

EXHIBIT 3

to the

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

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

TERRY GENE BOLLEA, professionally
known as HULK HOGAN,

Plaintiff,

No. 12-012447-CI-011

vs.

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

Defendants.

VOLUME 1

VIDEOTAPED
DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 6, 2014

TIME: 9:43 a.m. to 1:06 p.m.

PLACE: Riesdorff Reporting Group
601 Cleveland Street
Suite 600
Clearwater, Florida

PURSUANT TO: Notice by counsel for
Defendants for purposes of
discovery, use at trial or
such other purposes as are
permitted under the Florida
Rules of Civil Procedure

REPORTED BY: Susan C. Riesdorff, RPR, CRR
Notary Public, State of
Florida

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ALSO PRESENT:

Honorable James Case
Mike Byrd, Videographer

1 **REDACTED**
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12 Q. And no other form of adult entertainment?

13 A. Hold on. I do recall. Early '70s, there was
14 a photo shoot at Stallone's house, and the photos ended
15 up -- and I don't know if it was a pornographic
16 magazine or not. It was a men's magazine. So I don't
17 know if it was pornographic or not.

18 Q. And do you know what magazine it was?

19 A. I don't recall the name.

20 Q. And do you have any other -- you said it was
21 in the '70s. Is there anything that would narrow that
22 window down in your mind? Was it keyed toward anything
23 in your mind?

24 A. No. It was -- it was an entertainment genre,
25 not being Terry Bollea. It was being Hulk Hogan, you

1 know. So it was a -- had to -- had to go along with
2 Rocky III and Eye of the Tiger. So it was not really a
3 personal type photo shoot. It was more of an
4 entertainment photo shoot as Hulk Hogan. And I don't
5 recall the magazine.

6 Q. And does that -- do I understand your answer
7 to say it was around the time of the Rocky III movie?

8 A. Yes. It was around the time it was filmed.
9 I don't think -- know if it was around the same time it
10 was released because there's a year-and-a-half or
11 two-year difference.

12 Q. And you say that the photo shoot happened
13 at -- when you say Stallone, I assume you mean
14 Sylvester Stallone's house.

15 A. No. It was -- it was a shoot I did for him,
16 for Sylvester Stallone, but it happened at
17 Ozzy Osbourne's house, Tara.

18 Q. And is there anything else that you can
19 remember about that photo shoot?

20 A. No, not at this time.

21 Q. Did you ever appear in any sex scenes in a
22 movie?

23 A. Not that I can recall.

24 Q. You're primarily known for being a
25 professional wrestler; is that correct?

1 A. Showing ass, I've never heard that before.

2 Q. All right. Fair enough.

3 Now, Hulk Hogan is a character, right?

4 A. Oh, yes.

5 Q. Not a real person?

6 A. Definitely not.

7 Q. How did the character originate?

8 A. Oh, my God. It just originated from me
9 trying to develop all the aspects of a likeable,
10 marketable character. And it went from, you know, the
11 look to the actions in the ring, to the name, which I
12 came up with half of the name. Vince McMahon, Sr.,
13 came up with the other half of the name. So it
14 developed. It took several years to -- for it to
15 develop the character.

16 Q. How is the character Hulk Hogan different
17 than Terry Bollea?

18 MR. HARDER: Vague and ambiguous, calls for a
19 narrative.

20 THE WITNESS: In my opinion, I mean, the
21 character is impeccable. I mean, it's -- it's the
22 all American hero, you know, the training, prayers
23 and vitamins. And that is a constant, and it's
24 different than the person Terry Bollea.

25 BY MR. BERLIN:

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18 BY MR. BERLIN:

19 Q. All right. What do you think made the
20 Hulk Hogan character successful?

21 A. Timing, luck, look, the political environment
22 at the time.

23 Q. Let's go through each of those. What do you
24 mean by -- well, let's go backwards.

25 What do you mean by the political environment

1 at the time?

2 A. Well, when the Hulkamania phenom first
3 exploded, politically -- we were at odds with Iran
4 politically, and the character Hulk Hogan is an all
5 American character. And I was wrestling for the WWE
6 world heavyweight title against the Iron Sheik, who was
7 the legitimate bodyguard of the Shah of Iran and a
8 silver medalist amateur AAU wrestler. So the political
9 environment was perfect at the time for an all American
10 hero to go against the real bodyguard of the Shah of
11 Iran.

