

# Will Hulk Hogan's Legal Victory Reshape the Gutter-Media?



I've mentioned in previous columns that as a kid – and even in spurts as an adult – I was a pretty big fan of professional wrestling. I grew up watching the WWF in the 1980s, and have always gotten a kick out of the in-ring action and the absurdly over-the-top personalities that

accompany it. Truth be told, some of my earlier writing projects actually played out on some wrestling pay-per-view events many years ago, but that's a story for another day.

Because of that history, I've paid a bit of attention to a news item that's gotten a good amount of press over the past few days: Hulk Hogan's successful sex-tape lawsuit against the website *Gawker*.

For those of you who have as little interest in entertainment news as I typically do, here's a quick recap of the case:

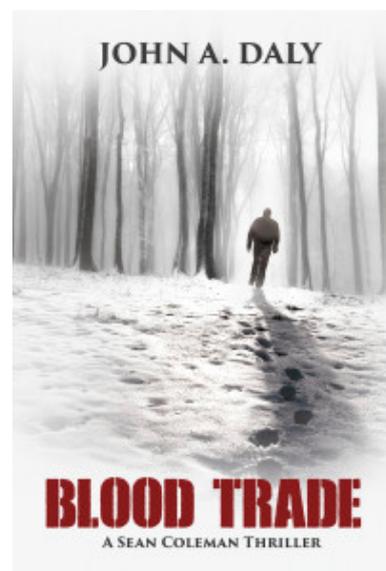
In 2012, *Gawker* received a DVD from an anonymous source showing Hogan having sex with his former best friend's wife. The friend – Bubba Clem (known to most people as radio shock-jock, "Bubba the Love Sponge") – had apparently encouraged a sexual encounter between Hogan and his wife in the past, and at some point during the court proceedings, admitted to being the one who had set up the camera that had filmed the tryst.

Even in the wild world of professional wrestling, this series of events would be considered weird. But individuals are free to be weird and do many weird, unscrupulous things in this

country. The problem from a legal standpoint was that both Hogan and Clem's wife claim not to have known that they had been filmed. Thus, after Gawker posted a portion of the video online without their permission, Hogan filed an invasion-of-privacy lawsuit against the company.

To the surprise of just about everyone, the jury ended up awarding Hogan \$145 million (\$40 million more than Hogan had asked for). That's a very serious amount – an amount that could well put Gawker out of business.

Though Gawker will certainly appeal the verdict, one has to wonder if this historic case will serve as any kind of deterrent against the gutter-media's profit-proven formula of humiliating celebrities, often at the expense of intimate moments in their private lives.



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Despite having little interest in entertainment reporting these days, the invasive inclinations of the profession is something I've long found unsettling. Whether it's

bloodthirsty members of the paparazzi chasing after a celebrity's family while they're on vacation, or something as obscene as posting the Hogan video online, it's difficult for even impassioned proponents of a free press to view such instances with any sense of esteem.

Of course, there are limits to the First Amendment in how it applies to individual rights. The jury in the Hogan/Gawker case identified one of those limits – I believe correctly. Will the stinging verdict change the way business is carried out by this branch of the media? I doubt it. There's too much money to be made, and that blame falls directly on our entertainment-obsessed culture.

At bare minimum, however, being body-slammed by Hulk Hogan in court might make the profession a bit gun-shy on such matters. I think that's a good thing.