

# EXHIBIT H

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

TERRY GENE BOLLEA professionally  
known as HULK HOGAN,

Plaintiff,

SUBPOENA DUCES TECUM

vs.

HEATHER CLEM; GAWKER MEDIA, LLC  
aka GAWKER MEDIA; GAWKER MEDIA  
GROUP, INC. aka GAWKER MEDIA;  
GAWKER ENTERTAINMENT, LLC;  
GAWKER TECHNOLOGY, LLC; GAWKER  
SALES, LLC; NICK DENTON; A.J.  
DAULERIO; KATE BENNERT, and  
BLOGWIRE HUNGARY SZELLEMI  
ALKOTAST HASZNOSITO KFT aka  
GAWKER MEDIA,

Case No. 12012447CI-011

Defendants.

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**SUBPOENA DUCES TECUM WITHOUT DEPOSITION**

THE STATE OF FLORIDA:

TO: **Fastly, Inc.**  
**501 Folsom, 1<sup>st</sup> Floor**  
**San Francisco, California 94105**

YOU ARE COMMANDED by Plaintiff Terry Gene Bollea to produce the documents described in **Schedule A** to Charles J. Harder and Douglas E. Mirell, c/o Harder Mirell & Abrams LLP, 1925 Century Park East, Suite 800, Los Angeles, California 90067 at 10:00 a.m. twenty (20) days after this subpoena duces tecum is served upon you. 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 subpoena under Florida Rule of Civil Procedure 1.410. You have the right to designate as Confidential any applicable document or testimony as specified under the Agreed Protective Order Governing Confidentiality, signed and ordered by the Court on July 25, 2013, a copy of which is attached hereto as Schedule B. A copy of the First Amended Complaint in this action is attached hereto for your reference as Schedule C.

DATED on \_\_\_\_\_.

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Charles J. Harder  
For the Court

Charles J. Harder  
PHV No. 102333  
Douglas E. Mirell  
PHV No. 109885  
*Attorney for Terry Gene Bollea*  
Harder Mirell & Abrams LLP  
1925 Century Park East, Suite 800  
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## SCHEDULE A

### Definitions and Instructions

As used in this Request for Production of Documents:

1. “YOU” or “YOUR” or “FASTLY” means Fastly, Inc., its parent company, subsidiaries, affiliated companies, and all of their members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on behalf of any and all such PERSONS.
2. “COMMUNICATION(S)” means any correspondence, contact, discussion, or exchange between any two or more PERSONS. Without limiting the foregoing, “COMMUNICATION(S)” includes all DOCUMENTS (as defined below), telephone conversations or face to face conversations, meetings and conferences.
3. “DAULERIO” means Defendant A.J. Daulerio, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.
4. “DENTON” means Defendant Nick Denton, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.
5. “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.

6. “GAWKER” means Defendant Gawker Media, LLC and its parent company, subsidiaries, affiliated companies, and all of their members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on behalf of any and all such PERSONS.

7. “GAWKER WEBSITES” means all websites owned or controlled by GAWKER, and/or within the GAWKER network, including all affiliate websites, including without limitation GAWKER.COM, DEADSPIN.COM, GIZMODO.COM, IO9.COM, JALOPNIK.COM, JEZEBEL.COM, KOTAKU.COM, LIFEHACKER.COM, and any of their respective sub-sites and/or webpages therein.

a. “GAWKER.COM” means any and all websites located at the gawker.com domain, including but not limited to www.gawker.com, valleywag.gawker.com, defamer.gawker.com, dog.gawker.com, morningafter.gawker.com and thevane.gawker.com.

b. “DEADSPIN.COM” means any and all websites located at the deadspin.com domain, including but not limited to www.deadspin.com, foodspin.deadspin.com, theconcourse.deadspin.com, fittish.deadspin.com, rabbithole.deadspin.com,

regressing.deadspin.com, screamer.deadspin.com, screengrabber.deadspin.com and thestacks.deadspin.com.

