

Exhibit 43_C

<p>1 Case No. 12012447-CI-011</p> <p>2</p> <p>3</p> <p>4</p> <p>5 IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT</p> <p>6 IN AND FOR THE PINELLAS COUNTY, FLORIDA</p> <p>7 -oOo-</p> <p>8</p> <p>9</p> <p>10 TERRY GENE BOLLEA professionally known as</p> <p>11 HULK HOGAN,</p> <p>12 Plaintiff,</p> <p>13 vs.</p> <p>14 HEATHER CLEM; GAWKER MEDIA, LLC aka GAWKER MEDIA;</p> <p>15 et al.,</p> <p>16 Defendants.</p> <p>17 =====</p> <p>18 CONFIDENTIAL - ATTORNEYS' EYES ONLY</p> <p>19 VIDEOTAPED DEPOSITION OF</p> <p>20 DAVID HOUSTON</p> <p>21 FRIDAY, APRIL 10, 2015</p> <p>22 Reno, Nevada</p> <p>23</p> <p>24</p> <p>25 Reported by: KIMBERLY J. WALDIE, NV CCR #720, RPR</p> <p>CALIFORNIA CSR #8696</p>	<p>2</p> <p>1</p> <p>2</p> <p>3 APPEARANCES OF COUNSEL:</p> <p>4</p> <p>5 For the Plaintiff Terry Gene Bollea</p> <p>and Deponent David Houston:</p> <p>6</p> <p>7 HARDER MIRELL & ABRAMS LLP</p> <p>8 BY: CHARLES J. HARDER, ESQ.</p> <p>9 1925 Century Park East</p> <p>10 Suite 800</p> <p>11 Los Angeles, California 90067</p> <p>12</p> <p>13 For the Defendant Gawker Media, LLC:</p> <p>14 LEVINE SULLIVAN KOCH & SCHULZ, LLP</p> <p>15 BY: MICHAEL D. SULLIVAN, ESQ.</p> <p>16 1899 L Street NW</p> <p>17 Suite 200</p> <p>18 Washington, DC 20036</p> <p>19</p> <p>20 Also Present:</p> <p>21 James Case, Special Master</p> <p>22</p> <p>23 Videographer:</p> <p>24 Jeff Waldie, C CVS</p> <p>25</p>																																																																																																																								
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<p style="text-align: right;">25</p> <p>1 jumping in, playing the actual content. 2 A I understand. 3 Q All right. 4 MR. HARDER: Is this from March 2012? 5 MR. SULLIVAN: Yes. 6 THE WITNESS: Is this March 7th? 7 Q MR. SULLIVAN: It is. This is March 7th, 2012? 8 A That's what I thought. 9 Q The second clip goes from -- if you want to 10 link it up to what we had on the disc, it is -- the 11 exhibit goes from two minutes, three seconds, to 12 11 minutes, 45 seconds. 13 A Right. But March 7th? 14 Q Yes, sir -- 15 A All right. 16 Q -- that's correct. 17 A So voice appears to be going. 18 (Video playing.) 19 Q MR. SULLIVAN: All right. Mr. Houston, do you 20 recognize that as the interview that you did with 21 Mr. Hogan on March 7, 2012, on TMZ Live? 22 A It would appear to be, yes. 23 Q Okay. Now, for purposes of that interview, you 24 were on the phone. Correct? 25 A Correct.</p>	<p style="text-align: right;">26</p> <p>1 Q And for purposes of that interview, Mr. Hogan 2 was on the phone as well. Correct? 3 A Yes. 4 Q Okay. Were you two together in the same 5 location? 6 A I'm trying to recall. We may have been, 7 although I'm not positive. And the reason that I have 8 some doubt about that is it doesn't seem there's any 9 interruption as far as interplay vocally referencing my 10 comments with his. 11 I would think it would be a bit more cumbersome 12 to be handing phones over, so I may have been at a 13 different location. 14 Q All right. Did you hear Mr. Hogan's voice on 15 that clip? 16 A I heard a voice identified as Mr. Hogan, yes. 17 Q Okay. Do you -- are you able to recognize his 18 voice? 19 A That would sound to be Mr. Hogan, if that's the 20 question. 21 Q Okay. Do you believe it to be Mr. Hogan? 22 A I don't have reason not to. 23 Q Okay. All right. Let me ask you this, then: 24 Did you hear your own voice on that clip as well? 25 A That's probably questionable, sir. Of course</p>
