

EXHIBIT 4

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.

VOLUME 2

CONTINUED VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 6, 2014

TIME: 1:58 p.m. to 5:47 p.m.

PLACE: Riesdorff Reporting Group
601 Cleveland Street
Suite 600
Clearwater, Florida

PURSUANT TO: Notice by counsel for
Defendants for purposes of
discovery, use at trial or
such other purposes as are
permitted under the Florida
Rules of Civil Procedure

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

Pages 155 - 311

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Attorney for Defendant Heather Clem

22 ALSO PRESENT:

23 Honorable James Case
24 Mike Byrd, Videographer

1 MR. BERLIN: Thank you.

2 BY MR. BERLIN:

3 Q. The -- Mr. Clem also stated during his
4 deposition that there was no sexual encounter between
5 you and Heather Clem at the radio station.

6 Do you remember that?

7 A. Yes, I do.

8 Q. Was he present for that one?

9 A. I don't know if he was or not.

10 Q. So he may not know about that one?

11 A. We pulled up to the radio station and he
12 unlocked the door and we all went in. And he left
13 Heather and I in the room where he does his radio show.

14 Q. The actual studio?

15 A. Yes. And he said, you guys have fun. I got
16 some stuff to do. So I don't know what he knows.

17 Q. How did the idea of you having sex with
18 Heather first come up?

19 A. To the best of my recollection, it was a
20 phone call from Bubba where he put Heather on the
21 phone. And she started asking me to have sex with her
22 on the phone.

23 Q. And how much before the first time that you
24 and she had sex was that?

25 A. To the best of my recollection, it would

1 probably be a year and a half to two years.

2 Q. And did you have subsequent conversations
3 with either Mr. Clem or Mrs. Clem about that subject?

4 A. Yes.

5 Q. How many such conversations would you say?

6 A. Over a year-and-a-half period, between -- on
7 the phone and between -- gosh, I wouldn't even know
8 where to go with this. Between 20 and 40 maybe, maybe
9 more. I don't know. Not more than 40, but between 20
10 and 40. They kept bringing it up.

11 Q. Did you ever talk about it with Mr. Clem in
12 person?

13 A. Yes.

14 Q. How many times did you talk about it with him
15 in person?

16 A. I recall a couple times in my gym, he kept
17 telling me that Heather really wanted to have sex with
18 me or Heather really wanted to see me naked. And I
19 just -- and it was in a joking way. I just kept
20 telling him, knock it off. It was -- you know, it was
21 to the point it was almost like if you were to poke
22 somebody. He just kept poking me. Like it got to the
23 point of I thought they were serious at first, which
24 was a little weird. But then it got to be almost like
25 a joke, you know, like they would tease me all the

1 time.

2 Q. And what kinds of things would they say?

3 A. Well, Heather would get on the phone and tell
4 me, you know, she wanted to see my penis and, you know,
5 just -- it just seemed like their ongoing gag to get to
6 me and screw with me.

7 Q. And did you ever have a conversation with
8 Heather about this in person during that period of
9 time?

10 A. Not that I can remember.

11 Q. I'm trying to understand, because you said at
12 the beginning you thought they were serious, but after
13 a while, you thought they may be joking.

14 Did you take what they were saying seriously?

15 A. Well, you know, Bubba had bragged about him
16 having a swinging lifestyle, you know, where him and
17 Heather had an open marriage, you know. And so when
18 they first approached me, you know, I -- I heard on the
19 radio the talk about having parties in the Jacuzzi with
20 friends and buddies and, you know, different doctors
21 and lawyers and people being at his house.

22 MR. GOLD: Your Honor, I've got to object to
23 this answer now. We're starting to get into the
24 protective order and discussing relations with
25 other men. He just said she had sex with lawyers

1 either is or it isn't. I think it's black and
2 white.

