

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.: 12012447-CI-011

vs.

GAWKER MEDIA, LLC aka GAWKER MEDIA,
NICK DENTON and A.J. DAULERIO,

Defendants.

FILED
ST. PETERSBURG BRANCH
2016 JAN 28 PM 4:21
KEN BURKE
CLERK OF CIRCUIT COURT

ORDER ON DEFENDANTS' (1) MOTION TO DISMISS FOR FRAUD UPON THE COURT, (2) MOTION TO COMPEL PLAINTIFF TO PRODUCE IMPROPERLY WITHHELD DOCUMENTS, (3) MOTION FOR ACCESS TO CORRECTED AND UNREDACTED DVDS, (4) ASSOCIATED MOTIONS TO DETERMINE CONFIDENTIALITY, AND (5) SEALING OF TRANSCRIPTS

THIS CAUSE came before the Court on January 13, 2016 and January 20, 2016, upon Defendants' (1) Motion to Dismiss for Fraud Upon the Court, (2) Motion to Compel Plaintiff to Produce Improperly Withheld Documents and (3) Motion for Access to Corrected and Unredacted DVDs; as well as Motions to Determine Confidentiality associated with the same. The Court has reviewed the motions and supporting evidence, the Plaintiff's Omnibus Opposition, heard the argument of counsel for the parties and intervening media companies, and is otherwise fully advised. It is, thereupon, ORDERED AND ADJUDGED AS FOLLOWS:

1. Defendants' Motion to Dismiss on the Grounds of Fraud on the Court is DENIED, as Defendants failed to establish by clear and convincing evidence that a fraud upon the Court was committed.

2. Defendants' Motion to Compel Plaintiff to Produce Improperly Withheld Documents is DENIED.

3. Defendants' Motion for Access to Corrected and Unredacted DVDs is GRANTED to the extent that only counsel for Plaintiff and Gawker Defendants shall be permitted to view the DVDs as described on the record during the January 20, 2016 hearing. The content of the DVDs shall be maintained "Confidential – Attorneys' Eyes Only," pending further order of this Court.

4. The Motion to Determine Confidentiality associated with the Motion to Dismiss for Fraud Upon the Court is GRANTED IN PART and DENIED IN PART, to the extent that a partially redacted version of the Motion (excluding exhibits) shall be filed in the Court file, pursuant to the rulings orally announced on January 13, 2016.

5. The Motion to Determine Confidentiality associated with the Motion to Compel Plaintiff to Produce Improperly Withheld Documents is GRANTED IN PART and DENIED IN PART, to the extent that an unredacted version of the Motion (excluding exhibits) shall be filed in the Court file.

6. The Motion to Determine Confidentiality associated with the Motion for Access to Corrected and Unredacted DVDs is GRANTED IN PART and DENIED IN PART, to the extent that a partially redacted version of the Motion (excluding exhibits) shall be filed in the Court file, pursuant to the rulings orally announced on January 20, 2016.

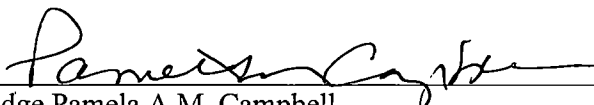
7. The Motion to Determine Confidentiality associated with Plaintiff's Omnibus Response in Opposition to Gawker Media, LLC, Nick Denton and A.J. Daulerio's Disguised Motions for Rehearing is GRANTED IN PART and DENIED IN PART, to the extent that a partially redacted version of the Omnibus Opposition (excluding exhibits) shall be filed in the Court file, pursuant to the rulings orally announced on January 13, 2016.

8. During the January 13, 2015 hearing, after the Court orally announced its ruling concerning the Motion to Determine the Confidentiality of the Gawker Defendants' Motion to

Dismiss on the Grounds of Fraud on the Court, the Court directed counsel for the parties, in making their arguments on the three substantive motions, to address any matters ruled to be confidential at the bench rather than in the well of the court. In response, portions of the argument by the parties' counsel concerning the Motion to Dismiss on the Grounds of Fraud on the Court and the Motion to Compel Improperly Withheld Documents were heard confidentially at the bench. The Court directed the court reporter to treat those portions of the January 13, 2016 hearing transcript as sealed.

9. After directing the parties to confer on the subject, the Court is unsealing the previously-sealed portions of the January 13, 2016 hearing transcript addressing only the Motion to Compel Improperly Withheld Documents, except for Page 11: line 21 through Page 13: line 10, which shall remain sealed. The previously-sealed portions of the January 13, 2016 hearing transcript addressing the Motion to Dismiss on the Grounds of Fraud on the Court shall also remain sealed.

DONE and ORDERED in Chambers at Pinellas County, Florida, this 27 day of January, 2016.



Judge Pamela A.M. Campbell,
Circuit Judge

cc: Counsel of Record