

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.

**JOINT STIPULATION REGARDING PLAINTIFF'S OBJECTIONS TO SUBPOENAS
DIRECTED TO DAVID HOUSTON AND THE LAW OFFICE OF DAVID HOUSTON**

Plaintiff Terry Gene Bollea ("Bollea") and Defendant Gawker Media, LLC ("Gawker") jointly stipulate that Bollea is withdrawing his objections to the Subpoenas Duces Tecum without Deposition that Gawker intends to serve on David Houston and the Law Office of David Houston in light of Gawker's agreement to revise those subpoenas in the manner indicated in this Stipulation.

1. On September 18, 2014, Gawker filed Notices of Intent to Serve Subpoenas on David Houston and the Law Office of David Houston.
2. On October 3, 2014, Bollea filed timely objections to the subpoenas.
3. Counsel for Gawker and counsel for Bollea subsequently conferred about the subpoenas and were able to reach an agreement about them. Specifically, Bollea agreed to withdraw his objections to the service of those subpoenas provided that Gawker revised the subpoenas in the manner indicated in the attached Exhibits. *See* Ex. A (revised subpoena directed to David Houston); Ex. B (revised subpoena directed to Law Office of David Houston).

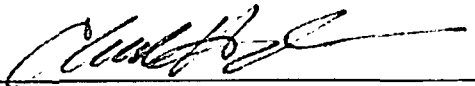
4. Accordingly, Bollea hereby stipulates that he has withdrawn his objections to the subpoenas and that he has no objection to their being served in the form indicated in the attached Exhibits.

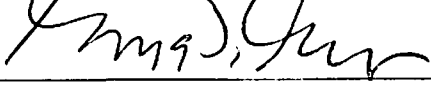
Dated: November 10, 2014

Respectfully submitted,

HARDER MIRELL & ABRAMS LLP

THOMAS & LOCICERO PL

By: 

By: 

Charles J. Harder
Pro Hac Vice Number: 102333
Douglas Mirell
Pro Hac Vice Number: 109885
HARDER MIRELL & ABRAMS LLP
1925 Century Park East, Suite 800
Los Angeles, CA 90067
Telephone: (424) 203-1600
Fax: (424) 203-1601
charder@hmafirma.com
dmirell@hmafirma.com

Gregg D. Thomas
Florida Bar No.: 223913
Rachel E. Fugate
Florida Bar No.: 0144029
601 South Boulevard
P.O. Box 2602 (33601)
Tampa, FL 33606
Telephone: (813) 984-3060
Facsimile: (813) 984-3070
gthomas@tlolawfirm.com
rfugate@tlolawfirm.com

and

and

Kenneth G. Turkel, Esq.
Florida Bar No. 867233
Christina K. Ramirez, Esq.
Florida Bar No. 954497
100 North Tampa Street, Suite 1900
Tampa, FL 33602
Telephone: (813) 443-2199
Fax: (813) 443-2193
kturkel@bajocuva.com
cramirez@bajocuva.com

Seth D. Berlin
Pro Hac Vice Number: 103440
Michael Sullivan
Pro Hac Vice Number: 53347
Michael Berry
Pro Hac Vice Number: 108191
Alia L. Smith
Pro Hac Vice Number: 104249
Paul J. Safier
Pro Hac Vice Number: 103437
LEVINE SULLIVAN KOCH & SCHULZ, LLP
1899 L Street, NW, Suite 200
Washington, DC 20036
Telephone: (202) 508-1122
Facsimile: (202) 861-9888
sberlin@lskslaw.com
msullivan@lskslaw.com

Counsel for Plaintiff Terry Gene Bollea

mberry@lskslaw.com
asmith@lskslaw.com
psafier@lskslaw.com

Counsel for Defendant Gawker Media, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of November, 2014, I caused a true and correct copy of the foregoing to be served electronically upon the following counsel of record at their respective email addresses via the Florida Courts E-Filing Portal:

Kenneth G. Turkel, Esq.
kturkel@BajoCuva.com
Christina K. Ramirez, Esq.
cramirez@BajoCuva.com
Bajo Cuva Cohen & Turkel, P.A.
100 N. Tampa Street, Suite 1900
Tampa, FL 33602
Tel: (813) 443-2199
Fax: (813) 443-2193