c. “GIZMODO.COM” means any and all websites located at the gizmodo.com domain, including but not limited to www.gizmodo.com, whitenoise.gizmodo.com, fieldguide.gizmodo.com, indefinitelywild.gizmodo.com, leggodt.gizmodo.com, paleofuture.gizmodo.com, reframe.gizmodo.com and sploid.gizmodo.com.

d. “IO9.COM” means any and all websites located at the io9.com domain, including but not limited to www.io9.com, observationdeck.io9.com, animals.io9.com, animation.io9.com and space.io9.com.

e. “JALOPNIK.COM” means any and all websites located at the jalopnik.com domain, including but not limited to www.jalopnik.com, oppositelock.jalopnik.com, carbuying.jalopnik.com, code3.jalopnik.com, detroit.jalopnik.com, flightclub.jalopnik.com, foxtrotalpha.jalopnik.com, films.jalopnik.com, truckyeah.jalopnik.com and lanesplitter.jalopnik.com.

f. “JEZEBEL.COM” means any and all websites located at the jezebel.com domain, including but not limited to www.jezebel.com, powderroom.jezebel.com, kitchenette.jezebel.com, roymbiv.jezebel.com, and thatswhatshesaid.jezebel.com.

g. “KOTAKU.COM” means any and all websites located at the kotaku.com domain, including but not limited to www.kotaku.com, tay.kotaku.com, cosplay.kotaku.com, pocketmonster.kotaku.com, screenburn.kotaku.com, selects.kotaku.com, tmi.kotaku.com and watchlist.kotaku.com.

h. “LIFEHACKER.COM” means any and all websites located at the lifehacker.com domain, including but not limited to www.lifehacker.com, hackerspace.lifehacker.com, afterhours.lifehacker.com, twocents.lifehacker.com, wayfarer.lifehacker.com and workshop.lifehacker.com.

8. “KINJA” means Defendant Blogwire Hungary SzellemiAlkotastHasznosito KFT, now re-named Kinja KFT, and its parent company, subsidiaries, affiliated companies, and all of their members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on behalf of any and all such PERSONS.

9. “LAWSUIT” means the action currently pending before the Circuit Court of the Sixth Judicial Circuit, in and for Pinellas County, Florida, Case Number 12012447CI-011.

10. “PLAINTIFF” means Plaintiff Terry Gene Bollea, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

11. “PERSON” means any natural person, firm, partnership, association, proprietorship, joint venture, corporation, governmental agency, or other organization or legal or business entity, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on its behalf.

12. “POSTED NARRATIVE” means the story written by A.J. DAULERIO accompanying the “POSTED SEX VIDEO” available at <http://gawker.com/5948770/even-for-a-minute-watching-hulk-hogan-have-sex-in-a-canopy-bed-is-not-safe-for-work-but-watch-it-anyway>.

13. “POSTED SEX VIDEO” means the one minute forty-one second long video available at <http://gawker.com/5948770/even-for-a-minute-watching-hulk-hogan-have-sex-in-a-canopy-bed-is-not-safe-for-work-but-watch-it-anyway>.

14. “REFER TO” or “RELATE TO” means concerning, respecting, referring to, summarizing, digesting, embodying, reflecting, establishing, tending to establish, delegating from, tending not to establish, evidencing, not evidencing, comprising, connected with, commenting on, responding to, disagreeing with, showing, describing, analyzing, representing, constituting or including.

15. “SEX VIDEO” refers to any and all video footage of PLAINTIFF engaged in sexual activity with HEATHER CLEM, all excerpts therefrom, and all edited iterations thereof, including the POSTED SEX VIDEO.

16. “WEBPAGE” shall mean the webpage located at <http://gawker.com/5948770/even-for-a-minute-watching-hulk-hogan-have-sex-in-a-canopy-bed-is-not-safe-for-work-but-watch-it-anyway>, which contains the “POSTED SEX VIDEO” and “POSTED NARRATIVE” defined above.

17. In the event any request herein calls for information or for the identification of a DOCUMENT which you deem to be privileged, in whole or in part, the information should be given or the DOCUMENT identified to the fullest extent possible consistent with such claim of privilege, and you should state the nature of the privilege claimed and specify the grounds relied upon for the claim of privilege.

