

# EXHIBIT 55

to the

**THE GAWKER DEFENDANTS' MOTION TO DISMISS  
ON THE GROUNDS OF FRAUD ON THE COURT**

CONFIDENTIAL-ATTORNEY'S EYES ONLY

2110 First Street, Suite 3-137  
Fort Myers, Florida 33901  
239/461-2200  
239/461-2219 (Fax)



300 N. Hogan Street, Room 700  
Jacksonville, Florida 32202  
904/301-6300  
904/301-6310 (Fax)

35 SE 1st Avenue, Suite 300  
Ocala, Florida 34471  
352/547-3600  
352/547-3623 (Fax)

U.S. Department of Justice  
United States Attorney  
Middle District of Florida

400 West Washington Street, Suite 3100  
Orlando, Florida 32801  
407/648-7500  
407/648-7643 (Fax)

Main Office  
400 North Tampa Street, Suite 3200  
Tampa, Florida 33602  
813/274-6000  
813/274-6358 (Fax)

Reply to: Tampa, FL

SCS

September 3, 2013

**VIA EMAIL AND U.S. MAIL**

Mr. David R. Houston, Esq.  
432 Court Street  
Reno, Nevada 89501

Re: Keith M. Davidson, USAO No. 2012R02418

Dear Mr. Houston:

I am writing regarding the disposition of the following pieces of evidence from the above-stated investigation:

- The following documents: an assignment and transfer of copyright; a Settlement agreement and mutual release; Exhibit B to settlement agreement; and a side letter agreement to the settlement agreement;
- Check #1127 in the amount of \$150,000.00 made out to Keith Davidson from David R. Houston, LTD, a professional corporation; and
- A silver/black case with key containing 3 DVD recordings labeled as follows: (1) DVD-R - Hogan 7-13-07; (2) DVD-R - Hootie 7-13-07; (3) DVD-R - Hootie.

As to the documents and the check (items # 1 & 2 above), possession of these items will be turned over to you, with a copy provided to Mr. Davidson.

As to the case and the DVDs within (item # 3 above), the government intends to retain possession of this evidence pending the outcome in *Terry Gene Bollea v. Heather Clem et al*, case no. 12-012447-CI, currently pending in the Sixth Judicial Circuit Court of Florida, in and for Pinellas County, Florida. The evidence will be provided to whichever party is found to be the rightful possessor of the recordings in that suit.

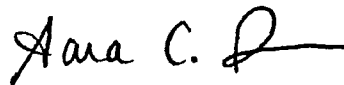
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Mr. David R. Houston, Esq.  
September 3, 2013  
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Please let me know by September 13, 2013, if you object to the above resolution. If you have any questions, please contact me at (813) 274-6000.

Sincerely,

A. LEE BENTLEY, III  
Acting United States Attorney

By:   
Sara C. Sweeney  
Assistant United States Attorney