

App. Tab 4

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

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RUSS MCCULLOUGH, et al.,

Plaintiff,

vs.

No. 3:15-cv-01074 (VLB)

WORLD WRESTLING ENTERTAINMENT, INC.,

Defendant.

-----X

EVAN SINGLETON and VITO LOGRASSO,

Plaintiffs,

vs.

No. 3:15-cv-00425 (VLB)

WORLD WRESTLING ENTERTAINMENT, INC.,

Defendant.

-----X

VIDEOTAPED DEPOSITION OF VITO LOGRASSO

Philadelphia, Pennsylvania

May 18, 2016

9:35 a.m.

Reported by:
Jennifer Ocampo-Guzman, CRR, CLR
JOB NO. 44300

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| <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> | <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> |
| <p>May 18, 2016 9:35 a.m.</p> <p>Videotaped Deposition of VITO LOGRASSO, held at the offices of Kleinbard, LLC, 1650 Market Street, Philadelphia, Pennsylvania, pursuant to notice, before Jennifer Ocampo-Guzman, a Certified Real-Time Shorthand Reporter and Notary Public of the Commonwealth of Pennsylvania.</p> | <p>APPEARANCES (Cont.d):</p> <p>Attorneys for Defendant K&L GATES, LLP 210 Sixth Avenue Pittsburgh, Pennsylvania 15222 BY: JERRY McDEVITT, ESQ. jerry.mcdevitt@klgates.com STEFANIE M. LACY, ESQ. stefanie.lacy@klgates.com</p> <p>ALSO PRESENT: JOSEPH WILLS, Videographer</p> |
| 3 | 5 |
| <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> | <p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> |
| <p>APPEARANCES:</p> <p>Attorneys for Plaintiff Vito LoGrasso POGUST BRASLOW MILLROOD, LLC Eight Tower Bridge 161 Washington St., Suite 1520 Conshohocken, Pennsylvania 19428 BY: ANDREW J. SCIOLLA, ESQ. asciolla@pbmattorneys.com</p> <p>Attorneys for Plaintiff Vito LoGrasso KYROS LAW OFFICES 17 Miles Road Hingham, Massachusetts 02043 BY: KONSTANTINE W. KYROS, ESQ. kon@kyroslaw.com ANTHONY NORRIS, ESQ.</p> | <p>THE VIDEOGRAPHER: We are now on the record.</p> <p>My name is Joseph Wills, the videographer obtained by David Feldman Worldwide. This is a video deposition for the United States District Court for the District of Connecticut. Today's date is May 18, 2016, and the video time is 9:35 a.m.</p> <p>This deposition is being held at 1650 Market Street, Philadelphia, Pennsylvania, in the matters of McCullough, et al., versus World Wrestling Entertainment Incorporated and Singleton and LoGrasso versus World Wrestling Entertainment Incorporated. The deponent is Vito LoGrasso.</p> <p>Will all counsel please identify themselves.</p> <p>MR. SCIOLLA: Andrew Sciolla from Pogust Braslow Millrood, on behalf the plaintiff, Vito LoGrasso.</p> <p>MR. KYROS: Konstantine Kyros, Kyros Law Offices, for the plaintiff, Vito LoGrasso.</p> |

6

1 MR. NORRIS: Anthony Norris, Kyros
 2 Law Offices, for the plaintiff.
 3 MR. McDEVITT: Jerry McDevitt for
 4 WWE.
 5 MS. LACY: Stefanie Lacy for WWE.
 6 VITO J. LOGRASSO, called
 7 as a witness, having been duly sworn, was
 8 examined and testified as follows:
 9 EXAMINATION BY
 10 MR. McDEVITT:
 11 **Q. Would you state your name for the**
 12 **record, please?**
 13 A. Veto J. LoGrasso.
 14 **Q. Have you ever testified under oath**
 15 **before?**
 16 A. No, sir.
 17 **Q. Do you understand the oath you've**
 18 **just taken?**
 19 A. Yes, sir.
 20 **Q. And you understand it obligates you**
 21 **to tell the truth, even if telling the truth**
 22 **is against your interest?**
 23 A. Yes.
 24 **Q. And even if the truth is contrary**
 25 **to what you said in court pleadings?**

7

1 A. Yes, sir.
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 **Q. Do you own that property?**
 8 A. No, I do not. My wife does.
 9 **Q. How long have you lived there?**
 10 A. Two years, I think.
 11 **Q. Does anybody else live there**
 12 **besides you and your wife?**
 13 A. No, just us.
 14 **Q. What is your wife's name?**
 15 A. Becca, B-E-C-A -- C-C-A.
 16 **Q. What was her maiden name?**
 17 A. Ford.
 18 **Q. And am I correct, she was also a**
 19 **previous performer in the wrestling business?**
 20 A. Yes, sir.
 21 **Q. But not with WWE, correct?**
 22 A. No.
 23 **Q. She was with WCW?**
 24 A. No.
 25 **Q. Who did she perform for?**

8

1 A. She was more of an indie wrestler.
 2 **Q. When were you married?**
 3 A. September 27, 2014.
 4 If I got that wrong, I die.
 5 **Q. We're going ask her whether you**
 6 **were right.**
 7 MR. SCIOLLA: Jerry, I don't meant
 8 interrupt, but as you can see, he's
 9 leaning toward you. As much as you can,
 10 keep your voice up so that he can hear.
 11 MR. McDEVITT: If you can't hear or
 12 understand any question I ask you, just
 13 tell me and I will be glad to raise my
 14 voice, but I don't want to appear like
 15 I'm yelling at you.
 16 I may yell at you anyway, but --
 17 THE WITNESS: It's okay.
 18 **Q. But seriously, if you cannot hear**
 19 **me, tell me.**
 20 A. Okay.
 21 [REDACTED]

9

1 [REDACTED]
 2 **Q. And prior to moving to**
 3 **Pennsylvania, you lived in Florida?**
 4 A. Yes, sir.
 5 **Q. When did you move to Pennsylvania?**
 6 A. Let's see. I'm not sure of the
 7 day. I know it was in 2014, I think.
 8 **Q. The year is fine. The year 2014?**
 9 A. I think so, yeah.
 10 **Q. Why did you move back to**
 11 **Pennsylvania?**
 12 A. Because I closed my wrestling
 13 school, and I decided to get married.
 14 **Q. Why couldn't you stay in Florida?**
 15 A. My wife lives here, and she has two
 16 children here.
 17 **Q. Is it true you hate living in**
 18 **Pennsylvania?**
 19 A. Say that one more time?
 20 **Q. You hate living in Pennsylvania?**
 21 A. I'm not fond of Pennsylvania. The
 22 people are nice, but I'm not too fond of
 23 Pennsylvania.
 24 **Q. Have you told some of your**
 25 **healthcare providers you hate living in**

10

1 **Pennsylvania?**
 2 A. Probably I enjoyed living in
 3 Florida more.
 4 **Q. My question was: Did you tell your**
 5 **healthcare providers that you hate living in**
 6 **Pennsylvania?**
 7 A. I don't recall if I said "hate." I
 8 just said I would rather live in Florida.
 9 **Q. Is it true you want to move back to**
 10 **Florida?**
 11 A. Yes, I would like to move back to
 12 Florida.
 13 **Q. But your wife doesn't want to move**
 14 **back to Florida, does she?**
 15 A. She does now.
 16 [REDACTED]

11

1 **Q. Have you told healthcare providers**
 2 **that you don't want to take the son to**
 3 **Florida?**
 4 A. I don't want to take him away from
 5 the family.
 6 **Q. Have you told them that you don't**
 7 **want to take him to Florida?**
 8 A. I don't want to take him away from
 9 his family.
 10 **Q. So that would mean you don't want**
 11 **to take him to Florida.**
 12 A. No, I don't want to take him away
 13 from his family.
 14 **Q. Were you ever in the military?**
 15 A. Say that one more time?
 16 **Q. Were you in the military?**
 17 A. Yes.
 18 **Q. What branch?**
 19 A. U.S. Army.
 20 **Q. What period were you in the army?**
 21 A. I don't have the sheet in front of
 22 me with dates.
 23 **Q. Were you drafted or were you, did**
 24 **you enlist?**
 25 A. I enlisted.

12

1 **Q. Do you remember what century you**
 2 **were in -- I'm sorry, what decade you were**
 3 **in, I should say? '80s, '90s?**
 4 A. '80s.
 5 **Q. In the '80s?**
 6 A. I think it was 1983 or '4 I think I
 7 enlisted.
 8 **Q. And how long did you serve?**
 9 A. I think it was less than a year.
 10 I'm not sure of the dates.
 11 **Q. What was your MOS?**
 12 A. Infantry, 11 Bravo.
 13 **Q. Where were you stationed?**
 14 A. I was in, for boot camp I was in
 15 Fort Benning, and then I was stationed in
 16 Fort Ord, California.
 17 **Q. Were you court marshaled?**
 18 A. No.
 19 **Q. What kind of discharge did you get?**
 20 A. Other than honorable.
 21 **Q. Was it an undesirable?**
 22 A. No.
 23 **Q. Was it an administrative discharge?**
 24 A. Other than honorable. That's what
 25 it read on my discharge papers.

13

1 **Q. Do you still have your DD 214?**
 2 A. Yes, I do.
 3 **Q. You do?**
 4 A. The lawyer has a copy of it, if you
 5 need it.
 6 **Q. Are you employed? Are you employed**
 7 **now?**
 8 A. No.
 9 **Q. Are you on disability?**
 10 A. No.
 11 **Q. Have you applied for disability?**
 12 A. Yes.
 13 **Q. And what kind of disability have**
 14 **you applied for?**
 15 A. Social Security Disability.
 16 **Q. And when did you file your**
 17 **application?**
 18 A. I filed the application I think, I
 19 think -- I'm not sure of exactly. I know I
 20 have 2014, 2015, and then there was a process
 21 where the court got denied and then they gave
 22 me and I had to get, I had to find an
 23 attorney to do the appeal. And then they
 24 gave me -- and in June there's an appeal
 25 date.

| | | | |
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| 14 | <p>1 So I think from, I started doing</p> <p>2 from the doctors and started to process in</p> <p>3 2014 to 2015, so in that time frame.</p> <p>4 Q. And did I understand you to say</p> <p>5 that some court denied your claim?</p> <p>6 A. The initial claim. They deny all</p> <p>7 the initial claims the first time you apply</p> <p>8 for Social Security Disability. It's</p> <p>9 standard.</p> <p>10 Q. And now that's being appealed? Do</p> <p>11 I understand you to be saying that's now</p> <p>12 being appealed?</p> <p>13 A. Right. I think the process is that</p> <p>14 once you get denied, you have to go to a</p> <p>15 court date that goes through the courts in</p> <p>16 Pennsylvania; and then you have to appeal it,</p> <p>17 so you can fight the, fight the appeal.</p> <p>18 Q. So what attorneys are representing</p> <p>19 you in that?</p> <p>20 A. Disability Justice. That's the</p> <p>21 name of the firm.</p> <p>22 Q. Where are they located?</p> <p>23 A. Pennsylvania.</p> <p>24 Q. What city, though?</p> <p>25 A. I'm not sure.</p> | 16 | <p>1 -- Dr. DeMarco, Dr. Smith. Dr. Smith is the</p> <p>2 ENT Dr. Handler is the neurologist.</p> <p>3 Q. Anybody else?</p> <p>4 A. And the psychologist, I think, I'm</p> <p>5 not sure.</p> <p>6 Q. Who is the psychologist?</p> <p>7 Who is the psychologist?</p> <p>8 A. I think it dealt with a Dr. -- I</p> <p>9 think a Dr. Adams, I'm not sure. I've only</p> <p>10 seen him a few times.</p> <p>11 Q. Dr. Adams ejected you from the</p> <p>12 program, didn't he?</p> <p>13 A. Excuse me?</p> <p>14 Q. Dr. Adams ejected you from their</p> <p>15 program, didn't he?</p> <p>16 MR. SCIOLLA: Object to form.</p> <p>17 You can answer. I just objected to</p> <p>18 the form of the question. You can</p> <p>19 answer the question.</p> <p>20 A. He asked me to leave the program,</p> <p>21 yes.</p> <p>22 Q. And you went to him seeking support</p> <p>23 for a disability determination, didn't you?</p> <p>24 A. No. I went for help for my</p> <p>25 problems.</p> |
| 15 | <p>1 Q. How did you find them?</p> <p>2 A. I found them through my attorney,</p> <p>3 Kyros.</p> <p>4 Q. Through who?</p> <p>5 A. Bill Kyros recommended them.</p> <p>6 Q. All right.</p> <p>7 And what is the basis of your claim</p> <p>8 of disability?</p> <p>9 In other words, why are you saying</p> <p>10 you're disabled? What is disabling you?</p> <p>11 A. I have my hearing impairment. I</p> <p>12 have the headaches. I have sleep disorder.</p> <p>13 I have depression. I have the concussion</p> <p>14 syndrome.</p> <p>15 I believe that's it.</p> <p>16 Q. And when you made your claim for</p> <p>17 disability benefits, did you submit any kind</p> <p>18 of evidence?</p> <p>19 A. The doctors' reports that I</p> <p>20 obtained while I was going to the doctors.</p> <p>21 Q. What doctors' reports were</p> <p>22 submitted?</p> <p>23 A. Okay. Let's see. I think it was</p> <p>24 Dr. DeMarco, who's my primary, Dr. Smith who</p> <p>25 is the ENT. Dr. Handler who's -- Dr. Smith</p> | 17 | <p>1 Q. And did you tell him that you</p> <p>2 wanted him to support a disability</p> <p>3 determination?</p> <p>4 A. I told him I was applying for</p> <p>5 Social Security Disability.</p> <p>6 Q. And were you throwing chairs around</p> <p>7 there?</p> <p>8 A. No.</p> <p>9 Q. Acting violently?</p> <p>10 A. I was upset.</p> <p>11 Q. So you were acting violently?</p> <p>12 A. No.</p> <p>13 Q. What were you upset about?</p> <p>14 A. Just upset that they asked me to</p> <p>15 leave the program when I came there for help.</p> <p>16 Q. He told you to get a job, didn't</p> <p>17 he?</p> <p>18 A. Huh?</p> <p>19 Q. He told you to get a job, didn't</p> <p>20 he?</p> <p>21 A. He told me to go get a job. I</p> <p>22 said, what job could I possibly get? I can't</p> <p>23 wrestle anymore.</p> <p>24 Q. You got angry when he told you to</p> <p>25 go get a job instead of saying you were</p> |

