

EXHIBIT D

Plaintiff's Trial Exhibit 388



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Adrian Chen @AdrianChen · Jun 17

Never underestimate how many people haven't yet read your 8000-word piece about Russian trolls. Just. keep. tweeting. nytimes.com/2015/06/07/mag...

↩️ ↻️ 32 ★ 52 ⋮



James Del @JDel · Jun 17

@AdrianChen I am personally embarrassed you wrote this two weeks ago. It's very, very good. And long.

↩️ ↻️ ★ 1 ⋮



Adrian Chen

@AdrianChen

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@JDel thanks James. Congrats on escaping gawker before Hulk Hogan destroys it btw

↩️ ↻️ ★ ⋮

FAVORITE

1



2:49 PM - 17 Jun 2015



James Del @JDel · Jun 17

@AdrianChen ""

↩️ ↻️ ★ ⋮



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I feel like the Hogan v Gawker trial is going to be about 100x more entertaining than the Silk Road trial.



FAVORITES

32



4:08 PM - 12 Jun 2015



Philip Bump @pbump · Jun 12

@AdrianChen "We call Malcolm Read to the stand."



Jacob Tender @CurbsideAudio · Jun 12

@AdrianChen since the trial is rooted in entertainment, I'd have to agree.



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Leah Finnegan

@leahfinnegan

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this is idiotic fusion.net/story/150994/h...



Hulk Hogan is fighting for the privacy of the world's sex tapes

Hulk Hogan has sued Gawker for publishing part of a secretly-taken sex video made of him. Legal experts say Gawker needs to lose to preserve the privacy of...
fusion.net

FAVORITE

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11:38 AM - 16 Jun 2015

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Leah Finnegan

@leahfinnegan

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i hope this "law professor" doesn't actually teach people



down due to the litigation) without actually publishing the video. "Of course, journalists can write that it was made but the video itself isn't newsworthy. We don't need to see the video. It's a sacred invasion of privacy and humiliating and exposing," says University of Maryland law professor Danielle Citron, author of the book *Hate Crimes in Cyberspace*. "It was a big mistake and [Gawker is] sticking by it because they made it."

FAVORITE

1



11:40 AM - 16 Jun 2015

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BOLLEA 006971

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@leahfinnegan

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it's cool when journalists are against free speech



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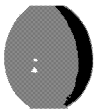


11:43 AM - 16 Jun 2015



Cameron Banga @CameronBanga · Jun 16

@leahfinnegan @samfbiddle @kashhill Your holy war is over Hulk Hogan's dong. That's the moment your life's work has built up to. Congrats.



bayo0786 @heyoyayo · Jun 16

@leahfinnegan But if its naked photos of a woman, its a sex crime.

Everyone is mocking you over this hypocrisy.



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Leah Finnegan

@leahfinnegan

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but then again when u work at fusion maybe
u shouldn't have 1st amend privileges



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11:43 AM - 16 Jun 2015

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there are some dumb motherfuckers in this indus



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11:53 AM - 16 Jun 2015



Natasha VC @natashavc · Jun 16

@leahfinnegan who



Leah Finnegan @leahfinnegan · Jun 16

@natashavc DM me i'll tell you



Natasha VC @natashavc · Jun 16

@leahfinnegan can u sext it to me instead



Leah Finnegan @leahfinnegan · Jun 16

@natashavc absolutely



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Plaintiff's Trial Exhibit 395



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the grossest thing about 2015 is the widespread insistence that hugely wealthy public figures have an expansive right to privacy



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23



11:52 AM - 16 Jun 2015



max read @max_read · Jun 16

neway i dislike this article and think it is deeply silly and incredibly short-sighted
fusion.net/story/150994/h...



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Ryan Holiday @RyanHoliday · Jun 16

@max_read no \$100M bias there



Mike Shortt @Mike_Shortt · Jun 16

@RyanHoliday @max_read The \$100M figure may as well be \$1 Gazillion. It is an inflated and fictional sum created by a Plaintiff attorney.



Ryan Holiday @RyanHoliday · Jun 16

@Mike_Shortt @max_read yes Gawker is typically restrained and circumspect when it comes to writing about claims and figures in lawsuits





Mike Shortt @Mike_Shortt · Jun 16

@RyanHoliday @max_read Maybe they are/aren't. My point is my point, it makes us all dumber to attribute value to that figure.



