

Exhibit 19

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.

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PUBLIC TRANSCRIPT

HEARING BEFORE THE HONORABLE PAMELA A.M. CAMPBELL

DATE: January 13, 2016
TIME: 9:04 a.m. to 12:32 p.m.
PLACE: Pinellas County Courthouse
545 First Avenue North
Courtroom C
St. Petersburg, Florida

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

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8 ALSO PRESENT:

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10 I N D E X

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1 examine my client and asking him questions or
2 looking to me and Mr. Harder for our response,
3 it's a piece of paper to us. Until someone
4 authenticates it in front of me, that's what it
5 will always be. That's what the rules of evidence
6 afford us. That's a difference in how we
7 interpret rules, Judge. It's not a lie. It's not
8 a misrepresentation.

9 Secondly, Your Honor, the DVDs. Once have I
10 seen them. Okay. I have no idea. I think that
11 David Houston -- if I may approach, there's a
12 portion of his deposition that I would like to
13 argue very quickly or I can just point you to the
14 page.

15 THE COURT: Point me to the page.

16 MR. TURKEL: If you look at page 212, lines 7
17 through 20 of Mr. Houston's deposition, I'll
18 dispense with coming up there and dealing with
19 that. But I think that it's very clear
20 throughout, Your Honor, that what they call a
21 misrepresentation or a fraud -- I won't use the
22 word lie again. You've told me not to. Whatever
23 they want to call it, however they want to spin
24 it, at the end of the day, it's just a
25 disagreement, Judge, about what DVDs are out

1 there, who has seen what, and what they mean.
2 That's just one example. We've cited others in
3 the record. Judge, equally, this idea that -- it
4 runs throughout their papers that this FBI
5 investigation, which was undisputedly an extortion
6 and a sting into an extortion, they actually treat
7 it in their legal argument like it's a legitimate
8 real business transaction creating real legitimate
9 business obligations in a real legitimate business
10 setting. By its nature, it's not that. The
11 record is replete with citations to that.

12 They want to sort of use it to say, well,
13 everybody knew this and that. We've already dealt
14 with what the parties' mindset was as they were
15 going through that. I think most of that has been
16 redacted, but I spoke about it earlier. I'll
17 leave it at that. We certainly cited it in our
18 papers.

19 Very similar to other things that we've been
20 confronted with in this case, Judge, whether you
21 call them half truths and spins, whether you call
22 it hyperbole or rhetoric, what they do in their
23 papers is they like to take something they believe
24 to be an interpretation or a conclusion from the
25 evidence and they state it as if it's a fact. In

1 this case, throughout their papers what they did
2 is they omitted countervailing evidence, excerpts
3 in Mr. Houston's testimony, for instance, and
4 other like things. They just omit it. So in
5 their world, the way they argue fraud on the court
6 is if you accept how we look at everything, then
7 there's a fraud on the court. But to do that, you
8 can't listen to anything the other side says about
9 why certain things were said, the context of what
10 was said, explanations that were given. You have
11 numerous statements at numerous times. It
12 happens. You reconcile them at trial or you
13 impeach a witness. That's what we do. You don't
14 come to a judge and say, Judge, we don't like the
15 way their witnesses testified; therefore, they're
16 lying to you in their case. We all deal with it.
17 I've never tried a case where at least one witness
18 didn't have some kind of an issue on either side.
19 That's what this is. You take away their
20 hyperbole and the big city lawyer language and all
21 this stuff and you're left with guys that just
22 don't like witness statements. They don't like
23 what they said. How can you sit here and argue to
24 you that Terry Bollea had any knowledge of what
25 was happening as far as him being taped when you

1 have three witnesses literally in your papers that
2 said under oath that he didn't? How can anybody
3 make that argument? We just disagree on the
4 evidence.

5 So we'll put six in the box, Judge. That's
6 what we do. We open. We close. They tell us
7 what they think the evidence is, but it's not
8 fraud. It's not misrepresentation. It's just
9 what we do for a living. And it's an occupational
10 hazard what we do for a living. Sometimes you
11 don't like the other side's version.

12 Additionally, Judge, their answer -- I want
13 to touch on this because I don't like what they
14 said about Mr. Harder, who I think throughout this
15 thing, as much as we've been vigorously advocating
16 against them, has held his temper in light of
17 numerous accusations that I don't think were
18 merited.

19 Their response to Judge Case having done the
20 very exercise you're doing today was Mr. Harder
21 was basically not telling the truth. That's what
22 they're saying. I sat in that hearing. They went
23 for like two hours on all this stuff, the
24 interrogatories and the documents and the
25 transcripts and this and that. It was the same

1 thing. I was left at the end of it the same way I
2 felt today. We just disagree on the evidence.
3 Judge Case was in the exact same place. It's like
4 Kozel v. Ostendorf and its progeny. It's somebody
5 coming here complaining about a knee injury who
6 has 16 documented surgeries. That's fraud on the
7 court. Documented, not arguable. I repaired the
8 ACL. I repaired the meniscus. I repaired some
9 cartilage. I did an MCL operation. Then the
10 plaintiff is asked, did you ever have knee surgery
11 before? And they said no. So you spend three
12 years litigating the case. That's virtually in
13 every case. Judge, interestingly, virtually every
14 Second District case even against that background,
15 they've reversed almost every fraud on the court
16 finding a trial court's made anywhere. Florida
17 law clearly provides an inconsistency,
18 nondisclosure, poor recollection, dissemblance and
19 even a lie is insufficient to support dismissal
20 and in many cases may be well managed and best
21 resolved by bringing the issue to the jury's -- to
22 the jury's attorney through cross-examination.
23 That may be a typo. That's citing Perrine v.
24 Henderson, 85 So.3d 1210 at page 1212 and numerous
25 other cases on page 18 of our brief.

1 REPORTER'S CERTIFICATE

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3 STATE OF FLORIDA :

4 COUNTY OF HILLSBOROUGH :

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6
7 I, Susan C. Riesdorph, RPR, CRR certify that I
8 was authorized to and did stenographically report the
9 foregoing proceedings and that the transcript is a true
10 and 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 outcome of the foregoing
16 action.17 Dated this 14th day of January, 2016, IN THE
18 CITY OF TAMPA, COUNTY OF HILLSBOROUGH, STATE OF
19 FLORIDA.
2021 Susan C. Riesdorph, RPR, CRR, CLSP
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