

EXHIBIT C

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.

**DEFENDANT GAWKER MEDIA, LLC'S RESPONSES
TO PLAINTIFF'S THIRD SET OF INTERROGATORIES**

Pursuant to Florida Rule of Civil Procedure 1.340, Defendant Gawker Media, LLC ("Gawker") hereby provides these responses to Plaintiff's Third Set of Interrogatories dated May 23, 2014.

INTERROGATORIES AND RESPONSES

INTERROGATORY NO. 15: IDENTIFY all software programs used and/or licensed by YOU, and which are referred to at line 7000 of Gawker Media LLC's Income Statement (GAWKER 18323_C), for the period January 1, 2010 to the present.

RESPONSE: Gawker objects to this Interrogatory on the grounds that, counting all plaintiff's interrogatories and sub-parts, he has now exceeded the number of interrogatories he may propound. *See* Fla. Rule 1.340(a) ("interrogatories shall not exceed 30, including all subparts").

Gawker also objects to this Interrogatory to the extent that it purports to incorporate the definition of "YOU," "YOUR," and "GAWKER" set forth in the introductory section of

Plaintiff's Third Set of Interrogatories. Gawker responds to this Interrogatory only on behalf of itself as the responding party.

Gawker further objects on the grounds that (a) the Interrogatory seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, (b) a request to identify every source of Gawker's advertising revenue over a four-year period (which, in the aggregate, totals millions of dollars collected from a large number of advertisers) is overbroad, unduly burdensome and unreasonable and (c) this information has already been requested from, and provided by, Gawker in response to Plaintiff's Request for Production of Documents No. 93 and the Court's February 26, 2014 order adjudicating plaintiff's motion to compel, in response to which Gawker produced more than 15,000 pages of documents disclosing this information for the period from 2009 through mid-March 2014.

Subject to and without waiving these objections, pursuant to Florida Rule 1.340(c), Gawker refers plaintiff to documents labeled GAWKER 001608_C to GAWKER 16708_C, which reflect the sources of Gawker's advertising revenue.

INTERROGATORY NO. 18: IDENTIFY every source of GAWKER'S "Other Revenue," as referred to at line 200 of Gawker Media LLC's Income Statement (GAWKER 18323_C), for the period January 1, 2010 to the present.

RESPONSE: Gawker objects to this Interrogatory on the grounds that, counting all plaintiff's interrogatories and sub-parts, he has now exceeded the number of interrogatories he may propound. *See* Fla. Rule 1.340(a) ("interrogatories shall not exceed 30, including all subparts").

Gawker also objects to this Interrogatory to the extent that it purports to incorporate the definition of "YOU," "YOUR," and "GAWKER" set forth in the introductory section of

Plaintiff's Third Set of Interrogatories. Gawker responds to this Interrogatory only on behalf of itself as the responding party.

Gawker further objects to this Interrogatory on the grounds that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, and that, by seeking information about each individual source of "other" revenue over a four year period when Gawker has already produced more than 15,000 pages concerning its advertising revenue and detailed financial statements, the Interrogatory is overbroad and unduly burdensome. Gawker is unable to see how identifying the particular sources of non-advertising revenue it received over a four year period is in any way even arguably relevant to any issue in this action.

INTERROGATORY NO. 19: STATE ALL FACTS RELATING TO GAWKER'S payment of any "IP Royalty Expense," including that which is referred to at line 8300 of Gawker Media LLC's Income Statement (GAWKER 18323_C), for the period January 1, 2010 to the present, including the amount, to whom the payment is made, and for what products and/or services.

RESPONSE: Gawker objects to this Interrogatory on the grounds that, counting all plaintiff's interrogatories and sub-parts, he has now exceeded the number of interrogatories he may propound. *See* Fla. Rule 1.340(a) ("interrogatories shall not exceed 30, including all subparts").

Gawker also objects to this Interrogatory to the extent that it purports to incorporate the definition of "YOU," "YOUR," and "GAWKER" set forth in the introductory section of Plaintiff's Third Set of Interrogatories. Gawker responds to this Interrogatory only on behalf of itself as the responding party.

