

# **EXHIBIT A**

**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

HEATHER CLEM; GAWKER MEDIA, LLC  
AKA GAWKER MEDIA; GAWKER MEDIA  
GROUP, INC. AKA GAWKER MEDIA;  
GAWKER ENTERTAINMENT, LLC;  
GAWKER TECHNOLOGY, LLC; GAWKER  
SALES, LLC; NICK DENTON; A.J.  
DAULERIO; KATE BENNERT, AND  
BLOGWIRE HUNGARY SZELLEMI  
ALKOTAST HASZNOSITO KFT AKA  
GAWKER MEDIA,

Defendants.

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**NOTICE OF TAKING VIDEOTAPED DEPOSITION  
OF CORPORATE REPRESENTATIVE OF GAWKER MEDIA, LLC**

TO:

Seth D. Berlin, Esquire  
Michael Sullivan, Esquire  
Alia L. Smith, Esquire  
Paul J. Safier, Esquire  
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Michael Berry, Esquire  
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Pursuant to Rule 1.310(b)(6), Florida Rules of Civil Procedure, Plaintiff Terry Gene Bollea, professionally known as Hulk Hogan (“Bollea”), will take the deposition by oral examination of the person or persons designated by Gawker Media, LLC (“Gawker”), at the time and location indicated:

**Deponent:** Corporate Representative of Gawker Media, LLC  
**Date and Time:** March 6, 2015 at 10:00 a.m.  
**Location:** Merrill Corporation, 1345 Avenue of the Americas, 17th Floor  
New York, NY 10105

This deposition is being taken by oral examination before a member of Merrill Corporation, or a Notary Public in and for the State of New York at Large, and or some other officer duly authorized by law to take depositions.

Pursuant to Rule 1.310(b)(6), Florida Rules of Civil Procedure, Gawker shall designate one or more of its officers, directors or managing agents or other persons with the most knowledge to give testimony regarding the issues specified in Schedule "A" attached hereto. The deposition is being taken for the purpose of discovery, for use at trial, and for all other purposes that are permitted under the Florida Rules of Civil Procedure.

The deposition shall continue from day to day until completed. The deposition will be recorded by video by a videographer provided by Merrill Corporation, 1345 Avenue of the Americas, 17<sup>th</sup> Floor, New York, NY 10105, and/or using instant visual display of the testimony (e.g., Live Note), as well as stenographically.

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

DATED on December 29, 2014.

*/s/ Kenneth G. Turkel*  
\_\_\_\_\_  
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-and-

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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 29th day of December, 2014 to the following:

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*/s/ Kenneth G. Turkel*  
Attorney

## SCHEDULE "A"

### Definitions

1. "GAWKER" means Defendant Gawker Media, LLC and its members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on any of their respective behalves.

2. "COMMUNICATION(S)" means any correspondence, contact, discussion, or exchange between any two or more PERSONS. Without limiting the foregoing, "COMMUNICATION(S)" includes all DOCUMENTS, telephone conversations or face to face conversations, meetings and conferences.

3. "DENTON" means Defendant Nick Denton, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

4. "DOCUMENT(S)" means all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise (including but without limitation to, email and attachments, "instant" messages or "IM" messages, "wall" postings on Facebook, Myspace postings, Twitter postings or "tweets," blog postings, correspondence, memoranda, notes, diaries, minutes, statistics, letters, telegrams, contracts, reports, studies, checks, statements, tags, labels, invoices, brochures, periodicals, telegrams, receipts, returns, summaries, pamphlets, books, interoffice and intraoffice COMMUNICATIONS, offers, notations of any sort of conversations, working papers, applications, permits, file wrappers, indices, telephone calls, meetings or printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications, changes and amendments of any of the foregoing), graphic or aural representations of any kind (including without limitation, photographs, charts, microfiche, microfilm, videotape, recordings, motion pictures,

plans, drawings, surveys), and electronic, mechanical, magnetic, optical or electric records or representations of any kind (including without limitation, computer files and programs, tapes, cassettes, discs, recordings), including metadata.

5. “ENTITY” means any firm, partnership, association, proprietorship, joint venture, corporation, governmental agency, or other organization or legal or business entity, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on its behalf.

6. “GMGI” means Gawker Media Group, Inc. and its members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on any of their respective behalves.

7. “GAWKER WEBSITES” means all websites owned or controlled by GAWKER, including GAWKER.COM, DEADSPIN.COM, GIZMODO.COM, IO9.COM, JALOPNIK.COM, JEZEBEL.COM, KOTAKU.COM, LIFEHACKER.COM, and any of their respective sub-sites.