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| 18 | <p>1 disabled?</p> <p>2 MR. SCIOLLA: Objection, asked and</p> <p>3 answered.</p> <p>4 Q. When you say it was initially</p> <p>5 denied, was there a written opinion saying</p> <p>6 why your disability application was being</p> <p>7 denied?</p> <p>8 A. That's standard process, from what</p> <p>9 I understand.</p> <p>10 Q. Well, did you ever see any</p> <p>11 explanation in writing for why they were</p> <p>12 denying your disability?</p> <p>13 A. They sent me a form saying that I</p> <p>14 was denied. I don't recall what it said in</p> <p>15 the letter.</p> <p>16 Q. And have you turned all those</p> <p>17 documents over to your attorneys in this</p> <p>18 case?</p> <p>19 A. I don't recall if I gave them those</p> <p>20 documents.</p> <p>21 Q. But you still have them, correct?</p> <p>22 A. I believe so. I'm not sure.</p> <p>23 Q. And did any witnesses testify for</p> <p>24 you in that proceeding?</p> <p>25 A. Not that I'm aware of.</p> | 20 | <p>1 about it, I think.</p> <p>2 Q. What was the question and answer</p> <p>3 thing?</p> <p>4 Do you mean the interrogatories</p> <p>5 that you signed?</p> <p>6 A. I think so. I'm not sure. I know</p> <p>7 I saw paperwork that was filed that I signed.</p> <p>8 Q. Did you read Mr. Singleton's</p> <p>9 deposition?</p> <p>10 A. No.</p> <p>11 Q. Do you have any understanding of</p> <p>12 what he testified to?</p> <p>13 A. No, sir.</p> <p>14 Q. Did talk to him about his</p> <p>15 deposition?</p> <p>16 A. No, sir.</p> <p>17 Q. When did you last speak to</p> <p>18 Mr. Singleton?</p> <p>19 A. I met him one time, and that was in</p> <p>20 Harris' office, and then we had a meeting.</p> <p>21 Q. Is that the only time you talked to</p> <p>22 him?</p> <p>23 A. Yes, sir.</p> <p>24 Q. Did you read Dr. Adams' testimony,</p> <p>25 in preparation for the day?</p> |
| 19 | <p>1 Q. Did you give any testimony?</p> <p>2 A. I was the patient. That's the best</p> <p>3 I could tell you.</p> <p>4 Q. Well, for example, was there any</p> <p>5 hearing under which you testified under</p> <p>6 oath --</p> <p>7 A. No.</p> <p>8 Q. -- about your disability or</p> <p>9 anything related to it?</p> <p>10 A. No.</p> <p>11 Q. What did you do to prepare for your</p> <p>12 deposition today, sir?</p> <p>13 A. I met with my lawyers.</p> <p>14 Q. How long?</p> <p>15 A. I was with them Monday and Tuesday.</p> <p>16 Q. All day?</p> <p>17 A. Afternoon.</p> <p>18 Q. Which lawyers?</p> <p>19 A. I was with Mr. Kyros, Andrew, and</p> <p>20 Anthony.</p> <p>21 Q. And did you read any documents</p> <p>22 during those prep sessions?</p> <p>23 A. Only what was, what I, the</p> <p>24 documents that I signed and the documents,</p> <p>25 the question and answer thing. That was</p> | 21 | <p>1 A. No, sir.</p> <p>2 Q. Did you watch any videotapes of the</p> <p>3 matches you have identified as the ones you</p> <p>4 now state you received concussions in?</p> <p>5 A. Can you repeat the question?</p> <p>6 Q. Sure. Did you watch any videotapes</p> <p>7 of WWE matches you participated in and which</p> <p>8 you now claim you got a concussion in?</p> <p>9 MR. SCIOLLA: Object to the form.</p> <p>10 You can answer.</p> <p>11 A. Yes, I did.</p> <p>12 Q. Which matches did you watch?</p> <p>13 A. The ones with Steven Regal. I</p> <p>14 believe there was a six-man tag.</p> <p>15 Q. Any others?</p> <p>16 A. I believe there is another Steven</p> <p>17 Regal match and a Mr. Kennedy match.</p> <p>18 Q. Do you know if those are the ones</p> <p>19 that you identified in this case as the ones</p> <p>20 in which you now claim you received a</p> <p>21 concussion?</p> <p>22 A. I'm not sure which ones you guys</p> <p>23 put together until I look at them.</p> <p>24 Q. Well, you signed an interrogatory</p> <p>25 in which you swore there were certain</p> |

22

1 matches.

2 **Do you recall that?**

3 A. Yes.

4 **Q. Is it the same matches that you**

5 **watched?**

6 A. Yes, sir.

7 **Q. What were you watching them for?**

8 MR. SCIOLLA: Object to the form.

9 You can answer, to the extent you

10 know.

11 A. Those matches were the matches

12 where I sustained head injuries.

13 **Q. Did you watch the match where**

14 **Steven Regal appears to throw you into the**

15 **metal steps going up to the cage, or up to**

16 **the ring?**

17 A. I'm sorry?

18 **Q. Did you watch the match where**

19 **Steven Regal appeared to throw you into the**

20 **metal steps leading up to the ring?**

21 A. Yes.

22 **Q. And that's when you claim you hit**

23 **your head on the steps and got a concussion?**

24 A. That's when I hit my head. I

25 didn't know if I had a concussion.

23

1 **Q. But that's one of the matches you**

2 **claim now that you hit your head on those**

3 **steps and you got a concussion, right?**

4 A. That's when I hit my head. I did

5 not know I had a concussion.

6 **Q. I understand that. But now you**

7 **claim you did get a concussion, right? You**

8 **didn't know it then, but now you're claiming**

9 **you had a concussion, right?**

10 MR. McDEVITT: He's talking about

11 your current knowledge, not what you

12 know then.

13 **Q. As I understand what you're saying,**

14 **Mr. LoGrasso, you watched the match with**

15 **Steven Regal, you say you hit your head on**

16 **those metal steps. You didn't know then that**

17 **you got a concussion, but you believe now**

18 **that you did.**

19 **Is that an accurate statement?**

20 A. That's -- that's my explanation.

21 **Q. What other documents did you**

22 **review? Any other ones?**

23 **What other documents did you review**

24 **in preparation for your deposition?**

25 A. It would just be the ones that I

24

1 said.

2 **Q. Did you review any of your medical**

3 **records?**

4 A. No.

5 **Q. Are you currently taking any drugs**

6 **which would impair your memory --**

7 A. No.

8 **Q. -- or your ability to recall**

9 **things?**

10 A. No.

11 **Q. How much time did you spend**

12 **watching the videotapes of the matches in**

13 **preparation for your deposition?**

14 A. I never watched them. I never

15 watched them in preparation. I just, you

16 know, produced the videotapes. That was it.

17 I didn't do it in preparation for this.

18 **Q. I'm sorry, I thought you said in**

19 **your preparation for today you watched those**

20 **matches. That's what we were just talking**

21 **about a couple of questions ago.**

22 A. Yes, I watched the matches.

23 **Q. And you watched those with your**

24 **attorneys, right?**

25 A. I did not watch them with the

25

1 attorneys, no.

2 **Q. So you watched them outside of your**

3 **preparation session with the attorneys?**

4 A. I watched the matches. I submitted

5 them to the attorneys. I did not watch them

6 with the attorneys.

7 **Q. Where did you get those matches?**

8 A. From tapes I had.

9 **Q. Were they tapes? Do you keep tapes**

10 **of all your matches?**

11 A. There are some that I -- there are

12 a lot of them that I kept. I just didn't

13 recall I had them recorded. And usually

14 there's a lot of stuff on the WWE network.

15 **Q. Did you pull any of those matches**

16 **off the network?**

17 A. No.

18 **Q. In terms of social media, do you**

19 **have a Facebook account?**

20 A. Yes.

21 **Q. Under what name?**

22 A. Vito LoGrasso.

23 **Q. Do you have a Snapshot account?**

24 A. I don't think so, no.

25 **Q. Snapchat?**

| | | | |
|----|--|----|---|
| 26 | <p>1 MR. SCIOLLA: It's okay, Jerry ten 2 worry about it. 3 MR. McDEVITT: I meant to say 4 Snapchat. 5 Q. Do you have snapchat? 6 A. No. I'm the worst guy to take a 7 picture with a telephone. I haven't mastered 8 that yet, so. 9 Q. How about Tumblr? 10 A. Tumblr I think I have, but I don't 11 use. 12 Q. How about Twitter? 13 A. Twitter I use. 14 Q. What's your handle on Twitter? 15 A. I think it's Vito LoGrasso. 16 Q. How about Instagram? 17 A. Instagram is Vito LoGrasso. 18 Q. Do you have any other social media 19 accounts? 20 MR. SCIOLLA: Are there other ones? 21 MR. McDEVITT: Nothing that... 22 A. Social media, I think that's about 23 the extent of it. I'm not a computer guy. 24 Q. Have you used social media to 25 discuss this lawsuit?</p> | 28 | <p>1 testimony is you can't remember the name of 2 any former performer who contacted you in 3 response to those e-mails or those social 4 media? 5 A. Rob Holm. 6 Q. What was his ring name? 7 A. Mo Enable. 8 Q. Anybody else? 9 A. Man On a Mission. 10 Q. Anybody else? 11 A. Let me just think. 12 I really can't recall. 13 Q. Have you had any communications 14 with Billy Jack Haynes? 15 A. No, sir. 16 Q. Do you know Billy Jack Haynes? 17 A. Not personally, no. 18 Q. Have you had any communications 19 with Ryan Sakoda? 20 A. No, sir. 21 Q. Do you know him? 22 A. I don't believe he was there in the 23 WWE when I was there. I don't recall meeting 24 him. 25 Q. How about Russ McCullough?</p> |
| 27 | <p>1 MR. SCIOLLA: Object to the form. 2 You can answer. 3 A. I've written about the lawsuit. I 4 didn't have a discussion. I wrote my 5 opinions. 6 Q. Have you used social media to try 7 to recruit other people to join in this 8 lawsuit? 9 A. I wrote down, if guys need help and 10 they would like to join the lawsuit, and I 11 believe I gave Mr. Kyros' number. 12 Q. Did anybody ever contact you in 13 response to those, telling you that they 14 wanted to join the lawsuit? 15 A. I believe a few reached out. I 16 don't remember who. 17 Q. You don't remember any of the 18 people that reached out? 19 A. No, because I stopped, you know, I 20 stopped the, you know, I stopped putting -- I 21 put the post out at one point, and then, you 22 know, I figured that was enough for me to do. 23 And if guys wanted to pursue it, they could 24 pursue it on their own. 25 Q. So as you sit here today, your</p> | 29 | <p>1 A. I think these guys were there 2 before me. I'm not sure. 3 Q. So is it your testimony you haven't 4 had any conversations of any kind with any of 5 the other people suing the WWE over alleged 6 head injuries? 7 A. Those gentlemen that you mentioned, 8 no. 9 Q. Is there anybody else that you've 10 had communications with about alleged head 11 injuries in suits against the WWE that used 12 to work with WWE? 13 MR. SCIOLLA: Object to the form. 14 You can answer. 15 A. If you can repeat the question 16 again. 17 Q. Sure. Have you had any 18 communications about this lawsuit with 19 anybody else who used to work at WWE, other 20 than the ones you identified, Rob Holm? 21 MR. SCIOLLA: Just wrestlers or 22 anybody? 23 MR. McDEVITT: Anybody. 24 MR. SCIOLLA: Anybody. 25 A. Anybody. My wife.</p> |

