

# EXHIBIT H

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

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TERRY GENE BOLLEA, professionally  
known as HULK HOGAN,

Plaintiff,

No. 12-012447-CI-011

vs.

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

Defendants.  
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VOLUME 1

VIDEOTAPED  
DEPOSITION OF: TERRY GENE BOLLEA  
  
DATE: March 6, 2014  
  
TIME: 9:43 a.m. to 1:06 p.m.  
  
PLACE: Riesdorff Reporting Group  
601 Cleveland Street  
Suite 600  
Clearwater, 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: Susan C. Riesdorff, RPR, CRR  
Notary Public, State of  
Florida

Pages 1 - 154

1 the public?

2 A. No. I don't try to hide anything as far as  
3 personality.

4 MR. BERLIN: I would like to just note an  
5 objection to coaching the witness in the middle of  
6 the deposition.

7 MR. HARDER: I'm not coaching the witness.  
8 I'm allowed to talk to my witness in between  
9 questions being asked and answered.

10 MR. BERLIN: I'm going to mark this as  
11 Exhibit 77.

12 (Exhibit No. 77 marked for identification.)

13 MR. HOUSTON: 77, Counsel? I'm sorry.

14 MR. BERLIN: 77, that's correct.

15 THE WITNESS: Can we take a quick break,  
16 please?

17 MR. BERLIN: Sure thing.

18 THE VIDEOTAPE SPECIALIST: Off the record at  
19 10:16.

20 (Recess taken from 10:16 a.m. to 10:30 a.m.)

21 THE VIDEOTAPE SPECIALIST: On the record at  
22 10:30.

23 BY MR. BERLIN:

24 Q. You understand you're still under oath?

25 A. Yes, sir.

1 Q. And just before the break, we had marked this  
2 book as Exhibit 77.

3 You've seen that before?

4 A. Yes, I have.

5 Q. And that's called "My Life Outside the Ring"  
6 by Hulk Hogan?

7 A. Yes.

8 Q. And did you either write or cowrite that?

9 A. Cowrote it with -- I didn't write it. I  
10 basically talked with Mark Dagostino, and then he took  
11 the video -- or audiotapes and wrote the book from  
12 having conversations with me.

13 Q. If I can direct your attention to Page 112 of  
14 the book, please. And I'm going to direct your  
15 attention to the fifth paragraph on that page. It  
16 begins, it's also weird.

17 And it states, "It's also weird to think  
18 about the fact that I was doing all of this and the  
19 steroids while telling all of my young fans week after  
20 week, train, say your prayers, and take your vitamins.  
21 That one was like my own Bob Barker catch phrase. I  
22 threw that sentiment out into the world day after day,  
23 not that there's anything wrong with that message.  
24 It's a great message. It was just a little bit  
25 hypocritical that my activities behind the scenes

1 didn't match the role model persona I was putting out  
2 there."

3 Is that something you've done throughout your  
4 time in the public eye?

5 MR. HARDER: Objection, vague and ambiguous,  
6 calls for a narrative, argumentative.

7 THE WITNESS: Could you explain the question  
8 to me.

9 BY MR. BERLIN:

10 Q. Well, the passage talks about your activities  
11 behind the scenes not matching the role model persona  
12 you were putting out there. I'm asking if you've done  
13 that at other times during your career.

14 MR. HARDER: Same objections.

15 THE WITNESS: Done what?

16 BY MR. BERLIN:

17 Q. Put out a role model persona to the public  
18 that's different than your activities behind the  
19 scenes.

20 MR. HARDER: Same objections.

21 THE WITNESS: Yes and no. Sometimes the  
22 persona and the message I put out there is exactly  
23 perfect for being a role model and sometimes it's  
24 not.

25 BY MR. BERLIN:

1 Q. Can you give me some examples of when it's  
2 not?

3 A. Yeah, last night drinking two bottles of  
4 wine. It doesn't really fit with train -- well, I  
5 split them with my wife and another friend, but it  
6 doesn't exactly go along with the PG train, say your  
7 prayers, and eat your vitamins. You know, you can't  
8 say, well, train, say your prayers, eat your vitamins,  
9 and drink two bottles of wine with your wife and her  
10 friend. That doesn't really match the role model  
11 persona. That is one example.

12 Q. Can you give me any more?

13 MR. HARDER: I object, argumentative and  
14 potentially goes into the realm of invasion of  
15 privacy and outside the scope of the case.