David Houston, Esq.
Law Office of David Houston
dhouston@houstonatlaw.com
432 Court Street
Reno, NV 89501
Tel: (775) 786-4188

Charles J. Harder, Esq.
charder@HMAfirm.com
Douglas E. Mirell, Esq.
dmirell@HMAfirm.com
Harder Mirell & Abrams LLP
1925 Century Park East, Suite 800
Los Angeles, CA 90067
Tel: (424) 203-1600
Fax: (424) 203-1601

Attorneys for Plaintiff

Barry A. Cohen, Esq.
bcohen@tampalawfirm.com
Michael W. Gaines
mgaines@tampalawfirm.com
Barry A. Cohen Law Group
201 East Kennedy Boulevard, Suite 1000
Tampa, FL 33602
Tel: (813) 225-1655
Fax: (813) 225-1921

Attorneys for Defendant Heather Clem

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.

SUBPOENA DUCES TECUM WITHOUT DEPOSITION

THE STATE OF FLORIDA:

TO: **David Houston**
Law Office of David Houston
432 Court Street
Reno, NV 89501

YOU ARE COMMANDED by Defendant Gawker Media, LLC, to produce the documents described in Schedule A to Paul J. Safier, Esquire, c/o Legal Process Service, 105 Mary Street, Reno, NV 89509-2831 on or before December 8, 2014 at 10:00 a.m.

In the alternative, you may mail the requested documents to Paul J. Safier, Esquire, Levine Sullivan Koch & Schulz, LLP, 1760 Market Street, Suite 1001, Philadelphia, PA 19103. If you fail to comply, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney, you shall respond to this subpoena as directed. You have a right to object to the production under Florida Rule of Civil Procedure 1.351 and you will not be required to surrender the documents or things requested. You have the right to designate as Confidential any applicable document as specified under the Agreed Protective Order Governing

EXHIBIT A

Confidentiality, signed and ordered by the Court on July 25, 2013, a copy of which is attached hereto. No testimony will be taken.

DATED on _____.

Gregg D. Thomas, Esquire
Gregg D. Thomas, Esquire
For the Court

Gregg D. Thomas
Florida Bar No. 0223913
Attorney for Gawker Media, LLC
Thomas & LoCicero, PL
601 South Boulevard
Tampa, FL 33606
(813) 984-3060 Telephone
(813) 984-3070 Facsimile
gthomas@tlolawfirm.com

SCHEDULE A

INSTRUCTIONS AND DEFINITIONS

1. This subpoena does not seek the production of any documents that have been produced by Terry Bollea in the Lawsuit. In addition, this subpoena is not intended to seek – and expressly does not ask you to produce – any documents protected by the attorney-client privilege or the work-product doctrine.

2. Consistent with an order entered by the Court in this case on February 26, 2014, this subpoena does not seek the medical records or financial records of Terry Bollea or information about sexual or romantic relationships of Terry Bollea or Heather Clem, with the sole exception of the sexual and/or romantic relationship between Terry Bollea and Heather Clem.

3. “You” and “your” mean David Houston and any of the employees of your law firm, including, but not limited to, K.C. Rosser. When documents or things are requested, such request includes materials in the possession, custody or control of your agents, attorneys or other persons acting on your behalf.

2. “Terry Bollea” means Terry Gene Bollea (professionally known as “Hulk Hogan”).

3. “Hulk Hogan” means the character played by Terry Bollea.

4. “Jennifer Bollea” means the woman by that name who is married to Terry Bollea.

5. “Bubba Clem” means Bubba the Love Sponge Clem.

6. “Heather Clem” means Defendant Heather Clem, who was formerly married to Bubba Clem.

7. “Tom Bean” means the agent of Bubba Clem.

8. “A.J. Daulerio” means Defendant A.J. Daulerio.

