



## Nobody Speak: Trials of the Free Press

### Discussion Guide

Director: Brian Knappenberger

Year: 2017

Time: 95 min

#### You might know this director from:

The Internet's Own Boy: The Story of Aaron Swartz (2014)

We Are Legion: The Story of the Hacktivists (2012)

## FILM SUMMARY

It seems **NOBODY SPEAK: TRIALS OF THE FREE PRESS** could not be more timely, as Brian Knappenberger's latest film arrived in the public eye during the same week in which Trump's White House began banning cameras from many of its press briefings. No matter that the first amendment of the United States of America prohibits the making of any law infringing on the freedom of the press, there are forces afoot that seek to stifle voices within the media. But who would have guessed those involved would be the wrestling wunderkind Hulk Hogan and Paypal co-founder Peter Thiel?

Knappenberger's wild and woolly tale begins with the beloved gossip blog Gawker that one fall day in 2012 published a brief excerpt from a leaked sex tape—a fairly common occurrence in the muckraking trenches of Hollywood gossip—featuring Hulk Hogan and Heather Clem. Unexpectedly, Hogan filed a lawsuit against Gawker for defamation, loss of privacy, and emotional pain, and the blog's very existence was thrown into the balance with just six Florida jurors to decide its fate. More unexpected yet was the fact that billionaire libertarian Peter Thiel was discovered to be funding the multi-million dollar suit, seemingly for the sole purpose of long delayed revenge. Gawker outed Thiel as being gay nearly a decade earlier.

The case, among comparable offenses against the media—including casino magnate Sheldon Adelson's covert purchase of the Las Vegas Review-Journal in 2015—bring up a whole host of ominous questions about the fragility of the first amendment and the unethical ability of the unfathomably rich to influence the media and potentially stamp out the voices of those they've deemed offensive. As Trump continues to demonize the press, ostracizing it for publishing 'fake news' that reveals the dirty truths behind his questionable actions, **NOBODY SPEAK: TRIALS OF THE FREE PRESS** is a fervent call to action.

## FILM THEMES

With the searing siren sound of crisis alarms, Brian Knappenberger's *NOBODY SPEAK: TRIALS OF THE FREE PRESS* looks at the threat of deep, deep pockets against the media at large and the public they serve.

### THE RIGHT TO A FREE PRESS UNDER THREAT

The first amendment of the United States of America prohibits the making of any law infringing on the freedom of the press, yet it seems that rich and powerful individuals are going above and beyond to try to threaten this given right. Without it, how are we as a people supposed to know the truth about what is happening in the world? How can we hold our elected politicians accountable for the actions they take and the words they choose to say? In short answer, we can't.

### THE RICH VS. EVERYONE ELSE

Do billionaires like Peter Thiel, Sheldon Adelson, and Donald Trump believe they do not have to abide by the same system of laws or checks and balances that the common person does? Is this why Thiel wants to create off-shore communities, far away from the meddling hands of lawmakers, and also why he decided to fund a lawsuit that could bankrupt Gawker? Is this why Adelson secretly purchased the Las Vegas Review-Journal? Was he trying to silence his critics? Is this why Trump, as the president of the United States, continues to wage a war against the media? If the press acts on behalf of the people, in whose favor are such actions by these rich men working toward?

### MEDIA IN THE INTERNET AGE

Throughout the *Bollea v. Gawker* case, Gawker was construed as a frivolous media outlet who peddled trashy non-news and frequently acted with purposefully malicious intent. While this might be a valid description of what Gawker and countless other online media outlets represented, it does not mean that it shouldn't be protected by the first amendment under the banner of free press. If Gawker can be permanently silenced for publishing a truthful, yet trashy news story about a reality TV celebrity, just imagine the lengthy list of news stories that might never come to light when threatened by rich people with an agenda and a vehicle for a lawsuit.

### THE LINE BETWEEN PUBLIC AND PRIVATE LIFE

Hulk Hogan's defense throughout his lawsuit against Gawker was that the sex tape that was published was of a private moment as his private self—Terry Bollea—a wholly different individual than Hulk Hogan. But where is the line between public and private self? It can become very hard to draw this line, especially when one invites a camera crew into one's household to document one's private life, as Bollea did for the reality TV show "Hogan Knows Best." Is it even possible to separate these entities when they become this deeply linked?