Gawker further objects to this Interrogatory on the grounds that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, and that, by seeking information about each individual intellectual property payment over a four year period (including individual payments to photo agencies for the use of images), the Interrogatory is overbroad and unduly burdensome. Gawker is unable to see how stating all facts related to these individual expenses is in any way even arguably relevant to any issue in this action.

INTERROGATORY NO. 20: If it is YOUR contention that it was hypocritical of PLAINTIFF to have had consensual sex with HEATHER CLEM, STATE ALL FACTS supporting YOUR contention.

RESPONSE: Gawker objects to this Interrogatory on the grounds that, counting all plaintiff's interrogatories and sub-parts, he has now exceeded the number of interrogatories he may propound. *See* Fla. Rule 1.340(a) ("interrogatories shall not exceed 30, including all subparts").

Gawker also objects to this Interrogatory to the extent that it purports to incorporate the definition of "YOU," "YOUR," and "GAWKER" set forth in the introductory section of Plaintiff's Third Set of Interrogatories. Gawker responds to this Interrogatory only on behalf of itself as the responding party.

Gawker further objects on the grounds that the relevant legal inquiry in this case is not whether plaintiff's actions were hypocritical, but rather whether they related to a matter of public concern, as the Second District Court of Appeal has already decided. *See Gawker Media, LLC v. Bollea*, 129 So. 3d 1196 (Fla. 2d DCA 2014). Additionally, a request to "state *all facts*" about this broad topic is unduly burdensome and premature.

Dated: July 11, 2014

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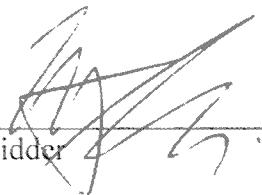
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Counsel for Defendant Gawker Media, LLC

VERIFICATION

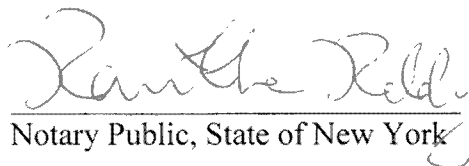
I, Scott Kidder, am the Vice President of Operations at Gawker Media, LLC (“Gawker”).
I am authorized to submit this verification on Gawker’s behalf in connection with Defendant
Gawker Media, LLC’s Responses to Plaintiff’s Third Set of Interrogatories. I have read the
foregoing responses and objections and verify that the facts set forth therein are true and correct
to the best of my knowledge, information, and belief.



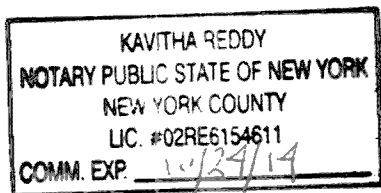
Scott Kidder

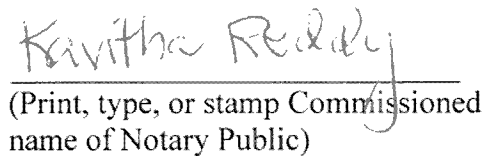
STATE OF NEW YORK
COUNTY OF NEW YORK

The foregoing Verification of Scott Kidder was SWORN TO AND SUBSCRIBED
before me this 10 day of July 2014.



Notary Public, State of New York





(Print, type, or stamp Commissioned
name of Notary Public)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of July 2014, I caused a true and correct copy of the foregoing to be served by email upon the following counsel of record:

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

TERRY GENE BOLLEA professionally
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Case No.: 12012447-CI-011

vs.

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

Defendants.

**DEFENDANT GAWKER MEDIA, LLC'S RESPONSES TO
PLAINTIFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Florida Rule of Civil Procedure 1.350, Defendant Gawker Media, LLC ("Gawker") hereby provides this response to Plaintiff's Second Request for Production of Documents dated June 27, 2013.

DEFINITIONS

1. The "Video" means the video and audio footage depicting Plaintiff Terry Gene Bollea that he claims was made without his consent in or about 2006 at issue in this lawsuit.
2. The "Gawker Story" means the story entitled "Even For a Minute, Watching Hulk Hogan Have Sex on a Canopy Bed is Not Safe For Work, But Watch It Anyway" published on www.gawker.com on or about October 4, 2012.
3. The "Excerpts" means the video file that was posted in connection with the Gawker Story, consisting of 101 seconds of footage excerpted from the Video.