12 Q. What about look?

13 A. The look was the all American California tan,
14 full head of blonde hair at the time.

15 Q. And what about luck?

16 A. Luck? I was just lucky to be in the spot.

17 Q. What about your ability to sell the
18 character, did that make --

19 A. You forgot one.

20 Q. Okay.

21 A. Talent.

22 Q. Talent. I did forget one. Thank you for
23 reminding me.

24 A. I have a lot of talent, too.

25 Q. In what ways?

1 A. In-ring instinct, cadence, physicality,
2 reading a crowd, just a general overall understanding
3 of the wrestling business inside and outside the ring,
4 which it takes a lot of talent just to understand how
5 things are done and to execute them.

6 Q. Did your ability to sell the character of
7 Hulk Hogan help make you successful?

8 MR. HARDER: Vague and ambiguous, calls for
9 speculation.

10 THE WITNESS: In my opinion, yes.

11 BY MR. BERLIN:

12 Q. Sure.

13 How about your ability to project emotions to
14 the crowd?

15 MR. HARDER: Same objections.

16 THE WITNESS: I don't know if project
17 emotions to the crowd other than -- change the
18 emotions of the crowd would be a more -- be a
19 better attribute.

20 BY MR. BERLIN:

21 Q. All right. How about the message, train, say
22 your prayers, eat your vitamins?

23 A. Yeah. It's like a track. So I get it on
24 all -- on all levels. You know, it -- it works.

25 Q. How about your charisma?

1 BY MR. BERLIN:

2 Q. And in your heyday, was your sex appeal part
3 of your brand?

4 A. Excuse me?

5 MR. HARDER: Asked and answered already.

6 BY MR. BERLIN:

7 Q. In your heyday, was your sex appeal part of
8 your brand?

9 A. Brand?

10 Q. Yes.

11 A. No.

12 MR. HARDER: Just a late objection, vague and
13 ambiguous, sex appeal and brand.

14 BY MR. BERLIN:

15 Q. Do you believe you have a reputation for
16 honesty?

17 A. Yes.

18 Q. For being a straight shooter?

19 A. Yes.

20 Q. For telling it like it is?

21 A. I don't know about that one.

22 Q. Do you think you do not tell it like it is?

23 MR. HARDER: Vague and ambiguous,
24 argumentative, incomplete hypothetical.

25 THE WITNESS: I really don't understand what

1 everything.

2 MR. BERLIN: Oh, I'm sorry. Yeah,
3 absolutely. Take as much time as you need to
4 finish reading.

5 THE WITNESS: Where does this end and your
6 question develop?

7 BY MR. BERLIN:

8 Q. There's like a three-line paragraph after the
9 picture of your book.

10 A. Yeah. And that ends.

11 Q. And then it ends with the words "making
12 choices."

13 A. Okay. Yeah. No, I haven't seen this before.

14 Q. You have not?

15 A. No, sir.

16 Q. Are you familiar with the website
17 www.hulkhogan.com?

18 A. If that's the website that my partner
19 Ron Howard runs, I'm familiar that he runs that, if
20 that's my website.

21 Q. All right. If you would look to just the
22 very last line of the fourth page for just a moment.
23 Just at the top, it says -- there's a C in a circle for
24 copyright, 2014. And then it says H.H. World Media.
25 Do you know what H.H. World Media is?

1 making choices.

2 Is that a fair statement?

3 MR. HARDER: Objection, vague. The document
4 lacks foundation. It's also compound.

5 THE WITNESS: I don't know. The first -- the
6 first part of it, I knew if I had a cartoon to
7 back my wrestling career, movie appearance, it
8 would give me more gas in my tank, that's fair.

9 The calculating my DNA strand to make it
10 longer so I could live forever in the media,
11 that's just not fair.

12 BY MR. BERLIN:

13 Q. How long would you say that you've been a
14 celebrity?

15 A. Define celebrity for me, please.

16 Q. How would you define it?

17 A. Celebrity? My definition is probably
18 different than -- than most people, I'm sure. But my
19 definition of a celebrity is someone who's been around
20 long enough or made enough of an impact doing radio or
21 TV for whatever length of time it takes them to make a
22 huge impact where they are recognizable by name, look,
23 or vehicle that they -- you know, they're on, which is
24 a movie or whatever it is. A celebrity -- you know,
25 there are so many people on TV now and the universe is

1 so big with everybody being part of the media that I
2 can't say everybody that's on TV or radio is a
3 celebrity. To me a celebrity is someone that's very,
4 very well established and is -- is -- you know, I don't
5 know how to explain it, just someone that's very
6 established in -- in the celebrity world, if you -- or
7 whatever the word "celebrity" means.

