

EXHIBIT 62

to the

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



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GO# 2014-332377 EXCEPTIONALLY
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2100-8 EXTORTION

Related Text Page(s)

Document: **INVEST REPORT**

Author: **47801 - SCHLEMMER, JOHN**

Related date/time: **May-27-2014 (Tue.)**

On 05/27/14 I received this assigned case reference latent investigation. The phone numbers listed for Clem were longer valid so I left a message with Cox Media Group for him to call me.

On 05/28/14 I received a call from Clem's agent, Tom Bean.

Bean provided me with his phone number and said he would be able to have Clem call me should it become necessary. I informed Bean that I would like to speak with Clem about responding back to the tweet he received before I subpoenaed Twitter.

Bean stated he would have Clem call me.

On 05/30/14 I received a call from Clem. I informed him of Twitter's policy to notify the account holder when a subpoena is issued. Therefore, I would like for him to respond to the tweet. Clem agreed and it was decided that he would tweet something similar to "hey buddy, thanks for looking out." And then see if there was a response.

On 06/24/14 I attempted to contact Clem and left a message.

On 06/25/14 I completed a Subpoena for Records requesting information for the Twitter handle #Joshisinthecity which was used to send the tweet regarding the DVD. The subpoena was reviewed and approved by ASA Goldstein.

On 07/08/14 I received the subpoena information from Twitter which showed the account was created on 05/17/14 at 2306 hours, using the email address of radiomanflavor1970@gmail.com, from an IP address of 97.76.206.251. A computer check of the IP address used to create the Twitter account came back to being a Time Warner account.

I prepared a subpoena for records request to Time Warner for account information. The subpoena was reviewed and approved by ASA Traina

On 07/09/14 I contacted Clem and informed him of the email address used to create the Twitter account. He stated that it did not sound familiar to him.

Clem informed me that he had received a tweets from the subject and would email them to me.

The tweets Clem emailed me were as follows:

Clem: 6/4/14, 10:39 AM "I'm trying to reach out to you"

Josh: 6/4/14, 11:05 PM "Sorry was outta town My girlfriend told me not to give it back to you because of all the stuff going on. I like ya and dont know what 2 do".

Clem: 6/6/14, 4:08 AM "Well i would like to get it back".



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Josh: 7/2/14, 7:55 AM "Just got back & listening. You fired Shanon? He was my favorite".

Clem: 7/2/14, 10:25 AM "No I didn't fire him at all. It was his choice to leave".

Clem: 7/2/14, 10:26 AM "U ever going 2 meet me to pick up that DVD".

Clem informed me that there has been no other contact from the subject..

On 07/17/14 I received information from Time Warner that the IP address belonged to Bright house Networks.

I prepared a subpoena for records to Bright house Networks account holder information regarding the IP address. The subpoena was reviewed and approved by ASA Goldstein.

On 07/23/14 I received the information from Bright house Networks which showed the IP address as being assigned to Knight Global Entertainment, 18 2nd Street North in St Petersburg, FL. The listed contact on the account was J C Harkins.

A computer search of the address, 18 2nd Street North in St Pete came back to Jannus Live where concerts as well as as Jannus Live TV show featuring Matt "spice boy" Loyd, is filmed.

On 08/20/14 MPO Miller and I responded to Janus Live and met with office manager J C Harkins. I informed Harkins that I would like to speak with him concerning the IP address in question. Harkins told me that the IP address is used on the third floor in an area were several of the Jannus Live show workers use. Harkins informed me that on the night of 05/17/14 a group called "Soul Circus Cowboys" was performing.

I informed him that I would like to speak with Matt Loyd and his cameraman, Josh Vozda.

Harkins contacted them and they agreed to meet with us in the business's office.

Josh Vozda arrived withing a few minutes. I explained to Vozda that a twitter account had been created on 05/17/14 at 11:06 PM from the business using the handle Joshisinthecity. He denied having any knowledge of the Twitter account and stated that he hardly ever uses the third floor office. He believes that on the night of 05/17/14 he left immediately after the show which would have ended at 11:00 PM.

Approximately twenty minutes later Matt Loyd arrived. MPO Miller, J C Harkins, Matt Loyd and I sat down in their conference room.

