

# EXHIBIT 37-C

to the

**CONFIDENTIAL DECLARATION  
OF GREGG D. THOMAS  
IN SUPPORT OF PLAINTIFFS' OBJECTIONS**

## EXHIBIT B TO SETTLEMENT AGREEMENT

- Three Reels

- 1<sup>st</sup> dated 7-3-07;
- 2<sup>nd</sup> dated 7-13-07
- 3<sup>rd</sup> undated

- FIRST TAPE

- 43:06 in length
- Residential bedroom – four poster bed
- Starts out with g-string female embracing clothed DOE
- 0:09 – [redacted] enters walks in
  - DOE – Good grie [redacted]
  - [redacted] Isn't she beautiful
  - 1:16 – [redacted] puts music on – female gets on bed wearing only a thong & black pumps. DOE takes his shirt off
  - 1:15 – [redacted] walks back in – DOE says wow – this is my Christmas present - [redacted] responds I'm going to take a shower
  - 2:29 – DOE standing on floor – femal begins performing oral sex on him. Penis is not visible as DOE's back is facing camera. Continues thru 4:48
  - 4:48 – Hogan turns to camera with erect penis where female continues to perform oral on DOE as he lays on his back.
  - [redacted] enters – OK I'm going to be in my office watching lookout. Female responds OK - Continues blowing DOE
  - 10:16 – DOE breathing heavy Oh Fuck Im gonna cum oh fuck – suck my dick breathing heay moans, orgasms. Female continues more slowly
  - 11:48 – DOE says oh thank you. Female continues hear kissing sounds as she kisses his penis
  - F asks if DOE likes her shoes – yes
  - F asks if she can turn shower on for him – yes
  - DOE gets up shakes his head & leaves the room.
  - 14:30 Female enters wearing nighty & no shoes – gets dressed gets on bed
  - DOE reenters naked – F states – all three of us have to go away on a vacation – DOE says no shit...F or else just hang out here for a week
  - 15:48 – F asks about tension in DOE's family -- DOE continues that it was a slap in the face for him to be at a hotel but his family at his house
  - DOE – there was all these things that added up...its not like she's leading me on...thanksgiving only daughter leaves. . .
  - F remains cuddling in bed

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- DOE – wife is trying to establish residency in L.A...
    - 18:15 – Im just a dumb country bumpkin – my career is over & this is what I have to look forward to
    - 19:00 – F tells story about trying to park car in a mall – God will reward those who do the right thing
    - 20:00 – F - you don't have to be anybodies doormat
    - DOE getting dressed
    - 21:16 F answers phone --
    - 22:00 both leave room
    - 39:00 F enters – blows out candles – leaves at 40:00
    - 43:06 end of tape
- SECOND TAPE 7-13-07
  - 30:17 in length
  - Same Residential bedroom – four poster bed
  - Starts out with DOE performing oral sex on F
    - She is moaning
    - [redacted] says – hey you guys do your thing – I'll be in the office
    - 0:38 – F-I want you to fuck the shit out of me today
    - DOE I'm so horny – I can't believe I'm here – I should be home
    - 1:34 – DOE standing -- F laying on stomach on bed performing oral on DOE while he reaches around fingering her -- she is loud
    - Sounds of oral sex go thru 4:40 where DOE says You go ...suck my dick
    - 5:00 DOE – do you have a rubber
    - F opens a drawer gets a rubber but continues giving oral before she puts it on the standing DOE. DOE full frontal – facing camera
    - 6:40 DOE slides onto his back in bed – she gets on top – intercourse -- loud. Kissing.
    - 7:28 – DOE begins smacking F's ass – she is loud – your big dick is so great –
    - 8:21 LOUD F - I'm cumming – fuck ya – give it to me
    - 8:50 DOE --orgasm.
    - 9:25 – DOE -- okaaay -- it almost came off. F leaves room
    - 10:20 – DOE – I cant believe I have to drive back home --
    - F returns to a spent DOE - would you like me to turn the shower on for you
    - 10:30 – DOE I can't believe I just ate – I feel like a pig
    - 12:35 -- naked F reenters – crawls into bed.
    - 13:27 – DOE reenters -- look at you ...you are out all cuddly --
    - DOE getting my [redacted] hirt back on...crazy...eating like a pig 10 minutes ago
    - 14:20 DOE gets dressed...feel like I just got off a rollercoaster
    - 15:00 [redacted] she has a killer fucking body.
      - The other night [redacted] s out & the dog's are plaing tug of war with [redacted] .ther [redacted] has another girl

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who is even hotter in Orlando – then she wants to be 1<sup>st</sup> to get me if I'm divorced. (from gawker)...hot commodity

- 18:30 I got in trouble at OZ – coast guard guys – they give him a bracelet. Buy each other beers. Then they buy a yeagermeister. They challenge DOE to fight. I fight these four mutherfuckers.
  - They fucked with my car. They put a lit cigarette in my gas tank.
  - Fuck this – I don't care if it is on the front page of the USA today – go back to OZ – get security footage – they piss on car – scratch car – to make a long story short – cab driver – interviewed by cops.
  - At 4AM police arrest the 4 guys -
- 23:10 – O [ ] but you are awesome – F- so are you
- 30:11 – tape ends