9. "Nick Denton" means Defendant Nick Denton.
10. "Elizabeth Rosenthal Traub" means the woman by that name who has worked as a publicist and/or public relations consultant for Terry Bollea, and who is currently affiliated with EJ Media Group.
11. "EJ Media Group" means the public-relations firm for which Elizabeth Rosenthal Traub works.
12. "Gawker" means Defendant Gawker Media, LLC.
13. 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," as well as the accompanying video, published at www.gawker.com on or about October 4, 2012.
14. The "Lawsuit" refers to any legal proceeding instituted against Gawker Media, LLC, Bubba Clem, or Heather Clem by Terry Bollea relating to the Gawker Story.
15. "TMZ" refers to the celebrity news company that owns and operates the website www.TMZ.com.
16. "Mike Walters" refers to the TMZ employee of that name.
17. "Harvey Levin" refers to the founder of TMZ and host of TMZ's television show of that name.
18. "Sexual Relations" means sexual intercourse, anal intercourse, fellatio, or cunnilingus.
19. "Sex Tape" means any video, audio and/or audio/video footage featuring Terry Bollea or Hulk Hogan engaged in Sexual Relations with Heather Clem, including excerpts of any such footage. References to the Sex Tapes refers to one or more of them.
20. "TNA" refers to TNA Entertainment, LLC.

21. “Jules Wortman” means the publicist and/or the public relations consultant by the name Jules Wortman or Jules Wortman Pomeroy, and who has also been affiliated with an entity called Wortman Works Media & Marketing, Inc.

22. “Wortman Works” means the public relations company headed by Jules Wortman.

23. “*The Dirty*” refers to the website by that name located at the web address www.thedirty.com.

24. “Nik Richie” refers to the owner and operator of *The Dirty*.

25. “Keith Davidson” means the person by that name referenced in the document produced during discovery in the Lawsuit labeled Bollea 001138 and includes any person acting as Keith Davidson’s agent, representing Keith Davidson, or acting on Keith Davidson’s behalf, including but not limited to Brian Albritton.

26. “Vilma Duarte” means the person by that name referenced in the document produced during discovery in the Lawsuit labeled Bollea 001138 and includes any person acting as Vilma Duarte’s agent, representing Vilma Duarte, or acting on Vilma Duarte’s behalf.

27. “Communication” includes any type of correspondence, electronic mail, instant messages, voicemail, and any oral conversation, interview, discussion, negotiation, agreement, understanding, meeting or telephone conversation, as well as every kind of written or graphic communication.

28. “Correspondence” when used herein includes letters, emails, telegrams, mailgrams, telexes, memoranda, and any other documents used to make or to record communications.

29. “Media” includes television, radio, newspapers, magazines, websites, mobile apps, and any other form of mass communication.

30. The words “and” and “or” also have the meaning “and/or.”
31. The terms “all” and “any” shall be considered to include “each” and every.” Use of any of these terms incorporates them all.
32. The term “person” means all individuals and entities.
33. The term “document(s)” means all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise (including but without limitation to, email and attachments, “instant” messages or “IM” messages, “wall” postings on Facebook, Myspace postings, Twitter postings or “tweets,” correspondence, memoranda, notes, diaries, minutes, statistics, letters, telegrams, contracts, reports, studies, checks, statements, tags, labels, invoices, brochures, periodicals, telegrams, receipts, returns, summaries, pamphlets, books, interoffice and intraoffice communications, offers, notations of any sort of conversations, working papers, applications, permits, file wrappers, indices, telephone calls, meetings or printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications, changes and amendments of any of the foregoing), graphic or aural representations of any kind (including without limitation, photographs, charts, microfiche, microfilm, videotape, recordings, motion pictures, plans, drawings, surveys), and electronic, mechanical, magnetic, optical or electric records or representations of any kind (including without limitation, computer files and programs, tapes, cassettes, discs, recordings), including metadata.
34. Throughout this request, the singular shall include the plural and the plural shall include the singular.
35. The following terms should be read as if they were synonymous, and each should be taken to include the meaning of all of the others: relating to, related in any manner to, concerning, referring to, alluding to, responding to, connected with, with respect to, commenting

on, about, regarding, announcing, explaining, discussing, showing, describing, studying, reflecting, analyzing or constituting.