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| 30 | <p>1 Q. Anybody else?</p> <p>2 A. My doctors.</p> <p>3 Q. I'm talking about people who used</p> <p>4 to work for WWE.</p> <p>5 Your wife didn't work for WWE, I</p> <p>6 mean you've already testified --</p> <p>7 A. I'm just giving you a general</p> <p>8 answer. No.</p> <p>9 Q. When did you first decide that the</p> <p>10 symptoms you now claim to have had for years</p> <p>11 are caused by brain injuries?</p> <p>12 MR. SCIOLLA: Object to the form.</p> <p>13 MR. McDEVITT: What's the</p> <p>14 objection?</p> <p>15 MR. SCIOLLA: Your characterization</p> <p>16 that he had all the same symptoms for</p> <p>17 years and that there wasn't any</p> <p>18 progression of his symptoms and their</p> <p>19 severity.</p> <p>20 MR. McDEVITT: I didn't make any</p> <p>21 such characterization at all.</p> <p>22 Would you like the question read</p> <p>23 back?</p> <p>24 MR. SCIOLLA: Sure, read it back.</p> <p>25 (A portion of the record was read.)</p> | 32 | <p>1 A. When I started seeing Dr. Handler.</p> <p>2 Q. I'm not saying when you started</p> <p>3 seeing him.</p> <p>4 Is it your testimony that he told</p> <p>5 you that in 2014?</p> <p>6 A. No, you asked -- if you asked me if</p> <p>7 there was anybody who told you -- told me.</p> <p>8 And when I seen my neurologist, and you asked</p> <p>9 me the people who said this, and it was the</p> <p>10 neurologist who told me.</p> <p>11 Q. No. My question is very precise,</p> <p>12 Mr. LoGrasso.</p> <p>13 In 2014, did any doctor tell you</p> <p>14 that the symptoms you had were associated</p> <p>15 with brain injuries while you were performing</p> <p>16 for WWE?</p> <p>17 A. I tried to -- I'm trying to gauge</p> <p>18 when I saw Dr. Handler. I'm not sure if I</p> <p>19 saw him in 2014, or was it '15.</p> <p>20 Q. Did you have --</p> <p>21 A. I'm not sure.</p> <p>22 Q. By 2008, your complaint alleges</p> <p>23 that you had pounding headaches; is that</p> <p>24 correct?</p> <p>25 A. In 2008?</p> |
| 31 | <p>1 MR. SCIOLLA: Same objection.</p> <p>2 You can answer.</p> <p>3 A. So I get it right. Can you repeat</p> <p>4 it for me one more time? I'd appreciate it.</p> <p>5 Q. Yes. When did you first determine</p> <p>6 that the symptoms you now claim to have were</p> <p>7 associated with brain injuries suffered while</p> <p>8 you performed for WWE?</p> <p>9 MR. SCIOLLA: Same objection.</p> <p>10 A. That would be the year 2014.</p> <p>11 Q. All right. And what was it in 2014</p> <p>12 that made you come to that conclusion?</p> <p>13 A. When I started going to the</p> <p>14 doctors, and they started telling me that I</p> <p>15 had all these symptoms that I was suffering</p> <p>16 from, you know, these things that I'm dealing</p> <p>17 with. So that's when, you know, I started to</p> <p>18 put two and two together that I had</p> <p>19 concussion syndrome, and as part of that I</p> <p>20 might have a brain injury.</p> <p>21 Q. Did any doctor tell you in 2014</p> <p>22 that you had brain injuries caused by</p> <p>23 wrestling?</p> <p>24 A. My neurologist, Dr. Handler.</p> <p>25 Q. You say he told that you in 2014?</p> | 33 | <p>1 Q. Yes.</p> <p>2 A. Who alleged that I had that?</p> <p>3 Q. You did.</p> <p>4 A. Would you repeat the question</p> <p>5 again.</p> <p>6 Q. Is it true that by 2008 you had</p> <p>7 pounding headaches?</p> <p>8 A. I started dealing with headaches.</p> <p>9 Q. Was that in 2008?</p> <p>10 A. That's been all along, since maybe,</p> <p>11 I started with the headaches in 2000 -- 2006.</p> <p>12 Q. 2006.</p> <p>13 A. Yeah.</p> <p>14 Q. Did you get headaches when you were</p> <p>15 performing for WCW and getting hit over the</p> <p>16 head with chairs?</p> <p>17 A. I don't recall.</p> <p>18 Q. Did you get headaches when you were</p> <p>19 performing for ECW and getting hit over the</p> <p>20 head with chairs?</p> <p>21 A. I don't recall.</p> <p>22 Q. What I just said is true, isn't it?</p> <p>23 You did get hit over the head with chairs in</p> <p>24 ECW and WCW, didn't you?</p> <p>25 MR. SCIOLLA: Object to the form.</p> |

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| 34 | <p>1 A. I did get hit with chairs in WCW 2 and in ECW.</p> <p>3 Q. And by the way, the matches you 4 identified that you got hurt in WWE, there 5 were no chairs involved in any of those 6 matches, were there?</p> <p>7 A. No, sir.</p> <p>8 Q. Those were conventional wrestling 9 matches, right?</p> <p>10 MR. SCIOLLA: Object to the form.</p> <p>11 A. Conventional in what manner?</p> <p>12 Q. Well, there were no other objects. 13 It was you and another performer wrestling, 14 correct?</p> <p>15 A. Except for the steel steps and the 16 mat and the posts and the ring, those are all 17 objects you hit your head against.</p> <p>18 Q. But those are all part of a normal 19 wrestling match, correct?</p> <p>20 A. Stairs are not part of the 21 wrestling match, and the table is not, you 22 know -- when you go against tables or the 23 announce tables or the barriers. Those are 24 all part of it, too.</p> <p>25 Q. And you claim you did that in any</p> | 36 | <p>1 Q. And that's when you're saying your 2 headaches started, because you got your head 3 hit in that match?</p> <p>4 A. Uh-huh.</p> <p>5 Q. You have to say yes or no. That's 6 all he writes down is words, not shaking your 7 head.</p> <p>8 A. I'm listening and --</p> <p>9 Q. I understand.</p> <p>10 A. -- those are the same stairs that 11 we used, yes.</p> <p>12 Q. And you're saying that when you hit 13 your head on those stairs in that match with 14 Steven Regal is when these headaches really 15 began?</p> <p>16 A. That's when they started, that's -- 17 after I got hit, after I hit my head in that 18 match, that's when my headaches became -- I 19 didn't understand why I was getting them, and 20 that's when things changed for me and my 21 health changed with my head.</p> <p>22 Q. So that match with Steve Regal, 23 then, where you claim he threw you into the 24 stairs was sort of a turning point for you, 25 wasn't it, in the sense that these headaches</p> |
| 35 | <p>1 of the matches you identified as hurting 2 yourself in WWE?</p> <p>3 A. One more time? I'm sorry.</p> <p>4 Q. Are you claiming you got thrown 5 through a table in any WWE match?</p> <p>6 A. No, I didn't say that.</p> <p>7 Q. And are you claiming you got hurt 8 by thrown into a barrier at a WWE match?</p> <p>9 A. I just didn't say. You asked me if 10 there was a conventional match and what was 11 used, and that's what I'm saying. We used 12 the ring, we used the posts, we used all of 13 that stuff, and it's all part of the 14 conventional thing.</p> <p>15 Q. So your headaches started in 2006. 16 And then did they continue 17 thereafter?</p> <p>18 A. They -- it was 2006, after -- after 19 I got hit, when I hit my head against the 20 stairs; and that's when things started to, 21 started to go different, started to change.</p> <p>22 Q. And the stairs being the same one 23 we're talking about in the Steve Regal match 24 that you identified as the one --</p> <p>25 A. Steel chairs, steel, yes.</p> | 37 | <p>1 that you now claim, that's when the genesis 2 of this is?</p> <p>3 MR. SCIOLLA: Object to the form.</p> <p>4 Mischaracterizes his testimony.</p> <p>5 You can answer.</p> <p>6 A. Can you repeat the question?</p> <p>7 Q. Well, prior to that episode that 8 you've just described where you claim Steven 9 Regal threw you into the steps, in the match 10 you've identified in this case, is it your 11 testimony you didn't have headaches before 12 that event?</p> <p>13 MR. SCIOLLA: Object to the form.</p> <p>14 Mischaracterizes his testimony.</p> <p>15 A. Not that I recall.</p> <p>16 Q. So that in all the matches with 17 ECW -- and by the way, you were with the ECW 18 before WWE, right?</p> <p>19 A. No. Actually I was in WWF before I 20 was in ECW.</p> <p>21 Q. Didn't you go from ECW to WCW?</p> <p>22 A. No, sir, I started my career in 23 WWF.</p> <p>24 Q. Well, when you were a job -- I 25 understand you were a jobber for couple years</p> |

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| 38 | <p>1 in the early '90, right?</p> <p>2 A. Yes, I was enhancement talent.</p> <p>3 Q. And then in your career pattern</p> <p>4 after that period of time you went to ECW,</p> <p>5 correct?</p> <p>6 A. Right.</p> <p>7 Q. And then you went to WCW?</p> <p>8 A. Right.</p> <p>9 Q. And then you came to WWE under the</p> <p>10 only contract you ever signed with WWE in</p> <p>11 roughly 2005, right?</p> <p>12 A. I started working for them again in</p> <p>13 2004, and then I signed in 2005.</p> <p>14 Q. So you were with ECW before your</p> <p>15 last run with WWE, correct?</p> <p>16 A. Yes.</p> <p>17 Q. And you were with WCW before your</p> <p>18 last run with the --</p> <p>19 A. Yes.</p> <p>20 Q. And in both of those organizations,</p> <p>21 did you do hard core wrestling?</p> <p>22 A. Yes.</p> <p>23 Q. Did you ever do a hard core match</p> <p>24 in WWE?</p> <p>25 A. No.</p> | 40 | <p>1 matches there?</p> <p>2 A. I don't recall.</p> <p>3 Q. More than ten?</p> <p>4 A. I don't recall.</p> <p>5 Q. How long were you the champion?</p> <p>6 A. How long what?</p> <p>7 Q. How long were you the hard core</p> <p>8 champion in ECW?</p> <p>9 A. How long was --</p> <p>10 Q. How long were you the hard</p> <p>11 champion?</p> <p>12 You were the hard core champion,</p> <p>13 weren't you?</p> <p>14 A. Yes.</p> <p>15 Q. In ECW, right?</p> <p>16 A. No.</p> <p>17 Q. In WCW?</p> <p>18 A. Yes.</p> <p>19 Q. How long?</p> <p>20 A. I would say maybe six, six weeks,</p> <p>21 maybe two months.</p> <p>22 Q. And in ECW was it sort of against</p> <p>23 the code of honor to put your hands up to try</p> <p>24 to block a chair shot?</p> <p>25 MR. SCIOLLA: Object to the form.</p> |
| 39 | <p>1 Q. So what is a "hard core match"?</p> <p>2 A. Hard core match is when you use all</p> <p>3 the toys, candlesticks, chairs, bats, tables,</p> <p>4 cookie pans, garbage cans.</p> <p>5 Q. And you use them to hit each other</p> <p>6 over the head with, right?</p> <p>7 A. No, not necessarily every shot is</p> <p>8 over the head. You hit each other across the</p> <p>9 body.</p> <p>10 Q. But a lot are on the head, aren't</p> <p>11 they?</p> <p>12 A. No, not a lot. You get a couple in</p> <p>13 the head. Not -- the whole match is not</p> <p>14 hitting everybody over the head.</p> <p>15 Q. How long times did you take a chair</p> <p>16 shot in the head in your career with ECW?</p> <p>17 A. I don't recall.</p> <p>18 Q. More than ten?</p> <p>19 A. I don't recall.</p> <p>20 Q. More than 100?</p> <p>21 A. I don't recall.</p> <p>22 Q. Was it a frequent occurrence?</p> <p>23 A. I don't recall.</p> <p>24 Q. How about in WCW, how many times</p> <p>25 did you get hit over the head in hard core</p> | 41 | <p>1 A. Code of honor. Basically you just,</p> <p>2 you know, take chair shots. As far as code</p> <p>3 of honor, you know, you're just, you're</p> <p>4 wrestling.</p> <p>5 Q. Well, ECW stood for Extreme</p> <p>6 Championship Wrestling, right?</p> <p>7 A. Yes, sir.</p> <p>8 Q. It was an extreme style of</p> <p>9 wrestling, correct?</p> <p>10 A. Yes, sir.</p> <p>11 Q. It was characterized by much more</p> <p>12 violence than the other wrestling promotions</p> <p>13 at the time, wasn't it?</p> <p>14 A. Yes, sir.</p> <p>15 Q. And it was characterized by the use</p> <p>16 of metal chairs, hitting performers on the</p> <p>17 head who didn't even try to block the blow,</p> <p>18 correct?</p> <p>19 A. Yes, sir.</p> <p>20 Q. And you were one of them, correct?</p> <p>21 A. ECW --</p> <p>22 Q. Am I correct, you were one of the</p> <p>23 ones that that was done with and did that?</p> <p>24 A. I did.</p> <p>25 Q. And did you it voluntarily,</p> |