REQUESTS AND RESPONSES

REQUEST NO. 89: All Documents that describe the role, function and/or line of business of Gawker Media, LLC, Gawker Media Group, Inc., Gawker Entertainment LLC,

Gawker Technology, LLC, Gawker Sales, LLC, Blogwire Hungary Szellemi Alkotast Hasznosito KFT, and/or their affiliates.

RESPONSE: Gawker objects to this Request on the grounds that it (a) is overly broad and unduly burdensome in that it seeks the production of “all documents” describing six separate companies “and/or their affiliates,” and (b) seeks the production of documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, as confirmed by Gawker’s Responses to Plaintiff’s Interrogatory Nos. 11 and 12 (explaining under oath the role and function of Gawker Media, LLC; that Gawker Media, LLC is the publisher of the Gawker Story; and that no other entity participated in any way in writing, editing or publishing the Gawker Story, or in receiving or editing the Video from which the Excerpts accompanying the Gawker Story were derived). Gawker further objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine. Subject to and without waiving these objections, Gawker directs Plaintiff to Gawker’s Responses to Interrogatory Nos. 11 and 12, as well as publicly available documents describing Gawker Media, LLC, such as <http://advertising.gawker.com/about/>.

REQUEST NO. 90: All Documents that describe the role or function of Gawker Media, LLC, Gawker Media Group, Inc., Gawker Entertainment LLC, Gawker Technology, LLC, Gawker Sales, LLC, Blogwire Hungary Szellemi Alkotast Hasznosito KFT, and/or their affiliates, with respect to the publication of material on Gawker.com.

RESPONSE: Gawker objects to this Request on the grounds that it (a) is overly broad and unduly burdensome in that it seeks the production of “all documents” describing information with respect to six separate companies “and/or their affiliates,” and (b) seeks the production of

documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, as confirmed by Gawker's Responses to Plaintiff's Interrogatory Nos. 11 and 12 (explaining under oath the role and function of Gawker Media, LLC; that Gawker Media, LLC is the publisher of the Gawker Story; and that no other entity participated in any way in writing, editing or publishing the Gawker Story, or in receiving or editing the Video from which the Excerpts accompanying the Gawker Story were derived). Gawker further objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine. Subject to and without waiving these objections, Gawker directs Plaintiff to Gawker's Responses to Interrogatory Nos. 11 and 12, as well as publicly available documents describing Gawker Media, LLC, the publisher of Gawker.com, such as <http://advertising.gawker.com/about/>.

REQUEST NO. 91: All financial statements, including but not limited to balance sheets, income statements, and statements of changes in financial position, for Gawker Media, LLC, Gawker Media Group, Inc., Gawker Entertainment LLC, Gawker Technology, LLC, Gawker Sales, LLC, Blogwire Hungary Szellemi Alkotast Hasznosito KFT, and/or their affiliates, including any combined financial statements, covering all periods from January 1, 2010 through the present.

RESPONSE: Gawker objects to this Request on the grounds that it is overly broad and unduly burdensome in that it seeks the production of "all financial statements" of six separate companies "and/or their affiliates" for a three-and-a-half year period. Moreover, to the extent that this Request seeks the production of documents related to companies other than Gawker Media, LLC, Gawker objects on the grounds that such documents are neither relevant nor

reasonably calculated to lead to the discovery of admissible evidence, as confirmed by Gawker's Responses to Plaintiff's Interrogatory Nos. 11 and 12 (explaining under oath the role and function of Gawker Media, LLC; that Gawker Media, LLC is the publisher of the Gawker Story; and that no other entity participated in any way in writing, editing or publishing the Gawker Story, or in receiving or editing the Video from which the Excerpts accompanying the Gawker Story were derived). Subject to and without waiving these objections, Gawker will produce an income statement and balance sheet for Gawker Media, LLC from January 2010 through June 2013.

REQUEST NO. 92: All documents that relate to any and all financial transactions between or among Gawker Media, LLC, Gawker Media Group, Inc., Gawker Entertainment LLC, Gawker Technology, LLC, Gawker Sales, LLC, Blogwire Hungary Szellemi Alkotast Hasznosito KFT, and/or their affiliates, between January 1, 2010 through the present.

