

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.

**DEFENDANT A.J. DAULERIO'S RESPONSES TO
PLAINTIFF'S THIRD REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Florida Rule of Civil Procedure 1.350, Defendant A.J. Daulerio ("Daulerio") hereby provides this response to Plaintiff's Third Request for Production of Documents dated December 15, 2014.

REQUESTS AND RESPONSES

REQUEST NO. 86: All documents that constitute, refer or relate to any agreement or contract between Ratter and Kinja from the inception of Ratter to present.

RESPONSE: Daulerio objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In particular, Daulerio objects on the grounds that it seeks discovery related to a company, Ratter, that has nothing to do with the above-captioned case. Indeed, Ratter was not formed until 2014, nearly two years *after* the post at issue was published. Moreover, to the extent that this Request seeks information concerning Kinja, the relationship between Kinja and a New York company formed two years after the events at issue has no bearing on whether Kinja

engaged in the tortious conduct alleged in this case or whether there is jurisdiction over Kinja in Florida.

Daulerio further objects to this Request to the extent that it calls for information protected from disclosure by the attorney-client privilege or work product doctrine.¹

Subject to and without waiving the foregoing objections, Daulerio states that he has no non-privileged documents responsive to this Request.

REQUEST NO. 87: All communications between Daulerio and Kinja from January 1, 2012, to the date of your response to these requests.

RESPONSE: Daulerio objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, particularly to the extent that it seeks documents that post-date the publication of the posting at issue in this lawsuit or that relate to Ratter, including for the reasons set forth above in Daulerio's Response to Request No. 86.

Daulerio further objects to this Request to the extent that it calls for information protected from disclosure by the attorney-client privilege or work product doctrine. *See* note 1, *supra*.

Subject to and without waiving the foregoing objections, Daulerio states that he has no documents responsive to this Request.

REQUEST NO. 88: All communications between Ratter and Kinja from January 1, 2012 to the date of your response to these requests.

RESPONSE: Daulerio objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In particular, Daulerio objects on the grounds that it seeks discovery related to a

¹ The only documents responsive to this set of Requests that are subject to the attorney-client privilege or the attorney work-product doctrine are emails exchanged with counsel in the course of preparing these responses. Consistent with past practice in this case, such emails will not be logged.

company, Ratter, that has nothing to do with the above-captioned case. Indeed, Ratter was not formed until 2014, nearly two years *after* the post at issue was published. Moreover, to the extent that this Request seeks information concerning Kinja, the relationship between Kinja and a New York company formed two years after the events at issue has no bearing on whether Kinja engaged in the tortious conduct alleged in this case or whether there is jurisdiction over Kinja in Florida.

Daulerio further objects to this Request to the extent that it calls for information protected from disclosure by the attorney-client privilege or work product doctrine. *See* note 1, *supra*.

Subject to and without waiving the foregoing objections, Daulerio states that he has no non-privileged documents responsive to this Request.

REQUEST NO. 89: All documents that constitute, refer or relate to any agreement or contract between Kinja and any other person or entity from January 1, 2012 to the date of your response to these requests.

RESPONSE: Daulerio objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, particularly to the extent that it seeks documents that post-date the publication of the posting at issue in this lawsuit or that relate to Ratter, including for the reasons set forth above in Daulerio's Response to Request No. 86.

Daulerio further objects to this Request to the extent that it calls for information protected from disclosure by the attorney-client privilege or work product doctrine. *See* note 1, *supra*.

Subject to and without waiving the foregoing objections, Daulerio states that he has no documents responsive to this Request.

REQUEST NO. 90: All communications between Kinja and any other person or entity from January 1, 2012 to the date of your response to these requests.

RESPONSE: Daulerio objects to this Request on the grounds that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, particularly to the extent that it seeks documents that post-date the publication of the posting at issue in this lawsuit or that relate to Ratter, including for the reasons set forth above in Daulerio's Response to Request No. 86.

Daulerio further objects to this Request to the extent that it calls for information protected from disclosure by the attorney-client privilege or work product doctrine. *See* note 1, *supra*.

Subject to and without waiving the foregoing objections, Daulerio states that he has no documents responsive to this Request.

Dated: January 20, 2015

THOMAS & LOCICERO PL

By: /s/ Gregg D. Thomas

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of January 2015, I caused a true and correct copy of the foregoing to be served via the Florida Courts' E-Filing Portal upon the following counsel of record:

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