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| 42 | <p>1 correct?</p> <p>2 A. Yes.</p> <p>3 Q. Nobody forced you to do it?</p> <p>4 A. It was scripted.</p> <p>5 Q. Did you have the ability to say,</p> <p>6 I'm not doing that?</p> <p>7 A. Of course.</p> <p>8 Q. Did you say, I'm not doing that?</p> <p>9 A. No.</p> <p>10 Q. And how many times did you lean in</p> <p>11 with your head to get smashed over the head</p> <p>12 with a chair while you were at ECW?</p> <p>13 A. I don't recall.</p> <p>14 Q. Did it hurt?</p> <p>15 A. Yes.</p> <p>16 Q. Did you see bells -- see stars, I</p> <p>17 mean, hear bells?</p> <p>18 A. I don't recall.</p> <p>19 Q. Looking back on it now, you</p> <p>20 don't -- now that you have all this increased</p> <p>21 awareness of concussions, you don't recall</p> <p>22 now whether those were concussions you were</p> <p>23 experiencing when you were getting whacked on</p> <p>24 the head with a metal chair?</p> <p>25 MR. SCIOLLA: Object to the form.</p> | 44 | <p>1 talk to you about concussions?</p> <p>2 A. No.</p> <p>3 Q. Did you ever talk to them about</p> <p>4 concussions?</p> <p>5 A. No.</p> <p>6 Q. When did you first hear the word</p> <p>7 "concussion"?</p> <p>8 A. When did I first hear the word</p> <p>9 "concussion"?</p> <p>10 Q. Yeah, how old were you?</p> <p>11 A. I don't recall.</p> <p>12 Q. Well, you've been in combat sports</p> <p>13 all of your life, haven't you?</p> <p>14 MR. SCIOLLA: Object to the form.</p> <p>15 A. If you could tell me what combat</p> <p>16 sports are.</p> <p>17 MR. SCIOLLA: Object to form.</p> <p>18 Q. Well, how many street fights have</p> <p>19 you been in?</p> <p>20 MR. SCIOLLA: Object to the form.</p> <p>21 Q. Let's start with that.</p> <p>22 A. I don't recall.</p> <p>23 Q. Would it be fair to say that you've</p> <p>24 touted your street toughness?</p> <p>25 I don't mean that as an insult.</p> |
| 43 | <p>1 A. It's not what you asked me.</p> <p>2 Q. Well, I'm asking that now.</p> <p>3 A. Okay, repeat the question directly.</p> <p>4 Q. Were you getting a concussion when</p> <p>5 you were getting whacked on the head with</p> <p>6 those chairs at ECW?</p> <p>7 MR. SCIOLLA: Object to the form.</p> <p>8 A. Well, from what -- the education I</p> <p>9 have now, I would say, yes, from where I'm</p> <p>10 educated to now. Where I was educated</p> <p>11 before, I would say no.</p> <p>12 Q. Did ECW have doctors?</p> <p>13 A. No.</p> <p>14 Q. Did WCW have doctors?</p> <p>15 A. I think WCW had trainers.</p> <p>16 Q. Did do you remember -- I'm sorry, I</p> <p>17 didn't mean to interrupt you.</p> <p>18 Are you done?</p> <p>19 A. If I remember, they had trainers.</p> <p>20 Q. What were their names?</p> <p>21 A. I don't know. I don't recall.</p> <p>22 Q. Did any of those trainers ever talk</p> <p>23 to you about concussions?</p> <p>24 A. Who?</p> <p>25 Q. Any of the trainers at WCW ever</p> | 45 | <p>1 That's part of what you talk about, your</p> <p>2 history, right? You grew up in Brooklyn and</p> <p>3 you fought a lot. Have you made statements</p> <p>4 to that effect?</p> <p>5 A. I guess I had my share of kick</p> <p>6 fights, if that's what you're saying.</p> <p>7 Q. Did you knock anybody out?</p> <p>8 A. No.</p> <p>9 Q. Did you get knocked out?</p> <p>10 A. No.</p> <p>11 Q. Did you get knocked down?</p> <p>12 A. No.</p> <p>13 Q. Did you get beat in any fights?</p> <p>14 A. No.</p> <p>15 Q. You won every fight?</p> <p>16 A. I guess as a kid I might have lost</p> <p>17 a few.</p> <p>18 Q. And when you were doing all of</p> <p>19 that, you never heard the word "concussion"?</p> <p>20 A. No.</p> <p>21 Q. Do you do MMA?</p> <p>22 A. Did I do MMA?</p> <p>23 Q. In your life, yeah, have you done</p> <p>24 MMA?</p> <p>25 A. Just through the training.</p> |

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| 46 | <p>1 Q. And you trained people in MMA?</p> <p>2 A. Just hitting the bags, hitting the</p> <p>3 punching bags, hitting the punch dummy and</p> <p>4 hitting the mix.</p> <p>5 Q. And you ran a wrestling school,</p> <p>6 too, for a while, didn't you?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Did you teach those people anything</p> <p>9 about concussions?</p> <p>10 A. I wasn't educated in concussions</p> <p>11 then.</p> <p>12 Q. My question was: When you were</p> <p>13 running a school, did you teach anybody</p> <p>14 anything about concussions?</p> <p>15 A. No, sir.</p> <p>16 Q. So you didn't teach your students</p> <p>17 anything about concussions, did you?</p> <p>18 A. That's because I wasn't educated in</p> <p>19 concussions.</p> <p>20 Q. Did you know there was such a thing</p> <p>21 as concussions then?</p> <p>22 A. No.</p> <p>23 MR. SCIOLLA: Object to the form.</p> <p>24 When?</p> <p>25 Q. When you were running your</p> | 48 | <p>1 Q. What did you think they were doing</p> <p>2 when they were counting to ten?</p> <p>3 MR. SCIOLLA: Object to the form.</p> <p>4 A. Giving a guy a chance to get up and</p> <p>5 fight.</p> <p>6 Q. And do you think they were gauging</p> <p>7 whether he was mentally okay to fight?</p> <p>8 MR. SCIOLLA: Object to the form.</p> <p>9 A. Well, when you give a guy a ten</p> <p>10 count, you're giving him a chance to get up</p> <p>11 and defend himself.</p> <p>12 Q. To see if his brain is clear?</p> <p>13 MR. SCIOLLA: Object to the form.</p> <p>14 A. I guess if he's able to continue.</p> <p>15 Q. Well, you understood that's what</p> <p>16 they're doing, right, they're checking to see</p> <p>17 if the man is mentally capable of defending</p> <p>18 himself.</p> <p>19 MR. SCIOLLA: Object to the form.</p> <p>20 Q. You understood that, didn't you?</p> <p>21 A. They're giving him a chance to get</p> <p>22 up, recover and fight, yes.</p> <p>23 Q. And in your entire wrestling career</p> <p>24 up to 2014, are you saying that you were</p> <p>25 never present in any kind of wrestling event</p> |
| 47 | <p>1 wrestling school?</p> <p>2 MR. SCIOLLA: I'm sorry, could you</p> <p>3 repeat the question?</p> <p>4 Q. When you were running your</p> <p>5 wrestling school, did you know there was such</p> <p>6 a thing as concussions?</p> <p>7 A. Did I know such as thing as</p> <p>8 concussions, yes.</p> <p>9 Q. What did you think a concussion was</p> <p>10 when you were running a wrestling school?</p> <p>11 A. My interpretation of a concussion</p> <p>12 was that you had to be knocked out to have a</p> <p>13 concussion. As stupid and uneducated as that</p> <p>14 is, that's what I thought it was.</p> <p>15 Q. That's what you thought in 2000 --</p> <p>16 what year did you run your wrestling school?</p> <p>17 A. I'm not sure of the dates. That</p> <p>18 would be like 2013, I think. I think.</p> <p>19 Q. So you thought as late as 2013 that</p> <p>20 you had to be knocked out to have a</p> <p>21 concussion?</p> <p>22 A. Yes.</p> <p>23 Q. And so, did you watch boxing</p> <p>24 matches?</p> <p>25 A. Yes, sir.</p> | 49 | <p>1 where another performer suffered a</p> <p>2 concussion?</p> <p>3 MR. SCIOLLA: Object to the form.</p> <p>4 A. Not that I'm aware of.</p> <p>5 Q. Never?</p> <p>6 A. Not that I'm aware of. I don't</p> <p>7 recall.</p> <p>8 Q. Who is the most famous wrestler</p> <p>9 that you know of that had to retire because</p> <p>10 of a concussion?</p> <p>11 A. You're talking about most famous or</p> <p>12 most recent?</p> <p>13 Q. Most famous.</p> <p>14 A. I guess it would be Brett Hart.</p> <p>15 Q. Guess? You don't have to guess.</p> <p>16 You were on the card that night, weren't you?</p> <p>17 You don't have to guess. You were on the</p> <p>18 card the night he got the concussion that</p> <p>19 made him retire.</p> <p>20 MR. McDEVITT: Object to the form.</p> <p>21 Q. Weren't you?</p> <p>22 A. I'm just answering the question.</p> <p>23 Q. You don't have to guess. You were</p> <p>24 there, weren't you?</p> <p>25 You were at the event in which he</p> |

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| 50 | <p>1 got the concussion that caused him to have to</p> <p>2 retire, weren't you?</p> <p>3 MR. SCIOLLA: I don't think he's</p> <p>4 arguing with you, counsel, I think he's</p> <p>5 just guessing whether or not he was --</p> <p>6 A. You asked me a question.</p> <p>7 MR. SCIOLLA: Hold on, let me</p> <p>8 finish my --</p> <p>9 Q. Is my statement correct?</p> <p>10 MR. SCIOLLA: Which statement?</p> <p>11 MR. McDEVITT: Read back my</p> <p>12 question.</p> <p>13 A. MR. McDEVITT, you asked me --</p> <p>14 MR. SCIOLLA: She'll read it back</p> <p>15 for you.</p> <p>16 Just wait for question instead.</p> <p>17 (A portion of the record was read.)</p> <p>18 A. Before that, you asked me who I</p> <p>19 thought was the most famous wrestler who had</p> <p>20 a concussion, had to retire. And I asked you</p> <p>21 most recent, and you said no, you said most</p> <p>22 famous.</p> <p>23 I said I guess Bret Hart in my</p> <p>24 estimation as being the most famous. Then</p> <p>25 you went into, you were there, weren't you,</p> | 52 | <p>1 That was it.</p> <p>2 Q. And he didn't get knocked out that</p> <p>3 night either, did he?</p> <p>4 A. I'm not sure. I wasn't there.</p> <p>5 Q. You were there.</p> <p>6 A. I wasn't ringside.</p> <p>7 Q. Weren't you on that card that</p> <p>8 night?</p> <p>9 A. Being on the card and being</p> <p>10 ringside and being with him during the match</p> <p>11 doesn't give me a doctor's look or a bird's</p> <p>12 eye view of me being Bret Hart or what he</p> <p>13 felt and how he responded, what he was</p> <p>14 feeling, how hard he got hit. I can go by</p> <p>15 watching a monitor like you do, and you could</p> <p>16 say I was in the even arena. I was in the</p> <p>17 arena like the rest of the 17,000 people.</p> <p>18 Yeah, I was watching.</p> <p>19 Q. So you watched the match?</p> <p>20 A. I think I did. I don't know.</p> <p>21 Q. Well, if you watched the match, did</p> <p>22 you see the kick?</p> <p>23 A. I saw a kick.</p> <p>24 Q. And did you see Bret Hart continue</p> <p>25 to fight after the kick?</p> |
| 51 | <p>1 you were there.</p> <p>2 That's my interpretation of what</p> <p>3 you just said. Now I wasn't being a smart</p> <p>4 ass and I wasn't trying to be facetious. I</p> <p>5 was answering your question, because you</p> <p>6 asked me my assumption, who I thought was the</p> <p>7 most famous wrestler. So I said I guess Bret</p> <p>8 Hart is the most famous that I know of.</p> <p>9 Q. Well, let's be clear. The night</p> <p>10 Bret Hart suffered the concussion that ended</p> <p>11 his career, you were on the card and at that</p> <p>12 event that night, weren't you?</p> <p>13 A. Right.</p> <p>14 Q. And that was Starrcade 1999, wasn't</p> <p>15 it?</p> <p>16 A. Yes, sir.</p> <p>17 Q. You were the opening match in that</p> <p>18 whole card, right?</p> <p>19 A. If I was, if I was the opening</p> <p>20 match, then I was opening match. I don't</p> <p>21 remember my position on the card.</p> <p>22 Q. So since 1999, you have known that</p> <p>23 wrestlers get concussions?</p> <p>24 MR. SCIOLLA: Object to the form.</p> <p>25 A. He got -- he got a concussion.</p> | 53 | <p>1 A. I don't recall the rest of the</p> <p>2 match. You asked me if he got, if you asked</p> <p>3 me who the most famous person was who got a</p> <p>4 concussion, I told you. Now you're asking me</p> <p>5 specifics.</p> <p>6 Q. I am.</p> <p>7 A. I can't give you specifics, because</p> <p>8 it was 1999 and I don't recall, because I</p> <p>9 wasn't in the match.</p> <p>10 Q. Well, you said just a minute ago</p> <p>11 you watched the match.</p> <p>12 A. I watched it.</p> <p>13 Q. So if you watched the match, then</p> <p>14 you would have seen what happened, correct?</p> <p>15 A. I don't recall everything that</p> <p>16 happened, because I wasn't in the match. It</p> <p>17 wasn't a match that I was, I was involved</p> <p>18 with.</p> <p>19 Q. Bret Hart was the biggest performer</p> <p>20 in the promotion at the time, wasn't he, him</p> <p>21 and Goldberg?</p> <p>22 A. Well, are you asking me, who's the</p> <p>23 biggest star back then? They were all big</p> <p>24 stars.</p> <p>25 Q. Let me rephrase.</p> |