8 Q. Sure.

9 Using that definition, do you consider
10 yourself a celebrity?

11 A. At this point, yes.

12 Q. And how long have you been a celebrity?

13 A. I would say from the mid '80s on, I probably
14 crossed the media barriers. And it started -- I'm not
15 sure if I -- but in my opinion, my definition of what a
16 celebrity is, I don't know if I became a celebrity
17 until the mid '90s, but I started crossing some
18 barriers in the '80s, cover of Sports Illustrated and
19 started doing talk shows. But I think it took a while
20 before I became a household word or whatever the real
21 word of celebrity means.

22 Q. Do you like being a celebrity?

23 A. I don't dislike it.

24 Q. Is celebrity something that ebbs and flows
25 for you?

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REDACTED

Q. Do you have an agent?

A. Yes.

Q. Who is that?

A. Peter Young.

Q. How long has Mr. Young been your agent?

A. 35 years.

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13 A. I have -- you know, I misspoke. I do have
14 another agent. I have a sports agent, which has
15 nothing to do with TV, film, or anything like that. I
16 have a sports agent named Darren Prince. He books me
17 on appearances and what we call one-offs, like
18 autograph signings. He did the Super Bowl commercial.
19 So, I mean, he gets -- he does a variety of things and
20 it's just mix and match stuff.

21 Q. What about Mr. Young, what does he do for
22 you?

23 A. Primarily TV or film stuff. Every once in a
24 while in a blue moon, there will be something come
25 along like a one-off in like a video game or -- we just

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REDACTED

BY MR. BERLIN:

Q. Before you married Jennifer, you were married to Linda Bollea; is that correct?

1 A. Yes.

2 Q. How long were you married to Linda?

3 A. 23 years.

4 Q. And then you were divorced?

5 A. Yes.

6 Q. And who filed for divorce?

7 A. She did.

8 Q. Do you remember when that was?

9 A. November of '07.

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1 A. Yes.

2 Q. When was the last time you were in a movie in
3 a starring role?

4 A. Starring role, to the best of my
5 recollection, maybe ten years ago.

6 Q. Do you know what the movie was?

7 A. No, I don't.

8 Q. What's the last time you were in a movie in a
9 cameo role?

10 A. Probably -- gosh, probably about a year and a
11 half ago, two years ago.

12 Q. Do you know what the movie was?

13 A. A friend of mine was a producer and he came
14 to my house. It was a vampire movie. I don't remember
15 the name of it. He just asked me to do something.

16 Q. Have you ever starred in a scripted
17 television show?

18 A. If American Gladiators is called scripted,
19 that would be the only one.

20 Q. How about Thunder in Paradise?

21 A. Yes, that was scripted also. I forgot about
22 that one.

23 Q. And you appeared on other TV shows that are
24 scripted ranging from things like Walker, Texas Ranger
25 to Suddenly Susan; is that right?

1 A. Mid '90s.

2 Q. And did you say -- the '90s, did you say.

3 A. Yes.

4 Q. Was the show popular to your understanding?

5 A. To my understanding, it did well for VH1.

6 Q. What was the premise of the show?

7 A. The premise of the show was Hulk Hogan and
8 his celebrity family pretty much doing a
9 lightly-scripted, fun, over-the-top show, an
10 entertainment show.

11 Q. And in -- was it supposed to be sort of about
12 your family?

13 A. Yeah, but not -- not -- not a true -- a true
14 look at what my family was about. It was an
15 entertainment show, like I said.

