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12-012447-CI P P-49 DOC

Reference No.: 12-012447-CI

PLAINTIFF EXHIBIT# 49 ID 2/20/16

PLAINTIFF EXHIBIT# 49 Evidence, 3/8/16  
(Date) (Date)

**KEN BURKE, Clerk of the Circuit Court**

By: [Signature]

Deputy Clerk

# CONFIDENTIAL

From: Kristy Rosser  
Sent: Friday, October 05, 2012 11:19 AM  
To: [nick@gawker.com](mailto:nick@gawker.com)  
Subject: 10.5.12 Hogan Tape Matter

10/5/2012 11:16 AM

Dear Mr. Denton:

I am enclosing herewith as an attachment a cease and desist letter sent to you and your company. As is apparent and quite common knowledge, the sex tape you are showing as it concerns Hulk Hogan was recorded without his knowledge and consent.

As such, the individual filming disseminating and/or publishing may be responsible under Florida criminal statutes. Your republication of the same with complete knowledge as to the fact it was done without his consent and/or knowledge may well subject you to liability.

I am sure your counsel can provide you appropriate legal advice so I will not presume to do the same. I am asking you to remove the sex tape from your website.

If you do not do so, you leave us no option but to proceed legally. We will exhaust every legal avenue possible including potential criminal charges if you do not.

I did not want you to think I was attempting to bully you or make demands that were not warranted. I am asking you to remove the same. I am simply advising what our next steps will be if you do not.

It is not meant to threaten, but rather as an advisement as to what we must do in order to protect the image of Hulk Hogan and Hulk Hogan's privacy rights.

I am sure you must understand as a human being exactly how offensive the same would be. Despite the fact this would have been presented to you anonymously, it is difficult to believe you were not aware this was done without his consent and/or knowledge.

If you did not know, then I ask you at this time not to participate in the perpetration of what might arguably be a criminal act. You of course are free to do whatever you choose, but we would deem the same a significant sign of good faith if you choose to remove it voluntarily and would not proceed against you or your company.

I have no intention of attempting to harm you or your business but rather only protect my client. I hope you understand the necessity of this communication and my purpose.

Sincerely,  
David R. Houston  
/kc

Kc Rosser, Business Manager to  
David R. Houston, Esq.  
432 Court Street  
Reno, NV 89501  
775-786-4188  
775-786-5091 FAX

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