- a. “GAWKER.COM” means the website located at [www.gawker.com](http://www.gawker.com).
- b. “DEADSPIN.COM” means the website located at [www.deadspin.com](http://www.deadspin.com).
- c. “GIZMODO.COM” means the website located at [www.gizmodo.com](http://www.gizmodo.com).
- d. “IO9.COM” means the website located at [www.io9.com](http://www.io9.com).
- e. “JALOPNIK.COM” means the website located at [www.jalopnik.com](http://www.jalopnik.com).
- f. “JEZEBEL.COM” means the website located at [www.jezebel.com](http://www.jezebel.com).
- g. “KOTAKU.COM” means the website located at [www.kotaku.com](http://www.kotaku.com).
- h. “LIFEHACKER.COM” means the website located at [www.lifehacker.com](http://www.lifehacker.com).

8. “HEATHER CLEM” means Defendant Heather Clem, the ex-wife of BUBBA CLEM (also known as Heather Cole), as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on her behalf.

9. “KINJA” means Defendant Kinja KFT formerly known as Blogwire Hungary Szellemi Alkotast Hasznosito KFT and its members, shareholders, managers, executives, officers, board members, employees, agents, representatives, attorneys, and all other PERSONS acting on any of their respective behalves.

10. “PERSON” means any individual, firm, partnership, association, proprietorship, joint venture, corporation, governmental agency, or other organization or legal or business entity, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on its behalf.

11. “PLAINTIFF” means Plaintiff Terry Gene Bollea, as well as any agents, attorneys and consultants therefor, and all other PERSONS acting or purporting to act on his behalf.

12. “POSTED NARRATIVE” means the story written by DAULERIO accompanying the “POSTED SEX VIDEO” available at <http://gawker.com/5948770/even-for-a-minute-watching-hulk-hogan-have-sex-in-a-canopy-bed-is-not-safe-for-work-but-watch-it-anyway>.

13. “POSTED SEX VIDEO” means the one minute forty-one second long video that was initially made available at <http://gawker.com/5948770/even-for-a-minute-watching-hulk-hogan-have-sex-in-a-canopy-bed-is-not-safe-for-work-but-watch-it-anyway>.

14. “REFER TO,” “RELATE TO” or “RELATING TO” means concerning, respecting, referring to, summarizing, digesting, embodying, reflecting, establishing, tending to establish, tending not to establish, evidencing, not evidencing, comprising, connected with,



commenting on, responding to, disagreeing with, showing, describing, analyzing, representing, constituting or including.

15. “SEX VIDEO” refers to any and all versions of the video of PLAINTIFF engaged in sexual activity with HEATHER CLEM, all excerpts therefrom, and all edited iterations thereof, including the POSTED SEX VIDEO.

16. “WEBPAGE” shall mean the webpage located at <http://gawker.com/5948770/even-for-a-minute-watching-hulk-hogan-have-sex-in-a-canopy-bed-is-not-safe-for-work-but-watch-it-anyway>, which contains the “POSTED VIDEO” and “POSTED NARRATIVE” defined above.

17. “All” includes the word “any” and “any” includes the word “all.”

18. “Each” includes the word “every” and “every” includes the word “each.”

### **Topics**

1. The KINJA platform, software and/or technology as it existed and was used during the time period of January 1, 2011 to the present.

2. Details RELATING TO all intellectual property owned or held by KINJA, GAWKER and/or GMGI from January 1, 2011 to the present, including the identities of all previous owners or holders of the intellectual property and the reasons and circumstances surrounding its transfer(s).

3. The extent to which GAWKER, KINJA and/or GMGI respect corporate formalities in relationships with their shareholders, parents, affiliates, and direct and indirect subsidiaries.

4. The ownership, relationships, organizational charts, lines of business, corporate purposes, management, places of incorporation and principal places of business of KINJA and

GMGI, and each business activity that they have engaged in, from January 1, 2012 to present, and the reason(s) why they were set up as separate companies from GAWKER.

5. The location of each of KINJA'S office(s) or place(s) of business, each of its employees, and each of its vendors from January 1, 2011 to present.

6. The location of each of GMGI'S office(s) or place(s) of business, each of its employees, and each of its vendors from January 1, 2011 to present.

7. The identities and location of each of GAWKER'S employees who resided outside the United States at any time during their employment with GAWKER for the time period from January 1, 2011 to present.

8. The identities of the shareholders of GAWKER, KINJA and GMGI, their location, and the percentage of outstanding shares owned during all times from January 1, 2011 to present.

9. The identities of all PERSONS or ENTITIES that have received compensation from two or more of any of the following PERSONS or ENTITIES at any time from January 1, 2011 to present: GAWKER, KINJA and/or GMGI; the circumstances RELATING TO the payment/receipt of such compensation; and the services provided in exchange for the compensation.

