

EXHIBIT 23

to the

PUBLISHER DEFENDANTS' MOTION IN LIMINE ON EVIDENCE
RELATING TO PLAINTIFF'S ADMISSION THAT HE BELIEVED
THE SEX TAPE(S) SHOWED HIM MAKING STATEMENTS THAT
HAVE BEEN MARKED AS CONFIDENTIAL

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

TERRY GENE BOLLEA, professionally
known as HULK HOGAN,

Plaintiff,

No. 12-012447-CI-011

vs.

HEATHER CLEM; GAWKER MEDIA, LLC,
aka GAWKER MEDIA, et al.,

Defendants.

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VOLUME 5

VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: April 8, 2015

TIME: 10:19 a.m. to 1:06 p.m.

PLACE: Riesdorff Reporting Group
601 Cleveland Street
Suite 600
Clearwater, Florida

PURSUANT TO: Notice by counsel for
Defendants for purposes of
discovery, use at trial or
such other purposes as are
permitted under the Florida
Rules of Civil Procedure

REPORTED BY: Susan C. Riesdorff, RPR, CRR
Notary Public, State of
Florida

Pages 624 - 734

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16 Philadelphia, Pennsylvania 19103
Attorneys for Defendant Gawker Media, LLC

17
18 ALSO PRESENT:

19 Honorable James Case
20 Mike Byrd, Videographer
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22
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1 TERRY BOLLEA: No. When --

2 MR. HOUSTON: Hey, gentlemen, real clearly,
3 if it's on the tape, then I think Hulk's made
4 himself clear there was never a friendship. We've
5 given Bubba every opportunity to tell the truth
6 and to avoid what's obviously coming. And for
7 whatever reason, Bubba's chosen not to do so. And
8 I'll certainly be happy to talk to you off air to
9 try to get a time when I might be able to view
10 that personally.

11 MIKE WALTERS: Okay. We are going to break.

12 Hulk and David, thank you so much for joining
13 us. Really appreciate it.

14 TERRY BOLLEA: Thank you, guys.

15 (Video clip concluded.)

16 BY MR. SULLIVAN:

17 Q. So that was the TMZ Live broadcast that aired
18 on October 9th. All right? An excerpt of that, some
19 condensed version, then gets posted on the Web at 2:45
20 Pacific daylight time that same day, October 9, 2012.
21 Okay?

22 Then if you would look, please, back at
23 Defendants' Exhibit 228. Now, let's look at that day,
24 October 9. And if you look down the right-hand column
25 about two-thirds of the way down the page, look at the

1 entry for 8:06 p.m. You'll see a call to Mike Walters.

2 A. Which page are you talking about?

3 MR. HOUSTON: Page 2, Terry.

4 BY MR. SULLIVAN:

5 Q. 2518, the second page, the entry for
6 October 9.

7 A. Okay. At what time?

8 Q. Yes, sir. 8:06 p.m.

9 A. Okay.

10 Q. Now, you'll see there are calls to Mike
11 Walters' number, that same number we've been looking
12 at. And you'll see a call for 16 minutes.

13 Do you see that?

14 A. Yes, I do.

15 Q. Okay. Now, that was after the TMZ interview.
16 Why did you call Mike Walters at that point?

17 A. I don't recall. If I had to guess, I'm sure
18 it would be about --

19 MR. HARDER: Don't -- don't guess.

20 THE WITNESS: Okay. I don't recall, then,
21 the conversation.

22 BY MR. SULLIVAN:

23 Q. Okay. Do you have a recollection of calling
24 Mike Walters at some point after you had heard what was
25 disclosed about what Bubba said about retiring? Did

1 you call Mike Walters and have a conversation with him
2 via phone at some point after you learned that?