16 Q. I think you described it in your book as
17 soft-scripted. Is that a fair description?

18 A. Yeah. It was slightly scripted, but it was
19 also character driven. For instance, the best way I
20 can describe it is my son, who liked to be on the
21 computer all the time to do his homework and do his
22 projects on the computer, is what he did during the
23 day. They would say, come on, Nick, get off the
24 computer and go throw balloons at the neighbors. You
25 know, that's not Nick. So that's how they -- that's

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BY MR. BERLIN:

Q. In your career, you've endorsed a number of products; is that correct?

A. Yes.

Q. Right Guard?

1 A. Yes.

2 Q. Hulk Hogan Thunder Mixer?

3 A. Yes.

4 Q. The Hulk Hogan Ultimate Griddle?

5 A. Yes.

6 Q. The Hogan Energy Drink?

7 A. Yes.

8 Q. Hulkster Burgers?

9 A. Hulkster Burgers?

10 Q. Yeah.

11 A. Possibly. I don't remember the name.

12 Q. ViSalus?

13 A. Yes.

14 Q. Did you use those products yourself?

15 A. Yes.

16 Q. And as of October 2012, what were your major
17 endorsements?

18 A. As of October 2012, major endorsements? With
19 ViSalus, with Rent-A-Center. Those to the best of my
20 recollection -- Loan -- Loan Mart is another company I
21 endorse. To the best of my recollection, that's all I
22 can remember.

23 Q. And have you ever hosted any TV infomercials?

24 A. Yes, I have.

25 Q. And when was that?

REPORTER'S CERTIFICATE

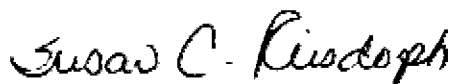
STATE OF FLORIDA :

COUNTY OF HILLSBOROUGH :

I, Susan C. Riedsorph, RPR, CRR certify that I was authorized to and did stenographically report the deposition of TERRY GENE BOLLEA; that a review of the transcript was requested and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the outcome of the foregoing action.

Dated this 11th day of March, 2014, IN THE CITY OF TAMPA, COUNTY OF HILLSBOROUGH, STATE OF FLORIDA.



Susan C. Riedsorph, RPR, CRR, CLSP

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

TERRY GENE BOLLEA, professionally
known as HULK HOGAN,

Plaintiff,

No. 12-012447-CI-011

vs.

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

Defendants.

VOLUME 2

CONTINUED VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 6, 2014

TIME: 1:58 p.m. to 5:47 p.m.

PLACE: Riesdorff Reporting Group
601 Cleveland Street
Suite 600
Clearwater, Florida

PURSUANT TO: Notice by counsel for
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REPORTED BY: Susan C. Riesdorff, RPR, CRR
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22 ALSO PRESENT:

23 Honorable James Case
24 Mike Byrd, Videographer

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REDACTED

Q. And before the break, we talked about when -- we talked about the reality television show Hogan Knows Best. And you indicated -- I was confused by something you said, and I just wanted to try and clarify.

You said that the show was on in the mid '90s, but then gave me the ages of your children of being approximately 16 or 18. And I wanted to -- those dates didn't seem to match in my mind given what you said earlier about how old your children are now.

1 Is it possible that you meant the mid 2000s?

2 A. Yes, it's possible.

3 Q. Does that sound more accurate to you?

4 A. Yeah. If we backed up from their ages, yeah,
5 I'm just not real good with dates or years or names,
6 brother.

7 Q. And then we talked a little bit about Brooke
8 Knows Best. Was that show being filmed while you and
9 your ex-wife Linda were going through a divorce?

10 A. It's possible.

11 Q. Do you know if that was something that the
12 show dealt with?

13 A. I don't remember if we were going through the
14 divorce or exactly where it's at, but I'm sure they
15 dealt with the problem.

16 Q. Do you have any recollections of it showing
17 your daughter crying?

18 A. No, I don't remember a scene with her crying.

19 Q. Do you remember definitely there was no scene
20 with her crying or you just don't remember?

21 A. No. I just don't remember. There was so
22 much content, so many hours and hours of footage that
23 were filmed. And because I never watched the show on
24 TV, I don't know what made air and what didn't.

25 Q. Fair enough.

1 Earlier you mentioned Hogan's Beach Shop.
2 What's that?

3 A. Hogan's Beach Shop, it is a shop on
4 Mandalay Avenue in Pelican's Plaza. And it's pretty
5 much half beach -- beach shop with beach products and
6 the other half wrestling memorabilia and T-shirts and
7 stuff.