3 MR. BERLIN: I think that's not what
4 Judge Campbell said at the January hearing. I
5 think that's not what Judge Case ruled when we
6 were talking about it earlier this week. I'll try
7 and ask my questions and we can object. I don't
8 have many questions that are going to call for
9 that. So I think we're making a lot of nothing.

10 BY MR. BERLIN:

11 Q. Is it -- let me just ask you about your
12 understanding about how this was presented to you.

13 Did you understand that -- did you have an
14 understanding of whether Bubba was initiating this or
15 Heather was initiating this?

16 A. Bubba made me think that Heather was
17 initiating it.

18 Q. Do you believe that that was, in fact, what
19 was going on?

20 A. I don't know what to believe.

21 Q. Okay. And it sounds like from what you've
22 said that when they raised this initially and for some
23 time thereafter, you told both of them no.

24 A. Yes, that's correct.

25 Q. Did you leave the door open?

1 A. No.

2 Q. Why did you tell them no?

3 A. It was just somewhere I had never gone, never
4 dreamed I would go there and just -- it was weird. It
5 was just -- you know, I had never had a friend or
6 anybody that I was friends with that was married have
7 their wife or them ask me to have sex with them.

8 Q. When Bubba first raised this idea, were you
9 and Linda living together in Florida?

10 A. To the best of my recollection, she was in
11 Las Vegas.

12 MR. HARDER: Vague as to time.

13 THE WITNESS: Excuse me?

14 MR. HARDER: Vague as to time.

15 BY MR. BERLIN:

16 Q. Do you know if Hogan Knows Best was filming
17 at the time when they first raised this?

18 A. When they first raised this?

19 Q. Yeah, when Mr. Clem and Mrs. Clem first
20 raised this with you.

21 A. I don't recall. It could have been.

22 Q. When did you --

23 A. Can we close that door? I can't concentrate.
24 It's so loud I can't even think straight.

25 MR. BERLIN: It's very loud.

1 THE WITNESS: Can we get them to be quiet?
2 Is that -- do they work here?

3 MR. BERLIN: Is the door open or --

4 MS. DIETRICK: I'll go around. Just keep
5 going.

6 MR. BERLIN: Sorry. We'll try and get that
7 taken care of. Sorry about that.

8 BY MR. BERLIN:

9 Q. When did you change your mind about whether
10 you would have sex with Heather?

11 A. It happened, to the best of my recollection,
12 during one of the times where I tried to get Linda
13 back. And it was one of the many times in talking with
14 her that you were too old --

15 MR. HARDER: Wait. It's spousal privilege,
16 your communications with her.

17 THE WITNESS: Okay. What was the question
18 again?

19 BY MR. BERLIN:

20 Q. When did you change your mind about whether
21 you would have sex with Heather?

22 A. After I had been rejected from my wife on
23 several occasions and the marriage was dysfunctional
24 and I was under -- under the -- under the understanding
25 that my marriage was over.

1 Q. And after you changed your mind, did you come
2 to Bubba and ask if the offer still stood?

3 A. No.

4 Q. How did it come up again?

5 A. Somehow or another, I was just really
6 depressed. And to the best of my recollection, Bubba
7 talked me into coming over. And I went over to his
8 house, and Heather pursued me while I was there. And I
9 just let my guard down.

10 Q. Why do you think Heather was willing to have
11 sex with you?

12 MR. HARDER: Calls for speculation.

13 THE WITNESS: I'm not sure about that answer
14 yet.

15 BY MR. BERLIN:

16 Q. Do you think it was out of loyalty to Bubba?

17 MR. HARDER: Calls for speculation.

18 THE WITNESS: I don't have all the facts yet.
19 So I really would have to speculate. There are
20 several things in my mind, several different
21 answers for that question.