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| 54 | <p>1 Bret Hart was a big star, wasn't</p> <p>2 he?</p> <p>3 A. Yes.</p> <p>4 Q. And it was a big story when Bret</p> <p>5 Hart got knocked out of the business because</p> <p>6 of that episode, wasn't it?</p> <p>7 A. Right.</p> <p>8 Q. That's well-known in the wrestling</p> <p>9 business, isn't it?</p> <p>10 A. Yes, it is.</p> <p>11 Q. And you were there that night?</p> <p>12 A. I was there.</p> <p>13 Q. So you knew that Bret Hart was</p> <p>14 knocked out of the wrestling business by a</p> <p>15 concussion he sustained that night?</p> <p>16 MR. SCIOLLA: Object to the form.</p> <p>17 Q. Since 1999 you've known that,</p> <p>18 haven't you?</p> <p>19 MR. SCIOLLA: Object to the form.</p> <p>20 Q. Right?</p> <p>21 A. Yes.</p> <p>22 Q. Would that be a fair statement to</p> <p>23 say?</p> <p>24 A. Yes.</p> <p>25 Q. And in the years after that,</p> | 56 | <p>1 Q. And then you went to OVW for a</p> <p>2 while, right?</p> <p>3 A. I was in Deep South --</p> <p>4 Q. Or Deep South, I'm sorry?</p> <p>5 A. -- and then I was at OVW, because I</p> <p>6 was going to both, both developmentals when I</p> <p>7 wasn't on the road. So I would go to Deep</p> <p>8 South for two days, and then I would go do</p> <p>9 OVW one day.</p> <p>10 Q. During the time you were with the</p> <p>11 WWE, you had a personal doctor, didn't you?</p> <p>12 A. I had a personal doctor, yes.</p> <p>13 Q. Dr. Tambour?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Did I say his name right,</p> <p>16 Dr. Tambour?</p> <p>17 So you had the ability at any time</p> <p>18 to ask your own personal doctor any question</p> <p>19 you wanted to ask him about why you were</p> <p>20 having headaches, didn't you?</p> <p>21 A. But at the time I was also being</p> <p>22 seen by Dr. Rios.</p> <p>23 Q. That's not my question.</p> <p>24 My question was: In 2004 to 2007</p> <p>25 you had the ability to ask your own personal</p> |
| 55 | <p>1 knowing Bret Hart got knocked out of the</p> <p>2 business completely from a single concussion</p> <p>3 and the consequences of that, you got hit</p> <p>4 over the head repeatedly with chairs and</p> <p>5 objects and everything else in WCW and ECW,</p> <p>6 didn't you?</p> <p>7 MR. SCIOLLA: Object to the form.</p> <p>8 A. Well, you're talking 1999 and ECW.</p> <p>9 That was 1998, and WCW was '99, when I did</p> <p>10 hard core.</p> <p>11 Q. So after you saw Bret Hart get</p> <p>12 knocked out of the business, you took shots</p> <p>13 on the head with chairs, didn't you?</p> <p>14 A. I don't recall.</p> <p>15 Q. Throughout the time you performed</p> <p>16 for the WWE, and your last run, when did your</p> <p>17 last run with the WWE start, and when did it</p> <p>18 end?</p> <p>19 A. I started coming back and doing the</p> <p>20 tryout matches in 2004.</p> <p>21 Q. All right.</p> <p>22 A. And then it ended in 2007.</p> <p>23 Q. Do you recall your last match in</p> <p>24 2007 on the main roster?</p> <p>25 A. No.</p> | 57 | <p>1 doctor any question you wanted about</p> <p>2 headaches, didn't you?</p> <p>3 A. I could have asked him a question,</p> <p>4 yes.</p> <p>5 Q. And in fact he was prescribing</p> <p>6 testosterone for you at that time, correct?</p> <p>7 A. Yes.</p> <p>8 Q. And you submitted his paperwork to</p> <p>9 the company to get a therapeutic use</p> <p>10 exception to permit you to continue to use</p> <p>11 testosterone, right?</p> <p>12 A. Yes.</p> <p>13 Q. So he was treating you actually</p> <p>14 during the time you were performing for WWE?</p> <p>15 A. Yes.</p> <p>16 Q. So if you had headaches, did you go</p> <p>17 to him and say, doctor, I'm getting a lot of</p> <p>18 headaches. I ran into a metal stair in a</p> <p>19 match, and these headaches are getting worse?</p> <p>20 MR. SCIOLLA: Object to the form.</p> <p>21 Q. Can you tell me what these are for?</p> <p>22 MR. SCIOLLA: Object to form.</p> <p>23 A. I did not go to Dr. Tambour with</p> <p>24 those -- with that.</p> <p>25 Q. Can you tell me why you didn't seek</p> |

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| 58 | <p>1 medical attention from your own personal</p> <p>2 doctor for these matters?</p> <p>3 A. Because I was also being treated by</p> <p>4 Dr. Rios.</p> <p>5 Q. You've sworn under oath in the</p> <p>6 Answers to Interrogatories here that you</p> <p>7 never told Dr. Rios about any head injuries;</p> <p>8 is that true?</p> <p>9 A. I told him I had headaches, I was</p> <p>10 feeling woozy. I told him that I was</p> <p>11 lethargic, tired from being on the road; and</p> <p>12 that's when he submitted and gave me</p> <p>13 B-12 shots.</p> <p>14 Q. Did you ever tell him that you</p> <p>15 thought you sustained a concussion or a head</p> <p>16 injury in a specific match?</p> <p>17 A. I never told Dr. Rios that I had a</p> <p>18 concussion.</p> <p>19 Q. Did you ever tell him, doctor, in a</p> <p>20 match that just occurred, I think I hurt my</p> <p>21 head?</p> <p>22 A. I told him that when I came back</p> <p>23 from a match that I needed to collect myself</p> <p>24 and that I was feeling a little woozy and I</p> <p>25 had a welt on my stomach, if I'm interpreting</p> | 60 | <p>1 Q. Did somebody point out to you, in</p> <p>2 connection with coming in here today, that</p> <p>3 you did go see the doctor after that event</p> <p>4 with Steven Regal, but you just didn't bother</p> <p>5 to report a head injury, you reported a</p> <p>6 problem with your stomach?</p> <p>7 MR. SCIOLLA: Object to the form.</p> <p>8 I'm going to -- are you asking about</p> <p>9 what he discussed with his attorneys?</p> <p>10 MR. McDEVITT: I'm asking him if</p> <p>11 somebody pointed that out to him, yes.</p> <p>12 MR. SCIOLLA: Including his</p> <p>13 attorneys?</p> <p>14 MR. McDEVITT: Yes.</p> <p>15 MR. SCIOLLA: So you're asking for</p> <p>16 an attorney-client privileged</p> <p>17 communication?</p> <p>18 MR. McDEVITT: I'm asking -- I'm</p> <p>19 entitled to anything that refreshed his</p> <p>20 recollection for his testimony today.</p> <p>21 MR. SCIOLLA: That wasn't what your</p> <p>22 question was.</p> <p>23 MR. McDEVITT: Let's try it this</p> <p>24 way:</p> <p>25 Q. Did you look at Dr. Rios' notes in</p> |
| 59 | <p>1 one particular time and that I wasn't, you</p> <p>2 know, I wasn't feeling right and I just</p> <p>3 needed to take a shower just to cool off.</p> <p>4 Q. You told him you needed to take a</p> <p>5 shower, you needed to take a shower to cool</p> <p>6 off?</p> <p>7 A. Yeah.</p> <p>8 Q. But I'm being very specific here.</p> <p>9 I want to make sure I understand.</p> <p>10 Did you ever go to Dr. Rios and</p> <p>11 say, doctor, I hit my head on something</p> <p>12 during that fight, and I think I'm hurt, and</p> <p>13 have him examine you for a specific head</p> <p>14 injury that you reported to him?</p> <p>15 A. No, sir, I did not.</p> <p>16 Q. Including the one where you say</p> <p>17 Steve Regal threw you into the steps?</p> <p>18 A. That's when I went back to him,</p> <p>19 after the match; and when I went back, he</p> <p>20 attended to me, because I had a lump on my</p> <p>21 stomach. And he saw that I was a little, a</p> <p>22 little out of it and sweating a lot; and I</p> <p>23 said that I needed to take a shower just to</p> <p>24 cool down, then he attended to my stomach</p> <p>25 afterwards.</p> | 61 | <p>1 connection with preparing for your testimony</p> <p>2 today?</p> <p>3 A. No, sir, I didn't.</p> <p>4 Q. Was it pointed out to you that you</p> <p>5 didn't report a head injury to Dr. Rios, but</p> <p>6 you reported some other thing to Dr. Rios?</p> <p>7 MR. SCIOLLA: I am going to object</p> <p>8 to the form. And to the extent he's</p> <p>9 talking about attorney-client</p> <p>10 communications, I don't want you to</p> <p>11 answer.</p> <p>12 MR. McDEVITT: Well, which</p> <p>13 attorney? Which attorney-client --</p> <p>14 which attorney are we talking about</p> <p>15 privilege here?</p> <p>16 MR. SCIOLLA: Any of the ones that</p> <p>17 he --</p> <p>18 MR. McDEVITT: Well, it's not any.</p> <p>19 Which attorney specifically had that</p> <p>20 communication you're claiming the</p> <p>21 privilege with? I'm entitled to know</p> <p>22 the name of the attorney.</p> <p>23 MR. SCIOLLA: Any of the attorneys</p> <p>24 he mentioned that he prepared for his</p> <p>25 deposition.</p> |

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| 62 | <p>1 MR. McDEVITT: So you are claiming</p> <p>2 a privilege over a communication about</p> <p>3 that?</p> <p>4 MR. SCIOLLA: What I'm claiming is</p> <p>5 that if you can answer his question</p> <p>6 without discussing any attorney-client</p> <p>7 communications, then you should.</p> <p>8 But I don't want you to reveal any</p> <p>9 communications that you had with your</p> <p>10 attorneys.</p> <p>11 MR. McDEVITT: That's an improper</p> <p>12 instruction. If there were no</p> <p>13 communications, there's nothing to</p> <p>14 reveal. If there was a communication,</p> <p>15 you could claim a privilege over it.</p> <p>16 Are you claiming a specific</p> <p>17 privilege over that communication or</p> <p>18 not?</p> <p>19 MR. SCIOLLA: I made my objection,</p> <p>20 and you can reask your question.</p> <p>21 MR. McDEVITT: I'm not reasking my</p> <p>22 question. I'm asking him --</p> <p>23 MR. SCIOLLA: Then I will have the</p> <p>24 court reporter read it back.</p> <p>25 MR. McDEVITT: No, I'm asking about</p> | 64 | <p>1 Q. We've marked what's marked as</p> <p>2 Exhibit 1. I'm going to hand a copy to your</p> <p>3 counsel. It is of the Hart versus Goldberg</p> <p>4 match at Starrcade '99 that we were talking</p> <p>5 about before the break. And what we're going</p> <p>6 to do now, sir, is on that monitor to your</p> <p>7 right there, it should, the match should come</p> <p>8 up that we were talking about between Bret</p> <p>9 Hart and Goldberg.</p> <p>10 A. Right.</p> <p>11 Q. So if you -- and it's on</p> <p>12 December 19th of '99. If you would watch</p> <p>13 that, and then I'll ask you some questions</p> <p>14 when it's over.</p> <p>15 MS. LACY: I'm going to jump to</p> <p>16 11:45.</p> <p>17 MR. McDEVITT: We are going to skip</p> <p>18 midway into the match, rather than watch</p> <p>19 the whole thing, to where we think this</p> <p>20 happened. But go ahead.</p> <p>21 (Videotape played.)</p> <p>22 MR. McDEVITT: You can stop it</p> <p>23 there.</p> <p>24 Q. And you recognize that now, Mr.</p> <p>25 LoGrasso, as the match we were talking about</p> |
| 63 | <p>1 a specific privilege claim. If you are</p> <p>2 making a specific privilege claim,</p> <p>3 that's fine.</p> <p>4 MR. SCIOLLA: If you're asking him</p> <p>5 what he discussed with the attorneys,</p> <p>6 I'm making a specific attorney privilege</p> <p>7 claim. Attorney-client privilege.</p> <p>8 Q. Mr. LoGrasso, in the second</p> <p>9 amendment --</p> <p>10 THE WITNESS: Excuse me, MR.</p> <p>11 McDEVITT, can I grab a napkin?</p> <p>12 MR. McDEVITT: Absolutely.</p> <p>13 MR. SCIOLLA: Let's take a break</p> <p>14 for a minute.</p> <p>15 THE VIDEOGRAPHER: The time is</p> <p>16 10:33 a.m. Off the record.</p> <p>17 (A brief recess was taken.)</p> <p>18 (LoGrasso Exhibit 1, CD labeled,</p> <p>19 "Hart vs. Goldberg Starrcade 1999,"</p> <p>20 marked for identification, this date.)</p> <p>21 THE VIDEOGRAPHER: The time is</p> <p>22 10:42 a.m. Back on the record.</p> <p>23 Q. Mr. LoGrasso, you understand you're</p> <p>24 still under oath?</p> <p>25 A. Yes, I am.</p> | 65 | <p>1 earlier this morning, as the one in which</p> <p>2 Bret Hart received a concussion that put him</p> <p>3 out of the business?</p> <p>4 A. If that's the match that happened</p> <p>5 in, then, yes.</p> <p>6 Q. And did you see the kick that he</p> <p>7 got from Goldberg?</p> <p>8 A. I saw the kick.</p> <p>9 Q. To the head?</p> <p>10 A. Yeah.</p> <p>11 Q. And did you see him continue to</p> <p>12 perform after that kick to the head?</p> <p>13 A. Yes.</p> <p>14 Q. And he continued the match,</p> <p>15 correct?</p> <p>16 A. Yes.</p> <p>17 Q. Right?</p> <p>18 A. Yes.</p> <p>19 Q. All the way to the end, right?</p> <p>20 A. Uh-huh.</p> <p>21 Q. Was not knocked unconscious, was</p> <p>22 he?</p> <p>23 MR. SCIOLLA: Object to the form.</p> <p>24 Calls for speculation.</p> <p>25 A. He finished the match.</p> |

