

# EXHIBIT 1

to the

**NOTICE OF HEARING AND SUPPLEMENTAL STATEMENT  
ON MOTIONS TO DETERMINE CONFIDENTIALITY  
OF VARIOUS COURT RECORDS AND TRANSCRIPTS**

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.

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HEARING BEFORE THE HONORABLE PAMELA A.M. CAMPBELL

DATE: July 1, 2015

TIME: 1:36 p.m. to 5:10 p.m.

PLACE: Pinellas County Courthouse  
545 1st Avenue North  
Third Floor  
St. Petersburg, Florida

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

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Pages 123 to 301

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APPEARANCES:

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1  
2 APPEARANCES CONTINUED AS FOLLOWS:3 SETH D. BERLIN, ESQUIRE  
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10 MICHAEL BERRY, ESQUIRE  
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17 RACHEL FUGATE, ESQUIRE  
18 Thomas & LoCicero, P.L.  
19 601 South Boulevard  
20 Tampa, Florida 3360621 Attorneys for Defendant Gawker Media, LLC,  
22 et al.23  
24 ALSO PRESENT:25 Heather L. Dietrick,  
President and General Counsel for The Gawker  
Media Group  
Alison Steele, Esquire (for Media Outlets)  
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1 is going to grant Plaintiff's No. 4, grant  
2 Plaintiff's No. 6, deny publisher's contained at  
3 tab 23.

4 MR. BERRY: Can that be without prejudice  
5 based on what we learn from the FBI?

6 THE COURT: Yeah. If you learn something  
7 else from the FBI -- and that's why I was saying  
8 this is based on what we know now.

9 MR. BERRY: Thank you, Your Honor.

10 THE COURT: I appreciate Mr. Harder is going  
11 to argue as to the timeliness of this discovery,  
12 and we'll deal with whatever happens and whatever  
13 comes at this point. Ms. Steele wants to know  
14 what about the motion to determine confidentiality  
15 contained under Plaintiff's Tab 6. And I'm going  
16 to grant them. The FBI information that I have  
17 seen, I think -- were you here on Monday --

18 MS. STEELE: I was.

19 THE COURT: -- when we got the three DVDs?  
20 So since then I have the reviewed the three DVDs.  
21 The authenticity -- there are so many other issues  
22 that are problematic with it that I think they  
23 should just remain sealed.

24 MS. STEELE: And I understand the Court has  
25 received materials for in camera review. I'm

1 wondering if it's possible to open the full  
2 arguments that are being made in writing?

3 THE COURT: Defendant's No. 23 is going to  
4 remain sealed.

5 MS. STEELE: All right.

6 MR. HARDER: We would request that our papers  
7 remain sealed as well, Your Honor.

8 THE COURT: In No. 6?

9 MS. STEELE: Plaintiff's 6.

10 THE COURT: Plaintiff's 6, yes, because it's  
11 really the FBI stuff. So I'm just going to say  
12 yes to that part. The motion to determine  
13 confidentiality of Plaintiff's No. 6 shall remain  
14 confidential.

15 MS. STEELE: All right. Thank you, Your  
16 Honor.

17 THE COURT: Thank you.

18 MR. BERRY: Your Honor, may I ask one  
19 question concerning your ruling? I understand  
20 it's without prejudice as to what we learned from  
21 the FBI. In part, what we're asking in our motion  
22 is to be permitted --

23 THE COURT: In 23?

24 MR. BERRY: Yeah. The motion has escaped me.  
25 In our motion what we're asking -- tab 23 -- one

1 of the things that we were asking to be able to do  
2 is to lay the evidentiary foundation for the  
3 admissibility of this evidence, which we were not  
4 permitted to do throughout discovery. And there  
5 are fact witnesses who could lay a proper  
6 foundation. We were never permitted to even ask  
7 the questions. And we would ask that once this  
8 case be in front of a jury, that we be allowed, as  
9 the rules of evidence permit, to lay a proper  
10 foundation.

