

Bajo | Cuva | Cohen | Turkel  
ATTORNEYS AT LAW

April 2, 2015

**VIA FEDERAL EXPRESS**

The Honorable Pamela A.M. Campbell  
Civil Division, Section 11  
St. Petersburg Judicial Building  
545 1st Avenue North, Room 300  
St. Petersburg, Florida 33701

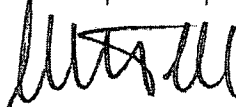
Re: *Terry Gene Bollea v. Heather Clem et al.*  
Case No. 12012447-CI-011

Dear Judge Campbell:

Pursuant to Your Honor's request at the March 19, 2015 hearing and status conference in the above-referenced litigation, we write to make you aware of Plaintiff Terry Bollea's objections to Defendant Gawker Media, LLC's ("Gawker") request that Exhibit A to Gawker's "Exceptions to Ruling Precluding Discovery About Media Reports Bearing on Whether the Gawker Publication Addressed Matters of Public Concern," filed March 9, 2015, be filed in the public record. Specifically, Mr. Bollea requests that pages 48-57 of the Elizabeth Rosenthal Traub deposition transcript, included in Gawker's Exhibit A, remain under seal. Mr. Bollea has designated those pages "CONFIDENTIAL" pursuant to the parties' July 25, 2013 Protective Order. (A copy of Mr. Bollea's letter designating such pages as "CONFIDENTIAL" is enclosed herewith as **Exhibit 1**.) In addition, in its February 26, 2014 Order, this Court ruled that the subject matter of those deposition transcript excerpts is outside the scope of allowable discovery in this case. (A copy of the February 26, 2014 Order is enclosed herewith as **Exhibit 2**.) Mr. Bollea therefore objects to Gawker's request that the Court unseal pages 48-57 of the Elizabeth Rosenthal Traub deposition transcript found at Gawker's Exhibit A, and respectfully requests that those pages remain under seal.

Sincerely,

BAJO | CUVA | COHEN | TURKEL



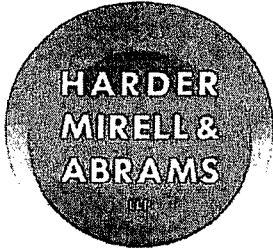
Kenneth G. Turkel

KGT/lhm  
Enclosures  
cc: Counsel of Record via e-mail

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{BC00064022:1}

**Exhibit "B"**



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March 24, 2015

**VIA EMAIL**

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Tampa, Florida 33606

Re: *Terry Gene Bollea v. Heather Clem, Gawker Media LLC, et al*  
Circuit Court of the Sixth Judicial Council in and for Pinellas County, Florida  
Case Number 12012447CI-011

Dear Counsel:

Plaintiff Terry Bollea hereby designates the following pages of the Elizabeth Rosenthal Traub deposition transcript as CONFIDENTIAL pursuant to the July 25, 2013 Protective Order:

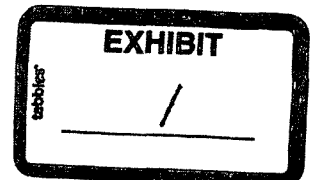
- Pp. 48-57
- Pp. 62-64
- Pp. 83-84

In addition, there is a transcription error at page 29, line 22. The word "accurate" should be "inaccurate." Plaintiff reserves the right to add, delete, alter or otherwise modify his claims of confidentiality with respect to Ms. Traub's deposition transcript.

Very truly yours,

CHARLES J. HARDER OF  
HARDER MIRELL & ABRAMS LLP

cc: Barry A. Cohen, Esq.  
Michael W. Gaines, Esq.  
Ken Turkel, Esq.  
Shane Vogt, Esq.  
David Houston, Esq.



MAR 01 2014

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.,

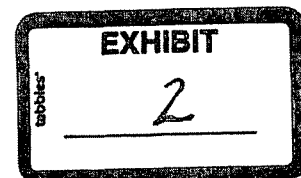
Defendants.