<p style="text-align: right;">27</p> <p>1 it's me. 2 Q Okay. All right. 3 Mr. Houston, how was that interview arranged? 4 A Wow. Great question, and I don't have a great 5 answer for you. I did not arrange, and so, therefore, I 6 would be the wrong person to ask. 7 Q All right. Did TMZ reach out to you at some 8 point about doing that interview? 9 A I would have to rely upon the answer I just 10 gave. 11 Q You have no recollection of that? 12 A I don't -- I don't recall TMZ reaching out to 13 me for the purposes of that interview. 14 Q Okay. Do you recall receiving any kind of 15 contact from TMZ via phone, phone call, e-mail, text 16 message? Anything? 17 A I'm certain I did. 18 Q Okay. 19 A I just couldn't classify it for you as far as 20 reference point, methodology. I'm not certain. 21 Q Okay. Would you still have a record of such 22 contact? 23 A No. 24 Q Okay. And what becomes of those kind of 25 records?</p>	<p style="text-align: right;">28</p> <p>1 A I don't keep those kinds of records. 2 Q All right. Any -- any recollection, even if 3 just dim, in terms of who it was at TMZ that would have 4 reached out to you in that fashion? 5 A Boy, you know, I really don't recall who, so, 6 therefore, I would simply be speculating. 7 Q Okay. 8 A And I don't know whether you want me to 9 speculate. 10 Q Well, let me ask you this: Do you have regular 11 and routine contact with folks at TMZ? 12 A No, I do not. 13 Q So it's a fairly unusual situation when you are 14 talking with somebody at TMZ? 15 A Well, I don't get the calls every day, if 16 that's what you mean. 17 Q Okay. All right. 18 Who -- who all have you dealt with at TMZ? 19 A I've dealt with Mike Walters and Harvey Levin. 20 Q Okay. As you sit here today, as between those 21 two, do you have a recollection, even if just a dim one, 22 as to which of those fellows would have reached out to 23 you in this instance? 24 A I would be guessing, so the answer is, no, I do 25 not.</p>

<p style="text-align: right;">37</p> <p>1 and it's from a client, the answer to that is -- you 2 invoke the privilege, but the question about the facts, 3 whether you got facts of a certain sort, that's not 4 privileged.</p> <p>5 MR. HARDER: I -- I disagree. I -- I think the 6 way you are phrasing it is you're causing him to waive 7 the privilege and then find out if there is a privilege 8 which has already just been made waived. You may be 9 right, but I -- to be on the cautious side, I think that 10 his communications with clients are privileged.</p> <p>11 MR. SULLIVAN: Well -- but you can't shield the 12 substance, okay -- can't shield the substance. Did he 13 get proof? Was there proof? "Yes" or "No"?</p> <p>14 MR. HARDER: Well, I don't -- I don't know what 15 "proof" is. I consider proof to be communications.</p> <p>16 MR. SULLIVAN: Could have been shown a portion 17 of the tape, could have been a whole manner of things.</p> <p>18 THE WITNESS: I will set forth I was not shown 19 a portion of the tape.</p> <p>20 Q MR. SULLIVAN: All right. All right. Let me 21 ask you this, and you can object, but I -- again, I 22 think -- what, if any, proof did you get prior to 23 going -- going on the TMZ Live for the interview on 24 March 7, 2012?</p> <p>25 A What's the definition, though, on "proof"?</p>	<p style="text-align: right;">38</p> <p>1 What are you referring to?</p> <p>2 MR. HARDER: Object --</p> <p>3 Q MR. SULLIVAN: You are a lawyer. Something 4 that would tend you -- tend to make you think it was 5 more likely than not to be true.</p> <p>6 MR. HARDER: Well, I'm going to object on your 7 definition of "proof." That's not the definition of 8 proof.</p> <p>9 MR. SULLIVAN: Well, that's my definition. 10 THE WITNESS: All right.</p> <p>11 Q MR. SULLIVAN: Can you answer the question? 12 MR. HARDER: Object to form.</p> <p>13 THE WITNESS: No, sir, not that I recall.</p> <p>14 Q MR. SULLIVAN: All right. The next thing you 15 say on the interview is: "And one of the first things 16 we tried to do is put together a picture of who this 17 could be. Sounds like it's somebody that hit hard times 18 and had the tape and then hooked up with someone that 19 had the ability to try and market it."</p> <p>20 Do you recall making that statement?</p> <p>21 A I do recall that based upon --</p> <p>22 Q All right.</p> <p>23 A -- what you've just shown me, referencing the 24 exhibit.</p> <p>25 Q All right. And what was your basis for that</p>