8 Q. And when did it open?

9 A. Well, this January was the one year
10 anniversary, I think. Yeah. It was one year grand --
11 anniversary of the grand opening. I think it opened a
12 little before the 1st, maybe November, October.

13 Q. Of like 2012 with the sort of January 1st,
14 2013, being the anniversary that you're talking about?

15 A. Yes. Yes.

16 Q. When did you develop the idea to open a shop?

17 A. When I was in discussions with my partner in
18 Hogan's Beach, the restaurant, he said, you know, I've
19 got a shopping plaza. He owns a bunch of commercial
20 property. He goes, I've got a shopping plaza on
21 Clearwater Beach. I'm having a very hard time getting
22 business in there and it would help me out and it might
23 help you to have a presence on Clearwater Beach. And
24 if you are interested, I would open the space up for
25 you in the Pelican Plaza. So that's when the idea

1 first came about.

2 Q. I think you mentioned this earlier, but who
3 is that partner?

4 A. Ben Mallah.

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25 Q. What's Hogan's Beach?

1 restaurant?

2 A. If that piece of footage you showed me is
3 construed as fun, that would be a nice part of the vibe
4 I would like to have be part of my restaurant's theme.

5 Q. How about the sexy part of the piece?

6 MR. HARDER: Objection, lacks foundation.

7 THE WITNESS: You find Jimmy Hart sexy?

8 BY MR. BERLIN:

9 Q. I was actually talking about the person's --
10 where you have somebody's -- where you have somebody's
11 rear end hanging out of shorts.

12 A. And you're calling that the sexy part?

13 Q. Yes.

14 A. Okay. Well, I guess that all depends on what
15 your opinion is or what you're used to as far as
16 something being called sexy. To me it was fun.

17 Q. All right. And you would not describe that
18 as sexy at all?

19 A. It's fun. I mean, you can go to Clearwater
20 Beach and see kids like that all day long running
21 around the beach.

22 Q. Let me ask you this. What is Hostamania?

23 MR. HARDER: Asked and answered.

24 THE WITNESS: Thank you.

25 BY MR. BERLIN:

1 Q. That's the thing we talked about earlier with
2 the Internet hosting service?

3 A. Yes.

4 Q. All right. And when were you approached
5 about that venture?

6 A. About a year ago.

7 Q. And who approached you?

8 A. Mark Hargrove.

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14 Q. Got it.

15 And when they approached you, was there any
16 discussion of the sex tape that's at issue in this
17 case?

18 A. I don't recall.

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19 Is this yours?

20 MR. BERLIN: No. Actually that's the
21 official copy. So I'll put that back in this
22 stack. Thank you.

23 BY MR. BERLIN:

24 Q. What is Mr. Clem's radio show known for?

25 A. I'm not sure what his show is known for, but

1 he's a shock jock.

2 Q. And that's his reputation?

3 A. Uh-huh, yes.

4 Q. And you frequently were a guest on Mr. Clem's
5 radio show, right?

6 A. Yes.

7 Q. And when did that start?

8 A. I have no idea.

9 Q. Long time ago?

10 A. Yes.

11 Q. And do you know when the last time you
12 appeared as a guest was?

13 A. Sometime before this.

14 Q. Before those texts that are Exhibit 66?

15 A. Yes, sir.

16 Q. And would you call into his show or appear in
17 the studio?

18 A. Either or.

19 Q. Some of each.

20 How often would you actually appear on the
21 show?

22 A. Over all the years, probably between five and
23 ten times maybe.

24 Q. And that -- and by that, you mean appear in
25 person?

1 broaden his audience.

2 Q. And the listeners were interested in hearing
3 from you?

4 A. Yes.

5 Q. And did you ever talk about your life on the
6 show?

7 A. I don't recall if I did or not.

8 Q. Was it good for your career to be associated
9 with Mr. Clem's radio show?

10 A. It helped create an awareness. When he was
11 local, not so much, you know, but when he got on Sirius
12 and there was a larger universe for him, it helped --
13 kept me alive or kept me going if there was a -- you
14 know, it's just kind of like instead of seeing
15 Hulk Hogan on wrestling, every once in a while, you
16 would hear him on the radio. So it's -- it was just a
17 little icing on the cake.