I informed Loyd that I was conducting an investigation that involved a Twitter account created on 05/17/14 from an IP address at the business and that this Twitter account has been used in possible criminal activity. Loyd denied knowing anything about it. I informed him that the account was opened using an email of radiomanflavor1970@gmail.com and that I thought it was him do to him being in radio, radioman, and his nickname being spice boy, flavor.

Loyd stood up and asked if we could speak in private.

MPO Miller and I followed Loyd into a side office. Once in the office Loyd stated, "ok, I created that twitter account, where do we go from here?".

I asked Loyd why he would go to the trouble of creating a fictitious email and then using the email address to create the twitter account. He responded by saying "I didn't want him to know it was me. I wanted him



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to squirm. He is a very bad man and has a lot of connections, even in law enforcement. I have seen him make a phone call and people get arrested."

I asked Loyd where the DVD was. He stated, "I don't have it. I made the one in the picture from a blank disc and wrote on it."

I informed Loyd that Clem identified the DVD in the photo as being his, with his handwriting.

Loyd stated "I made the one in the picture. I took a blank disc and wrote on it with a sharpie".

I asked Loyd how he knew Clem was missing a DVD with Denzil on it. He stated, "everyone knew his cop buddy and ex-wife's sex tape was missing".

I asked Loyd how he came up with the date on the disc. He stated "I just made it up".

I informed Loyd that the date was significant because that is the exact date the stolen DVD was made.

Loyd then stated "I am just trying to focus on my family and put this all behind me".

Loyd admitted to creating the Twitter account and sending the messages to Clem, along with the photo of the DVD. Loyd stated that the DVD in the photo was just a blank one he made to look like one of Clem's missing DVDs.

I informed Loyd that Clem identified, from the tweet photo, the DVD as being his. Loyd denies taking any of Clem's DVDs and insisted that he made the one in the photo.

Loyd said he did this as a prank because Clem is always talking bad of him in the media and on the radio.

Loyd swore that the statements he made to us were the truth.

On 12/26/14 I contacted Clem and informed him of the status of his case. I informed him that I would like to obtain some handwriting samples of his and we agreed to meet on 12/31/14 at 1100 hours, at his office, 5021 W Nassau Street in Tampa.

On 12/31/14 I met Clem at his office and swore him in. Clem informed me that during the course of his divorce, his ex-wife Heather Clem had made references to the sex tapes she had made with Terry Bollea, Hogan, and also his childhood friend Denzil Washington, who is a Terre Haute Indiana Police Sergeant.

Clem was concerned that she would release these videos to the public and removed them from his home. He stored them at his studio, 5025 W lemon St in Tampa.

In March of 2012 his business moved to their current studio at 5021 Nassau Street in Tampa. During the move he distinctly recalls the Hogan, Denzil and Angie sex DVDs being in a box along with numerous other DVDs, CDs and headphones. This box was moved into an unoccupied upstairs office. The rest of the upstairs was unfinished. None of the employees at that time utilized the upstairs.

Clem stated that the Hogan DVD had been in a round DVD case. The type that holds multiple discs.

He stated that the Denzil DVD had been in it's own individual clear plastic case and that the Angie DVD was in a separate case similar to the Hogan case.

Clem said he realized the DVDs were missing once a video clip from the Hogan recording showed up on-line. Clem said he went to the box upstairs and noticed the only things missing were the sex tape DVDs.

Clem stated "you can't have one of the discs without the others".



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Clem provided me with (6) discs that he had previously written on with a Sharpie. The handwriting appears to be the same as the handwriting on the DVD in the photo Loyd tweeted to Clem.

Clem informed me that the FBI had conducted an investigation involving the Bollea DVDs and he thought that case was over.

Clem desires to prosecute anyone involved in the theft and illegal use of his property.

I contacted the Tampa FBI Field office regarding the Bollea DVD investigation and was told that Special Agent Shearn was the lead Agent.

I then contacted Agent Shearn who informed me that he had conducted an investigation regarding the Bollea sex video and the US Attorney's Office declined to file charges. I informed Agent Shearn of my investigation and the admission from Matt Loyd.

