

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, *et al.*,

Defendants.

MOTION TO DETERMINE CONFIDENTIALITY OF COURT RECORDS

Pursuant to Rule 2.420 of the Florida Rules of Judicial Administration and this Court's Agreed Protective Order Governing Confidentiality, dated July 25, 2013 (the "Confidentiality Order"), Defendants Gawker Media, Nick Denton, and A.J. Daulerio (collectively, "Defendants"), by and through their undersigned counsel, hereby move to determine the confidentiality of their Exceptions to Ruling Precluding Discovery About Media Reports Bearing On Whether The Gawker Publication Addressed Matters of Public Concern (the "Exceptions"), and the Exhibits attached thereto. As grounds for this motion, Defendants state as follows:

1. Florida Rule of Judicial Administration 2.420(c)(9)(A)(iv) provides that certain court records are confidential if the Court determines that confidentiality is required in order to "obtain evidence to determine legal issues in a case."

2. This Court's Confidentiality Order provides, *inter alia*, that all deposition testimony and transcripts shall be treated as "Confidential" for the first thirty (30) days after the release of the transcript, during which time the parties and the witness shall have the opportunity to designate specific portions of the transcript as "Confidential."

3. The Exceptions, which are being filed concurrently with this Motion, summarize and quote from the deposition testimony of Elizabeth Rosenthal Traub, whose deposition was taken on March 2, 2015, within the thirty-day period in which all deposition testimony must be treated as “Confidential.”

4. The Exhibits to the Exceptions primarily consist of excerpts from the transcript of Traub’s testimony or exhibits marked during her deposition.

5. Counsel for Defendants certifies that this motion is made in good faith and is supported by a sound factual and legal basis. Without conceding that any of the material should ultimately be treated as “Confidential,” Defendants are filing this motion in order to comply with Rule 2.420 and this Court’s Confidentiality Order.

WHEREFORE, the Defendants respectfully request that this Court determine the confidentiality of the Exceptions and the Exhibits attached thereto.

Dated: March 9, 2015

Respectfully submitted,

THOMAS & LOCICERO PL

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*Counsel for Defendants Gawker Media, LLC,
Nick Denton, and A.J. Daulerio*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of March 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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