

EXHIBIT D – DEPOSITION OF SCOTT KIDDER (APRIL 14, 2015)

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.

-----x

April 14, 2015
10:12 a.m.

Videotaped Deposition of SCOTT KIDDER,
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.

1 SCOTT KIDDER 14:39:20

2 Q. That didn't have any commerce 14:39:22

3 added? 14:39:24

4 A. Not that I'm aware. 14:39:25

5 Q. Did it have any affiliate 14:39:28

6 marketing, affiliate program added? 14:39:29

7 A. Not that I'm aware. 14:39:32

8 Q. Is it Gawker Media LLC's position 14:39:34

9 that Hulk Hogan's damages would be zero based on 14:39:40

10 the fact that there was no advertising commerce 14:39:43

11 etc. at that page? 14:39:44

12 MS. SMITH: Objection, that is 14:39:45

13 outside the scope, but... 14:39:46

14 A. It sounds like a legal conclusion. 14:39:49

15 I'm not a lawyer, it is something that I didn't 14:39:53

16 prepare for today, I don't know. 14:39:54

17 Q. Is Gawker not taking a position on 14:39:59

18 what damages will be in this case? 14:40:02

19 MS. SMITH objection, that is 14:40:03

20 something that Gawker's legal team is dealing 14:40:06

21 with not this witness. 14:40:06

22 MR. HARDER: Is Gawker's legal team 14:40:08

23 going to testify or is a witness going to 14:40:10

24 testify? 14:40:10

25 MS. SMITH: The witness is

1 SCOTT KIDDER 14:44:08

2 Q. Going back to the question and I 14:44:12

3 believe it is covered in items 35 and 37 which is 14:44:16

4 "All facts and circumstances relating to the 14:44:18

5 claims and defenses in this action that were not 14:44:20

6 asked about at the deposition of Gawker on 14:44:22

7 October 1st, 2013." And number 37, "The identity 14:44:27

8 of all persons and/or entities with personal 14:44:41

9 knowledge of the facts underlying or relating to 14:44:43

10 each of the above stated subject areas." 14:44:46

11 MS. SMITH: Let me respond to that 14:44:47

12 quickly which is 35 is the one that we 14:44:49

13 objected to as being overly broad and 14:44:51

14 improper and newly inserted. And 37 if you 14:44:55

15 would like to ask him if he knows who has 14:44:58

16 personal knowledge of Gawker's damages 14:45:03

17 theories, I won't object. 14:45:06

18 Q. Mr. Kidder, do you know of anyone 14:45:09

19 who has personal knowledge of Gawker's damages 14:45:13

20 theories in this case? 14:45:14

21 A. I imagine our legal counsel. 14:45:16

22 Q. Anyone else? 14:45:17

23 A. No. 14:45:18

24 Q. Are you including Heather Dietrick 14:45:22

25 as legal counsel?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

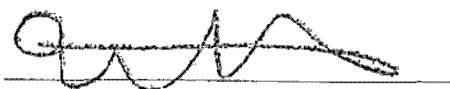
COUNTY OF NEW YORK)

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

That SCOTT KIDDER, 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 22nd day of April, 2015.



WILLIAM VISCONTI