Agent Shearn told me he would have to speak with the Assistant US Attorney to obtain approval before discussing the case with me.

On 01/15/15 I was contacted by FBI SA Jason Shearn. He informed me that Assistant US Attorney Sweeney had authorized him to provide me with non-grand jury subpoena information reference the case. SA Shearn informed me that the FBI obtained the original DVDs during an operation. The operation was the result of an extortion involving Matt Loyd, attorney Keith Davidson, and Lori Burbridge. During this operation the original DVDs were delivered by Lori Burbridge, a female associated with Matt Loyd, via an attorney named Keith Davidson. SA Shearn and I made an appointment for 1/20/2015 at 1330 hours to review his case.

I contacted Assistant State Attorney Division Chief Matt Smith to discuss my investigation and informed him of the FBI's closed case which was related. ASA Smith agreed to accompany me to view the case at the FBI office.

On 01/20/15 ASA Division Chief Matt Smith and I responded to the FBI Pinellas office. SA Shearn showed us the original DVDs that he was currently holding as evidence. The DVDs were delivered by Lori Burbridge during a controlled transaction on 12/14/2012. The DVDs were in a black and silver hard case. Inside the case were several DVD sleeves. There were three DVDs total. One was labeled HOGAN 7/13/07, another was labeled HOOTIE 7/3/07, and the third was labeled HOOTIE with no date.

ASA Smith, SA Shearn and I viewed the DVDs and noted the following;

Disc marked HOGAN 7/13/07 contained Heather Clem and Terry Bollea engaging in sex. Bollea does not look at the camera. The camera appears to be on a high ledge in the master bedroom behind a plant. There is no discussion about them being recorded.



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The disc marked HOOTIE 7/3/07 showed the camera to be in the same location as the previously mentioned disc. Bollea and Heather are standing next to the bed, Heather is topless and facing Bollea as Bubba walks into view and comments about a scratch she has on her back. Bubba then leaves the room. Bollea and Heather engage in sex.

The disc marked HOOTIE with no date shows that Bubba walks in after sex between Bollea and Heather. Bollea, Heather and Bubba have conversation. Bollea leaves. Bubba makes comment about tape being used for retirement. Bubba says he is going to get the tape and walks out. Tape ends.

I reviewed the case reports and noted that on 10/16/2012 Atty David Houston and his client, Terry Bollea, meet with the FBI at the Pinellas Office. Houston informed them that he had contacted Clearwater PD and the St Petersburg PD reference the filming of his client. He was told that the filming was "out of statute" and was encouraged to contact the FBI.

The FBI then began their investigation which lead to recorded phone conversations, a recorded operation to purchase the DVDs, and interviews. SA Shearn provided me with copies of the recorded phone calls and the recordings made during the transaction to obtain the DVDs.

I listened to the recorded phone conversations between Keith Davidson and David Houston which were provided by the FBI. The following is a summary of each call:
10/22/12 call

- KD - We can say they came from the hand of Bubba
- KD - You're buying the original or a copy made by Bubba
- KD - There's no indication at all that your client knew it was running
- KD - Viewed them through a streaming service
- KD - He seems like a really nice guy going through a bad part in life
- KD - He confides in Clem, talking about deteriorating marriage.
- KD - Wants to start negotiating
- DH - \$1.00
- KD - \$1 million
- KD - reference dollar figure "you know I still need to talk to my people".

10/28/12 call

- KD - Client is under the impression that it went from Bubba's hands into his own.
- KD - As far as assurances for your client, everything that I said on prior occasion stands. Like representation and warranties and the agreement.

11/2/12 call

- KD - I have authority, bottom line \$400,000
- KD - Three separate DVD's
- DH - Asks if they would be willing to split them up. Says one is already out there. So only interested in other two.



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KD - ...there's one that's more inflammatory than the others and then carries the lion share of the value.

KD - have gone twice at a million and dropped it to \$400,000 and have heard nothing in response.

KD - As with any settlement, you're trying to eliminate risk.

DH - TMZ, Gawker, Dirty.com, Hersch at Vivid, Sexlink.com, these are the five entities that claim to have seen these things or have copies.

KD - Understanding is that the materials in client's possession are the materials which were shared.

