

Exhibit A

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

TERRY GENE BOLLEA professionally known
as HULK HOGAN,

Plaintiff,

vs.

Case No. _____

DON BUCHWALD & ASSOCIATES, INC.;
TONY BURTON; MICHAEL CALTA aka
“Cowhead”; MATTHEW CHRISTIAN LOYD
aka “Matt Loyd” aka “Spice Boy”; KEITH M.
DAVIDSON; KEITH M. DAVIDSON &
ASSOCIATES, P.L.C.; COX RADIO, INC.,
TASHA NICOLE CARREGA; LORI
BURBRIDGE and GAWKER MEDIA, LLC,

Defendants.

_____ /

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, Terry Gene Bollea, professionally known as “Hulk Hogan” (“Plaintiff” or “Mr. Bollea”), sues Defendants, Don Buchwald & Associates, Inc. and Tony Burton (collectively, the “Buchwald Defendants”), Michael Calta aka “Cowhead,” Matthew Christian Loyd aka “Matt Loyd” aka “Spice Boy,” and Cox Radio, Inc. (collectively, the “Cox Defendants”), Keith M. Davidson, Keith M. Davidson & Associates, P.L.C., Tasha Nicole Carrega and Lori Burbridge (collectively, the “Davidson Defendants”), and Gawker Media, LLC (“Gawker”), (together collectively, “Defendants”), and alleges as follows:

NATURE OF THIS ACTION

1. Over the past several years, Mr. Bollea has been repeatedly victimized by the use, disclosure, dissemination and exploitation of surreptitiously recorded and illegally obtained

video of Mr. Bollea naked, engaged in sexual activity, and having private conversations in a private bedroom, without his knowledge or consent.

2. In October 2012, Mr. Bollea sought the assistance of state and federal law enforcement to investigate and prosecute those responsible for obtaining, using, disclosing, disseminating and exploiting the contents of these illegal recordings.

3. Unfortunately, the United States Government and the State of Florida declined to prosecute anyone involved in the improper use and disclosure of the contents of the illegal recordings.

4. Consequently, Mr. Bollea brings this action to seek redress for the damages and injuries caused by the use, exploitation and public dissemination of the contents of the illegally recorded footage, including a willful and malicious conspiracy to extort him, invade his privacy, profit from his name and likeness and the contents of the illegally recorded footage, and to destroy Mr. Bollea economically and emotionally, ruin his career and reputation and eradicate his legacy, including the following:

a. The Buchwald Defendants, and each of them, individually or in concert with and/or as an agent for one another, engaged in acts of civil conspiracy, aiding and abetting civil extortion, violation of Plaintiff's rights of privacy, public disclosure of private facts, invasion of privacy by intrusion, intentional infliction of emotional distress, interference with Plaintiff's contractual and advantageous business relationships, and violation of Florida's Security of Communications Act;

b. The Cox Defendants, and each of them, individually or in concert with and/or as an agent for one another, engaged in acts of civil conspiracy, civil

extortion, aiding and abetting civil extortion, violation of Plaintiff's rights of privacy, public disclosure of private facts, invasion of privacy by intrusion, intentional infliction of emotional distress, interference with Plaintiff's contractual and advantageous business relationships, and violation of Florida's Security of Communications Act;

c. The Davidson Defendants, and each of them, individually or in concert with and/or as an agent for one another, engaged in acts of civil conspiracy, civil extortion, aiding and abetting civil extortion, violation of Plaintiff's rights of privacy, public disclosure of private facts, invasion of privacy by intrusion, intentional infliction of emotional distress, interference with Plaintiff's contractual and advantageous business relationships, and violation of Florida's Security of Communications Act; and

d. Gawker intentionally interfered with Plaintiff's contractual and advantageous business relationships, and intentionally inflicted emotional distress upon him by leaking a sealed transcript of surreptitiously recorded private oral communications in a bedroom to the media. (Mr. Bollea's claims against Gawker are based on events that transpired in the summer of 2015, and therefore do *not* overlap with the claims that Plaintiff brought against Gawker in the 2012 action titled *Bollea v. Gawker Media, LLC, et al.*, Case No. 12012447-CI-011 in this Court (the "Prior Action")).

5. Plaintiff seeks damages against the Buchwald Defendants, Cox Defendants and Davidson Defendants, jointly and severally, as well as a permanent injunction against said Defendants.

6. Plaintiff seeks damages against Gawker, which are not duplicative of the damages sought in the Prior Action.

JURISDICTION

7. This Court has jurisdiction because Plaintiff seeks relief in an amount greater than \$15,000, exclusive of interest, attorneys' fees and costs.

8. As more specifically set forth below, this Court has personal jurisdiction over Defendants under § 48.193, Florida Statutes, because they each personally or through an agent engaged in one or more of the following acts:

- a. committing tortious acts within the State of Florida;
- b. committing intentional torts expressly aimed at Plaintiff, the effects of which were suffered in Pinellas County, Florida;
- c. operating, conducting, engaging in, or carrying on a business or business venture within the State of Florida, or having an office in this State;
- d. engaging in substantial and not isolated activity within the State of Florida; and/or
- e. engaging in a conspiracy to commit tortious acts against Mr. Bollea within the State of Florida and/or engaging in overt acts in furtherance of that conspiracy within the State of Florida.

9. As more specifically set forth below, sufficient minimum contacts exist between each Defendant and the State of Florida to satisfy the Due Process under the U.S. Constitution because Defendants have engaged in substantial and not isolated activity within the State of Florida, reside or maintain offices in the State of Florida, and/or committed or conspired to commit intentional torts expressly aimed at Plaintiff, the effects and harms of which were

calculated to and did cause injury to Plaintiff in the State of Florida; such that Defendants should have reasonably anticipated being sued by Plaintiff in the State of Florida.

10. Venue is proper in this Court pursuant to section 47.011, Florida Statutes because, among other things, the claims at issue accrued within Pinellas County, Florida.

PARTIES

11. Plaintiff is a resident and citizen of the State of Florida, and resident of Pinellas County.

12. At all relevant times, Defendant, Don Buchwald & Associates, Inc. (“Buchwald & Associates”), was and is a corporation organized and operating under the laws of the State of New York, with its principal place of business in the City of New York, County of New York, State of New York. Buchwald & Associates is a talent agency that represents clients in, among other areas, the radio broadcasting industry; including clients within the State of Florida.

13. At all relevant times, Defendant, Tony Burton (“Burton”), was and is a citizen, resident and domiciliary of the State of New York, and was and is a talent agent acting within the course and scope of his employment by Buchwald & Associates. Burton’s clients have included, and currently include, among others, Tampa radio personality, Defendant, Michael Calta aka “Cowhead.”

14. At all relevant times, Defendant, Michael Calta aka “Cowhead” (“Calta”), was and is a citizen, resident and domiciliary of Pasco County, Florida. Calta was and is a radio personality in the Tampa Bay area, who hosts a radio show on “The Bone” 102.5 FM. At all relevant times, Calta was acting within the course and scope of his employment by Defendant, Cox Radio, Inc.

15. At all relevant times, Defendant, Matthew Christian Loyd aka “Matt Loyd” aka “Spice Boy” aka “Jim Janerro” (“Loyd”), was and is a citizen, resident and domiciliary of

Hillsborough County, Florida. At certain times relevant hereto, Loyd was a radio personality in the Tampa Bay area, and was acting within the course and scope of his employment by Defendant, Cox Radio, Inc.

16. At all relevant times, Defendant, Cox Radio, Inc. (“Cox”), was and is a corporation organized and operating under the laws of the State of Delaware, registered to do business in the State of Florida, with its principal place of business in the City of Atlanta, State of Georgia. At all material times, Cox owned and operated several terrestrial radio stations broadcasting in Pinellas County, Florida, including “The Bone” 102.5 FM, which operates in and from offices located in Pinellas County, Florida.

17. At all relevant times, Defendant, Keith M. Davidson (“Davidson”), was and is a citizen, resident and domiciliary of the State of California, and a resident of Los Angeles County, California. Davidson is an attorney at law, licensed to practice in the State of California, with a record of discipline by the State Bar of California, and was suspended from practicing law in California for two years. Davidson was retained to assist the Buchwald Defendants and Cox Defendants in the extortion of Plaintiff using the illegally obtained surreptitious video footage within Pinellas County, Florida.

18. At all relevant times, Defendant, Keith M. Davidson & Associates, P.L.C. (“Davidson & Associates”), was and is a professional corporation organized and existing under the laws of the State of California, with its principal place of business in the State of California, County of Los Angeles. At all relevant times, Davidson was acting within the course and scope of his employment by Davidson & Associates.

19. At all relevant times, Defendant, Tasha Nicole Carrega (“Carrega”), was the wife of Defendant, Loyd, and a citizen, resident and domiciliary of Hillsborough County, Florida.

20. At all relevant times, Defendant, Lori Burbridge (“Burbridge”), was a close friend of Carrega and a citizen, resident and domiciliary of Pasco County, Florida.

21. At all relevant times, Defendant, Gawker Media, LLC (“Gawker”), was and is a limited liability company organized and operating under the laws of the State of Delaware, with its principal place of business in City of New York, County of New York, State of New York.

22. At all relevant times, the Buchwald Defendant, Cox Defendants and Davidson Defendants, and each of them, were and are the agents, licensees, employees, partners, joint-venturers, co-conspirators, owners, principals, and employers of one another, and each of them are, and at all times herein mentioned were, acting within the course and scope of that agency, license, partnership, employment, conspiracy, ownership, or joint venture. At all relevant times, the acts and conduct herein alleged of each of said Defendants were known to, authorized by, and/or ratified by the other said Defendants, and each of them.

FACTS GIVING RISE TO THE CLAIMS

23. Plaintiff is a former professional wrestler, and is a professional spokesperson, actor, television personality and product endorser who has enjoyed mainstream popularity as the character “Hulk Hogan.”

24. In or about June-July 2007, Plaintiff, without his knowledge or consent, was filmed with a hidden camera, naked and engaging in private sexual activity and having private conversations, in a private bedroom, with Heather Clem (“Heather Clem”), and having private conversations, in a private bedroom, with her then-husband Bubba the Love Sponge Clem (“Bubba Clem”). Plaintiff understood, believed and expected that his activities in the Clems’ private bedroom were private and would not be viewed, heard by other persons nor recorded.

Had Plaintiff known that his private activities and conversations were being recorded, Plaintiff would not have engaged in any such activities or conversations.

25. In or about early 2012, the Cox Defendants illegally obtained a copy of the surreptitious recordings of Plaintiff, and conspired with one another to use and disclose the contents of said recordings to harm Plaintiff and obtain an improper economic benefit.

26. In or about early 2012, the Buchwald Defendants, Cox Defendants and Davidson Defendants conspired with one another to use and disclose the contents of the illegal recordings of Plaintiff to cause him harm and obtain an improper economic benefit; and in furtherance thereof sold information relating to the surreptitious recordings of Plaintiff to media companies including, among others, TMZ.com and TheDirty.com, which information included still images and/or portions of the audio and video recordings of Plaintiff. TMZ.com reported on such information starting on or about March 7, 2012, and TheDirty.com reported on such information starting on or about April 19, 2012, which reports included still images from the surreptitious recordings of Plaintiff, as well as information regarding the contents of the audio portions of the surreptitious recordings.

27. During 2012, Loyd and Calta communicated repeatedly regarding the formulation and execution of a plan to release the surreptitious recordings of Plaintiff, including their strategy for releasing portions of same to media outlets for the purposing of causing substantial economic harm to Plaintiff, among others; while also furthering their own radio broadcasting careers.

28. Loyd and Calta were acting within the course and scope of their employment by Cox when they engaged in acts in furtherance of the scheme and conspiracy to use and disclose the contents of the surreptitious recordings of Mr. Bollea; and some or all of these acts were

committed at Cox's offices located in Pinellas County, Florida and/or with the knowledge and consent of Loyd and Calta's immediate supervisors.

29. In or about late September 2012, Burton, in his capacity as a talent agent employed by Buchwald & Associates, and acting on behalf of and in concert with Calta, a client of Buchwald & Associates, communicated with A.J. Daulerio ("Daulerio"), who was then the Editor-in-Chief of Gawker.com, a popular weblog owned by Gawker. In those communications, Burton stated to Daulerio that a DVD was being sent to Daulerio and Gawker containing a large portion of the surreptitious recordings of Plaintiff. Within days of these communications, certain of the Buchwald Defendants, Cox Defendants and/or Davidson Defendants, or someone acting in concert with them or at their direction, sent to Daulerio and Gawker a DVD containing a little more than 30 minutes of surreptitious recordings of Plaintiff, including video images of him fully naked and engaged in consensual sexual activity with Ms. Clem, and also including oral communications between Plaintiff, Ms. Clem and Mr. Clem (the "30 Minute Video"). Burton, acting on behalf of and in concert with Buchwald Defendants, Cox Defendants and Davidson Defendants, knew and intended that Daulerio would publicly disclose content from the 30 Minute Video.

