

# EXHIBIT 34

to the

**GAWKER DEFENDANTS' MOTION TO COMPEL  
PLAINTIFF TO PRODUCE IMPROPERLY WITHHELD DOCUMENTS**

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

TERRY GENE BOLLEA,  
professionally known as HULK  
HOGAN,

Plaintiff,

Case No.  
12-012447-CI-011

vs.

HEATHER CLEM; GAWKER MEDIA,  
LLC, aka GAWKER MEDIA, et  
al.,

Defendants.

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CONTINUED  
VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 7, 2014

TIME: 9:41 a.m. to 12:48 p.m.

PLACE: Riesdorff Reporting Group  
601 Cleveland Street  
Suite 600  
Clearwater, Florida

PURSUANT TO: Notice by counsel for Defendants  
for purposes of discovery, use at  
trial or such other purposes as  
are permitted under the Florida  
Rules of Civil Procedure

REPORTED BY: Aaron T. Perkins, RPR  
Notary Public, State of  
Florida at Large

Volume 3  
Pages 312 to 451

## 1 APPEARANCES:

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13 Attorneys for Plaintiff  
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CONTINUED:

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2 APPEARANCES CONTINUED AS FOLLOWS:3 MICHAEL BERRY, ESQUIRE  
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25 Third Floor  
New York, New York 10012Attorneys for Defendant Gawker Media, LLC,  
et al.

## ALSO PRESENT:

Honorable James Case  
Mike Byrd, videographer

1 JUDGE CASE: All right.

2 MR. BERLIN: I assume you're sustaining that  
3 objection?

4 JUDGE CASE: Yes.

5 MR. BERLIN: Thank you.

6 BY MR. BERLIN:

7 Q. Did you talk to Bubba about joining you as a  
8 plaintiff?

9 MR. HARDER: Excuse me. Objection.  
10 Privileged.

11 MR. BERLIN: I'm -- I'm sorry. A  
12 conversation with Bubba would not be privileged.

13 MR. HARDER: Let me look at the question.  
14 Okay. I will allow it.

15 THE WITNESS: I don't recall ever talking  
16 with him about that. I -- I -- we never got that  
17 far. Things started happening pretty rapidly  
18 right after these texts went down.

19 BY MR. BERLIN:

20 Q. After the Gawker story came out, did you  
21 receive any additional offers from porn companies for  
22 the rights to the complete tape?

23 A. I never received any offers.

24 Q. Okay.

25 A. They all came through counsel. Are we done


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CERTIFICATE OF OATH

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, the undersigned authority, certify that  
TERRY GENE BOLLEA, personally appeared before me and  
was duly sworn.

WITNESS my hand and official seal this 14th day  
of March, 2014.

  
\_\_\_\_\_  
Aaron T. Perkins, RPR  
Notary Public - State of Florida  
My Commission Expires: 2/27/2016  
Commission No. EE173286



## 1 REPORTER'S CERTIFICATE

2  
3 STATE OF FLORIDA  
4 COUNTY OF HILLSBOROUGH5 I, Aaron T. Perkins, Registered Professional  
6 Reporter, certify that I was authorized to and did  
7 stenographically report the deposition of  
8 TERRY GENE BOLLEA; that a review of the transcript was  
9 requested; and that the transcript is a true and  
10 complete record of my stenographic notes.11 I further certify that I am not a relative,  
12 employee, attorney, or counsel of any of the parties,  
13 nor am I a relative or employee of any of the parties'  
14 attorney or counsel connected with the action, nor am I  
15 financially interested in the action.16  
17 Dated this 14th day of March, 2014.  
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22 Aaron T. Perkins, RPR  
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SIGNATURE PAGE

PLEASE ATTACH TO THE DEPOSITION OF TERRY GENE BOLLEA  
TAKEN ON MARCH 7, 2014, IN THE CASE OF TERRY GENE  
BOLLEA AND HEATHER CLEM; GAWKER MEDIA, LLC, aka GAWKER  
MEDIA, et al.

PAGE        LINE        CORRECTION AND REASON THEREFOR

I HAVE READ THE FOREGOING PAGES AND, EXCEPT FOR ANY  
CORRECTIONS OR AMENDMENTS INDICATED ABOVE, I HEREBY  
SUBSCRIBE TO THE ACCURACY OF THIS TRANSCRIPT.

\_\_\_\_\_  
TERRY GENE BOLLEA

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WITNESS TO SIGNATURE

\_\_\_\_\_  
DATE



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

TERRY GENE BOLLEA,  
professionally known as HULK  
HOGAN,

Plaintiff,

Case No.