KD - The materials were streamed to me.

KD - Agrees on \$300,000. 50% down at execution, 25% in 9 months, 25% in 16 months from the date of execution.

KD - Acknowledges he knows Terry holds copyrights to the videos and by Gawker continuing to run the video violates his copyright.

KD - If fails polygraph. So now you're in a position where you say, ok, are you really going to let my pissed off client walk out with the tapes, you know what I mean? It's so, it really does nothing because the deal has to close.

11/27/12 call

They have a discussion of the agreement and the uses of names.

The following is a summary of the 12/14/12 transaction recordings provided to me by the FBI:

12/14/12

11:00 Davidson enters. Introductions are made.

Davidson explains content of DVDs.

11:08 Davidson agrees that the person they are meeting today is the one who leaked to Gawker and has possessed the tapes.

11:09 Houston asks which tape has the issues. Davidson says tape 2 talks about his son's twin girlfriend. Davidson says tape 3 talks about n word, Brooke dating black guy, etc.

Davidson says tape 3 around the 49 minute mark.

11:17 Houston asks "Do you know where she got them from Keith". Davidson says "Yes, she bought the case and does not know where she bought them from. Someone who was close to Todd and is no longer close to Todd gave them to her. There was an education process with my client. My client gave her the tapes."

"Something you will have to deal with Bubba, we know these things came from him" (meaning Bubba).

Davidson says you have 2 loose ends, Bubba and this.

11:21 Davidson says "my client is in no way associated with Heather". Houston says sounds like a Bubba girlfriend. Davidson says "no, more like a professional relationship". Davidson says "I think it is a former employee or something like".

Davidson says "I can't disclose everything or they are going to walk".

11:24 Houston asks why does Bubba give it to a former employee when he feels its valuable enough to retire on.



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Davidson asks Houston if they can speak in private and they enter bathroom.

Davidson says came from a former employee of Bubba who hates Bubba. He says
"I don't know if they were stolen and quite frankly I don't want to
know if they were stolen".

11:37 Davidson leaves to get LB.

11:42 LB and Davidson enter room.

12:00 Houston, Davidson and Bollea leave room and go to hotel restaurant.

Davidson says he does not know any of these people. It's his understanding that
Bubba has a unique personality he can be a vindictive person.

Davidson says he heard Bubba and Heather met Petraeus at a swingers party and
it is rumored they have video.

13:05 Davidson gives his word he will aggressively work to have Gawker take it off the
site.

13:06 Davidson offers to show tapes for authenticity. Hogan does not want to watch
them. Houston says to have them view beginning then fast forward to
end.

13:55 Houston, Bollea and Davidson are viewing tapes.

13:58 Davidson said Mr. X was shown tapes is how he knew they were there.

Heather refuses to sign off her rights to the videos according to Houston.

Davidson says it is his understanding that Heather has no involvement.

14:02 Discussion about why Heather refuses to sign a walk away agreement.

Hogan asks for verification these tapes were stolen

Davidson says I can't say that but a reasonable person would believe that.

14:06 Davidson says if Gawker will not take it down he will prepare a declaration that
he represents the possessor of the tapes who stole them.

Houston says Gawker indicates that JW Moreno gave them the footage of Hogan.

14:10:33 tape ends

Session#2

14:10:34 tape begins with the sound of them walking.

14:12:33 back in the room with LB and polygraph operator Orr.

14:19 signing agreement and accepting DVDs.

14:21 Houston explains to Davidson error in his office making the check \$150,000.

They change agreement to reflect that.

14:26:03 FBI enter. Sounds like Houston and Hogan walked out.

14:27:02 tape ends.

I reviewed the FBI reports and noted that on 12/14/12 Lori Burbridge, in a post Miranda interview
with the FBI, stated that she was instructed by Atty Keith Davidson and Matt Loyd to say she and "Mr. X" (Matt
Loyd) were the ones who leaked the Hogan clip to Gawker in order to complete negotiations with Bollea and his
attorney.

Burbridge says Loyd leaked the stills to THE DIRTY.COM which did not create enough buzz in the
media.



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Loyd, who possessed the tapes, contacted TMZ who in turn put him in touch with Atty Keith Davidson.