11 THE COURT: So the request would be denied.

12 MR. BERRY: Thank you.

13 THE COURT: Thank you.

14 MR. BERLIN: Your Honor, if I could, just one  
15 other thing, just so the record is clear: On the  
16 motion to determine confidentiality, in our motion  
17 we filed it because the plaintiff had designated  
18 certain things as confidential, and I just wanted  
19 the record to be clear that we have no objection  
20 to unsealing that motion.

21 THE COURT: Okay. Thank you.

22 So I believe at this point we're still on  
23 Plaintiff's -- wait, Plaintiff's 12.

24 MR. SAFIER: Thirteen, Your Honor.

25 MR. TURKEL: Thirteen.

1 the record of events just because you want to  
2 portray yourself in this favorable fashion as --

3 THE COURT: Here is what I'm going to do:  
4 I'm going to grant the motion that use of those  
5 kinds of words will be hindered.

6 MR. SULLIVAN: Will be what?

7 THE COURT: Hindered.

8 MR. SULLIVAN: Hindered.

9 THE COURT: The defense won't be using those  
10 words the best they can. If there is some reason  
11 you need to call it out like that, then you will  
12 let me know.

13 MR. SULLIVAN: All right. Fair enough.

14 THE COURT: Okay.

15 MR. BERRY: Your Honor, I hate to jump back  
16 to the prior motion, again, but in looking back --

17 THE COURT: Which one?

18 MR. BERRY: The motion that we were talking  
19 about, their No. 6.

20 THE COURT: We were talking about a lot.

21 MR. BERRY: Sorry. Their No. 6.

22 I realized, as we were sitting here, that it  
23 covers -- in addition to the things that I was  
24 alluding to with the plaintiff's text messages, it  
25 refers to a number of things that were public



1 reports, the public reports that are out there.  
2 And, again, their whole thing is marked  
3 confidential, so I can't go through it. There are  
4 a litany of things that are out there. But I do  
5 want some clarification from the ruling if we  
6 can't use information that's already publicly  
7 accessible that didn't come from the parties that  
8 has been in public reports.

9 MR. HARDER: Your Honor, it's not actually  
10 information. It was speculation in one or a few  
11 tabloid stories that were speculating about a  
12 rumor. And the rumor may have been coming from  
13 the extortionist. And there will be an article  
14 about a possible sex tape or an actual sex tape,  
15 and then there will be maybe about five words that  
16 will have this speculation. And I think that they  
17 marked as trial exhibits one or two of these  
18 tabloid articles that are hearsay. There is no  
19 foundation for any of this. It's all kind of --  
20 it's all kind of rumor mill speculation.

21 THE COURT: If there are some specific things  
22 that you're trying to move in, you're going to  
23 show them to me, and then I will deal specifically  
24 with those, or whatever those specific issues are.  
25 My point is the DVDs are out.

1 MR. BERRY: And his text messages are out?

2 THE COURT: From your 23, yes.

3 MR. BERRY: Okay.

4 THE COURT: Thank you.

5 MR. BERRY: Thank you. But with the public  
6 stuff, we should show it to you, as we would this  
7 other stuff that we talked about before the break,  
8 before we move it in?

9 THE COURT: Mr. Harder says there is two  
10 public tabloids that are out there.

11 MR. BERRY: It's more than that.

12 THE COURT: Then you'll have to show it to  
13 me.

14 MR. HARDER: Typically, what happens is one  
15 tabloid reports a speculation, and then others  
16 say, According to this tabloid, there is  
17 speculation about this issue. So I don't know the  
18 number of --

19 MR. BERRY: Not just tabloids, Your Honor.  
20 Again, this goes to Bubba Clem's statements on the  
21 radio.

22 THE COURT: Well, let's go back to Bubba  
23 Clem. I hate going back there, but let's do it.  
24 So just like all these other motions, I'm giving  
25 you general guidelines. These motions are written

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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 above hearing 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 2nd day of July, 2015.

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Aaron T. Perkins, RPR