18 Q. Have you been to Mr. Clem's office at his
19 station?

20 A. Yes.

21 Q. How about his old office at --

22 A. Yes.

23 Q. -- the old -- let me finish the question.
24 This is the one on Lemon Street?

25 A. I have no idea what street it's on.

REPORTER'S CERTIFICATE

1
2
3 STATE OF FLORIDA :

4 COUNTY OF HILLSBOROUGH :

5
6
7 I, Susan C. Riesdorph, RPR, CRR certify that I
8 was authorized to and did stenographically report the
9 deposition of TERRY GENE BOLLEA; that a review of the
10 transcript was requested and that the transcript is a
11 true and complete record of my stenographic notes.

12
13 I further certify that I am not a relative,
14 employee, attorney, or counsel of any of the parties,
15 nor am I a relative or employee of any of the parties'
16 attorney or counsel connected with the action, nor am I
17 financially interested in the outcome of the foregoing
18 action.

19
20 Dated this 11th day of March, 2014, IN THE CITY
21 OF TAMPA, COUNTY OF HILLSBOROUGH, STATE OF FLORIDA.

22
23
24
25
Susan C. Riesdorph

Susan C. Riesdorph, RPR, CRR, CLSP

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.

CONTINUED
VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 7, 2014

TIME: 9:41 a.m. to 12:48 p.m.

PLACE: Riesdorff Reporting Group
601 Cleveland Street
Suite 600
Clearwater, Florida

PURSUANT TO: Notice by counsel for Defendants
for purposes of discovery, use at
trial or such other purposes as
are permitted under the Florida
Rules of Civil Procedure

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

Volume 3
Pages 312 to 451

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CONTINUED:

1 APPEARANCES CONTINUED AS FOLLOWS:
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22 General Counsel
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Attorneys for Defendant Gawker Media, LLC,
et al.

ALSO PRESENT:

Honorable James Case
Mike Byrd, videographer

1 **REDACTED**
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13 Q. In October 2012, you had a media tour set up
14 to promote TNA Wrestling; is that right?

15 A. To the best of my recollection, yes.

16 Q. What specific event or events were you
17 promoting?

18 A. In October, it would have been Bound For
19 Glory. It was the biggest Pay-per-view that TNA has.
20 It's their Superbowl for them.

21 Q. It's an annual thing?

22 A. Yes.

23 Q. And were you also promoting something for
24 Spike Television?

25 A. The Bound For Glory Pay-per-view is something

1 that's predictable, because it's the same time every
2 year, so they set up the media tour at the same time
3 every year. And I had been told to always plug Spike
4 whenever I talked about TNA or any Pay-per-view in the
5 same train of thought. They always wanted me to
6 promote Spike, the network.

7 Q. And was there some -- there was a wrestling
8 connection with Spike, the network?

9 A. Yes, sir.

10 Q. What is that?

11 A. TNA is on Spike, the network. The wrestling
12 company show is on Spike.

13 Q. On Spike.

14 **REDACTED**
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22 Q. Have you participated in promoting Bound For
23 Glory in prior years?

24 A. Yes.

25 Q. How many times?

1 REPORTER'S CERTIFICATE

2
3 STATE OF FLORIDA
4 COUNTY OF HILLSBOROUGH5 I, Aaron T. Perkins, Registered Professional
6 Reporter, certify that I was authorized to and did
7 stenographically report the deposition of
8 TERRY GENE BOLLEA; that a review of the transcript was
9 requested; and that the transcript is a true and
10 complete record of my stenographic notes.11 I further certify that I am not a relative,
12 employee, attorney, or counsel of any of the parties,
13 nor am I a relative or employee of any of the parties'
14 attorney or counsel connected with the action, nor am I
15 financially interested in the action.16
17 Dated this 14th day of March, 2014.
18
1920
21 
22 Aaron T. Perkins, RPR
23
24
25

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.

CONTINUED

VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 7, 2014

TIME: 1:50 p.m. to 5:55 p.m.

PLACE: Riesdorff Reporting Group
601 Cleveland Street
Suite 600
Clearwater, Florida

PURSUANT TO: Notice by counsel for Defendants
for purposes of discovery, use at
trial or such other purposes as
are permitted under the Florida
Rules of Civil Procedure

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

Volume 4
Pages 452 to 623

1 APPEARANCES:

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14 Attorneys for Plaintiff

15

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18 CONTINUED:

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1 APPEARANCES CONTINUED AS FOLLOWS:
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Attorneys for Defendant Gawker Media, LLC,
et al.