12-012447-CI-011

vs.

HEATHER CLEM; GAWKER MEDIA,  
LLC, aka GAWKER MEDIA, et  
al.,

Defendants.

---

CONTINUED  
VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 7, 2014

TIME: 1:50 p.m. to 5:55 p.m.

PLACE: Riesdorff Reporting Group  
601 Cleveland Street  
Suite 600  
Clearwater, Florida

PURSUANT TO: Notice by counsel for Defendants  
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REPORTED BY: Aaron T. Perkins, RPR  
Notary Public, State of  
Florida at Large

Volume 4  
Pages 452 to 623

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14 Reno, Nevada 89501

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Attorneys for Plaintiff

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22 General Counsel  
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24 210 Elizabeth Street  
25 Third Floor  
New York, New York 10012

Attorneys for Defendant Gawker Media, LLC,  
et al.

## 26 ALSO PRESENT:

27 Honorable James Case  
28 Mike Byrd, videographer

1 A. Yes.

2 Q. What reason is that?

3 A. They were discussed.

4 Q. But do you know if you ever asserted those  
5 claims?

6 A. I don't recall.

7 Q. Whose idea was it to settle with Bubba?

8 MR. HARDER: I don't --

9 THE WITNESS: I don't recall.

10 MR. HARDER: Privileged.

11 THE WITNESS: Sorry.

12 MR. BERLIN: If he doesn't recall, that's  
13 easy.

14 BY MR. BERLIN:

15 Q. You settled with him shortly after you filed  
16 your lawsuit against him. Why did you settle so  
17 quickly?

18 MR. HARDER: Privileged.

19 THE WITNESS: Privileged.

20 MR. BERLIN: Is that one also sustained?

21 JUDGE CASE: Sustained.

22 MR. BERLIN: Thank you.

23 Oh, right. This one is already here, too.

24 THE WITNESS: Are we done with this?

25 MR. BERLIN: You can put that aside for now.

1           A.    I sent it -- I pushed the edit thing on my  
2 text, and then pushed circle, and then I pushed  
3 forward, and then I put David Houston's cell in there.

4           Q.    Do you know what kind -- do you know what  
5 kind of cell phone David Houston has?

6           A.    I don't have a clue.

7           Q.    Okay. Did you make any complaints to any law  
8 enforcement in connection with the sex tape?

9           MR. HARDER: Asked and answered.

10          THE WITNESS: I never did personally.

11 BY MR. BERLIN:

12          Q.    And did you make -- did anyone on your behalf  
13 make complaints to law enforcement?

14          A.    Yes.

15          Q.    Who did that?

16          A.    To the best of my knowledge, David Houston.

17          Q.    And who was the complaint made to?

18          MR. HARDER: I'm going to have to instruct  
19 you that it's privileged if you learned it from  
20 David Houston.

21          THE WITNESS: It's privileged.

22 BY MR. BERLIN:

23          Q.    Did you ever speak with anybody at a law  
24 enforcement agency about the sex tape?

25          MR. HARDER: I'm going to object.

1 with the sex tape?

2 A. I have no clue.

3 Q. Okay. Let me ask you -- just one second.

4 Let me ask you, unless it's otherwise  
5 privileged, do you have any understanding of what  
6 your -- the complaint on your behalf was about? Was it  
7 about making the tape, distributing the tape, or  
8 something else?

9 MR. HARDER: I'm going to object, privileged.

10 I instruct you not to answer.

11 THE WITNESS: Privileged.

12 BY MR. BERLIN:

13 Q. You don't know that information from any  
14 other source but your lawyers?

15 MR. HARDER: I'm going to object, privileged.

16 It's law enforcement privilege, and it's -- if it  
17 comes from lawyers, it's attorney-client  
18 privilege. But, otherwise, it's law enforcement  
19 privilege, so I'm instructing him not to answer.

20 BY MR. BERLIN:

21 Q. All right. Let me show you what I'm going to  
22 mark as Exhibit 102.

23 (Exhibit No. 102 was marked for  
24 identification.)

25 THE WITNESS: Are we done with this?

1           anywhere.

2                   MR. HARDER: That's fine.

3 BY MR. BERLIN:

4           Q. Other than suing Gawker, Heather Clem, and  
5 initially suing Bubba Clem, what have you done to find  
6 out who was responsible for disseminating the sex tape  
7 of you?