16 THE WITNESS: I don't recall any more at this  
17 time.

18 BY MR. BERLIN:

19 Q. All right. What do you think made the  
20 Hulk Hogan character successful?

21 A. Timing, luck, look, the political environment  
22 at the time.

23 Q. Let's go through each of those. What do you  
24 mean by -- well, let's go backwards.

25 What do you mean by the political environment

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

TERRY GENE BOLLEA,  
professionally known as HULK  
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Plaintiff,

Case No.

12-012447-CI-011

vs.

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

Defendants.

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CONTINUED  
VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 7, 2014

TIME: 9:41 a.m. to 12:48 p.m.

PLACE: Riesdorff Reporting Group  
601 Cleveland Street  
Suite 600  
Clearwater, 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 3  
Pages 312 to 451

1 A. I don't recall if I did or not.

2 Q. Okay. When you look at this photograph, do  
3 you recognize this as Bubba's bedroom?

4 MR. HARDER: Vague as to time.

5 THE WITNESS: I can't tell if this is Bubba's  
6 bedroom or not by this picture.

7 BY MR. BERLIN:

8 Q. Did you talk to Bubba Clem after this was  
9 published?

10 A. I don't recall.

11 Q. About -- did you talk to Bubba Clem about  
12 this particular posting?

13 A. I don't recall the posting, and I don't  
14 recall talking to him about the posting.

15 Q. After this was posted, did you ask Bubba if  
16 he was involved in making the sex tape?

17 MR. HARDER: Asked and answered.

18 THE WITNESS: Asked and answered.

19 BY MR. BERLIN:

20 Q. You can answer the question again.

21 A. I don't recall.

22 Q. I think if I recall the testimony  
23 correctly -- I dont want to -- I want you to tell me if  
24 this is right. I don't want to put words in your  
25 mouth. I'm just relying on my recollection.



1           You mentioned that when still photographs of  
2 a sex tape of you came out, that you contacted Bubba  
3 and talked to him about that. Does that sound right  
4 or -- again, I'm just trying to clarify your testimony,  
5 so --

6           A.    When still photos came out, I contacted  
7 Bubba? Yeah, I don't know if -- which still photos  
8 they were, but when the rumors were out that there were  
9 still photos that came out, I did contact Bubba.

10          Q.    And then I think we've already talked about  
11 the nature of your conversations and exchanges with  
12 Bubba about the still photos.

13          A.    I think we have, too.

14          Q.    Is there anything about that that we haven't  
15 talked about that you want to add?

16          A.    No.

17          Q.    I don't want to go over ground that we have  
18 already plowed.

19                And when this came out, did Bubba tell you in  
20 those conversations anything about how he thought that  
21 the -- these photographs -- or if it's from a tape,  
22 whether it's just still photographs that had made their  
23 way to The Dirty?

24          A.    When this came out?

25          Q.    Yeah.

1 A. Repeat the question.

2 Q. When this came out and you talked to Bubba,  
3 did he tell you anything about how he thought these  
4 photographs had ended up being published on The Dirty?

5 A. I don't recall when this came out.

6 Q. It's dated April 19th, 2012. I'm asking you  
7 in the April timeframe -- or, more generally, let me  
8 ask it this way: When still photographs were -- of a  
9 sex tape were first published, and you then talked to  
10 Bubba, which we've already talked about, did Bubba tell  
11 you anything about how the photographs ended up being  
12 published, his views about how anything -- how the  
13 photographs ended up being published on the Internet?

14 MR. HARDER: Vague.

15 THE WITNESS: Would you repeat the question  
16 again?

17 BY MR. BERLIN:

18 Q. Sure.

19 When photographs were first published, still  
20 photographs of a sex tape involving you, and then you  
21 talked to Bubba, did Bubba tell you anything about how  
22 he thought those photographs had ended up being  
23 published on the Internet?

24 A. When I heard that there were the -- these  
25 still photos -- you can't tell who it is in the

1 picture. It's so grainy. I don't remember this photo,  
2 but I remember when I heard the rumors come out, then I  
3 asked Bubba, you know, where did these still photos  
4 come? He said Heather must have done it, because he  
5 didn't.

6 Q. And did you believe that?

7 A. Yes.

8 Q. And do you still believe that?

9 A. No. Bubba said he did it in his deposition.

10 Q. Bubba said he was responsible for making the  
11 DVD. That's right.

12 A. Yes.

13 Q. All right. And did you believe that?

14 A. I believe that, and I believe that Bubba was  
15 responsible for maybe shopping the DVD and making a  
16 still picture of it.