36. If you contend that it would be unreasonably burdensome to produce all the documents called for in response to any request, you should:

- (a) produce all documents that are available without unreasonable burden; and
- (b) describe with particularity the reasons why production of the remaining documents would be unreasonably burdensome.

37. In the event that any responsive document cannot be produced in its entirety, you are requested to produce the document to the fullest extent possible, specifying the reasons for your inability to produce the remainder and describing to the fullest extent possible the contents of the unproduced portion.

38. With respect to your responses to the following request for production, if any document or any portion of any document is withheld because of a claim of privilege, please state the basis for your claim of privilege with respect to such document or portion of any document and the specific ground(s) on which the claim of privilege rests, and including, with respect to documents: the date appearing on the document, or if no date appears, the date on which the document was prepared; the name of the person(s) to whom the document was addressed; the name of each person, other than addressee(s), to whom the document, or a copy thereof, was sent or with whom the document was discussed; the name of the person(s) who signed the document, or if not signed, the name of the person(s) who prepared it; the name of each person making any contribution to the authorship of the document; and the general nature or description of the document and the number of pages of which it consists.

39. In the event that any documents or things that would have been responsive to this request have been destroyed, discarded or lost, please identify each such document or thing,

including: the nature of the document or thing; the author(s) and addressee(s) of any document; any indicated or blind copies of any document; the document's subject matter, number of pages and attachments or appendices; all persons to whom the document was distributed or persons who have seen the thing; the date of destruction, discard or loss; and, if destroyed or discarded, the reasons therefore and the identity of the person(s) authorizing or carrying out any such destruction or discard.

DOCUMENTS TO BE PRODUCED

Request No. 1: All documents reflecting, referring, or relating to communications with Keith Davidson.

Request No. 2: All documents reflecting, referring, or relating to communications with Vilma Duarte.

Request No. 3: All documents reflecting, referring, or relating to communications with law enforcement authorities and/or prosecutors (whether connected with federal, state, or local government and including, but not limited to, employees of the Federal Bureau of Investigation, the United States Department of Justice, or the United States Attorney's Office for the Middle District of Florida) relating to the Sex Tapes, Keith Davidson, Vilma Duarte, Bubba Clem, or Heather Clem.

Request No. 4: Copies of any Sex Tape other than what has already been exchanged during discovery in the Lawsuit.¹

Request No. 5: All documents reflecting, referring, or relating to communications with people other than Terry Bollea, Jennifer Bollea, and any of Terry Bollea's attorneys about the Sex Tapes prior to the filing of the Lawsuit.

Request No. 6: All documents reflecting, referring, or relating to communications with TMZ and any person employed by or working on behalf of TMZ, including but not limited to Harvey Levin and Mike Walters, about one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, or the Lawsuit.

¹ If you have copies of the Sex Tapes or any of the Sex Tapes, you are instructed to notify counsel for Gawker in writing. Any copies of the Sex Tapes must be preserved and ultimately should be produced to the Special Discovery Magistrate in this case, the Honorable James R. Case.

Request No. 7: All documents reflecting, referring, or relating to communications with Bubba Clem, Tom Bean, or any of Bubba Clem's attorneys from January 1, 2012 to the present concerning one or more of the following: Terry Bollea, Hulk Hogan, Heather Clem, the Sex Tapes, TMZ, *The Dirty*, the Lawsuit, or the Gawker Story.

Request No. 8: All documents reflecting, referring, or relating to communications with Heather Clem or Heather Clem's attorneys from January 1, 2012 to the present concerning one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, the Sex Tapes, the Lawsuit, TMZ, *The Dirty*, or the Gawker Story.

Request No. 9: All documents reflecting, referring, or relating to communications with people other than Terry Bollea, Jennifer Bollea, and any of Terry Bollea's attorneys referring to any website owned and operated by Gawker, including, but not limited to, www.gawker.com and www.deadspin.com, prior to the filing of the Lawsuit.

Request No. 10: All documents reflecting, referring, or relating to communications with people other than Terry Bollea, Jennifer Bollea, and any of Terry Bollea's attorneys referring to A.J. Daulerio prior to the filing of the Lawsuit.