22 BY MR. BERLIN:

23 Q. What do you think it could be? What are some
24 of the possibilities?

25 MR. HARDER: Calls for speculation.

REPORTER'S CERTIFICATE

1
2
3 STATE OF FLORIDA :

4 COUNTY OF HILLSBOROUGH :

5
6
7 I, Susan C. Riedsorph, RPR, CRR certify that I
8 was authorized to and did stenographically report the
9 deposition of TERRY GENE BOLLEA; that a review of the
10 transcript was requested and that the transcript is a
11 true and complete record of my stenographic notes.

12
13 I further certify that I am not a relative,
14 employee, attorney, or counsel of any of the parties,
15 nor am I a relative or employee of any of the parties'
16 attorney or counsel connected with the action, nor am I
17 financially interested in the outcome of the foregoing
18 action.

19
20 Dated this 11th day of March, 2014, IN THE CITY
21 OF TAMPA, COUNTY OF HILLSBOROUGH, STATE OF FLORIDA.

22
23
24
25
Susan C. Riedsorph

Susan C. Riedsorph, RPR, CRR, CLSP

1 PLEASE ATTACH TO THE DEPOSITION OF TERRY GENE BOLLEA,
 2 VOLUME 2, TAKEN ON March 6, 2014 IN THE CASE OF TERRY
 3 GENE BOLLEA V. HEATHER CLEM, ET AL.

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PAGE	LINE	CORRECTION AND REASON THEREFOR
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19 I HAVE READ THE FOREGOING PAGES AND, EXCEPT FOR ANY
 20 CORRECTIONS OR AMENDMENTS INDICATED ABOVE, I HEREBY
 21 SUBSCRIBE TO THE ACCURACY OF THIS TRANSCRIPT.

22 TERRY GENE BOLLEA DATE

23
 24
 25 WITNESS TO SIGNATURE DATE

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION

TERRY GENE BOLLEA,
professionally known as HULK
HOGAN,

Plaintiff,

Case No.
12-012447-CI-011

vs.

HEATHER CLEM; GAWKER MEDIA,
LLC, aka GAWKER MEDIA, et
al.,

Defendants.

CONTINUED
VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: March 7, 2014

TIME: 9:41 a.m. to 12:48 p.m.

PLACE: Riesdorff Reporting Group
601 Cleveland Street
Suite 600
Clearwater, Florida

PURSUANT TO: Notice by counsel for Defendants
for purposes of discovery, use at
trial or such other purposes as
are permitted under the Florida
Rules of Civil Procedure

REPORTED BY: Aaron T. Perkins, RPR
Notary Public, State of
Florida at Large

Volume 3
Pages 312 to 451

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22 General Counsel
23 Gawker Media
24 210 Elizabeth Street
25 Third Floor
New York, New York 10012Attorneys for Defendant Gawker Media, LLC,
et al.

ALSO PRESENT:

Honorable James Case
Mike Byrd, videographer

1 A. Never read it.

2 Q. At the time that Gawker posted the video
3 excerpts, did you watch the video excerpts?

4 A. I have never watched the excerpts, never
5 watched.

6 MR. BERLIN: Let me have the next exhibit, if
7 I could, please.

8 THE WITNESS: Are you done with this?

9 MR. BERLIN: Yeah. Put that aside if you
10 like.

11 (Exhibit No. 92 was marked for
12 identification.)

13 BY MR. BERLIN:

14 Q. Let me show you what's marked as Exhibit 92,
15 which is the Gawker post from October 4th, 2012. And
16 I'm going to ask you to read it and -- so that we
17 are -- are you all right?

18 A. I'm fine, yeah.

19 Q. Okay.

20 A. More than fine.

21 Q. Good.

22 I just -- I'm going to ask you to read it and
23 let me know when you've had a chance to do so.

24 MR. HARDER: I'm just going to note for the
25 record that in the upper left-hand corner it's


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CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, the undersigned authority, certify that
TERRY GENE BOLLEA, personally appeared before me and
was duly sworn.

WITNESS my hand and official seal this 14th day
of March, 2014.



