

**EXHIBIT C – DEPOSITION OF ERIN PETTIGREW (MARCH 4, 2015)**

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

-----x  
TERRY GENE BOLLEA, professionally known as HULK  
HOGAN,

Plaintiff,

Case No. 12012447 CI-011

-against-

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

Defendants.  
-----x

March 4, 2015

10:10 a.m.

Videotaped Deposition of ERIN PETTIGREW,  
pursuant to notice, at the offices of Merrill  
Corporation, 1345 Avenue of the Americas, 17th  
Floor, New York, New York, before Mark Richman,  
a Certified Shorthand Reporter, Registered  
Professional Reporter and Notary Public within  
and for the State of New York.

1 ERIN PETTIGREW

2 see that the way the sites look needs a 11:30:48  
3 lot of help, they can be improved a great 11:30:51  
4 deal and we think it's so important that 11:30:53  
5 it's worth me spending a great deal of 11:30:54  
6 time on it right now. 11:30:56

7 Q. So are you not working on 11:30:57  
8 commerce any more? 11:30:59

9 A. I am not, no. 11:30:59

10 Q. And you're not working on 11:31:00  
11 advertising any more? 11:31:01

12 A. I am not, no. 11:31:02

13 Q. And as chief strategy officer 11:31:03  
14 you're not going to be working on 11:31:05  
15 commerce or advertising? 11:31:08

16 A. I will not be doing those 11:31:10  
17 things, no. 11:31:11

18 Q. I'm just pulling up your -- I 11:31:12  
19 don't know if it's a bio or a blurb on 11:31:23  
20 Gawker and it just has some words here 11:31:26  
21 that I assume you're familiar with. It 11:31:27  
22 says, and I'm quoting, "Her business 11:31:31  
23 development focus includes expanding 11:31:35  
24 Gawker Media revenue, breadth, width, 11:31:38  
25 commerce ad products, content licensing 11:31:40

