

CONFIDENTIAL
EXHIBIT 116-C

to the

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

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,

vs.

Case No.
12-012447-CI-011

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

Defendants.

DEPOSITION OF: RICHARD D. PEIRCE

DATE: January 27, 2015

TIME: 3:10 p.m. to 5:35 p.m.

PLACE: Riesdorff Reporting Group
100 Second Ave. S.
Suite 104-S
St. Petersburg, Florida

PURSUANT TO: Notice by counsel for Defendants
Gawker Media, LLC, et al., 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

Pages 1 to 117

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- and -

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Attorney for Richard D. Peirce

ALSO PRESENT:

Judge James R. Case

1 Q. Were the rumors that you heard and read on
2 the message board prior to March 7th, 2012?

3 A. I don't remember.

4 Q. After this point, you do recall, though,
5 talking about it and discussing the --

6 A. I don't know if it was after March 7th, if
7 that was the first one. I don't -- I don't know when.
8 No, I didn't record those dates.

9 Q. Okay. I'm going to -- but it's possible that
10 it preceded this?

11 A. I don't know.

12 Q. I'm going to show you another document which
13 we'll mark as 112.

14 (Exhibit No. 112 was marked for
15 identification.)

16 BY MR. BERRY:

17 Q. And this document, has been marked
18 "confidential, attorney's eyes only." That's --

19 MR. EDMISTON: Can I have a minute? I just
20 want to talk to him. I have not seen this. I
21 need a minute to talk to him, if I can have two
22 minutes.

23 MR. BERRY: Before you go, let me just put on
24 the record what it is.

25 MR. EDMISTON: Sure.

1 MR. BERRY: This is an e-mail sent from your
2 e-mail address to Mr. Cowhead that was sent on
3 March 12th, 2012, at 4:00 p.m., subject, DVD
4 details, with an attachment, which is attached
5 here.

6 As you can see, it's been marked
7 "confidential, attorney's eyes only." We've
8 redacted a couple of things from it. It's Bates
9 numbered -- which is part of the redaction -- 53
10 and 54. Certain information has also been
11 redacted by the plaintiff in this, as well. And
12 I'm giving you the redacted copies, but it cannot
13 leave this area.

14 THE COURT: Cannot leave the room. If you
15 would --

16 MR. EDMISTON: I understand. So can I take
17 it with me just in this room just so I can discuss
18 it?

19 MR. BERRY: Yeah, that's fine.

20 MR. EDMISTON: Or you guys can go out.

21 THE COURT: Why don't we leave.

22 (A recess was taken.)

23 BY MR. BERRY:

24 Q. So you had a chance to consult with the
25 Mr. Edmiston?

1 A. Uh-huh (Indicates affirmatively).

2 Q. Yes?

3 A. Yes.

4 Q. Okay. You sent this e-mail, right?

5 A. Yes.

6 Q. Do you recall sending it?

7 A. Yes.

8 Q. Did you see any of the tapes involving
9 Hulk Hogan and Heather Clem?

10 A. Only the clip that was online.

11 Q. But not anything else?

12 A. No, I didn't see any of that, no.

13 Q. And is this attachment that's on page 54, is
14 this what you received from the instant message that
15 you mentioned earlier?

16 A. It looks like it is, yes.

17 MR. EDMISTON: Subject to some redactions. I
18 think there was some redactions.

19 BY MR. BERRY:

20 Q. Right. Other than the stuff that the
21 plaintiff had redacted --

22 A. Yeah.

23 Q. -- this is what you received from the instant
24 message?

25 A. Yes.

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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 RICHARD D. PEIRCE; 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 30th day of January 2015.


Aaron T. Perkins, RPK