

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

TERRY GENE BOLLEA professionally
known as HULK HOGAN,

Plaintiff,

Case No. 12012447CI-011

vs.

HEATHER CLEM; GAWKER MEDIA, LLC
aka GAWKER MEDIA; GAWKER MEDIA
GROUP, INC. aka GAWKER MEDIA;
GAWKER ENTERTAINMENT, LLC;
GAWKER TECHNOLOGY, LLC; GAWKER
SALES, LLC; NICK DENTON; A.J.
DAULERIO; KATE BENNERT, and
BLOGWIRE HUNGARY SZELLEMI
ALKOTAST HASZNOSITO KFT aka
GAWKER MEDIA,

Defendants.

**PLAINTIFF TERRY BOLLEA'S OPPOSITION TO GAWKER DEFENDANTS'
MOTION *IN LIMINE* TO EXCLUDE EVIDENCE OF GAWKER'S CORPORATE
STRUCTURE AND AFFILIATED COMPANIES (STYLED "Publisher Defendants'
Motion *In Limine* to Exclude Any Evidence Concerning the Corporate Structure of
Gawker Media, LLC And Incorporated Memorandum of Law")**

The corporate structure of Gawker Media, LLC is relevant, background information about a party in this case. Gawker Media, LLC ("Gawker"), Nick Denton, and A.J. Daulerio (together, the "Gawker Defendants") cannot exclude such basic information about a party. Moreover, during the punitive damages stage of trial, the financial relationship and flow of revenue amongst Gawker Media, LLC and its sister company, Kinja, KFT ("Kinja"), will have substantial relevance. The jury must be permitted to take that information into account when determining Gawker Media, LLC's and Nick Denton's **true** net worth.

Gawker Defendants’ argument that the only possible reason Mr. Bollea could have for seeking to introduce evidence about Gawker’s corporate structure is to support an “alter ego” theory is simply wrong. Gawker’s corporate structure is highly relevant: the domain name Gawker.com is owned by Kinja; the website operates on Kinja’s software platform; and the website is governed by Kinja’s terms of use, privacy policy, and other guidelines. [Bollea Trial Ex. 233] Users who post comments on gawker.com do so through the Kinja software platform (owned by Kinja KFT)—and are instructed against publishing porn, and to “Respect the Privacy of Others.” Mr. Bollea has the right to offer relevant, probative evidence such as this to the jury.

With respect to punitive damages, the evidence will show that Defendant Nick Denton’s largest single asset is his approximately 40 percent interest in Gawker Media Group, Inc. (“GMGI”), the parent company of Gawker and Kinja. GMGI owns 100% of each company. Thus, the corporate structure of Gawker, Kinja and GMGI is relevant—and indeed essential—to fully establish Mr. Denton’s wealth for purposes of punitive damages. Mr. Bollea also is entitled to introduce evidence demonstrating that Gawker transfers all or nearly all of its profits each year to Kinja, in Hungary, thereby sheltering its revenue from U.S. taxes and diminishing the book value of the company.

Accordingly, the motion *in limine* should be denied.

Respectfully submitted,

/s/ Kenneth G. Turkel

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-mail via the e-portal system this 25th day of June, 2015 to the following:

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