Ryan Holiday @RyanHoliday · Jun 16

@Mike_Shortt @max_read same point. The company hangs in the balance, not some intellectually point about privacy

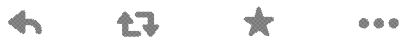


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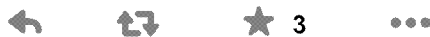
Maria Bustillos @mariabustillos · Jun 16

@max_read hmm the *grossest* thing, pretty wide field there



max read @max_read · Jun 16

@mariabustillos allow me my hyperbole maria



good-ass kinja @sarahjeong · Jun 16

@max_read it's an interesting trend. not just celebrities, corporations as well.



max read @max_read · Jun 16

@sarahjeong brands!

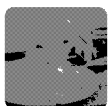


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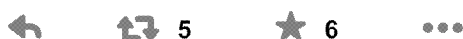
Kyle Feldscher @Kyle_Feldscher · Jun 16

@max_read Meanwhile we just blew up Rachel Dolezan's life for no real reason!



Aidan @4eversincelunch · Jun 16

@max_read I liked when Nick Denton went all populist Dusty Rhodes hard times about Hulk Hogan consensually fucking pic.twitter.com/RqYFa3e5IV





web consumer @ObscureMemory · Jun 16

DADDY I THEEN DA LUV THPONGUE CUCKED BY DA WOILD CHAMPEEN

@4eversincelunch

↩️ ↻ 1 ★ 3 ⋮



Aidan @4eversincelunch · Jun 16



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Leah Finnegan @leahfinnegan · Jun 16

@max_read celebrities r not ppl

↩️ ↻ ★ 1 ⋮



Leah Finnegan @leahfinnegan · Jun 16

@max_read "celebrities"

↩️ ↻ ★ ⋮



A\$AP Gabagool @a_salta1 · Jun 16

@max_read it's a hulking problem, brother

↩️ ↻ ★ 1 ⋮



Chris Chafin @gentlemanstimes · Jun 16

@max_read CELEBRITIES ARE NOT YOUR FRIENDS is a thing i often want to shout

↩️ ↻ ★ ⋮



Jeremy Repanich @racefortheprize · Jun 16

@max_read Would, by that writer's logic, Deadspin have been able to publish the Favre photos?

↩️ ↻ ★ ⋮



Chris Tolles @tolles · Jun 16

@max_read Either everyone has a "right" or it isn't a "right". Mind you, a Florida court having jurisdiction over Gawker is ludicrous.

↩️ ↻ ★ ⋮



That'sRich @BookBeagleBenz · Jun 16

@max_read they can buy it by keeping their mouths shut and being discrete. But oh. Never mind.

↩️ ↻ ★ ⋮



JUSTIFIED & ANCIENT @knifehorse · Jun 16

.@max_read no, it's way more gross you feel you're entitled to see a guy fuck because he bodyslammed Ultimate Warrior once



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"journalism professor" mike foley is deeply misinformed about his supposed area of expertise capitalnewyork.com/article/media/

...



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7

FAVORITES
5



6:19 AM - 12 Jun 2015



rvb™ @ryanvailbrown · Jun 12
@max_read some hot FOM content right there.



max read @max_read · Jun 12
@ryanvailbrown shouldve tagged #fom



Jason Sanchez @jasonsanchez82 · Jun 12
@max_read in this, he is misinformed but he is indeed a journalism professor and a good one too



tinybaby @tinybaby · Jun 12
@max_read i got a couple hundred bucks you guys can borrow if you need it just let me know



Ralph Henson @ralphhenson · Jun 12
@max_read @Choire

He may be a Journalism Expert in Florida!



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Rapper In Chief hdrewblackburn · Jun 17
nick denton makes gawker look absolutely horrible, hypocritical, kind of insidious, more bad adjectives nick.kinja.com/the-price-of-f...

1



Rapper In Chief hdrewblackburn · Jun 17
"I have a simple editorial litmus test, which is: is it true, and is it interesting?"



Rapper In Chief hdrewblackburn · Jun 17
isn't hosting a sex tape without the consent of the "performers" technically revenge porn?

1



Tom Scocca
tomscocca

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@hdrewblackburn Gawker didn't host the sex tape.