30. Daulerio, edited the surreptitious recordings of Plaintiff contained within the 30 Minute Video into a one-minute and forty-second "highlight reel" video (the "1:41 Video"), which showed Plaintiff fully naked, receiving oral sex, and engaged in sexual intercourse. The 1:41 Video also included Plaintiff's private oral communications with Ms. Clem. Daulerio and Gawker included English subtitles to the 1:41 Video, to ensure that viewers understood every word spoken by Plaintiff and Ms. Clem during the 1:41 of their private encounter. On October 4, 2012, Gawker posted the 1:41 Video to the Internet, along with an incidental, narrative

description of the contents of the 30 Minute Video, including portions not contained in the 1:41 Video. At least 7 million people watched the 1:41 Video on the Internet. At or around the same time, Loyd contacted Daulerio using the alias “Jim Janerro” to discuss additional surreptitious recordings of Plaintiff.

31. In October 2012, the Davidson Defendants, acting on behalf of and in concert with the Cox Defendants (collectively, the “Extortionists”), contacted counsel for Plaintiff seeking to extort money from Plaintiff. The Extortionists threatened to release the entirety of the surreptitious recordings of Plaintiff, if Plaintiff did not agree to make a very large payment in exchange for all copies of the recordings. Davidson, representing and acting on behalf of and in concert with the other Extortionists, specifically stated to Plaintiff’s counsel that certain of the surreptitious recordings that were created illegally, and obtained illegally by the Extortionists, contained insensitive racial remarks which could have the effect of causing great economic harm to Plaintiff if released publicly. Initially, the Extortionists demanded \$1 million.

32. Davidson, representing and acting on behalf of and in concert with the Extortionists, also told Plaintiff’s counsel that the Extortionists (who acted in agreement with and the assistance of the Buchwald Defendants), arranged for the 30 Minute Video to be sent to Gawker as a “shot across the bow” as part of the scheme to extort money from Plaintiff.

33. The Extortionists and the Buchwald Defendants agreed and worked in concert with one another to send the 30 Minute Video to Gawker and Daulerio in furtherance of the scheme to extort Plaintiff with the surreptitious recordings, promote Loyd and Calta’s broadcast careers (while injuring the career of a competitor), and cause substantial economic harm and severe emotional distress to Plaintiff through the release to Gawker and Daulerio of the 30 Minute Video.

34. Plaintiff's counsel contacted local law enforcement agencies for assistance in investigating and prosecuting those involved in the recording, use, exploitation and disclosure of the surreptitious video. However, local law enforcement advised Plaintiff's counsel that the statute of limitations for any criminal violations under Florida law had expired, because the recordings were made in 2007.

35. Plaintiff's counsel then reported the Extortionists' threat to the Tampa, Florida office of the Federal Bureau of Investigation ("FBI"). The FBI subsequently set up a sting operation, which occurred on or about December 14, 2012, at a hotel in Clearwater Beach, Pinellas County, Florida. On that day, the Extortionists followed through on their plan to use the surreptitious recordings to extort money from Plaintiff. Specifically, the Extortionists turned over what they represented to Bollea's counsel were all copies of all surreptitious recordings of Plaintiff in the possession of the Extortionists, in exchange for a check from Plaintiff's counsel in the amount of \$150,000 and a commitment to make subsequent payments of an additional \$150,000, for a total extortion payment of \$300,000. Plaintiff and his counsel, David Houston, appeared at the Clearwater Beach hotel that day and met with Davidson and Burbridge (representing and acting in concert with the other Extortionists and in furtherance of their conspiracy) for the execution of a purported "settlement agreement" and the exchange of the all copies of the surreptitious recordings (from the Extortionists to Plaintiff) and a \$150,000 check (from Plaintiff's counsel to the Extortionists).

36. The FBI recorded the activities of the participants (Plaintiff, Houston, Davidson, Burbridge and a polygraph examiner who was working undercover for the FBI) in a room at the hotel. The hotel room next door contained several armed FBI agents who recorded the activities in the adjacent room and prepared to make an arrest of the Extortionists. When Houston handed

the check to the Davidson and Burbridge (representing the Extortionists), several FBI agents entered the room with guns drawn, arrested Davidson and Burbridge, and immediately removed Plaintiff and Houston from the room.

37. On May 19, 2015, for the sole stated purpose of discovery in the Prior Action to determine whether Plaintiff knew he was being recorded by Mr. Clem in 2007, Gawker filed a separate federal lawsuit against the FBI under the Freedom of Information Act (“FOIA”), to obtain documents and information relating to the aforementioned FBI investigation and operation, styled *Gawker Media, LLC, et al, v. Federal Bureau of Investigation*, U.S. District Court, Middle District of Florida, Case No. 8:15-cv-01202-SCB-EAJ (the “Gawker-FBI Action”). In particular, Gawker sought to obtain other portions of the surreptitiously recorded video of Plaintiff which were not at issue in nor relevant to the Prior Action.

38. As the Prior Action and the Gawker-FBI Action progressed, it became clear that Gawker misrepresented the reason why it was seeking discovery of the FBI extortion investigation and operation. Gawker, having become aware through discovery in the Prior Action that other surreptitious recordings seized during the FBI sting operation purportedly contained racially insensitive statements by Plaintiff, used the Gawker-FBI Action to try to gain access to video and/or audio footage of Plaintiff making such statements, so Gawker could use such statements against Plaintiff to destroy him publicly and as leverage to try to force Plaintiff to settle or drop his claims heading into a jury trial in the Prior Action.

39. During the Prior Action, Gawker threatened Plaintiff repeatedly with the public release of a written transcript (prepared by the Extortionists), containing racially insensitive remarks, derived from the 2007 surreptitious recordings of Plaintiff. Plaintiff sought and

obtained a Protective Order in the Prior Action, prohibiting the release of the transcript or its contents.

40. In mid-July 2015, following Gawker's repeated threats of releasing the racial statements during the preceding several months, Gawker's business went into a tailspin over a controversial story which alleged that an executive at a rival media company arranged a date with a male porn star and escort. Hundreds of stories were published that were highly critical of Gawker in connection with its reporting. As a result, several major advertisers stopped their advertising at Gawker, and others were threatening to do the same. Moreover, several senior staff at Gawker resigned in connection with the scandal. All such activity (the story, the backlash, the loss of advertisers and the resignations) happened within the course of only a few days. Gawker needed an immediate, major public story to be released, to change the public discourse about Gawker, and deflect attention away from its wrongful business practices.

41. Gawker found just the solution. Dylan Howard, a senior editor at *The National Enquirer* and its sister publication RadarOnline.com (collectively, the "*Enquirer*"), who was a personal friend of Daulerio at the time, gave notice to Plaintiff's counsel on July 23, 2015 that the *Enquirer* intended to publish excerpts from the very court-protected, confidential, "sealed" transcript that Gawker had been threatening to release publicly for months (but which Gawker itself could not release because of the Protective Order in the Prior Action prohibiting its public dissemination).

42. Shortly after Gawker's CEO, Nick Denton, published an article predicting that Mr. Bollea's "real secret" would soon be revealed, at 6:38 a.m. Eastern time on July 24, 2015, the *Enquirer* published a story quoting excerpts of the court-protected confidential transcript. In

its report, the *Enquirer* confirmed that the excerpts came from the transcript that was “filed under seal in a Florida court.”

43. Only 14 minutes after the *Enquirer* posted the court-protected confidential transcript, at 6:52 a.m. Eastern time, Daulerio sent a tweet to Plaintiff’s Twitter account stating: “XOXOXO” (*i.e.*, hugs and kisses) and attaching a link to the *Enquirer*’s post releasing excerpts of the court-protected confidential transcript. Based upon the timing and content of Daulerio’s tweet, Daulerio was aware, in advance, of the *Enquirer*’s plans to publish the court-protected confidential transcript, and the harm that such publication would cause to Plaintiff.

44. Plaintiff promptly issued a public apology for the offensive language used during an illegally-recorded private conversation in his then-best friend’s bedroom in 2007—eight years earlier.

45. The actions of all of Defendants culminated in the *Enquirer*’s publication of the court-protected confidential transcript, which caused Plaintiff to be immediately terminated by his employer, World Wrestling Entertainment (“WWE”). Hundreds of articles were published by news organizations immediately thereafter, accusing Plaintiff of being a “racist.”

46. As a result of the Defendants’ actions, Plaintiff’s highly valuable global brand (which Plaintiff had developed through personal sacrifice, hard work, talent and an immense physical toll on his body over the course of more than 35 years) was decimated within days, and has been permanently damaged if not completely destroyed. Among other things, all of Plaintiff’s endorsement contracts were terminated shortly after the *Enquirer*’s publication of the court-protected confidential transcript, and his name and likeness were erased from the WWE website and its Hall of Fame.

47. Shortly before his 62nd birthday, because of Defendants' use, exploitation and dissemination of the contents of the illegally-recorded 2007 footage, Plaintiff's income was cut off, his legacy in entertainment was severely damaged (if not completely destroyed), and his global brand was forever tarnished.

48. In the Prior Action, Plaintiff's counsel promptly brought a motion with the court requesting depositions of Daulerio, Nick Denton (Gawker's CEO) and others, and electronic discovery, to determine the extent of Gawker's role in connection with the leak of the court-protected confidential transcripts. Gawker vigorously opposed the motion, but the Court granted it, and ordered the requested discovery to occur (but with certain limitations imposed by the trial court *sua sponte*). Gawker filed an emergency writ petition in the Florida Second District Court of Appeal ("DCA") along with a motion for a stay of the trial court's order pending the DCA's review. The DCA granted the emergency motion for a stay, but as of the date of this Complaint has not issued a ruling on the substance of the writ petition.

49. Gawker participated in, facilitated and/or contributed to the use and public dissemination of the content of court-protected confidential transcript to the *Enquirer*, which resulted in the loss of Plaintiff's employment and income, and severe damages to his personal and professional reputation, and valuable worldwide brand.

50. For purposes of context, Gawker's strategy in the Prior Action was to deliberately and repeatedly file materials with the courts that contained the aforementioned offensive language, which was repeatedly and correctly held inadmissible and completely irrelevant by the Court in the Prior Action. Although Gawker ostensibly filed these documents under seal, they were filed with the knowledge that due to the high level of publicity attendant to the Prior Action, the media would seek to unseal such materials and obtain the highly sensitive transcript

and audio of Plaintiff using offensive language. Gawker's plan succeeded, as the news media eventually obtained an order from the Second DCA releasing the sensitive material that Gawker had placed in the court file, which emanated from the Defendants' tortious conduct directed to Mr. Bollea.

51. The jury trial in the Prior Action proceeded from March 7 through 21, 2016, and the jury rendered a verdict on March 18, and a punitive damages award on March 21.

52. All conditions precedent to the bringing and maintenance of this action and the granting of the relief requested have been performed, have occurred, or have been waived.

53. Many of the facts alleged herein were discovered by Plaintiff through an investigation that has taken several years, and is still continuing. Many of facts became known to Plaintiff as a result of an investigation by the Tampa Police Department, as reflected in their Report dated November 13, 2015 (seven months after the discovery cutoff in the Prior Action), a copy of which is attached hereto as **Exhibit A**, the contents of which are incorporated herein by this reference.

54. Defendants, in doing the things alleged herein, acted with actual malice and reckless disregard of Plaintiff's rights. Moreover, although none of the Defendants were acting in the capacity of a member of the "press" while engaging in the conduct forming the basis of this action, the actions of each of the Defendants, alleged herein, still served no legitimate public interest.

FIRST CAUSE OF ACTION

(Invasion of Privacy and/or Aiding and Abetting Invasion of Privacy Against the Buchwald Defendants, Cox Defendants and Davidson Defendants)

55. Plaintiff repeats, re-alleges, adopts and incorporates each and every allegation contained in Paragraphs 1 through 54, inclusive, as though fully set forth herein.

56. The Buchwald Defendants, Cox Defendants and Davidson Defendants, in engaging in the conduct alleged herein, grossly invaded Plaintiff's protected rights of privacy as recognized under the United States Constitution, Florida Constitution, and Florida common law.

57. Among other things, the Buchwald Defendants, Cox Defendants and Davidson Defendants used, exploited and publicly disclosed intimate details of Plaintiff's private life by disseminating surreptitious recordings of Plaintiff to media companies including TMZ.com, TheDirty.com and/or Gawker, and/or aided and abetted in connection with such dissemination and distribution, for their own economic gain and self interests.

58. The unauthorized distribution and dissemination of the surreptitious recordings of Plaintiff was highly offensive and objectionable to Plaintiff and to any reasonable person of ordinary sensibilities, and was not of legitimate public concern.