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| 66 | <p>1 Q. And that's the one that you would</p> <p>2 have seen, in fact testified that you did see</p> <p>3 backstage and watched it?</p> <p>4 MR. SCIOLLA: Asked and answered.</p> <p>5 A. Yes, sir.</p> <p>6 Q. Did you know Bret Hart well?</p> <p>7 A. If you can define what you mean,</p> <p>8 "well."</p> <p>9 Q. Well, let me put it this way:</p> <p>10 You wrestled him, didn't you?</p> <p>11 A. Uh-huh.</p> <p>12 Q. Again, you have to respond</p> <p>13 verbally.</p> <p>14 A. I'm sorry.</p> <p>15 Q. That's all right. You have to say</p> <p>16 yes, no or whatever your answer is.</p> <p>17 A. Yes, sir, I wrestled Bret Hart in</p> <p>18 WWF when I first started as a rookie, and</p> <p>19 then when he was in working for WCW, I worked</p> <p>20 with him there, I didn't work against him.</p> <p>21 And then I believe he was back, I believe he</p> <p>22 was in the Hall of Fame in 2006. When he got</p> <p>23 elected to the Hall of Fame I think I was</p> <p>24 there.</p> <p>25 Q. But would it be fair to say that</p> | 68 | <p>1 about the language that's been used in this</p> <p>2 complaint, Mr. LoGrasso.</p> <p>3 First of all, do you agree that</p> <p>4 professional wrestling is not a fight, is it?</p> <p>5 A. It's not a fight?</p> <p>6 Q. It's not a fight, is it?</p> <p>7 A. You're fighting the guy, you're</p> <p>8 fighting against him. A lot of times it</p> <p>9 winds up into a struggle, it can wind up into</p> <p>10 a fight. You're wrestling and there's</p> <p>11 physical contact.</p> <p>12 Q. It's entertainment, isn't it?</p> <p>13 A. No, sir, it's wrestling.</p> <p>14 Q. Oh, it's not entertainment?</p> <p>15 A. It's entertainment for the people</p> <p>16 in there, as they changed the brand of it, to</p> <p>17 be wrestling entertainment, but it's still</p> <p>18 wrestling and fighting.</p> <p>19 Q. So you are really trying to hurt</p> <p>20 the other guy?</p> <p>21 A. Not trying to hurt the other guy.</p> <p>22 Q. Is the other guy trying to hurt</p> <p>23 you?</p> <p>24 A. He might be, if he doesn't like you</p> <p>25 in the ring.</p> |
| 67 | <p>1 when Bret Hart left WWE to go to WCW, it was</p> <p>2 a pretty big deal, wasn't it?</p> <p>3 A. Yes, it was.</p> <p>4 Q. And Bret Hart, in the wrestling</p> <p>5 business, is sort of a legendary character,</p> <p>6 isn't he?</p> <p>7 A. Yes, he is.</p> <p>8 Q. He Comes from the Hart family, all</p> <p>9 the traditions of the Hart family, right?</p> <p>10 A. Yes, he does.</p> <p>11 Q. So what happened to Bret Hart at</p> <p>12 Starrcade was big news in the wrestling</p> <p>13 business, wasn't it?</p> <p>14 MR. SCIOLLA: Object to the form.</p> <p>15 A. Yes, it was.</p> <p>16 Q. I mean everybody knew what had</p> <p>17 happened to Bret Hart in the wrestling</p> <p>18 business, that he had got knocked out of the</p> <p>19 business with that kick from Goldberg?</p> <p>20 A. It was a freak thing, a freak</p> <p>21 accident.</p> <p>22 Q. Understood. But it was well-known,</p> <p>23 wasn't it?</p> <p>24 A. Yes, it was.</p> <p>25 Q. Now, I want to ask you something</p> | 69 | <p>1 Q. Aren't you responsible for each</p> <p>2 other's safety, once you get in the ring?</p> <p>3 MR. SCIOLLA: Object to the form.</p> <p>4 A. You are supposed to take care of</p> <p>5 each other.</p> <p>6 Q. I mean you wouldn't last long in</p> <p>7 this business, if you didn't try to take care</p> <p>8 of each other, would you?</p> <p>9 A. You're absolutely 100 percent</p> <p>10 right.</p> <p>11 Q. If you were the kind of person that</p> <p>12 went into the ring deliberately trying to</p> <p>13 hurt people, you wouldn't last long in this</p> <p>14 business, would you?</p> <p>15 A. No, you would not.</p> <p>16 Q. And you didn't do that when you</p> <p>17 were performing, did you?</p> <p>18 A. No, I did not.</p> <p>19 Q. And as far as you know, did anybody</p> <p>20 that you were ever up against in the WWE</p> <p>21 deliberately try to hurt you?</p> <p>22 A. No.</p> <p>23 Q. Do you have any beef with Steven</p> <p>24 Regal?</p> <p>25 Do you have any beef with Steve</p> |

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| 70 | <p>1 Regal?</p> <p>2 A. Beef?</p> <p>3 Q. Yeah.</p> <p>4 A. Not that I know of.</p> <p>5 Q. Are you friends with him?</p> <p>6 A. We worked together.</p> <p>7 Q. Did you consider him to be an</p> <p>8 experienced pro?</p> <p>9 A. Yes.</p> <p>10 Q. I take it you considered yourself</p> <p>11 to be an experienced professional in those</p> <p>12 matches you had with him, right?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Who had been a wrestler longer, you</p> <p>15 or him?</p> <p>16 A. I'm not sure. I think maybe he</p> <p>17 might be a few years ahead of me, maybe. I'm</p> <p>18 not sure.</p> <p>19 Q. Were you fighting him in the sense</p> <p>20 of trying to hurt him?</p> <p>21 A. No, but his style of wrestling is</p> <p>22 very physical.</p> <p>23 Q. Those were comedy matches, weren't</p> <p>24 they?</p> <p>25 MR. SCIOLLA: Object to the form.</p> | 72 | <p>1 Q. In the parlance of the business, he</p> <p>2 was putting you over, wasn't he?</p> <p>3 A. Yes, sir.</p> <p>4 Q. And making you a bigger character</p> <p>5 by allowing himself to be humiliated by you,</p> <p>6 right?</p> <p>7 A. Yes, sir.</p> <p>8 Q. That was the story line, wasn't it?</p> <p>9 A. Yes, sir.</p> <p>10 Q. And did you talk about those</p> <p>11 matches with him before you performed them?</p> <p>12 A. Talk about what we were going to</p> <p>13 do --</p> <p>14 Q. Yes.</p> <p>15 A. -- and what the booking agents</p> <p>16 wanted for us to do?</p> <p>17 Q. Well, let's talk about, did you and</p> <p>18 Regal work out your match?</p> <p>19 A. Yes.</p> <p>20 Q. And that's fairly common in the</p> <p>21 business, isn't it, you and the other</p> <p>22 performer work out what you're going to do?</p> <p>23 A. Yes, sir.</p> <p>24 Q. In fact, what you're typically</p> <p>25 given is the time you have of a match and the</p> |
| 71 | <p>1 Q. Isn't that what they were, comedy</p> <p>2 matches?</p> <p>3 A. They were very physical matches.</p> <p>4 Q. But they were designed to get</p> <p>5 laughs from the crowd, weren't they?</p> <p>6 A. Those matches, if I can explain,</p> <p>7 okay, have a tough man in a dress. Nobody</p> <p>8 wants to be humiliated by a guy in a dress,</p> <p>9 so of course there is the laughter in it when</p> <p>10 you flash your dress at somebody, a grown man</p> <p>11 flashes his dress to get a laugh; so I guess</p> <p>12 you can say in those particular sequences you</p> <p>13 are entertaining the people.</p> <p>14 But when you get embarrassed by a</p> <p>15 man in a dress, the physicality that comes</p> <p>16 with it that you're not going to embarrass</p> <p>17 me, you know, and you're coming at somebody,</p> <p>18 he's known as a very tough, stiff wrestler, a</p> <p>19 good wrestler, you know. And, you know,</p> <p>20 those matches were physical. It wasn't a</p> <p>21 ha-ha match.</p> <p>22 Q. Who won those matches?</p> <p>23 A. I believe I did.</p> <p>24 Q. Every one of them, right?</p> <p>25 A. I think so. I don't remember.</p> | 73 | <p>1 finish, and you and the other performer work</p> <p>2 out what you are going to do; is that fair to</p> <p>3 say?</p> <p>4 A. Yes, sir.</p> <p>5 Q. And that's what you did in those</p> <p>6 matches, right?</p> <p>7 A. Say it again?</p> <p>8 Q. And that's what you did in those</p> <p>9 matches, right?</p> <p>10 A. Yes, sir.</p> <p>11 Q. And in fact the throwing you into</p> <p>12 the metal stairs, you knew that was going to</p> <p>13 happen, didn't you?</p> <p>14 A. I don't recall. All I know is I</p> <p>15 went into the stairs. And a lot of times</p> <p>16 when you're in those matches and you go</p> <p>17 outside the ring, everything is not scripted,</p> <p>18 and a lot of times you ad lib.</p> <p>19 Q. But you knew he was going to throw</p> <p>20 you into those stairs, didn't you?</p> <p>21 A. No, I did not.</p> <p>22 Q. Don't you have know that to run the</p> <p>23 camera angles?</p> <p>24 A. I didn't know what --</p> <p>25 MR. SCIOLLA: Object to the form.</p> |

19 (Pages 70 to 73)

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| 74 | <p>1 Q. Let me ask you this, sir. Let me</p> <p>2 ask you this, sir.</p> <p>3 That's a fairly common move in the</p> <p>4 pro wrestling matches, isn't it?</p> <p>5 MR. SCIOLLA: Object to the form.</p> <p>6 A. What is a common move?</p> <p>7 Q. Yeah, it's a fairly common move is</p> <p>8 to throw a wrestler into the steps?</p> <p>9 A. It doesn't happen every night, so</p> <p>10 it's not common.</p> <p>11 Q. It happens a lot of nights, doesn't</p> <p>12 it?</p> <p>13 MR. SCIOLLA: Object to the form.</p> <p>14 A. I just said it's not a common move,</p> <p>15 and it doesn't happen every night.</p> <p>16 Q. Well, how many times in your career</p> <p>17 have you been thrown into the steps?</p> <p>18 A. I don't recall.</p> <p>19 Q. Have you ever thrown anybody into</p> <p>20 the steps?</p> <p>21 A. I don't recall.</p> <p>22 Q. Do you think if we watched the</p> <p>23 tapes, you would recall?</p> <p>24 A. If I watch tapes of me doing it?</p> <p>25 Of course, if it's on tape.</p> | 76 | <p>1 way to do that?</p> <p>2 A. There is a safe way, but a lot of</p> <p>3 times, sometimes you try to do something, and</p> <p>4 it doesn't always come out that way.</p> <p>5 Q. What's a safe way?</p> <p>6 A. Trying to put your hand up and</p> <p>7 defending yourself.</p> <p>8 Q. And what does that mean?</p> <p>9 A. Trying to protect yourself. Just</p> <p>10 like you said before, wrestlers protect each</p> <p>11 other when they're wrestling each other,</p> <p>12 because it's an understanding. Like you</p> <p>13 said, it's a, you know, you work with each</p> <p>14 other, you don't try to hurt each other, you</p> <p>15 try to protect each other, because, as you</p> <p>16 said, you don't last long in the business.</p> <p>17 Q. But there's also moves you have to</p> <p>18 protect yourself, right?</p> <p>19 A. By landing correctly, yes.</p> <p>20 Q. While also creating the illusion</p> <p>21 that you have really hit the steps, correct?</p> <p>22 A. Right.</p> <p>23 Q. And I mean that's the whole safe</p> <p>24 way to do it, isn't it, to create an illusion</p> <p>25 that you've been thrown into the steps, but</p> |
| 75 | <p>1 Q. Are there tricks to this trade?</p> <p>2 Are there illusions you pull off as a</p> <p>3 professional wrestler?</p> <p>4 A. Are there tricks to the trade?</p> <p>5 Q. Yeah, tricks to the trade.</p> <p>6 A. I don't understand what you mean.</p> <p>7 Q. Well, that maneuver, is there any</p> <p>8 kind of stunt aspect to that maneuver of</p> <p>9 being thrown into the steps?</p> <p>10 A. I would think so. I mean you got,</p> <p>11 you know, if it's scripted that you're going</p> <p>12 to go into the steps, it's very defined on</p> <p>13 what you're going to do and how you're going</p> <p>14 to do it.</p> <p>15 Q. And how would you do it, if it was</p> <p>16 scripted?</p> <p>17 A. It depends on what you, what the</p> <p>18 match concept is. A lot going into it. You</p> <p>19 just don't go outside and throw somebody in</p> <p>20 the stairs. And a lot of times when you're a</p> <p>21 professional and it's outside the ring, if</p> <p>22 there's two pros, you know, you know, you go</p> <p>23 with the flow of what's going on.</p> <p>24 Q. Well, if you know you're going to</p> <p>25 be thrown into the stairs, is there a safe</p> | 77 | <p>1 you really haven't been thrown into the</p> <p>2 steps, correct?</p> <p>3 A. Making the illusion and doing it</p> <p>4 like you just said, that can be done. Being</p> <p>5 thrown into the stairs and trying to do it,</p> <p>6 as we're saying, sometimes doesn't come out</p> <p>7 the way it's supposed to, because you're</p> <p>8 going at a speed. You could be at a</p> <p>9 different angle, you could be in a different</p> <p>10 place. A guy could shoot you off too hard, a</p> <p>11 guy could handle your body wrong, you could</p> <p>12 judge the distance wrong.</p> <p>13 So there's a lot of different ways.</p> <p>14 It's not about a camera angle and it's not</p> <p>15 about anything, it's the momentum and the</p> <p>16 pace of the match.</p> <p>17 Q. You could make a mistake in which</p> <p>18 you wouldn't protect yourself when you're</p> <p>19 thrown into the steps?</p> <p>20 MR. SCIOLLA: Object to the form.</p> <p>21 A. Well, if somebody is throwing you</p> <p>22 into the stairs and you don't know about it,</p> <p>23 it's kind of hard to protect yourself at the</p> <p>24 last minute. You're going and you're really</p> <p>25 not prepared for it.</p> |