**“Watch what journalism should be doing. Watch the powerful. Watch big money and the secretive stuff behind the scenes pulling the strings. We're in this bizarre world now.”**

Brian Knappenberger

**“Our liberty depends on the freedom of the press, and that cannot be limited without being lost.”**

Thomas Jefferson

## FURTHER DISCUSSIONS:

1. Had you heard of the Bollea v. Gawker case prior to seeing the film? What was your impression?
2. NOBODY SPEAK: TRIALS OF THE FREE PRESS seems to suggest that the Bollea v. Gawker court decision places the freedom of the press on a slippery slope. Do you agree?
3. Were you familiar with Gawker before seeing the film? What was your opinion of the blog?
4. What do you think about Peter Thiel's financial involvement in the Bollea v. Gawker case?
5. Freedom of the press is currently protected by under the First Amendment of the Constitution of the United States of America. Are you worried about the future of the free press? If you live outside the U.S., how free is the press in your country?
6. Are you familiar with Brian Knappenberger's previous films WE ARE LEGION and THE INTERNET'S OWN BOY? How do you think they relate to one another?
7. What are your thoughts about billionaire casino mogul Sheldon Adelson covertly purchasing the Las Vegas Review-Journal?
8. Do you think media outlets should be legally handled differently based on the content they decide to publish?
9. Hulk Hogan argued that the publication of his sex tape was an invasion of his private life, meanwhile, he was actively participating in the reality TV show 'Hogan Knows Best' and speaking publicly about the sex tape on Howard Stern's radio show. What do you make of this?
10. What was your greatest takeaway from NOBODY SPEAK: TRIALS OF THE FREE PRESS?

## NOTES:

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## FILM FACTS:

- **NOBODY SPEAK: TRIALS OF THE FREE PRESS** had its world premiere at the 2017 Sundance Film Festivals in competition for the Grand Jury Prize of the U.S. Documentary program. Following its debut, the film went on to screen at another major film festivals including SXSW, the Human Rights Watch Film Festival, Hot Docs, the San Francisco International Film Festival, and the Miami Film Festival.
- On October 4, 2012, Gawker [released](#) an excerpt from a sex tape featuring Terry “Hulk Hogan” Bollea and Heather Clem, the estranged wife of radio personality Todd Clem, better known as “Bubba the Love Sponge.” At the end of the tape, Todd can be heard telling Heather, “If we ever need to retire, here is our ticket.” Hogan subsequently filed a lawsuit against Clem and his now ex-wife for invading his privacy on October 15, 2012, citing the fact that he was unaware he was being filmed.
- Hogan sued Gawker Media for copyright infringement in the United States District Court for the Middle District of Florida, but withdrew the case and went forward with a suit in Florida state court for defamation, loss of privacy, and emotional pain. Ultimately, the jury delivered a verdict in favor of Bollea, awarding him \$140 million in damages. On November 2, 2016, Gawker reached a \$31 million dollar [settlement](#) with Bollea.
- The New York Times ran an [interview](#) with Gawker founder Nick Denton on May 23, 2016, that saw Denton guessing that the lawsuit was secretly funded by someone in Silicon Valley. The following day, Forbes ran a [story](#) confirming that Paypal co-founder Peter Thiel had indeed put forth \$10 million in the lawsuit against Gawker. The next day Thiel himself confirmed the report in an [article](#) in The New York Times, raising much concern about free speech in the face of media-fearing billionaires.
- After 13 years in operation, Gawker, the flagship news and gossip blog of Gawker Media, [shutdown](#) in the wake of Hogan’s lawsuit. The remaining Gawker Media Group properties—Gizmodo, Lifehacker, Jezebel, Kotaku, Jalopnik and Deadspin—were sold to Univision for \$135 million in order to save them amidst Gawker’s bankruptcy following the suit.
- In December of 2015, Patrick Dumont, put together a [deal](#) to purchase the Las Vegas Review-Journal on behalf of his father-in-law, Sheldon Adelson, a billionaire casino tycoon who very much wished to remain the anonymous new owner. Upon discovering who purchased the paper, much of the senior staff resigned citing an inability to ethically perform their job under the new owner.

## WAYS TO INFLUENCE

1. **Subscribe** to your local newspaper. What better way to show your support for a free press than to read it and fund it simultaneously?
2. **Donate** to non-profit, listener, and reader supported investigative news outlets like [NPR](#), [Democracy Now!](#), [The Intercept](#), and [Mother Jones](#).
3. **Join** [Reporters Without Borders](#), an international organization that supports the integrity of journalism and defends freedom of information around the globe.
4. **Tell** your U.S. Congress member to [support](#) Net Neutrality, a key principle that ensures free speech and a free press online.

## We believe a good documentary is just the beginning...

In a world of sound-bites, documentaries provide an opportunity to think, understand, share, and connect with the world.

They are controversial, divisive, fascinating, unexpected, and surprising. They can be thrillers, dramas, comedies, romance, tear-jerkers, and horror films.

Documentaries provide the perfect topic for meaningful conversations. If you want to talk about the things that matter with people that matter then pick a film, invite your friends, and watch & discuss together. It's as easy as that.

**Influence Film Club – We are the conversation after the film.**