59. The Buchwald Defendants, Cox Defendants and Davidson Defendants knew or should have known that: (1) the surreptitious recordings of Plaintiff contained private and confidential information about Plaintiff; (2) Plaintiff had a reasonable expectation of privacy in being fully naked and engaged in consensual sexual activity, and having private conversations, in a private bedroom; (3) the recordings were taken without Plaintiff's knowledge or consent; (4) the surreptitious recordings would reveal private and personal things about Plaintiff which said Defendants had no right or authorization to use, disseminate, disclose or exploit; (5) the publication of these private facts about Plaintiff would be offensive and objectionable to a reasonable person of ordinary sensibilities; and, (6) the publication of these private facts constitutes a substantial violation of Plaintiff's right of privacy.

60. The Buchwald Defendants, Cox Defendants and Davidson Defendants had no reasonable or legitimate purpose for their acts of using, distributing, disseminating, disclosing

and/or exploiting the surreptitious recordings of Plaintiff and/or aiding and abetting of same. Plaintiff had a reasonable expectation of privacy when he was fully naked and engaged in private consensual sexual activity and having private conversations in a private bedroom, and had no knowledge of, and did not consent to, the recording or public disclosure of any such private activities.

61. The intimate details of Plaintiff's private life that were used, distributed, disseminated, disclosed and/or exploited by the Buchwald Defendants, Cox Defendants and Davidson Defendants were in fact published by the aforementioned media companies, and would not have been published but for said Defendants' actions of using, distributing, disseminating, disclosing and/or exploiting such private facts, or said Defendants' acts of aiding and abetting same.

62. The Buchwald Defendants, Cox Defendants and Davidson Defendants violated Plaintiff's fundamental privacy rights by the conduct alleged herein, including the intrusion into Plaintiff's privacy and the outrageous use, distribution, dissemination, disclosure and/or exploitation of the surreptitious recordings of Plaintiff to media companies and others, and/or aiding and abetting of same, in an unprivileged manner calculated to financially capitalize therefrom and/or cause substantial harm to Plaintiff and others, in conscious disregard of Plaintiff's rights.

63. The Buchwald Defendants, Cox Defendants and Davidson Defendants acted with actual malice and reckless disregard of Plaintiff's rights.

64. As a direct and proximate result of the aforementioned acts by each of the Buchwald Defendants, Cox Defendants and Davidson Defendants, Plaintiff has suffered economic and emotional injury, damage, loss and harm, damage to reputation, anxiety,

embarrassment, humiliation, shame, and severe emotional distress in an amount subject to proof; which damages are continuing in nature and will be suffered in the future.

65. Plaintiff also is entitled to preliminary and permanent injunctive relief enjoining the use, distribution, dissemination and disclosure of the surreptitious recordings of Plaintiff, and any portions and content thereof; mandating the delivery of all originals, reproductions, copies, and portions of same and all content derived therefrom to Plaintiff; and transferring to Plaintiff all right, title and interest in and to all originals, reproductions, copies, and portions of same and all content derived therefrom.

66. The aforementioned acts of the Buchwald Defendants, Cox Defendants and Davidson Defendants were done intentionally or with a conscious and/or reckless disregard of Plaintiff's rights, and with the intent to vex, injure or annoy, such as to constitute oppression, fraud or malice.

SECOND CAUSE OF ACTION

(Public Disclosure of Private Facts and/or Aiding and Abetting Public Disclosure of Private Facts Against the Buchwald Defendants, Cox Defendants and Davidson Defendants)

67. Plaintiff repeats, re-alleges, adopts and incorporates each and every allegation contained in Paragraphs 1 through 54, inclusive, as though fully set forth herein.

68. The Buchwald Defendants, Cox Defendants and Davidson Defendants disclosed to media companies, and thus the public, private facts concerning Plaintiff contained within the contents of the surreptitious recordings of Plaintiff which depicted him fully naked, engaged in private consensual sexual activity in a private bedroom, and engaged in private conversations, and/or said Defendants aided and abetted in connection with such public disclosure for their own economic gain and self interests.

69. The Buchwald Defendants, Cox Defendants and Davidson Defendants knew or should have known that: (1) the surreptitious recordings of Plaintiff contained private and confidential information about Plaintiff; (2) Plaintiff had a reasonable expectation of privacy in being fully naked and engaged in consensual sexual activity, and having private conversations in a private bedroom; (3) the recordings were taken without Plaintiff's knowledge or consent; (4) the surreptitious recordings would reveal private and personal things about Plaintiff which said Defendants had no right or authorization to use, disseminate, disclose or exploit; (5) the publication of these private facts about Plaintiff would be offensive and objectionable to a reasonable person of ordinary sensibilities; and, (6) the publication of these private facts constitutes a substantial violation of Plaintiff's right of privacy.

70. The Buchwald Defendants, Cox Defendants and Davidson Defendants had no reasonable or legitimate purpose for their acts of using, distributing, disseminating, disclosing and/or exploiting the surreptitious recordings of Plaintiff and/or aiding and abetting of same. Plaintiff had a reasonable expectation of privacy when he was fully naked, engaged in private consensual sexual activity, and having private conversations, in a private bedroom, and had no knowledge of, and did not consent to, the recording of any such private activities.

71. The private facts that were used, distributed, disseminated, disclosed and/or exploited by the Buchwald Defendants, Cox Defendants and Davidson Defendants were in fact published by the aforementioned media companies, and would not have been published but for said Defendants' actions of using, distributing, disseminating, disclosing and/or exploiting such private facts, or said Defendants' acts of aiding and abetting same.

72. The actions of the Buchwald Defendants, Cox Defendants and Davidson Defendants as alleged herein are highly offensive and objectionable to Plaintiff, as well as to any

reasonable person of ordinary sensibilities, and are not of legitimate public concern. Plaintiff did not consent to nor authorize any use, distribution, dissemination, disclosure or exploitation of the surreptitious recordings of him, or any portions or content thereof, whatsoever, or of the publication of same by anyone.

73. The Buchwald Defendants, Cox Defendants and Davidson Defendants violated Plaintiff's fundamental privacy rights by the conduct alleged herein, including the intrusion into Plaintiff's privacy and the outrageous use, distribution, dissemination, disclosure and/or exploitation of the private facts contained within surreptitious recordings of Plaintiff to media companies and the public, and/or aiding and abetting of same, in an unprivileged manner calculated to financially capitalize therefrom and/or cause substantial harm to Plaintiff and others, in conscious disregard of Plaintiff's rights.

74. The Buchwald Defendants, Cox Defendants and Davidson Defendants acted with actual malice and reckless disregard for Plaintiff's rights.

75. As a direct and proximate result of the aforementioned acts by each of the Buchwald Defendants, Cox Defendants and Davidson Defendants, Plaintiff has suffered economic and emotional injury, damage, loss and harm, damage to reputation, anxiety, embarrassment, humiliation, shame and severe emotional distress in an amount subject to proof; which damages are continuing in nature and will be suffered in the future.

76. Plaintiff also is entitled to preliminary and permanent injunctive relief enjoining the use, distribution, dissemination and disclosure of the surreptitious recordings of Plaintiff, and any portions and content thereof; mandating the delivery of all originals, reproductions, copies, and portions of same and all content derived therefrom to Plaintiff; and transferring to Plaintiff

all right, title and interest in and to all originals, reproductions, copies, and portions of same and all content derived therefrom.

77. The aforementioned acts of the Buchwald Defendants, Cox Defendants and Davidson Defendants were done intentionally or with a conscious and/or reckless disregard of Plaintiff's rights, and with the intent to vex, injure or annoy, such as to constitute oppression, fraud or malice.

THIRD CAUSE OF ACTION

(Invasion of Privacy by Intrusion Upon Seclusion and/or Aiding and Abetting Invasion of Privacy by Intrusion Upon Seclusion Against the Buchwald Defendants, Cox Defendants and Davidson Defendants)

78. Plaintiff repeats, re-alleges, adopts and incorporates each and every allegation contained in Paragraphs 1 through 54, inclusive, as though fully set forth herein.

79. The Buchwald Defendants, Cox Defendants and Davidson Defendants, without Plaintiff's consent and against Plaintiff's will, have grossly invaded Plaintiff's protected rights of privacy as recognized under the United States Constitution, Florida Constitution, and applicable common law, by obtaining, using, watching, distributing, disseminating, disclosing and/or exploiting the surreptitious recordings of Plaintiff which depicted him fully naked, engaged in private intimate consensual sexual activity, and included his private conversations, in a private bedroom, and/or aiding and abetting of such activity.

80. The Buchwald Defendants, Cox Defendants and Davidson Defendants, through electronic means, enabled the general public to intrude into a place in which Plaintiff had a reasonable expectation of privacy and watch Plaintiff when he was fully naked, engaged in private sexual activity, and engaged in private conversations, in a private bedroom, without Plaintiff's knowledge, authorization or consent.

81. The activities of the Buchwald Defendants, Cox Defendants and Davidson Defendants were not carried out for reasonable or legitimate purposes, but rather to reap financial rewards at the expense of Plaintiff and others and/or to cause substantial harm to Plaintiff and others.

82. Plaintiff had a reasonable expectation of privacy in the location in which the surreptitious recordings were secretly made, and a reasonable expectation he was not being recorded while engaging in the private activities in which he was engaged; appearing fully naked, engaged in private consensual sexual activity, and having private conversations, in a private bedroom. Plaintiff had no knowledge of, and did not consent to, the recording or disclosure and dissemination of such private activities.

83. The actions by the Buchwald Defendants, Cox Defendants and Davidson Defendants are offensive and objectionable to Plaintiff, and would outrage or cause mental suffering, shame, humiliation or hurt feelings to a person of ordinary sensibilities.

84. The Buchwald Defendants, Cox Defendants and Davidson Defendants knew or should have known that: (1) the surreptitious recordings of Plaintiff contained private and confidential information about Plaintiff; (2) Plaintiff had a reasonable expectation of privacy in being fully naked and engaged in consensual sexual activity, and having private conversations, in a private bedroom; (3) the recordings were taken without Plaintiff's knowledge or consent; (4) the surreptitious recordings would reveal private and personal things about Plaintiff which said Defendants had no right or authorization to use, disseminate, disclose or exploit; (5) the publication of these private facts about Plaintiff would be offensive and objectionable to a reasonable person of ordinary sensibilities; and, (6) the publication of these private facts constitutes a substantial violation of Plaintiff's right of privacy.

85. The Buchwald Defendants, Cox Defendants and Davidson Defendants violated Plaintiff's fundamental privacy rights by the conduct alleged herein, including the outrageous intrusion into Plaintiff's privacy and the use, distribution, dissemination, disclosure and exploitation of the surreptitious recordings of Plaintiff, in an unprivileged manner, calculated to financially gain therefrom, at the expense of Plaintiff and others, and/or to cause Plaintiff to suffer substantial harm therefrom, in conscious disregard of Plaintiff's right of privacy.

86. The Buchwald Defendants, Cox Defendants and Davidson Defendants acted with actual malice and reckless disregard of Plaintiff's rights.

87. As a direct and proximate result of the aforementioned acts by each of the Buchwald Defendants, Cox Defendants and Davidson Defendants, Plaintiff has suffered economic and emotional injury, damage, loss and harm, damage to reputation, anxiety, embarrassment, humiliation, shame, and severe emotional distress in an amount subject to proof; which damages are continuing in nature and will be suffered in the future.

88. Plaintiff also is entitled to preliminary and permanent injunctive relief enjoining the use, distribution, dissemination and disclosure of the surreptitious recordings of Plaintiff, and any portions and content thereof; mandating the delivery of all originals, reproductions, copies, and portions of same and all content derived therefrom to Plaintiff; and transferring to Plaintiff all right, title and interest in and to all originals, reproductions, copies, and portions of same and all content derived therefrom.

89. The aforementioned acts of the Buchwald Defendants, Cox Defendants and Davidson Defendants were done intentionally or with a conscious and/or reckless disregard of Plaintiff's rights, and with the intent to vex, injure or annoy, such as to constitute oppression, fraud or malice.

FOURTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress Against the Buchwald Defendants, Cox Defendants and Davidson Defendants)

90. Plaintiff repeats, re-alleges, adopts and incorporates each and every allegation contained in paragraphs 1 through 54, inclusive, as if fully set forth herein.

91. At all times herein, the Buchwald Defendants, Cox Defendants and Davidson Defendants acted intentionally, maliciously and without justification in causing the surreptitious recordings of Plaintiff to be disseminated and disclosed to third parties, and in participating and aiding a civil extortion scheme when they knew or should have known that Plaintiff would suffer severe emotional distress as a result.

92. The conduct by the Buchwald Defendants, Cox Defendants and Davidson Defendants was intentional and malicious and done for the purpose of causing, or was known by said defendants to be likely to cause, Plaintiff to suffer humiliation, mental anguish and severe emotional distress, and was done with the wanton and reckless disregard of the consequences to Plaintiff.