RESPONSE: Gawker objects to this Request on the grounds that it (a) is overly broad and unduly burdensome in that it seeks the production of "all documents that relate to any and all financial transactions" among six separate companies "and/or their affiliates" for a three-and-a-half year period, and (b) seeks the production of documents are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, as confirmed by Gawker's Responses to Plaintiff's Interrogatory Nos. 11 and 12 (explaining under oath the role and function of Gawker Media, LLC; that Gawker Media, LLC is the publisher of the Gawker Story; that no other entity participated in any way in writing, editing or publishing the Gawker Story, or in receiving or editing the Video from which the Excerpts accompanying the Gawker Story were derived; and the distribution of revenue and/or profits among various affiliated entities). Gawker further objects to this Request to the extent that it seeks the production of documents protected

from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine. Subject to and without waiving these objections, Gawker refers Plaintiff to the income statement and balance sheet for Gawker Media, LLC from January 2010 through June 2013, produced in response to Plaintiff's Document Request No. 91.

REQUEST NO. 93: All Documents that relate to the direct or indirect receipt of advertising revenue in connection with Gawker.com by Gawker Media, LLC, Gawker Media Group, Inc., Gawker Entertainment, LLC, Gawker Technology, LLC, Gawker Sales, LLC, Blogwire Hungary Szellemi Alkotast Hasznosito KFT, and/or their affiliates.

RESPONSE: Gawker objects to this Request on the grounds that it (a) is overly broad and unduly burdensome in that it seeks the production of "all documents" relating to "the direct or indirect receipt of advertising revenue" for an unlimited period of time; and (b) seeks the production of documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, as confirmed by Gawker's Responses to Plaintiff's Interrogatory Nos. 11 and 12 (explaining under oath the role and function of Gawker Media, LLC; that Gawker Media, LLC is the publisher of the Gawker Story; that no other entity participated in any way in writing, editing or publishing the Gawker Story, or in receiving or editing the Video from which the Excerpts accompanying the Gawker Story were derived; and the distribution of revenue and/or profits among various affiliated entities). Gawker further objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine. Gawker further objects to this Request as duplicative of Plaintiff's Request No. 38, which sought the production of "all documents that relate to all revenue generated by Gawker.com." Subject to and without waiving these objections, Gawker refers

Plaintiff to (a) the income statement for Gawker Media, LLC from January 2010 through June 2013, produced in response to Plaintiff's Document Request No. 91; (b) the documents Gawker produced in response to Plaintiff's Document Request No. 38, including without limitation the document Bates numbered Gawker 01147_C (produced on July 25, 2013), which shows gawker.com's monthly revenues for 2012; and (c) Gawker's Responses to Plaintiff's Interrogatory No. 4 and Plaintiff's Document Request No. 36 concerning the advertising revenue (or lack thereof) received in connection with the publication of the Gawker Story and the Excerpts.

REQUEST NO. 94: All Documents that relate to any and all action by Blogwire Hungary with respect to Gawker.com and/or its content.

RESPONSE: Gawker objects to this Request on the grounds that it seeks the production of documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, as confirmed by Gawker's Responses to Plaintiff's Interrogatory Nos. 11 and 12 (explaining under oath the role and function of Gawker Media, LLC; that Gawker Media, LLC is the publisher of the Gawker Story; that no other entity participated in any way in writing, editing or publishing the Gawker Story, or in receiving or editing the Video from which the Excerpts accompanying the Gawker Story were derived; and the distribution of revenue and/or profits among various affiliated entities), and as such searching for and producing such documents presents an undue burden. Gawker further objects to this Request to the extent that it seeks the production of documents protected from discovery by privilege, including but not limited to the attorney client privilege and attorney work-product doctrine.

Dated: August 12, 2013

THOMAS & LOCICERO PL

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of August 2013, I caused a true and correct copy of the foregoing to be served by email upon the following counsel of record:

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Attorneys for Defendant Heather Clem

/s/ Gregg D. Thomas
Attorney

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.

**DEFENDANT GAWKER MEDIA, LLC'S RESPONSES TO
PLAINTIFF'S FOURTH REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Florida Rule of Civil Procedure 1.350, Defendant Gawker Media, LLC ("Gawker") hereby provides this response to Plaintiff's Fourth Requests for Production of Documents dated May 23, 2014.