1 ERIN PETTIGREW

2 and international partnerships." 11:31:42

3 A. So that would be -- 11:31:46

4 Q. Under the title chief strategy 11:31:47

5 officer. But that was then and this is 11:31:49

6 now? 11:31:51

7 A. That's exemplary of how much 11:31:51

8 our websites need a bit of help right 11:31:53

9 now. Yes, that's an old bio from when 11:31:55

10 that picture was taken which is about 11:31:58

11 three years ago, two and a half years 11:31:59

12 ago. 11:32:01

13 Q. So the text I just read really 11:32:01

14 was a description of what you did as VP 11:32:03

15 of business development, and what you're 11:32:05

16 doing as chief strategy officer is 11:32:07

17 completely different? 11:32:09

18 A. Correct. Makes my job all the 11:32:10

19 more important. 11:32:13

20 Q. When you were vice president 11:32:37

21 of business development did you work with 11:32:38

22 the advertising group? 11:32:41

23 A. I worked with them in a 11:32:43

24 limited fashion where it made sense. But 11:32:46

25 not a lot, no. 11:32:50

1 ERIN PETTIGREW

2 Q. So between the time of mid 11:32:52

3 2011 until December of 2014, you didn't 11:33:09

4 work with the advertising group very much 11:33:16

5 at all? 11:33:20

6 A. Correct. 11:33:21

7 Q. And I assume and correct me if 11:33:22

8 I'm wrong that you did not involve 11:33:27

9 yourself with the advertising component 11:33:29

10 of the business during that time period? 11:33:31

11 A. So I worked with the 11:33:34

12 advertising department on a very limited 11:33:35

13 fashion. Those areas of overlap that I 11:33:38

14 think we described about the automation 11:33:40

15 and programmatic and trying to understand 11:33:42

16 that space. And insofar as, you know, 11:33:44

17 international relationships might be 11:33:51

18 considered or understood to be 11:33:53

19 advertising, that capacity. But my 11:33:54

20 relationship to the day to day real 11:33:57

21 direct advertising side of the business I 11:34:00

22 finished with my sort of marketing role 11:34:02

23 several years back. 11:34:06

24 Q. So when we're talking about 11:34:08

25 advertising we're talking about what type 11:34:10

1 ERIN PETTIGREW

2 between the CPM price of banner 11:36:24

3 advertising versus the CPM price of 11:36:29

4 programmatic advertising? 11:36:34

5 A. Are you speaking about the 11:36:35

6 industry or -- 11:36:36

7 Q. Gawker. 11:36:36

8 A. So I don't have knowledge of 11:36:38

9 the, the direct or brand advertising side 11:36:41

10 of the business, CPM any more. Haven't 11:36:43

11 for several years. I understand that the 11:36:47

12 programmatic CPM is considered to be 11:36:52

13 healthy, which is good. But I don't, I 11:36:53

14 don't know ranges and things like that. 11:37:01

15 Q. Do you have any knowledge of 11:37:02

16 what the average CPM was for display 11:37:05

17 advertising in 2012? 11:37:09

18 A. That I do not know. 11:37:11

19 Q. You never worked on that in 11:37:12

20 2012? 11:37:14

21 A. Yeah, my time ended in 2011 11:37:14

22 with all the ad focus. 11:37:16

23 Q. Same question for 2013, you 11:37:18

24 are not familiar with the CPM rate for 11:37:22

25 display advertising at Gawker in 2013 11:37:24

1 ERIN PETTIGREW

2 either?

11:37:28

3 A. That's correct.

11:37:28

4 Q. Does native advertising also

11:37:35

5 known as a sponsored post, is that priced

11:37:37

6 out at a CPM rate?

11:37:40

7 A. I do not know how it's priced

11:37:42

8 now. My knowledge of it was several

11:37:44

9 years ago when it was I would say sort of

11:37:47

10 in its infancy. I'm not sure how they

11:37:50

11 are pricing it now.

11:37:56

12 Q. So your experience with native

11:37:56

13 advertising, also known as sponsored

11:37:58

14 posts, is from 2011 and not after?

11:38:00

15 A. Correct.

11:38:04

16 Q. Are you familiar with the CPM

11:38:07

17 rates of programmatic advertising today?

11:38:10

18 A. No, I am not. I just

11:38:13

19 understand that they're healthy, that's

11:38:16

20 been the verbiage that I've understood.

11:38:18

21 Q. Do you have an understanding

11:38:20

22 of what the CPM advertising rates were

11:38:21

23 for programmatic advertising in 2012?

11:38:26

24 A. No, I do not and that would

11:38:33

25 have been, I forgot exactly when it

11:38:35

1 ERIN PETTIGREW

2 began, but that would have been very much

11:38:36

3 in its infancy as well.

11:38:37

4 Q. Do you have an understanding  
5 what the CPM advertising rates for  
6 programmatic advertising were in 2013?

11:38:39

11:38:39

11:38:42

7 A. No.

11:38:43

8 Q. Do you have an understanding  
9 of which companies, other than Amazon or  
10 Skimlinks, pay the most amount of revenue  
11 to Gawker Media today?

11:38:44

11:38:51

11:39:03

11:39:06

12 A. So we don't really understand  
13 more granularly. The Skimlinks payment  
14 is a lump sum so we don't have much  
15 regular insight into kind of more  
16 specifically within that which is both a  
17 value and a benefit. But yeah, outside  
18 of that those are sort of the key folks.

11:39:09

11:39:16

11:39:21

11:39:22

11:39:24

11:39:26

11:39:29

19 Q. In 2014 how much revenue was  
20 generated to Gawker from Skimlinks?

11:39:32

11:39:34

21 A. 2014, without looking at my  
22 Excel sheets, I don't have an exact  
23 understanding. It grew throughout the  
24 year, I know that very strongly. But an  
25 exact specific number --

11:39:41

11:39:43

11:39:45

11:40:04

11:40:11



1 ERIN PETTIGREW

2 Q. And then would the concept be 12:04:25  
3 if the post that was done by the outside 12:04:27  
4 person got a lot of traffic, would that 12:04:30  
5 outside person be able to get compensated 12:04:35  
6 for their post? 12:04:38

7 A. So we've had some discussions 12:04:39  
8 about sort of where this might go in the 12:04:40  
9 future. To date any posts that are from 12:04:44  
10 someone outside the company but are on 12:04:47  
11 the platform are, are -- no one is 12:04:49  
12 compensated for those, they don't get 12:04:51  
13 paid as a writer. 12:04:53

