

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

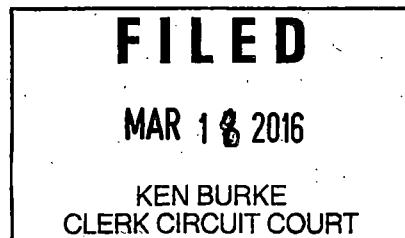
TERRY GENE BOLLEA

professionally known as **HULK** Case No. 12012447CI-011
HOGAN,

Plaintiff,

vs.

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



Defendants.

VERDICT

We, the jury, return the following verdict:

First Claim

PUBLICATION OF PRIVATE FACTS

1. Did Plaintiff prove that, by posting the VIDEO, Defendants publicly disclosed private facts about Plaintiff in a manner that a reasonable person would find highly offensive?

YES ☒ NO ☐

If your answer is **YES**, please answer **Question 2**.

If your answer is **NO**, then your verdict is against Plaintiff on claim for publication of private facts, and you should proceed to **Question 3**.

2. Did Plaintiff prove that the VIDEO was **NOT** a matter of legitimate public concern?

YES ☒ NO ☐

If you answered **YES** to Questions **1-2**, then your verdict on the claim of publication of private facts is in favor of **Plaintiff**. Please proceed to **Question 3**.

If you answered **NO** to **Question 2**, then your verdict is against Plaintiff on **ALL** of his claims, and in favor of **Defendants** on their **First Amendment Defense**; and your deliberations are over and you will not consider any further claims, or damages. You should only sign this Verdict form and return it to the courtroom.

3. Did **Nick Denton** participate in the posting of the VIDEO on Gawker.com?

YES ☒ NO ☐

Please proceed to **Question 4**.

Second Claim

INVASION OF PRIVACY BASED ON INTRUSION

4. Did Plaintiff prove that Defendants wrongfully intruded into a place where he had a reasonable expectation of privacy?

YES ✓ NO

If your answer is **YES**, please answer **Question 5**.

If your answer is **NO**, then your verdict is against Plaintiff on his claim for invasion of privacy based on intrusion, and you should proceed to **Question 6**.

5. Did Plaintiff prove that the VIDEO was posted in such a manner as to outrage or cause mental suffering, shame or humiliation to a person of ordinary sensibilities?

YES ✓ NO

If you answered **YES** to **Questions 4-5**, then your verdict on the claim of invasion of privacy based on intrusion is in favor of **Plaintiff**.

If you answered **NO** to **Question 5**, then your verdict is ~~against~~ against Plaintiff on his claim for invasion of privacy based on intrusion. Please proceed to **Question 6**.

Third Claim

VIOLATION OF FLORIDA COMMON LAW RIGHT OF PUBLICITY

6. Did Plaintiff prove that Defendants used Plaintiff's name or likeness for a commercial or advertising purpose?

YES ✓ NO

If your answer is **YES**, please answer **Question 7**.

If your answer is **NO**, then your verdict is against Plaintiff on his claim for violation of Florida common law right of publicity, and you should proceed to **Question 8**.

7. Did Plaintiff prove that he **did not** authorize the use of his name or likeness?

YES ✓ NO

If you answered **YES** to Questions **6-7**, then your verdict on the claim of violation of Florida common law right of publicity is in favor of **Plaintiff**, and you should proceed to **Question 8**.

If you answered **NO** to **Question 7**, then your verdict is against Plaintiff on claim for violation of Florida common law right of publicity. Please answer **Question 8**.

Fourth Claim

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

8. Did Plaintiff prove that posting the VIDEO was extreme and outrageous to a person of ordinary sensibilities?

YES ✓ NO

If your answer is **YES**, please answer **Question 9**.

If your answer is **NO**, then your verdict on Plaintiff's claim for intentional infliction of emotional distress is against Plaintiff, and you should proceed to **Question 11**.

9. Did Plaintiff prove that Defendants intended to cause him severe emotional distress, or acted with reckless disregard of the high probability of causing him severe emotional distress?

YES ✓ NO

If your answer is **YES**, please answer **Question 10**.

If your answer is **NO**, then your verdict on Plaintiff's claim for intentional infliction of emotional distress is against Plaintiff, and you should proceed to **Question 11**.