17 Q. Okay. And do you believe that Bubba was  
18 responsible for providing that to The Dirty, to put it  
19 on this website?

20 A. I have no idea who provided it to The Dirty.

21 Q. Do you believe that Heather was responsible  
22 for providing it to The Dirty?

23 A. I don't know what I believe now. I haven't  
24 heard Heather's testimony, and I -- I just don't know  
25 what I believe.

1 Q. At the time, if you can just go back to the  
2 time period right after the photographs were first --  
3 still photographs were first published on the Internet,  
4 did you believe that Heather was responsible for -- for  
5 not just making the DVD, which I think we talked about,  
6 but also providing them to The Dirty?

7 A. I didn't think any -- I didn't -- all I -- I  
8 didn't think anything about The Dirty, whatever The  
9 Dirty is, this website. All I thought about was Bubba  
10 told me that he didn't film anything and that Heather  
11 did it. That's all I was focusing on.

12 Q. Right.

13 I'm -- I'm trying to focus, not on the  
14 filming part, but on the part after the filming where  
15 it gets from them, whoever has it, to be on the  
16 Internet. I'm trying to focus on how that happened.  
17 And I wanted to know in this timeframe when these were  
18 first -- when these stills were first published, what  
19 you thought about who did that.

20 MR. HARDER: Calls for speculation.

21 THE WITNESS: Well, I have tried to explain  
22 to you several different times, as best I can,  
23 that up until that text came, I believed  
24 everything Bubba said when I asked him, Why did  
25 you do that to me? And up until that time, like

1 we heard in his testimony, he made me believe  
2 Heather was a no good, dirty, lying bitch. Like  
3 he said, I think, in one of these texts, that he  
4 made me believe that she was responsible for all  
5 this stuff. And it made me think or speculate  
6 that any filming or still cameras or digital  
7 cartoons or whatever was being filmed in there was  
8 her responsibility, or she did it. That's what he  
9 made me think.

10 BY MR. BERLIN:

11 Q. And would that include not only the filming,  
12 but then getting it -- getting it to the Internet site  
13 to post it on the Internet?

14 A. I already told you I didn't think that.  
15 That's the same question again. I told you all I  
16 thought about was the filming, and she was responsible  
17 for it, because Heather told me -- I mean, because  
18 Bubba told me that.

19 Q. Right. So if I understand your testimony  
20 correctly -- and I just want to make sure I understand  
21 this right -- you were not saying at that time that she  
22 was responsible for -- or thinking, based on what Bubba  
23 had said, that she was responsible for the second  
24 piece, which was taking the filming that she may have  
25 done and getting it to an Internet site and posting it?

1 MR. HARDER: Calls for speculation. Vague  
2 and ambiguous.

3 THE WITNESS: I don't recall. I never  
4 thought that Heather would go herself, you know.  
5 I never -- when -- as my mind fast-forwarded,  
6 whenever I started thinking about it, I always  
7 figured there was a chain of command or she had  
8 agents or people. I didn't -- I never thought  
9 Heather herself would be dumb enough to -- to do  
10 something -- take something that was illegally  
11 filmed and illegally try to get it distributed or  
12 whatever. I never -- I never had that train of  
13 thought, that she, herself, would do it.

14 BY MR. BERLIN:

15 Q. Did you think that she initiated that  
16 through -- through other people?

17 A. It was a possibility.

18 Q. And did you consider the possibility that  
19 somebody other than Heather was responsible for  
20 providing materials that ended up being posted as still  
21 photographs on the Internet to the website that posted  
22 them?

23 A. Repeat the question.

24 Q. Is it possible -- in this time, did you  
25 consider the possibility that someone other than

1 Heather was responsible for providing the material that  
2 ended up being posted on the Internet as still  
3 photographs?

4 A. Repeat it one more time.

5 MR. BERLIN: Sure. Can you read the second  
6 time back?

7 (A portion of the record was read by the  
8 reporter.)

9 THE WITNESS: In any time.

10 MR. HARDER: Vague as to time, vague as to  
11 material.

12 THE WITNESS: Well, now I know anything is  
13 possible. So in this time right now, it could  
14 have been Heather. It could have been one of her  
15 agents. It could have been the fake David Houston  
16 that did it. So anything is possible, as you made  
17 me realize, at any time.

18 BY MR. BERLIN:

19 Q. Right.

20 I'm trying to ask, at this time when these  
21 still photographs were first published, what you  
22 thought about who was responsible for getting these  
23 photographs to this website to post them.