<p style="text-align: right;">39</p> <p>1 statement?</p> <p>2 MR. HARDER: If -- if it's -- if it's from a 3 communication with a client, it's privileged.</p> <p>4 THE WITNESS: Privileged.</p> <p>5 MR. SULLIVAN: You cannot obstruct inquiry into 6 all this by saying it was privileged. That question, 7 all right, he can provide the information, then I ask 8 him, "Well, where did you get that?" And then if it's 9 privileged, then you invoke the privilege at that point. 10 You can't throw a complete blanket over the whole thing.</p> <p>11 MR. HARDER: I think you are trying to make an 12 end run around the privilege, is what I think --</p> <p>13 MR. SULLIVAN: Not making an end run. The law 14 is the law, Charles.</p> <p>15 MR. HARDER: Mike, I'm not trying to argue with 16 you, and I am not trying to stop anything. I'm just 17 trying to preserve a privilege because there's law that 18 if you don't preserve a privilege, you waive it. So I'm 19 trying to avoid that.</p> <p>20 If a client says, "David, number one, number 21 two, number three," that's a privileged communication in 22 my view. And so what you are asking for in this 23 question is to find that out, and I -- I have to honor 24 the privilege and -- and continue to raise it.</p> <p>25 MR. SULLIVAN: All right. Well, I'll tell you</p>	<p style="text-align: right;">40</p> <p>1 what we'll do. I'll ask you the questions. You make 2 your objections, and I think we'll have to resolve this 3 at a later date.</p> <p>4 Q Let me ask you this: Based on what you said -- 5 A Reference?</p> <p>6 Q -- on the air, at that time did you think the 7 woman who appears in the sex tape was trying to market 8 it through a third party?</p> <p>9 A I had no idea.</p> <p>10 Q Okay. Later in the interview Mr. Hogan says, 11 quote: "But the main thing is, thank God, that what my 12 ex -- you know -- well, I don't even want to go there, 13 but let's just say thank God it wasn't a guy." 14 Do you recall that?</p> <p>15 A I do, yes.</p> <p>16 Q Okay. And then, Mr. Houston, you add, quote, 17 "Yeah, well, that was the only thing we thought could be 18 worse, if it was a young male. So we are grateful." 19 Do you recall that?</p> <p>20 A Yes.</p> <p>21 Q Okay. Now, why would it have been worse if it 22 was a young male?</p> <p>23 A I think, as you can tell by the way of the 24 tenor of the conversation and in fact the predicate to 25 those statements were maybe we tell a joke, and so it</p>

41	<p>1 was really of that nature as opposed to a serious</p> <p>2 editorial discussion.</p> <p>3 Q Okay.</p> <p>4 A I think you can fathom that by your own viewing</p> <p>5 of that particular exhibit.</p> <p>6 Q Okay. So you were -- you were just joking at</p> <p>7 the time?</p> <p>8 A Of course.</p> <p>9 Q All right. Did you, David Houston, talk to</p> <p>10 anyone at TMZ about the -- the sex tape or -- that's</p> <p>11 what they called it on the -- the program -- prior to</p> <p>12 March 7, 2012?</p> <p>13 A I'm sorry, can you repeat that?</p> <p>14 Q Yeah.</p> <p>15 Did you talk to anyone at TMZ about the sex</p> <p>16 tape prior to March 7, 2012 --</p> <p>17 A Not that --</p> <p>18 Q -- prior to the interview?</p> <p>19 A Not that I can recall, sir.</p> <p>20 Q Okay. At any point did you, David Houston --</p> <p>21 prior to the March 7, 2012, interview, did you try to</p> <p>22 convince TMZ not to report about the Hulk Hogan sex</p> <p>23 tape?