93. In doing the acts alleged hereinabove, the Buchwald Defendants, Cox Defendants and Davidson Defendants acted outrageously and beyond all reasonable bounds of decency, and intentionally inflicted severe emotional distress upon Plaintiff, to his detriment.

94. The Buchwald Defendants, Cox Defendants and Davidson Defendants acted with actual malice and reckless disregard of Plaintiff's rights.

95. As a direct and proximate result of the aforementioned acts by each of the Buchwald Defendants, Cox Defendants and Davidson Defendants, Plaintiff has suffered emotional injury, damage, loss, harm, anxiety, embarrassment, humiliation, shame, and severe

emotional distress in an amount subject to proof; which damages are continuing in nature and will be suffered in the future.

96. Plaintiff is informed and believes and thereon alleges that the aforementioned acts of the Buchwald Defendants, Cox Defendants and Davidson Defendants were done intentionally or with a conscious and/or reckless disregard of Plaintiff's rights, and with the intent to vex, injure or annoy, such as to constitute oppression, fraud or malice.

97. Plaintiff expressly disclaims any claims of negligence, including negligent infliction of emotional distress, against the Buchwald Defendants, Cox Defendants and Davidson Defendants.

FIFTH CAUSE OF ACTION

(Intentional Interference with Contractual Relations and Advantageous Business Relationships Against the Buchwald Defendants, Cox Defendants and Davidson Defendants)

98. Plaintiff repeats, re-alleges, adopts and incorporates each and every allegation contained in Paragraphs 1 through 54, inclusive as though fully set forth herein.

99. At all times herein, the Buchwald Defendants, Cox Defendants and Davidson Defendants were aware that Plaintiff had specific employment, endorsement and other contracts, and said Defendants acted intentionally, maliciously and without justification in their wrongful acts described herein. The Buchwald Defendants, Cox Defendants and Davidson Defendants knew or should have known that their actions would cause or were likely to cause substantial interference with Plaintiff's existing contracts and his advantageous business relationships.

100. The conduct by the Buchwald Defendants, Cox Defendants and Davidson Defendants was intentional and malicious and done for the purpose of causing, or was known by them to be likely to cause, the termination of and substantial interference with Plaintiff's contracts and his advantageous business relationships.

101. In doing the acts alleged hereinabove, the Buchwald Defendants, Cox Defendants and Davidson Defendants acted outrageously and beyond all reasonable bounds of decency.

102. As a direct and proximate result of the aforementioned wrongful conduct by the Buchwald Defendants, Cox Defendants and Davidson Defendants, Plaintiff has suffered substantial economic injury, loss, damages and harm from the actual interference with Plaintiff's contracts and advantageous business relationships, in an amount subject to proof; which damages are continuing in nature and will be suffered in the future.

103. The Buchwald Defendants, Cox Defendants and Davidson Defendants acted with actual malice and reckless disregard of Plaintiff's rights.

104. Plaintiff is informed and believes and thereon alleges that the aforementioned acts of the Buchwald Defendants, Cox Defendants and Davidson Defendants were done intentionally or with a conscious and/or reckless disregard of Plaintiff's rights, and with the intent to vex, injure or annoy, such as to constitute oppression, fraud or malice.

105. Plaintiff expressly disclaims any claims of negligence, including negligent interference, against the Buchwald Defendants, Cox Defendants and Davidson Defendants.

SIXTH CAUSE OF ACTION

(Violation of Section 934.10, Florida Statutes and/or Aiding and Abetting of Violation of Section 934.10, Florida Statutes Against the Buchwald Defendants, Cox Defendants and Davidson Defendants)

106. Plaintiff repeats, re-alleges, adopts and incorporates each and every allegation contained in Paragraphs 1 through 54, inclusive as though fully set forth herein.

107. Plaintiff had a reasonable expectation of privacy in engaging in private oral communications in a private bedroom, and a reasonable expectation that said oral communications would not be recorded, and did not know about, nor consent to, the recording of such oral communications.

108. The Buchwald Defendants, Cox Defendants and Davidson Defendants intentionally violated Plaintiff's rights under Section 934.10, Florida Statutes, by using, disseminating, disclosing and/or distributing to third parties the contents of private oral communications of Plaintiff.

109. The Buchwald Defendants, Cox Defendants and Davidson Defendants knew or should have known that: (1) the surreptitious recordings of Plaintiff contained private and confidential information about Plaintiff; (2) Plaintiff had a reasonable expectation of privacy while having private conversations, in a private bedroom; (3) the recordings were made without Plaintiff's knowledge or consent; (4) the surreptitious recordings would reveal private and personal things about Plaintiff which said Defendants had no or authorization to use, disseminate, disclose or exploit; (5) the use or disclosure of Plaintiff's oral communications or the contents thereof would be offensive and objectionable to a reasonable person of ordinary sensibilities; and, (6) the use and disclosure of Plaintiff's oral communications was unlawful.

110. The actions of the Buchwald Defendants, Cox Defendants and Davidson Defendants have not served any legitimate public interest.

111. The Buchwald Defendants, Cox Defendants and Davidson Defendants acted with actual malice and reckless disregard of Plaintiff's rights, including his right to privacy.

112. As a direct and proximate result of the aforementioned acts by the Buchwald Defendants, Cox Defendants and Davidson Defendants, Plaintiff has suffered substantial actual damages; which are continuing in nature and will be suffered in the future. in an amount subject to proof.

113. The aforementioned acts of the Buchwald Defendants, Cox Defendants and Davidson Defendants were done intentionally or with a conscious and/or reckless disregard of

Plaintiff's rights, and with the intent to vex, injure or annoy, such as to constitute oppression, fraud or malice.

SEVENTH CAUSE OF ACTION

(Civil Conspiracy Against Cox Defendants and Davidson Defendants)

114. Plaintiff repeats, re-alleges, adopts and incorporates each and every allegation contained in Paragraphs 1 through 113, inclusive, as if fully set forth herein.

115. The Buchwald Defendants, Cox Defendants and Davidson Defendants entered into an agreement to commit an unlawful act and/or perform a lawful act by unlawful means.

116. Defendants, as more specifically set forth above, each performed overt acts in pursuance of their conspiracy.

117. As a direct and proximate result of The Buchwald Defendants, Cox Defendants and Davidson Defendants acts, Plaintiff suffered substantial economic and emotional injury, damage, loss and harm, anxiety, embarrassment, humiliation, shame, damage to reputation and severe emotional distress, in an amount subject to proof; which damages are continuing in nature and will be suffered in the future.

EIGHTH CAUSE OF ACTION

(Intentional Interference with Contractual Relations and Advantageous Business Relationships Against Gawker)

118. Plaintiff repeats, re-alleges, adopts and incorporates each and every allegation contained in Paragraphs 4(d), 6, 7 through 21, 23 through 25, 31, 32, 34 through 50, and 52 through 54, inclusive, as though fully set forth herein.

119. At all relevant times herein, Gawker was aware that Plaintiff had specific employment, endorsement and other contracts, and advantageous business relationships, and acted intentionally, maliciously and without justification in causing the contents of a court-

ordered confidential transcript relating to Plaintiff to be disseminated to the media when Gawker knew or should have known that such actions would cause or were likely to cause substantial interference with Plaintiff's employment, endorsement and other contracts, and his advantageous business relationships, of which Gawker had knowledge.

120. The conduct by Gawker was intentional and malicious and done for the purpose of causing, or was known by Gawker to be likely to cause, the termination of and substantial interference with Plaintiff's employment, endorsement and other contracts, and his advantageous business relationships.

121. In doing the acts alleged hereinabove, Gawker acted outrageously and beyond all reasonable bounds of decency.

122. As a direct and proximate result of the aforementioned wrongful conduct by Gawker, Plaintiff has suffered substantial economic injury, loss, damages and harm from the actual interference with Plaintiff's employment, endorsement and other contracts, and advantageous business relationships in existence in July 2015, in an amount subject to proof. (Plaintiff does not seek against Gawker Defendants herein any liability or damages that would be duplicative of the liability determined and damages awarded in the Prior Action.)

123. Gawker acted with actual malice and reckless disregard of Plaintiff's rights.

124. The aforementioned acts of Gawker were done intentionally or with a conscious and/or reckless disregard of Plaintiff's rights, and with the intent to vex, injure or annoy, such as to constitute oppression, fraud or malice.

125. Plaintiff expressly disclaims any claims of negligence, including negligent interference with contractual relations or advantageous business relationships, against Gawker.

NINTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress Against Gawker)

126. Plaintiff repeats, re-alleges, adopts and incorporates each and every allegation contained in Paragraphs 4(d), 6, 7 through 21, 23 through 25, 31, 32, 24 through 50, and 52 through 54, inclusive, as though fully set forth herein.

127. At all times herein, Gawker acted intentionally, maliciously and without justification, in causing the contents court-ordered confidential transcript relating to Plaintiff to be disseminated to third parties when Gawker knew or should have known that Plaintiff would suffer severe emotional distress as a result.

128. The conduct by Gawker was intentional and malicious and done for the purpose of causing, or was known by Gawker to be likely to cause, Plaintiff to suffer severe emotional distress, and was done with the wanton and reckless disregard of the consequences to Plaintiff.

129. In doing the acts alleged hereinabove, Gawker acted outrageously and beyond all reasonable bounds of decency, and intentionally inflicted severe emotional distress upon Plaintiff, to his detriment.

130. Gawker acted with actual malice and reckless disregard of Plaintiff's rights.

131. As a direct and proximate result of the aforementioned acts by Gawker, Plaintiff has suffered emotional injury, damage, loss, harm, anxiety, embarrassment, humiliation, shame, and severe emotional distress in an amount subject to proof; which damages are continuing in nature and will be suffered in the future. (Plaintiff does not seek against Gawker Defendants herein any liability or damages that would be duplicative of the liability determined and damages awarded in the Prior Action.)

132. The aforementioned acts of Gawker were done intentionally or with a conscious and/or reckless disregard of Plaintiff's rights, and with the intent to vex, injure or annoy, such as to constitute oppression, fraud or malice.

133. Plaintiff expressly disclaims any claims of negligence, including negligent infliction of emotional distress, against Gawker.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Terry Gene Bollea, prays for judgment against each of the Defendants as follows:

1. For an award of general and special damages in an amount in excess of the minimum jurisdictional limits of this Court in accordance with proof at trial together with interest thereon at the maximum legal rate;

2. For costs of suit incurred herein;

3. For reasonable attorneys' fees against only the Buchwald Defendants, Cox Defendants and Davidson Defendants, pursuant to the Sixth Cause of Action, only;

4. For preliminary and permanent injunction against only the Buchwald Defendants, Cox Defendants and Davidson Defendants, including all persons acting under their control, prohibiting any and all activity that would cause the distributing, disseminating, disclosing, publishing, displaying, posting for view or access on or through the Internet or any other manner or media outlet, broadcasting, transferring, licensing, selling, offering to sell or license, or otherwise using, exploiting or attempting to exploit, the surreptitious recordings of Plaintiff, or any portions or content thereof or any copies thereof, in any and all formats and media, including all electronic and physical media;

5. For an Order and Judgment requiring only the Buchwald Defendants, Cox Defendants and Davidson Defendants to turn over to Plaintiff all surreptitious recordings of

Plaintiff, or any portions or content thereof or any copies thereof, in any and all formats and media, including all electronic and physical media; and

6. For such other and further relief as to this court may deem and proper.

DEMAND FOR JURY TRIAL

Plaintiff, Terry Gene Bollea, hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

Dated: May 2, 2016

/s/ Shane B. Vogt

Kenneth G. Turkel, Esq.
Florida Bar No. 867233
KTurkel@BajoCuva.com
Shane B. Vogt, Esq.
Florida Bar No. 257620
SVogt@BajoCuva.com
BAJO | CUVA | COHEN | TURKEL
100 N. Tampa Street, Suite 1900
Tampa, Florida 33602
Telephone: (813) 443-2199
Facsimile: (813) 443-2193

Charles J. Harder, Esq.
California Bar No. 184593
(*Pro Hac Vice* application to be filed)
CHarder@HMAfirm.com
HARDER MIRELL & ABRAMS LLP
132 S. Rodeo Drive, Suite 301
Beverly Hills, California 90212
Telephone: (424) 203-1600
Facsimile: (424) 203-1601

David R. Houston, Esq.
Nevada Bar No. 2131
(*Pro Hac Vice* application to be filed)
DHouston@houstonatlaw.com
LAW OFFICES OF DAVID R. HOUSTON
432 Court Street
Reno, Nevada 89501
Telephone: (775) 786-4188
Facsimile: (775) 786-5091

*Attorneys for Plaintiff Terry Gene Bollea,
professionally known as "Hulk Hogan"*