ALSO PRESENT:

Honorable James Case
Mike Byrd, videographer

REDACTED

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4 Q. And we have another exhibit I'm going to --
5 this is a -- I'm marking as Exhibit 95, it is a disk of
6 the TMZ report from October 9th, 2012.

7 (Exhibit No. 95 was marked for
8 identification.)

9 MR. BERLIN: All right. So we have the TV.

10 (Whereupon, a video clip was played as
11 follows:)

12 SPEAKER: The Hulk joins us right now along
13 with his attorney --

14 (Audio clip concluded.)

15 MR. BERLIN: You want to start over?

16 MR. SAFIER: Yeah.

17 (Whereupon, a video clip was played as
18 follows:)

19 SPEAKER: The Hulk joins us right now along
20 with his attorney, David Houston.

21 Guys, welcome to TMZ Live.

22 DAVID HOUSTON: How are you?

23 SPEAKER: We're good, we're good. Are you
24 there, Hulk?

25 HULK HOGAN: Yeah, yeah, I'm here.

1 HARVEY LEVIN: So Mike has seen the tape. So
2 I think, you know, rather than me doing
3 secondhand -- Mike, are you there?

4 MIKE WALTERS: Yeah. I -- so Hulk and David,
5 I actually saw the tape, and I kind of wanted to
6 go over it with you, because I -- I did hear you
7 on Howard Stern talking about Bubba and being
8 still friends with him, and that you were pretty
9 sure you knew maybe where this was coming from. I
10 want to read to you the transcript of the end of
11 this tape, because I think it's going to change
12 your mind. I want to get your reaction to it.

13 HARVEY LEVIN: And, Mike, we should just
14 say -- and correct me if I'm wrong -- but this is
15 just after the sexual encounter ends and Hulk
16 walks out of the room.

17 MIKE WALTERS: Exactly. This is the end of
18 the tape. You leave and Bubba comes back in the
19 room, and Heather is on the bed. And Bubba says,
20 I quote, if we ever did want to retire, all we'd
21 have to do is use this footage of him.

22 So I just kind of want your reaction to that.
23 I know you know that this might be in one of the
24 tapes. I can tell you 100 percent that was what
25 Bubba says when you leave the room.

1 HULK HOGAN: That's -- if that is true,
2 I'm -- I'm sick to my stomach right now, because I
3 have gone over this with Bubba. And I don't know
4 why someone would -- would secretly film this.
5 And when this first popped up, you know, six or
6 seven months ago, you know, it was something I was
7 praying would go away, simply because I'm
8 accountable for it, you know.

9 It happened way before I met my current wife,
10 Jennifer, and at an all-time low. I pretty much
11 bottomed out, to tell you the truth, with my
12 personal relationship, with the marriage that I
13 had, and I was, you know, at an all-time low. And
14 I made a bad choice, you know.

15 And like I have said before, you know, Bubba
16 and Heather have -- have always been close
17 friends. Bubba has been nothing but a good friend
18 to me, which makes me -- my reaction is, I have
19 not heard that straight up from you like this,
20 and, you know, the fact that Heather has always
21 been such a nice person to me and was always kind,
22 the fact that, you know, this situation happened.

23 You know, for a couple years, I thought it
24 was a joke when Heather was making advances and
25 Bubba was saying, Oh, it's okay, it's okay. And

1 this went on constantly for a couple years before
2 the incident.

3 And then when it happened, it was my choice.
4 When the offer was made again, I made a huge
5 mistake, and I will forever be sorry for that
6 and --

7 MIKE WALTERS: Hulk, did --

8 HULK HOGAN: -- I have decided since --

9 MIKE WALTERS: Hulk, did he ever admit to you
10 that he -- that he taped you while you were in his
11 room?

12 HULK HOGAN: No. I asked him. I have asked
13 him. I said, Bubba, you were my friend -- and I
14 said this to him a few days ago, and I still stand
15 by this -- that Bubba, you are my friend, and
16 you're one of the only real friends I have in my
17 life. I value your friendship. And whoever did
18 this to me, filmed me secretly, whoever leaked
19 this tape, I don't know what the motive is, if
20 it's just trying to destroy me or if they are
21 trying to make money, but if you had anything to
22 do with this, that meant that we were never
23 friends and that -- you know, I love you to death,
24 and I know you have a family, and that if you did
25 this, you need to tell me now. That conversation

1 has happened several times. And if you did this,
2 you need to tell me now. I'm not here to destroy
3 lives. I love your son.

