

EXHIBIT 2

Confidential

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,

vs.

Case No.
12-012447-CI-011

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

Defendants.

_____/

CONFIDENTIAL

VIDEOTAPED

DEPOSITION OF: HEATHER COLE,
formerly known as
HEATHER CLEM

DATE: January 26, 2015

TIME: 10:07 a.m. to 1:59 p.m.

PLACE: Bajo, Cuva, Cohen & Turkel, P.A.
100 North Tampa Street
Suite 1900
Tampa, Florida

PURSUANT TO: Notice by counsel for Defendant
Gawker Media, LLC, 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

Pages 1 to 125

1 APPEARANCES:

2

3 CHARLES J. HARDER, ESQUIRE
4 Harder Mirell & Abrams, LLP
5 1925 Century Park East
6 Suite 800
7 Los Angeles, California 90067

8 - and -

9

10 DAVID R. HOUSTON, ESQUIRE
11 Law Office of David R. Houston
12 432 Court Street
13 Reno, Nevada 89501

14 - and -

15 KENNETH G. TURKEL, ESQUIRE
16 Bajo, Cuva, Cohen & Turkel, P.A.
17 100 North Tampa Street
18 Suite 1900
19 Tampa, Florida 33602

20 Attorneys for Plaintiff

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24 CONTINUED:

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APPEARANCES CONTINUED AS FOLLOWS:

MICHAEL BERRY, ESQUIRE
PAUL J. SAFIER, ESQUIRE
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Attorneys for Defendant Gawker Media, LLC,
et al.

MICHAEL W. GAINES, ESQUIRE
The Barry A. Cohen Law Group
201 East Kennedy Boulevard
Suite 1950
Tampa, Florida 33602

Attorney for Defendant Heather Clem

ALSO PRESENT:

Mike Byrd, videographer
Terry Gene Bollea
Judge James R. Case

1 Q. The second sexual encounter at the hotel room
2 in Tennessee, to your knowledge, it was just you and
3 Mr. Bollea in the room?

4 A. Correct.

5 Q. And was it your understanding that it was a
6 private sexual encounter just between you and
7 Mr. Bollea?

8 A. Yes.

9 Q. And the third sexual encounter in your
10 bedroom, it was just you and Mr. Bollea in the room,
11 correct?

12 A. To the best of my knowledge.

13 Q. And to the best of your knowledge, it was a
14 private sexual encounter between you and Mr. Bollea and
15 no one else was watching and no one was filming it,
16 correct?

17 A. Can you restate the question, please?

18 Q. Sure.

19 The third sexual encounter that you had with
20 Mr. Bollea, to the best of your knowledge at the time
21 of the encounter, it was a private encounter between
22 you and Mr. Bollea and, to your knowledge, nobody was
23 watching and nobody was filming?

24 A. Correct.

25 Q. After the third sexual encounter, did

1 Mr. Clem inform you that he had -- he was the one who
2 filmed you? Well, let me -- let me strike that, and I
3 will reask the question. I want to be as clear as I
4 can.

5 What do you recall of your conversation with
6 Mr. Clem immediately after the third encounter
7 regarding how it was filmed?

8 A. I don't recall a conversation immediately
9 after the third encounter.

10 Q. When did the conversation take place that you
11 had with Mr. Clem after the third encounter regarding
12 the filming?

13 A. I was shown the video. I immediately asked
14 for it to stop. I don't remember a specific
15 conversation. I do remember being very upset.

16 Q. Do you recall if you asked him to destroy the
17 video?

18 A. At a later time, yes.

19 Q. Let me get a sense of the timing.
20 Approximately how much time took place between the
21 third sexual encounter and when you were shown the
22 video of it?

23 A. I don't recall.

24 Q. What's your best estimate? Was it a day, a
25 week, a month, somewhere in between there?

1 A. I would guess several weeks.

2 Q. Do you recall having any conversations with
3 Bubba Clem regarding that sex video after that first
4 time he showed it to you?

5 A. At our mediation in our divorce, there was a
6 discussion where I asked for personal items that had
7 been told to me had been destroyed. I was trying to
8 ensure that they no longer existed, and I was told in
9 mediation that they did not.

10 MR. GAINES: Let's go off the record for just
11 a minute. Let me just ask her something to save
12 you some time here.

13 THE VIDEOGRAPHER: Off the record at 10:34
14 a.m.

15 (A recess was taken.)

16 THE VIDEOGRAPHER: On the record at 10:36.

17 MR. GAINES: This is Michael Gaines on behalf
18 of Heather Cole. Just to the extent we went off
19 the record for a minute, it was just to clarify
20 that the marital settlement agreement is
21 confidential. It was my understanding that the
22 confidentiality order that was entered in this
23 case supercedes that and covers it. So with that
24 understanding and to that extent, then Ms. Cole is
25 going to answer questions about the divorce and

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CERTIFICATE OF OATH

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, the undersigned authority, certify that
HEATHER COLE, formerly known as HEATHER CLEM,
personally appeared before me and was duly sworn.

WITNESS my hand and official seal this 30th day
of January, 2015.

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

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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 deposition of HEATHER COLE, formerly known as HEATHER CLEM; that a review of the transcript was requested; 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 30th day of January, 2015.

Aaron T. Perkins, RPR

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SIGNATURE PAGE

Please attach to the deposition of HEATHER COLE, formerly known as HEATHER CLEM taken on January 26, 2015, in the case of TERRY GENE BOLLEA, professionally known as HULK HOGAN and HEATHER CLEM; GAWKER MEDIA, LLC, aka GAWKER MEDIA, et al.

PAGE LINE CORRECTION AND REASON THEREFOR

I HAVE READ THE FOREGOING PAGES AND, EXCEPT FOR ANY CORRECTIONS OR AMENDMENTS INDICATED ABOVE, I HEREBY SUBSCRIBE TO THE ACCURACY OF THIS TRANSCRIPT.

HEATHER COLE, formerly
known as HEATHER CLEM

DATE

WITNESS TO SIGNATURE

DATE