EXHIBIT A



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

General Offense Information

Operational status: **EXCEPTIONALLY CLEARED**

Reported on: **May-23-2014 (Fri.) 1015**

Occurred between: **Jan-05-2012 (Thu.) 600 and Mar-01-2012 (Thu.) 1300**

Approved on: **May-24-2014 (Sat.)** by: **31598 - MARTINEAU, LISA M (Retired)**

Report submitted by: **42324 - FINE, RALPH**

Org unit: **Squad 102**

Address: **5021 NASSAU ST W**

Municipality: **TAMPA**

District: **1** Beat: **A4** Grid: **118**

Felony/Misdemeanor: **FELONY**

Bias: **None (no bias)**

Special study: **Not Applicable**

Family violence: **NO**

Offenses (Completed/Attempted)

Offense: # **1** **2100-8 EXTORTION - COMPLETED**

Location: **Commercial Off Bldg**

Offender suspected of using: **Not Applicable**

Criminal activity: **Not Applicable**

Weapon type: **Threat/Intimidation, Not Applicable**



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Related Event(s)

CP 2014-332377

Related Person(s)

1. VICTIM # 1 - CLEM, BUBBA THE LOVE SPONGE

(Case Specific Information)

Sex: MALE
Race: WHITE
Date of birth: Apr-23-1966
Address: 5021 W NASSAU ST
Municipality: TAMPA , Florida 33607-

Phone Numbers

Home: (727) 241-8466
Business: (813) 832-1000

Particulars

Occupation: RADIO HOST
Employer: SELF-EMPLOYED 5021 W NASSAU ST
Citizenship: America, United States of
Marital status: Single
Ethnicity: USA
Language(s) spoken: English
Height: 5'10 Weight: 250 lbs.
Disability: None Known
Build: Large Complexion: MEDIUM
Eye color: HAZEL
Hair color: BROWN
Hair style: Short Length

Master Name Index Reference

Name: CLEM, BUBBA THE LOVE SPONGE SPONGE
Sex: MALE
Race: WHITE
Date of birth: Apr-23-1966
Ethnicity: USA
Address: 5021 W NASSAU ST
Municipality: TAMPA , Florida 33607-

Phone numbers

Home: (727) 241-8466
Business: (813) 832-1000

Alias(es)/AKA

Name:	Address:	Sex:	DOB:
CLEM, TODD		M	Apr-23-1966



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Linkage factors

Resident status : City (Tampa)

Statement taken : YES

Age range : 30-49 Years

Access to firearm : NO

Victim of :

2100- 8 EXTORTION - COMPLETED

Victim's Relationship to Offender : **Victim Was Employer**

Person's role : **SUSPECT/OFF #1**

Person's name : **LOYD, MATTHEW C Feb-07-1979**

Victim's Relationship to Offender : **Victim Was Stranger**

Person's role : **SUSPECT/OFF #2**

Person's name : **DAVIDSON, KEITH M Apr-08-1971**

Offender LEOKA details

LEOKA details

Officer's experience (in years) : 0

2. VICTIM # 2 - BOLLEA, TERRY

(Case Specific Information)

Sex: MALE

Race: WHITE

Date of birth: Aug-11-1953

Address: 1040 EL DORADO AV

Municipality: CLEARWATER BEACH , Florida 33767-

Phone Numbers

Cellular: (727) 365-7174

Home: (727) 432-1084

Master Name Index Reference

Name: BOLLEA, TERRY

Sex: MALE

Race: WHITE

Date of birth: Aug-11-1953

Address: 1040 EL DORADO AV

Municipality: CLEARWATER BEACH , Florida 33767-

Phone numbers

Home: (727) 432-1084

Cellular: (727) 365-7174

Linkage factors

Age range : 50-64 Years

Victim of :

2100- 8 EXTORTION - COMPLETED



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Victim's Relationship to Offender : **Victim Was Acquaintance**

Person's role : **SUSPECT/OFF #1**

Person's name : **LOYD, MATTHEW C Feb-07-1979**

Victim's Relationship to Offender : **Victim Was Stranger**

Person's role : **SUSPECT/OFF #2**

Person's name : **DAVIDSON, KEITH M Apr-08-1971**

Offender LEOKA details

LEOKA details

Officer's experience (in years) : **0**

3. SUSPECT/OFF # 1 - LOYD, MATTHEW CHRISTIAN

(Case Specific Information)

Sex: **MALE**

Race: **WHITE**

Date of birth: **Feb-07-1979**

Address: **9601 WOODBAY DR**

Municipality: **TAMPA , Florida 33626-**

Phone Numbers

Home: **(727) 776-1855**

Particulars

Occupation: **UNK**

Employer: **UNK**

Master Name Index Reference

Name: **LOYD, MATTHEW CHRISTIAN**

Sex: **MALE**

Race: **WHITE**

Date of birth: **Feb-07-1979**

Address: **9601 WOODBAY DR**

Municipality: **TAMPA , Florida 33626-**

Phone numbers

Home: **(727) 776-1855**

Linkage factors

Resident status : **City (Tampa)**

Age range : **30-49 Years**

Access to firearm : **NO**

Offender LEOKA details

LEOKA details

Officer's experience (in years) : **0**

4. SUSPECT/OFF # 2 - DAVIDSON, KEITH M



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

(Case Specific Information)

Sex: **MALE**
Race: **WHITE**
Date of birth: **Apr-08-1971**
Address: **8383 WILSHIRE BLVD Apartment: 510**
Municipality: **BEVERLY HILLS , California 90211-**

Phone Numbers

Business: **(323) 658-5444**
Cellular: **(310) 936-5361**

Particulars

Place of birth: **Massachusetts**
Occupation: **ATTORNEY**
Employer: **SELF**

Master Name Index Reference

Name: **DAVIDSON, KEITH M**
Sex: **MALE**
Race: **WHITE**
Date of birth: **Apr-08-1971**
Address: **8383 WILSHIRE BLVD Apartment: 510**
Municipality: **BEVERLY HILLS , California 90211-**

Phone numbers

Business: **(323) 658-5444**
Cellular: **(310) 936-5361**

Linkage factors

Resident status : **Out of State**
Age range : **30-49 Years**

Offender LEOKA details

LEOKA details

Officer's experience (in years) : **0**

5. INVOLVED # 1 - CARREGA, TASHA NICOLE

Master Name Index Reference

Sex: **FEMALE**
Race: **WHITE**
Date of birth: **Feb-27-1984**
Address: **9601 WOODBAY DR**
Municipality: **TAMPA , Florida 33626-**

Phone numbers

Home: **(813) 810-3533**
Cellular: **(813) 810-3533**

Particulars



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Height: 5'6
Build: **Medium** Complexion: **MEDIUM**
Hair color: **BLOND/STRAWBERRY**

Linkage factors

Resident status : **County (Hillsborough)**
Age range : **22-29 Years**

Offender LEOKA details

LEOKA details

Officer's experience (in years) : **0**

6. INVOLVED # 2 - BURBRIDGE, LORI

Master Name Index Reference

Sex: **FEMALE**
Race: **WHITE**
Date of birth: **Apr-25-1984**
Address: **107 KARDE CIRCLE** Apartment: **D**
Municipality: **BRANDON , Florida 33510-**

Phone numbers

Home: **(813) 802-4107**
Business: **(727) 238-4038**
Cellular: **(813) 475-8038**

Linkage factors

Resident status : **County (Hillsborough)**
Age range : **22-29 Years**

Offender LEOKA details

LEOKA details

Officer's experience (in years) : **0**



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Related Text Page(s)

Document: CASE SUMMARY

Author: 42324 - FINE, RALPH

Related date/time: May-23-2014 (Fri.) 1015

The victim reported that personal property taken from him in 2012, without his knowledge or permission, was tweeted to him in a photo on today's date. The victim believes the tweeted photo was intended as a personal threat because the release of its content has the potential to negatively affect his reputation and his livelihood.



TAMPA PD

GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Related Text Page(s)

Document: INITIAL REPORT

Author: 42324 - FINE, RALPH

Related date/time: May-23-2014 (Fri.) 1015

I responded to 5021 W. Nassau St. where I met with the victim. The victim (W/M Clem) provided me with a photocopy of a tweeted message he received to his BTLS (Bubba The Love Sponge Show) account. The message was provided via a subject identified through his Twitter account as "Joshisinthecity." The message stated that a letter and DVD was left on his vehicle because he has a "Bubba Army" bumper sticker attached to his vehicle. The tweeted message asked for a contact number and that he was attempting to return the DVD left in his possession.

The photo of the DVD had the name "Denzel" written on it and W/M Clem identified "Denzel" as a close personal friend.

W/M Clem also identified the handwriting on the DVD in the photo as his own.

I collected the photocopies of the tweeted message and took W/M Clem's statement. I then provided W/M Clem a report number.

As of the completion of this report, there are no other known investigative leads beyond the twitter account, "Joshisinthecity."



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Related Text Page(s)

Document: STATEMENT

Author: 42324 - FINE, RALPH

Related date/time: May-23-2014 (Fri.) 1015

W/M Clem was sworn and advised the statement he provided is true and accurate.

W/M Clem advised that he is the host of a syndicated radio program and is a known public figure.

W/M Clem advised that during October of 2011, he and his ex-wife began divorce proceedings. During this time, their relationship was contentious and he had concerns that personal information could potentially be made public by his wife that could affect his reputation as a public figure in the media. The primary focus of his concern involved the existence of several homemade DVD's depicting consensual sexual contact between his wife and other subjects of which he was a knowing participant. As a result of his concern, W/M Clem transferred the DVD's from his home to his workplace where he believed they would be more secure.

During the months of December 2011 and January 2012, he and his staff moved equipment and property from one radio studio to a newer radio studio at his current location. W/M Clem advised he specifically remembered moving the DVD's to an upstairs office/storage area in his new studio that was designated for his own personal items.

In March of 2012, W/M Clem learned that a screen shot of a portion of one of his personal DVD's had been leaked to the media. This screen shot depicted a still video image of his then wife and a close personal friend, professional wrestler and media figure Hulk Hogan, as they were involved in a consensual sexual encounter. At that time, W/M Clem immediately responded to the office/storage area and became aware that each of his DVD's were now missing.

W/M Clem advised that at that time, he did not believe his wife was involved in releasing the screen shot to the media or was responsible for their disappearance however, he could not rule out that she had been able to copy the DVD's prior to his moving them to his workplace. His minimal suspicions of her were also the result of the contentiousness of their ongoing divorce at that time.

W/M Clem advised that he had stronger suspicions that a former co-worker had taken the DVD's from the office/storage area. W/M Clem advised that



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

Matt Loyd (AKA "Spice Boy") was formerly an employee and an on-air member of his radio show. During the months of January and February 2012, W/M Loyd began to lobby with corporate executives to be granted a hosting position of his own radio program. W/M Clem believes that Loyd wanted to be considered as an available replacement to host his (The Bubba The Love Sponge Show) show in the event that he (W/M Clem), was fired. Shortly after this in April of 2012, Matt Loyd began to host his own radio program.

On today's date, W/M Clem received a tweet via social media to his radio show's twitter account. The tweet depicted a photo of one of the DVD's taken from W/M Clem's office/storage area in 2012. W/M Clem recognized the handwriting on the DVD as his own. W/M Clem related that he knew the DVD contained footage of a similar nature to other DVD's involving his ex-wife and was intended for his own personal use.

W/M Clem advised that he believes the tweeted photo of his stolen personal property is intended as a message and a threat to him. The personal footage depicted on the tweeted DVD has the potential to negatively affect his reputation and also, potentially, his livelihood were it released publicly.

W/M Clem related that he believes Matt Loyd had both the means and the motive to steal his personal DVD's. During his employment on The Bubba The Love Sponge Show, he had unrestricted access to all areas of the building including the office/storage area. He also, based upon his knowledge of Loyd's actions in 2012, believes that Loyd had a desire to take over as a host of his show. W/M Clem believes that Loyd took the DVD's with the intent to expose their content to the media and effectively cause his dismissal as a result of the associated scandal.

W/M Clem also advised that there are an additional 12 employees who work in his studio and each of them have access to the upstairs office/storage area. He does not suspect any current or prior employees of the theft of the DVD's other than Matt Loyd.

W/M Clem related in conclusion that he made a conscious decision to not report the theft of the DVD's originally in 2012 when he became aware of their disappearance. His rationale for this was that although Hulk Hogan had been exposed as a result of the release of the specific DVD involving him, other involved subjects had not yet been exposed and he hoped by not reporting the theft, he could protect them from potential scandal that could result from his offense report.



TAMPA PD
GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Related Text Page(s)

Document: INVEST REPORT

Author: 47801 - SCHLEMMER, JOHN

Related date/time: May-27-2014 (Tue.)

On 05/27/14 I received this assigned case reference latent investigation. The phone numbers listed for Clem were longer valid so I left a message with Cox Media Group for him to call me.