24 A. I have already told you, at that time all I  
25 thought about was the filming.

1 Q. Okay. Fair enough. We covered that ground.  
2 I will not belabor the point anymore.

3 When Bubba told you that -- excuse me. When  
4 Bubba told you that Heather was responsible for the  
5 filming, filming you illegally, as I think you put it,  
6 did you think about suing Heather at that time?

7 A. Yes.

8 MR. HARDER: Wait. That gets into --  
9 objection. It's litigation strategy, and it's  
10 already been sustained, so move to strike the  
11 answer.

12 THE WITNESS: Okay.

13 MR. BERLIN: I did not ask him about  
14 discussions with his lawyers. I just asked if he  
15 thought about --

16 MR. HARDER: Suing somebody. And we  
17 previously had that discussion about if he thinks  
18 about suing somebody, that that's litigation  
19 strategy. And that's a privileged thing, because  
20 it deals with pre-litigation thoughts.

21 MR. BERLIN: He may not have even had  
22 litigation counsel at that point. Asking somebody  
23 if you're thinking about suing somebody doesn't  
24 ask for anything that's privileged.

25 MR. HARDER: Well, he had David Houston a



1 month earlier in March. He's litigation.

2 JUDGE CASE: Sustained.

3 BY MR. BERLIN:

4 Q. When you talked to Bubba, did Bubba explain  
5 to you how Heather could have made this film of you and  
6 she having sex? And, again, I'm talking about in the  
7 April -- after the stills come out in the April 2012  
8 timeframe.

9 A. To the best of my recollection, when I asked  
10 him about it, he said Heather must have put a camera up  
11 there.

12 Q. Did you ask -- did Bubba explain to you how  
13 Heather could have put a camera up there and turned  
14 them on without you noticing?

15 A. No.

16 Q. After you saw the photographs and Bubba told  
17 you that Heather was responsible, did you try and  
18 contact Heather?

19 A. No.

20 Q. Why not?

21 A. I have never tried to contact her even when  
22 she was friendly to me, so if she had done something  
23 this evil or this undermining or this illegal, there  
24 would be no reason to contact her.

25 Q. Did you -- did you have David Houston contact

1 her?

2 A. I don't recall.

3 Q. Did you ask Bubba to contact her?

4 A. I don't recall.

5 Q. Did you have David Houston contact Bubba?

6 MR. HARDER: I'm -- I'm going to object.

7 He's talking about your communications with David  
8 Houston and that's privileged.

9 BY MR. BERLIN:

10 Q. Did you ever talk to Bubba about -- again,  
11 this is after the stills come out and you're talking to  
12 him about this -- did you ever talk to Bubba about  
13 talking to David Houston?

14 A. Did I ever talk to Bubba about talking to  
15 David Houston?

16 Q. Yes.

17 A. Yes.

18 Q. Can you tell me about that conversation?

19 A. I told him to please call David and talk to  
20 him, because Bubba told me we were on the same team,  
21 and he was with me all the way to find out who did this  
22 to us. And, you know, whatever we needed, help from  
23 him, he was more than willing to help. So I said,  
24 Please call David and let's figure out how we're going  
25 to do this.

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
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CIVIL DIVISION

TERRY GENE BOLLEA,  
professionally known as HULK  
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Plaintiff,

Case No.

12-012447-CI-011

vs.

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

Defendants.

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CONTINUED  
VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 7, 2014

TIME: 1:50 p.m. to 5:55 p.m.

PLACE: Riesdorff Reporting Group  
601 Cleveland Street  
Suite 600  
Clearwater, 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 4  
Pages 452 to 623

1 going to 58.

2 (Whereupon, an audio clip was played as  
3 follows:)

4 MR. CLEM: All right. How about -- how about  
5 the people that e-mailed how big is your penis?

6 HULK HOGAN: Man, you guys are brash.

7 MR. CLEM: You guys are brash. You guys are  
8 brash. I mean, is it over --

9 HULK HOGAN: You tell -- you tell all -- you  
10 tell all your fans right now, keep Brooke at  
11 number one on her record release disk, sold  
12 Tuesday and all through the week, and I will tell  
13 you exactly how big that lochness monster is.

14 MR. CLEM: How big your cock is?

15 HULK HOGAN: Yeah.

16 SPEAKER: Yeah.

17 SPEAKER: So that's the fan's motivation?

18 MR. CLEM: Yeah.

19 HULK HOGAN: Well, you tell them.

20 MR. CLEM: Jimmy, we got to keep voting and  
21 we've got to buy the --

22 HULK HOGAN: Testify Bubba -- testify Bubba,  
23 talk smack to your --

24 (Audio clip concluded.)