Aaron T. Perkins, RPR
Notary Public - State of Florida
My Commission Expires: 2/27/2016
Commission No. EE173286



1 REPORTER'S CERTIFICATE

2 STATE OF FLORIDA
3 COUNTY OF HILLSBOROUGH

4
5 I, Aaron T. Perkins, Registered Professional
6 Reporter, certify that I was authorized to and did
7 stenographically report the deposition of
8 TERRY GENE BOLLEA; that a review of the transcript was
9 requested; and that the transcript is a true and
10 complete record of my stenographic notes.

11
12 I further certify that I am not a relative,
13 employee, attorney, or counsel of any of the parties,
14 nor am I a relative or employee of any of the parties'
15 attorney or counsel connected with the action, nor am I
16 financially interested in the action.

17
18 Dated this 14th day of March, 2014.

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22 Aaron T. Perkins, RPR
23
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SIGNATURE PAGE

PLEASE ATTACH TO THE DEPOSITION OF TERRY GENE BOLLEA
TAKEN ON MARCH 7, 2014, IN THE CASE OF TERRY GENE
BOLLEA AND HEATHER CLEM; GAWKER MEDIA, LLC, aka GAWKER
MEDIA, et al.

PAGE LINE CORRECTION AND REASON THEREFOR

I HAVE READ THE FOREGOING PAGES AND, EXCEPT FOR ANY
CORRECTIONS OR AMENDMENTS INDICATED ABOVE, I HEREBY
SUBSCRIBE TO THE ACCURACY OF THIS TRANSCRIPT.

TERRY GENE BOLLEA

DATE

WITNESS TO SIGNATURE

DATE

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.

-----/

VOLUME 6

VIDEOTAPED

DEPOSITION OF: TERRY GENE BOLLEA

DATE: April 8, 2015

TIME: 2:19 p.m. to 4:53 p.m.

PLACE: Riesdorff Reporting Group
601 Cleveland Street
Suite 600
Clearwater, Florida

PURSUANT TO: Notice by counsel for
Defendants for purposes of
discovery, use at trial or
such other purposes as are
permitted under the Florida
Rules of Civil Procedure

REPORTED BY: Susan C. Riesdorff, RPR, CRR
Notary Public, State of
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Pages 735 - 835

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Attorneys for Defendant Gawker Media, LLC

17

18 ALSO PRESENT:

19 Honorable James Case
20 Mike Byrd, Videographer

21

22

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1 Q. Was she introduced to you at any point?

2 A. Yes.

3 Q. You indicated that there was a lie detector
4 guy that came. Who did he administer a lie detector
5 to?

6 A. The lady that was there, this really big
7 lady.

8 Q. Did he administer a lie detector test to
9 Mr. Davidson as well to your knowledge?

10 A. Not to my knowledge. He -- he made us all
11 leave when he was going to administer the test because
12 he said it wouldn't be accurate if we were all in the
13 room.

14 Q. All right. Did Mr. Davidson turn over three
15 DVDs on that occasion?

16 A. I don't know what he turned over.

17 Q. Let me ask you this. Did he turn -- I take
18 it he didn't turn them over to you.

19 A. No, sir.

20 Q. What did Mr. Davidson -- what, if anything,
21 did he say he had on that occasion?

22 A. He said he had the tapes.

23 Q. Did he say how many?

24 A. I don't recall.

25 Q. Did he -- did Mr. Davidson describe the

1 content of the sex tapes?

2 A. Not to me he didn't.

3 Q. Okay. What do you recall Mr. Davidson saying
4 on that day?

5 A. Oh, gosh. He said that the lady that was
6 coming there represented Mr. X, whoever Mr. X is, and
7 that Mr. X was the one that wanted the money for the
8 tapes. And the lady said she was the go-between
9 because she needed money is what she said. Said she
10 was a single mom; she needed money. I can't -- I don't
11 recall anything else at this moment, what else he
12 was -- what Davidson said. I mean, there was more
13 dialogue, but I just can't remember.