10. The reason(s) why KINJA was formed in Hungary, rather than the United States.

11. The reason(s) why GMGI was formed in the Cayman Islands, rather than the United States.

12. GAWKER'S, KINJA'S and GMGI'S financial accounts for January 1, 2012 to present, including the name of each financial institution and its location, the account number, the

current account balance, and the balances as of September 30, 2012, December 31, 2012, March 31, 2013, and June 30, 2013, respectively.

13. The profits, losses, assets, liabilities, and equity of GAWKER, KINJA and GMGI from January 1, 2011 to present.

14. All financial transactions, transfers, payments, and/or movement of money, assets, or liabilities between KINJA, DENTON, GMGI and/or GAWKER, from January 1, 2011 to present.

15. The negotiations RELATING TO any and all agreements, arrangements and/or transactions between KINJA, DENTON, GMGI and/or GAWKER, from January 1, 2011 to present.

16. All assets and/or activities of KINJA that provided any benefit to GAWKER and/or GMGI at any time from January 1, 2011 to present.

17. All assets and/or activities of GAWKER that provided any benefit to KINJA and/or GMGI at any time from January 1, 2011 to present.

18. All assets and/or activities of GMGI that provided any benefit to KINJA and/or GAWKER at any time from January 1, 2011 to present.

19. Details RELATING TO all tax payments made by GAWKER, KINJA and/or GMGI from January 1, 2011 to present.

20. The identities, job titles, duties, compensation, and location of each of KINJA'S and/or GMGI'S current and former members, directors, executives and employees from January 1, 2011 to present.

21. Details RELATING TO all instances of KINJA and/or GMGI members, directors, executives and/or employees providing any assistance, service, benefit, and/or web content to or

for GAWKER, GAWKER.COM, and/or the GAWKER WEBSITES, including any editorial, technical, business development, marketing, advertising, financial, legal or other support, from January 1, 2011 to present.

22. Details RELATING TO all instances of GAWKER and/or GMGI members, directors, executives and/or employees providing any assistance, service, benefit and/or web content to or for KINJA and/or www.cink.hu, including any editorial, technical, business development, marketing, advertising, financial, legal or other support, from January 1, 2011 to present.

23. Details RELATING TO all instances of GAWKER and/or KINJA members, directors, executives and/or employees providing any assistance, service, and/or benefit to GMGI, including any editorial, technical, business development, marketing, advertising, financial, legal or other support, from January 1, 2011 to present.

24. The identities and location of each PERSON involved in administering, monitoring and/or posting content on Twitter at @kinjastatus, from January 1, 2011 to present.

25. The identities and location of each PERSON involved in administering, monitoring and/or posting content on Twitter at @kinjahelp, from January 1, 2011 to present.

26. The record-keeping, DOCUMENT retention, and DOCUMENT preservation policies of KINJA and/or GMGI and their affiliated, parent, subsidiary, and/or related companies, from January 1, 2011 to present.

27. All assets and/or activities of KINJA that had any relation to the acquisition, editing, posting, hosting, advertising, marketing and/or promoting of the POSTED SEX VIDEO, and web traffic and comments thereto.

28. Details RELATING TO all income and financial statements produced by GAWKER in the above-captioned lawsuit, and the data underlying all such income and financial statements.

29. Details RELATING TO all agreements, arrangements and/or transactions that directly or indirectly license or transfer any intellectual property, compensation or other benefits between KINJA and GAWKER, including any amendments to any such agreement, arrangement and/or transaction from January 1, 2011 to present.

30. Details RELATING TO all agreements, arrangements and/or transactions that directly or indirectly license or transfer any intellectual property, compensation or other benefits between KINJA and any PERSON or ENTITY other than GAWKER, including any amendments to any such agreement, arrangement and/or transaction from January 1, 2011 to present.

31. Lawsuits and arbitrations brought by or against KINJA in any court in the United States, or outside the United States, from January 1, 2011 to present.

32. All governmental actions filed against or RELATING TO KINJA from January 1, 2011 to present.

33. The identities of every PERSON (including both individuals and ENTITIES) with whom KINJA has done business, from January 1, 2011 to present, who is located in the United States.

34. KINJA'S contacts with the State of Florida and the United States from January 1, 2011 to present.

35. The existence of and location of all DOCUMENTS that refer or RELATE TO the facts underlying or relating to each of the above-stated subject areas.

36. The identity of all PERSONS and/or ENTITIES with personal knowledge of the facts underlying or relating to each of the above-stated subject areas.