

Exhibit 15
to the Affidavit of
Alia L. Smith

In The Matter Of:

TERRY GENE BOLLEA

v.

HEATHER CLEM

COOK, JOHN

April 15, 2015

MERRILL CORPORATION

Legalink, Inc.

20750 Ventura Boulevard
Suite 205
Woodland Hills, CA 91364
Phone: 818.593.2300
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IN THE CIRCUIT COURT OF THE
SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA

-----x

TERRY GENE BOLLEA, professionally know as
HULK HOGAN,

Plaintiff,

Case No.

-against-

12012447 CI-011

HEATHER CLEM, GAWKER MEDIA, LLC AKA
GAWKER MEDIA; GAWKER MEDIA GROUP, INC.
AKA GAWKER MEDIA; et al.,

Defendants.

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April 15, 2015
10:01 a.m.

Videotaped Deposition of JOHN COOK, taken by
Plaintiff, pursuant to Notice, at the offices of
Merrill Corporation, 1345 Avenue of the Americas, New
York, New York, before William Visconti, a Shorthand
Reporter and Notary Public within and for the State
of New York.

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A P P E A R A N C E S:

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ALSO PRESENT:

ADAM KOWALCZYK, Videographer
HEATHER L. DIETRICK, Gawker Media

1	JOHN COOK	
2	utterly irrelevant, but you may answer the	11:08:19
3	question.	11:08:21
4	A. Can you repeat the question?	11:08:22
5	Q. Did you feel that what you wrote in	11:08:23
6	junior high school and disseminated with your	11:08:26
7	friends in the form of this newspaper was hurtful	11:08:28
8	to other students?	11:08:31
9	A. Yes, the material that I	11:08:32
10	distributed when I was 13 years old was hurtful to	11:08:34
11	my classmates, yes.	11:08:41
12	Q. Did you feel that it was bullying?	11:08:42
13	MS. SMITH: Objection, you can	11:08:46
14	answer.	11:08:47
15	A. Yes.	11:08:47
16	Q. Do you ever feel that some of what	11:08:49
17	Gawker publishes today is hurtful to the	11:08:51
18	individuals that Gawker writes about?	11:08:55
19	MS. SMITH: Objection, you can	11:08:57
20	answer.	11:08:58
21	A. Yes.	11:08:59
22	Q. Can you think of some specific	11:09:02
23	instances in which there have been hurtful items	11:09:03
24	that Gawker has published about other individuals?	11:09:06
25	A. I'm sure it was hurtful to Rob Ford	11:09:09

1 JOHN COOK

2 when I published that he smokes crack. I'm sure 11:09:12
3 it was hurtful to Manti Te'o when Dead Spin 11:09:15
4 published that he had concocted a fake girlfriend 11:09:19
5 that he established a huge elaborate tissue of 11:09:24
6 lies about it, I'm sure it was hurtful. 11:09:28

7 Q. Do you feel what some of what 11:09:31
8 Gawker publishes today could cause the individuals 11:09:33
9 that Gawker writes about emotional distress? 11:09:35

10 MS. SMITH: Objection to the extent 11:09:39
11 that emotion distress is a legal characterization 11:09:40
12 but you can answer the question as a lay 11:09:43
13 person. 11:09:45

14 A. Again, if I were Rob Ford I would 11:09:45
15 have been emotionally distressed when Gawker 11:09:49
16 published that he smoke crack. 11:09:51

17 Q. Do you ever have any concerns that 11:09:55
18 what Gawker publishes today could lead the 11:09:58
19 individuals that are written about could harm 11:10:02
20 themselves? 11:10:04

21 MS. SMITH: Objection. Again this a 11:10:04
22 corporate witness, you may answer. 11:10:05

23 A. That is -- any editor who is 11:10:07
24 reporting on the actions of individuals and 11:10:10
25 behaviors of those individuals might not want to 11:10:15

1	JOHN COOK	
2	be public, would in certain stories take that into	11:10:19
3	account and think about that, yes.	11:10:27
4	Q. Are you familiar with the term	11:10:28
5	revenge porn?	11:10:31
6	A. I am.	11:10:32
7	MS. SMITH: Objection. Outside the	11:10:33
8	scope.	11:10:35
9	Q. What is your definition of revenge	11:10:35
10	porn?	11:10:40
11	MS. MC GRATH: I'm just trying to	11:10:43
12	establish so we could have a line of	11:10:44
13	questioning.	11:10:46
14	MS. SMITH: I understand and I object	11:10:46
15	to the line of questioning, but you may	11:10:47
16	answer.	11:10:49
17	A. I suppose I would say that revenge	11:10:52
18	porn is the vindictive publication by an	11:10:55
19	individual who was in -- that had a sexual	11:10:59
20	relationship with someone else of pornographic	11:11:05
21	records of that sexual relationship and with an	11:11:08
22	intent to injure or hurt the other party.	11:11:11
23	Q. Do you think it is appropriate for	11:11:16
24	a website to post materials that constitute	11:11:20
25	revenge porn?	11:11:24