4 But you're telling me something like this
5 makes me sick right now.

6 SPEAKER: We should say, don't know that --
7 we don't know that Bubba had anything to do with
8 leaking --

9 HULK HOGAN: I want to find out. That's why
10 we're having a full-blown criminal and civil
11 investigation on who set this camera up and who
12 released the tape. And whoever did, I have
13 discussed with David Houston over and over, we're
14 going to civilly and criminally not be happy until
15 we've exhausted all sources and they're -- and
16 they're being led out of jail in handcuffs,
17 because this is a criminal offense.

18 (Video clip concluded.)

19 BY MR. BERLIN:

20 Q. Do you recall that interview?

21 A. Not like that.

22 Q. What's different about your recollection from
23 that?

24 A. What I remembered was, in my mind, for some
25 reason, I remember -- I have never seen it on film

1 before. And I was in a hotel room in New York when the
2 first time Harvey or Mike Walters -- or Harvey and Mike
3 Walters, or whoever that guy was with the dreads, told
4 me that Bubba was on the end of the tape, turning
5 the -- whatever they said to me, I can't remember --
6 that Bubba was on the end of the tape before it turned
7 off, that if we ever needed to make money or retire or
8 whatever the verbiage was, we could use this tape,
9 Heather.

10 And what I remember about it was after
11 hearing that, what I remembered in my head, for some
12 reason, unless there is another tape or unless that
13 tape was cut off or something, is that I asked Harvey,
14 if you saw it, too, Harvey. Because he's also a friend
15 of mine. And when he said no, I said, well, then I
16 don't believe it.

17 And then a producer came on the phone, and
18 said, Mr. Hogan, I'm so-and-so, producer for TMZ and I
19 saw it, also. And then I remember shaking violently.
20 I thought I was going to have a heart attack. And I --
21 I had a real hard time for about a half hour.

22 But it -- I remember Mike Walters saying that
23 first. But then it's almost like that tape is edited
24 that you have, because I also remember me saying to
25 Harvey, asking if he saw it, and he said no, he didn't.

1 And that's when I said, well, then, I don't believe
2 you.

3 Then this voice came in like from a hidden,
4 you know, like from another room. It sounded like on
5 the thing -- on the phone, and it -- and it was another
6 producer that -- that -- that qualified it and said,
7 yes, I saw it, too.

8 Q. Is it possible that you had that conversation
9 either on a pre-interview or in some portion of the
10 interview that they didn't air?

11 A. What was the question?

12 Q. Is it possible that you had the conversation
13 with -- that you just described either in a
14 pre-interview phone call --

15 A. No.

16 Q. -- or in a portion of the interview that they
17 didn't air?

18 A. That's possible. It could have been on a
19 portion -- no, that's not possible. Because I heard it
20 over the phone. That's why I'm saying maybe that tape
21 is edited that you have, because I heard it over the
22 phone, unless it -- unless something happened. It
23 could be possible that it didn't air, but I heard
24 something else, also, that's not on that tape.

25 Q. I think we pulled that from their website,

1 but we can see if there is a longer version, and if
2 there is --

3 A. Okay.

4 Q. -- I will come back and ask you about it.

5 I think we talked about this, but do you
6 remember what time of the day this interview occurred?

7 A. No. But it was after the Today Show
8 interview, as that calendar that you showed me, the
9 schedule, and we went back to the hotel room for
10 something. But it was after the Today Show, during the
11 day, the middle of the day sometime.

12 Q. And it was after the Howard Stern show that
13 we just played?

14 A. Yes. Howard Stern was first. Today Show.
15 And then for some reason I went back to the hotel for
16 whatever reason.

17 **REDACTED**
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REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Aaron T. Perkins, Registered Professional Reporter, certify that I was authorized to and did stenographically report the deposition of TERRY GENE BOLLEA; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 14th day of March, 2014.



Aaron T. Perkins, RPR