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• TAPE 3 – UNDATED

- 50:03 IN LENGTH
- Residential bedroom – four poster bed
- Starts out with voices of [ ] DOE & F talking
- [ ] excuses himself
  - F talks about off-road biking – nobody in frame
  - 2:07 enter F & DOE clothed.
  - DOE removes her top
  - DOE takes off his [ ] shirt
  - They get on bed
  - 3:06 – DOE this is some weird shit. F says I guess so – just roll with it
  - 3:56 – F turns DOE around he is facing camera and she performs oral as he sits on edge of bed.
  - 6:00 DOE lays back in bed as she goes nuts giving oral.
  - 6:55 DOE puts condom on
  - 7:30 DOE performs oral
  - 8:00 DOE intercourse
    - F it feels so good
    - F – fuck me so good.
    - F – oh you are so big – Loud
    - F – let me get on top of you
    - DOE continues
    - 9:15 F – oDOEH im gonna cum loud
  - 10:00 F – oh you gotta stop – you are killing me – your dick is so big – DOE slows down
  - 11:00 F leaves – DOE remains on back naked in bed
  - 11:50 she returns – washes DOE's penis
  - 12:50 the couple cuddles – naked on bed
  - 13:30 F – I'm a little worried about you
  - 14:00 – F you know you can come over here whenever you want & chill out – DOE – I appreciate that

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- 17:09 – DOE I should probably try to head home & try and beat [REDACTED] home. There is so much BS in my life, I want to try & not loose everyone.
- 17:30 I feel bad for [REDACTED] -- she is making some real bad decisions now.
- 18:20 F would you like to take a shower? – DOE – that would be cool – let me rinse off real quick.
- 19:40 -- both leave room
- 20:34 F returns clothed – goes to nightstand leaves again
- 21:00 F makes bed
- 22:00 small talk re furniture, etc.
- 22:52 – DOE puts [REDACTED] shirt on
- 23:20 DOE MTV called my wife & said they were going to sue her. My wife texted me to say Happy Father's day because she won't talk on the phone anymore.
- 24:00 [REDACTED] enters – (the three of them are now in the room). DOE talking about wife's contractual issues with MTV.
- 25:00 – DOE [REDACTED] you better get off your ass & get your mom in gear. I understand having an edge – I know how to work a gimmick.
- 26:22 [REDACTED] talking about [REDACTED] you should go on Oprah, Ellen, etc.
- 27:00 – DOE talking about [REDACTED] fucking up MTV show
- 27:55 – DOE -- my daughter [REDACTED] jumped sides on me. I spent 2-3 M on her music. I've done everything like a jackass for her.
- [REDACTED] those fuckers don't realize if the old man (DOE) cuts bait...
- 28:40 The one option [REDACTED] had - [REDACTED] career besides me is South Beach Records – Billionaire guy – I don't know if [REDACTED] was fucking the guy's son... whatever... I mean I know what is going on – I mean I don't have double standards – I mean I'm a to a point. Fucking [REDACTED]. But then when it comes to nice people and shit whatever. I mean I'd rather if she was gonna fuck a [REDACTED] – I'd rather have her marry an 8 foot tall 100M basketball player.
- F – We all are a little bit.
- DOE – [REDACTED] fucking [REDACTED] – he had [REDACTED] coming in on the 22<sup>nd</sup> track... I didn't even tell [REDACTED] about it. Fuck her.
- 30:54 DOE – [REDACTED] & [REDACTED] meet in Miami - [REDACTED] fucks up a 10M deal I had with the Saudis - [REDACTED] says Fuck You [REDACTED] She's never said that, she flipped a bird at me.
- 32:00 DOE -- I have this huge fucking home in Miami. My family never came home. They went to LA -- fuck em
- 34:00 – MTV programming – ad buys - [REDACTED] fucking quit. And she tried to put it on me.
- 35:00 -- DOE [REDACTED] was pissed because "I didn't set her up" WTF – thankless.
- 36:00 [REDACTED] is fucking nuts. She wants to duplicate our FL house in LA – she is fucking crazy.

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REDACTED

- 36:55 – Palms place in Vegas – I bought it for 4.25 – it is worth 5M. If I get divorced - [REDACTED] will make me sell it. But fuck it - [REDACTED] will buy it and give it back to me after the divorce.
- 38:00 DOE – you can think whatever the fuck you want about me but I will never give [REDACTED] the opportunity again to publicly disrespect me b/c I don't trust her.
- 38:50 [REDACTED] ODOE I have something for you – whose your [REDACTED] – check it out. (Oakley inscribed glasses).
- 40:30 DOE – dude the only thing I'll ask you & I don't know how you'll pull this off is – If Im ever on my death bed don't let [REDACTED] come & see me.
- 41:00 [REDACTED] & Wife then give DOE a thank you card to LDOE to give to [REDACTED] for the wedding.
- 42:00 DOE - VH-1 – wanted me to do a big thing go back to the house I grew up in -- so we knock on the door & a big [REDACTED] lives there now. The half [REDACTED] was enamored with [REDACTED]
- 43:38 DOE – to F . I love you baby [REDACTED] & DOE leave F in bed.
- 49:00 - [REDACTED] re-enters & says - if we ever did want to retire, all we have to do is use that fucking footage of him talking about people
- 49:45 - [REDACTED] - I want to watch the tape.
- F - his dick hurt so fucking bad – you'll probably just see my face squirming – I just tried to get past the pain to enjoy it
- 50:03 – tape ends

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