3 A. I don't recall. But there was ongoing
4 communications after that. This was the tip of the
5 iceberg.

6 Q. With Mike Walters?

7 A. Yeah, with everything. So I'm sure there was
8 communication at some point.

9 Q. Okay. Did Mike Walters provide any more
10 information about what Bubba said about retiring off
11 the sex tape?

12 A. No, I don't recall anything else.

13 Q. Do you recall anything else that you learned
14 from Mike Walters about the sex tape?

15 A. No, I don't.

16 Q. Did Mr. Walters ever tell you what he saw on
17 the sex tape?

18 A. I don't recall him saying what he saw.

19 Q. Okay.

20 MR. HARDER: Do you mean other than as we saw
21 in the interview?

22 MR. SULLIVAN: Yes, sir. Yeah.

23 BY MR. SULLIVAN:

24 Q. Did he ever provide you with information
25 about what Bubba said about retiring off the sex tape?

1 A. Not any more than what we just heard.

2 Q. Okay. Did he ever tell you what the context
3 was for the statement?

4 A. Context?

5 Q. Right.

6 A. I don't know what that means.

7 Q. Did he tell you -- he tells you Bubba made
8 this statement about retiring off the sex tape. Did he
9 tell you information about who was present at the time,
10 for example, that Heather was there?

11 A. He just said on the interview after I left
12 the room -- Mike Walters just said Bubba talked to
13 Heather on the tape and said we could retire, or
14 whatever his verbiage was.

15 Q. Okay. Did he -- did you ever in a private
16 context, not in terms of the interview that was taking
17 place live on TMZ, did you ever get more information
18 from Mr. Walters about what he said on the sex tape?

19 A. No.

20 Q. All right. What we're going to do is I'm
21 going to shift our focus. And if you would look,
22 please, back at Defendants' Exhibit 223A. If you could
23 look at -- if you could look, please, at page 2, you'll
24 see there -- six entries down, you'll see Dixie Carter.

25 A. Yes.

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REPORTER'S CERTIFICATE

STATE OF FLORIDA :
COUNTY OF HILLSBOROUGH :

I, Susan C. Riedsorph, RPR, CRR certify that I was authorized to and did stenographically report the deposition of TERRY GENE BOLLEA; that a review of the transcript was requested and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the outcome of the foregoing action.

Dated this 13th day of April, 2015, IN THE CITY OF TAMPA, COUNTY OF HILLSBOROUGH, STATE OF FLORIDA.

Susan C. Riedsorph, RPR, CRR, CLSP

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

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No. 12-012447-CI-011

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VOLUME 6

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1 figure, is this the middle of it? Or where are we
2 looking at?

3 Q. This is the second line of that text.

4 A. Yes, I see it.

5 Q. Okay. I'm not waiting for any more surprises
6 because we know there is a lot more coming.

7 Do you see that?

8 A. Yes, sir.

9 Q. Okay. What did you mean by, we know there is
10 a lot more coming?

11 A. That's privileged.

12 Q. How so?

13 A. I heard there was a lot more coming from my
14 attorneys.

15 Q. All right. You're sharing this with Bubba.
16 That's not privileged --

17 MR. HARDER: Well --

18 BY MR. SULLIVAN:

19 Q. -- to share it with Bubba, is it?

20 MR. HARDER: Excuse -- excuse me. But if
21 there's more to it than the text and he receives
22 the more to it from his attorneys, then the more
23 to it part is privileged. The -- the words on
24 this page are not privileged, but when you ask him
25 to provide additional detail, that part's the

1 privileged part.

2 BY MR. SULLIVAN:

3 Q. Were you referring to the sex tape story?

4 MR. HARDER: Objection, privileged.

5 MR. SULLIVAN: I'm just asking him about what
6 he's telling Bubba, his friend. There's no
7 privilege there.

8 MR. HARDER: Okay. I'm -- what he told Bubba
9 is on the page and you're looking at it. If
10 there's more detail that he received from counsel,
11 then he can't talk about that because it's
12 privileged and we have to maintain it. So I'm
13 just going to instruct the witness that if the
14 additional information you learned from counsel,
15 you can't answer.

16 THE WITNESS: It is.

17 MR. SULLIVAN: All right.

18 BY MR. SULLIVAN:

19 Q. Now, at the start of the tape -- pardon me.

20 At the start of that text that we've been
21 looking at at 12:18, right, you say, we know there's
22 more than one tape out there and one that has several
23 xxxxxx slurs we're told.

24 Do you see that?

25 A. Yes.

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