REQUESTS AND RESPONSES

SECOND REQUEST NO. 113:¹ All DOCUMENTS that constitute or RELATE TO YOUR "Media Kit" for each GAWKER WEBSITE, including but not limited to YOUR advertising rates, sizes, formats, targeting options, audience profiles, case studies and web traffic information, and which were created or were in effect at any time during the period January 1, 2011, through the present.

RESPONSE: Gawker objects to this Request on the grounds that, by seeking not only those documents that "constitute" its Media Kit, but also "all documents" that "relate to"

¹ Plaintiff previously served, and Gawker responded to, Requests for Production Nos. 113-116. See Defendant Gawker Media, LLC's Responses to Plaintiff's Third Request for Production of Documents, served December 20, 2013. Although plaintiff has served new requests for production with these same numbers in his Fourth Request for Production of Documents, Gawker has, to minimize further confusion, responded herein using these duplicate request numbers. All told, therefore, plaintiff has served 130 requests for production on Gawker.

SECOND REQUEST NO. 116: All DOCUMENTS and COMMUNICATIONS that RELATE TO any proposed equity, debt or other security offering by YOU during the period January 1, 2011, through the present.

RESPONSE: Gawker objects to this Request on the grounds that by requesting “all documents and communications” related to this subject, the Request (1) seeks documents protected by the attorney-client privilege and under the work product doctrine, and (2) is overbroad and unduly burdensome.

Gawker further objects to this Request to the extent that it purports to incorporate the definition of “YOU,” “YOUR,” and “GAWKER” set forth in the introductory section of Plaintiff’s Fourth Request for Production of Documents. Gawker’s response is limited to documents as to which it, as the responding party, has within its possession, custody and control.

Gawker further objects to this Request on the grounds that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Gawker further objects to this Request on the grounds that it seeks information Gawker has already provided in response to Interrogatory No. 12 and in the sworn deposition testimony of Gawker’s corporate designee, both of which disclosed that (1) GMGI owns 100% of Gawker Media, LLC (Resp. to Interrog. No. 12; Kidder Dep. Tr. at 44:22-44; 60:19-21) and 100% of Blogwire Hungary Szellemi Alkotást Hasznosító, KFT, now known as “Kinja, KFT” (“Blogwire Hungary”) (Resp. to Interrog. No. 12; Kidder Dep. Tr. 47:21-24; 48:21-24), and (2) GMGI is not publicly traded (Kidder Dep. Tr. at 59:6 – 60:10).

REQUEST NO. 117: All DOCUMENTS that constitute or RELATE TO the cost per user, cost per acquisition and/or cost per action charged or incurred by GAWKER for each of the GAWKER WEBSITES, including the home page or any page, article or audiovisual material

Gawker further objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Gawker objects to this Request to the extent that it seeks information about websites other than gawker.com, because the Court has already sustained Gawker's objection to providing such information. *See* Order dated February 26, 2014 at ¶ 5 (sustaining Gawker's objections to producing documents concerning revenue generated by websites other than gawker.com).

Subject to and without waiving these objections, Gawker states that it does not measure "average revenue per user," and thus does not believe that it has any documents responsive to this Request in its possession, custody or control.

REQUEST NO. 119: All DOCUMENTS and COMMUNICATIONS that RELATE TO all revenue generated by each of the GAWKER WEBSITES from January 1, 2011, to the present, including the websites GAWKER.COM, DEADSPIN.COM, GIZMODO.COM, IO9.COM, JALOPNIK.COM, JEZEBEL.COM, KOTAKU.COM and LIFEHACKER.COM and any of their respective sub-sites.

RESPONSE: Gawker objects to this Request on the grounds that by requesting "all documents and communications" that "relate to all revenue," this Request (1) seeks information protected by the attorney-client privilege and under the work product doctrine, and (2) is overbroad and unduly burdensome.

Gawker further objects to this Request on the grounds that it is duplicative of plaintiff's Request Nos. 38, 40 and 93. To the extent that this Request seeks the production of documents relating to revenue for websites other than gawker.com, Gawker objects on the grounds that such documents are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In that regard, Gawker objects because the Court has already sustained Gawker's

objection to providing such information, including in response to plaintiff's Request No. 40. *See* Order dated February 26, 2014 at ¶ 5 (sustaining Gawker's objections to producing documents concerning revenue generated by websites other than gawker.com).

