

EXHIBIT C

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

----- X
 In re SUBPOENA to YOUNG AMERICA :
 CAPITAL, LLC :
 :
 GAWKER MEDIA, LLC : Index No. 52004/2015
 :
 Petitioner, :
 :
 -against- :
 :
 TERRY GENE BOLLEA, professionally known as :
 HULK HOGAN, :
 Respondent. :
 ----- X

**AFFIRMATION IN SUPPORT
OF MOTION TO QUASH AND
FOR A PROTECTIVE ORDER**

DANIELLE C. LESSER, ESQ. an attorney duly admitted to practice before the Courts of this State, affirms the following to be true under penalties of perjury:

1. I am a member of Morrison Cohen LLP, counsel to Young America Capital, LLC (“YAC”), and respectfully submit this affirmation in support of YAC’s Motion pursuant to Sections 2304 and 3103 of the New York Civil Practice Law and Rules (“CPLR”) to quash the Subpoena Ad Testificandum and Duces Tecum served by Plaintiff Terry Gene Bollea, professionally known as Hulk Hogan (“Plaintiff”) and for the issuance of a protective order. I have personal knowledge of the facts set forth below.

2. The Subpoena is returnable on February 20, 2015 (the “Subpoena”), and this motion is brought prior to the time for compliance. A true and correct copy of the Subpoena is attached hereto as Exhibit 1.

3. The Subpoena states that it seeks documents and testimony in connection with a Florida proceeding between Plaintiff and a number of defendants, including Gawker Media, LLC (“Gawker”) (the “Florida Action”).

4. Young America Capital is a broker-dealer, based in Mamaroneck, that Gawker engaged in late 2014, more than two years after the the underlying facts at issue in the Florida Action took place. YAC is assisting Gawker with a proposed issuance of debt in 2015. There is no allegation in the Complaint in the Florida Action that YAC has any connection whatsoever to the allegedly tortious activity giving rise to the claims asserted in the Florida Action. Indeed, YAC's business dealings with Gawker post date those events by some two years.

5. By letter dated February 10, 2015, counsel for Gawker, Seth Berlin, Esq. of Levine Sullivan Koch & Schulz, LLP, requested that Plaintiff withdraw the Subpoena because it is burdensome, overbroad, seeks to burden an unrelated third party to produce duplicative discovery and exceeds a discovery order in place in the Florida Action. A true copy of Mr. Berlin's letter is attached hereto as Exhibit 2.

6. By letter dated February 12, 2015, I also requested that counsel for Plaintiff withdraw the Subpoena. A true copy of my letter is attached hereto as Exhibit 3.

7. By email dated February 12, 2015, without any effort to meet and confer, Plaintiff's counsel refused to withdraw the subpoena; failed to address any of the arguments raised in my letter and threatened to seek sanctions if YAC failed to produce documents and appear for deposition on February 20, 2015.

8. Upon receipt of Plaintiff's counsel's email, YAC had no choice but to interpose this motion to quash and for a protective order. Pursuant to CPLR 3103(b), service of notice of this motion "suspend[s] disclosure of the particular matter in dispute."

9. As set forth in greater detail in Gawker's motion to quash and for a

protective order, which arguments YAC adopts and incorporates into this motion, the Subpoena must be quashed and a protective order issued because the Subpoena, among other things, (i) is facially defective; (ii) is overly broad and unduly burdensome and served for purposes of harassment; (iii) seeks testimony and documents which appear to have no relevance to the facts, claims, and/or defenses that are at issue in the Florida Action; (iii) appears to exceed the scope of a discovery order in the Florida Action; and (iv) seeks discovery that has already been produced or will be produced in the Florida Action.

10. YAC was not a participant in, or otherwise involved in, the events underlying the Complaint. Its employees and related parties neither possess personal knowledge of the relevant facts nor could they be potential witnesses.

11. It is likely for this reason that Defendants failed to set forth in the Subpoena the “circumstances or reasons such disclosure is sought or required” as required by CPLR § 3101(a)(4). Nor did Defendants set forth any circumstances or reasons that would show why discovery is necessary from YAC, or why the information and testimony sought by the Subpoena is relevant to the underlying dispute and cannot be obtained from other sources. Thus, the Subpoena is facially defective and must be quashed for this reason.

12. The Subpoena is nothing more than a fishing expedition designed to impose an undue burden upon an unrelated third party who has no link to the underlying allegations and indeed had no relationship with Gawker at the time of the events in question. If YAC were to be subpoenaed for all of its clients, the burden would be enormous and it would interfere with its business relationships. Moreover, clients have an expectation that the confidentiality of their financial information will be protected and not turned over in unrelated

litigation. The Subpoena should therefore be quashed in all respects and a protective order should be issued to prevent this abuse of the litigation process.

WHEREFORE, it is respectfully requested that YAC's motion to quash and for a protective order be granted and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
February 13, 2015



DANIELLE C. LESSER