</p> <p>24 A I don't recall a specific instance but that</p> <p>25 would seem to be something I would do in reference to</p>	42	<p>1 attempting to block the distribution of what I</p> <p>2 considered to be damaging information.</p> <p>3 Q Okay. Do you have a recollection of doing</p> <p>4 that?</p> <p>5 A I do not have a specific recollection as stated</p> <p>6 a moment ago. However, as stated, it is something that</p> <p>7 would have been among my goals in reference to impeding</p> <p>8 the publication of information that I felt to represent</p> <p>9 grave damage to my client.</p> <p>10 Q Okay. Did you try to convince TMZ not to</p> <p>11 report any of the details about Hulk Hogan's sex tape?</p> <p>12 A Same answer, sir.</p> <p>13 Q All right. Did you threaten to sue TMZ if they</p> <p>14 reported about a Hulk Hogan sex tape?</p> <p>15 A Same answer, sir.</p> <p>16 Q What -- how does your -- what would your answer</p> <p>17 be as to that, threatening to sue? Did you threaten to</p> <p>18 sue or not?</p> <p>19 A I do not have a specific recollection of doing</p> <p>20 so; however, it would have been among my goals to do</p> <p>21 what was necessary to avoid the continued or original</p> <p>22 publication of material that I felt to be of grave</p> <p>23 damage to my client.</p> <p>24 Q All right. As you sit here today, do you have</p> <p>25 a specific recollection of threatening to sue TMZ?</p>
43	<p>1 (Comments off the record by the reporter.)</p> <p>2 MR. HARDER: Sorry. Asked and answered.</p> <p>3 (Comments off the record by the reporter.)</p> <p>4 THE WITNESS: Same answer, sir.</p> <p>5 Q MR. SULLIVAN: Okay. Did you do anything to</p> <p>6 try to shape TMZ's coverage of the Hulk Hogan sex tape</p> <p>7 story?</p> <p>8 A Same answer, sir.</p> <p>9 Q All right. Did you prepare any kind of a</p> <p>10 communication to convey your concerns to TMZ at that</p> <p>11 time?</p> <p>12 A Well, what are you referring to?</p> <p>13 Q Sure.</p> <p>14 A What type of communication?</p> <p>15 Q You send them a cease and desist letter?</p> <p>16 A Not that I recall.</p> <p>17 Q Send them an e-mail conveying these things?</p> <p>18 A Not that I recall.</p> <p>19 Q Okay. Did you send them a text message?</p> <p>20 A Not that I recall.</p> <p>21 Q Do you recall leaving a voice mail message for</p> <p>22 a TMZ person --</p> <p>23 A Not that I recall.</p> <p>24 Q -- conveying these points?</p> <p>25 A Not that I recall.</p>	44	<p>1 Q All right. Did you -- do you have any</p> <p>2 recollection of meeting with them in person to convey a</p> <p>3 threat to sue them if they reported on this story?</p> <p>4 A No, sir.</p> <p>5 Q All right. Do you have a recollection of</p> <p>6 meeting with them in person to try to convince them not</p> <p>7 to report any details of a Hulk Hogan sex tape?</p> <p>8 A No, sir.</p> <p>9 Q Okay. Let's shift our focus just a bit. And</p> <p>10 we were looking at your -- prior to the interview.</p> <p>11 After the interview, the March 7, 2012, interview, did</p> <p>12 you talk to anyone at TMZ about what they had seen on</p> <p>13 the portion of the sex tape that they viewed?</p> <p>14 A After the interview concluded, you are</p> <p>15 wondering whether I spoke to them off air, reference</p> <p>16 point, being what they had seen?</p> <p>17 Q Yes, sir.</p> <p>18 A I may have, sir. I don't have a specific</p> <p>19 recollection, though.</p> <p>20 Q All right. Do you have any recollection of who</p> <p>21 you talked to, who, if anyone, you talked to?</p> <p>22 A I really don't. I don't. And the reason that</p> <p>23 I -- I hesitate is because I'm thinking that certainly</p> <p>24 would be something I would want to do, but I don't have</p> <p>25 a specific recollection of it.</p>