it, but the
21 publicist doesn't have it and he doesn't have it.
22 So that's kind of where we are. Thank you.

23 THE COURT: All right. Mr. Berlin?

24 MR. BERLIN: Your Honor, just to be helpful,
25 let me try and go through the order that

1 Mr. Harder used, even though it wasn't the order
2 that was in our motion or the order that was used
3 originally.

4 THE COURT: Okay.

5 MR. BERLIN: The phone records, I think that
6 there is sort of two issues.

7 One is we served an interrogatory that has to
8 do with communications. And if he can use
9 documents that are within his possession, custody,
10 or control to answer that question, he ought to be
11 asked to do so and not just say, you know, Here
12 are two sets that describe all of the
13 communications that I had in a two-month period
14 with Bubba Clem, which is what the current
15 interrogatory does.

16 As far as the records themselves, certainly,
17 calls with Bubba Clem and Heather Clem are
18 certainly relevant. Calls with, whether it's
19 Ms. Traub or if he has another publicist, since it
20 seems like from the publicity tour that he's
21 saying Ms. Traub didn't assist him in doing that,
22 then presumably someone else did. Those calls
23 would be relevant, certainly. Calls with people
24 with media organizations, directly would be
25 relevant.

1 And the problem that I want to avoid, Your
2 Honor -- and this is why we said we're not going
3 to start calling people but that we wanted to be
4 able to obtain these records -- is, you know, I'm
5 reluctant to say, Well, let me just have
6 Mr. Harder decide what's relevant or not relevant,
7 because he doesn't -- he has a different theory of
8 the case. He has, in many briefs that we have
9 filed back and forth, a different view of what's
10 relevant, you know. The briefs and these two
11 motions, he says, Here is what's relevant to this
12 case. And it's a fairly narrow description, and
13 it excludes the primary thing that we're trying to
14 do, which is to be able to test what the plaintiff
15 is saying in these various factual contentions.

16 So we think the appropriate thing is to be
17 able to review them. They, obviously, can be
18 produced pursuant to the confidentiality in this
19 case. And although Mr. Harder has alluded in both
20 his papers and earlier in this session, that
21 Gawker is a media company that publishes things,
22 we have not published anything that we have
23 received in discovery, whether it was designated
24 as confidential or otherwise, and have
25 scrupulously honored the confidentiality order and

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Aaron T. Perkins, Registered Professional Reporter, certify that I was authorized to and did stenographically report the above excerpted hearing proceedings and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 25th day of February, 2014.


Aaron T. Perkins, RPR 

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