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2:48 PM - 17 Jun 2015

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Tom Scocca
@tomscocca

Jun 21



Rapper In Chief hdrewblackburn · Jun 17
@tomscocca gawker media posted the video and had it available to view on the site saying gawker didn't "host" it is slick semantics



Tom Scocca tomscocca · Jun 17
@hdrewblackburn Gawker used clips totaling less than 10 seconds of sex to illustrate a news item.



Tom Scocca tomscocca · Jun 17
@hdrewblackburn What you're mortally wrong about isn't "hosted," it's "the video."



Rapper In Chief hdrewblackburn · Jun 17
@tomscocca 4 seconds of sex without consent of the parties involved is different than 5 hours how?



Tom Scocca tomscocca · Jun 17
@hdrewblackburn It serves an illustrative purpose on a news story about a public figure.



Rapper In Chief hdrewblackburn · Jun 17
@tomscocca that is a wonky defense of "sexually explicit media distributed w/o consent of individuals involved" pic.twitter.com/i5MvhrKpxB

The Hulk is seeking damages for loss of privacy, emotional stress and deprivation of his right to publicity, among other torts, over Gawker's Oct. 4, 2012 publication of a 101-second highlight reel of the 30-minute video (made five years earlier without his knowledge or consent, and leaked to Gawker by an unidentified source) showing him naked, aroused and having sex with Heather Cole Clem, at the time the wife of his purported best friend, a Sirius Radio shock jock whose legal name is Bubba the Love Sponge Clem.

3:10 PM - 17 Jun 2015 · Details



Tom Scocca · tomcocca · Jun 17

@hdrewblackburn It's a simple First Amendment defense against a frivolous and predatory lawsuit.



Rapper In Chief · hdrewblackburn · Jun 17

@tomcocca a fair albeit trash defense against invasion of privacy, not against revenge porn though, nor hypocritical editorial judgement



Tom Scocca · tomcocca · Jun 17

@hdrewblackburn Hulk isn't suing the party who made or distributed the full video. And juries don't get to review editorial judgment.

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Rapper In Chief · hdrewblackburn · Jun 17

@tomcocca i'm aware. was really originally concerned with whether or not posting the video is fucked up and yes it is



Tom Scocca · tomcocca · Jun 17

@hdrewblackburn But saying "posting the video" still fundamentally misrepresents the central fact in a \$100 million lawsuit.



Rapper In Chief · hdrewblackburn · Jun 17

@tomcocca i don't follow didn't, gawker post a 101 second video that included footage of two people engaged in sex against their consent?

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19h

Hey @ThisIsFusion apparently there's some confusion there about whether we think your piece yesterday was idiot trash? It was idiot trash.



FAVORITE

1



8:59 AM - 17 Jun 2015



Michael C Moynihan @mcmoynihan · Jun 17
@tomscocca But it was written by a 22 yr old making \$180,000 a year, so that's good.



leslie @LesHom · Jun 17
@tomscocca @ThisIsFusion It was idiot trash.



wattznext @wattznext · Jun 17
@tomscocca @ThisIsFusion OK, I'll bite. Which piece?



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19h

Meanwhile this premise is incomprehensible. So, like, if Anthony Weiner VINES his dick he's in the clear?



Citron says that a sex tape is a special category, uniquely deserving of privacy, and that, if Gawker did lose, it would not chill the media's ability to, for example, report on and publish bulge-filled photos a mayoral candidate sent to women via Twitter while running for office – the oft-referenced "Weiner example." "A Gawker loss won't be chilling because this case is so unique," she says. "I think we have a societal consensus that sex tapes are unique and not newsworthy."

FAVORITES

3



11:48 AM - 16 Jun 2015



Tony Biasotti @TonyBiasotti · Jun 16
@tomscocca does someone vine it without his knowledge?



Tom Scocca @tomscocca · Jun 16
@TonyBiasotti I guess if the Vining is consensual there's a societal consensus that it wouldn't be news.



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@tomscocca

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Even this parenthetical is wrong, @kashhill
—Gawker doesn't put ads on NSFW posts.



asking for). Of course, Gawker wasn't selling Bollea's tape (beyond
monetizing through the ads around it), it was reporting about it. Media

RETWEET

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11:44 AM - 16 Jun 2015



Kashmir Hill @kashhill · Jun 16
@tomscocca will correct.



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