Request No. 11: All documents reflecting, referring, or relating to communications with people other than Terry Bollea, Jennifer Bollea, and any of Terry Bollea's attorneys referring to Nick Denton, prior to the filing of the Lawsuit.

Request No. 12: All documents from March 1, 2012 through the present reflecting, referring, or relating to your communications with any employee or agent of any Media outlet concerning one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, or the Lawsuit.

Request No. 13: All documents from March 1, 2012 through the filing of the Lawsuit reflecting, referring, or relating to Terry Bollea's or Hulk Hogan's communications with

any employee or agent of any Media outlet concerning one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, or the Lawsuit.

Request No. 14: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to Jules Wortman that also refer or relate to one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 15: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to Wortman Works that also refer or relate to one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 16: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to TNA that also refer or relate to one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 17: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to Elizabeth Traub that also refer or relate to one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 18: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to EJ Media Group that also refer or relate to one or more of the

following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 19: All documents referring or relating to your and Terry Bollea's/Hulk Hogan's interview on TMZ on October 9, 2012, which can be found at <http://www.tMZ.com/2012/10/09/tMZ-live-justin-bieber-beer-pong-hulk-hogan-sex-tape-jennifer-lopez-kim-kardashian-kanye-west-jerry-sandusky-stacy-dash-lindsay-long/>.

Request No. 20: All documents referring or relating to your statements to TMZ as reported on March 7, 2012 at <http://www.tMZ.com/2012/03/07/hulk-hogan-i-had-no-idea-sex-was-being-filmed/>.

Request No. 21: All documents referring or relating to your and Terry Bollea's/Hulk Hogan's interview on TMZ on March 7, 2012, which can be found at <http://www.tMZ.com/2012/03/07/hulk-hogan-sex-tape-partner-tMZ-live/>.

Request No. 22: All documents reflecting, referring, or relating to communications with any person or company, including but not limited to Vivid Entertainment, LLC and Sex.com, seeking to obtain copies of, to purchase rights to, or receive permission to publish, post, sell, or otherwise distribute the Sex Tapes or any of them.

Request No. 23: All documents reflecting, referring, or relating to communications with Nik Richie or anyone else connected with *The Dirty* about Terry Bollea, Hulk Hogan, Heather Clem, or the Sex Tapes.

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.

SUBPOENA DUCES TECUM WITHOUT DEPOSITION

THE STATE OF FLORIDA:

TO: **Law Office of David Houston
C/O John F. Kirsch (Registered Agent)
432 Court Street
Reno, NV 89501**

YOU ARE COMMANDED by Defendant Gawker Media, LLC, to produce the documents described in Schedule A to Paul J. Safier, Esquire, c/o Legal Process Service, 105 Mary Street, Reno, NV 89509-2831 on or before December 8, 2014 at 10:00 a.m.

In the alternative, you may mail the requested documents to Paul J. Safier, Esquire, Levine Sullivan Koch & Schulz, LLP, 1760 Market Street, Suite 1001, Philadelphia, PA 19103. If you fail to comply, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney, you shall respond to this subpoena as directed. You have a right to object to the production under Florida Rule of Civil Procedure 1.351 and you will not be required to surrender the documents or things requested. You have the right to designate as Confidential any applicable document as specified under the Agreed Protective Order Governing

EXHIBIT B

Confidentiality, signed and ordered by the Court on July 25, 2013, a copy of which is attached hereto. No testimony will be taken.

DATED on _____.

Gregg D. Thomas, Esquire

Gregg D. Thomas, Esquire
For the Court

Gregg D. Thomas
Florida Bar No. 0223913
Attorney for Gawker Media, LLC
Thomas & LoCicero, PL
601 South Boulevard
Tampa, FL 33606
(813) 984-3060 Telephone
(813) 984-3070 Facsimile
gthomas@tlolawfirm.com

SCHEDULE A

INSTRUCTIONS AND DEFINITIONS

1. This subpoena does not seek the production of any documents that have been produced by Terry Bollea in the Lawsuit. In addition, this subpoena is not intended to seek – and expressly does not ask you to produce – any documents protected by the attorney-client privilege or the work-product doctrine.