Around this time a clip was leaked to Gawker. Carrega (Loyd's wife) contacted Burbridge and explained that Loyd had the Bollea sex tapes and was actively trying to sell them. Burbridge was asked to become involved in exchange for \$10,000.00 compensation.

Burbridge states that on Veteran's Day 2012 (November 11) she went to Loyd and Carrega's house for a conference call with Atty Davidson. Loyd and Carrega had Burbridge view all three videos. While viewing the videos Burbridge and Carrega took handwritten notes.

Burbridge states that on 12/11/2012 Loyd and Carrega came to her work, Bank of America, to review the Settlement Statement.

Burbridge says that on 12/13/2014 Loyd, Carrega, Davidson and her go to dinner at Ceviche's in St Petersburg prior to the settlement meeting. She questions the legality of what they are doing and Atty Davidson brags about handling several similar cases.

Burbridge said that in preparation for the 12/14/2012 settlement meeting Loyd gave her \$200 to rent a car in case someone followed her after the meeting. Burbridge was instructed to return the car to the airport and not at the location she rented it from. Carrega was to pick her up at the airport.

Burbridge said she was to receive \$5000 as partial payment for her involvement which she was to pay towards her repossessed car. The remaining \$5000 was to come from Loyd.

Burbridge stated that Loyd leaked the clip to TMZ and was paid \$8500. To remain anonymous Loyd had Burbridge sign the tax form for the money and was told that Loyd and Carrega would help her with the taxes on the income.

Burbridge said she received a TMZ check, via Fed-Ex, that she deposited into her bank account. She then got an \$8000 cashier's check made out to Matt Loyd.

Burbridge said she received a total of \$500 for assisting Loyd with the TMZ transaction.

Burbridge stated that "Janerro" was the name Loyd used when dealing with Gawker.

Burbridge states Loyd and Carrega used multiple fake email accounts, potentially Gmail, to converse and deal with media sites regarding these tapes. Once used, they would shut them down to avoid being traced.

Burbridge states Bubba Clem has nothing to do with the leaks or sale of the tapes. She said Loyd is afraid of Bubba and is afraid of him finding out he was selling the tapes.

On 12/17/12 Burbridge was called by the FBI. She informed them that she rented the car for the transaction with her debit card at the Enterprise Car Rental near Webb Road and Hillsborough Avenue. She says she was reimbursed by Loyd.

Burbridge informed the FBI that Loyd and Carrega deposited the cashier's check into their son, Jayden Carrega's, account.

She stated that she has not had contact with either Loyd or Carrega.

On 12/20/12 Burbridge calls the FBI and informs them she found her hand written notes from the Veteran's Day meeting with Loyd and Carrega. She says she had watched the videos on Loyd's MacBook computer.



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On 01/22/15 I contacted Denzil Lewis, who had been recorded having sex with Heather Clem which was documented on the DVD marked Denzil. Lewis informed me that he had been visiting the Clem's between 2/15/08 and 2/18/08. Bubba and Heather agreed to him having sex with Heather and he knew it would be recorded.

On 01/22/15 I called Burbridge who agreed to meet with me at her residence. TPD MPO D. Miller and I met with Burbridge at 1825 hours. I informed Burbridge that I would like to talk with her concerning the transaction she had participated in regarding some DVDs. She said she thought that was over. I informed her that I was working a case where another one of the originally stolen DVDs had surfaced. She was concerned that she needed to get something in writing to protect herself from being prosecuted. She said she should have done that earlier when dealing with the FBI. Burbridge has two children, one 10 years old and one 4 years old. The younger one kept interrupting our attempts at talking and it was agreed that we would meet the following Tuesday when she is off work and her kids are in school.

On 01/23/15 I provided Burbridge an Investigative Witness Subpoena issued by ASA Division Chief M. Smith. Burbridge accepted the subpoena and agreed to meet as requested.

On 01/26/15 I was informed ASA Smith that Burbridge had sought council and the interview would be postponed.

