

CONFIDENTIAL
EXHIBIT 12-C

to the

**JOINT OPPOSITION OF THE GAWKER DEFENDANTS AND THEIR
COUNSEL TO PLAINTIFF'S EMERGENCY MOTION TO CONDUCT
DISCOVERY CONCERNING POTENTIAL VIOLATION OF
PROTECTIVE ORDER, TO COMPEL TURNOVER OF CONFIDENTIAL
DISCOVERY MATERIALS AND FOR ORDER TO SHOW CAUSE**

**Confidential List of Persons Known to Have Possessed, Viewed and/or Had Access
to the Video and/or Audio with the Racist Language**

- Bubba the Love Sponge Clem;
- Heather Clem;
- Terry Bollea and David Houston, who viewed the relevant portions of the tape with the racist language during a December 2012 meeting with Keith Davidson, the alleged extortionist, *see* Conf. Ex. 39-C (“side letter agreement” signed on December 14, 2012 by T. Bollea, D. Houston, K. Davidson, and L. Burbridge); Conf. Ex. 18-C at 3:04:45 – 3:08:50 (audio from the “sting operation” in which Bollea, Houston and Davidson can be heard listening to that portion of the tape);
- Keith Davidson;
- Vilma Duarte, Davidson’s paralegal who worked with him on the attempted sale of the tapes to Bollea, *see* Conf. Ex. 40-C (December 10, 2012 email from V. Duarte to D. Houston’s assistant, K.C. Rosser, and K. Davidson regarding sale);
- Davidson’s unidentified client;
- Lori Burbridge, a woman who accompanied Davidson to the December meeting, but whom we understand not to have been Davidson’s actual client, *see* Conf. Ex.39-C (“side letter agreement” showing L. Burbridge as a signatory); Conf. Ex. 41-C (July 23, 2013 email from D. Houston to FBI agent, indicating that the “young lady present during the course of negotiations with Davidson admitted that she was only an intermediary” for Davidson’s client);
- A woman whose name is redacted in the documents produced by the FBI, and who is described in those documents as having “watch[ed] all three tapes” and having “confirmed that BOLLEA used the ‘N-word’ during one of the tapes,” Conf. Ex. 42-C;
- An unidentified person who, in March 2012, sent a “timeline” of two of the sex tapes, including the one in which the racist language occurs, to Richard Peirce, a former employee of the Bubba the Love Sponge Show, see Conf. Ex. 3-C (Peirce Dep.) at 79:2-20, 95:17 – 98:17; Conf. Ex. 4-C (timeline), who then circulated the timeline to others in the in the Tampa and New York radio communities;
- Nik Richie, publisher of TheDirty.com;
- Whoever provided a copy of the tape with the racist language to Nik Richie;
- Multiple persons at TMZ, including Mike Walters;
- Whoever provided a copy of the tape with the racist language to TMZ;

- Whoever was a source for the *Philadelphia Daily News* article about the racist language on the tape that was published in October 2012;
- Whoever was a source for the *Daily Beast* article about the racist language on the tape that was published in October 2012;
- Whoever was a source for the *Hollyscoop* article about the racist language on the tape that was published in October 2012;
- Multiple persons at the FBI, including FBI employees in the Tampa field office who investigated the alleged extortion and FBI employees in Florida and Winchester, Virginia who have worked on the response to Gawker’s FOIA request;
- Multiple persons at the Office of the U.S. Attorney, including employees of the Office of the U.S. Attorney for the Middle District of Florida who investigated the alleged extortion and employees of the Executive Office of the United States Attorneys who have worked on the response to Gawker’s FOIA request;
- Multiple persons at the Tampa Police Department, which requested and received from the FBI copies of the tapes, *see* Conf. Ex. 16-C (documents provided by the FBI indicating a detective with the Tampa Police Department “viewed all three disks,” and that copies of them were later provided to the Tampa Police Department “based on their request for these items as they pertain to an ongoing criminal investigation”);
- Multiple persons at the Hillsborough County State’s Attorney’s Office, which worked in tandem with the Tampa Police Department on the investigation described in the immediately preceding bullet point; and
- Personnel of this Court and the federal court.¹

¹ Gawker does not mean to suggest that anyone connected with this Court, the federal court, or any of the law enforcement authorities provided information to the *Enquirer*. Rather, those individuals and entities are listed here to show the number of people who have access to the video with the racist language, which neither Gawker nor its counsel has ever had.