

EXHIBIT 1

to

**PUBLISHER DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION *IN LIMINE*
NO. 18 TO EXCLUDE EVIDENCE OR ARGUMENT RELATED TO DOCUMENTS
WITHHELD AS WORK PRODUCT PRIOR TO DEPOSITION OF PLAINTIFF**

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IN THE CIRCUIT COURT OF THE
SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
Case No. 12012447CI-011
-----)
TERRY GENE BOLLEA professionally
known as HULK HOGAN,
Plaintiff,
vs.
HEATHER CLEM, GAWKER MEDIA, LLC a/k/a
GAWKER MEDIA, GAWKER MEDIA GROUP, INC.
a/k/a 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 a/k/a GAWKER MEDIA,
Defendants.
-----)

CONFIDENTIAL PORTION INCLUDED

VIDEOTAPED DEPOSITION OF

ALBERT JAMES DAULERIO

New York, New York

Monday, September 30, 2013

Reported by:
Toni Allegrucci
JOB NO. 337256

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September 30, 2013

10:58 a.m.

Videotaped Deposition of
ALBERT JAMES DAULERIO, held at the
offices of Esquire Deposition Solutions,
1384 Broadway, New York, New York 10018,
pursuant to Notice, before
Toni Allegrucci, a Notary Public of the
State of New York.

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A P P E A R A N C E S:

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BY: ALIA L. SMITH, ESQ.

asmith@lskslaw.com

ALSO PRESENT:

ANDREW RITCHIE, Videographer

HEATHER L. DIETRICK, Counsel, Gawker Media

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A.J. Daulerio
working for Gawker.com do you recall doing a
story about Brett Favre?
A. No.
Q. Do you know who Brett Favre is?
A. I do.
Q. Who is he?
A. He was an NFL quarterback.
Q. Do you know what team he plays for?
A. He's retired.
Q. Do you know what team he did play
for before his retirement?
A. He played for the Green Bay
Packers, New York Jets and the Minnesota
Vikings.
Q. All right. Let me show you a
document I'll ask the reporter to mark as
Exhibit 2.
(Exhibit 2, document, marked for
identification, as of this date.)
Q. I ask you to take a look at the
story and see if you recall it.
MR. BERLIN: While the witness is
reading the question, or reading the
exhibit I just wanted to note that

1 A.J. Daulerio

2 there's a box on the second page that
3 appears to have been added by, well, you
4 would know better, but it appears to
5 have been added by your law firm.

6 MR. MIRELL: That's correct.

7 Q. So my reference to you is
8 everything above the box on the second page.

9 Do you recall seeing that story
10 before today?

11 A. Yes.

12 Q. Did you write it?

13 A. Yes.

14 Q. Is there a reason you didn't recall
15 it when I asked you about whether you
16 recalled writing about Brett Favre?

17 A. You asked about Gawker.com, this
18 was written for Deadspin.com.

19 Q. Okay. All right. So let's, let's
20 be clear then. I will endeavor to make clear
21 when I'm speaking about Gawker.com as the
22 Gawker.com website, and when I use the term
23 Gawker generically can we have an
24 understanding --

25 A. That it's Gawker Media.

1 A.J. Daulerio

2 Q. Okay. Let me ask you to take a
3 look at a document we'll mark as Exhibit 3.

4 (Exhibit 3, document, marked for
5 identification, as of this date.)

6 Q. Ask you to take a look at Exhibit 3
7 and ask you whether that's the story you
8 recall having published?

9 A. Yes.

10 Q. Did Gawker pay for these photos?

11 A. No.

12 Q. How did it procure them?

13 A. That, I don't recall exactly. I
14 was actually in Budapest at the time that
15 this was published, and the author of this
16 post I don't remember exactly how he procured
17 them.

18 Q. When you were -- why were you in
19 Budapest?

20 A. I was there, that was where our
21 work outing was that year.

22 Q. I'm sorry, your work outing?

23 A. Gawker Media had taken its site
24 leads to Budapest.

25 Q. Okay. Is that sort of a retreat

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A.J. Daulerio

Nick Denton has publicly said that Gawker Media has published rumors that hadn't been checked out first?

A. No, no.

Q. Okay. Let me ask you to take a look at a document I'll ask the reporter to mark as Exhibit 4.

(Exhibit 4, document, marked for identification, as of this date.)

A. Thank you.

Q. Do you recall seeing Exhibit 4 before today?

A. In this form, no, but I've seen the information, yes.

Q. Okay. You read the story at some point?

A. Yeah.

Q. Okay. Let me direct your attention to the second page of the story and ask you to just read to yourself the, the second full paragraph that begins with the words "before posting."

Let me know when you are done?

A. I'm done reading.

1 A.J. Daulerio

2 Q. Is it your recollection that
3 Mr. Denton used his love life to promote the
4 Hulk Hogan sex tape story?

5 A. No.

6 Q. I'm going to ask the reporter to
7 mark as Exhibit 11 a single page document
8 dated 9/26/13.

9 (Exhibit 11, document, marked for
10 identification, as of this date.)

11 Q. At the upper left-hand corner
12 containing a 10/8/2012 story and headlined
13 Nick Denton Using His Own Love Life to Plug
14 Hulk Hogan Sex Tape. I'll represent to you
15 that this is a story that comes from New York
16 Magazine.

17 Did you ever see Exhibit 11?

18 A. Yeah, I believe I remember seeing
19 this story.

20 Q. Okay. And October 8, 2012 was the
21 day after the story was posted, isn't that
22 correct -- oh, I'm sorry, four days after the
23 story was posted?

24 A. Is that correct?

25 Q. Is that correct? If you can take a

1 A.J. Daulerio

2 Q. Okay. Let me ask you
3 whether -- let me show you an article that
4 I'll ask the reporter to label as Exhibit 17
5 and see if that helps us to get at what was
6 going on here.

7 A. Okay.

8 Q. Because it's a little obtuse to me
9 I must confess.

10 (Exhibit 17, document, marked for
11 identification, as of this date.)

12 Q. And while you are looking at that I
13 think I may have one more e-mail in the
14 string from you so that may help us puzzle
15 out what this is all about. I'll ask the
16 reporter to mark as Exhibit 19 the document
17 marked Gawker 189.

18 MR. BERLIN: Eighteen.

19 MR. MIRELL: I think we are on 18,
20 you are correct, Exhibit 18 is Gawker
21 189.

22 (Exhibit 18, document, marked for
23 identification, as of this date.)

24 A. Okay. What's the question?

25 Q. Well, that's a good question. The

DEPOSITION ERRATA SHEET

Assignment No. 337256

Case Caption: BOLLEA vs. GAWKER

DECLARATION UNDER PENALTY OF PERJURY

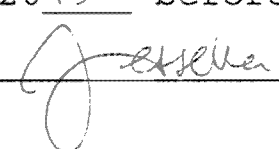
I declare under penalty of perjury that I have read the entire transcript of my Deposition taken in the captioned matter or the same has been read to me, and the same is true and accurate, save and except for changes and/or corrections, if any, as indicated by me on the DEPOSITION ERRATA SHEET hereof, with the understanding that I offer these changes as if still under oath.


ALBERT JAMES DAULERIO

Subscribed and sworn to on the 11 day of

November, 2013 before me,

Jesse Ma
Notary Public State of New York
New York County
Reg. No.: 02MA6225360
My Comm. Exp. 7-19-14


Notary Public,

In and for the State of New York

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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, Toni Allegrucci, a Notary Public within and for the State of New York, do hereby certify:

That ALBERT JAMES DAULERIO, 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 9th day of October, 2013.



TONI ALLEGRUCCI

Case Title: Bollea v. Clem, et al.
Date of Deposition: September 30, 2013
Witness's Name: A.J. Daulerio

DEPOSITION ERRATA SHEET

<u>PAGE</u>	<u>LINE(S)</u>	<u>CHANGE</u>		<u>REASON</u>
		<u>From</u>	<u>To</u>	
11	20, 22	posting question	posting in question	mis-transcription

CONFIDENTIALITY DESIGNATIONS

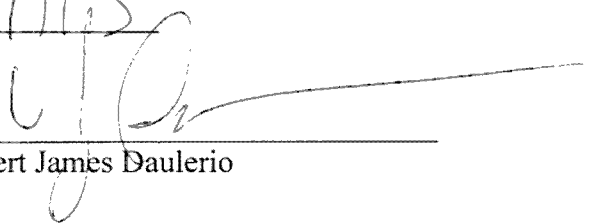
Page 18

Pages 27-28

Pages 33-42 (already marked in transcript); pages 30-32, which are marked confidential in the transcript, need not be.

Page 54

Date: 11/17/13

Signature: 
Albert James Daulerio

A.J. DAULERIO BRETT FAVRE 10/07/10 1:53pm

Exhibit

2

M 9-30-13

5,760,384 ☆ 575

Brett Favre's Cellphone Seduction Of Jenn Sterger (Update)



In the video here (parts of which are NSFW due to penis photos at the 2:08 mark), you'll see and hear all the strange messages Jenn Sterger received from someone she was led to believe was Brett Favre. [Final update here.]

This is the evidence she told us about last February. Sadly, Jenn is still reluctant to talk on the record about the matter. Everything shown in the above video was acquired from a third party.

And, yes, there's a possibility that the person communicating with Jenn was not actually Brett Favre, but rather someone trying very hard to *appear* to be him. But let's look at the evidence: For an individual to put forth the effort to 1.) acquire a cellphone with a Mississippi area code; 2.) take some voice lessons; and 3.) implicate Jets handlers and perhaps other people, all within a very short period of time and for no discernible reason other than to mess with Sterger, well, that's some very aggressive role-playing. Jenn believed it to be him. Others believed it to be him. We've

seen far too many supposedly family-oriented and upstanding professional athletes whose off-field behavior contradicts their well-manicured public persona. If Sterger is right, Brett Favre really is like a kid out there.

Video by Gawker.TV's Richard Blakeley and David Matthews

UPDATE: Favre responds at presser: "I'm not getting into that. I've got my hands full with the Jets."

READ MORE:

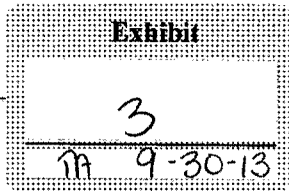
- 'Brett Favre Once Sent Me Cock Shots': Not A Love Story
- Sources: Two More Women Who Worked With Jets Received Lewd Texts From Favre
- Did A Jets PR Person Act As Liaison Between Brett Favre And Jenn Sterger?

Captured by HMA at 19:14:49, 26-09-2013.

Brett Favre's Cellphone Seduction Of Jenn Sterger (Update)

[<http://deadspin.com/brett-favres-cellphone-seduction-of-jenn-sterger-upda-5658206>]

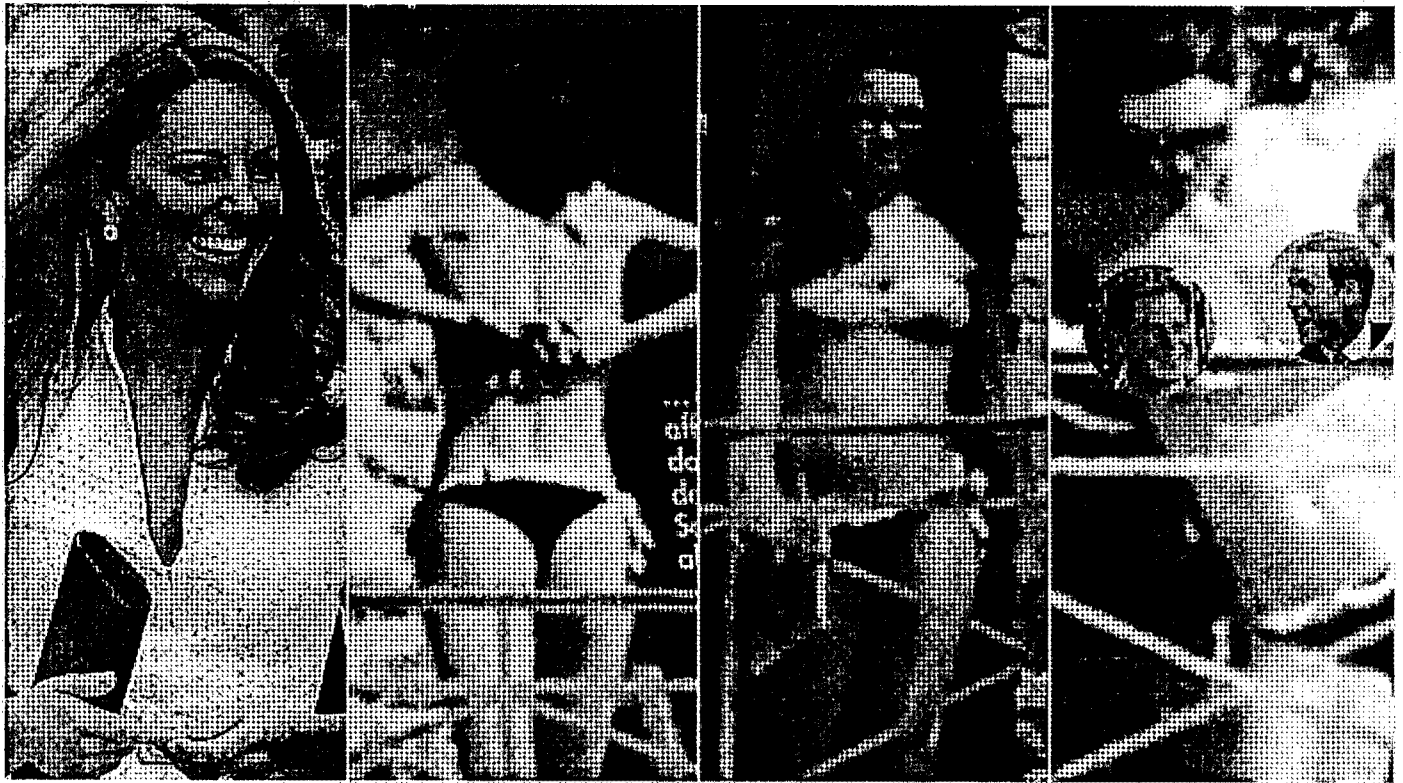




MAX READ NSFW 9/14/12 6:07am

7,365,768 👁 2 ☆ 1220 🗨

These Topless Photos of Kate Middleton Put Us at Two for Three on Royal Nudie Pic Scandals [NSFW] (UPDATED)



French magazine *Closer* just published some photos of Kate Middleton sunbathing topless while "staying at the French chateau of the Queen's nephew, Lord Linley — making it now two royal nudie picture scandals in three weeks. Click though for some NSFW scans.

RELATED



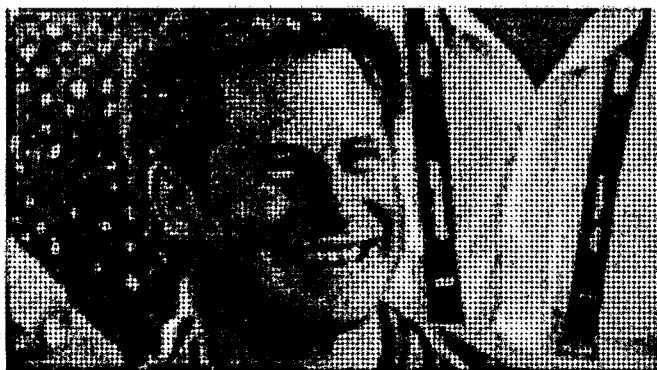
British Tabloid Will Bravely Publish Prince Harry's Naked Pics

The photographer who shot them apparently tried to sell them in England, but no one in the British media — which tend to avoid embarrassing the royals for fear of having their access cut off — would bite. *Closer* did, and published the pics today:

On the magazine's website, it says the pictures are of the couple "like you have never seen them before. Gone are the fixed smiles and the demure dresses. On holiday Kate forgets everything."

(You have to say it in a French accent to really get the full effect.)

RELATED

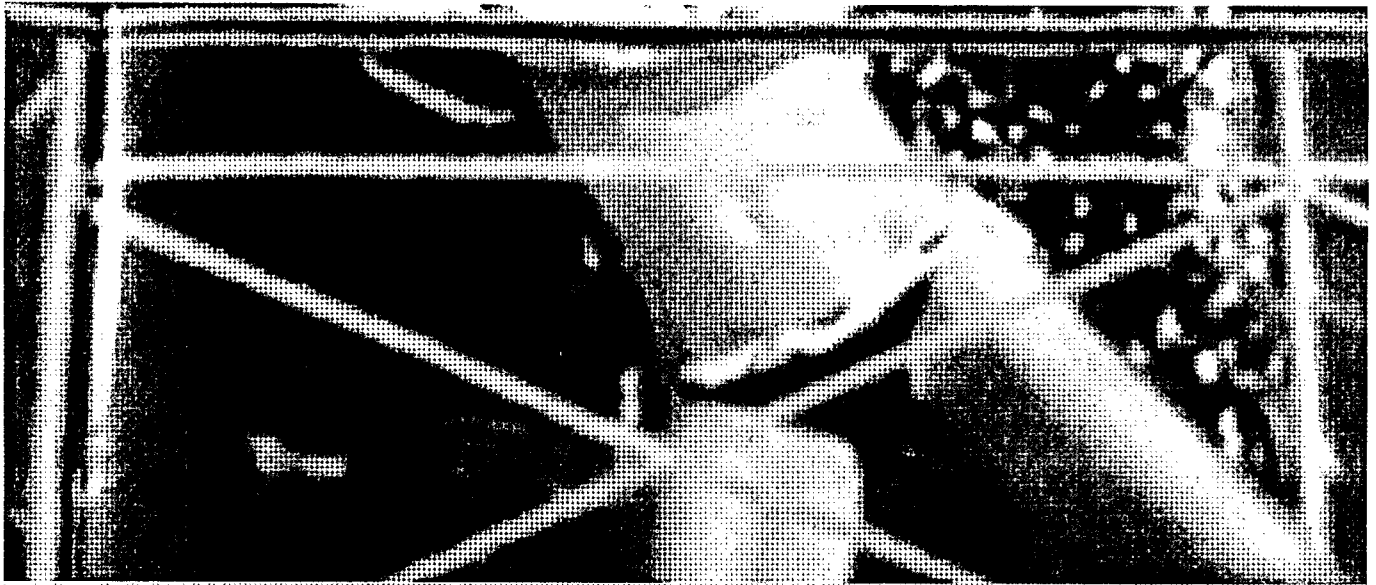


Prince Harry Naked Photos: What Happens in Vegas Ends Up on TMZ

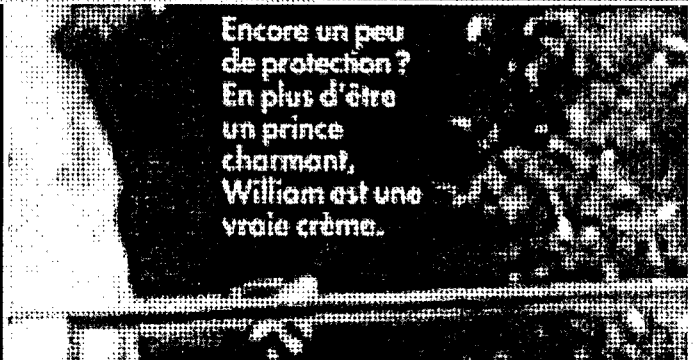
According to the BBC, the couple, who learned about the photos while in Malaysia yesterday, is considering the possibility of bringing a lawsuit against the photographers or the magazine, and the British press is up in arms — *The Telegraph* calls the paparazzi "grinning perverts." All in all, though, isn't this the classy way to have your privacy invaded? Instead of, you know, being surreptitiously photographed by a fellow nude billiards player?

Here are some scans from the magazine. Egotastic has the rest:

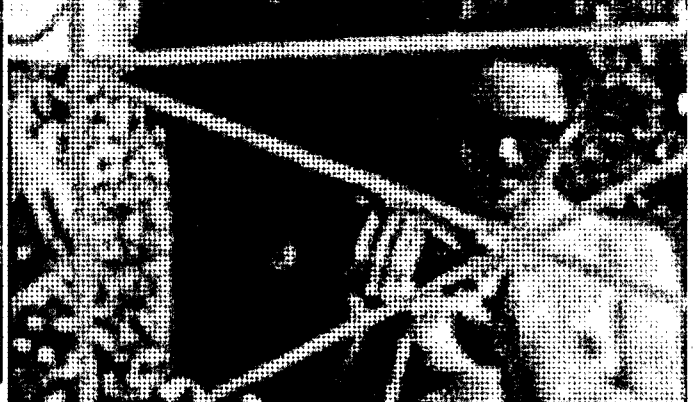
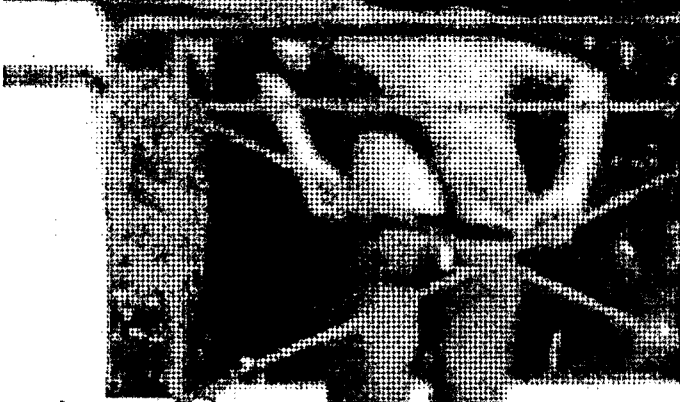




« Oh, c'est pour
le cas où elle
aurait envie
d'enlever
le bas. »



« Encore un peu
de protection ?
En plus d'être
un prince
charmant,
William est une
vraie crème. »



« Ah, ah ! Et dire
que l'an dernier
tu m'avais
traînée en
Ecosse avec
mamie Zoza ! »



Update: Here's the statement from the Duke and Duchess, via a spokesperson:

"Their Royal Highnesses have been hugely saddened to learn that a French publication and a photographer have invaded their privacy in such a grotesque and totally unjustifiable manner. The incident is reminiscent of the worst excesses of the press and paparazzi during the life of Diana, Princess of Wales, and all the more upsetting to The Duke and Duchess for being so. Their Royal Highnesses had every expectation of privacy in the remote house. It is unthinkable that anyone should take such photographs, let alone publish them."

[BBC, Egotastic; top left image via AP]

Like | Retweet | Discuss

Captured by HMA at 19:16:03, 26-09-2013.

Photos of Kate Middleton Put Us at Two for Three on Royal Nudie Pic Scandals [NSFW] (UPDATED)
943253/these-topless-photos-of-kate-middleton-put-us-at-two-for-three-on-royal-nudie-pic-scandals]

LOOK SHARP

GQ

LIVE SMART

Exhibit

4
TA 9-30-13

Sports

The Worldwide Leader in Dong Shots

With his leering coverage of Brett Favre's penis (allegedly!), Rex Ryan's foot fetish, and the surprising sex life of ESPN, **A. J. Daulerio** has turned Deadspin.com into the raunchiest, funniest, and most controversial sports site on the Web. But at what cost to his soul? And hell, to sports journalism itself?

BY GABRIEL SHERMAN | PHOTOGRAPH BY PETER YANG

February 2011



A.J. Daulerio was surprised that \$12,000 could fit into a single envelope. "I thought I'd need a hockey bag," he recalls, sort of kidding. It was early October, and Daulerio, the editor of the sports Web site Deadspin, had requisitioned the brick of 120 crisp hundreds to pay an anonymous source. In return, the source would hand over the voice mails from Brett Favre and photos he'd allegedly snapped of his penis and sent to Jenn Sterger, a Jets sideline reporter, during his one season with the team.

Now it's the first week of November, and Daulerio is telling me how he landed his most controversial scoop as we fly over a quilt of farmland on the way from New York to Indiana. In a few hours, he's expected in Indianapolis to participate in a panel discussion titled "Where's the Line? Sports Media in the Digital Age." More than any other sports journalist in years, Daulerio has been redefining where that line is, and then crashing over it. His tactics—reporting rumors, paying for news, and making Deadspin's money on stories that are really about sex, not sports—are questionable. His success is not. When he became editor of the site in July 2008, it had 700,000 readers per month. Today it has 2.3 million.

Going public with the Favre photos was originally Sterger's idea, Daulerio tells me. He was chatting with the former *Maxim* model one day early last year about contributing to Deadspin, "and she said something like, 'Do you want dong shots? Because I get them all the time.' I was like, 'Yeah, sure.' And she was like, 'Well, I'll get you dong shots. It's

unbelievable, the stuff I get. You won't believe who is the *worst* at it.' And then she went into the Brett Favre story." (Through a spokesperson, Sterger declined to comment.)

At the time, she was in talks with Versus, the sports network, to co-host a new talk show, and Daulerio says she got skittish that the scandal would torpedo her budding TV career. Six months passed, during which Daulerio says he confirmed the Favre story with multiple sources. He also heard that Sterger had forwarded the photos and voice mails, in which Favre flirts aggressively with her, to a number of friends. So in early August, with Sterger still declining to cooperate, he posted an item ("Brett Favre Once Sent Me Cock Shots: Not a Love Story"), hoping it would entice someone to send him the files. "I was throwing up the bat signal," he says.

It worked. About two weeks later, he says, he was contacted by a man who claimed to have the goods. Daulerio told his boss, Gawker Media founder-overlord Nick Denton, that he desperately wanted the scoop and was willing to pay for it. "I said, 'I'd mortgage the site for this. This is like Monica Lewinsky's dress for Drudge,'" "

Daulerio recalls.

Denton agreed to fly the source to New York, and on the afternoon of October 7, Daulerio met him at his hotel. He didn't bring the twelve grand. "What if I get whacked on the head?" he says. "It's always a possibility."

He looked at the photos and listened to the voice mails. Once Daulerio was satisfied that the voice was Favre's and the penis was, well, a penis, he and the source hopped in a cab and headed downtown to Gawker's SoHo offices. Daulerio ran upstairs, got the envelope, and brought it down to the street, where the source was waiting. After counting the money, the source handed Daulerio a paper-clip-sized USB drive with the files.

Before posting the photos and voice mails, Daulerio argued with Gawker's lawyer and chief operating officer, Gaby Darbyshire, over legal exposure. "She's like, 'You're willing to go to jail for this? It's just a dong shot,'" Daulerio recalls. "And I'm like, 'It's fucking *Brett Favre's* cock shot.' So yeah. If Brett Favre sued or [the pictures] were subpoenaed—I don't think they'd send me to jail for that, but given the choice, sure." In the end, Daulerio agreed to sign documents assuming responsibility for protecting the source's identity.

Immediately after posting, Daulerio says he sent the URL to "an intermediary" who confirmed—Daulerio won't say how—that it was, in fact, Favre's member in the pictures. No one has sued him (yet), and Deadspin had its first mainstream-media moment.

"I did like nine television shows in two days," Daulerio recalls. "The *Today* show called me on a Sunday at two thirty. It was brunch time with my girlfriend and a friend, and I was half in the bag. A couple of hours and two bong hits later, I'm doing an interview on the porch. Everyone is jamming Adderall to clean the place as quickly as possible. I was trying to find pants." The story has generated 5 million page views to date—and plenty of debate about the TMZ-ization of sports journalism. "It isn't a question of whether or not he should have done the story. It's a story," says Frank Deford, who's been writing for *Sports Illustrated* since 1962. "But aren't there better stories to do? Do we really want to know about Brett Favre trying to get laid? Wouldn't you rather spend your time delving into the evils of college athletics, or drugs and sports?"

Even Will Leitch, the founding editor of Deadspin and one of Daulerio's closest friends, has gotten a little queasy. At first, Leitch talked with Daulerio constantly about the site, hashing out ideas and offering advice. But in July 2009, when Daulerio posted a link to the Erin Andrews stalker video, Leitch thought he went too far. They remain close but no longer talk about Deadspin. Leitch, now a writer for *New York* magazine, told me he wouldn't have published the Favre photos: "I never wanted people to feel like they needed to take a shower."



When Deadspin launched in 2005, it followed the original Gawker template: snark-laced riffs on other people's reporting, driven by the editor's voice. Leitch published a dozen carefully crafted posts per day, almost all of them commentary. But by March 2008, when Leitch poached Daulerio from *Philadelphia* magazine, Denton's focus had shifted. To build traffic, he insisted that his editors post far more often—up to forty times daily—and he expected them to break news, not just react to it.

This new model played to Daulerio's strengths. A dogged reporter who works the phones all day, he's also willing to go to some dark and seedy places. Daulerio's Deadspin still runs plenty of posts with highlight clips and headlines like "Michael Vick Does Dallas," but he also pioneered entire subgenres of coverage that are tagged on the site as *#mediameltdowns* and *#cellphonecockpictures*. Some posts don't even pretend to be sports-related. In December, Deadspin published an essay called "Fuck You, Charlie Brown," by contributing editor Drew Magary. An excerpt: "Charlie Brown is depressed. Lucy is a bossy cunt. Linus is a head case.... Whenever Snoopy talks, he sounds like a cat being raped. No one smiles."

Somehow, though, posts like this coexist with legitimate investigative journalism. Last August, Daulerio obtained secret financial documents from Major League Baseball franchises that revealed how owners employ creative accounting to juice profits. In December, he posted documents that exposed the dire financial condition of the NBA's New Orleans Hornets. And days after the Favre story broke, the NFL launched an investigation that led to a \$50,000 fine (a wrist-slap, true, but still plenty humiliating) for the future Hall of Famer.

Daulerio gets about 200 e-mails a day, a steady stream of tips about athletes, sports executives, and media personalities getting drunk, getting laid, and getting stupid. Nothing much surprises him, but the e-mail he received at 7:39 a.m. on May 16, 2010, made his eyes bulge. It was a fan letter from Buzz Bissinger, the famously

pugnacious Pulitzer-winning reporter who wrote *Friday Night Lights*. The previous afternoon, Daulerio had posted a short item praising Bissinger's unhinged Twitter feed. He never imagined that Bissinger might respond, let alone volunteer to write for a site he once publicly excoriated. During a 2008 appearance on *Costas Now*, Bob Costas's HBO show, Bissinger shredded Leitch for Deadspin's tone and journalistic standards. ("You're like Jimmy Olsen on Percocet," Bissinger barked.) Now, shockingly, he was volunteering to work for Daulerio: "Hey, I'm beginning to like writing like a blogger.... You should have me write regularly. Can't beat 'em join 'em. Deadspin has more power in its toe nail shavings than every newspaper combined."

Bissinger's about-face says a lot about how radically the sports-media landscape has shifted in the past few years. It says even more about Daulerio. "I have to say, I like what he's doing," Bissinger told me in a mid-November phone call. "He's breaking stories.... In terms of the Costas thing, I now twitter all the time and people go, 'You're just like Deadspin.' My response is, 'Well, yeah, I am. The world changes.'"

• • •

"Reporting is the thing I was always good at," Daulerio tells me over beers when we meet after the Indianapolis panel at Scotty's Brewhouse, a sports bar just a few blocks from the Colts' home at Lucas Oil Stadium. Daulerio's ulterior motive for coming to Indy is to schmooze a source. For weeks now, he's been trying to get sports columnist and former ESPN commentator Jay Mariotti, who was arrested in August for allegedly beating up his girlfriend (and ultimately pleaded no contest to misdemeanor assault charges), to write a Deadspin piece about the experience. Since then Daulerio has been e-mailing with Mariotti's friend Bob Kravitz, a columnist with the *Indianapolis Star*, to try to get in contact with Mariotti. Daulerio is hoping Kravitz shows up tonight so he can keep working him.

He's in luck. Shortly after we sit down, Kravitz walks in with *Washington Post* sports columnist Mike Wise, who'd also sat on the panel. Daulerio blends right in, swapping stories with Wise and Kravitz like the traditional reporter he used to be. After growing up in Churchville, Pennsylvania, a blue-collar Philly suburb, and graduating from La Salle University in 1997, he bounced around small-town newspapers in Pennsylvania and New Jersey. That's when he realized he had a natural talent for cultivating sources and getting people to tell him stuff they probably shouldn't. "When I was covering this one city council in Pennsylvania, I created relationships with each member," he says. "So when I left, all the members threw me a little party. It was at the VFW. They shut the doors, and it was a little *Bronx Tales*-ish. We drank all night. They gave me a police escort to get back on the turnpike so I wouldn't get pulled over."

The anecdote is vintage Daulerio: brash, boozy, self-mythologizing. "He's a throwback to an earlier era—when journalists had enough charisma to inspire movies," says Denton.

And like his tabloid forebears, Daulerio can be vindictive when he feels like he's been crossed. An hour into his first day as editor of Deadspin, he received an e-mail from Josh Krulewitz, a PR rep at ESPN. Krulewitz explained he was happy to answer ESPN-related questions and, quoting a line from *Airplane!*, closed with "'Good luck, we're all counting on you.'"

Daulerio fired off a reply based on a trove of anonymous tips he'd received over the years about extramarital and/or inappropriate sexual liaisons between ESPN employees. "I was like, okay. 'Is so-and-so banging so-and-so in the broom closet?'"

Krulewitz didn't know how to respond: "Um, you want me to comment right now?"

Despite the awkward introduction, Daulerio and Krulewitz developed an unlikely rapport. They e-mailed frequently, and Krulewitz was often quoted in Deadspin posts about ESPN.

On October 21, 2009, Daulerio blew the relationship to pieces. That morning, the *New York Post* reported that *ESPN Baseball Tonight* analyst Steve Phillips was embroiled in a sex scandal with a 22-year-old production assistant who went *Fatal Attraction* on him and sent his wife creepy letters. Daulerio was furious. Six weeks earlier, having caught wind of the scandal, he had called Krulewitz at his office in the company's Bristol, Connecticut, headquarters and asked if Phillips was about to be fired. Krulewitz said no.

Daulerio felt he'd been lied to. He called Krulewitz in a rage, then unleashed the sex rumors on Deadspin. Under the headline "ESPN: The Worldwide Leader in Sexual Depravity," Daulerio wrote, "Chances are, at this point, there's some truth to them. We'll just throw 'em out there and see how many 'no comments' or, you know, actual comments or 'you would be completely wrong' there are about these situations.... So, Bristolites, strap in—it's

gonna be a long day."

The posts weren't only about the network's on-air personalities. Daulerio went after executives, too. His logic: Since Phillips was suspended for having an interoffice affair, shouldn't the behind-the-scenes people be disciplined for similar infractions?

The blogosphere reacted with vitriol to Daulerio's tantrum. In a post titled "AJ Daulerio Is an Asshole," Brian Cook of the sports blog MGo summed it up best: "Daulerio's an embarrassment.... As someone who runs a sports blog for a living, his wanton flouting of common decency makes me look like an asshole by proxy, and I don't appreciate it."

Daulerio maintains that his reaction was justified because ESPN tried to play him. But he concedes that vengeance, not just news value, motivated him to post the gossip. "I was hurtful, and I can see the mean-spiritedness," he says.

Over drinks in Indianapolis, I ask Daulerio if he has ever received an e-mail about something he's written that has caused him to question his own tactics.

He grows quiet. "It was Dylan Salisbury, Sean Salisbury's kid," he said. In October 2009, Sean Salisbury, a journeyman quarterback who'd become an ESPN football analyst, sued Deadspin for libel after the site ran a slew of items mocking him for showing a cell-phone photo of his penis to a female co-worker at a bar. ("Wanna see a photo of my baby?" he had asked.) The incident cost Salisbury his ESPN job.

"That was the first time I realized it's not only the [people I'm writing about] who are human—I realize that and can compartmentalize that," Daulerio says. "But it's also their kids who are being affected."

"I never told my dad I contacted A.J.," Dylan, a sophomore at the University of Kansas, told me a few days later. "I told A.J. my dad's situation. My dad's dad had just died, and all this stuff was coming down on him. I asked A.J., 'Any chance you can take it easy? My dad told me it wasn't true, but I don't know who to believe. How would you tell your son if it's true?'" Remarkably, Daulerio asked Dylan to write a piece for Deadspin defending his dad. Dylan declined.

Sean Salisbury dropped his lawsuit last year but still struggles with his Deadspin infamy. He told me that being a punch line was "devastating" and that the whole episode drove him to seek counseling. "I was embarrassed to show my face," he said. "Unless it's going to movies with my kids, I don't go out."

Perhaps Daulerio's darkest moment came last spring, when he posted a video of an obviously drunk college girl having sex in a bathroom stall at a sports bar in Bloomington, Indiana. At the time, he was thinking of it as part of a series on fans having sex in bathrooms. (In the fall of 2009, he'd posted a clip of a couple getting it on in a stall at the new Cowboys Stadium.) On May 11, a few days after the video went up, Daulerio received an e-mail from a woman imploring him to take it down. "I know the people in it and it is extremely [*sic*] hurtful. please, this is completely unfair," she wrote. In separate responses, both Daulerio and Darbyshire, the Gawker lawyer, refused to comply. "Best advice I can give you right now: do not make a big deal out of this because, as you can tell, the footage is blurry and you are not identified by name," Daulerio wrote, assuming the e-mailer was the girl herself.

For the rest of the afternoon, Daulerio and the woman traded five e-mails. Finally, before handing the matter off to Darbyshire, Daulerio wrote, "It's not getting taken down. I've said that. And it's not a very serious matter. It is a dumb mistake you (or whomever) made while drunk in college. Happens to the best of us."

The next day, though, he and Darbyshire decided that removing the video was "the best course of action," Darbyshire says. But by then it had migrated to other sites. And a couple of days after that, Daulerio received a panicked call from the girl's father. "He had this basic breakdown on the phone," Daulerio recalled. "The guy is like, 'You gotta understand, I've just been dealing with watching my daughter get fucked in a pile of piss for the past two days.'"

Daulerio now says he wishes he hadn't run the video. "It wasn't funny," he says. "It was possibly rape. I was trying to kind of put it in that same category [as the Dallas video]. I didn't really look at the thing close enough to realize there's maybe something a little more sinister going on here and a little more disturbing."



On a cold, rain-soaked night in November, I meet Daulerio at Congee Village, a karaoke bar near Gawker's offices. Paul the bartender places fresh beers in front of us when we're only halfway through the ones we're working on. Five beers in, out come the shots. Daulerio tells me it's the eleventh straight night he's been out drinking.

He looks spent. The previous week he'd been in Los Angeles, helping out on a pilot for a show Norm MacDonald is pitching to Comedy Central, a kind of *Daily Show* for sports. Daulerio hated the glacial pace of TV writing. "That was miserable," he says.

He tells me he has no plans to leave Deadspin. He wants to continue to grow the site and has expanded beyond sports with a general-interest offshoot called Deadspin XY. Several weeks from now, in mid-December, he'll have another huge surge in traffic when Deadspin links to a series of foot-fetish videos starring a woman who looks exactly like Rex Ryan's wife, narrated by a man who sounds exactly like Rex. And yet, for all his success, Daulerio seems down. Last fall, he started seeing a shrink for the first time. In fact, he'd just come from an appointment. I ask what's been troubling him. "You're just kind of tethered to the machine," he says. "Socially, there's no separation whatsoever. It's like I needed somebody to kind of tell me just, okay, this is what you can do to not do that, to not be this person."

I ask if his persona on Deadspin is who he is in real life.

"I think it's very close," he says. "I think that's part of the problem, too." He tells me he's missing "just a normal daily existence. I think it's technology controlling [me], hands down."

Deadspin's remarkable growth is a direct result of Daulerio's willingness to push himself harder than is probably healthy and to run the kinds of stories that would cost most journalists more than a few hours of sleep. He's certainly not doing it for the money. The Favre scoop generated a traffic-based bonus of only \$4,990, which Daulerio split with his staff of four writers. All told, he makes about \$100,000 a year.

"He needs the next story like an addict needs their next fix," Denton says. Around the time Daulerio began therapy, Denton told him to take a week off: "He was showing signs of burnout."

"I worry about A.J. sometimes," Leitch says. "He goes at everything 100 percent all the time."

As we linger at the bar, nursing what feels like our twenty-seventh beers, I ask Daulerio how he'd feel to be on the receiving end of a Deadspin post about his own personal life. "I expect that the worst things that happened to me or somebody I know will come out," he says. "Then I'd kind of deal with it and take my lumps." But given everything he's seen and done, he wouldn't want his own kid, if he had one, anywhere near the Internet. "I would not have a daughter on Facebook—ever," he tells me. "It's just bad news."

TAGS

Sports, A.J. Daulerio, Deadspin

10/8/2012 at 7:41 AM

Nick Denton Using His Own Love Life to Plug Hulk Hogan Sex Tape

By Joe Coscarelli

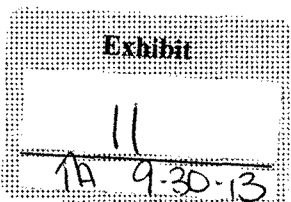


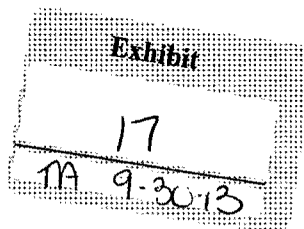
Gawker Media boss Nick Denton is living in public, confirming to "Page Six" that a bitter ex of his new boyfriend launched a brick through a window of his Soho loft. And like any gossip mogul worth his celebrity dick pics, Denton is using the juicy bits from his personal life to publicize his business and the embarrassment of others: "After that Hulk Hogan sex tape on Gawker, I can hardly complain about intrusion into my private life!" Denton told the *Post*. "Yep, love is messy." And blogging maybe more so, if you're doing it right.

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Hulk Hogan Sues *Gawker* Over Leaked Sex Tape Co-Starring His Friend's Wife

By James King

Published Tue., Oct. 16 2012 at 11:00 AM

Former professional wrestler Hulk Hogan has news for the gossip bloggers over at *Gawker*: I'm comin' after you, *brother!*

But it's not Hogan and his 24-inch pythons that the gossip site needs to worry about, it's his attorneys.

Gawker was named in a \$100 million lawsuit filed by Hogan -- whose real name is Terry Bollea -- over a sex tape the Hulkster made with the wife of his best friend, Florida-based DJ "Bubba the Love Sponge."

The tape was "leaked" (read: probably purchased) by *Gawker*, and published on its website earlier this month.

Also named in the lawsuit are "Sponge," and his now-ex-wife, Heather Clem.

When asked if the website had any comment about Hogan's lawsuit, A.J. Daulerio, the blogger who posted the video, tells the *Voice* "nada."

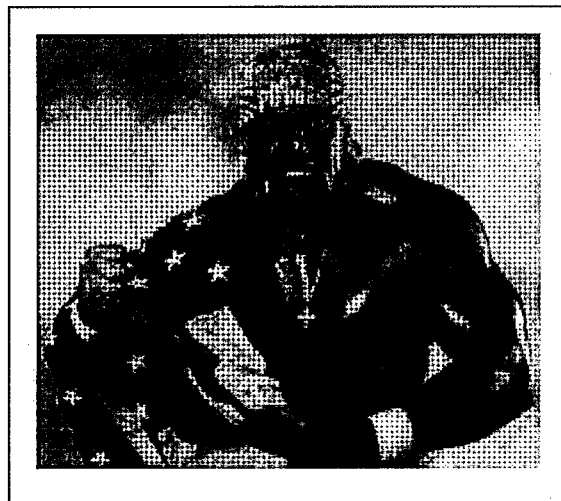
In the post, Daulerio describes -- at length -- the sexual tryst Hogan had with Clem, focusing primarily on the size of Hogan's penis.

Daulerio claims the video was delivered to *Gawker* "anonymously" by someone who wanted "no payment" and "no credit," which seems extremely unlikely considering the video was being shopped around to other gossip hounds -- like TMZ -- that have significantly more street cred than *Gawker*.

In the suit, Hogan claims the leaked video has caused "severe and irreparable injury which cannot be adequately compensated by monetary damages."

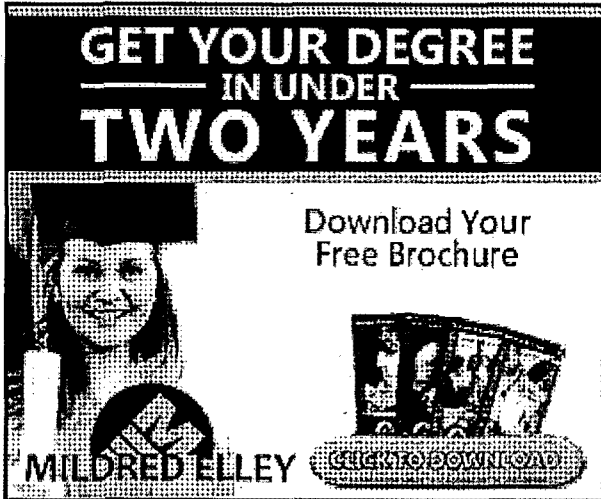
Hogan has acknowledged that the tape was made while he was still married to his now-ex-wife, Linda.

"Mr. Hogan had a reasonable expectation of his privacy, just as all Americans have a reasonable expectation of their privacy in their bedrooms," attorney Charles Harder reportedly told the media this morning.



Only problem is, it wasn't Hogan's bedroom -- it was the bedroom of his friend's wife...whom he was fucking.

**UPDATE*: a prior version of this post did not include "probably" in the sentence that says "(read: purchased)." Daulerio -- following Gawker's grand tradition of thorough reporting and accuracy -- sent us a pissy email insisting that the website didn't pay for the video.*



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MILDRED ELLEY

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The advertisement is a rectangular graphic with a black border. At the top, the text "GET YOUR DEGREE IN UNDER TWO YEARS" is displayed in a bold, white, sans-serif font against a black background. Below this, the image is split into two main sections. On the left, there is a black and white photograph of a young woman, Mildred Elley, wearing a graduation cap and gown, smiling. Below her photo is her name "MILDRED ELLEY" in a bold, white font. On the right, the text "Download Your Free Brochure" is written in a black, sans-serif font. Below this text is a small image of a brochure or document. At the bottom right of the advertisement, there is a button with the text "CLICK TO DOWNLOAD" in a white font on a dark background.