On 02/03/15 at 0900 hours Lori Burbridge, her attorney David Weisbrod, ASA M. Smith and I met at the State Attorney's office for the purpose of conducting an interview of Lori Burbridge. A court reporter was also present and recorded the interview. The following is a summary of the interview:

Burbridge stated that Tasha Carrega, Matthew Loyd's wife, and her have been friends for years. Regarding the transaction from 12/14/12, Tasha called her and told her they had the tapes with Hogan to sell. They had already obtained Davidson as their counsel for the exchange. She believed that Davidson was referred to them by someone from TMZ. Tasha asked her to be the person trying to sell the tapes. Burbridge said she went to Tasha and Matt's house and watched the DVDs so she would have historical info to be able to present herself as the seller. She remembers watching the videos on Matt's MacBook laptop. She said there were (3) videos and thinks they were in folders on the laptop. She said the only time she actually saw the discs was the day everything happened, when she met Hulk and his attorney. She said that while they are watching the videos Matt is the one pulling up the videos to view. Matt had told her she would get \$5000.00 for her part. Burbridge said they were watching the DVDs in preparation to speak with attorney Davidson. Burbridge said a speaker phone call with Davidson was then made, Tasha and Matt were present. Burbridge remembers Davidson stating that she needed to say, and he included in the contract, that she was the one who sold the video to Gawker. If they didn't the whole deal possibly would not go through. Burbridge said it was pretty clear that Davidson knew they hadn't leaked it to Gawker. They discussed how Matt obtained the tapes and he came up with a story about purchasing them at a Bubba yard sale. Davidson did not like that story and suggested they instead bought a laptop with them on it. Matt had explained to her that there were copies going the station and that is how she thought he obtained them. Burbridge said that once the contract was written Matt brought it to her work for her to sign. At that time she was working at the Bank of America on Hillsborough Ave in Tampa. Burbridge said she was not involved in the actual TMZ deal. She said that was all Matt. Tasha had called her and asked her to receive the money



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since they were trying to keep a distance from their names. Burbridge recalls the TMZ check as being \$10000.00 written in her name. The check came to her in Brandon by FedEx. She cashed it and gave Matt a cashier's check. Matt paid her \$500.00 for her part. She said the purpose of leaking the clip to TMZ was to build up interest. She believes Matt became involved with Davidson through TMZ. Davidson told them if they did not claim to be the ones to release it to Gawker the deal they were working on would not go through. Burbridge recalls meeting with Davidson, Matt, and Tasha the day before the transaction at the Ceviche restaurant in St Petersburg. During this meeting Davidson said he had brokered other sex tapes with celebrities that could have put them in a bad light, such as Kanye West. Lori said the day of the transaction she met with Davidson at the Sand pearl Resort in Clearwater. Davidson told her that the cat was out of the bag and that they knew she was not Mr. X but they would say she represents someone who they are going to call Mr. X.

Burbridge stated that she spoke with Matt Loyd prior to this interview. She told him that I had mentioned the DVD he tweeted to Bubba. Burbridge said Matt told her he was trying to make Bubba sweat. He told her he worked for Bubba for years and he can forge his handwriting. He told her he posted it on Twitter.

At 1400 hours a telephone conference call was conducted at the State Attorney's office with David Houston, the attorney for Terry Bollea. Houston stated that Davidson clearly indicated the tapes were stolen. He said Gawker was aware of Matt Loyd's activities. Houston informed us that there was a civil trial against Gawker set for 7/6/15. Houston agreed to contact Bollea so he could be interviewed.

On 02/04/2015 ASA Division Chief Matt Smith and I responded to 5021 W Nassau Street to meet with Bubba Clem. ASA Smith contacted Clem's attorney, Diaco, who agreed to the interview. We met in Clem's personal office with the door closed. Clem was introduced to ASA Matt Smith. Clem was informed that there were some additional questions regarding this case. Clem was asked about a "Bubba Yard Sale". Clem said that he has had four previous "Bubba Yard Sales" during which he sells different items from the show and donates the money for charity. Clem said he has heard allegations that the leaked videos were purchased at one of these yard sales which he says is not true.

Clem was asked if he has had any involvement with Tony Burton of the Buchwald Group. Clem stated that he never has, but he knows that Burton is Mike Calta's agent. He also said that Howard Stern had been represented by the Buchwald Group.