To the extent that this Request seeks revenue information for gawker.com and for Gawker Media, LLC generally, Gawker further objects to this Request on the grounds that it seeks documents Gawker has already produced in response to Request Nos. 38 and 93, including without limitation:

- GAWKER 1147_C (statement of monthly revenue for gawker.com);
- GAWKER 18321_C (updated statement of monthly revenue for gawker.com);
- GAWKER 1430_C (income statement for Gawker Media, LLC);
- GAWKER 18323_C (updated income statement for Gawker Media, LLC);
- GAWKER 1431_C to 1434_C (balance sheets for Gawker Media, LLC);
- GAWKER 18319_C to 18320_C (updated balance sheets for Gawker Media, LLC);
- GAWKER 1439_C (statement of monthly revenue for Gawker Media, LLC);
- GAWKER 18322_C (updated statement of monthly revenue for Gawker Media, LLC);
- GAWKER 1608_C to GAWKER 16708_C (more than 15,000 pages of advertising insertion orders for period from 2009 through mid-March 2014).

Plaintiff's repeated requests for supplemental revenue data (this is now the third such request) are unduly burdensome, given the minimal relevance of the company's or the gawker.com site's revenues for a time period some 18 months after the post at issue was published.

Subject to and without waiving these objections, Gawker states that it will produce an updated balance sheet, income statement, and statement of monthly revenue for both Gawker Media, LLC and gawker.com for 2014 (*i.e.*, through June 30, 2014).

REQUEST NO. 120: All financial statements, including but not limited to balance sheets, income statements (which shall include identification of all revenue sources and expenses), statements of retained earnings and cash flows, and statements of changes in financial position, for Gawker Media, LLC, including each of the GAWKER WEBSITES, covering all periods from January 1, 2011 through the present.

RESPONSE: Gawker objects to this Request on the grounds that by requesting “all financial statements,” this Request is unduly burdensome and overbroad.

Gawker further objects to this Request on the grounds that it is duplicative of plaintiff’s Request Nos. 38, 40 and 93. To the extent that this Request seeks the production of documents relating to revenue for websites other than gawker.com, Gawker objects on the grounds that such documents are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In that regard, Gawker objects because the Court has already sustained Gawker’s objection to providing such information, including in response to plaintiff’s Request No. 40. *See* Order dated February 26, 2014 at ¶ 5 (sustaining Gawker’s objections to producing documents concerning revenue generated by websites other than gawker.com).

To the extent that this Request seeks revenue information for gawker.com and for Gawker Media, LLC generally, Gawker further objects to this Request on the grounds that it seeks documents Gawker has already produced in response to Request Nos. 38 and 93, including without limitation:

- GAWKER 1147_C (statement of monthly revenue for gawker.com);

- GAWKER 18321_C (updated statement of monthly revenue for gawker.com);
- GAWKER 1430_C (income statement for Gawker Media, LLC);
- GAWKER 18323_C (updated income statement for Gawker Media, LLC);
- GAWKER 1431_C to 1434_C (balance sheets for Gawker Media, LLC);
- GAWKER 18319_C to 18320_C (updated balance sheets for Gawker Media, LLC);
- GAWKER 1439_C (statement of monthly revenue for Gawker Media, LLC);
- GAWKER 18322_C (updated statement of monthly revenue for Gawker Media, LLC);
- GAWKER 1608_C to GAWKER 16708_C (advertising insertion orders for period from 2009 through mid-March 2014).

Plaintiff's repeated requests for supplemental revenue data (this is now the third such request) is unduly burdensome, given the minimal relevance of the company's revenues some 18 months after the post at issue was published.

Subject to and without waiving these objections, Gawker states that it will produce an updated balance sheet, income statement, and statement of monthly revenue for both Gawker Media, LLC and gawker.com for 2014 (*i.e.*, through June 30, 2014).

REQUEST NO. 121: All financial statements, including but not limited to balance sheets, income statements (which shall include identification of all revenue sources and expenses), statements of retained earnings and cash flows, and statements of changes in financial position, for Kinja KFT f/k/a Blogwire Hungary Szellemi Alkotast Hasznosito KFT, covering all periods from January 1, 2011, through the present.