14 Q. How much money were they asking for at that
15 time?

16 A. I know the initial demand was for a million
17 dollars. And then Mr. Houston negotiated with them.
18 And I know it was under -- I know it was at least half
19 that for sure with payment -- some type of payment plan
20 or something.

21 MR. HARDER: Do you want to look at the
22 document?

23 THE WITNESS: What's that?

24 MR. HARDER: Do you want to look at the
25 document, page 2?

1 Q. Did one of the sexual encounters with Bubba's
2 wife take place around or shortly after Bubba and
3 Heather got married?

4 A. Not to my knowledge.

5 Q. All right. If you would move down to --
6 strike that.

7 Are you aware that Mr. Davidson prepared a
8 transcript that purported to reflect the content of the
9 three sex tapes?

10 MR. HARDER: I'm going to object. It lacks
11 foundation.

12 THE WITNESS: I'm not aware of any transcript
13 that's been provided by Mr. Davidson about
14 anything.

15 BY MR. SULLIVAN:

16 Q. All right. If you would look down at the
17 very bottom of that page, you see the entry for 1548?

18 A. I'm sorry?

19 Q. You see the time code there 1548?

20 A. Yes.

21 Q. Okay. You see it says, F asks about pension
22 and Bostick's family. Bostick continues that it was a
23 slap in the face for him to be at a hotel but his
24 family at his house.

25 Do you see that?

1 A. Yes.

2 Q. Did you talk about this with Heather during
3 one of your sexual encounters?

4 A. I don't recall.

5 Q. Was there a time when before Linda had filed
6 for divorce and you were living in a hotel that the
7 rest of your family was in the family home?

8 A. I don't recall ever living in a hotel.

9 Q. All right. If you would look, please, at the
10 next page, you'll see second tape. Did you ever watch
11 the video of the tape that Gawker had, the one that was
12 sent to Gawker?

13 A. No.

14 Q. Okay. Have you ever watched the excerpts
15 that were posted online?

16 A. No.

17 Q. If you would move then, please, to the next
18 portion on page 1212, you'll see an entry that says
19 tape three, undated. Do you see that?

20 A. Yes.

21 Q. All right. If you could look over on the
22 next page at 1213, there's an entry at -- the time code
23 is 2320. You see there Bostick, MTV called my wife and
24 said they were going to sue her. My wife texted me to
25 say Happy Father's Day because she won't talk on the

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CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, the undersigned authority, certify that TERRY
GENE BOLLEA personally appeared before me and was duly
sworn.

WITNESS my hand and official seal this 13th day of
April, 2015.

Susan C. Riesdorph, RPR, CRR, CLSP
Notary Public - State of Florida
My Commission Expires: 6/10/17
Commission No.: FF 023522

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REPORTER'S CERTIFICATE

STATE OF FLORIDA :
COUNTY OF HILLSBOROUGH :

I, Susan C. Riedsorph, RPR, CRR certify that I was authorized to and did stenographically report the deposition of TERRY GENE BOLLEA; that a review of the transcript was requested and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the outcome of the foregoing action.

Dated this 13th day of April, 2015, IN THE CITY OF TAMPA, COUNTY OF HILLSBOROUGH, STATE OF FLORIDA.

Susan C. Riedsorph, RPR, CRR, CLSP

1 PLEASE ATTACH TO THE DEPOSITION OF TERRY GENE BOLLEA,
2 VOLUME 5 TAKEN ON APRIL 8, 2015 IN THE CASE OF BOLLEA
V. GAWKER, ET AL.

3 PAGE LINE CORRECTION AND REASON THEREFOR

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19 I HAVE READ THE FOREGOING PAGES AND, EXCEPT FOR ANY
20 CORRECTIONS OR AMENDMENTS INDICATED ABOVE, I HEREBY
SUBSCRIBE TO THE ACCURACY OF THIS TRANSCRIPT.

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TERRY GENE BOLLEA DATE

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WITNESS TO SIGNATURE DATE