

# EXHIBIT 2

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.

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**DEFENDANT GAWKER MEDIA, LLC'S RESPONSES TO  
PLAINTIFF'S FIRST 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 First Requests for Production of  
Documents ("Plaintiff's Document Requests") dated May 21, 2013.

**REQUESTS AND RESPONSES**

**REQUEST NO. 1:** All documents that relate to Plaintiff and which were created or are  
dated after January 1, 2012.

**RESPONSE:** Gawker 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.<sup>1</sup> To the extent that this Request seeks the  
production of documents related to websites other than gawker.com which are published by

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<sup>1</sup> In connection with Gawker's Responses to Plaintiff's Document Requests, Gawker will provide a log of documents that have been either withheld or redacted as privileged. The log will include all documents responsive to Plaintiff's Document Requests that are (a) protected by the attorney client privilege and/or work-product doctrine and created prior to the commencement of the Lawsuit, as that term is defined in Plaintiff's Document Requests, or (b) protected by the reporter's privilege, including N.Y. Civil Rights L. § 79-h, Fla. Stat. § 90.5015, and the reporters' privilege recognized by the First and Fourteenth Amendments to the U.S. Constitution, by the common law, and by other applicable reporters' privilege laws. In addition, Gawker's production will omit pleadings and other papers filed in the Lawsuit, and communications among all counsel after the filing of the Lawsuit, as all such documents are already in the possession of Plaintiff and his counsel.

Gawker will produce any non-privileged documents responsive to this Request in its possession, custody or control.

**REQUEST NO. 11:** All documents that relate to the Sex Tape, including without limitation the preparation, editing, subtitling, posting and/or broadcast of the Sex Tape.

**RESPONSE:** Gawker 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 this objection, Gawker will produce any non-privileged documents responsive to this Request in its possession, custody or control.

**REQUEST NO. 12:** All documents that relate to the Webpage.

**RESPONSE:** Gawker 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 on the grounds that it is overly broad in that it seeks the production of “all documents” that relate in any way to the Webpage. Subject and without waiving these objections, Gawker will produce non-privileged documents responsive to this Request that relate to the *content* of the Webpage in its possession, custody or control. Gawker will produce documents related to *traffic* to the Webpage in its possession, custody or control as set forth in Gawker’s Response to Plaintiff’s Document Request No. 13.

**REQUEST NO. 13:** All documents that relate to internet traffic to, including page views of, the Webpage.

**RESPONSE:** Gawker 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 on the grounds that it is overly broad in that it seeks the production of “all documents” relating to internet traffic to the Webpage. Gawker tracks and analyzes traffic on a daily basis through a variety of different methods and using a variety of different services. Producing “all” traffic-related documents generated since the Webpage was posted would be unduly burdensome and is not necessary to understanding the traffic to the Webpage. Subject to and without waiving these objections, and without certifying the accuracy of third-party data, Gawker will produce the following:

- (a) reports from Google Analytics, one of the traffic-tracking services it uses, sufficient to show (1) the total number of “page views” of the Webpage between October 4, 2012 (the date it was posted), and June 30, 2013, and (2) the number of “unique page views” of the Webpage from October 4, 2012 to June 30, 2013. According to Google Analytics, its “page views” report shows the number of instances in which a specific web page was loaded by an internet browser, and its “unique page views” report shows the aggregate number of page views “that are generated by the same user during the same session.” Gawker will also produce a report from Google Analytics showing “page views” and “unique page views” from the five top posts of 2012.
- (b) spreadsheets compiled from Gawker’s internal website tracking that show (1) the top 500 Gawker.com stories from the inception of the site through June 21, 2013, and (2) the top Gawker.com posts for each month of 2012. For purposes of its internal website tracking, “page views” are the number of instances in which a specific web page was loaded by an internet browser, and a “new unique visitor” is registered the first time that a browser has

visited the site within past 365 days. The data in these documents concerning “new unique visitors” may not be reliable due to system issues.

(c) print-outs of data collected from <https://www.quantcast.com/gawker.com> (which is publicly accessible) showing traffic to Gawker.com during 2012 and 2013.

**REQUEST NO. 14:** All documents that refer or relate to Gawker’s record-keeping practices, including but not limited to intake notes, drafts of articles, revisions to articles, research, and memoranda.

**RESPONSE:** Gawker 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 the attorney work product doctrine. To the extent that this Request seeks the production of documents relating to practices for websites published by Gawker Media that are not Gawker.com and which are not at issue in this lawsuit, Gawker objects on the grounds that such documents are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, Gawker states that, to the best of its knowledge after diligent search for documents related to Gawker.com, it has no non-privileged documents responsive to this request.

**REQUEST NO. 15:** All documents constituting handbooks, policies, manuals, educational materials, training materials, internal emails, internal memos, and internal letters, that relate to any policies or practices of Gawker with respect to the privacy or publicity rights of subjects of Gawker articles or postings.

**RESPONSE:** Gawker 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 the attorney work product doctrine. To the extent that this Request seeks the

**RESPONSE:** Gawker 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 the attorney work-product doctrine. Gawker further objects to this Request on the grounds that it is duplicative of Plaintiff's Document Request No. 60. Subject to and without waiving the foregoing objections, Gawker refers Plaintiff to, and incorporates by reference, its Response to Plaintiff's Document Request No. 60.

**REQUEST NO. 88:** All documents requested to be identified in Plaintiff's Interrogatory Number 10, propounded concurrently.

**RESPONSE:** Gawker objects to this Request to the extent that it is duplicative of other Requests and seeks documents protected from discovery by privilege, including but not limited to the attorney client privilege and the attorney work product doctrine. Subject to and without waiving these objections, Gawker will produce any non-privileged documents responsive to this Request in its possession, custody or control.

Dated: July 25, 2013

THOMAS & LOCICERO PL

By: /s/ Gregg D. Thomas

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25th day of July 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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