

Exhibit 44_C

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2 IN THE CIRCUIT COURT OF THE

3 SIXTH JUDICIAL CIRCUIT

4 IN AND FOR PINELLAS COUNTY, FLORIDA

5 Case No. 12012447CI-011

6 TERRY GENE BOLLEA professionally
known as HULK HOGAN,

7 Plaintiff,

8 vs.

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10 HEATHER CLEM, GAWKER MEDIA, LLC a/k/a
GAWKER MEDIA, GAWKER MEDIA GROUP, INC.
11 a/k/a GAWKER MEDIA, GAWKER ENTERTAINMENT,
12 LLC, GAWKER TECHNOLOGY, LLC, GAWKER SALES,
13 LLC, NICK DENTON, A.J. DAULERIO,
KATE HENBERT and BLOGWIRE HUNGARY SZELLEMI
ALKOTAST HASZNOSITO KFT a/k/a GAWKER MEDIA,

14 Defendants.

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16 CONFIDENTIAL PORTION INCLUDED

17

18 VIDEOTAPED DEPOSITION OF

19 ALBERT JAMES DAULERIO

20 New York, New York

21 Monday, September 30, 2013

22

23

24 Reported by:
Toni Allegrucci

25 JOB NO. 337256

Page 2

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2 September 30, 2013

3 10:58 a.m.

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5 Videotaped Deposition of

6 ALBERT JAMES DAULERIO, held at the

7 offices of Esquire Deposition Solutions,

8 1384 Broadway, New York, New York 10018,

9 pursuant to Notice, before

10 Toni Allegrucci, a Notary Public of the

11 State of New York.

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

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5 Attorneys for Plaintiff

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19 BY: ALIA L. SMITH, ESQ.

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21

22

23 ALSO PRESENT:

24 ANDREW RITCHIE, Videographer

25 HEATHER L. DIETRICK, Counsel, Gawker Media

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2 THE VIDEOGRAPHER: This is tape

3 No. 1 to the videotaped deposition of

4 A.J. Daulerio being taken in the matter

5 of Terry Gene Bollea professionally

6 known as Hulk Hogan versus Heather Clem

7 and Gawker Media LLC, et al., being

8 heard in the Circuit Court of the sixth

9 judicial circuit in and for Pinellas

10 County in Florida,

11 Case No. 12012447CI-011.

12 This deposition is being held at

13 the offices of Esquire, 1384 Broadway,

14 New York, New York on September 30,

15 2013. The time is approximately 10:58

16 a.m. My name is Andrew Ritchie and I'm

17 the videographer. The court reporter is

18 Toni Allegrucci.

19 Counsel, will you please state your

20 affiliations and the witness will be

21 sworn.

22 MR. MIRELL: Douglas Mirell,

23 M-i-r-e-l-l of Harder Mirell & Abrams,

24 LLP, for the plaintiff.

25 MR. BERLIN: Seth Berlin,



1 A.J. Daulerio
 2 there's a box on the second page that
 3 appears to have been added by, well, you
 4 would know better, but it appears to
 5 have been added by your law firm.
 6 MR. MIRELL: That's correct.
 7 Q. So my reference to you is
 8 everything above the box on the second page.
 9 Do you recall seeing that story
 10 before today?
 11 A. Yes.
 12 Q. Did you write it?
 13 A. Yes.
 14 Q. Is there a reason you didn't recall
 15 it when I asked you about whether you
 16 recalled writing about Brett Favre?
 17 A. You asked about Gawker.com, this
 18 was written for Deadspin.com.
 19 Q. Okay. All right. So let's, let's
 20 be clear then. I will endeavor to make clear
 21 when I'm speaking about Gawker.com as the
 22 Gawker.com website, and when I use the term
 23 Gawker generically can we have an
 24 understanding --
 25 A. That it's Gawker Media.

1 A.J. Daulerio
 2 Q. -- that means Gawker Media which
 3 would include the Deadspin website?
 4 A. Sure.
 5 Q. Okay. So this was a story that you
 6 wrote when you were working for Deadspin, the
 7 site, the sports site of Gawker Media,
 8 correct?
 9 A. Yes.
 10 Q. Okay. The reason why I was unclear
 11 about that is that -- doesn't matter. Let's,
 12 let's turn to the story itself. Did Gawker
 13 pay for the photos that were available on
 14 this site?
 15 A. Yes.
 16 Q. And how much did it pay?
 17 A. Approximately \$10,000 for the
 18 photo, I believe it was around 12,000 total,
 19 including travel.
 20 Q. Including travel?
 21 A. Yes.
 22 Q. To obtain the photos?
 23 A. For the third-party to bring the
 24 photos to us.
 25 Q. Okay. And when you say the

1 A.J. Daulerio
 2 "photos," do you include -- are you referring
 3 to the video or to just the penis photos?
 4 A. I'm referring to the penis photos
 5 and the voicemail messages that are contained
 6 as parts of the video. The video was edited
 7 for narrative purposes.
 8 Q. The photos, and so the total cost
 9 for the photos and the e-mail messages was
 10 12,000?
 11 A. I believe so.
 12 Q. And who received that compensation?
 13 A. It was --
 14 MR. BERLIN: If I can just object.
 15 A. -- a source.
 16 MR. BERLIN: If I can just object.
 17 If that is a confidential source that
 18 information would be privileged and I
 19 would direct the witness not to answer.
 20 Q. Let me ask the question so we're
 21 clear. Who, who received that money?
 22 A. The source of the story.
 23 Q. And can you identify the source of
 24 the story?
 25 A. I actually can't.

1 A.J. Daulerio
 2 Q. And --
 3 MR. BERLIN: Just give me a chance
 4 to object, please. I have the same
 5 objection, and I would direct the
 6 witness not to answer to divulge
 7 information that's privileged.
 8 Q. All right. Are you asserting that
 9 the witness was confidential?
 10 A. Yes.
 11 Q. Are you taking Mr. Berlin's
 12 instruction not to answer the question?
 13 A. Yes.
 14 Q. Did Gawker ever make any
 15 determination, and here I'm talking about
 16 Gawker generically, including the Deadspin
 17 site, did Gawker make any determination as to
 18 whether it was invading Mr. Favre's privacy
 19 by posting what it posted?
 20 A. Not that I recall.
 21 Q. Do you see any distinction between
 22 the Favre posting and the Hulk Hogan sex
 23 video posting?
 24 A. In terms of subject matter?
 25 Q. In any way that you regard as