

**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 TERRY BOLLEA'S MOTION TO DETERMINE
CONFIDENTIALITY OF COURT RECORDS**

Pursuant to Florida Rule of Judicial Administration 2.420 and the Agreed Protective Order Governing Confidentiality entered by this Court on July 25, 2013 ("Confidentiality Order"), Plaintiff, Terry Bollea professionally known as "Hulk Hogan" ("Mr. Bollea"), by and through his undersigned counsel, and pursuant to Fla. R. Jud. Admin. 2.420, moves to determine the confidentiality of the redacted portions of his Motion for Leave to Conduct Expedited Post-Trial Financial Worth Discovery, and Confidential Exhibits 1 through 10 thereto, and states as follows:

1. Florida Rule of Judicial Administration 2.420(c)(9)(A)(vi) provides that certain court records are confidential if the Court determines that confidentiality is required in order to "avoid substantial injury to a party by disclosure of matters protected by a common law or privacy right not generally inherent in the specific type of proceeding sought to be closed."

2. On July 25, 2013, this Court entered the Confidentiality Order pursuant to which the parties could designate as "confidential" "information in which the party from which

discovery is sought has a reasonable expectation of privacy or confidentiality.” Confidentiality Order at ¶ 3(c). The Confidentiality Order also provides that “[i]n the event a party wishes to use any Confidential Information in any affidavits, briefs, memoranda of law, or other paper filed in Court in this litigation, such Confidential Information used therein shall be filed under seal with the Court consistent with Florida Rule of Judicial Administration 2.420.” *Id.* at ¶ 11.

3. Contemporaneously with this Motion, Plaintiff is filing under seal the following CONFIDENTIAL materials:

- A. The redacted portions of Mr. Bollea’s Motion for Leave to Conduct Expedited Post-Trial Financial Worth Discovery;
- B. Confidential Exhibit 1 (Capitalization Table);
- C. Confidential Exhibit 2 (Denton Affidavit);
- D. Confidential Exhibit 3 (Prior Capitalization Table);
- E. Confidential Exhibit 4 (Share Transfer Agreement);
- F. Confidential Exhibit 5 (Loan Note Instrument);
- G. Confidential Exhibit 6 (Trust Agreement);
- H. Confidential Exhibit 7 (Denton 7/30/15 Affidavit);
- I. Confidential Exhibit 8 (GMGI Stock Valuation Report);
- J. Confidential Exhibit 9 (Prior GMGI Stock Valuation Reports); and
- K. Confidential Exhibit 10 (Denton Financial Worth Affidavit).

4. Gawker Defendants have designated these materials as “Confidential” under the Confidentiality Order.

5. Plaintiff now seeks this Court’s determination of the confidentiality of the redacted portions of his Motion for Leave to Conduct Expedited Post-Trial Financial Worth Discovery, as well as Confidential Exhibits 1 through 10, pursuant to Fla. R. Jud. Admin. 2.420(c)(9)(A)(vi) and the Confidentiality Order.

6. Plaintiff's counsel certifies that this motion is made in good faith and is supported by a sound factual and legal basis.

7. Pursuant to Rule 2.420(e)(2), Plaintiff requests that this Court consider this matter at the Case Management and Status Conference to be held on May 25, 2016 to determine whether the redacted portions of his Motion for Leave to Conduct Expedited Post-Trial Financial Worth Discovery, and the Confidential Exhibits thereto are "Confidential" and should remain sealed.

WHEREFORE, Plaintiff respectfully requests that this Court determine the confidentiality of the redacted portions of his Motion for Leave to Conduct Expedited Post-Trial Financial Worth Discovery, and the Confidential Exhibits thereto are "Confidential" and should remain sealed.

Dated: May 9, 2016.

Respectfully submitted,

/s/ Kenneth G. Turkel

Kenneth G. Turkel, Esq.

Florida Bar No. 867233

Shane B. Vogt

Florida Bar No. 0257620

BAJO | CUVA | COHEN | TURKEL

100 North Tampa Street, Suite 1900

Tampa, Florida 33602

Tel: (813) 443-2199

Fax: (813) 443-2193

Email: kturkel@bajocuva.com

Email: svogt@bajocuva.com

Charles J. Harder, Esq.

PHV No. 102333

HARDER MIRELL & ABRAMS LLP

132 South Rodeo Drive, Suite 301

Beverly Hills, CA 90212-2406

Tel: (424) 203-1600

Fax: (424) 203-1601

Email: charder@hmafirma.com

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 9th day of May, 2016 to the following:

Gregg D. Thomas, Esquire
Rachel E. Fugate, Esquire
Thomas & LoCicero PL
601 S. Boulevard
Tampa, Florida 33606
gthomas@tlolawfirm.com
rfugate@tlolawfirm.com
kbrown@tlolawfirm.com
abcene@tlolawfirm.com
Counsel for Gawker Defendants

David R. Houston, Esquire
Law Office of David R. Houston
432 Court Street
Reno, NV 89501
dhouston@houstonatlaw.com
krosser@houstonatlaw.com

Seth D. Berlin, Esquire
Paul J. Safier, Esquire
Alia L. Smith, Esquire
Michael D. Sullivan, Esquire
Levine Sullivan Koch & Schulz, LLP
1899 L. Street, NW, Suite 200
Washington, DC 20036
sberlin@lskslaw.com
psafier@lskslaw.com
asmith@lskslaw.com
msullivan@lskslaw.com
*Pro Hac Vice Counsel for
Gawker Defendants*

Michael Berry, Esquire
Levine Sullivan Koch & Schultz, LLP
1760 Market Street, Suite 1001
Philadelphia, PA 19103
mberry@lskslaw.com
*Pro Hac Vice Counsel for
Gawker Defendants*

/s/ Kenneth G. Turkel

Kenneth G. Turkel