1	JOHN COOK	
2	MS. SMITH: Objection, you may	11:11:26
3	answer.	11:11:27
4	A. That depends on the context in	11:11:27
5	which the information is published.	11:11:31
6	Q. Can you explain to me what you mean	11:11:32
7	by that?	11:11:35
8	A. I can imagine a variety of	11:11:35
9	circumstances in which foreign pornographic images	11:11:38
10	that some might regard as revenge porn might be	11:11:41
11	newsworthy.	11:11:45
12	Q. Can you give me an example of what	11:11:46
13	you might be thinking about in that regard?	11:11:47
14	MS. SMITH: Objection, you may	11:11:49
15	answer.	11:11:50
16	A. If a public figure vindictively	11:11:50
17	published sexual images of a sexual partner on a	11:11:58
18	website, those images could be newsworthy if they	11:12:04
19	inform the character and behavior of the public	11:12:11
20	figure.	11:12:14
21	Q. If a private individual were to	11:12:19
22	post vindictively photos of a celebrity that you	11:12:23
23	would say constituted revenge porn, would it be	11:12:28
24	appropriate to post those on a website?	11:12:32
25	A. If a private individual posted	11:12:34

1	JOHN COOK	
2	understanding of that relationship.	11:17:44
3	Q. If Gawker were to publish sexually	11:17:45
4	explicit naked photos of individuals about who	11:17:50
5	there is not intense public scrutiny, would you	11:17:55
6	think that is nonetheless newsworthy?	11:17:59
7	MS. SMITH: Objection.	11:18:00
8	A. Depends on the context.	11:18:01
9	Q. Can you give me more information	11:18:02
10	about what context that posting sexually explicit	11:18:04
11	nude photos of individuals who are not the subject	11:18:08
12	of intense public scrutiny would be appropriate?	11:18:11
13	A. I cannot. It would depend on the	11:18:13
14	context.	11:18:18
15	Q. Do you recall any discussions while	11:18:19
16	at Gawker about the issue of revenge porn?	11:18:21
17	MS. SMITH: I object to the revenge	11:18:22
18	porn line of questioning but you may answer.	11:18:23
19	A. I have a general recollection of	11:18:28
20	the topic being discussed. I have no specific	11:18:30
21	recollection of any conversations.	11:18:31
22	Q. Do you recall who you may have	11:18:34
23	discussed the topic with?	11:18:36
24	A. I probably discussed it with Adrian	11:18:37
25	Chen who wrote about it. I probably discussed it	11:18:40

1	JOHN COOK	
2	whether Mr. Chen's coverage of Mr. Moore was	11:20:01
3	favorable to Mr. Moore?	11:20:04
4	A. It was not favorable.	11:20:04
5	Q. It was unfavorable. Is there any	11:20:05
6	distinction in your mind between what Mr. Moore	11:20:09
7	was doing to the extent that you know what it was	11:20:12
8	and what Dead Spin for instance would do with	11:20:15
9	Mr. Rollins's photos?	11:20:18
10	MS. SMITH: I object. You may	11:20:19
11	answer.	11:20:21
12	A. I have not seen the posts that	11:20:21
13	you're referring to. I'm confident based on my	11:20:24
14	knowledge of Dead Spin and the people that work	11:20:27
15	that there is a vast gulf between what Mr. Moore	11:20:32
16	was doing and what Dead Spin was doing.	11:20:36
17	Q. Why are you so confident about	11:20:37
18	that?	11:20:39
19	A. Because Dead Spin would not	11:20:39
20	gratuitously publish photos of private individuals	11:20:41
21	with no news value to those images. So what	11:20:52
22	Hunter Moore was doing was publishing pornography	11:20:57
23	without context of people who were not public	11:21:01
24	figures. Who had not -- they were private	11:21:05
25	individuals. What Dead Spin does is publish	11:21:09

1 JOHN COOK

2 newsworthy information. 11:21:13

3 Q. So please let me know if I'm 11:21:14
4 mischaracterizing what you're testifying to. But 11:21:17
5 the distinction in your mind is that one between a 11:21:20
6 public figure and a private individual? 11:21:23

7 A. Not exclusively. I am talking 11:21:27
8 about something that I have not seen and have no 11:21:32
9 knowledge of and so you have printed out all of 11:21:35
10 these things for me, if you have a copy of a post 11:21:38
11 that I could look at then I could speak more. 11:21:40

12 Q. No no. I'm just making the 11:21:42
13 representation to you. Mr. Rollins is a wrestler 11:21:44
14 with the WWE, Dead Spin posted photos of him fully 11:21:47
15 aroused and nude and those photos remain on the 11:21:52
16 site and they were submitted to and posted on 11:21:57
17 Twitter by his girlfriend. I'm trying to understand the 11:21:59
18 distinction that you would make between that and 11:22:04
19 what Mr. Moore did? And I think from what you 11:22:06
20 testified that the distinction is that Mr. Moore 11:22:09
21 was publishing photos of private individuals; is 11:22:11
22 that correct? 11:22:11