8                   MR. HARDER: And I'm going to instruct you  
9 that if you have learned of anything from your  
10 communications with counsel, don't answer as to  
11 that information.

12                   THE WITNESS: That's privileged.

13 BY MR. BERLIN:

14           Q. So there is nothing that you know on that  
15 subject outside of what you have had in discussions  
16 with your lawyer?

17           A. And what I have heard here in the depositions  
18 the last couple days.

19           Q. You mean your deposition or Mr. Clem's  
20 deposition?

21           A. Mr. Clem's deposition.

22           Q. What did you learn in Mr. Clem's deposition  
23 that would help you find out who was responsible for  
24 disseminating the sex tape?

25                   MR. HARDER: Calls for a narrative.

1 Q. And, again, yeah, I'm not asking from your  
2 counsel.

3 A. Okay. It's privileged then.

4 Q. Okay. Why haven't you sued Matt Loyd?

5 MR. HARDER: I'm going to object. It's  
6 litigation strategy privilege.

7 JUDGE CASE: Sustained.

8 MR. BERLIN: I'm just going to ask some  
9 questions that may elicit some more objections,  
10 but just to put them on the record.

11 JUDGE CASE: Sure.

12 BY MR. BERLIN:

13 Q. Why didn't you sue Tony Burton?

14 MR. HARDER: Same objection.

15 JUDGE CASE: Same ruling.

16 MR. BERLIN: If you don't mind just saying  
17 sustained so we can have a record.

18 BY MR. BERLIN:

19 Q. Why didn't you sue Cowhead Calta?

20 MR. HARDER: Same objection.

21 JUDGE CASE: Same ruling.

22 BY MR. BERLIN:

23 Q. Why haven't you sued TMZ?

24 MR. HARDER: Same objection.

25 JUDGE CASE: Same ruling.



1 BY MR. BERLIN:

2 Q. Why haven't you sued The Dirty?

3 MR. HARDER: Same objection.

4 JUDGE CASE: Same ruling.

5 BY MR. BERLIN:

6 Q. Why haven't you sued Nik Richie, who owns The  
7 Dirty?

8 MR. HARDER: Same objection.

9 JUDGE CASE: Same ruling.

10 BY MR. BERLIN:

11 Q. Are you ready for the next exhibit? This is  
12 a video exhibit, which we'll mark as Exhibit 103.

13 A. Are we done with this?

14 Q. Yes, you may put that aside.

15 (Exhibit No. 103 was marked for  
16 identification.)

17 BY MR. BERLIN:

18 Q. Actually, before we get to this exhibit, let  
19 me just ask you one last question.

20 Do you have any awareness of how much time of  
21 the excerpts that Gawker played -- sorry, that Gawker  
22 published on the Internet shows sexual conduct?

23 MR. HARDER: Asked and answered before.

24 THE WITNESS: I have never seen it, so I --  
25 I -- I don't know.

1 life.

2 MR. HARDER: I'm just going to object. Lacks  
3 foundation. It misstates his prior testimony,  
4 which he doesn't recall. I don't know what the  
5 question is. Vague and ambiguous.

6 THE WITNESS: I don't recall.

7 BY MR. BERLIN:

8 Q. You don't recall whether you had  
9 \$100,000,000?

10 A. I don't recall.

11 MR. BERLIN: I have no further questions.

12 JUDGE CASE: Any cross?

13 MR. HARDER: Uh-uh (Indicates negatively).

14 THE VIDEOGRAPHER: Off the record at 5:55.  
15 (Deposition concluded at 5:55 p.m.)

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CERTIFICATE OF OATH

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, the undersigned authority, certify that  
TERRY GENE BOLLEA, personally appeared before me and  
was duly sworn.

WITNESS my hand and official seal this 14th day  
of March, 2014.

  
\_\_\_\_\_  
Aaron T. Perkins, RPR  
Notary Public - State of Florida  
My Commission Expires: 2/27/2016  
Commission No. EE173286



## 1 REPORTER'S CERTIFICATE

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3 STATE OF FLORIDA  
4 COUNTY OF HILLSBOROUGH5 I, Aaron T. Perkins, Registered Professional  
6 Reporter, certify that I was authorized to and did  
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8 TERRY GENE BOLLEA; that a review of the transcript was  
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10 complete record of my stenographic notes.11 I further certify that I am not a relative,  
12 employee, attorney, or counsel of any of the parties,  
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15 financially interested in the action.16  
17 Dated this 14th day of March, 2014.  
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SIGNATURE PAGE

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PAGE      LINE      CORRECTION AND REASON THEREFOR

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TERRY GENE BOLLEA

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WITNESS TO SIGNATURE

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

-----  
TERRY GENE BOLLEA, professionally  
known as HULK HOGAN,

Plaintiff,

No. 12-012447-CI-011

vs.