On 05/28/14 I received a call from Clem's agent, Tom Bean.

Bean provided me with his phone number and said he would be able to have Clem call me should it become necessary. I informed Bean that I would like to speak with Clem about responding back to the tweet he received before I subpoenaed Twitter.

Bean stated he would have Clem call me.

On 05/30/14 I received a call from Clem. I informed him of Twitter's policy to notify the account holder when a subpoena is issued. Therefore, I would like for him to respond to the tweet. Clem agreed and it was decided that he would tweet something similar to "hey buddy, thanks for looking out." And then see if there was a response.

On 06/24/14 I attempted to contact Clem and left a message.

On 06/25/14 I completed a Subpoena for Records requesting information for the Twitter handle #Joshisinthecity which was used to send the tweet regarding the DVD. The subpoena was reviewed and approved by ASA Goldstein.

On 07/08/14 I received the subpoena information from Twitter which showed the account was created on 05/17/14 at 2306 hours, using the email address of radiomanflavor1970@gmail.com, from an IP address of 97.76.206.251. A computer check of the IP address used to create the Twitter account came back to being a Time Warner account.

I prepared a subpoena for records request to Time Warner for account information. The subpoena was reviewed and approved by ASA Traina

On 07/09/14 I contacted Clem and informed him of the email address used to create the Twitter account. He stated that it did not sound familiar to him.

Clem informed me that he had received a tweets from the subject and would email them to me.

The tweets Clem emailed me were as follows:

Clem: 6/4/14, 10:39 AM "I'm trying to reach out to you"

Josh: 6/4/14, 11:05 PM "Sorry was outta town My girlfriend told me not to give it back to you because of all the stuff going on. I like ya and dont know what 2 do".

Clem: 6/6/14, 4:08 AM "Well i would like to get it back".



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

Josh: 7/2/14, 7:55 AM "Just got back & listening. You fired Shanon? He was my favorite".

Clem: 7/2/14, 10:25 AM "No I didn't fire him at all. It was his choice to leave".

Clem: 7/2/14, 10:26 AM "U ever going 2 meet me to pick up that DVD".

Clem informed me that there has been no other contact from the subject..

On 07/17/14 I received information from Time Warner that the IP address belonged to Bright house Networks.

I prepared a subpoena for records to Bright house Networks account holder information regarding the IP address. The subpoena was reviewed and approved by ASA Goldstein.

On 07/23/14 I received the information from Bright house Networks which showed the IP address as being assigned to Knight Global Entertainment, 18 2nd Street North in St Petersburg, FL. The listed contact on the account was J C Harkins.

A computer search of the address, 18 2nd Street North in St Pete came back to Jannus Live where concerts as well as as Jannus Live TV show featuring Matt "spice boy" Loyd, is filmed.

On 08/20/14 MPO Miller and I responded to Janus Live and met with office manager J C Harkins. I informed Harkins that I would like to speak with him concerning the IP address in question. Harkins told me that the IP address is used on the third floor in an area were several of the Jannus Live show workers use. Harkins informed me that on the night of 05/17/14 a group called "Soul Circus Cowboys" was performing.

I informed him that I would like to speak with Matt Loyd and his cameraman, Josh Vozda.

Harkins contacted them and they agreed to meet with us in the business's office.

Josh Vozda arrived withing a few minutes. I explained to Vozda that a twitter account had been created on 05/17/14 at 11:06 PM from the business using the handle Joshisinthecity. He denied having any knowledge of the Twitter account and stated that he hardly ever uses the third floor office. He believes that on the night of 05/17/14 he left immediately after the show which would have ended at 11:00 PM.

Approximately twenty minutes later Matt Loyd arrived. MPO Miller, J C Harkins, Matt Loyd and I sat down in their conference room.

I informed Loyd that I was conducting an investigation that involved a Twitter account created on 05/17/14 from an IP address at the business and that this Twitter account has been used in possible criminal activity. Loyd denied knowing anything about it. I informed him that the account was opened using an email of radiomanflavor1970@gmail.com and that I thought it was him do to him being in radio, radioman, and his nickname being spice boy, flavor.

Loyd stood up and asked if we could speak in private.

MPO Miller and I followed Loyd into a side office. Once in the office Loyd stated, "ok, I created that twitter account, where do we go from here?".

I asked Loyd why he would go to the trouble of creating a fictitious email and then using the email address to create the twitter account. He responded by saying "I didn't want him to know it was me. I wanted him



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

to squirm. He is a very bad man and has a lot of connections, even in law enforcement. I have seen him make a phone call and people get arrested."

I asked Loyd where the DVD was. He stated, "I don't have it. I made the one in the picture from a blank disc and wrote on it."

I informed Loyd that Clem identified the DVD in the photo as being his, with his handwriting.

Loyd stated "I made the one in the picture. I took a blank disc and wrote on it with a sharpie".

I asked Loyd how he knew Clem was missing a DVD with Denzil on it. He stated, "everyone knew his cop buddy and ex-wife's sex tape was missing".

I asked Loyd how he came up with the date on the disc. He stated "I just made it up".

I informed Loyd that the date was significant because that is the exact date the stolen DVD was made.

Loyd then stated "I am just trying to focus on my family and put this all behind me".

Loyd admitted to creating the Twitter account and sending the messages to Clem, along with the photo of the DVD. Loyd stated that the DVD in the photo was just a blank one he made to look like one of Clem's missing DVDs.

I informed Loyd that Clem identified, from the tweet photo, the DVD as being his. Loyd denies taking any of Clem's DVDs and insisted that he made the one in the photo.

Loyd said he did this as a prank because Clem is always talking bad of him in the media and on the radio.

Loyd swore that the statements he made to us were the truth.

On 12/26/14 I contacted Clem and informed him of the status of his case. I informed him that I would like to obtain some handwriting samples of his and we agreed to meet on 12/31/14 at 1100 hours, at his office, 5021 W Nassau Street in Tampa.

On 12/31/14 I met Clem at his office and swore him in. Clem informed me that during the course of his divorce, his ex-wife Heather Clem had made references to the sex tapes she had made with Terry Bollea, Hogan, and also his childhood friend Denzil Washington, who is a Terre Haute Indiana Police Sergeant.

Clem was concerned that she would release these videos to the public and removed them from his home. He stored them at his studio, 5025 W lemon St in Tampa.

In March of 2012 his business moved to their current studio at 5021 Nassau Street in Tampa. During the move he distinctly recalls the Hogan, Denzil and Angie sex DVDs being in a box along with numerous other DVDs, CDs and headphones. This box was moved into an unoccupied upstairs office. The rest of the upstairs was unfinished. None of the employees at that time utilized the upstairs.

Clem stated that the Hogan DVD had been in a round DVD case. The type that holds multiple discs.

He stated that the Denzil DVD had been in it's own individual clear plastic case and that the Angie DVD was in a separate case similar to the Hogan case.

Clem said he realized the DVDs were missing once a video clip from the Hogan recording showed up on-line. Clem said he went to the box upstairs and noticed the only things missing were the sex tape DVDs.

Clem stated "you can't have one of the discs without the others".



TAMPA PD
GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Clem provided me with (6) discs that he had previously written on with a Sharpie. The handwriting appears to be the same as the handwriting on the DVD in the photo Loyd tweeted to Clem.

Clem informed me that the FBI had conducted an investigation involving the Bollea DVDs and he thought that case was over.

Clem desires to prosecute anyone involved in the theft and illegal use of his property.

I contacted the Tampa FBI Field office regarding the Bollea DVD investigation and was told that Special Agent Shearn was the lead Agent.

I then contacted Agent Shearn who informed me that he had conducted an investigation regarding the Bollea sex video and the US Attorney's Office declined to file charges. I informed Agent Shearn of my investigation and the admission from Matt Loyd.

Agent Shearn told me he would have to speak with the Assistant US Attorney to obtain approval before discussing the case with me.

On 01/15/15 I was contacted by FBI SA Jason Shearn. He informed me that Assistant US Attorney Sweeney had authorized him to provide me with non-grand jury subpoena information reference the case. SA Shearn informed me that the FBI obtained the original DVDs during an operation. The operation was the result of an extortion involving Matt Loyd, attorney Keith Davidson, and Lori Burbridge. During this operation the original DVDs were delivered by Lori Burbridge, a female associated with Matt Loyd, via an attorney named Keith Davidson. SA Shearn and I made an appointment for 1/20/2015 at 1330 hours to review his case.

I contacted Assistant State Attorney Division Chief Matt Smith to discuss my investigation and informed him of the FBI's closed case which was related. ASA Smith agreed to accompany me to view the case at the FBI office.

On 01/20/15 ASA Division Chief Matt Smith and I responded to the FBI Pinellas office. SA Shearn showed us the original DVDs that he was currently holding as evidence. The DVDs were delivered by Lori Burbridge during a controlled transaction on 12/14/2012. The DVDs were in a black and silver hard case. Inside the case were several DVD sleeves. There were three DVDs total. One was labeled HOGAN 7/13/07, another was labeled HOOTIE 7/3/07, and the third was labeled HOOTIE with no date.

ASA Smith, SA Shearn and I viewed the DVDs and noted the following;

Disc marked HOGAN 7/13/07 contained Heather Clem and Terry Bollea engaging in sex. Bollea does not look at the camera. The camera appears to be on a high ledge in the master bedroom behind a plant. There is no discussion about them being recorded.

**TAMPA PD****GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC****GO# 2014-332377 EXCEPTIONALLY
CLEARED****2100-8 EXTORTION**

The disc marked HOOTIE 7/3/07 showed the camera to be in the same location as the previously mentioned disc. Bollea and Heather are standing next to the bed, Heather is topless and facing Bollea as Bubba walks into view and comments about a scratch she has on her back. Bubba then leaves the room. Bollea and Heather engage in sex.

The disc marked HOOTIE with no date shows that Bubba walks in after sex between Bollea and Heather. Bollea, Heather and Bubba have conversation. Bollea leaves. Bubba makes comment about tape being used for retirement. Bubba says he is going to get the tape and walks out. Tape ends.

I reviewed the case reports and noted that on 10/16/2012 Atty David Houston and his client, Terry Bollea, meet with the FBI at the Pinellas Office. Houston informed them that he had contacted Clearwater PD and the St Petersburg PD reference the filming of his client. He was told that the filming was "out of statute" and was encouraged to contact the FBI.

The FBI then began their investigation which lead to recorded phone conversations, a recorded operation to purchase the DVDs, and interviews. SA Shearn provided me with copies of the recorded phone calls and the recordings made during the transaction to obtain the DVDs.

I listened to the recorded phone conversations between Keith Davidson and David Houston which were provided by the FBI. The following is a summary of each call:

10/22/12 call

- KD - We can say they came from the hand of Bubba
- KD - You're buying the original or a copy made by Bubba
- KD - There's no indication at all that your client knew it was running
- KD - Viewed them through a streaming service
- KD - He seems like a really nice guy going through a bad part in life
- KD - He confides in Clem, talking about deteriorating marriage.
- KD - Wants to start negotiating
- DH - \$1.00
- KD - \$1 million
- KD - reference dollar figure "you know I still need to talk to my people".

10/28/12 call

- KD - Client is under the impression that it went from Bubba's hands into his own.
- KD - As far as assurances for your client, everything that I said on prior occasion stands. Like representation and warranties and the agreement.

11/2/12 call

- KD - I have authority, bottom line \$400,000
- KD - Three separate DVD's
- DH - Asks if they would be willing to split them up. Says one is already out there. So only interested in other two.



TAMPA PD

GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

KD - ...there's one that's more inflammatory than the others and then carries the lion share of the value.

KD - have gone twice at a million and dropped it to \$400,000 and have heard nothing in response.

KD - As with any settlement, you're trying to eliminate risk.

DH - TMZ, Gawker, Dirty.com, Hersch at Vivid, Sexlink.com, these are the five entities that claim to have seen these things or have copies.

KD - Understanding is that the materials in client's possession are the materials which were shared.

KD - The materials were streamed to me.

KD - Agrees on \$300,000. 50% down at execution, 25% in 9 months, 25% in 16 months from the date of execution.

KD - Acknowledges he knows Terry holds copyrights to the videos and by Gawker continuing to run the video violates his copyright.

KD - If fails polygraph. So now you're in a position where you say, ok, are you really going to let my pissed off client walk out with the tapes, you know what I mean? It's so, it really does nothing because the deal has to close.

11/27/12 call

They have a discussion of the agreement and the uses of names.

The following is a summary of the 12/14/12 transaction recordings provided to me by the FBI:

12/14/12

11:00 Davidson enters. Introductions are made.

Davidson explains content of DVDs.

11:08 Davidson agrees that the person they are meeting today is the one who leaked to Gawker and has possessed the tapes.

