

**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. 12012447 CI-011

GAWKER MEDIA, LLC aka GAWKER
MEDIA; NICK DENTON; A.J.
DAULERIO,

Defendants.

**PLAINTIFF TERRY BOLLEA'S MOTION TO DETERMINE
CONFIDENTIALITY OF COURT RECORDS**

Pursuant to Florida Rule of Judicial Administration 2.420 and the Agreed Protective Order Governing Confidentiality entered by this Court on July 25, 2013 (“Confidentiality Order”), Plaintiff, Terry Bollea professionally known as “Hulk Hogan” (“Mr. Bollea”), by and through his undersigned counsel, and pursuant to Fla. R. Jud. Admin. 2.420, moves to determine the confidentiality of the redacted portions of his Renewed Motion to Compel and Request for Ruling on Claim of Privilege Associated with Transfer Pricing Study, and Confidential Exhibits 1, 2, 3 and 4 thereto, concerning Gawker Defendants’ financial worth and Transfer Pricing Study, and states as follows:

1. Florida Rule of Judicial Administration 2.420(c)(9)(A)(vi) provides that certain court records are confidential if the Court determines that confidentiality is required in order to “avoid substantial injury to a party by disclosure of matters protected by a common law or privacy right not generally inherent in the specific type of proceeding sought to be closed.”

2. On July 25, 2013, this Court entered the Confidentiality Order pursuant to which the parties could designate as “confidential” “information in which the party from which

discovery is sought has a reasonable expectation of privacy or confidentiality.” Confidentiality Order at ¶ 3(c). The Confidentiality Order also provides that “[i]n the event a party wishes to use any Confidential Information in any affidavits, briefs, memoranda of law, or other paper filed in Court in this litigation, such Confidential Information used therein shall be filed under seal with the Court consistent with Florida Rule of Judicial Administration 2.420.” *Id.* at ¶ 11.

3. Contemporaneously with this Motion, Plaintiff is filing redacted or under seal the following CONFIDENTIAL materials:

- A. A redacted version of Plaintiff’s Renewed Motion to Compel and Request for Ruling on Claim of Privilege Associated With Transfer Pricing Study;
- B. Confidential Exhibit 1 (License Agreement);
- C. Confidential Exhibit 2 (Promissory Notes);
- D. Consolidated Confidential Exhibit 3 (J. Donohue Expert Report and Appendix); and
- E. Confidential Exhibit 4 (Kinja’s Auditor Report).

4. Gawker Defendants have designated these materials as “Confidential” under the Confidentiality Order.

5. Plaintiff now seeks this Court’s determination of the confidentiality of the redacted portions of his Renewed Motion to Compel and Request for Ruling on Claim of Privilege Associated with Transfer Pricing Study, as well as Confidential Exhibits 1, 2, 3 and 4 thereto, pursuant to Fla. R. Jud. Admin. 2.420(c)(9)(A)(vi) and the Confidentiality Order.

6. Plaintiff’s counsel certifies that this motion is made in good faith and is supported by a sound factual and legal basis.

7. Pursuant to Rule 2.420(e)(2), Plaintiff requests that this Court consider this matter at the Case Management and Status Conference to be held on May 25, 2016 to determine

whether the redacted portions of Renewed Motion to Compel and Request for Ruling on Claim of Privilege Associated with Transfer Pricing Study, and Confidential Exhibits 1, 2, 3 and 4 thereto, should remain sealed.

WHEREFORE, Plaintiff respectfully requests that this Court determine the confidentiality of the redacted portions of his Renewed Motion to Compel and Request for Ruling on Claim of Privilege Associated with Transfer Pricing Study and Confidential Exhibits 1, 2, 3 and 4 thereto.

Dated: May 9, 2016.

Respectfully submitted,

/s/ Kenneth G. Turkel

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-mail via the e-portal system this 9th day of May, 2016 to the following:

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