23 A. It is partially correct. I can 11:22:17
24 imagine that there might be circumstances under 11:22:19
25 which photos of private individuals may in fact be 11:22:22

1 JOHN COOK

2 newsworthy. Depending on the context of the 11:22:26

3 images and the information that they convey. 11:22:32

4 Q. Can you give me an example of an 11:22:34

5 instance in which nude and sexually explicit 11:22:38

6 photos of a private individual would be newsworthy 11:22:41

7 in your mind? 11:22:43

8 MS. SMITH: I object, but if you have 11:22:44

9 an example you may answer. 11:22:46

10 A. Nothing comes to mind immediately. 11:22:48

11 If there were images that were taken by a public 11:23:00

12 figure that were inappropriate in some way, I 11:23:03

13 could see those -- you know, those might have news 11:23:05

14 value. 11:23:10

15 Q. So in your example those would be 11:23:10

16 images taken by a public figure of a private 11:23:12

17 individual? 11:23:16

18 A. Possibly, I would need to know the 11:23:21

19 context. I would need to know the exact 11:23:23

20 circumstance. I would need to know what image we 11:23:26

21 are talking about. 11:23:29

22 Q. Do you generally believe that 11:23:29

23 individuals are entitled to privacy of their naked 11:23:31

24 bodies? Should people be able to shield others 11:23:34

25 from seeing them naked? 11:23:37

1	JOHN COOK	
2	MS. SMITH: I object on how you	12:12:54
3	personally felt, but you may answer.	12:12:56
4	A. I thought it was absurd.	12:12:57
5	Q. Why is that?	12:13:01
6	A. Because the tape was clearly	12:13:02
7	newsworthy. Hulk Hogan had spoken about it	12:13:10
8	publicly. Its existence had been reported and I	12:13:12
9	thought it was a weak claim.	12:13:17
10	Q. When you say that Hulk Hogan had	12:13:26
11	previously spoken about it publicly, can you tell	12:13:28
12	me what you mean?	12:13:30
13	A. My understanding that he called	12:13:31
14	into TMZ and discussed it after its publication.	12:13:34
15	He went on Howard Stern and discussed it.	12:13:40
16	Q. So prior to the time that it was	12:13:42
17	published were you aware of any public discussion	12:13:48
18	by Mr. Hogan of the tape?	12:13:52
19	A. I was not aware of it prior to the	12:13:54
20	publication, no.	12:13:56
21	Q. Earlier, a couple of hours ago in	12:14:00
22	the deposition you gave a definition of newsworthy	12:14:01
23	that included that something be informative. Do	12:14:06
24	you recall giving that testimony today?	12:14:09
25	A. I do.	12:14:10

1 JOHN COOK

2 Q. Do you feel that the Hulk Hogan sex 12:14:11
3 tape clip that was posted on Gawker is informative? 12:14:16

4 A. Absolutely. 12:14:18

5 Q. How so? 12:14:19

6 A. There was a -- the existence of the 12:14:20
7 tape, the circumstances under which it was made, 12:14:25
8 the identity of the participants of the tape had 12:14:28
9 been the subject of the intense scrutiny by TMZ 12:14:31
10 and other news organizations and it was something 12:14:35
11 circulating, it is my understanding, circulating 12:14:38
12 in the talk radio community or the radio business. 12:14:40
13 And it was of sufficient interest that Hulk Hogan 12:14:45
14 himself called in to TMZ to discuss it. 12:14:51

15 But the actual tape that we are 12:14:55
16 talking about was a lacuna, it was a missing 12:14:59
17 piece. No one knew what the actual tape was. No 12:15:01
18 one knew what they were talking about. The post 12:15:04
19 actually let people know what everyone was talking 12:15:06
20 about. It is informative in that context. 12:15:10

21 Q. You testified a few moments ago 12:15:12
22 that you're not aware of any conversations about 12:15:14
23 putting up additional portions of the tape. 12:15:16

24 A. No. 12:15:19

25 Q. Is there a reason that that 12:15:20

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C E R T I F I C A T E

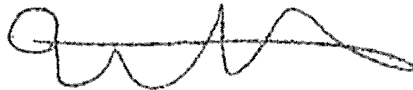
STATE OF NEW YORK)
: ss.
COUNTY OF NEW YORK)

I, WILLIAM VISCONTI, a Shorthand Reporter
and Notary Public within and for the State of New
York, do hereby certify:

That JOHN COOK, the witness whose deposition
is hereinbefore set forth, was duly sworn by me and
that such deposition is a true record of the
testimony given by the witness.

I further certify that I am not related to
any of the parties to this action by blood or
marriage, and that I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 23rd day of April, 2015.



WILLIAM VISCONTI