I asked Clem why the sex tapes were such a big topic of his divorce mediation with Heather. Clem said he had a pre-nuptial agreement with Heather which did not leave her with very much.

Clem was asked if Bollea knew he was being recorded in the sex tapes. Clem said "no, he did not know he was being recorded".

Clem said the recordings that he knew of involving his ex-wife Heather and others were; Hogan, Denzil, a black guy from Miami, and a girl named Angie. Clem said when he received the DVDs from Heather he did not look in the bag and take an inventory. He said he just put the bag in his desk drawer.

Clem confirmed that his employee "twenty five cent" is Broderick E. Epps. Clem said that Matt Loyd and Epps used to be very close friends. Clem does not believe that Epps had anything to do with the sex tapes being stolen or exposed.

I asked Clem if he had shown the sex tapes to anyone and he said no.



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I also asked Clem if Loyd or Calta had sex with Heather. He said no.

On 02/06/15 I met with Broderick Epps, also known as "twenty five cent", at the studio on Nassau Street in Tampa. Epps was sworn in and stated the following: He currently works on Bubba's radio show as an on air personality. He had previously worked on the Bubba show from 2005 until September of 2012 when he quit due to a conflict between him and Bubba. Epps said he and Mat Loyd, also known as "spice boy", worked together on the Bubba show until Loyd got his own show. He said Loyd was always looking for "dirt" on Bubba to use on his show. Epps said he had never seen sex videos with Bubba's wife and does not remember Bubba ever saying he had them prior to them being exposed.

I subpoenaed the phone records for Matt Loyd's known phones which showed that from 3/7/12 to 10/16/12 he had 38 calls with Mike Walters from TMZ.

I made several attempts to contact Mike Walters of TMZ, which were unsuccessful.

I subpoenaed and obtained phone records from both Matt Loyd's and Keith Davidson's phones. The records show they made 35 calls to each other between 10/10/12 and 12/14/12, the day of the FBI operation. The records show they had no contact after then.

Burbridge's and Carrega's phone records were also subpoenaed. The records confirmed that phone calls referenced in interviews were made.

On 0/12/15 I met with Agent Shearn who released the following items of evidence to me:

- (1) Silver box containing (3) DVDs
- (1) Check made to Keith Davidson from David Houston for \$150,000
- Settlement Agreement signed on 12/14/12

On 03/12/15 I delivered the silver box containing the (3) DVDs to TPD print examiner Thomas Gonzalez for processing. Two of the DVDs had print evidence positive for ridge and were submitted through AFIS receiving negative results.

On 04/01/15 Heather Cole, Bubba Clem's ex-wife, was interviewed at her attorney's office. ASA Matt Smith and a court reporter were also present. Cole was sworn in and stated the following: She stated that she works in public access TV and that is how she met Bubba. Cole said they dated off and on for about (4) years and were married in January of 2007. She said they were married for 56 months. Cole stated that the sex she had with others during her marriage to Bubba was consensual. She stated that Bubba insisted on it being videoed. I asked Cole if Bollea knew he was being recorded and she said no. I told Cole that in the videos it appears as though she is positioning Bollea for the camera. She said she did that because that is what Bubba wanted. Cole said Bubba could be very controlling. Cole said she remembers Bubba coming to the house after they had separated and requesting the DVDs sometime around the end of 2011.

On 04/16/15 I called Mike Calta and left a phone message. My message was returned on 04/21/15 by Calta's attorney, Dominic Fariello. We made arraignments for Calta and me to meet the following morning at



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Fariello's office in Tampa. I received a call, later that same day, from Fariello who said Calta would not agree to meet.

On 05/12/15 Tasha Carrega, Matt Loyd's wife, was interviewed at the Hillsborough County State Attorney's office. Her attorney was present along with ASA Matt Smith and a court reporter.

