

# EXHIBIT K

to the

**GAWKER DEFENDANTS' MOTION FOR ACCESS TO CORRECTED AND  
UNREDACTED DVDS PRODUCED BY THE FBI**

11/02/2012

The following is a draft transcript of a consensual recording of a telephone call on November 2, 2012 between Dave Houston and Keith Davidson.

This draft transcript, in its current form, is for the sole purpose of review by the prosecuting attorneys and should not be construed as a final verbatim transcript. Further review may be necessary for trial purposes.

(ID 3)

DH: Dave Houston

KD: Keith Davidson

Typing Key:

AV: Automated Voice

Auto: Automated Message

UI: Unintelligible

IA: Inaudible

PH: Phonetic

////: Speaking simultaneously

---

11/02/2012) (00:40:59)

KD: Hello

DH: Hello. Is this KEITH?

KD: Yes.

DH: KEITH, DAVE HOUSTON.

KD: Hi DAVE. How you doing?

DH: I'm doing fine. How about yourself? A little tired but other than that everything seems to be normal.

KD: Good.

DH: How's things on a, on your end?

KD: It's all good out here.

DH: Okay, good. Hey um quick question for you, um, I had obviously a meeting with TERRY um she had some other things we had to do, we've been trying to get a lid on some of this but ah I, you know, from the standpoint of what I'm dealing with um I'm really at that point where I've gotta, you know, get things wrapped up. I mean he's getting pretty impatient with me. Obviously this last delay was more my fault than anything but hopefully today we can do that and ah you know

KD: Three.

DH: Three.

KD: Three separate DVDs.

DH: Here's a question that TERRY did have for me and I, I need to ask you this. Is there any interest in splitting them up? In other words the way he kind of looked at the sex tape concerning HEATHER CLEM that has obviously already aired as far as the GAWKER, TMC, DIRTY, all those other people out there that claim to have seen it. Ah the other two apparently have been pretty much kept in the dark. Is there a way to deal on the other two and the other one we don't particularly care about um what's your status on that?

KD: I mean I, I don't know I guess it would all depend on, on the funds.

DH: Right. Okay.

KD: I mean I think, I think we, you, you and I have an understanding that um um hold on I'm just trying to look at my notes on the, the one that, that discusses, there's one that's more inflammatory than the others and then that carries the lion share of the value.

DH: Right, what's, well I, I mean what, you know TERRY had asked me this last night and frankly I didn't have an answer for him and it seems obvious to me but I'll ask you the same question. What if he doesn't buy them? What, what does your client do with them?

KD: I have no position on that.

DH: I mean have they spoken to you about it?

KD: No.

DH: In other words it's like any other case and I'm sure you've done this way more than I have but I'm trying to give him reasons as to what dollar amount I believe it's worth and why he should do it. In other words.

KD: Mm hm.

DH: What is he getting for his money and if, if I'm going back to him saying well I don't know what's gonna happen TERRY if you don't do it then that leaves a big hole in this thing for me and that's why I asked you.

KD: Yeah um well you know I take no position on that. I, I need to leave that in your hands. I wish I could give you more but um I'm not in a position to do that.