

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

TERRY GENE BOLLEA professionally  
known as HULK HOGAN,

Plaintiff,

vs.

Case No. 12012447CI-011

HEATHER CLEM et al.,

Defendants.

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**PLAINTIFF'S REPLY TO DEFENDANT'S AMENDED  
ANSWER OF DEFENDANT A.J. DAULERIO TO  
PLAINTIFF'S FIRST AMENDED COMPLAINT**

Plaintiff, Terry Gene Bollea, professionally known as Hulk Hogan, by counsel, and pursuant to Florida Rules of Civil Procedure 1.100, files his reply to the affirmative defenses alleged in Defendant A.J. Daulerio's Amended Answer to Plaintiff's First Amended Complaint (the "Complaint"), and states as follows:

**Reply to First Affirmative Defense**

1. Defendant's first affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise denied.

**Reply to Second Affirmative Defense**

2. Defendant's second affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Third Affirmative Defense**

3. Defendant's third affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Fourth Affirmative Defense**

4. Defendant's fourth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Fifth Affirmative Defense**

5. Defendant's fifth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Sixth Affirmative Defense**

6. Defendant's sixth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Seventh Affirmative Defense**

7. Defendant's seventh affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts

upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Eighth Affirmative Defense**

8. Defendant's eighth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Ninth Affirmative Defense**

9. Defendant's ninth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Tenth Affirmative Defense**

10. Defendant's tenth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Eleventh Affirmative Defense**

11. Defendant's eleventh affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Twelfth Affirmative Defense**

12. Defendant's twelfth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Thirteenth Affirmative Defense**

13. Defendant's thirteenth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Fourteenth Affirmative Defense**

14. Defendant's fourteenth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Fifteenth Affirmative Defense**

15. Defendant's fifteenth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Sixteenth Affirmative Defense**

16. Defendant's sixteenth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied

**Reply to Seventeenth Affirmative Defense**

17. Defendant's seventeenth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Eighteenth Affirmative Defense**

18. Defendant's eighteenth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Nineteenth Affirmative Defense**

19. Defendant's nineteenth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Twentieth Affirmative Defense**

20. Defendant's twentieth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Twenty-First Affirmative Defense**

21. Defendant's twenty-first affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Twenty-Second Affirmative Defense**

22. Defendant's twenty-second affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Further, this affirmative defense is barred because the referenced statute, as amended effective July 1, 2015, does not apply to the claims alleged in this case. Otherwise, denied.

**Reply to Twenty-Third Affirmative Defense**

23. Defendant's twenty-third affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Twenty-Fourth Affirmative Defense**

24. Defendant's twenty-fourth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Twenty-Fifth Affirmative Defense**

25. Defendant's twenty-fifth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Twenty-Sixth Affirmative Defense**

26. Defendant's twenty-sixth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Twenty-Seventh Affirmative Defense**

27. Defendant's twenty-seventh affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Reply to Twenty-Eighth Affirmative Defense**

28. Defendant's twenty-eighth affirmative defense fails to state a valid defense to the claims alleged in Plaintiff's First Amended Complaint, fails to allege sufficient ultimate

facts upon which this defense is based, and fails to state the matters of law upon which this defense is based with sufficient particularity, as required by Florida law. Otherwise, denied.

**Dated: July 20, 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 20th day of July, 2015 to the following:

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