

# **EXHIBIT 6**

**to the**

**AFFIDAVIT OF RACHEL E. FUGATE IN SUPPORT OF THE PUBLISHER  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

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\*\* C O N F I D E N T I A L \*\*  
IN THE CIRCUIT COURT OF THE  
SIXTH JUDICIAL CIRCUIT IN  
AND FOR PINELLAS COUNTY, FLORIDA

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TERRY GENE BOLLEA, Professionally  
Known as HULK HOGAN,

Plaintiff,

-against-

Case No.

12012447-CI-011

HEATHER CLEM, GAWKER MEDIA, LLC  
a/k/a GAWKER MEDIA, et al.,

Defendants.

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DEPOSITION OF  
ELIZABETH ROSENTHAL TRAUB

March 2, 2015

9:54 a.m.

Reported by:  
Francine Sky, C.S.R.

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March 2, 2015

9:54 a.m.

Deposition of ELIZABETH ROSENTHAL TRAUB, taken by Defendants, pursuant to Subpoena, before Judge James R. Case, Senior Circuit Judge, Sixth Judicial Circuit, Florida, held at the offices of Levine Sullivan Koch & Schulz, LLP, 321 West 44th Street, Suite 1000, New York, New York, before Francine Sky, a Certified Shorthand Reporter and Notary Public within and for the State of New York.

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A P P E A R A N C E S :

HARDER MIRELL & ABRAMS, LLP

Attorneys for Plaintiff and the Witness  
1925 Century Park East  
Los Angeles, California 90067

By: CHARLES HARDER, ESQ.

LEVINE SULLIVAN KOCH & SCHULZ, LLP

Attorneys for Defendants Gawker Media,  
A.J. Daulerio and Nick Denton  
1760 Market Street  
Suite 1001

Philadelphia, Pennsylvania 19103

By: MICHAEL BERRY, ESQ.

PAUL J. SAFIER, ESQ.

Also Present:

DEVERELL WRITE,

Videographer, Veritext Legal Solutions

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2 Q. Akin to the National Enquirer?

3 A. No. Not necessarily.

4 Q. Why do you think it's different?

5 A. I don't know. I just do. I don't  
6 have -- my dealings with all these different  
7 outlets are different for different situations.  
8 It's too broad. It's too broad for me to give a  
9 specific answer, quite honestly. Like I said,  
10 it's different -- every situation is different.

11 Q. Would you ever pitch a client to be  
12 featured on Radar Online?

13 A. In what sense?

14 Q. Have you ever pitched somebody to be  
15 on Radar Online?

16 A. Liked pitch a client to be profiled  
17 on Radar?

18 Q. Yes.

19 A. Not that I can remember.

20 Q. When did you first start doing  
21 work -- PR work for Hulk Hogan?

22 A. 2004.

23 Q. How did that start?

24 A. I was working at Susan Blond, an  
25 account executive who worked on Brooke's account

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2 was leaving and it was transferred over to me.

3 Q. Brooke is his daughter?

4 A. His daughter.

5 Q. What kind of work were you doing for  
6 him at that time?

7 A. I was doing work for her at that  
8 time, not for him.

9 Q. What was she doing at that time?

10 A. She was launching a singing career.

11 Q. How long did you work exclusively  
12 with Brooke?

13 A. I don't recall when it changed.

14 Q. What's the first time that you recall  
15 doing work for Hulk Hogan?

16 A. Well, I recall doing work for the  
17 family when the reality show was premiering.

18 Q. Did you do all the PR for the family  
19 from the time they started on the reality show?

20 A. In conjunction with VH1.

21 Q. That's the network that broadcast the  
22 show?

23 A. Yes.

24 Q. What kind of PR work were you doing  
25 for them at the time?

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2 Q. You can look at your phone.