11:09 Houston asks which tape has the issues. Davidson says tape 2 talks about his son's twin girlfriend. Davidson says tape 3 talks about n word, Brooke dating black guy, etc.

Davidson says tape 3 around the 49 minute mark.

11:17 Houston asks "Do you know where she got them from Keith". Davidson says "Yes, she bought the case and does not know where she bought them from. Someone who was close to Todd and is no longer close to Todd gave them to her. There was an education process with my client. My client gave her the tapes."

"Something you will have to deal with Bubba, we know these things came from him" (meaning Bubba).

Davidson says you have 2 loose ends, Bubba and this.

11:21 Davidson says "my client is in no way associated with Heather". Houston says sounds like a Bubba girlfriend. Davidson says "no, more like a professional relationship". Davidson says "I think it is a former employee or something like".

Davidson says "I can't disclose everything or they are going to walk".

11:24 Houston asks why does Bubba give it to a former employee when he feels its valuable enough to retire on.



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Davidson asks Houston if they can speak in private and they enter bathroom.

Davidson says came from a former employee of Bubba who hates Bubba. He says "I don't know if they were stolen and quite frankly I don't know if they were stolen". want to

11:37 Davidson leaves to get LB.

11:42 LB and Davidson enter room.

12:00 Houston, Davidson and Bollea leave room and go to hotel restaurant.

Davidson says he does not know any of these people. It's his understanding that Bubba has a unique personality he can be a vindictive person.

Davidson says he heard Bubba and Heather met Petraeus at a swingers party and it is rumored they have video.

13:05 Davidson gives his word he will aggressively work to have Gawker take it off the site.

13:06 Davidson offers to show tapes for authenticity. Hogan does not want to watch them. Houston says to have them view beginning then fast forward to end.

13:55 Houston, Bollea and Davidson are viewing tapes.

13:58 Davidson said Mr. X was shown tapes is how he knew they were there.

Heather refuses to sign off her rights to the videos according to Houston.

Davidson says it is his understanding that Heather has no involvement.

14:02 Discussion about why Heather refuses to sign a walk away agreement.

Hogan asks for verification these tapes were stolen

Davidson says I can't say that but a reasonable person would believe that.

14:06 Davidson says if Gawker will not take it down he will prepare a declaration that he represents the possessor of the tapes who stole them.

Houston says Gawker indicates that JW Moreno gave them the footage of Hogan.

14:10:33 tape ends

Session#2

14:10:34 tape begins with the sound of them walking.

14:12:33 back in the room with LB and polygraph operator Orr.

14:19 signing agreement and accepting DVDs.

14:21 Houston explains to Davidson error in his office making the check \$150,000.

They change agreement to reflect that.

14:26:03 FBI enter. Sounds like Houston and Hogan walked out.

14:27:02 tape ends.

I reviewed the FBI reports and noted that on 12/14/12 Lori Burbridge, in a post Miranda interview with the FBI, stated that she was instructed by Atty Keith Davidson and Matt Loyd to say she and "Mr. X" (Matt Loyd) were the ones who leaked the Hogan clip to Gawker in order to complete negotiations with Bollea and his attorney.

Burbridge says Loyd leaked the stills to THE DIRTY.COM which did not create enough buzz in the media.



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

Loyd, who possessed the tapes, contacted TMZ who in turn put him in touch with Atty Keith Davidson.

Around this time a clip was leaked to Gawker. Carrega (Loyd's wife) contacted Burbridge and explained that Loyd had the Bollea sex tapes and was actively trying to sell them. Burbridge was asked to become involved in exchange for \$10,000.00 compensation.

Burbridge states that on Veteran's Day 2012 (November 11) she went to Loyd and Carrega's house for a conference call with Atty Davidson. Loyd and Carrega had Burbridge view all three videos. While viewing the videos Burbridge and Carrega took handwritten notes.

Burbridge states that on 12/11/2012 Loyd and Carrega came to her work, Bank of America, to review the Settlement Statement.

Burbridge says that on 12/13/2014 Loyd, Carrega, Davidson and her go to dinner at Ceviche's in St Petersburg prior to the settlement meeting. She questions the legality of what they are doing and Atty Davidson brags about handling several similar cases.

Burbridge said that in preparation for the 12/14/2012 settlement meeting Loyd gave her \$200 to rent a car in case someone followed her after the meeting. Burbridge was instructed to return the car to the airport and not at the location she rented it from. Carrega was to pick her up at the airport.

Burbridge said she was to receive \$5000 as partial payment for her involvement which she was to pay towards her repossessed car. The remaining \$5000 was to come from Loyd.

Burbridge stated that Loyd leaked the clip to TMZ and was paid \$8500. To remain anonymous Loyd had Burbridge sign the tax form for the money and was told that Loyd and Carrega would help her with the taxes on the income.

Burbridge said she received a TMZ check, via Fed-Ex, that she deposited into her bank account. She then got an \$8000 cashier's check made out to Matt Loyd.

Burbridge said she received a total of \$500 for assisting Loyd with the TMZ transaction.

Burbridge stated that "Janerro" was the name Loyd used when dealing with Gawker.

Burbridge states Loyd and Carrega used multiple fake email accounts, potentially Gmail, to converse and deal with media sites regarding these tapes. Once used, they would shut them down to avoid being traced.

Burbridge states Bubba Clem has nothing to do with the leaks or sale of the tapes. She said Loyd is afraid of Bubba and is afraid of him finding out he was selling the tapes.

On 12/17/12 Burbridge was called by the FBI. She informed them that she rented the car for the transaction with her debit card at the Enterprise Car Rental near Webb Road and Hillsborough Avenue. She says she was reimbursed by Loyd.

Burbridge informed the FBI that Loyd and Carrega deposited the cashier's check into their son, Jayden Carrega's, account.

She stated that she has not had contact with either Loyd or Carrega.

On 12/20/12 Burbridge calls the FBI and informs them she found her hand written notes from the Veteran's Day meeting with Loyd and Carrega. She says she had watched the videos on Loyd's MacBook computer.

**TAMPA PD****GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC****GO# 2014-332377 EXCEPTIONALLY
CLEARED****2100-8 EXTORTION**

On 01/22/15 I contacted Denzil Lewis, who had been recorded having sex with Heather Clem which was documented on the DVD marked Denzil. Lewis informed me that he had been visiting the Clem's between 2/15/08 and 2/18/08. Bubba and Heather agreed to him having sex with Heather and he knew it would be recorded.

On 01/22/15 I called Burbridge who agreed to meet with me at her residence. TPD MPO D. Miller and I met with Burbridge at 1825 hours. I informed Burbridge that I would like to talk with her concerning the transaction she had participated in regarding some DVDs. She said she thought that was over. I informed her that I was working a case where another one of the originally stolen DVDs had surfaced. She was concerned that she needed to get something in writing to protect herself from being prosecuted. She said she should have done that earlier when dealing with the FBI. Burbridge has two children, one 10 years old and one 4 years old. The younger one kept interrupting our attempts at talking and it was agreed that we would meet the following Tuesday when she is off work and her kids are in school.

On 01/23/15 I provided Burbridge an Investigative Witness Subpoena issued by ASA Division Chief M. Smith. Burbridge accepted the subpoena and agreed to meet as requested.

On 01/26/15 I was informed ASA Smith that Burbridge had sought council and the interview would be postponed.

On 02/03/15 at 0900 hours Lori Burbridge, her attorney David Weisbrod, ASA M. Smith and I met at the State Attorney's office for the purpose of conducting an interview of Lori Burbridge. A court reporter was also present and recorded the interview. The following is a summary of the interview:

Burbridge stated that Tasha Carrega, Matthew Loyd's wife, and her have been friends for years. Regarding the transaction from 12/14/12, Tasha called her and told her they had the tapes with Hogan to sell. They had already obtained Davidson as their counsel for the exchange. She believed that Davidson was referred to them by someone from TMZ. Tasha asked her to be the person trying to sell the tapes. Burbridge said she went to Tasha and Matt's house and watched the DVDs so she would have historical info to be able to present herself as the seller. She remembers watching the videos on Matt's MacBook laptop. She said there were (3) videos and thinks they were in folders on the laptop. She said the only time she actually saw the discs was the day everything happened, when she met Hulk and his attorney. She said that while they are watching the videos Matt is the one pulling up the videos to view. Matt had told her she would get \$5000.00 for her part. Burbridge said they were watching the DVDs in preparation to speak with attorney Davidson. Burbridge said a speaker phone call with Davidson was then made, Tasha and Matt were present. Burbridge remembers Davidson stating that she needed to say, and he included in the contract, that she was the one who sold the video to Gawker. If they didn't the whole deal possibly would not go through. Burbridge said it was pretty clear that Davidson knew they hadn't leaked it to Gawker. They discussed how Matt obtained the tapes and he came up with a story about purchasing them at a Bubba yard sale. Davidson did not like that story and suggested they instead bought a laptop with them on it. Matt had explained to her that there were copies going the station and that is how she thought he obtained them. Burbridge said that once the contract was written Matt brought it to her work for her to sign. At that time she was working at the Bank of America on Hillsborough Ave in Tampa. Burbridge said she was not involved in the actual TMZ deal. She said that was all Matt. Tasha had called her and asked her to receive the money



TAMPA PD
GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

since they were trying to keep a distance from their names. Burbridge recalls the TMZ check as being \$10000.00 written in her name. The check came to her in Brandon by FedEx. She cashed it and gave Matt a cashier's check. Matt paid her \$500.00 for her part. She said the purpose of leaking the clip to TMZ was to build up interest. She believes Matt became involved with Davidson through TMZ. Davidson told them if they did not claim to be the ones to release it to Gawker the deal they were working on would not go through. Burbridge recalls meeting with Davidson, Matt, and Tasha the day before the transaction at the Ceviche restaurant in St Petersburg. During this meeting Davidson said he had brokered other sex tapes with celebrities that could have put them in a bad light, such as Kanye West. Lori said the day of the transaction she met with Davidson at the Sand pearl Resort in Clearwater. Davidson told her that the cat was out of the bag and that they knew she was not Mr. X but they would say she represents someone who they are going to call Mr. X.

Burbridge stated that she spoke with Matt Loyd prior to this interview. She told him that I had mentioned the DVD he tweeted to Bubba. Burbridge said Matt told her he was trying to make Bubba sweat. He told her he worked for Bubba for years and he can forge his handwriting. He told her he posted it on Twitter.

At 1400 hours a telephone conference call was conducted at the State Attorney's office with David Houston, the attorney for Terry Bollea. Houston stated that Davidson clearly indicated the tapes were stolen. He said Gawker was aware of Matt Loyd's activities. Houston informed us that there was a civil trial against Gawker set for 7/6/15. Houston agreed to contact Bollea so he could be interviewed.

On 02/04/2015 ASA Division Chief Matt Smith and I responded to 5021 W Nassau Street to meet with Bubba Clem. ASA Smith contacted Clem's attorney, Diaco, who agreed to the interview. We met in Clem's personal office with the door closed. Clem was introduced to ASA Matt Smith. Clem was informed that there were some additional questions regarding this case. Clem was asked about a "Bubba Yard Sale". Clem said that he has had four previous "Bubba Yard Sales" during which he sells different items from the show and donates the money for charity. Clem said he has heard allegations that the leaked videos were purchased at one of these yard sales which he says is not true.

Clem was asked if he has had any involvement with Tony Burton of the Buchwald Group. Clem stated that he never has, but he knows that Burton is Mike Calta's agent. He also said that Howard Stern had been represented by the Buchwald Group.

I asked Clem why the sex tapes were such a big topic of his divorce mediation with Heather. Clem said he had a pre-nuptial agreement with Heather which did not leave her with very much.

Clem was asked if Bollea knew he was being recorded in the sex tapes. Clem said "no, he did not know he was being recorded".

Clem said the recordings that he knew of involving his ex-wife Heather and others were; Hogan, Denzil, a black guy from Miami, and a girl named Angie. Clem said when he received the DVDs from Heather he did not look in the bag and take an inventory. He said he just put the bag in his desk drawer.

Clem confirmed that his employee "twenty five cent" is Broderick E. Epps. Clem said that Matt Loyd and Epps used to be very close friends. Clem does not believe that Epps had anything to do with the sex tapes being stolen or exposed.

I asked Clem if he had shown the sex tapes to anyone and he said no.



TAMPA PD
GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

I also asked Clem if Loyd or Calta had sex with Heather. He said no.

On 02/06/15 I met with Broderick Epps, also known as "twenty five cent", at the studio on Nassau Street in Tampa. Epps was sworn in and stated the following: He currently works on Bubba's radio show as an on air personality. He had previously worked on the Bubba show from 2005 until September of 2012 when he quit due to a conflict between him and Bubba. Epps said he and Mat Loyd, also known as "spice boy", worked together on the Bubba show until Loyd got his own show. He said Loyd was always looking for "dirt" on Bubba to use on his show. Epps said he had never seen sex videos with Bubba's wife and does not remember Bubba ever saying he had them prior to them being exposed.

