

**EXHIBIT A**

*(Plaintiff's Objection and Motion to Exclude Deposition Testimony of  
MindGeek Corporate Representative and Exhibits at Trial)*

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

TERRY GENE BOLLEA professionally  
known as HULK HOGAN,

Case No. 12012447 CI-011

Plaintiff,

vs.

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

Defendants.

**PLAINTIFF'S CROSS-NOTICE OF VIDEOTAPED DEPOSITION**

PLEASE TAKE NOTICE, pursuant to Rules 1.300(b), 1.310(b)(1), 1.310(b)(4), and 1.310(b)(6) of the Florida Rules of Civil Procedure, that Plaintiff Terry Gene Bollea, professionally known as Hulk Hogan, by and through the undersigned attorneys, will take the deposition testimony of the following:

**DEPONENT:**           **Brett Goldenberg, Corporate Designee of MindGeek**

**DATES:**               **February 18, 2016**

**TIME:**               **2:00 p.m., until completion**

**PLACE:**              **MindGeek**  
                              **7777 Boulevard Décarie, Suite 600**  
                              **Montréal, QC H4P 2H2**  
                              **Canada**

upon oral examination, before an officer duly authorized to administer oaths by the laws of the Province of Quebec, and a person who is neither a relative, nor attorney, nor counsel of any of the parties and who is neither a relative nor employee of such attorney or counsel, and who is not financially interested in the examination. The oral examination will be videotaped by an operator from StenoFac Inc., 50 Rue de Brésoles, Montréal, Quebec, H2Y 1V5, Canada.

Counsel for the parties shall participate remotely via videoconference at Thomas & LoCicero PL, 601 South Boulevard, Tampa, Florida 33606, and Defendants shall bear the initial cost of the videotaping.

This deposition is being taken pursuant to Plaintiff's Subpoena directed to MindGeek dated February 11, 2016, a copy of which is attached hereto as Exhibit 1.

This deposition is for the purpose of discovery, and for use at trial, or both of the foregoing, or for such other purposes as are permitted under the applicable and governing rules.

/s/ Kenneth G. Turkel  
Kenneth G. Turkel, Esq.  
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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-mail via the e-portal system this 11th day of February, 2016 to the following:

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*/s/ Kenneth G. Turkel*

\_\_\_\_\_  
Attorney

# Exhibit 1

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

TERRY GENE BOLLEA professionally  
known as HULK HOGAN,

Case No. 12012447 CI-011

Plaintiff,

vs.

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

Defendants.

**SUBPOENA FOR VIDEOTAPED DEPOSITION**

THE STATE OF FLORIDA:

To: Corporate Representative of MindGeek designated to testify concerning the subject  
matters identified in Schedule A  
705 Washington Avenue, 2nd Floor  
Miami Beach, FL 33139

YOU ARE COMMANDED to appear before an officer duly authorized to administer oaths by the laws of the Province of Quebec at 7777 Boulevard Décarie, Suite 600, Montréal, QC H4P 2H2, Canada, on **February 18, 2016** at **2:00 p.m.** for the taking of your videotaped deposition in the above-styled cause. If you fail to appear, you may be in contempt of court. MindGeek shall designate one or more of its officers, directors, partners, managing agents or other persons that is/are most qualified, knowledgeable, and competent to testify on behalf of MindGeek concerning the matters described in **Schedule A** attached hereto.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on February 11, 2016.



For the Court

/s/ Kenneth G. Turkel

Kenneth G. Turkel, Esq.

Florida Bar No. 867233

Shane B. Vogt

Florida Bar No. 0257620

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Jennifer J. McGrath, Esq.

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Any minor subpoenaed for testimony shall have the right to be accompanied by a parent or guardian at all times during the taking of testimony notwithstanding the invocation of the rule of sequestration of section 90.616, Florida Statutes, except upon a showing that the presence of a parent or guardian is likely to have a material, negative impact on the credibility or accuracy of the minor's testimony, or that the interests of the parent or guardian are in actual or potential conflict with the interest of the minor.



**SCHEDULE A**  
**TOPICS FOR TESTIMONY**

1. Websites and online-properties held and/or operated by Mindgeek
2. Any contracts, agreements or business relationship(s) between Mindgeek and Vivid (including Vivid Celeb and Vivid's CEO, Steve Hirsch).
3. Mindgeek policies, practices and/or procedures concerning the removal of content subject to DMCA and non-DMCA takedown requests.
4. The ratio of user-submitted content to sponsored/production company submitted content on Mindgeek owner and/or operated tube-sites.
5. The paid-for membership services available at Mindgeek owned and/or operated tube-sites (including PornHub Premium).
6. Analytics relating to the titled "Kim Kardashian Sex Tape with Ray J," found at [www.pornhub.com/view\\_video.php?viewkey=2006034279](http://www.pornhub.com/view_video.php?viewkey=2006034279), including the number of people that viewed the video, the length of time they viewed the video, and whether such viewers then exited the website or went to another video. To the extent that the information is readily accessible, this topic includes the number of people that clicked-through from the video to Vivid.com (Also included here is the number of viewers than landed at PornHub.com on the above mentioned URL.)
7. Analytics for Mindgeek owned and/or operated tube-sites (including PornHub.com), including the amount of time that people spend on the website, the number of videos the average person views, and the amount of time they watch each video.
8. The ranking of categories of adult content at all Mindgeek websites.
9. The reliability of, and technology behind, the publically-displayed view counters available on each video at Pornhub.com.
10. The marketing, public relations and public outreach efforts of Mindgeek, including of it's owned and/or operated tube-sites including Pornhub.