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| 78 | <p>1 Q. But it's kind of a natural</p> <p>2 instinct, isn't it, to put your hand up to</p> <p>3 protect yourself?</p> <p>4 A. You would hope so.</p> <p>5 Q. I mean if somebody is coming at you</p> <p>6 with a chair to hit you in the head, if it's</p> <p>7 supposed to be realistic. Wouldn't you</p> <p>8 logically think the person would put their</p> <p>9 hands up to block the chair?</p> <p>10 MR. SCIOLLA: Object to form.</p> <p>11 A. In this era, yes.</p> <p>12 Q. But when you were getting hit with</p> <p>13 the chair, you didn't even do that, did you?</p> <p>14 A. Back then, no.</p> <p>15 Q. You leaned into it and took it full</p> <p>16 force on the head, didn't you?</p> <p>17 You would lean in and take it full</p> <p>18 on the head, wouldn't you?</p> <p>19 MR. SCIOLLA: Objection, asked and</p> <p>20 answered.</p> <p>21 He can answer again.</p> <p>22 A. I don't know if I leaned in.</p> <p>23 Q. When were you diagnosed for TMJ?</p> <p>24 A. I think we're going into 2014,</p> <p>25 2015.</p> | 80 | <p>1 regarding this lawsuit?</p> <p>2 A. The first attorney I spoke to is</p> <p>3 Mr. Bill Kyros.</p> <p>4 Q. And when did you first speak to Mr.</p> <p>5 Kyros?</p> <p>6 A. I'm not sure of the day.</p> <p>7 Q. Well, if your original lawsuit was</p> <p>8 brought January 16th of 2015, to give you</p> <p>9 some time frame. That's the date you filed</p> <p>10 your first complaint.</p> <p>11 A. So it would have to be within that</p> <p>12 time frame.</p> <p>13 Q. Well, how long in advance of that</p> <p>14 lawsuit did you first speak to Mr. Kyros?</p> <p>15 A. I would say, I would say it was in</p> <p>16 January, I believe.</p> <p>17 Q. The same month that you brought the</p> <p>18 lawsuit?</p> <p>19 A. I think, I'm not sure. I'm really</p> <p>20 not sure of the day.</p> <p>21 Q. And how did you know Mr. Kyros?</p> <p>22 A. Well, I heard a few guys talking</p> <p>23 about a lawsuit and they mentioned Bill</p> <p>24 Kyros' name, and I gave him a call.</p> <p>25 Q. Who were the guys that you heard</p> |
| 79 | <p>1 Q. Who diagnosed you as having TMJ?</p> <p>2 A. I believe it was both doctors,</p> <p>3 Dr. Smith, the ENT, sent me to Dr. Handler.</p> <p>4 Q. Were you diagnosed for TMJ after</p> <p>5 you brought the lawsuit?</p> <p>6 A. No.</p> <p>7 Q. So it wouldn't be correct to say</p> <p>8 that you were diagnosed on February 4th of</p> <p>9 2015?</p> <p>10 A. I'm not sure of the date of my</p> <p>11 diagnosis. I don't have the records in front</p> <p>12 of me.</p> <p>13 Q. Did anybody tell you that your TMJ</p> <p>14 was actually caused by head trauma?</p> <p>15 A. I'm trying to remember what they</p> <p>16 told me.</p> <p>17 They said repeated blows to the</p> <p>18 head, repeated hits to the jaw, that's how I</p> <p>19 got TMJ.</p> <p>20 Q. And who told you that?</p> <p>21 A. The doctors.</p> <p>22 Q. Which doctors?</p> <p>23 A. Dr. Smith and Dr. Handler, I</p> <p>24 believe.</p> <p>25 Q. Who is first attorney you spoke to</p> | 81 | <p>1 talking?</p> <p>2 A. It was just wrestlers, guys in the</p> <p>3 business.</p> <p>4 Q. Who?</p> <p>5 A. I don't remember who.</p> <p>6 Q. Was it January this year and you</p> <p>7 don't remember who it was that was talking</p> <p>8 about a lawsuit?</p> <p>9 A. It was just in passing.</p> <p>10 MR. SCIOLLA: It was January of</p> <p>11 last year.</p> <p>12 MR. McDEVITT: January of last</p> <p>13 year, I'm sorry.</p> <p>14 Q. Did you see any advertisements on</p> <p>15 the internet for Mr. Kyros?</p> <p>16 A. You asked me if I published</p> <p>17 something on Facebook about people joining</p> <p>18 the lawsuit, and I said yes. It wasn't --</p> <p>19 THE WITNESS: Excuse me one second.</p> <p>20 MR. SCIOLLA: I'm sorry, could you</p> <p>21 repeat the question back.</p> <p>22 (A portion of the record was read.)</p> <p>23 A. Okay. Can you give that to me one</p> <p>24 more time?</p> <p>25 Q. Did you see any advertisements by</p> |

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| 82 | <p>1 Mr. Kyros on the internet?</p> <p>2 A. Did I see any of Mr. Kyros' --</p> <p>3 Q. That's the question.</p> <p>4 A. No, I did not.</p> <p>5 Q. Did you call him or did he call</p> <p>6 you?</p> <p>7 A. I called him.</p> <p>8 Q. The lawsuit says --</p> <p>9 MR. McDEVITT: Let me mark this</p> <p>10 first.</p> <p>11 (Discussion off the record.)</p> <p>12 (LoGrasso Exhibit 2, Plaintiff's</p> <p>13 Second Amended Complaint, marked for</p> <p>14 identification, this date.)</p> <p>15 MR. SCIOLLA: This is 2?</p> <p>16 MR. McDEVITT: Yes.</p> <p>17 MR. SCIOLLA: The video is 1?</p> <p>18 MR. McDEVITT: Yes.</p> <p>19 MR. SCIOLLA: Great.</p> <p>20 Q. Mr. LoGrasso, I'm directing your</p> <p>21 attention to Exhibit 2, which is the document</p> <p>22 in front of you, the second amended</p> <p>23 complaint.</p> <p>24 Do you know how many complaints you</p> <p>25 filed in this case?</p> | 84 | <p>1 the form.</p> <p>2 A. Was I soliciting people after the</p> <p>3 fact that they -- that the class action was</p> <p>4 dropped?</p> <p>5 Q. Did you know you were soliciting</p> <p>6 people to join the class action after it was</p> <p>7 no longer a class action?</p> <p>8 MR. SCIOLLA: Object to the form.</p> <p>9 A. No. I'm not aware of it.</p> <p>10 Q. In any event, on Exhibit 2, if you</p> <p>11 would, sir, would you turn to page 39,</p> <p>12 paragraph 146.</p> <p>13 MR. SCIOLLA: Just so you know, the</p> <p>14 numbers are at the top and the bottom of</p> <p>15 the pages. They're consistent.</p> <p>16 A. 39?</p> <p>17 Q. Yes, paragraph 146.</p> <p>18 A. 146.</p> <p>19 Q. Do you recall me asking you earlier</p> <p>20 when you were diagnosed as having a traumatic</p> <p>21 brain injury?</p> <p>22 Do you recall me asking you earlier</p> <p>23 today when you were first diagnosed as having</p> <p>24 a traumatic brain injury?</p> <p>25 A. Right. Yes, sir.</p> |
| 83 | <p>1 A. I'm not sure of all the complaints.</p> <p>2 If you're asking me for a number, you know, I</p> <p>3 don't recall how many.</p> <p>4 Q. Did you know that the original</p> <p>5 complaint was brought as a purported class</p> <p>6 action case?</p> <p>7 A. Yes.</p> <p>8 Q. Did you know that the class action</p> <p>9 allegations were then dropped?</p> <p>10 A. Yes.</p> <p>11 Q. Do you know why they were dropped?</p> <p>12 MR. SCIOLLA: Objection. To the</p> <p>13 extent it goes into attorney-client</p> <p>14 communications, I don't want you to</p> <p>15 answer the question. But if you have</p> <p>16 some independent understanding about the</p> <p>17 class action complaint allegations, then</p> <p>18 you can answer the question.</p> <p>19 Q. So you're refusing to answer?</p> <p>20 A. I'm sticking to what my attorney</p> <p>21 says, to don't answer the question.</p> <p>22 Q. Do you know you were soliciting</p> <p>23 people to join the class action after it had</p> <p>24 been dropped as a class action?</p> <p>25 MR. SCIOLLA: I'm sorry. Object to</p> | 85 | <p>1 Q. If you look at paragraph 146, does</p> <p>2 that refresh your recollection as to when you</p> <p>3 were first diagnosed?</p> <p>4 A. Yes, that was part of it.</p> <p>5 Q. Who diagnosed you on April 1st,</p> <p>6 2015 as having a traumatic brain injury?</p> <p>7 Look up at paragraph 143, if you</p> <p>8 would.</p> <p>9 A. Joseph Handler was my neurologist,</p> <p>10 and that's the one who diagnosed me.</p> <p>11 Q. Does that refresh your</p> <p>12 recollection, then, as to the date he</p> <p>13 diagnosed you?</p> <p>14 A. If it's -- I'm not sure of the</p> <p>15 dates, but if it's put here -- I know he</p> <p>16 diagnosed me, that's the best I can answer.</p> <p>17 Q. But your allegations are that that</p> <p>18 happened on or about April 1st of 2015.</p> <p>19 Do you have some reason to think</p> <p>20 that your lawyers have said something that</p> <p>21 was false?</p> <p>22 MR. SCIOLLA: Object to the form.</p> <p>23 You can answer.</p> <p>24 THE WITNESS: Huh?</p> <p>25 MR. McDEVITT: You don't need to</p> |

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| 86 | <p>1 look to him to get an answer.</p> <p>2 THE WITNESS: I'm not looking at</p> <p>3 him to get an answer, I'm trying to</p> <p>4 hear. He's saying things. I'm trying</p> <p>5 to hear what he's saying by looking at</p> <p>6 him. And then I'm turning back to you</p> <p>7 and giving you my undivided attention.</p> <p>8 MR. McDEVITT: Well, you don't need</p> <p>9 to look at him, because you're bending</p> <p>10 that ear to hear me. That's where he</p> <p>11 faces. You can hear in that ear.</p> <p>12 MR. SCIOLLA: You don't need to</p> <p>13 engage the witness and tell him what to</p> <p>14 do.</p> <p>15 MR. McDEVITT: I need to tell him</p> <p>16 not to take coaching. Absolutely, I do.</p> <p>17 He's been doing it all morning, and I</p> <p>18 would ask you to stop it.</p> <p>19 MR. SCIOLLA: He's trying to hear</p> <p>20 me.</p> <p>21 MR. McDEVITT: He doesn't need to</p> <p>22 turn his head to hear you. His ear is</p> <p>23 pointing right to you.</p> <p>24 MR. SCIOLLA: Not when it's pointed</p> <p>25 at you.</p> | 88 | <p>1 MR. SCIOLLA: Object to the form.</p> <p>2 A. I was getting checked out by my</p> <p>3 doctors.</p> <p>4 Q. So is it safe, then, to assume that</p> <p>5 the first person you talked to about</p> <p>6 traumatic brain injury was Mr. Kyros and then</p> <p>7 doctors about whether you had it?</p> <p>8 MR. SCIOLLA: Object to the form.</p> <p>9 Hold on. I'll also object to the</p> <p>10 extent it goes to attorney-client</p> <p>11 privilege, which it definitely does.</p> <p>12 I'm going to instruct you not to answer.</p> <p>13 MR. McDEVITT: How does that go to</p> <p>14 privilege?</p> <p>15 MR. SCIOLLA: You just asked him</p> <p>16 about conversations with his attorney.</p> <p>17 MR. McDEVITT: No, I didn't.</p> <p>18 MR. SCIOLLA: Why don't you reread</p> <p>19 the question.</p> <p>20 MR. McDEVITT: Why don't you listen</p> <p>21 to the question.</p> <p>22 MR. SCIOLLA: I'll be happy to.</p> <p>23 Could you please read it back.</p> <p>24 (A portion of the record was read.)</p> <p>25 MR. SCIOLLA: My objection remains</p> |
| 87 | <p>1 MR. McDEVITT: No, right now it's</p> <p>2 pointing right at you.</p> <p>3 MR. SCIOLLA: I'm not go to bicker</p> <p>4 with you. Please don't bicker with the</p> <p>5 witness.</p> <p>6 MR. McDEVITT: I'm not bickering</p> <p>7 with the witness. I'm asking him not</p> <p>8 to --</p> <p>9 MR. SCIOLLA: The video shows.</p> <p>10 MR. McDEVITT: Well, then we'll see</p> <p>11 what the video shows.</p> <p>12 Q. But Mr. LoGrasso, again, let me ask</p> <p>13 you, looking at your own pleading here, am I</p> <p>14 correct that your pleading alleges that it</p> <p>15 was on or about April 1 that you were</p> <p>16 diagnosed as having a traumatic brain injury?</p> <p>17 A. Yes, sir.</p> <p>18 Q. And that is after you brought the</p> <p>19 lawsuit, isn't it?</p> <p>20 You brought the lawsuit in January</p> <p>21 of 2015.</p> <p>22 A. Yes, sir.</p> <p>23 Q. So you brought the lawsuit for</p> <p>24 traumatic brain injury before you were even</p> <p>25 diagnosed with traumatic brain injury?</p> | 89 | <p>1 the same, and I'll instruct you not to</p> <p>2 answer.</p> <p>3 MR. McDEVITT: Well, let's put it</p> <p>4 this way:</p> <p>5 Q. Did you talk to a lawyer about the</p> <p>6 subject, without revealing any specific</p> <p>7 communications, about the subject of your</p> <p>8 lawsuit, before you were even diagnosed with</p> <p>9 having a traumatic brain injury?</p> <p>10 MR. SCIOLLA: I'll continue my</p> <p>11 objection and instruct you not to</p> <p>12 answer. Again, it goes to the substance</p> <p>13 of communications with an attorney.</p> <p>14 Q. Did you retain Mr. Kyros the first</p> <p>15 time you talked to him?</p> <p>16 A. I believe I spoke to Mr. Kyros a</p> <p>17 couple of times.</p> <p>18 Q. And did you eventually sign some</p> <p>19 kind of an agreement with him?</p> <p>20 A. I believe he sent me some paperwork</p> <p>21 for me to sign.</p> <p>22 Q. How many conversations did you have</p> <p>23 with him before you signed a retainer</p> <p>24 agreement?</p> <p>25 A. I don't recall.</p> |

