

# **EXHIBIT B**

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

TERRY GENE BOLLEA professionally  
known as HULK HOGAN,

Plaintiff,

vs.

Case No. 12012447CI-011

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,

Defendants.

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**PLAINTIFF TERRY GENE BOLLEA'S THIRD SUPPLEMENTAL RESPONSE TO  
INTERROGATORY NO. 12 PROPOUNDED BY GAWKER MEDIA, LLC**

**PROPOUNDING PARTY: Defendant GAWKER MEDIA, LLC**

**RESPONDING PARTY: Plaintiff TERRY GENE BOLLEA**

**SET NO.: ONE**

Plaintiff TERRY GENE BOLLEA (herein "Responding Party") hereby supplements his response to Interrogatory No. 12 propounded by defendant GAWKER MEDIA, LLC (herein "Propounding Party") as follows:

**PRELIMINARY STATEMENT**

Responding Party responds to the Interrogatories subject to, without intending to waive, and expressly preserving: (a) any objections as to the competency, relevance, materiality, privilege or admissibility of any of the responses or any of the documents identified in any response hereto; and (b) the right at any time to revise, correct, supplement or clarify any of the responses herein.

These responses are based upon a diligent investigation undertaken by Responding Party and its counsel since the service of these Interrogatories. These responses reflect only Responding Party's current understanding, belief and knowledge regarding the matters about which inquiry was made. Responding Party has not yet had sufficient opportunity to depose or interview all persons who may have knowledge of relevant facts, or to discover or otherwise obtain and review all documents which may have some bearing on this case.

Consequently, there may exist further information, documents and persons with knowledge relevant to these Interrogatories of which Responding Party is not currently aware. As this action proceeds, Responding Party anticipates that further facts, witnesses and documents may be discovered or identified. Without in any way obligating it to do so, Responding Party reserves the right to offer further or different evidence or information at trial or at any pretrial proceeding. These responses are not in any way to be deemed an admission or representation that there are no further facts, documents or witnesses having knowledge relevant to the subject matter of these Interrogatories.

#### **GENERAL OBJECTIONS**

1. The following Responses, and each of them, are based upon information and writings presently available to, and located by, Responding Party and its attorneys. Responding Party has not completed an investigation of the facts or discovery proceedings in this case and has not completed its preparation for trial. The following Responses, and each of them, are made without prejudice to Responding Party's right to produce evidence based on subsequently discovered facts or documents, and to offer such facts or documents in evidence at the time of trial. The fact that Responding Party has responded to an Interrogatory should not be taken as an admission that Responding Party accepts or admits the existence of any facts set forth or

assumed by such Interrogatory, or that such Response constitutes admissible evidence. The following Responses, and each of them, are made without prejudice to the rights of Responding Party to introduce evidence of any subsequently discovered facts or documents which Responding Party may later obtain, discover or recall.

2. The documents and information which could or would form the basis of responses to the instant Interrogatories, in whole or in part, are still in the process of being identified by Responding Party, and all such relevant documents and information have not yet been identified, examined or produced. In addition, the significance of documents and information which may now be in the possession of Responding Party may only become apparent upon further discovery and review of those documents and information in the context of other documents which have not yet been identified or obtained in the context of later testimony or discovery which may establish their relevance.

3. These Responses are made, and any and all documents are being produced, solely for the purposes of this litigation. Any documents supplied in response to the Requests are being supplied by Responding Party subject to all objections as to competence, relevance, materiality, propriety and admissibility, and to any and all other objections on any ground that would require the exclusion of any document or portion thereof, if such document were offered in evidence in Court, all of which objections and ground are expressly reserved and may be interposed at the time of trial.

4. Responding Party, accordingly, reserves the right to alter or modify any and all Responses set forth herein as additional facts may be ascertained, documents discovered, analyses made, witnesses identified, additional parties identified, legal research completed, and contentions made or expanded.

5. Responding Party objects generally to each and every Interrogatory to the extent it calls for information that is protected by the attorney-client privilege and/or the attorney work product doctrine.

6. Responding Party objects generally to each and every Interrogatory to the extent it requests any information concerning the content of conversations of any other party to this action or documents in the possession of any other party to this action, other than the Responding Party, in that such information is equally accessible to all parties.

7. Responding Party objects to producing any private and/or confidential business or proprietary information or trade secrets.

8. Responding Party objects to these Interrogatories, and each of them, to the extent they are not limited to the subject matter of this action and thus are irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence.