14 So I don't see us paying those 12:04:55  
15 people other than to maybe one day figure 12:04:57  
16 out sort of like an advertising plan 12:05:00  
17 around it. But it's super nascent 12:05:03  
18 because just the active blogging of posts 12:05:05  
19 right now needs a lot of improvement, 12:05:08  
20 but. 12:05:11

21 Q. You're familiar with the 12:05:29  
22 concept of not safe for work content? 12:05:30

23 A. Correct. 12:05:32

24 Q. And what's your understanding 12:05:32  
25 of that content? 12:05:34

1 ERIN PETTIGREW

2 A. My understanding is that's 12:05:35

3 sort of a colloquial term for content 12:05:39

4 that has a variety of different 12:05:41

5 definitions depending on who you ask. 12:05:44

6 Sort of beyond me to know all the work 12:05:50

7 places and all the ways that that might 12:05:54

8 be thought of. But we use it primarily 12:05:55

9 as an understanding of where advertisers 12:05:57

10 are interested in seeing advertising and 12:06:01

11 then as a label for advertising areas 12:06:03

12 that advertisers are not interested in. 12:06:06

13 Q. Is nudity considered not safe 12:06:08

14 for work content? 12:06:19

15 A. I'm not actually sure what the 12:06:21

16 definition is at this point. I'm not 12:06:23

17 sure. 12:06:29

18 Q. If there's a picture of a 12:06:30

19 penis on Gawker.com, is that generally 12:06:33

20 considered not safe for work content? 12:06:37

21 A. So the determination is -- I'm 12:06:39

22 not sure who makes the determination at 12:06:44

23 this point. When I was working in ad 12:06:46

24 operations several years ago we would 12:06:48

25 sort of indicate whether or not an 12:06:50

1 ERIN PETTIGREW

2 advertiser would be interested in a post 12:06:54

3 and for the most part nudity would be 12:06:56

4 something that we would say an advertiser 12:06:58

5 is not interested and then we would use 12:07:00

6 that NSFW as a tag to keep the ad server 12:07:02

7 from hitting that page. I'm not defining 12:07:06

8 that label any more so I'm not sure how 12:07:09

9 it's being used today. But in the past, 12:07:13

10 yes. 12:07:16

11 Q. In the past yes, what? 12:07:17

12 A. In the past nudity would have 12:07:21

13 considered not safe for work and we would 12:07:24

14 have kept the ad server from displaying 12:07:26

15 on that. 12:07:27

16 Q. And today you're just not 12:07:28

17 familiar? 12:07:29

18 A. Today I'm not making that 12:07:29

19 definition and it's gotten more complex. 12:07:31

20 Q. Have you ever seen sexual 12:07:33

21 activity at Gawker.com? 12:07:36

22 A. You mean on the website? 12:07:39

23 Q. Yes. A video of sexual 12:07:40

24 activity? 12:07:44

25 A. Yes, probably. 12:07:44

1 ERIN PETTIGREW

2 Q. And is that not safe for work 12:07:45

3 content? 12:07:48

4 A. I think it would really depend 12:07:48

5 on the video and what it contains and 12:07:51

6 that sort of thing. But I would imagine 12:07:53

7 that whoever is making that determination 12:07:55

8 would use their best judgment to 12:07:58

9 understand. 12:08:00

10 Q. Are you familiar with what the 12:08:15

11 Terry Bollea/Hulk Hogan versus Gawker 12:08:18

12 media case is about? 12:08:22

13 A. Somewhat familiar that there 12:08:23

14 is a lawsuit. I wasn't familiar with the 12:08:26

15 actual name of the person. 12:08:29

16 Q. What's your understanding of 12:08:33

17 the lawsuit? 12:08:34

18 MR. BERLIN: Let me just 12:08:34

19 caution you not to reveal anything 12:08:35

20 you may have discussed with 12:08:37

21 counsel. And otherwise you may 12:08:38

22 answer the question. 12:08:40

23 A. My understanding is there is a 12:08:41

24 post at issue and that there's been some 12:08:44

25 sort of legal -- I'm not familiar with 12:08:48

1 ERIN PETTIGREW

2 interpose an objection to the 12:09:52  
3 question to the extent that it asks 12:09:54  
4 the witness to make a judgment 12:09:55  
5 about what's relevant or not to a 12:09:56  
6 lawsuit. And otherwise if you 12:09:58  
7 understand the question you may 12:09:59  
8 answer. 12:10:01

