

# **EXHIBIT A**

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### Gawker's Nick Denton Explains Why Invasion of Privacy Is Positive for Society

[ARTICLE BY NICK DENTON](#)


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Ten years ago, **Nick Denton** started Gawker with the idea of capturing the gossip that journalists tell one another privately but won't put into print. Since then, he has been at the center of several legal battles with celebrities looking to protect secrets.

The network of Gawker sites have become celebrated for its scoops, most recently uncovering **Manti Te'o's** fake girlfriend and Toronto Mayor **Rob Ford** smoking crack cocaine. Denton also has overseen many high-profile battles with stars including **John Travolta**, **Hulk Hogan** and **Sarah Palin**. His digital empire now attracts tens of millions of readers monthly.

Denton occasionally will admit to having made a judgment error. See what he has to say about a **Lena Dunham** book proposal below. But overall, Denton is unrepentant and argues an unconventional point of view on privacy that surely will keep the Hollywood legal community busy in the years to come.

We recently spoke to Denton about a decade worth of living on the edge online. Also joining the conversation was Gawker editor **John Cook**.

**THR:** When you started Gawker, did you have an idea that you were going to change things?

**Denton:** Yeah. The basic concept was two journalists in a bar telling each other a story that's much more interesting than whatever hits the papers the next day.

**THR:** Do you think journalists censor themselves?

**Denton:** Well, I used to think it had to do with legal reasons and people being too fearful of libel. But actually, now I think the larger factor is a journalist's desire for respectability - not wanting to expose themselves, not wanting to say, "Hey we've heard this, we're not completely sure whether it's true." People are talking about this. We're just going to share with you as we would share with our colleagues what we have.

**THR:** What have you learned along the way?

**Denton:** We've removed a lot of obstacles to free journalism and yet --

**Cook:** There is still the desire to be right. That is still important to me and to everyone we work with. We want to get it right. Our standards for getting it right are different from larger, more established institutions, and we do not just throw out every tip that we get on the site. We evaluate and report.

**Denton:** That is a disagreement between us. That's a disagreement between me and a lot of our journalists is that I would like more of the tips to be published. Maybe not published

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under John's name but published under a tipster's name or under a tipster's anonymous handle. I would like them to be published.

**THR:** One of the legal issues that's always coming up for Gawker again and again is privacy issues. Do you have a larger philosophy on privacy in this age?

**Denton:** I think the world is coming around to our presumption on privacy, which is that when somebody becomes the publisher, as people do at quite a young age on Facebook. To the extent that they are published and they are viewed, they become some sort of public figure. That blurs the line between public and private in a way that has never been done before.

**THR:** Gawker has been accused of invading people's privacy on many occasions, from George Clooney complaining about "Gawker Stalker" to the Hulk Hogan sex tape.

**Denton:** Just once in a while, I think it's worthwhile to take stock and recognize that the supposed invasion of privacy has incredibly positive effects on society. It has... Ten years ago, people maintained very different private and professional personas. Now that line has been obliterated. An employer would be a complete fool to let an image like college partying influence their hiring decisions. Because so many of those photographs have been published (in social media), it's been normalized in a way. Take attitudes towards gay sex and gay relationships. Yes, in part that's been driven by the outing of celebrities like Anderson Cooper, something I'm proud to say we played a part in, but more of it is just in the self-outing of people's friends through party photographs, through the random indiscretion on Facebook that makes it actually increasingly difficult for people to maintain secrets.

**THR:** Have there been instances where you've drawn the line, where you've seen a story that's about to come out and you say you can't go there?

**Denton:** Not that I want to remember. ... It still drives me crazy that we haven't broken about about ----- being gay. [ed: celebrity name censored]

**Cook:** I think it's a matter of what the opportunity is. It's just a question of do I want to wake up in the morning and be like, "Hey, how can I do a ----- item today?" No. If it presents itself, we will do it that way. If we had photos and if we had an account of an assistant, we would do it. Am I like spending all day trying to find his ex-assistants and pay them money to say something? No.

**Denton:** It drives me crazy that there is something that is widely known that I hear about from friends -- basically, friends who have set him up with guys. Not everyone here agrees we should do this story. This is the primary dynamic within Gawker, but I hope the presumption is that we should get stuff out.

**THR:** Do you think you walk a more dangerous ground when you pay for information?

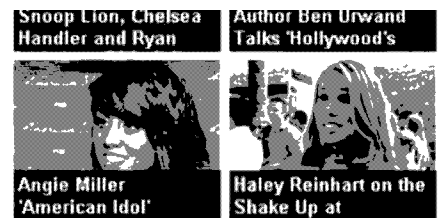
**Cook:** I mean, honestly, we don't generally pay for information. We pay for documentation.

**Denton:** The fact that a person is interested in money gives one a little pause. You probably check into their story more.

**THR:** You got some heat for publishing a column from the "Fox Mole."

**Denton:** I wish we hadn't done that story in exactly the way we did. Perhaps it would have worked better as a discussion. Like you want to know how something works there or what [Fox News president] Roger Ailes has on the wall. We set up the story as if he was going to give some great revelation of things at Fox News. There was nothing that was a story in a traditional journalistic sense, but there were many things that would make for great gossip in conversation.

