

**CONFIDENTIAL**  
**EXHIBIT 109-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,

Case No.  
12-012447-CI-011

vs.

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

Defendants.

VIDEOTAPED

DEPOSITION OF: BUBBA THE LOVE SPONGE CLEM

DATE: March 3, 2014

TIME: 12:09 p.m. to 3:07 p.m.

PLACE: Thomas & LoCicero, P.L.  
601 South Boulevard  
Tampa, 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 1  
Pages 1 to 182

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Attorney for Bubba the Love Sponge Clem

ALSO PRESENT:

Honorable James Case  
Mike Byrd, videographer  
Terry Gene Bollea

1 Q. How often did you go to his house, then?

2 A. Again, back to -- referring back to the  
3 original question, sometimes daily, you know. It  
4 depended on the time of the year or how busy Terry is  
5 or whether he's wrestling or just -- there is a lot of  
6 intangibles there.

7 Q. Was there a time that -- that he lived at  
8 your house?

9 A. There was a short period of time, yes.

10 Q. When was that?

11 A. You know, I'm not really good with dates. I  
12 know that it was after or during the Linda divorce, and  
13 it was only a short period of time.

14 Q. But you -- it's pegged to around the time  
15 they got divorced?

16 A. "Ish," yeah. In that era.

17 Q. But you don't remember the year?

18 A. No, not specifically.

19 Q. Would you have anything back in your records  
20 that would help you jog your memory about when that was  
21 specifically?

22 A. If you certainly have the dates, it would --  
23 it could possibly help me. But, I mean, I'm -- it's,  
24 you know, been so long. All of this has been so long.

25 MR. DIACO: Do you mean the dates of the

1 divorce?

2 MR. BERRY: No, no. The dates that he was  
3 living at his house.

4 MR. DIACO: That's why I'm asking. If you're  
5 asking him if he had the dates of the divorce,  
6 that may help him if --

7 THE WITNESS: No. If he has specific dates  
8 that he thinks Terry may have lived there --

9 MR. DIACO: I'm sorry.

10 THE WITNESS: -- I may have been --

11 BY MR. BERRY:

12 Q. I mean -- yeah.

13 A. -- I may have been able to validate that.  
14 I'm not trying to skirt it. I just simply don't know.  
15 I mean, this is -- this is all, you know, run together  
16 to me.

17 Q. Right.

18 But, again, my question is, If you kind of  
19 went home tonight and looked through stuff, would you  
20 be able to kind of pin it down to a range?

21 A. I don't have anything at home that would  
22 remind me necessarily of when Terry stayed with me. If  
23 you guys had a specific date, I could certainly  
24 validate that or not. But I know that for two or three  
25 months he stayed with me, and the best of my

1 recollection it was during the Linda and his divorce  
2 era --

3 Q. Okay.

4 A. -- so --

5 Q. And he was there for -- for how many months?

6 A. Probably 60 days, in that -- in that  
7 ballpark.

8 Q. And that was the only time that he lived at  
9 your house?

10 A. Yes.

11 Q. And at that point in time, were you married  
12 to Heather or not?

13 A. I don't know. I don't know the period of  
14 time. I mean, I know I got married in January of 2007,  
15 so I don't know -- I think -- I think maybe, but I  
16 would hate to say yes or no, so --

17 Q. But just sitting here and reflecting on those  
18 days when he was living in your house, do you remember  
19 Heather being there or no?

20 A. I don't -- I don't -- I can't recall. I  
21 mean, I can't give you a date because I don't know the  
22 date. I just know that it was during when him -- him  
23 and Linda were getting divorced. If that -- if you  
24 have the date on that, I can tell you whether Heather  
25 was living there or not, because I know about when she



1 things. That's my answer.

2 BY MR. BERRY:

3 Q. In the realm of sensitive things that you  
4 talked about -- again, I'm not asking you to give me  
5 any specifics. In what kind of areas would you share  
6 sensitive things?

7 A. All areas, financial, romantically, business,  
8 kids, the weather, his father's health. It was a  
9 plethora. You know, there is nothing that was out of  
10 bounds with regards to a topic that we could possibly  
11 speak about.

12 Q. Did you talk to him about your sex life with  
13 Heather?

14 A. Occasionally, yeah.

15 Q. Again --

16 A. But then if I may preface, I spoke on the air  
17 about my sex life with Heather. So, I mean, you have  
18 to understand that Mr. Bollea wasn't necessarily privy  
19 to some kind of inside stuff. I'm -- my show is very  
20 open, and so it wasn't necessarily, you know,  
21 privileged per se.

22 Q. Were there things that you told Mr. Hogan  
23 about your sex life with Heather that were not things  
24 you shared on the air?

25 A. I can't recall specifically.

1 didn't control my own destiny, other than doing a very  
2 stupid thing unbeknownst to him. So it's horrible.  
3 It's horrible. And I would like -- I apologize now and  
4 for the rest of my life will be sorry for what I did.

5 Q. And what did you do?

6 A. I -- I had videotape of him against his  
7 knowledge.

8 Q. Okay. How would you describe Hulk Hogan now?

9 A. I'm assuming he hasn't varied from when I  
10 knew him. He's just, you know, probably a little bit  
11 more cautious. If I was him, I would feel very  
12 double-crossed. I'd be very cautious. I would very --  
13 I'd probably be very much closed because of, you know,  
14 his best friend did him -- did him wrong. And I would  
15 say that he has a ton amount -- a ton of trust issues  
16 right now. I don't blame him.

17 Q. Before when you said that you had videotape  
18 of him, did you do the videotaping?

19 A. I -- well, yeah, I did. My -- my  
20 surveillance system did, but I -- you know, it's my  
21 system, so -- yes, I did.

