

EXHIBIT A

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

TERRY GENE BOLLEA,
professionally known as HULK
HOGAN,

Plaintiff,

Case No.
12-012447-CI-011

vs.

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

Defendants.

_____ /

HEARING BEFORE THE HONORABLE PAMELA A.M. CAMPBELL

DATE: July 1, 2015

TIME: 1:36 p.m. to 5:10 p.m.

PLACE: Pinellas County Courthouse
545 1st Avenue North
Third Floor
St. Petersburg, Florida

REPORTED BY: Aaron T. Perkins, RPR
Notary Public, State of
Florida at Large

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23 ALSO PRESENT:
24

25 Heather L. Dietrick,
President and General Counsel for The Gawker
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1 THE COURT: Well, that's in the strategy that
2 the lawyers do. There is two weeks designated for
3 this trial, and that's all there is. So you're
4 going to have to work within the two weeks. The
5 third week I go back to my other 2000 cases.

6 So let's go on to the next one, which is
7 No. 7 -- or tab 7. Defendants motion in limine to
8 preclude plaintiff from introducing evidence
9 related to statements that Denton, Daulerio, and
10 current and former Gawker employees have made
11 about privacy unrelated to plaintiff or the
12 publication at issue.

13 Do you think they're irrelevant?

14 MR. BERLIN: Well, you know, again, this is
15 the same point that I just made, which is, you
16 know, a statement about somebody's privacy under a
17 particular set of facts. And they have been
18 consistent about this. The testimony from all the
19 witnesses when they get asked, Well, would you do
20 this?, Well, it depends on the circumstances, is
21 the answer.

22 And the risk here is just confusing the jury,
23 because what we're really doing is taking some
24 statement that's about apples and trying to import
25 it and say, Here is what it is about oranges. And

1 it's one thing to say, Here is the actual article,
2 but the statements seem like it's fairly far
3 afield.

4 MR. TURKEL: Judge, at issue in this case is
5 Gawker's attitude, analysis of privacy rights
6 against their rights.

7 THE COURT: You've been saying that all day
8 long. So you're going to look at the different
9 exhibits. They have identified five as "for
10 examples," not an exclusive list, but they have
11 identified five of the plaintiff's exhibits,
12 plus -- I'm sorry. They have identified 14 of the
13 plaintiff's exhibits. You're going to see which
14 ones you want to use, and then we'll limit it from
15 there.

16 MR. TURKEL: We'll go through it again. I
17 think this argument is very similar to the last
18 one we had. But sort of an exemplar would be on
19 page 2, Mr. Denton publicly stating that he
20 believes people don't give an f-u-c-k about
21 privacy.

22 THE COURT: And he's going to say that all
23 women should become --

24 MR. TURKEL: Right.

25 THE COURT: So we'll hear all about that, and

1 it's just everybody is going to be --

2 MR. TURKEL: But those are admissions. I
3 guess the point is those are admission by the
4 party. They're otherwise admissible and they're
5 relevant.

6 THE COURT: Right, I'm with you. I'm just
7 telling everybody you're going to have to limit
8 it. We're not going to be here three weeks.

9 MR. BERLIN: One footnote to that is,
10 actually, a little bit more important, Your Honor,
11 is that we have statements -- we have Denton and
12 Daulerio, and they're going to come here and
13 testify. They have also got exhibits where they
14 have got statements from other people who worked
15 for Gawker who are not witnesses, and that's
16 really a different level of prejudice, because we
17 have people coming in -- you know, Your employee
18 said this, and they're not here to respond.

19 THE COURT: But if I granted that, if I
20 granted your motion, it's so overly broad that
21 that could also -- and this goes both ways; it's
22 just not you. But it could apply to all the
23 e-mail -- or e-mail or texts or whatever that form
24 of communication was -- between the employees
25 pertaining to this tape. So I'm not going to

1 grant it, but you-all are going to narrow what
2 your issues are.

3 MR. BERLIN: This was -- the motion was
4 limited to, not things about this tape, but other
5 topics, and for those employees, you know, then
6 you have -- then we have a problem here. We've
7 got, Oh, well, such-and-such employee, and they're
8 not here to explain themselves.

9 THE COURT: So let's see what you-all want to
10 do with it.

11 MR. TURKEL: Let me just respond to that,
12 Judge. Under 90.803(18), it mentions, Employees
13 and agents are the corporation. It's not hearsay,
14 because they're not here to explain it. They
15 choose who they want to explain. We have
16 identified it. I can put in a written statement
17 from any employee if I'm offering against them.
18 It's an admission against the party, so I'm a
19 little more concerned about him arguing that part
20 than the relevance part.

21 THE COURT: All right. So No. 9 is a
22 defendant's motion in limine to exclude evidence
23 of plaintiff's settlement communications, and I
24 believe this really goes more specifically to
25 Mr. Houston.

REPORTER'S CERTIFICATE

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Aaron T. Perkins, Registered Professional Reporter, certify that I was authorized to and did stenographically report the above hearing 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 action.

Dated this 2nd day of July, 2015.

Aaron T. Perkins, RPR