HEATHER CLEM; GAWKER MEDIA, LLC,  
aka GAWKER MEDIA, et al.,

Defendants.

-----/

VOLUME 6

VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: April 8, 2015

TIME: 2:19 p.m. to 4:53 p.m.

PLACE: Riesdorff Reporting Group  
601 Cleveland Street  
Suite 600  
Clearwater, Florida

PURSUANT TO: Notice by counsel for  
Defendants for purposes of  
discovery, use at trial or  
such other purposes as are  
permitted under the Florida  
Rules of Civil Procedure

REPORTED BY: Susan C. Riesdorff, RPR, CRR  
Notary Public, State of  
Florida

Pages 735 - 835

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1760 Market Street  
Suite 1001  
16 Philadelphia, Pennsylvania 19103  
Attorneys for Defendant Gawker Media, LLC  
17

18 ALSO PRESENT:

19 Honorable James Case  
20 Mike Byrd, Videographer  
21  
22  
23  
24  
25

1 ask the same thing?

2 MR. SULLIVAN: I'll take his answer.

3 MR. HARDER: Objection.

4 THE WITNESS: Asked and answered.

5 BY MR. SULLIVAN:

6 Q. Can you answer it?

7 A. Ask the question again.

8 Q. When you and Bubba discussed you having sex  
9 with his wife Heather, did you ask him at that time if  
10 he would be filming you?

11 A. I don't recall asking him that.

12 Q. Okay. Would you have any reason to ask a  
13 question like that?

14 MR. HARDER: Objection to the form of the  
15 question.

16 THE WITNESS: I would just answer that again,  
17 he was my friend. He would never do something  
18 like that.

19 BY MR. SULLIVAN:

20 Q. All right. If you go back to 12:18, the text  
21 that appears at 12:18 that we were just looking at, you  
22 wrote, I am not waiting for any more surprises because  
23 we know there is a lot more coming.

24 Do you see that?

25 A. I'm sorry. Where was that at? I'm trying to



1 figure, is this the middle of it? Or where are we  
2 looking at?

3 Q. This is the second line of that text.

4 A. Yes, I see it.

5 Q. Okay. I'm not waiting for any more surprises  
6 because we know there is a lot more coming.

7 Do you see that?

8 A. Yes, sir.

9 Q. Okay. What did you mean by, we know there is  
10 a lot more coming?

11 A. That's privileged.

12 Q. How so?

13 A. I heard there was a lot more coming from my  
14 attorneys.

15 Q. All right. You're sharing this with Bubba.  
16 That's not privileged --

17 MR. HARDER: Well --

18 BY MR. SULLIVAN:

19 Q. -- to share it with Bubba, is it?

20 MR. HARDER: Excuse -- excuse me. But if  
21 there's more to it than the text and he receives  
22 the more to it from his attorneys, then the more  
23 to it part is privileged. The -- the words on  
24 this page are not privileged, but when you ask him  
25 to provide additional detail, that part's the

1           privileged part.

2 BY MR. SULLIVAN:

3           Q.    Were you referring to the sex tape story?

4           MR. HARDER:  Objection, privileged.

5           MR. SULLIVAN:  I'm just asking him about what  
6 he's telling Bubba, his friend.  There's no  
7 privilege there.

8           MR. HARDER:  Okay.  I'm -- what he told Bubba  
9 is on the page and you're looking at it.  If  
10 there's more detail that he received from counsel,  
11 then he can't talk about that because it's  
12 privileged and we have to maintain it.  So I'm  
13 just going to instruct the witness that if the  
14 additional information you learned from counsel,  
15 you can't answer.

16           THE WITNESS:  It is.

17           MR. SULLIVAN:  All right.

18 BY MR. SULLIVAN:

19           Q.    Now, at the start of the tape -- pardon me.

20                    At the start of that text that we've been  
21 looking at at 12:18, right, you say, we know there's  
22 more than one tape out there and one that has several  
23 xxxxxx slurs we're told.