9. Responding Party objects to these Interrogatories, and each of them, to the extent they are unduly burdensome, oppressive, unreasonably cumulative, duplicative and overbroad.

10. Responding Party objects to these Interrogatories, and each of them, to the extent they seek information to which Propounding Party has equal access.

#### **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 12**

The Preliminary Statement and General Objections are incorporated into each response below, regardless of whether specifically mentioned. The specific objections set forth below are not a waiver, in whole or in part, of any of the foregoing General Objections. Subject to and without waiver of these objections, Responding Party responds below.

**INTERROGATORY 12:**

Identify any and all damages purportedly suffered by you as a result of alleged actions by the Gawker Defendants or any of them, explaining with particularity the basis for your calculation of such alleged damages.

**RESPONSE TO INTERROGATORY 12:**

Responding Party objects to this Interrogatory to the extent that it seeks information protected from disclosure by the attorney-client privilege and/or attorney work product doctrine. Responding Party objects to this Interrogatory to the extent that it prematurely calls for expert opinion and analysis.

Without waiver of the foregoing, Responding Party responds as follows: Discovery is continuing, and Responding Party is still assessing and calculating his damages.

**SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY 12:**

Without waiver of the objections previously stated, Responding Party further responds as follows:

Responding Party presently intends to seek damages at trial, as follows:

1. The reasonable value of a publicly released sex tape featuring Hulk Hogan, released on the Internet with viewership of approximately 5.35 million unique viewers during the period of October 4, 2012, through April 25, 2013.
2. The reasonable value of 5.35 million unique Internet users visiting the Gawker.com homepage and/or the webpage featuring the Hulk Hogan sex tape, and any other Gawker affiliated websites/webpages during the period of October 4, 2012, through April 25, 2013, because of the existence of the Hulk Hogan sex tape at Gawker.com;

3. Disgorgement of Gawker Media's profits, and the profits of Gawker's owners, managers and/or employees, resulting from the unlawful dissemination of the Hulk Hogan sex tape at issue and the accompanying narrative describing Hulk Hogan naked and having sex in a private place;

4. General emotional distress damages that would naturally and foreseeably result from being the subject of a publicly released sex tape on the Internet, watched by approximately 5.35 million people (distress that did not involve Plaintiff needing to seek medical attention or treatment); and

5. Punitive damages, based on the outrageous nature of Defendants' conduct.

Responding Party also seeks costs and a permanent injunction as described in the operative Complaint.

Responding Party has not yet designated an expert witness for purposes of testifying at trial in this action and therefore reserves the right to present additional information by way of expert testimony, expert reports and/or documents relied upon by experts in presenting such testimony and/or reports.

Responding Party's investigation and discovery are continuing, and Responding Party reserves the right to alter or modify this response as additional information is learned through his investigation and discovery into the underlying facts.

**THIRD SUPPLEMENTAL RESPONSE TO INTERROGATORY 12:**

Without waiver of the objections previously stated, Responding Party further responds as follows:

Responding Party presently intends to seek damages at trial, as follows:

1. The reasonable value of a publicly released sex tape featuring Hulk Hogan, released on the Internet with viewership of approximately 5.35 million unique viewers during the period of October 4, 2012, through April 25, 2013, at Gawker.com, and several million more viewers at other sites that obtained the video from Gawker.com.

2. The reasonable value of 5.35 million unique Internet users visiting the Gawker.com homepage and/or the webpage featuring the Hulk Hogan sex tape, and any other Gawker affiliated websites/webpages during the period of October 4, 2012, through April 25, 2013, because of the existence of the Hulk Hogan sex tape at Gawker.com. To clarify, “reasonable value” as used herein includes, without limitation, any increase in value of either Gawker.com and/or Gawker Media, LLC attributable, directly or indirectly, to the existence of the Hulk Hogan sex video at Gawker.com.

3. Disgorgement of Gawker Media’s profits, and the profits of Gawker’s owners, managers and/or employees, resulting from the unlawful dissemination of the Hulk Hogan sex tape at issue and the accompanying narrative describing Hulk Hogan naked and having sex in a private place. To clarify, “profits” as used herein includes, without limitation, any increase in profits of either Gawker.com and/or Gawker Media, LLC attributable, directly or indirectly, to the existence of the Hulk Hogan sex video at Gawker.com.

