

EXHIBIT 4

to the

**MOTION FOR AN ORDER DECLARING THAT
PLAINTIFF HAS IMPROPERLY DESIGNATED CERTAIN
DISCOVERY MATERIALS AS “ATTORNEYS’ EYES ONLY”**

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, *et al.*,

Defendants.

**REPORT & RECOMMENDATION
ON PLAINTIFF’S MOTION FOR PROTECTIVE ORDER RE: CERTAIN CONTENT
IN DOCUMENTS PRODUCED IN DISCOVERY**

This cause came before Special Discovery Magistrate James Case on July 18, 2014, on the Motion of Plaintiff Terry Gene Bollea for Protective Order Re: Certain Content in Documents Produced in Discovery (“Plaintiff’s Motion”). After reviewing the Court file, reviewing and considering the Motion and response papers, and hearing the argument of counsel, the Special Discovery Magistrate RECOMMENDS that Plaintiff’s Motion be GRANTED IN PART and DENIED IN PART as follows:

1. The portion of Plaintiff’s Motion concerning redaction of certain offensive words or terms is GRANTED. Specifically, the words plaintiff redacted from the following documents prior to producing them to defendants shall remain redacted and plaintiff is permitted to continue redacting such terms absent a subsequent court order to the contrary: BOLLEA 1213, BOLLEA 1214, BOLLEA 1252, BOLLEA 1253, DBA 54 and DBA 327.

2. The Special Discovery Magistrate further RECOMMENDS that unredacted copies of DBA 54, and DBA 327, which were provided to the Gawker defendants by third

parties during this litigation, be designated “Highly Confidential” and “Attorney’s Eyes Only,” and kept in a sealed envelope in the Levine Sullivan office vault, until further order of the Court on this issue.

3. Plaintiff and plaintiff’s counsel shall preserve the original, unredacted versions of all documents identified in Paragraph 1 of this Report and Recommendation.

4. The Recommendation reflected in Paragraph 1 is without prejudice to defendants’ ability to later seek to show, based upon evidence received by Gawker for the first time on or after July 18, 2014 (which could be combined with evidence that was in Gawker’s possession prior to July 18, 2014), that the redacted material is relevant or reasonably calculated to lead to the discovery of admissible evidence and thereby seek the production of the unredacted versions thereof, or if otherwise recommended by the Special Discovery Magistrate or ordered by the Court.

5. The portion of Plaintiff’s Motion concerning redaction of portions of telephone numbers is DENIED. Plaintiff shall produce unredacted copies of his home and cellular telephone records from 2012, within his possession, custody or control.

The parties shall have 10 days from the date of this Report and Recommendation to file objections with the Circuit Court.

Dated: 10-20, 2014

MsJ JAMES R

James R. Case
Special Discovery Magistrate

Copies furnished to:
Counsel of Record