22 Q. And you knew you had that videotape?

23 A. I knew of the system, yes.

24 Q. But specifically the videotape that you're  
25 mentioning, you knew you had videotape of Hulk Hogan

1 having sex?

2 A. Yes.

3 Q. Would you describe Hulk as honest?

4 A. Very.

5 Q. Trustworthy?

6 A. Very.

7 Q. Kind?

8 A. Very, very.

9 Q. Do you think he's empathetic?

10 A. Yes.

11 Q. Do you think he's compassionate?

12 A. Very.

13 Q. Do you think he cares about other people?

14 A. Yes, to a -- to a detriment. I think that  
15 Terry -- Terry's caring-ness has caused him a lot of  
16 pain. I think that he gives way too much and -- and  
17 people have taken advantage of him a lot.

18 Q. Have you ever taken advantage of him?

19 MR. DIACO: Object to the form of the  
20 question.

21 BY MR. BERRY:

22 Q. You can answer.

23 A. Yes and no. I think this situation certainly  
24 could be construed as that. Prior to this, no.

25 Q. Do you think he's intimidating?

## 1 REPORTER'S CERTIFICATE

2 STATE OF FLORIDA  
3 COUNTY OF HILLSBOROUGH4  
5 I, Aaron T. Perkins, Registered Professional  
6 Reporter, certify that I was authorized to and did  
7 stenographically report the deposition of  
8 BUBBA THE LOVE SPONGE CLEM; that a review of the  
9 transcript was not requested; and that the transcript  
10 is a true and complete record of my stenographic notes.  
1112  
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 action.  
1819  
20 Dated this 15th day of March, 2014.  
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25  
Aaron T. Perkins, RPK

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

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CONTINUED VIDEOTAPED  
DEPOSITION OF: BUBBA THE LOVE SPONGE CLEM

DATE: March 3, 2014

TIME: 3:21 p.m. to 6:02 p.m.

PLACE: Thomas & LoCicero, P.L.  
601 South Boulevard  
Tampa, Florida

PURSUANT TO: Notice by counsel for Defendants  
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Notary Public, State of  
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Volume 2  
Pages 183 to 345

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Tampa, Florida 33602

Attorney for Bubba the Love Sponge Clem

ALSO PRESENT:

Honorable James Case  
Mike Byrd, videographer  
Terry Gene Bollea



1 MR. DIACO: Objection. That's --

2 MR. GOLD: Objection.

3 MR. DIACO: Objection. Outside the scope of  
4 permissible discovery as outlined by  
5 Judge Campbell.

6 JUDGE CASE: Sustained.

7 BY MR. BERRY:

8 Q. Was your marriage with Heather monogamous?

9 A. No.

10 Q. How often did she engage in sexual conduct  
11 with other men?

12 MR. GOLD: Objection, Your Honor.

13 MR. DIACO: Objection.

14 JUDGE CASE: Sustained.

15 BY MR. BERRY:

16 Q. In what ways was your marriage not  
17 monogamous?

18 MR. GOLD: Objection, Your Honor. He's --  
19 he's trying to go to the same location of where --  
20 who she's having sex with.

21 MR. DIACO: Join.

22 JUDGE CASE: Sustained.

23 MR. BERRY: Your Honor, if I may, I  
24 understand, I guess, the nature of the ruling. I  
25 would like to build a record here of what the

## 1 REPORTER'S CERTIFICATE

2 STATE OF FLORIDA  
3 COUNTY OF HILLSBOROUGH4  
5 I, Aaron T. Perkins, Registered Professional  
6 Reporter, certify that I was authorized to and did  
7 stenographically report the deposition of  
8 BUBBA THE LOVE SPONGE CLEM; that a review of the  
9 transcript was not requested; and that the transcript  
10 is a true and complete record of my stenographic notes.  
1112  
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 action.  
1819  
20 Dated this 14th day of March, 2014.  
21  
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Aaron T. Perkins, RPK

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
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DATE: March 4, 2014

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Volume 3  
Pages 346 to 519

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Attorney for Bubba the Love Sponge Clem

ALSO PRESENT:

Honorable James Case  
Mike Byrd, videographer  
Terry Gene Bollea

1           A.    Yes.

2           Q.    At that point, what was your reaction?

3           A.    Again, I've testified that I was in complete  
4 cover my ass, lie at all expenses, bury people on the  
5 air, turn this around, transfer the heat, whatever  
6 you -- whatever you want to say, was my complete  
7 mindset, to try to save face on what I had done to this  
8 guy.

9           Q.    So during the -- there was a week in between  
10 these two postings. And right around that time, other  
11 than the things that we've talked about, do you recall  
12 any specific communications that you had with Hulk  
13 around this time concerning the sex tape?

14          A.    We provided the list of texts that I think  
15 that we had, so I don't know if this is -- this time  
16 period is before -- while Terry and I --

17               MR. DIACO: I think he means the texts that  
18 were provided through the course of discovery, not  
19 any texts that he has.

20               THE WITNESS: I don't know the time code of  
21 those texts. I don't know when Terry finally  
22 figured out I was full of shit and I was lying to  
23 him. I don't know what that date was, but this  
24 could have very well -- I'm still lying to Terry,  
25 trying to get my ass out of a sling. So I'm

## 1 REPORTER'S CERTIFICATE

2 STATE OF FLORIDA  
3 COUNTY OF HILLSBOROUGH4  
5 I, Aaron T. Perkins, Registered Professional  
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17 financially interested in the action.  
1819  
20 Dated this 15th day of March, 2014.  
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Aaron T. Perkins, RPK