RESPONSE: Gawker objects to this Request on the grounds that it seeks financial statements related to Blogwire Hungary, a separate entity that is not the party to which these Requests are directed or the party responding to them. For the avoidance of doubt, Gawker further objects to this Request on the grounds that (1) by requesting “all financial statements,” this Request is unduly burdensome and overbroad, (2) financial statements for an entity that played no role in the allegedly tortious conduct at issue are not relevant to this action or likely to lead to the discovery of admissible evidence, and (3) the exercise of this court’s jurisdiction over Blogwire Hungary is currently on appeal to the Second District Court of Appeal.

REQUEST NO. 122: All DOCUMENTS that constitute or RELATE TO the number of visitors to each of the GAWKER WEBSITES from January 1, 2011, to the present, including the websites GAWKER.COM, DEADSPIN.COM, GIZMODO.COM, IO9.COM, JALOPNIK.COM, JEZEBEL.COM, KOTAKU.COM and LIFEHACKER.COM and any of their respective sub-sites, who used YOUR discussion/publishing platform, “Kinja,” including the resulting conversion rate (which, for this purpose, shall be defined as the proportion of visitors to the GAWKER WEBSITES who “join[ed] the discussion on Kinja” through third party websites, including Facebook, Twitter and/or Google).

RESPONSE: Gawker objects to this Request on the grounds that it is vague and confusing, and Gawker is unable to determine precisely what documents plaintiff is seeking, including without limitation because of (1) the Request’s use and definition of the term “conversion rate,” which, as best as Gawker understands the term, Gawker does not use or measure in its day-to-day operations, and (2) its reference to “visitors to the GAWKER WEBSITES who ‘join[ed] the discussion on Kinja’ through third party websites, including Facebook, Twitter and/or Google,” since visitors may register as users of Gawker’s websites

Gawker objects to this Request on the grounds that by requesting “all documents” that “relate to” this topic, this Request seeks information protected by the attorney-client privilege and under the work product doctrine, including to the extent that this Request seeks documents that have been collected by counsel in the course of preparing this litigation. Consistent with the Report and Recommendation of the Special Discovery Magistrate dated June 6, 2014, if Gawker intends to present such documents at forthcoming depositions, it will produce them at least five days in advance thereof. Gawker will likewise produce any such documents it intends to use at trial in accordance with the Court’s pretrial rules.

Subject to and without waiving these objections, Gawker states that it has no additional non-privileged (and non-work-product) responsive documents in its possession, custody or control.

REQUEST NO. 126: All DOCUMENTS that constitute, REFER TO or RELATE TO any and all of YOUR policies, notices and agreements, for the period January 1, 2011, through the present, RELATING TO the protection of YOUR privacy or confidentiality, including without limitation, non-disclosure agreements and confidentiality agreements with actual or prospective employees, vendors, business partners, or any other PERSON or ENTITY.

RESPONSE: Gawker objects to this Request on the grounds that, by requesting “all documents” that “refer to” or “relate” to this topic, the Request (1) seeks information that is protected from disclosure under the attorney-client privilege, the work-product doctrine, and by the reporters’ privilege, including under N.Y. Civil Rights Law § 79-h, Fla. Stat. § 90.5015, the First and Fourteenth Amendments to the U.S. Constitution, the common law, and any other applicable reporters’ privilege law, and (2) is overbroad and unduly burdensome.

Gawker further objects to this Request to the extent that it purports to incorporate the definition of “YOU,” “YOUR,” and “GAWKER” set forth in the introductory section of Plaintiff’s Fourth Request for Production of Documents. Gawker’s response is limited to documents as to which it, as the responding party, has within its possession, custody and control.

Gawker further objects on the grounds that the Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, including without limitation because any steps taken by Gawker to protect the confidentiality of internal business affairs is not relevant to the publication of content relating to a matter of public concern by a news organization.

Subject to and without waiving these objections, Gawker will produce its standard independent contractor agreement, its standard employment agreement, its standard employee termination certificate, and its standard non-disclosure agreement, all of which contain confidentiality provisions.

Dated: July 11, 2014

THOMAS & LOCICERO PL

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of July 2014, I caused a true and correct copy of the foregoing to be served via the Florida Courts' E-Filing Portal upon the following counsel of record:

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