

EXHIBIT 3

to the

**PUBLISHER DEFENDANTS'
OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 21
TO EXCLUDE TESTIMONY OF GAWKER WITNESSES ON
ISSUES ABOUT WHICH THEY LACK PERSONAL KNOWLEDGE**

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.
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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 difficult to manage it. We don't have, 11:05:11
3 you know, the level of sort of oversight 11:05:13
4 that we would like and it's just sort of 11:05:19
5 not something we have time for. We don't 11:05:21
6 want to grow it. 11:05:23

7 Q. Is there a concern that a 11:05:24
8 foreign company could take the brand in a 11:05:25
9 direction that Gawker wouldn't want that 11:05:29
10 would be inconsistent with the brand in 11:05:33
11 the United States and it could create a, 11:05:35
12 kind of a conflict in that way? 11:05:37

13 A. I don't think that's the 11:05:39
14 primary concern. I think the partners do 11:05:40
15 a fairly good job of, you know, writing 11:05:42
16 about gadgets the way that Gizmodo would, 11:05:44
17 that type of thing. It just, it takes 11:05:47
18 time and as one person, that was sort of 11:05:50
19 the thing I always ended up having to do 11:05:53
20 last and it would really need people and 11:05:56
21 it's just not where we sort of see 11:05:58
22 opportunity going forward. 11:06:01

23 Q. Let's talk about what you said 11:06:04
24 was automation programmatic advertising. 11:06:05
25 Can you describe that please? 11:06:12

1 ERIN PETTIGREW

2 A. So the industry has been 11:06:13
3 trying for a while to automate ad buying 11:06:14
4 and selling, similar to the way, you 11:06:20
5 know, the stock market automated. It's 11:06:23
6 been a very long ramp-up process. So we 11:06:27
7 have been working to do that so that we 11:06:30
8 can basically, instead of having a lot of 11:06:32
9 manual work between our ad clients and 11:06:35
10 ourselves, all of the sort of Excel 11:06:38
11 sheets that I described earlier to really 11:06:40
12 have that go through an automated 11:06:43
13 programmatic interface. And that has 11:06:45
14 been the bulk of that effort. But it is 11:06:48
15 a slow march. 11:06:51

16 Q. In terms of the total 11:06:52
17 advertising revenue that Gawker receives, 11:06:55
18 what percentage would you say is 11:06:59
19 programmatic advertising today? 11:07:02

20 A. Oh, very small. I have, I 11:07:03
21 have stepped out of that day to day and 11:07:08
22 direct advertising hasn't been my 11:07:11
23 particular concern for several years. 11:07:12
24 But I would say it's less than five 11:07:14
25 percent. It is sad. 11:07:16

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 of advertising? The advertising group 11:34:12

3 handles what type of advertising? 11:34:14

4 A. We call it brand advertising. 11:34:16

5 I think that's probably the most specific 11:34:19

6 term. 11:34:21

7 Q. And what kind of 11:34:21

8 advertisements does brand advertising 11:34:26

9 work on? 11:34:28

10 A. So when I was doing this 11:34:28

11 several years ago it was display, which 11:34:30

12 would be the banners that we're 11:34:32

13 accustomed to seeing across the web, and 11:34:35

14 at the time that I was doing this several 11:34:38

15 years ago it would have been native 11:34:41

16 advertising as well, so a sponsored post 11:34:44

17 if you will, and at that time I believe 11:34:47

18 that was, that was the bulk of it, yeah. 11:34:50

19 Q. So you haven't worked on 11:34:55

20 display advertising, including banner 11:34:58

21 advertising or native advertising also 11:35:00

22 known as sponsored posts, since prior to 11:35:03

23 mid 2011? 11:35:05

24 A. So the programmatic component 11:35:07

25 is the piece where there's overlap in 11:35:09

1 ERIN PETTIGREW

2 basically how does banner advertising get 11:35:11
3 easier and in that capacity I have worked 11:35:14
4 around it. But that would be the main 11:35:16
5 way. 11:35:20

6 Q. Programmatic advertising has a 11:35:20
7 different CPM than display advertising, 11:35:30
8 correct? 11:35:35

9 A. I think on average it does 11:35:36
10 possibly across the industry. For us 11:35:42
11 we're really trying to avoid that because 11:35:46
12 we don't see it as a different type of 11:35:48
13 advertising, it's just automation. So 11:35:50
14 that's something that the industry has 11:35:53
15 really sort of made difficult for 11:35:57
16 programmatic advertising because that 11:36:00
17 means when we talk about it people assume 11:36:01
18 that it's less valuable but it's really 11:36:03
19 about how do you make it be less 11:36:05
20 paperwork for everyone, how do you 11:36:07
21 programmatize it really through software. 11:36:10
22 So it's a little, a little bit confusing 11:36:13
23 on that point. 11:36:14

24 Q. Do you have personal knowledge 11:36:16
25 about the price differential today 11:36:20

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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 10th day of March, 2015.

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