2. Consistent with an order entered by the Court in this case on February 26, 2014, this subpoena does not seek the medical records or financial records of Terry Bollea or information about sexual or romantic relationships of Terry Bollea or Heather Clem, with the sole exception of the sexual and/or romantic relationship between Terry Bollea and Heather Clem.

3. “You” and “your” mean the Law Offices of David Houston and David Houston, K.C. Rosser, any employees, agents, attorneys, or other persons or entities acting for or on behalf of or in concert with the Law Offices of David Houston. When documents or things are requested, such request includes materials in the possession, custody or control of your agents, attorneys or other persons acting on their or your behalf.

2. “Terry Bollea” means Terry Gene Bollea (professionally known as “Hulk Hogan”).

3. “Hulk Hogan” means the character played by Terry Bollea.

4. “Jennifer Bollea” means the woman by that name who is married to Terry Bollea.

5. “Bubba Clem” means Bubba the Love Sponge Clem.

6. “Heather Clem” means Defendant Heather Clem, who was formerly married to Bubba Clem.

7. “Tom Bean” means the agent of Bubba Clem.

8. "A.J. Daulerio" means Defendant A.J. Daulerio.
9. "Nick Denton" means Defendant Nick Denton.
10. "Elizabeth Rosenthal Traub" means the woman by that name who has worked as a publicist and/or public relations consultant for Terry Bollea, and who is currently affiliated with EJ Media Group.
11. "EJ Media Group" means the public-relations firm for which Elizabeth Rosenthal Traub works.
12. "Gawker" means Defendant Gawker Media, LLC.
13. 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," as well as the accompanying video, published at www.gawker.com on or about October 4, 2012.
14. The "Lawsuit" refers to any legal proceeding instituted against Gawker Media, LLC, Bubba Clem, or Heather Clem by Terry Bollea relating to the Gawker Story.
15. "TMZ" refers to the celebrity news company that owns and operates the website www.TMZ.com.
16. "Mike Walters" refers to the TMZ employee of that name.
17. "Harvey Levin" refers to the founder of TMZ and host of TMZ's television show of that name.
18. "Sexual Relations" means sexual intercourse, anal intercourse, fellatio, or cunnilingus.
19. "Sex Tape" means any video, audio and/or audio/video footage featuring Terry Bollea or Hulk Hogan engaged in Sexual Relations with Heather Clem, including excerpts of any such footage. References to the Sex Tapes refers to one or more of them.
20. "TNA" refers to TNA Entertainment, LLC.

21. “Jules Wortman” means the publicist and/or the public relations consultant by the name Jules Wortman or Jules Wortman Pomeroy, and who has also been affiliated with an entity called Wortman Works Media & Marketing, Inc.

22. “Wortman Works” means the public relations company headed by Jules Wortman.

23. “*The Dirty*” refers to the website by that name located at the web address www.thedirty.com.

24. “Nik Richie” refers to the owner and operator of *The Dirty*.

25. “Keith Davidson” means the person by that name referenced in the document produced during discovery in the Lawsuit labeled Bollea 001138 and includes any person acting as Keith Davidson’s agent, representing Keith Davidson, or acting on Keith Davidson’s behalf, including but not limited to Brian Albritton.

26. “Vilma Duarte” means the person by that name referenced in the document produced during discovery in the Lawsuit labeled Bollea 001138 and includes any person acting as Vilma Duarte’s agent, representing Vilma Duarte, or acting on Vilma Duarte’s behalf.

27. “Communication” includes any type of correspondence, electronic mail, instant messages, voicemail, and any oral conversation, interview, discussion, negotiation, agreement, understanding, meeting or telephone conversation, as well as every kind of written or graphic communication.

28. “Correspondence” when used herein includes letters, emails, telegrams, mailgrams, telexes, memoranda, and any other documents used to make or to record communications.

29. “Media” includes television, radio, newspapers, magazines, websites, mobile apps, and any other form of mass communication.