10. Did Plaintiff prove that the posting of the VIDEO caused him severe emotional distress?

YES ✓ NO

If you answered **YES** to Questions **8-10**, then your verdict on the claim of intentional infliction of emotional distress is in favor of **Plaintiff**. Please proceed to **Question 11**.

If you answered **NO** to **Question 10**, then your verdict is against Plaintiff on his claim for intentional infliction of emotional distress. Please proceed to **Question 11**.

Fifth Claim

VIOLATION OF FLORIDA'S SECURITY OF COMMUNICATIONS ACT

11. Did Plaintiff prove that Defendants intentionally used or disclosed the VIDEO?

YES ☒ NO ☐

If your answer is **YES**, please answer **Question 12**.

If your answer is **NO**, then your verdict on Plaintiff's claim for violation of Florida's Security of Communications Act is against Plaintiff, and you should proceed to **Question 15**.

12. Did Plaintiff prove that he had a reasonable expectation of privacy in the bedroom where the VIDEO was recorded?

YES ☒ NO ☐

If your answer is **YES**, please answer **Question 13**.

If your answer is **NO**, then your verdict on Plaintiff's claim for violation of Florida's Security of Communications Act is against Plaintiff, and you should proceed to **Question 15**.

13. Did Plaintiff prove that Defendants knew or had reason to know that he was recorded on the VIDEO without his knowledge or consent?

YES ☒ NO ☐

If your answer is **YES** to Questions **11-13**, then your verdict on Plaintiff's claim for violation of Florida's Security of Communications Act is in favor of **Plaintiff**, and you should proceed to **Question 14** to consider Defendants' "good faith" defense.

If your answer to **Question 13** is **NO**, then your verdict on Plaintiff's claim for violation of Florida's Security of Communications Act is against Plaintiff, and you should proceed to the **Damages Introduction** paragraph **before Question 15**. (on page 8)

Good Faith Defense

14. As to only Plaintiff's claim for violation of Florida's Security of Communications Act, did Defendants prove that they acted in good faith reliance on a good faith determination that their conduct was lawful?

YES _____ NO ☒ _____

If your answer to **Question 14** is **YES**, then your verdict on Plaintiff's claim for violation of Florida's Security of Communications Act is in favor of Defendants.

If your answer to **Question 14** is **NO**, then your verdict on Defendants' good faith defense is against Defendants, and in favor of **Plaintiff** on his claim for violation of Florida's Security of Communications Act.

Damages Introduction

If your verdict was in favor of Plaintiff on his claims for publication of private facts (YES to Questions 1-2), invasion of privacy for intrusion (YES to Questions 4-5), violation of common law right of publicity (YES to Questions 6-7), intentional infliction of emotional distress (YES to Questions 8-10) and/or violation of Florida's Security of Communications Act (YES Questions 11-13), you will consider the matter of damages and should proceed to **Question 15**.

DAMAGES

15.

- A. What is the total amount of money that will fairly and adequately compensate Plaintiff for any economic injuries, losses or damages caused by the Defendants' conduct?

\$ 55M

- B. What is the total amount of money that will fairly and adequately compensate Terry Bollea for the emotional distress, which resulted from the Defendants posting the VIDEO on the Internet?

\$ 60M

TOTAL DAMAGES OF PLAINTIFF
(add lines 15A and 15B above)

\$ 115M

Please proceed to: **PUNITIVE DAMAGES.**

PUNITIVE DAMAGES

16. Under the circumstances of this case, state whether you find by clear and convincing evidence that punitive damages are warranted against:

Gawker Media, LLC Yes ✓ No

Nick Denton Yes ✓ No

A.J. Daulerio Yes ✓ No

If you answered **YES** for any Defendant, please answer **Question 17** as to that Defendant/those Defendants. If you answered **NO** as to all Defendants, please sign and date this verdict form and return it to the courtroom.

17. Did Defendants have a specific intent to harm Plaintiff when they posted the VIDEO on the Internet?

Gawker Media, LLC Yes ✓ No

Nick Denton Yes ✓ No

A.J. Daulerio Yes ✓ No

Please sign and date this verdict form and return it to the courtroom.

SO SAY WE ALL, this 18th day of March, 2016.

Robin Young
FOREPERSON