9 A. I'm not sure what I know would 12:10:01  
10 be relevant and I don't particularly know 12:10:05  
11 how to answer that. 12:10:08

12 Q. Do you have any personal 12:10:09  
13 knowledge that would be relevant to Terry 12:10:10  
14 Bollea/Hulk Hogan's claims in the lawsuit 12:10:15  
15 against Gawker Media? 12:10:18

16 MR. BERLIN: Let me just -- 12:10:20  
17 same objection. You may answer. 12:10:22

18 A. I'm unfamiliar with the claims 12:10:23  
19 and don't really know if I would have 12:10:24  
20 that knowledge. 12:10:26

21 Q. Do you have any personal 12:10:27  
22 knowledge that is relevant to Gawker 12:10:28  
23 Media's defenses that are asserted in the 12:10:31  
24 lawsuit filed by Terry Bollea/Hulk Hogan? 12:10:33

25 MR. BERLIN: Same objection. 12:10:37

1 ERIN PETTIGREW

2 A. I'm not familiar with the

12:10:38

3 defenses that you mentioned or assertions

12:10:41

4 mentioned.

12:10:44

5 Q. If five million people were to

12:10:56

6 go to a page at Gawker.com, would you

12:10:59

7 have personal knowledge on what the value

12:11:03

8 would be of those five million people

12:11:04

9 going to Gawker.com whether or not there

12:11:08

10 was advertising running at the web page?

12:11:11

11 A. It's incredibly dependent on

12:11:13

12 what those five million people are

12:11:17

13 reading or doing and what sort of -- what

12:11:18

14 site they're on and whether or not

12:11:20

15 there's advertising and all that sort of

12:11:23

16 thing. Incredibly variant.

12:11:25

17 Q. Let me narrow down the

12:11:27

18 hypothetical. If five million people go

12:11:29

19 to a page at Gawker.com in October 2012

12:11:31

20 and there's no advertising at the page

12:11:37

21 and they're there to see a post and a sex

12:11:42

22 tape, what value is there to Gawker.com

12:11:46

23 of those five million people going to the

12:11:54

24 page?

12:11:56

25 MR. BERLIN: Object. Let me

12:11:56

1 ERIN PETTIGREW  
 2 make that statement. But from my 12:13:08  
 3 recollection prior of how advertising 12:13:10  
 4 used to work, it was incredibly not 12:13:13  
 5 helpful. 12:13:16

6 Q. Is that your full answer? 12:13:26

7 A. I believe so. 12:13:29

8 Q. Okay. 12:13:31

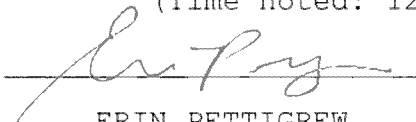
9 MR. HARDER: I have no further 12:13:33  
 10 questions. Thanks for coming. 12:13:34

11 THE WITNESS: You're welcome. 12:13:35

12 MR. BERLIN: I have no 12:13:36  
 13 questions for this witness. We 12:13:36  
 14 will read and sign, please. 12:13:37

15 THE VIDEOGRAPHER: Stand by. 12:13:39  
 16 Here marks the end of file number 2 12:13:41  
 17 in the videotaped deposition of 12:13:43  
 18 Erin Pettigrew. We are going off 12:13:45  
 19 the record, the time is 12:13 p.m. 12:13:47

20 (Time noted: 12:13 p.m.)

21   
 22 ERIN PETTIGREW

23 Subscribed and sworn to before me  
 24 this 9<sup>th</sup> day of April, 2015.

25 

**RACHEL STROM**  
 Notary Public, State of New York  
 No. 02ST6171616  
 Qualified in Kings County  
 Commission Expires October 17, 2015

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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, MARK RICHMAN, a Certified  
Shorthand Reporter, Certified Realtime Reporter  
and Notary Public within and for the State of  
New York, do hereby certify:

That ERIN PETTIGREW, 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 10<sup>th</sup> day of March, 2015.

Mark Richman  
MARK RICHMAN, C.S.R., C.R.R.