30. The words “and” and “or” also have the meaning “and/or.”
31. The terms “all” and “any” shall be considered to include “each” and every.” Use of any of these terms incorporates them all.
32. The term “person” means all individuals and entities.
33. The term “document(s)” means all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise (including but without limitation to, email and attachments, “instant” messages or “IM” messages, “wall” postings on Facebook, Myspace postings, Twitter postings or “tweets,” correspondence, memoranda, notes, diaries, minutes, statistics, letters, telegrams, contracts, reports, studies, checks, statements, tags, labels, invoices, brochures, periodicals, telegrams, receipts, returns, summaries, pamphlets, books, interoffice and intraoffice communications, offers, notations of any sort of conversations, working papers, applications, permits, file wrappers, indices, telephone calls, meetings or printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications, changes and amendments of any of the foregoing), graphic or aural representations of any kind (including without limitation, photographs, charts, microfiche, microfilm, videotape, recordings, motion pictures, plans, drawings, surveys), and electronic, mechanical, magnetic, optical or electric records or representations of any kind (including without limitation, computer files and programs, tapes, cassettes, discs, recordings), including metadata.
34. Throughout this request, the singular shall include the plural and the plural shall include the singular.
35. The following terms should be read as if they were synonymous, and each should be taken to include the meaning of all of the others: relating to, related in any manner to, concerning, referring to, alluding to, responding to, connected with, with respect to, commenting

on, about, regarding, announcing, explaining, discussing, showing, describing, studying, reflecting, analyzing or constituting.

36. If you contend that it would be unreasonably burdensome to produce all the documents called for in response to any request, you should:

- (a) produce all documents that are available without unreasonable burden; and
- (b) describe with particularity the reasons why production of the remaining documents would be unreasonably burdensome.

37. In the event that any responsive document cannot be produced in its entirety, you are requested to produce the document to the fullest extent possible, specifying the reasons for your inability to produce the remainder and describing to the fullest extent possible the contents of the unproduced portion.

38. With respect to your responses to the following request for production, if any document or any portion of any document is withheld because of a claim of privilege, please state the basis for your claim of privilege with respect to such document or portion of any document and the specific ground(s) on which the claim of privilege rests, and including, with respect to documents: the date appearing on the document, or if no date appears, the date on which the document was prepared; the name of the person(s) to whom the document was addressed; the name of each person, other than addressee(s), to whom the document, or a copy thereof, was sent or with whom the document was discussed; the name of the person(s) who signed the document, or if not signed, the name of the person(s) who prepared it; the name of each person making any contribution to the authorship of the document; and the general nature or description of the document and the number of pages of which it consists.

39. In the event that any documents or things that would have been responsive to this request have been destroyed, discarded or lost, please identify each such document or thing,

including: the nature of the document or thing; the author(s) and addressee(s) of any document; any indicated or blind copies of any document; the document's subject matter, number of pages and attachments or appendices; all persons to whom the document was distributed or persons who have seen the thing; the date of destruction, discard or loss; and, if destroyed or discarded, the reasons therefore and the identity of the person(s) authorizing or carrying out any such destruction or discard.

DOCUMENTS TO BE PRODUCED

Request No. 1: All documents reflecting, referring, or relating to communications with Keith Davidson.

Request No. 2: All documents reflecting, referring, or relating to communications with Vilma Duarte.

Request No. 3: All documents reflecting, referring, or relating to communications with law enforcement authorities and/or prosecutors (whether connected with federal, state, or local government and including, but not limited to, employees of the Federal Bureau of Investigation, the United States Department of Justice, or the United States Attorney's Office for the Middle District of Florida) relating to the Sex Tapes, Keith Davidson, Vilma Duarte, Bubba Clem, or Heather Clem.

Request No. 4: Copies of any Sex Tape other than what has already been exchanged during discovery in the Lawsuit.¹

Request No. 5: All documents reflecting, referring, or relating to communications with people other than Terry Bollea, Jennifer Bollea, and any of Terry Bollea's attorneys about the Sex Tapes prior to the filing of the Lawsuit.

Request No. 6: All documents reflecting, referring, or relating to communications with TMZ and any person employed by or working on behalf of TMZ, including but not limited to Harvey Levin and Mike Walters, about one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, or the Lawsuit.