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**ORDER RE: MOTIONS OF PLAINTIFF FOR PROTECTIVE ORDER  
AND MOTION OF GAWKER MEDIA, LLC AND A. J. DAULERIO TO COMPEL  
FURTHER RESPONSES TO WRITTEN DISCOVERY**

Plaintiff Terry Bollea's two motions for protective order, filed on or about August 26 and October 8, 2013, and Defendants Gawker Media, LLC and A.J. Daulerio's Motion to Compel Further Discovery filed on or about September 11, 2013, came on for hearing on Tuesday, October 29, 2013 at 10:22 a.m. The court heard oral argument from counsel for all parties, from that time through 12:31 pm. Charles J. Harder and Kenneth G. Turkel appeared for Plaintiff Terry Gene Bollea, professionally known as Hulk Hogan. Seth D. Berlin, Alia L. Smith and Gregg D. Thomas appeared for defendants Gawker Media, LLC and A.J. Daulerio. Barry A. Cohen appeared for defendant Heather Clem. The court, having received and reviewed all papers filed in support of and opposition to each of the three motions, including opposition briefs, reply briefs, affidavits and attached exhibits, and having received oral argument on the issues, and good cause appearing therefor, hereby rules as follows:

1. The depositions of plaintiff Terry Bollea and nonparty witnesses Jennifer Bollea and Linda Bollea may be videotaped pursuant to Florida Rule of Civil Procedure 1.310(b)(4).



Any such video recordings will be sealed, maintained and viewed only by the ~~attorneys~~ <sup>Counsel of record</sup> representing the parties in this case, and no portion of any such recording may be disseminated to any person or entity other than the ~~attorneys~~ <sup>Counsel of record</sup> representing the parties in this action absent further order of the court.

2. The deposition of Terry Bollea will be limited to a maximum of two days of testimony, absent further order of the court or agreement of the parties.
3. The depositions of Jennifer Bollea and Linda Bollea each will be limited to a maximum time period of five hours of testimony, absent further order of the court or agreement of the parties.
4. For purposes of depositions, interrogatory responses, requests for production of documents, and all other types of discovery, inquiry into the medical records, names of physicians, financial records, names of tax preparers, divorce proceedings, and all sexual and romantic relationships of Terry Bollea and Heather Clem, respectively, with the sole exception of the sexual and/or romantic relationship between Terry Bollea and Heather Clem (as to the time period of January 1, 2002 to the present), is hereby prohibited, absent further order of the court, and Terry Bollea's objections to such discovery are sustained except for his objections as to his relationship with Heather Clem, as to the time period of January 1, 2002 to the present. This portion of the Court's ruling is based on the representations of Terry Bollea's counsel at the hearing that (a) Terry Bollea is not asserting claims for any physical injury and is limiting claims for emotional injuries to "garden variety emotional distress damages", and (b) Terry Bollea is not seeking damages "to his career" (including without limitation that his "brand" has been diminished or that he has lost business opportunities), and intends to limit his claims for economic damages to claims for (i) the "commercial value in a celebrity sex tape" of the Plaintiff

and (ii) financial benefit to Gawker based on the "value that they got [which] is the value of a celebrity sex tape in which Hulk Hogan is the star."

5. Without intending to limit Terry Bollea's obligation to provide supplemental responses to interrogatories and requests for production of documents, in a manner consistent with the foregoing ruling, Terry Bollea shall serve a further response to Gawker Media, LLC's Interrogatory No. 12, regarding the identity and basis of his damages claims, by no later than the close of business on November 8, 2013.

6. By the close of business on November 8, 2013, Terry Bollea shall provide a privilege log of all documents as to which he claims privilege, other than those documents created after this litigation was filed.

7. Consistent with the Court's Order dated October 29, 2013, referring this action to Special Magistrate James R. Case, any further issues relating to the implementation of the foregoing order shall be directed to the special magistrate. Other already-pending discovery motions will be addressed by the Court at the hearing scheduled for November 25, 2013.

DATED: February 26, 2014

HON. PAMELA CAMPBELL

*Pamela Campbell*  
Original Signed  
FEB 26 2014  
Pamela Campbell  
U.S. District Judge

Copies to:

- Kenneth G. Turkel, Esq.
- Charles J. Herder, Esq.
- David R. Houston, Esq.
- Paul J. Saffier, Esq.
- Seth D. Berlin, Esq.
- Alisa J. Smith, Esq.
- Gregg D. Thomas, Esq.
- Rachel E. Fugate, Esq.
- Barry Cohen, Esq.