3 THE WITNESS: Can I?

4 MR. HARDER: Yeah. It's all right.

5 A. I don't know it offhand.

6 REDACTED

7 Q. All one word, REDACTED

8 A. Yes.

9 Q. Do you ever exchange text messages  
10 with him?

11 A. Yes.

12 Q. Of your individual personal clients,  
13 is it fair to say that Hulk Hogan is your highest  
14 profile client?

15 MR. HARDER: Vague. Objection as to  
16 the form of the question.

17 JUDGE CASE: You can answer.

18 A. No. I have -- no.

19 Q. It's fair to say there's a lot of  
20 media interest in him though, correct?

21 MR. HARDER: Objection. Vague, form  
22 of the question.

23 A. I mean yes -- yes, I guess.

24 Q. Why do you think that is?

25 A. Did you grow up with Hulk Hogan? I

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2 mean...

3 Q. So why do you think that is?

4 A. Because he has a career that has  
5 spanned 30 something years. He's a part of the  
6 national conscience in a way.

7 Q. Do you have any other clients that  
8 are part of the national conscience?

9 A. In that -- not for 30 years.

10 Q. What is Hulk Hogan's public image?

11 MR. HARDER: Vague. Calls for  
12 speculation. Form of the question.

13 A. That is an extremely -- it's such  
14 a -- it's too broad a question to answer  
15 specifically.

16 Q. Well, what is he known for?

17 A. Wrestling.

18 Q. What else?

19 A. I mean, his shows, more wrestling,  
20 switching wrestling and other -- his personal  
21 drama.

22 Q. What do you mean by his personal  
23 drama?

24 A. The personal things that have  
25 happened in the last several years.



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2 realizes the new media -- the breadth of it.

3 Q. So what kind of media attention does  
4 he generate?

5 MR. HARDER: Vague. Object to the  
6 form.

7 Q. His wrestling work is covered by the  
8 press?

9 A. Some press.

10 Q. He was in Madison Square Garden this  
11 Friday, that got media attention, right?

12 A. I have no idea.

13 Q. That's what he's known for, his  
14 wrestling work, you said?

15 A. Yes.

16 Q. His life in general is also covered  
17 by the press?

18 A. At times.

19 Q. His personal life gets covered  
20 sometimes?

21 A. At times.

22 Q. Press covers his family life, right?

23 A. At times.

24 Q. During the time he had his reality  
25 show his family life was covered, right?

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2 MR. HARDER: Objection.

3 A. His family -- I mean it was in a  
4 show, so that was what was in the show was out  
5 there.

6 Q. So the press covered the show and  
7 covered his family life at the time, right?

8 MR. HARDER: Compound. Asked and  
9 answered. Vague and ambiguous.

10 THE WITNESS: I'm sorry, repeat it.

11 (The record was read.)

12 THE WITNESS: Correct.

13 Q. There was also a separate reality  
14 show about his daughter, correct?

15 A. Correct.

16 Q. Hogan appeared on that show too,  
17 correct?

18 A. I don't -- I believe so. I wasn't  
19 part of that show.

20 Q. Are you aware that the show Brooke  
21 Knows Best garnered press attention?

22 A. I wasn't part of that.

23 Q. He wrote a book about his personal  
24 life, right?

25 A. He wrote a book.

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2 Q. Called My Life Outside the Ring?

3 A. Yes.

4 Q. That generated press attention,  
5 right?

6 A. Yes.

7 Q. Did you do publicity surrounding the  
8 book?

9 A. I did.

10 Q. Fair to say he's covered by the  
11 tabloids?

12 A. At times.

13 Q. The press covered his marriage with  
14 Linda at times, correct?

15 A. Correct.

16 Q. The press covered his divorce from  
17 Linda?

18 A. Correct.

19 Q. I'm going to show you a document that  
20 we will mark as 114.

21 (Deposition Exhibit 114, Printout  
22 from website E! Online, was so marked for  
23 identification, as of this date.)

24 (Witness reviews document.)

25 Q. Have you had an opportunity to look

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2 the question, and specifically the word  
3 "joked."

4 JUDGE CASE: You can answer.

5 A. I'm sorry, repeat it.

6 (The record was read.)