I subpoenaed the phone records for Matt Loyd's known phones which showed that from 3/7/12 to 10/16/12 he had 38 calls with Mike Walters from TMZ.

I made several attempts to contact Mike Walters of TMZ, which were unsuccessful.

I subpoenaed and obtained phone records from both Matt Loyd's and Keith Davidson's phones. The records show they made 35 calls to each other between 10/10/12 and 12/14/12, the day of the FBI operation. The records show they had no contact after then.

Burbridge's and Carrega's phone records were also subpoenaed. The records confirmed that phone calls referenced in interviews were made.

On 01/12/15 I met with Agent Shearn who released the following items of evidence to me:

- (1) Silver box containing (3) DVDs
- (1) Check made to Keith Davidson from David Houston for \$150,000
- Settlement Agreement signed on 12/14/12

On 03/12/15 I delivered the silver box containing the (3) DVDs to TPD print examiner Thomas Gonzalez for processing. Two of the DVDs had print evidence positive for ridge and were submitted through AFIS receiving negative results.

On 04/01/15 Heather Cole, Bubba Clem's ex-wife, was interviewed at her attorney's office. ASA Matt Smith and a court reporter were also present. Cole was sworn in and stated the following: She stated that she works in public access TV and that is how she met Bubba. Cole said they dated off and on for about (4) years and were married in January of 2007. She said they were married for 56 months. Cole stated that the sex she had with others during her marriage to Bubba was consensual. She stated that Bubba insisted on it being videoed. I asked Cole if Bollea knew he was being recorded and she said no. I told Cole that in the videos it appears as though she is positioning Bollea for the camera. She said she did that because that is what Bubba wanted. Cole said Bubba could be very controlling. Cole said she remembers Bubba coming to the house after they had separated and requesting the DVDs sometime around the end of 2011.

On 04/16/15 I called Mike Calta and left a phone message. My message was returned on 04/21/15 by Calta's attorney, Dominic Fariello. We made arraignments for Calta and me to meet the following morning at



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

Fariello's office in Tampa. I received a call, later that same day, from Fariello who said Calta would not agree to meet.

On 05/12/15 Tasha Carrega, Matt Loyd's wife, was interviewed at the Hillsborough County State Attorney's office. Her attorney was present along with ASA Matt Smith and a court reporter.

The following is a summary of her interview: Carrega stated that she was married to Matt Loyd on 6/22/13. She said she has been "best friends" with Lori Burbridge since High School. When asked how she became involved with the Bollea sex tapes she stated that Loyd and she were at a Bubba yard sale in 2010 or 2011 where they purchased a Rocky DVD movie box set. Approximately (2) weeks after the purchase they went to play the Rocky movies and discovered the sex tapes inside. She recalls there being 4 to 6 DVDs. Carrega stated that she did not recall much about the tapes. I asked her if she recalled viewing the videos and taking notes. She said she did not recall. I showed her a copy of her handwritten notes depicting the content of each video. She then acknowledged it was her handwriting but did not recall why she wrote them. She did not recall conversations, phone calls or meetings regarding this case. Carrega stated that she was at the West Shore mall in Tampa with Loyd during the 12/14/12 transaction. She said Loyd received a text message from Davidson saying "raided, need legal representation".

On 06/16/15 Detective Kirlangitis and I met with Terry Bollea at his residence. I informed Bollea of my current investigation and informed him that the DVDs involving him and Cole had been stolen at the same time as the one tweeted to Clem by Loyd. Bollea was asked if he desired to proceed with prosecution for the Extortion. He said he was interested but would need to confer with his attorney.

On 07/16/15 Detective Kirlangitis and I met with Patrick Fowler, aka Tuddle, in the TPD CIB conference room. Fowler swore to tell the truth and stated the following. Fowler currently works for Clem on the radio show. He remembered that sometime in 2012 Loyd and Calta were watching something on a desktop computer at Cox media group's office in St Petersburg. He said they were laughing and making voices to try and sound like "Hogan". Fowler said he went over to see what they were watching and it was a video of "Hogan" and Bubba's then wife having sex. He stated that he only watched for a few seconds but he remembers the computer monitor as having a smaller window where the video was being played and the desktop screen background with icons behind it. He did not see any disc and did not know if what he was watching was the clip from Gawker or from some other source. Fowler said in his opinion anyone with I-movie on an Apple device could have created the clip he saw on Gawker.

During the video of the FBI operation on 12/14/12, Lori Burbridge acknowledged viewing all (5) videos involving Clem's wife which would have included the "Denzil" video. This statement, along with the statement of Carrega confirms that Loyd had been in possession of the DVDs stolen from Clem.

Matt Loyd's phone records confirm calls to the media outlets attorney David Houston say he was contacted by.

Matt Loyd's phone records show he initially contacted attorney Keith Davidson and call blocked his number.



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

Ceviche and Sand Pearl were subpoenaed and provided transaction records confirming Davidson was at both the 12/13/12 Ceviche meeting and that he stayed at the Sand Pearl resort.

Enterprise car rental was subpoenaed and provided the rental agreement for the vehicle Lori Burbridge used during the Sand Pearl meeting.

Conclusion: Matthew Loyd stole several sex tape DVDs from Bubba Clem's office building. He then shopped clips of the Hogan DVDs to build interest, selling to TMZ, and concealing his identity by having Lori Burbridge accept payment for him.

Mathew Loyd then contacts attorney Keith Davidson from California to engage in the extortion of Terry Bollea. At the time of this contact and throughout the negotiations Davidson is suspended from practicing law by the California Bar.

Davidson translates the necessity for Bollea to purchase these videos to Bollea's Attorney Houston via FBI recorded phone conversations. Davidson's only option to keep from exposing the multiple videos and the damaging content is to obtain payment which starts out at \$1 Million. Davidson also acknowledges that his client obtained them from his former employer without that former employers knowledge. Davidson assisted Loyd in coming up with a more suitable story as to how the videos were obtained. He also instructed Loyd they would have to admit to the Gawker leak or the deal may not go through.

On 10/08/15 ASA Matt Smith and I met with State Attorney Mark Ober, Chief Assistant State Attorney Mike Sinacore, Felony Bureau Chief Chris Moody, and Chief of Investigations Mark Cox. The case was presented to them and they are determining prosecution for Conspiracy to Extort and Dealing in stolen property. It was determined that the Statewide Prosecutors Office would review the case to determine jurisdiction.

On 11/10/15 I met with Statewide Prosecutors Nick Cox and Mike Williams this case was presented to them for consideration of prosecution. Statewide Prosecutor Cox stated that he would speak with his superiors and get back.

On 11/13/15 I was informed that the Hillsborough County State Attorney's Office as well as the Office of the Statewide Prosecutor declined to prosecute or file charges in this case.

Therefore this case is EXCEPTIONALLY cleared.



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Related Text Page(s)

Document: **IDENT REPORT**
Author: **45100 - GONZALEZ, THOMAS G**
Subject: **FINGERPRINT PROCESS**
Related date/time: **Mar-12-2015 (Thu.) 1141**

Report Number: 14-332337

Requested By: Det J Schlemmer

Details:

Items were submitted for processing in this case. The results are as follows:

*Item	Development Media	*Processing Results
DVD-R "Hootie 7/3/07"	Black Powder	Postive for ridge detail
DVD-R "Hogan 7/13/07"	Black Powder	Postive for ridge detail
DVD-R	Black Powder	Negative for ridge detail
Sleeves of DVD case	Black Powder	Negative for ridge detail

Latents Collected/Developed BY: LFS T Gonzalez Date processed: 03-12-15

Lifts were released to Det J Schlemmer for case file.

Author: Latent Fingerprint Specialist
Thomas Gonzalez



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Related Text Page(s)

Document: **IDENT REPORT**
Author: **45100 - GONZALEZ, THOMAS G**
Subject: **FINGERPRINT AFIS/CAFIS SEARCH**
Related date/time: **Mar-17-2015 (Tue.) 1446**

Report Number: 14-332337

Requested By: Det J Schlemmer

Details:

Initial analysis of this case determined that there are latents of Comparison Value. Print(s) were searched in AFIS with the following results.

<u>*Location of latent</u>	<u>*Comparison Results</u>	<u>*Subject Identified</u>
DVD-R "Hootie 7/3/07"	AFIS and CAFIS Search Negative	
DVD-R "Hogan 7/13/07"	AFIS Search Negative	

Latents Collected/Developed BY: LFS T Gonzalez Date processed: 03-12-15

Lifts were released to Det J Schlemmer for case file.

Author: Latent Fingerprint Specialist
Thomas Gonzalez



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Follow Up Report # 1

Follow Up Report # 1

Assignment Information

Assigned to: 47801 - SCHLEMMER, JOHN Rank: Detective
Capacity: Investigate/Case Manager Org unit: CIB
Assigned on: May-27-2014 (Tue.) 1253 by: 43915 - KENNEDY, PATRICK
Report due on: Jun-30-2015 (Tue.)

Submission Information

Submitted on: Nov-13-2015 (Fri.) 1212
Approved on: Nov-13-2015 (Fri.) by: 35865 - VICTOR, MICHAEL R

Follow Up Conclusion

Follow Up concluded: YES



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

Clearance Information

Agency: **TPD**

Cleared status: **Exceptionally Cleared - Prosecution Declined**

Cleared on: **Nov-13-2015 (Fri.)**

Cleared by Officer 1: **47801 - SCHLEMMER, JOHN**

Org Unit: **SQ531 - CIB**

Approved by: **35865 - VICTOR, MICHAEL R**

Org Unit: **SQ531 - CIB**

Complainant/Victim notified: **NO**

Notified by: **47801 - SCHLEMMER, JOHN**

Notified on: **Nov-13-2015 (Fri.)**

How notified: **Telephone**



TAMPA PD

**GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC**

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

Related Property Report(s)

Report Information

Property Report #: 1490031

Property case status: **STOLEN**

Submitted on: **May-23-2014 (Fri.)** by: **FINE, RALPH**

Authority for disposal: **SCHLEMMER, JOHN** Org unit: **CIB**

Related:

Offense: **GO 2014- 332377**

Related items: **0**

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



TAMPA PD
GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC

GO# 2014-332377 EXCEPTIONALLY
 CLEARED

2100-8 EXTORTION

Related Property Report(s)

Report Information

Property Report #: 1556111
 Property case status: **EVIDENCE/HELD**
 Submitted on: **Nov-13-2014 (Thu.)** by: **SCHLEMMER, JOHN**
Related:
 Offense: **GO 2014- 332377**
 General remarks: **LOYD,MATHEW 020779**
 Related items: **4**

Articles - Evidence

Status: **EVIDENCE/HELD** Tag #: **1556111- 1**
 Article: **RCDISC- RADIO, TV, ENTERTAINMENT DEVICES**
 Serial # 1: **UNKNOWN** OAN:
 Value: **\$0.00** Color:
 Description: **GREY BOX CONTAINING 3 DVD'S**
 Recovered date: - Recovered value: **\$0.00**
 Flags: *e
 Current Location: **IM WE WALL**

Articles - Evidence

Status: **EVIDENCE/HELD** Tag #: **1556111- 2**
 Article: **77-**
 Serial # 1: **NONE** OAN:
 Value: **\$0.00** Color:
 Description: **SETTLEMENT AGREEMENT AND MUTUAL RELEASE**
 Recovered date: - Recovered value: **\$0.00**
 Flags: *e
 Current Location: **IM WE WALL**

Articles - Evidence

Status: **EVIDENCE/HELD** Tag #: **1556111- 3**
 Article: **77-**
 Serial # 1: **UNKNOWN** OAN:
 Value: **\$0.00** Color:
 Description: **ORIG CHECK USED DURING FBI TRANS SEALED IN ORIG PACKG BY FBI**
 Recovered date: - Recovered value: **\$0.00**
 Flags: *e
 Current Location: **IM WE WALL**

Articles - Evidence

Status: **EVIDENCE/HELD** Tag #: **1556111- 4**
 Article: **RCDISC- RADIO, TV, ENTERTAINMENT DEVICES**
 Serial # 1: **UNKNOWN** OAN:
 Value: **\$0.00** Color:
 Description: **8 CD'S OF RECORDINGS OF PHONE CALLS & TRANS DURING FBI INV**



TAMPA PD
GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC

GO# 2014-332377 EXCEPTIONALLY
CLEARED

2100-8 EXTORTION

Recovered date: -

Recovered value: **\$0.00**

Flags: *e

Current Location: **IM WE WALL**

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



TAMPA PD
GENERAL OFFENSE HARDCOPY
COPY FOR THE GENERAL PUBLIC

**GO# 2014-332377 EXCEPTIONALLY
CLEARED**

2100-8 EXTORTION

***** END OF HARDCOPY *****