

EXHIBIT A

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.

_____ /

HEARING BEFORE THE HONORABLE PAMELA A.M. CAMPBELL

DATE: July 1, 2015

TIME: 1:36 p.m. to 5:10 p.m.

PLACE: Pinellas County Courthouse
545 1st Avenue North
Third Floor
St. Petersburg, Florida

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

Volume 2
Pages 123 to 301

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21 Attorneys for Defendant Gawker Media, LLC,
22 et al.

23 ALSO PRESENT:
24

25 Heather L. Dietrick,
President and General Counsel for The Gawker
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Alison Steele, Esquire (for Media Outlets)
Rahdert, Steele Reynolds & Driscoll, P.L.
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1 THE COURT: I think that's Mr. Kidder, but we
2 can talk about that --

3 MR. TURKEL: It could be both. But the point
4 is that will be after the liability phase, anyway,
5 so we can hold on that.

6 THE COURT: Okay. Thank you.

7 Twenty-six is defendant's motion in limine to
8 exclude letters purporting to be offers to
9 commercially exploit the sex tape at issue.
10 Mr. Sullivan, you have few minutes.

11 MR. SULLIVAN: I will be very, very brief,
12 Your Honor.

13 Here is the deal. The letters themselves are
14 hearsay, No. 1, subject to no exception. Number
15 2, relevance. You've got these letters on the sex
16 tape for 30 minutes, and there wasn't an offer for
17 the minute and 41 seconds that the Gawker put out
18 there, so I don't get the relevance of that.

19 Number 2, they make an argument, well, this
20 is equivalent to a verbal act. It's like an offer
21 to an undercover officer soliciting sex for money.
22 This isn't a verbal act. That analogy does not
23 hold up. They say that Mr. Blatt, who we just
24 talked about, you know, this so-called sex tape
25 expert, testified that the sex.com letter was a

1 bogus offer letter. That's what he testified,
2 just an effort to generate buzz, to get media
3 talking about this. That's what that was all
4 about.

5 And, lastly, Your Honor, it is hearsay.
6 They're offering it for its truth to show that
7 this thing had some value of, you know,
8 significant dollars. And that's the hearsay
9 purpose.

10 Thank you, Your Honor.

11 THE COURT: Thank you.

12 Mr. Harder?

13 MR. HARDER: Yes, Your Honor. They're not
14 hearsay for a few reasons. First, they're not
15 offered to prove the truth of the matter asserted.
16 But, second, also, that Kevin Blatt testified that
17 he wrote one of these letters and that it was all
18 true. So we have a percipient witness who has
19 confirmed it.

20 The second letter was written by the head of
21 Vivid. And the letter, essentially, says, We're
22 extremely interested in this sex tape. The
23 purpose is just to show that -- that inquiries and
24 offers were being received by Mr. Houston on
25 behalf of Mr. Bollea, or someone else on behalf of

1 Mr. Bollea. And Mr. Houston had a conversation
2 with Mr. Hirsh to turn down the offer,
3 respectfully, but to confirm that this was, in
4 fact, a letter, and this was interest from Vivid.

5 And the reason why -- and Vivid also states
6 that it is the leader in celebrity sex tape
7 industry because they have licenses with
8 celebrities regarding a number of tapes. And they
9 identify all the different tapes that they have
10 licenses for: The Kim Kardashian tape and the
11 Kendra Wilkinson tape, and several others.

12 And it's relevant to show that there was
13 commercial interest and that offers were being
14 received from leaders in the industry, sex.com and
15 Vivid with respect to this particular tape,
16 because one of the issues is, Did this tape have
17 value or not? And our position is it has a lot of
18 value to Gawker that is getting 5.3 million people
19 to come to its website based on fact that it's
20 Hulk Hogan and a well-known person and that it's a
21 sex tape and that is something that happens in the
22 industry and people take note of.

23 THE COURT: Okay. So if there is -- let's
24 bring this up with the Mr. Blatt issue. So if
25 Mr. Blatt -- I don't see Mr. Blatt's name on them.

1 You're telling me that he's authored one of these.
2 I don't know. So I'm not sure how it would come
3 before the jury, anyway, so we'll bring that up
4 when we bring back up Mr. Blatt's issue.

5 Okay. So I think we've accomplished a lot.
6 I will say that the Second DCA just wrote -- asked
7 for my e-mail address, because, apparently, they
8 plan on sending something out shortly, so --

9 MR. SAFIER: Can we all stay here?

10 THE COURT: You'll probably get it on all
11 your e-mail addresses too, I would imagine.

12 So with that, if something happens, hopefully
13 we'll know about the same time.

14 MR. SAFIER: Do you have a sense of when
15 we'll go over the Blatt issue and deal with the
16 jury charge issue?

17 THE COURT: No.

18 MR. SAFIER: What's that?

19 THE COURT: No.

20 MR. SAFIER: Okay.

21 THE COURT: I don't have a sense of that.
22 Monday morning we've got 60 people coming. With
23 that, we may get some other information tomorrow
24 with Judge Bucklew or maybe from the Second.

25 Off the record.

1 REPORTER'S CERTIFICATE

2
3 STATE OF FLORIDA
4 COUNTY OF HILLSBOROUGH5
6
7 I, Aaron T. Perkins, Registered Professional
8 Reporter, certify that I was authorized to and did
9 stenographically report the above hearing and that
10 the transcript is a true and complete record of my
11 stenographic notes.12
13 I further certify that I am not a relative,
14 employee, attorney, or counsel of any of the
15 parties, nor am I a relative or employee of any of
16 the parties' attorney or counsel connected with
17 the action, nor am I financially interested in the
18 action.19
20
21 Dated this 2nd day of July, 2015.22
23 _____
24 Aaron T. Perkins, RPR
25