The following is a summary of her interview: Carrega stated that she was married to Matt Loyd on 6/22/13. She said she has been "best friends" with Lori Burbridge since High School. When asked how she became involved with the Bollea sex tapes she stated that Loyd and she were at a Bubba yard sale in 2010 or 2011 where they purchased a Rocky DVD movie box set. Approximately (2) weeks after the purchase they went to play the Rocky movies and discovered the sex tapes inside. She recalls there being 4 to 6 DVDs. Carrega stated that she did not recall much about the tapes. I asked her if she recalled viewing the videos and taking notes. She said she did not recall. I showed her a copy of her handwritten notes depicting the content of each video. She then acknowledged it was her handwriting but did not recall why she wrote them. She did not recall conversations, phone calls or meetings regarding this case. Carrega stated that she was at the West Shore mall in Tampa with Loyd during the 12/14/12 transaction. She said Loyd received a text message from Davidson saying "raided, need legal representation".

On 06/16/15 Detective Kirlangitis and I met with Terry Bollea at his residence. I informed Bollea of my current investigation and informed him that the DVDs involving him and Cole had been stolen at the same time as the one tweeted to Clem by Loyd. Bollea was asked if he desired to proceed with prosecution for the Extortion. He said he was interested but would need to confer with his attorney.

On 07/16/15 Detective Kirlangitis and I met with Patrick Fowler, aka Tuddle, in the TPD CIB conference room. Fowler swore to tell the truth and stated the following. Fowler currently works for Clem on the radio show. He remembered that sometime in 2012 Loyd and Calta were watching something on a desktop computer at Cox media group's office in St Petersburg. He said they were laughing and making voices to try and sound like "Hogan". Fowler said he went over to see what they were watching and it was a video of "Hogan" and Bubba's then wife having sex. He stated that he only watched for a few seconds but he remembers the computer monitor as having a smaller window where the video was being played and the desktop screen background with icons behind it. He did not see any disc and did not know if what he was watching was the clip from Gawker or from some other source. Fowler said in his opinion anyone with I-movie on an Apple device could have created the clip he saw on Gawker.

During the video of the FBI operation on 12/14/12, Lori Burbridge acknowledged viewing all (5) videos involving Clem's wife which would have included the "Denzil" video. This statement, along with the statement of Carrega confirms that Loyd had been in possession of the DVDs stolen from Clem.

Matt Loyd's phone records confirm calls to the media outlets attorney David Houston say he was contacted by.

Matt Loyd's phone records show he initially contacted attorney Keith Davidson and call blocked his number.



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Ceviche and Sand Pearl were subpoenaed and provided transaction records confirming Davidson was at both the 12/13/12 Ceviche meeting and that he stayed at the Sand Pearl resort.

Enterprise car rental was subpoenaed and provided the rental agreement for the vehicle Lori Burbridge used during the Sand Pearl meeting.

Conclusion: Matthew Loyd stole several sex tape DVDs from Bubba Clem's office building. He then shopped clips of the Hogan DVDs to build interest, selling to TMZ, and concealing his identity by having Lori Burbridge accept payment for him.

Mathew Loyd then contacts attorney Keith Davidson from California to engage in the extortion of Terry Bollea. At the time of this contact and throughout the negotiations Davidson is suspended from practicing law by the California Bar.

Davidson translates the necessity for Bollea to purchase these videos to Bollea's Attorney Houston via FBI recorded phone conversations. Davidson's only option to keep from exposing the multiple videos and the damaging content is to obtain payment which starts out at \$1 Million. Davidson also acknowledges that his client obtained them from his former employer without that former employers knowledge. Davidson assisted Loyd in coming up with a more suitable story as to how the videos were obtained. He also instructed Loyd they would have to admit to the Gawker leak or the deal may not go through.

On 10/08/15 ASA Matt Smith and I met with State Attorney Mark Ober, Chief Assistant State Attorney Mike Sinacore, Felony Bureau Chief Chris Moody, and Chief of Investigations Mark Cox. The case was presented to them and they are determining prosecution for Conspiracy to Extort and Dealing in stolen property. It was determined that the Statewide Prosecutors Office would review the case to determine jurisdiction.

On 11/10/15 I met with Statewide Prosecutors Nick Cox and Mike Williams this case was presented to them for consideration of prosecution. Statewide Prosecutor Cox stated that he would speak with his superiors and get back.

On 11/13/15 I was informed that the Hillsborough County State Attorney's Office as well as the Office of the Statewide Prosecutor declined to prosecute or file charges in this case.

Therefore this case is EXCEPTIONALLY cleared.