¹ If you have copies of the Sex Tapes or any of the Sex Tapes, you are instructed to notify counsel for Gawker in writing. Any copies of the Sex Tapes must be preserved and ultimately should be produced to the Special Discovery Magistrate in this case, the Honorable James R. Case.

Request No. 7: All documents reflecting, referring, or relating to communications with Bubba Clem, Tom Bean, or any of Bubba Clem's attorneys from January 1, 2012 to the present concerning one or more of the following: Terry Bollea, Hulk Hogan, Heather Clem, the Sex Tapes, TMZ, *The Dirty*, the Lawsuit, or the Gawker Story.

Request No. 8: All documents reflecting, referring, or relating to communications with Heather Clem or Heather Clem's attorneys from January 1, 2012 to the present concerning one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, the Sex Tapes, the Lawsuit, TMZ, *The Dirty*, or the Gawker Story.

Request No. 9: All documents reflecting, referring, or relating to communications with people other than Terry Bollea, Jennifer Bollea, and any of Terry Bollea's attorneys referring to any website owned and operated by Gawker, including, but not limited to, www.gawker.com and www.deadspin.com, prior to the filing of the Lawsuit.

Request No. 10: All documents reflecting, referring, or relating to communications with people other than Terry Bollea, Jennifer Bollea, and any of Terry Bollea's attorneys referring to A.J. Daulerio prior to the filing of the Lawsuit.

Request No. 11: All documents reflecting, referring, or relating to communications with people other than Terry Bollea, Jennifer Bollea, and any of Terry Bollea's attorneys referring to Nick Denton, prior to the filing of the Lawsuit.

Request No. 12: All documents from March 1, 2012 through the present reflecting, referring, or relating to your communications with any employee or agent of any Media outlet concerning one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, or the Lawsuit.

Request No. 13: All documents from March 1, 2012 through the filing of the Lawsuit reflecting, referring, or relating to Terry Bollea's or Hulk Hogan's communications with

any employee or agent of any Media outlet concerning one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, or the Lawsuit.

Request No. 14: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to Jules Wortman that also refer or relate to one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 15: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to Wortman Works that also refer or relate to one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 16: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to TNA that also refer or relate to one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 17: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to Elizabeth Traub that also refer or relate to one or more of the following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 18: For the period from March 1, 2012 to the filing of the Lawsuit, all documents referring or relating to EJ Media Group that also refer or relate to one or more of the

following: Terry Bollea, Hulk Hogan, Bubba Clem, Heather Clem, the Sex Tapes, the Lawsuit, the Gawker Story, or any contemplated or anticipated litigation concerning the Sex Tapes or the Gawker Story.

Request No. 19: All documents referring or relating to your and Terry Bollea's/Hulk Hogan's interview on TMZ on October 9, 2012, which can be found at <http://www.tMZ.com/2012/10/09/tMZ-live-justin-bieber-beer-pong-hulk-hogan-sex-tape-jennifer-lopez-kim-kardashian-kanye-west-jerry-sandusky-stacy-dash-lindsay-long/>.

Request No. 20: All documents referring or relating to your statements to TMZ as reported on March 7, 2012 at <http://www.tMZ.com/2012/03/07/hulk-hogan-i-had-no-idea-sex-was-being-filmed/>.

Request No. 21: All documents referring or relating to your and Terry Bollea's/Hulk Hogan's interview on TMZ on March 7, 2012, which can be found at <http://www.tMZ.com/2012/03/07/hulk-hogan-sex-tape-partner-tMZ-live/>.

Request No. 22: All documents reflecting, referring, or relating to communications with any person or company, including but not limited to Vivid Entertainment, LLC and Sex.com, seeking to obtain copies of, to purchase rights to, or receive permission to publish, post, sell, or otherwise distribute the Sex Tapes or any of them.

Request No. 23: All documents reflecting, referring, or relating to communications with Nik Richie or anyone else connected with *The Dirty* about Terry Bollea, Hulk Hogan, Heather Clem, or the Sex Tapes.