7 A. I didn't know anything about anything  
8 that was said during this segment.

9 Q. Have you ever discussed this segment  
10 or Hulk Hogan's appearance on March 7th with him?

11 A. No.

12 Q. Have you ever discussed it with David  
13 Houston?

14 A. Not that I recall. I don't recall  
15 anything about this.

16 Q. You were hired to handle public  
17 relations for Hulk Hogan's lawsuits about the sex  
18 tape, right?

19 MR. HARDER: Vague and ambiguous.

20 A. I was -- sorry, repeat the specific  
21 question. I'm sorry.

22 Q. You were hired to handle public  
23 relations for Hulk Hogan's lawsuits about the sex  
24 tape, right?

25 A. Lawsuit or lawsuits, I'm not sure

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2 what the...

3 Q. That's fair. You were hired to  
4 handle PR for litigation about the sex tapes?

5 A. Correct.

6 Q. I would like to spend some time  
7 talking to you about some of that.

8 A. Okay.

9 MR. BERRY: I am going to show you a  
10 document that we'll mark as Exhibit 118.

11 (Deposition Exhibit 118, Document  
12 bearing Bates numbers Traub 116 through  
13 152, was so marked for identification, as  
14 of this date.)

15 Q. This is a document that you produced  
16 in response to the first subpoena that is Bates  
17 numbered with your last name Traub 116-52. It  
18 goes through -- at the bottom of the page there's  
19 a little note that says Traub. During the course  
20 of the litigation people put these things to keep  
21 track of where things are from.

22 This document is labeled as Traub 116  
23 to 152. As we go through some of these things,  
24 there are e-mail chains, when you look at e-mail  
25 chains, if you print them out you have to start

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2 (Deposition Exhibit 129, e-mail from  
3 Ms. Traub to Hulk Hogan dated October 29  
4 at 10:58 a.m. bearing Bates numbers Traub  
5 175 to 176, was so marked for  
6 identification, as of this date.)

7 (Witness reviews document.)

8 Q. 129 is an e-mail from you dated  
9 October 29 at 10:58 a.m. to Hulk Hogan. The  
10 Bates labels on it are Traub 175 to 176. Do you  
11 see that?

12 A. Yes.

13 Q. So this is an e-mail from you to Hulk  
14 Hogan on October 29, right?

15 A. Yes.

16 Q. Why did you e-mail this to him?

17 A. I don't recall. He might have asked  
18 me to. I don't recall the specific reason.

19 Q. Do you recall having any  
20 conversations with him about settling with Bubba?

21 A. I don't recall the conversations. I  
22 don't recall having a conversation with him.

23 Q. Would you typically send him e-mails  
24 like this?

25 A. He must have asked for it. No,

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2 because he doesn't really correspond on e-mail  
3 very often. He must have asked for it, but I  
4 don't recall. I think I was preparing for  
5 Hurricane Sandy so...

6 Q. Do you know what e-mail address you  
7 sent this to?

8 A. Whatever one I was using at the time.  
9 I don't know what he was using at the time.

10 Q. What then is the text of this e-mail?

11 A. It would appear to be quotes.

12 Q. Take a minute to read through the  
13 whole thing.

14 A. It would appear to be an alert, a  
15 release I was putting together with outtakes from  
16 the apology.

17 Q. Do you recall whether you discussed  
18 this press release with Hulk?

19 A. I don't recall.

20 Q. Typically would he be involved in the  
21 process or reviewing a press release before it's  
22 sent out?

23 MR. HARDER: Compound.

24 Q. Typically would he be involved in  
25 reviewing a press release before it's sent out?

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C E R T I F I C A T E

STATE OF NEW YORK )

: ss.

COUNTY OF NEW YORK )

I, FRANCINE SKY, a Certified Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify:

That ELIZABETH ROSENTHAL TRAUB, the witness whose deposition is hereinbefore set forth, was sworn and that such deposition is a true record of the testimony given by such witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of March, 2015.



Francine Sky