18. A separate answer shall be furnished for each request.

## Requests

1. All DOCUMENTS that CONSTITUTE, REFER or RELATE TO analytics data created or held by FASTLY provided to or in any way related to GAWKER.
2. All DOCUMENTS that CONSTITUTE, REFER or RELATE TO analytics data created or held by FASTLY provided to or in any way related to GAWKER.COM.
3. All DOCUMENTS that CONSTITUTE, REFER or RELATE TO analytics data created or held by FASTLY provided to or in any way related to the GAWKER WEBSITES.
4. All DOCUMENTS that CONSTITUTE, REFER or RELATE TO analytics data created or held by FASTLY provided to or in any way related to KINJA.
5. All visitor logs for the WEBPAGE, including any visitor logs for any pictures and videos found on the WEBPAGE, for the period January 1, 2011 through the present.
6. All visitor logs for GAWKER.COM, including any visitor logs for any pictures and videos found on GAWKER.COM, for the period January 1, 2011 through the present.
7. All visitor logs for each of the GAWKER WEBSITES, including any visitor logs for any pictures and videos found on the GAWKER WEBSITES, for the period January 1, 2011 through the present.
8. All COMMUNICATIONS with GAWKER from January 1, 2011 through the present.
9. All COMMUNICATIONS with KINJA from January 1, 2011 through the present.
10. All COMMUNICATIONS with DENTON from January 1, 2011 through the present.
11. All DOCUMENTS, including but not limited to COMMUNICATIONS, that describe the service(s) FASTLY has provided to GAWKER from January 1, 2012 through the present.
12. All DOCUMENTS, including but not limited to COMMUNICATIONS, that describe the service(s) FASTLY has provided to KINJA from January 1, 2012 through the present.

13. All DOCUMENTS, including but not limited to COMMUNICATIONS, that describe the service(s) FASTLY has provided to DENTON from January 1, 2012 through the present.

14. All DOCUMENTS, including but not limited to COMMUNICATIONS, contracts and/or agreements, that REFER or RELATE TO the business relationship between FASTLY and GAWKER.

15. All DOCUMENTS, including but not limited to COMMUNICATIONS, contracts and/or agreements, that REFER or RELATE TO the business relationship between FASTLY and KINJA.

16. All DOCUMENTS, including but not limited to COMMUNICATIONS, contracts and/or agreements, that REFER or RELATE TO the business relationship between FASTLY and DENTON.

17. All DOCUMENTS, including but not limited to COMMUNICATIONS, contracts and/or agreements, that REFER or RELATE TO the business relationship between GAWKER and KINJA.

18. All DOCUMENTS, including but not limited to COMMUNICATIONS, contracts and/or agreements, that REFER or RELATE TO the business relationship between GAWKER and DENTON.

19. All DOCUMENTS, including but not limited to COMMUNICATIONS, contracts and/or agreements, that REFER or RELATE TO the business relationship between DENTON and KINJA.

20. All DOCUMENTS that constitute, REFER or RELATE TO business or financial transactions of any kind between FASTLY and any KINJA entity, manager, officer, director, executive, or shareholder.

21. All DOCUMENTS that constitute, REFER or RELATE TO business and/or financial transactions of any kind between FASTLY and any GAWKER entity, manager, officer, director, executive, or shareholder.

22. All DOCUMENTS that constitute, REFER or RELATE TO business and/or financial transactions of any kind between FASTLY and DENTON.

23. All DOCUMENTS that mention, REFER or RELATE TO the LAWSUIT.

24. All DOCUMENTS that mention, REFER or RELATE TO any or all versions of the SEX VIDEO.

25. All DOCUMENTS that mention, REFER or RELATE TO the POSTED SEX VIDEO.

26. All DOCUMENTS that mention, REFER or RELATE TO the POSTED NARRATIVE.

27. All DOCUMENTS that mention, REFER or RELATE TO the WEBPAGE.

28. All DOCUMENTS that mention, REFER or RELATE TO PLAINTIFF and which were created or are dated after January 1, 2011.

29. All DOCUMENTS that include the word(s) "Hogan," "Hulk" or "Bollea" and which were created or are dated after January 1, 2011.