24                    Do you see that?

25           A.    Yes.

1 Q. Okay. How many tapes did you know as of  
2 October 12, 2012, were out there?

3 A. Well, that's privileged also.

4 Q. And how come?

5 A. Because my attorneys told me that --

6 MR. HARDER: Whoa. That's all you need to  
7 go.

8 MR. SULLIVAN: Okay.

9 BY MR. SULLIVAN:

10 Q. Okay. Let me ask you this. Let's probe  
11 that.

12 Did you learn this information in a  
13 conversation with some third party and your attorney?

14 A. No.

15 Q. You only learned it from your attorney?

16 A. Yes.

17 Q. Okay. And which attorney would that be?

18 A. David Houston.

19 Q. All right. And when was that?

20 A. I don't recall.

21 Q. All right. Did you learn in your discussions  
22 with Mike Walters that there was more than one sex  
23 tape?

24 A. Not that I recall.

25 Q. Okay. Did you learn in your discussions with

1 anybody else at TMZ that there was more than one sex  
2 tape?

3 A. No.

4 Q. All right. And when did you learn this?

5 A. I don't recall. Everything that I learned  
6 about there being a sex tape happened after the  
7 interview in the hotel room. Because up until then, I  
8 saw a couple still pictures and Bubba was lying to me  
9 that he didn't do it and Heather did it. So I thought  
10 maybe there are just still pictures. So anything about  
11 a sex tape happened after TMZ told David and I on the  
12 phone that there was a tape going on.

13 Q. And you're -- you're telling us about this  
14 interview that occurred on October 9, 2012?

15 A. Yeah, whatever that date was.

16 Q. The one when you were in New York?

17 A. Yes.

18 Q. Okay. Did you learn anything from someone  
19 other than counsel about the number of sex tapes that  
20 were out there?

21 A. I still don't know how many are out there.

22 Q. Okay. If you would look back at that same  
23 text we were looking at, how did you know that one of  
24 the tapes had several xxxxxx slurs?

25 A. That's privileged.

1 Q. You learned that from counsel?

2 A. Yes.

3 Q. All right. Did you learn information about  
4 the xxxxxx slurs from Mike Walters as well?

5 A. No.

6 Q. Did you learn information about xxxxxx slurs  
7 from anyone at TMZ?

8 A. No, just from counsel.

9 Q. Did you learn it from a gentleman by the name  
10 of Keith Davidson?

11 A. Not to my recollection.

12 Q. Do you know who Keith Davidson is?

13 A. Yes.

14 Q. And who is he?

15 A. He is an attorney that was involved -- that  
16 was involved to try to extort money from me.

17 Q. All right. When did you -- when did you deal  
18 with Mr. Davidson?

19 MR. HARDER: Object to the form of the  
20 question.

21 THE WITNESS: I don't understand.

22 BY MR. SULLIVAN:

23 Q. Were you told anything by Mr. Davidson  
24 pertaining to this issue of there being several xxxxxx  
25 slurs?

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CERTIFICATE OF OATH

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, the undersigned authority, certify that TERRY  
GENE BOLLEA personally appeared before me and was duly  
sworn.

WITNESS my hand and official seal this 13th day of  
April, 2015.

Susan C. Riedorph, RPR, CRR, CLSP  
Notary Public - State of Florida  
My Commission Expires: 6/10/17  
Commission No.: FF 023522

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REPORTER'S CERTIFICATE

STATE OF FLORIDA :  
COUNTY OF HILLSBOROUGH :

I, Susan C. Riedsorph, RPR, CRR certify that I was authorized to and did stenographically report the deposition of TERRY GENE BOLLEA; that a review of the transcript was requested and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the outcome of the foregoing action.

Dated this 13th day of April, 2015, IN THE CITY OF TAMPA, COUNTY OF HILLSBOROUGH, STATE OF FLORIDA.

Susan C. Riedsorph, RPR, CRR, CLSP

1 PLEASE ATTACH TO THE DEPOSITION OF TERRY GENE BOLLEA,  
2 VOLUME 5 TAKEN ON APRIL 8, 2015 IN THE CASE OF BOLLEA  
V. GAWKER, ET AL.

3 PAGE LINE CORRECTION AND REASON THEREFOR

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19 I HAVE READ THE FOREGOING PAGES AND, EXCEPT FOR ANY  
20 CORRECTIONS OR AMENDMENTS INDICATED ABOVE, I HEREBY  
SUBSCRIBE TO THE ACCURACY OF THIS TRANSCRIPT.

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TERRY GENE BOLLEA DATE

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WITNESS TO SIGNATURE DATE