4. General emotional distress damages that would naturally and foreseeably result from being the subject of a publicly released sex tape on the Internet, watched by approximately 5.35 million people (distress that did not involve Plaintiff needing to seek medical attention or treatment); and

5. Punitive damages, based on the outrageous nature of Defendants’ conduct.

Responding Party also seeks costs and a permanent injunction as described in the



operative Complaint.

Responding Party has not yet designated an expert witness for purposes of testifying at trial in this action and therefore reserves the right to present additional information by way of expert testimony, expert reports and/or documents relied upon by experts in presenting such testimony and/or reports.

Responding Party's investigation and discovery are continuing, and Responding Party reserves the right to alter or modify this response as additional information is learned through his investigation and discovery into the underlying facts.

DATED: June 24 2013

/s/ Charles J. Harder  
Charles J. Harder, Esq.  
PHV No. 102333  
Douglas E. Mirell, Esq.  
PHV No. 109885  
HARDER MIRELL & ABRAMS LLP  
1925 Century Park East, Suite 800  
Los Angeles, CA 90067  
Tel: (424) 203-1600  
Fax: (424) 203-1601  
Email: [charder@hmafirm.com](mailto:charder@hmafirm.com)

-and-

Kenneth G. Turkel, Esq.  
Florida Bar No. 867233  
Christina K. Ramirez, Esq.  
Florida Bar No. 954497  
BAJO CUVA COHEN & TURKEL, P.A.  
100 North Tampa Street, Suite 1900  
Tampa, Florida 33602  
Tel: (813) 443-2199  
Fax: (813) 443-2193  
Email: [kturkel@bajocuva.com](mailto:kturkel@bajocuva.com)  
Email: [cramirez@bajocuva.com](mailto:cramirez@bajocuva.com)

Counsel for Plaintiff

**VERIFICATION TO FOLLOW**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by E-Mail this 24th day of June, 2014 to the following:

Barry A. Cohen, Esquire  
Michael W. Gaines, Esquire  
Barry Cohen, Esquire  
Michael W. Gaines, Esquire  
The Cohen Law Group  
201 E. Kennedy Blvd., Suite 1000  
Tampa, Florida 33602  
[bcohen@tampalawfirm.com](mailto:bcohen@tampalawfirm.com)  
[mgaines@tampalawfirm.com](mailto:mgaines@tampalawfirm.com)  
[jrosario@tampalawfirm.com](mailto:jrosario@tampalawfirm.com)  
*Counsel for Heather Clem*

David R. Houston, Esquire  
Law Office of David R. Houston  
432 Court Street  
Reno, NV 89501  
[dhouston@houstonatlaw.com](mailto:dhouston@houstonatlaw.com)

Julie B. Ehrlich, Esquire  
Levine Sullivan Koch & Schultz, LLP  
321 West 44<sup>th</sup> Street, Suite 1000  
New York, NY 10036  
[jehrich@lkslaw.com](mailto:jehrich@lkslaw.com)  
*Pro Hac Vice Counsel for  
Gawker Defendants*

Gregg D. Thomas, Esquire  
Rachel E. Fugate, Esquire  
Thomas & LoCicero PL  
601 S. Boulevard  
Tampa, Florida 33606  
[gthomas@tlolawfirm.com](mailto:gthomas@tlolawfirm.com)  
[rfugate@tlolawfirm.com](mailto:rfugate@tlolawfirm.com)  
[kbrown@tlolawfirm.com](mailto:kbrown@tlolawfirm.com)  
*Counsel for Gawker Defendants*

Seth D. Berlin, Esquire  
Paul J. Safier, Esquire  
Alia L. Smith, Esquire  
Levine Sullivan Koch & Schulz, LLP  
1899 L. Street, NW, Suite 200  
Washington, DC 20036  
[sberlin@lkslaw.com](mailto:sberlin@lkslaw.com)  
[psafier@lkslaw.com](mailto:psafier@lkslaw.com)  
[asmith@lkslaw.com](mailto:asmith@lkslaw.com)  
*Pro Hac Vice Counsel for  
Gawker Defendants*

Michael Berry, Esquire  
Levine Sullivan Koch & Schultz, LLP  
1760 Market Street, Suite 1001  
Philadelphia, PA 19103  
[mberry@lkslaw.com](mailto:mberry@lkslaw.com)  
*Pro Hac Vice Counsel for  
Gawker Defendants*

*/s/ Kenneth G. Turkel* \_\_\_\_\_  
Attorney