

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

EVAN SINGLETON and VITO : CIVIL ACTION NO. 3:15-CV-00425-VLB
LOGRASSO, :
 :
 :
 Plaintiffs, :
 :
 V. :
 :
 :
 WORLD WRESTLING :
 ENTERTAINMENT, INC., :
 :
 :
 Defendant. : JULY 15, 2015

WORLD WRESTLING ENTERTAINMENT, : CIVIL ACTION NO. 3:15-CV-00994-SRU
INC., :
 :
 :
 Plaintiff, :
 :
 :
 VS. :
 :
 :
 ROBERT WINDHAM, THOMAS :
 BILLINGTON, JAMES WARE, OREAL :
 PERRAS, and VARIOUS JOHN DOE'S, :
 :
 :
 Defendants. : JULY 15, 2015

RUSS McCULLOUGH, a/k/a "Big Russ : CIVIL ACTION NO. 3:15-CV-01074-VAB
McCullough," RYAN SAKODA, and :
 :
 MATTHEW R. WIESE, a/k/a "Luther :
 Reigns," individually and on behalf of all :
 :
 others similarly situated, :
 :
 :
 Plaintiffs, :
 :
 :
 VS. :
 :
 :
 WORLD WRESTLING ENTERTAINMENT, :
 INC., :
 :
 :
 Defendant. : JULY 15, 2015

NOTICE OF RELATED CASES

Pursuant to Local Rule of Civil Procedure 40(b)(2), World Wrestling Entertainment, Inc. (“WWE”) hereby provides notice of the following related cases pending in the District of Connecticut.¹ These cases are related because they all involve virtually identical allegations and claims by former WWE performers that they suffered traumatic brain injuries and that WWE fraudulently concealed information about the consequences of such injuries. All of these cases present the same issue of whether the claims by the former WWE performers are barred by the applicable statutes of limitations and statutes of repose. In addition, all of these former WWE performers are represented by the same counsel, Attorney Konstantine Kyros, and/or other attorneys working in concert with him.

1. *Evan Singleton and Vito Lograsso v. World Wrestling Entertainment, Inc., No. 3:15-cv-00425-VLB (Bryant, J.)* (“Singleton Suit”): The Singleton Suit was filed as a putative class action on January 16, 2015 in the Eastern District of Pennsylvania. On February 27, 2015, WWE filed a Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a) Due to the Forum-Selection Clauses in the Contracts Between the Parties, which was not opposed by the plaintiffs. On March 23, 2015, the Court granted WWE’s motion and transferred the case to the District of Connecticut. The Singleton Suit has been assigned to the Honorable Vanessa L. Bryant.

The parties in the Singleton Suit have held a Rule 26(f) conference and jointly filed a report of that conference on May 8, 2015. On June 8, 2015, Judge Bryant held a status conference at which she ordered the plaintiffs to file a Second Amended Complaint due to pleading deficiencies in the First Amended Complaint. On June 29, 2015, WWE filed a Motion to Dismiss the Second Amended Complaint, which is currently pending before Judge Bryant.

¹ Pursuant to Local Rule of Civil Procedure 40(b)(2), WWE is filing this notice in all three related cases pending in this District.

During the status conference held on June 8, 2015, counsel for WWE informed Judge Bryant that, at that time, there were three similar actions filed by plaintiffs in other jurisdictions which WWE had moved to transfer to the District of Connecticut: a virtually identical putative class action filed on October 23, 2014 in the District of Oregon styled *William Albert Haynes III, individually, and on behalf of all others similarly situated v. World Wrestling Entertainment Inc.*, No. 3:14-cv-01698-ST (the “*Haynes Suit*”); an action filed on February 18, 2015 in the Western District of Tennessee styled *Cassandra Frazier, individually and as next of kin to her deceased husband, Nelson Lee Frazier, Jr., and as personal representative of the Estate of Nelson Lee Frazier, Jr., deceased v. World Wrestling Entertainment Inc.*, No. 2:15-cv-02198 (the “*Frazier Suit*”); and another identical putative class action filed on April 9, 2015 in the Central District of California styled *Russ McCullough a/k/a “Big Russ McCullough,” Ryan Sakoda, and Matthew R. Wiese a/k/a “Luther Reigns,” individually, and on behalf of all other similarly situated v. World Wrestling Entertainment, Inc.*, No. 2:15-cv-02662-AB-JEM (the “*McCullough Suit*”). At the status conference, counsel for WWE advised the Court that all of the plaintiffs in all of lawsuits that had been filed (with the exception of Haynes) had mandatory forum selection clauses in their contracts requiring that such actions be brought in this District.

On June 25, 2015, a United States Magistrate Judge in Oregon issued an order granting WWE’s motion to transfer the *Haynes Suit* to this District pursuant to 28 U.S.C. § 1404(a).² (See Exhibit A.) The very next day, on June 26, 2015, a new action was filed by Mr. Kyros against WWE in the United States District Court for the Northern District of Texas styled *Michelle James, as mother and next friend of Matthew Osborne, a minor child and Teagan Osborne, a minor child v. World Wrestling Entertainment Inc.*, No. 3:15-CV-02146-L (the

² The *Haynes* suit has not been formally transferred to the District of Connecticut yet because the plaintiff has appealed the Magistrate Judge’s order to the District Judge in Oregon.

“*Osborne* Suit”). WWE has filed a pending motion to transfer the *Osborne* Suit to this District based on the forum selection clause contained in Osborne’s contract.

2. *World Wrestling Entertainment, Inc. v. Robert Windham, Thomas Billington, James Ware, Oreal Perras, and Various John Doe’s*, No. 3:15-cv-00994-SRU (Underhill, J.):

On June 29, 2015, WWE filed an action in this District against several former performers seeking a “declaration that claims relating to alleged traumatic brain injuries and/or other tort claims Defendants have threatened against WWE are time-barred by the applicable statutes of limitations/statutes of repose under Connecticut law” (the “Declaratory Judgment Suit”). This action has been assigned to the Honorable Stefan R. Underhill.

3. *Russ McCullough a/k/a “Big Russ McCullough,” Ryan Sakoda, and Matthew R. Wiese a/k/a “Luther Reigns,” individually and on behalf of all other similarly situated v. World Wrestling Entertainment, Inc.*, No. 3:15-cv-01078-VAB (Bolden, J.): On July 14, 2015, the District Court in the Central District of California transferred the McCullough Suit to this District after finding that the forum selection clauses in the plaintiffs’ contracts with WWE were valid and enforceable.³ (See Exhibit B.) The *McCullough* Suit has been assigned to the Honorable Victor A. Bolden.

Pursuant to Local Rule of Civil Procedure 40(b)(1), all related cases “should normally be transferred to the Judge having the earliest filed case.” Accordingly, the Declaratory Judgment Suit and the *McCullough* Suit should be transferred to Judge Bryant because the *Singleton* Suit was the earliest filed case in this District.

³ WWE’s motions to transfer venue based on the mandatory forum selection clauses in the *Frazier* and *Osborne* cases remain pending.

WORLD WRESTLING ENTERTAINMENT,
INC.,

By: /s/ Jeffrey P. Mueller

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Its Attorneys

CERTIFICATION

I hereby certify that on this date a copy of foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Jeffrey P. Mueller

Jeffrey P. Mueller (ct27870)