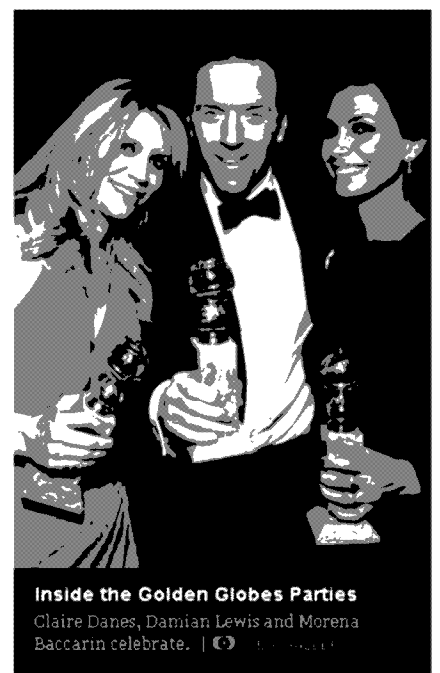
**Cook:** Nick has a habit of taking whatever the most successful story that we've done and shitting on it.



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## FROM THE GALLERIES



**THR:** How do you think Fox handled the situation?

**Denton:** Usually they come after us.

**Cook:** They did come after us. Roger Ailes has had his personal attorney, **Peter Johnson**, go after us for publishing. I got police records for all of his times he called 911 for his house. His house is in Jersey, in Putnam County, and we published it, and his attorney was coming after us for invasion of privacy.

**Denton:** And then Fox News came out -- fortunately -- an incorrect phone number for me and encouraged people to call. They do retaliate, but antagonism is so constant [from Fox] it's very hard to know what's related to what.

*Up next: Lena Dunham's book proposal, Hulk Hogan's sex tape and potentially selling Gawker...*

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**THR:** What some of the more outrageous threats you've gotten?

**Cook:** I published a list of licensed handgun owners in New York after the *News Journal* published their list of them in Rockland County. And first, the NRA blasted it out, then Fox News did it. I put it up at 4:30 in the afternoon, and by the time I got home at 6, my voicemail at home was already full. People were putting my mom's address online.

**Denton:** I get all of the "If you don't like it here why did you give up your citizenship?" Which shows kind of the basic inability to look somebody up on Wikipedia before writing a bloody e-mail.

**THR:** Oftentimes, you seem to respond quickly to legal notices, like the Lena Dunham thing. You took the stuff off. Is that because you already harvested the attention it was going to get or were you really concerned about the law?

**Denton:** Why did we take it down? We ran too much of it. I mean I think they were sort of right on it. Sometimes I think people are right.

**THR:** Over the years, you guys have posted a number of celebrity sex tapes (Eric Dane/Rebecca Gayheart; Fred Durst, etc.) and later entered into settlements, but this one with Hulk Hogan is actually dragging on. Why is that?

**Denton:** [Hogan has] pursued every single possible avenue, and I don't really understand the logic of ... I don't understand what they want. Do you?

**Cook:** They'd like us to take it down. It's a very different case, I think. The circumstances around it are very different.

**Denton:** I find their motivations hard to follow. I don't really understand the relationship between the lawyers and Hogan. I don't understand who is getting what out of this. It must be very expensive for them, and I don't see that they have a particular prospect of some kind of mega-payday, so I don't get it. Sometimes it's hard to deal with seemingly irrational antagonists.

**THR:** So are you making a stand here?

**Denton:** We have an absolute right to comment and to discuss and to create a forum for the discussion, and that is the stand that we're making right now.

**THR:** Let's talk a little about the business. Some people are surprised you haven't sold the company.

**Denton:** Well, I mean how long do I have to not sell the company? *(Laughs.)* People who know ... potential inquiries never contact us. The last time we were ever contacted was back in 2006. No, 2006 and then there was one discussion in 2008.

**THR:** Is that because they assume that you're not interested?

**Denton:** Yeah.

**THR:** So you've become the Arthur Sulzberger of the digital age.



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**Denton:** Just imagine what it would be like if I was looking over my shoulder all the time and trying to deal with some board.

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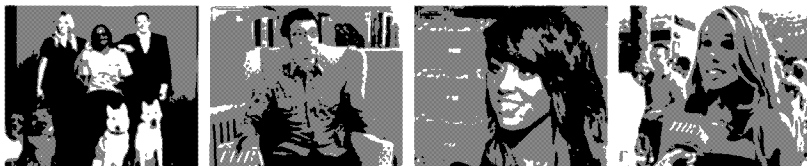
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So essentially, Denton and Cook want to be lauded for engaging in the same celebrity stalking that any other tabloid media outlet engages in. In what

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universe are celebrity sex tapes real news that people need to know? Why does the world deserve to know if a celebrity is gay before they're ready to be (very, very) publicly out? I wonder how Denton himself would have felt if he'd been outed to his family -- much less the world -- by a stranger instead of making the choice for himself.

Denton and Cook just privileged paparazzi who wants us to believe they're doing a real service for the world, rather than heading up a site that has the most in common with TMZ. I hope someone invades their private lives as thoroughly as they've invaded others', and as much to their personal displeasure and detriment. That would seem like poetic justice.

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Guest

Agreed. The whole tabloid mentality has gotten way, way out of hand. How on earth do they think they have the right to force someone out of the closet? Also, the tabloids are 99 percent BS as it is...I have a friend who works for one and they seriously used two tweets for a story once, and she has a co-worker that just takes stuff from crappy news sources like The Sun and then claims she has an "exclusive source."

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