25 BY MR. BERLIN:

1 Q. Is that you telling Bubba Clem's listeners  
2 that if they help keep your daughter, Brooke's  
3 record -- or move it to No. 1, you would reveal the  
4 size of your penis?

5 A. It sounds like the Hulk Hogan character  
6 talking, yes, in jest, having fun.

7 MR. BERLIN: If you would continue with the  
8 clip, please.

9 (Whereupon, an audio clip was played as  
10 follows:)

11 HULK HOGAN: Your cult following.

12 MR. CLEM: Hogan, I -- I -- I've talked so  
13 much smack to them. Look what I've done.

14 HULK HOGAN: Well, if you want to know how  
15 big the lochness monster is, you'd better talk  
16 some smack.

17 MR. CLEM: I've -- I've seen it before. I  
18 know how big it is.

19 HULK HOGAN: Shoot, everybody is at  
20 (inaudible) has seen it, too.

21 MR. CLEM: Exactly.

22 HULK HOGAN: They call me -- they call me  
23 King Triton.

24 MR. CLEM: Exactly. I would say hard, you're  
25 probably seven and a half or eight inches.

1 HULK HOGAN: Shit.

2 MR. CLEM: That's what I'm saying. I mean,  
3 you know, I didn't --

4 HULK HOGAN: I've got size 15 feet. I wear a  
5 size 15 ring on my -- wedding ring. Figure it  
6 out.

7 MR. CLEM: Well, you ain't got a 15-inch  
8 cock, Hogan.

9 HULK HOGAN: No. It's two-thirds the size of  
10 your feet and your hands, jack-off.

11 MR. CLEM: Well, what's 66 percent of 15,  
12 Brent?

13 SPEAKER: Ten.

14 HULK HOGAN: What the fuck? Where --  
15 where -- where -- what is five times three?

16 MR. CLEM: So you're saying -- Ned said that  
17 you're right at 10.

18 HULK HOGAN: Ned should know. I done bent  
19 his ass over enough times.

20 (Laughter.)

21 SPEAKER: It felt like 10.

22 MR. CLEM: So Hogan, you're claiming --  
23 you're claiming to maybe have a 10-inch cock.

24 HULK HOGAN: I'm not claiming. Those are the  
25 facts, Jack.

1           SPEAKER: No way.

2           SPEAKER: I'm calling shenanigans.

3           MR. CLEM: Ten inches?

4           HULK HOGAN: Huh?

5           MR. CLEM: Ten inches.

6           SPEAKER: Now we don't have to vote.

7           HULK HOGAN: What's that?

8           MR. CLEM: Nothing. He didn't say nothing,

9 Hogan. All right, Hollywood. Listen --

10          HULK HOGAN: You guys are all jealous.

11          MR. CLEM: I wish I was Hulk Hogan with a

12 10-inch cock. I really do.

13          HULK HOGAN: I tell you.

14          (Audio clip concluded.)

15 BY MR. BERLIN:

16          Q. Is that you talking about the size of your

17 penis on Bubba Clem's radio show?

18          A. Now that you've given me more content from

19 that show, it sounds like full-blown comedy, and we

20 were on XM radio, which is uncensored, so we were just

21 having fun. And it sounds like nothing but comedy when

22 I talk about bending Ned over, which isn't true, and

23 nothing else on there is true.

24          Q. But is that you -- regardless of whether it's

25 true for a moment, is that you talking about the size

1 of your penis on Bubba Clem's radio show?

2 A. It's Hulk Hogan talking.

3 Q. Bubba says: I have seen it before. I know  
4 how big it is.

5 When did Bubba see Hulk Hogan's penis?

6 A. I'm not sure, but he helped me with several  
7 surgeries and has been around hospital rooms, and been  
8 in my gym when I'm changing clothes. So I'm not sure  
9 when he would have looked at me.

10 Q. And if he did that, he would have been  
11 looking at you -- he would have been looking at Terry  
12 Bollea's penis?

13 A. I have no idea what he was thinking of when  
14 he was -- if he -- if he was looking, or like I said,  
15 he's just having fun with his comedy routine he's  
16 doing.

17 Q. Were you concerned about your privacy during  
18 this broadcast?

19 A. I don't recall.

20 Q. Did you sue Bubba after that show?

21 A. No, not after that show. I don't recall  
22 suing.

23 MR. HARDER: Do you mean for the show or for  
24 the sex tape?

25 BY MR. BERLIN: