

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.

MOTION TO DETERMINE CONFIDENTIALITY OF COURT RECORDS

Pursuant to Rule 2.420 of the Florida Rules of Judicial Administration, this Court's Agreed Protective Order Governing Confidentiality, dated July 25, 2013 (the "Confidentiality Order") and this Court's Order on Report and Recommendation of Special Discovery Magistrate Re: Plaintiff's Motion for Protective Order Re: Certain Content in Documents Produced in Discovery, date April 22, 2015 (the "April 22, 2015 Order"), Plaintiff Terry Gene Bollea, by and through his undersigned counsel, hereby moves to determine the confidentiality of his Confidential Opposition To Gawker Defendants' Motion To Permit Presentation Of Offensive Language At Trial. As grounds for this motion, Plaintiff states as follows:

1. Florida Rule of Judicial Administration 2.420(c)(9)(A)(iv) provides that certain court records are confidential if the Court determines that confidentiality is required in order to “obtain evidence to determine legal issues in a case.”

2. This Court’s April 22, 2015 Order provides that any motion that relates in any way to the matters identified in the Special Discovery Magistrate’s October 20, 2014 Report and Recommendations be filed under seal.

3. Concurrent with this Motion, Plaintiff is filing his Confidential Opposition To Gawker Defendants’ Motion To Permit Presentation Of Offensive Language At Trial which relates directly to the matters identified in paragraphs 1–4 of the Special Discovery Magistrates October 20, 2014, Report and Recommendation.

4. Counsel for Plaintiff certifies that this motion is made in good faith and is supported by a sound factual and legal basis. Without in any way conceding that any item attached to this Motion has been properly designated as “Confidential” by the other parties or by the non-party witnesses making those designations, Plaintiff is filing this motion in compliance with Rule 2.420 and this Court’s April 22, 2015 Order.

WHEREFORE, Plaintiff respectfully requests that this Court determine the confidentiality of his Confidential Opposition To Gawker Defendants’ Motion To Permit Presentation Of Offensive Language At Trial, including to treat as confidential only that testimony and those documents that are properly treated as such under Rule 2.420 and this Court’s April 22, 2015 Order.

Dated: June 26, 2015

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 26th day of June, 2015 to the following:

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cc: Court Reporter