

# EXHIBIT 10

**Confidential**

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

TERRY GENE BOLLEA,  
professionally known as HULK  
HOGAN,

Plaintiff,

Case No.  
12-012447-CI-011

vs.

HEATHER CLEM; GAWKER MEDIA,  
LLC, aka GAWKER MEDIA, et  
al.,

Defendants.

\_\_\_\_\_ /

CONFIDENTIAL

TELEPHONIC HEARING  
BEFORE THE HONORABLE JAMES R. CASE

DATE: February 13, 2015

TIME: 12:05 p.m. to 1:10 p.m.

PLACE OF COURT REPORTER: Riesdorph Reporting Group  
601 Cleveland Street  
Suite 600  
Clearwater, Florida

REPORTED BY: Aaron T. Perkins, RPR  
Notary Public, State of  
Florida at Large

Pages 1 to 57

1 the case, their opinions, the basis for their  
2 calculations, everything.

3 Gawker can have all of the information that  
4 it needs, but right now it's premature, because I  
5 don't have any calculations, and I don't have any  
6 designated experts. We have one consultant that  
7 we've been talking to. We have two other people  
8 who might become consultants. They're not even  
9 consultants yet. And one or both or zero may  
10 become testifying experts. I don't know. The  
11 whole thing is premature at this point.

12 What Gawker is really asking for is let's  
13 start the expert discovery earlier than what's on  
14 the discovery plan in the pretrial schedule that  
15 we all negotiated and stipulated to a few months  
16 ago. Even if we were to revisit all those dates,  
17 I can't -- I'm not in a position to change those  
18 dates at this point, because in 21 days is my  
19 deadline, and I have been planning on that.

20 If it was six months earlier and Gawker said,  
21 Look, we're not happy with these dates; we want to  
22 move things back by 21 days, we would be in a  
23 position to say, Okay, we'll just move a little  
24 faster and try to get things done 21 days earlier.

25 At this point in time, I can't commit myself

1           MR. HARDER: To be honest with you,  
2           Judge Case, at this point in time, to use a phrase  
3           of Ken Turkel's, we're talking to one consultant  
4           right now and possibly a few more, and we're spit  
5           balling at this point in terms of how damages get  
6           calculated in a case like this.

7           I'm not personally an expert in calculating  
8           damages. Terry Bollea is not an expert in  
9           calculating damages. He has a certain sense of  
10          what would be just, but he's not a damages  
11          calculation expert. Probably on March 2nd, which  
12          is the day we designate experts, we will have a  
13          much better sense of where our experts are coming  
14          from, expert or experts. We may have a written  
15          report at that point in time, which would tell  
16          Gawker where they are coming from.

17          We're not trying to hide this. We're not  
18          trying to lie in the weeds and surprise them with  
19          anything. We will be up front about damages  
20          calculations. I don't know if they are going to  
21          have expert reports. It hasn't been decided. And  
22          if they don't have expert reports, we designate  
23          and Gawker can immediately take their deposition  
24          and ask them questions and get their documents,  
25          get all the documents that they have that would

1 support their damages theories.

2 So we're open about this. We want Gawker to  
3 know the information. I don't have the  
4 information right now. March 2nd, which is the  
5 day we designate experts, I think we'll all be a  
6 lot further along in the process.

7 THE COURT: I would hope so. It's got to be  
8 frustrating for defense --

9 MR. BERLIN: I'm sorry. Your Honor, I'm  
10 sorry to interrupt. I had some difficulty hearing  
11 what you were saying just now. I apologize.

12 THE COURT: It's got to be frustrating for  
13 the defense to have to deal with this complete  
14 issue of how they're going to calculate damages  
15 from the plaintiff's perspective. I understand  
16 that this is not typical. I understand it's not a  
17 typical personal injury case or business dispute.  
18 But, nevertheless, Gawker has got to be able to  
19 defend this case, so I think the defendant is  
20 entitled to get as much information as to how the  
21 plaintiff is going to calculate the damages.

22 We are on the eve of 21 days from the  
23 disclosure requirement that has been stipulated to  
24 you in the scheduling order. So in light of that,  
25 I'm going to suggest that the plaintiff would be