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1 **Q. More than one?**
 2 A. I don't recall.
 3 **Q. Did you have conversations with**
 4 **him, though, before you signed a retainer**
 5 **agreement?**
 6 A. I did have conversations with him.
 7 **Q. And did you, in the conversations**
 8 **you had with him before you retained him, did**
 9 **he tell you about the lawsuits he wanted to**
 10 **bring against the WWE?**
 11 MR. SCIOLLA: Objection. I'm going
 12 to continue the objection as to
 13 attorney-client privilege and instruct
 14 you not to answer.
 15 MR. McDEVITT: My question said
 16 before he retained.
 17 MR. SCIOLLA: Your question did not
 18 establish whether he was talking with
 19 Mr. Kyros for the purpose of
 20 representation of his claims. That is
 21 still covered by attorney-client
 22 privilege, as you well know.
 23 MR. McDEVITT: Don't tell me what I
 24 well know.
 25 MR. SCIOLLA: Okay, I won't -- I

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1 won't --
 2 MR. McDEVITT: I forgot more than
 3 you know.
 4 MR. SCIOLLA: That's probably true.
 5 MR. McDEVITT: Okay.
 6 **Q. Before you brought this lawsuit --**
 7 MR. McDEVITT: Strike that.
 8 **Q. What year did you begin your**
 9 **wrestling career?**
 10 A. What year I did start wrestling?
 11 **Q. Yes.**
 12 A. 1990.
 13 **Q. 1990?**
 14 A. Yeah.
 15 **Q. And you trained with a fellow by**
 16 **the name of Johnny Rods; is that right?**
 17 A. Yes, sir.
 18 **Q. And after that you spent some time**
 19 **with what I think you called enhancement**
 20 **talent with the WWE?**
 21 A. Yes, sir.
 22 **Q. That was 1991?**
 23 A. '91 through '98.
 24 **Q. Did you send a letter to the WWE in**
 25 **2009 looking for work?**

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1 **Do you understand my question?**
 2 A. Yes.
 3 **Q. Did you send an e-mail to the WWE**
 4 **in 2009 looking for work?**
 5 A. I know I spoke to them, and I
 6 believe I -- I know I spoke to them. I might
 7 have sent an e-mail.
 8 MR. McDEVITT: Let's mark that.
 9 **Q. And do you recall in that you sort**
 10 **of summarized your wrestling career?**
 11 A. Say that one more time.
 12 **Q. Do you recall summarizing your**
 13 **wrestling career?**
 14 A. I don't recall the e-mail. I don't
 15 remember what the contents were.
 16 MR. SCIOLLA: Are we done with
 17 Exhibit 2?
 18 MR. McDEVITT: Yes.
 19 MR. SCIOLLA: You can put that to
 20 the side.
 21 (LoGrasso Exhibit 3, E-mail date
 22 5/6/09, Bates Nos. WWE_SING00002132 and
 23 WWE_SING00002133, marked for
 24 identification, this date.)
 25 **Q. Mr. LoGrasso, I've handed you**

93

1 **what's been marked as Exhibit 3. If you**
 2 **would take a minute to reread the bottom**
 3 **e-mail that I think you sent there.**
 4 **Have you finished reading it, Mr.**
 5 **LoGrasso?**
 6 A. Yes, sir.
 7 **Q. And am I correct, this is an e-mail**
 8 **you sent to John Laurinaitis and Ty Bailey in**
 9 **May of 2009?**
 10 A. Yes, sir.
 11 **Q. And basically trying to inquire**
 12 **about the possibilities of joining the WWE**
 13 **staff as a trainer, correct?**
 14 A. Yes, sir.
 15 **Q. And am I correct that in this memo**
 16 **you say nothing to anybody about suffering**
 17 **any kind of injuries or symptoms of head**
 18 **injury, correct?**
 19 A. Yes, sir.
 20 **Q. And you indicate that, in this,**
 21 **that you realize that "the days of wrestling**
 22 **for me are over," do you see that?**
 23 A. I do.
 24 **Q. You continued to wrestle for five**
 25 **more years after that, right?**

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|----|--|----|--|
| 94 | <p>1 A. I was told to write this by Steve 2 Curran, so I can gain employment with the 3 WWE.</p> <p>4 Q. My question, sir, was, you 5 continued to wrestle for five years after 6 2009, right?</p> <p>7 A. Yes, sir.</p> <p>8 Q. WWE didn't give you employment in 9 response to this, did they?</p> <p>10 A. No, sir.</p> <p>11 Q. Did anybody call you and talk to 12 you about this, this e-mail?</p> <p>13 A. About the e-mail, yes. I spoke to 14 John Laurinaitis, I spoke to Steve Curran, I 15 spoke to Tom Pritchard and Norman Smiley.</p> <p>16 Q. In connection with this particular 17 e-mail?</p> <p>18 A. Yeah.</p> <p>19 Q. After you sent it or before?</p> <p>20 A. It was before I sent it. I went 21 down to FCW. I saw Steve Curran, Tom 22 Pritchard, and Norman Smiley was working 23 there. They thought I would be a good 24 candidate to join the staff as a trainer. 25 And they told me, they said they weren't</p> | 96 | <p>1 there any other conversation between you and 2 those gentlemen in connection with this, 3 other than what you've testified to?</p> <p>4 A. No, I don't believe so.</p> <p>5 Q. Now, in terms of your description 6 of your career pattern that is set forth 7 here, where you give what you describe as a 8 brief background, you indicate that you began 9 at the Johnny Roth School in Brooklyn, 10 correct?</p> <p>11 A. Uh-huh.</p> <p>12 Q. Again, you have to say yes or no.</p> <p>13 A. Yes, sir. I'm sorry.</p> <p>14 Q. And then it says you started 15 working on TV in '91 for WCW.</p> <p>16 A. Johnny had sent me down to MM to 17 one TV taping of More Championship Wrestling.</p> <p>18 Q. And then it says, "and then to WWF 19 as an extra."</p> <p>20 A. Right?</p> <p>21 Q. Then from there I worked for All 22 Star Wrestling in Puerto Rico with Hugo 23 Savinovich, and then it has your first tour 24 of Japan in 1992, correct?</p> <p>25 A. Right.</p> |
| 95 | <p>1 going to hire me unless I sent an e-mail. I 2 had to write a form of e-mail saying that I 3 was going to be done with wrestling, because 4 at the time they were in a transition and 5 they didn't want guys who were trying to 6 still wrestle, possibly with the hope of 7 going back to wrestling on TV. And they 8 said, if you write it in this manner, it 9 would be more in favor of you getting 10 employment to be a trainer.</p> <p>11 So with the help of those 12 gentlemen, that's why I wrote this the way I 13 did.</p> <p>14 Q. Was there anything else in these 15 conversations with these gentlemen other than 16 what you just described?</p> <p>17 A. Just about me trying to be a 18 trainer there. And Steve Curran was a big, a 19 big advocate of mine, and he liked the way I 20 wrestled, he liked the way I trained. Norman 21 Smiley also was a big advocate, and he 22 thought I would be a good fit there. But, 23 you know, ultimately it was up to John 24 Laurinaitis at the time.</p> <p>25 Q. Now, what I want to focus on, was</p> | 97 | <p>1 Q. And after '92, it goes on to talk 2 about going into the Dominican Republic; and 3 there's no mention in here of working for WWE 4 after 1991, is there?</p> <p>5 A. It was already known that I did 6 work for them. They didn't know what I -- 7 where I worked before, because everybody at 8 WWE knew I worked at Skull Von Crush or Von 9 Crush, in the WWE -- F. And I just put that 10 down as an extensive background, but 11 everybody knew I was working for the company. 12 It was common knowledge.</p> <p>13 Q. How many matches would you say you 14 had as a jobber for WWE?</p> <p>15 MR. SCIOLLA: Entire career, or are 16 we limiting it to a certain time period? 17 Counsel?</p> <p>18 MR. McDEVITT: I'm not here to 19 answer your questions.</p> <p>20 MR. SCIOLLA: I'm just helping you 21 get the answers.</p> <p>22 MR. McDEVITT: I don't need your 23 help. If you have an objection, make 24 it.</p> <p>25 MR. SCIOLLA: Okay. I object to</p> |

| | |
|--|---|
| 98 | 100 |
| <p>1 the form, then.</p> <p>2 A. I know I had -- I had many matches</p> <p>3 as an enhancement talent or, as you were</p> <p>4 saying, a jobber in the WWE.</p> <p>5 Q. What is "many matches"? Is that</p> <p>6 50, 100, how many?</p> <p>7 A. It was from '91 to '98, there's a</p> <p>8 lot of matches.</p> <p>9 Q. And you weren't working for anybody</p> <p>10 else in that time period?</p> <p>11 A. Well, it says that right here, what</p> <p>12 I was doing in between those times, not like</p> <p>13 you were living anyplace else. So when the</p> <p>14 TV tapings were available and I was</p> <p>15 available, I would be called and they would</p> <p>16 ask me if I was available to do bookings.</p> <p>17 Q. Do you have any records that would</p> <p>18 show the dates you performed as enhancement</p> <p>19 talent for WWE?</p> <p>20 A. Actually there is a list, there's a</p> <p>21 list of matches, and with the list of matches</p> <p>22 that you have you can get from the computer,</p> <p>23 you can find out the towns and where it was</p> <p>24 and the exact place. So yes, there is a list</p> <p>25 available and WWF or E should have documents</p> | <p>1 us this record in response to our document</p> <p>2 requests.</p> <p>3 A. What document request is that?</p> <p>4 Q. You're not aware that we served you</p> <p>5 with a document request?</p> <p>6 Don't look at him, he's not going</p> <p>7 to tell you the answer. Look at me.</p> <p>8 A. I am looking at you, and I'm trying</p> <p>9 to figure out what you're asking me.</p> <p>10 Q. What I'm asking you is, did you</p> <p>11 know we served you with a document request?</p> <p>12 A. I did not recall sending this</p> <p>13 e-mail. I don't have a copy of this e-mail.</p> <p>14 Q. Did you know we served you with a</p> <p>15 document request?</p> <p>16 A. I know that there were document</p> <p>17 requests requested, yes.</p> <p>18 Q. Did you search your computers for</p> <p>19 records responsive to that request?</p> <p>20 A. I didn't even remember I sent this.</p> <p>21 Q. Did you search your computers to</p> <p>22 see what you sent?</p> <p>23 A. My computer is updated, and I do</p> <p>24 not have a record of this e-mail.</p> <p>25 Q. So you did search for this, but you</p> |
| 99 | 101 |
| <p>1 of me being there as an enhancement.</p> <p>2 Q. I'm asking what records you have.</p> <p>3 Do you have any records that show?</p> <p>4 A. I believe so. I believe I have all</p> <p>5 the matches listed somewhere.</p> <p>6 Q. Did you turn them over in this</p> <p>7 litigation?</p> <p>8 A. I'm not sure.</p> <p>9 Q. In fact, this e-mail you didn't</p> <p>10 turn over either, did you?</p> <p>11 A. I wasn't asked to turn over this</p> <p>12 e-mail.</p> <p>13 Q. Well, you were asked for</p> <p>14 communications with WWE.</p> <p>15 A. Communication in 2009?</p> <p>16 Q. It didn't matter what year. You</p> <p>17 were asked for communications with the WWE.</p> <p>18 This wasn't turned over.</p> <p>19 Did you search your computers to</p> <p>20 see if there were other communications with</p> <p>21 WWE?</p> <p>22 A. I don't understand what you're</p> <p>23 saying. I'm not understanding what you're</p> <p>24 trying to get at.</p> <p>25 Q. What I'm saying is you didn't give</p> | <p>1 just didn't find it?</p> <p>2 A. I don't have it in my e-mails.</p> <p>3 Q. When did you conduct a search of</p> <p>4 your e-mails?</p> <p>5 A. Mr. Kyros had asked me to --</p> <p>6 MR. SCIOLLA: Just answer as far as</p> <p>7 the date. I don't want you to going</p> <p>8 into communications with your attorney.</p> <p>9 He's only asking for a date.</p> <p>10 A. I don't recall the date.</p> <p>11 Q. When you performed for WCW, did you</p> <p>12 sign any contracts?</p> <p>13 A. Yes, I did.</p> <p>14 Q. How many contracts with them did</p> <p>15 you sign?</p> <p>16 A. I only signed one contract with</p> <p>17 WCW.</p> <p>18 Q. Do you still have a copy of it?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Did your WCW contract have</p> <p>21 provisions in it that indicated that you</p> <p>22 assumed the risk of injury?</p> <p>23 A. I don't recall, sir.</p> <p>24 Q. Is that common in wrestling</p> <p>25 contracts?</p> |

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| 102 | <p>1 MR. SCIOLLA: Object to the form.</p> <p>2 A. I don't know, because I don't read</p> <p>3 everybody's contract.</p> <p>4 Q. Well, the ones that you have signed</p> <p>5 in your career?</p> <p>6 A. I don't recall what was in the</p> <p>7 contract.</p> <p>8 MR. McDEVITT: We would ask that</p> <p>9 that document be produced. I think it</p> <p>10 was requested in our document requests.</p> <p>11 MR. SCIOLLA: Certainly we will</p> <p>12 take a look at that.</p> <p>13 Q. When you were with the ECW, did you</p> <p>14 sign any contracts?</p> <p>15 A. No, sir.</p> <p>16 Q. When you worked for foreigner</p> <p>17 promoters, did you sign any contracts?</p> <p>18 A. No, sir.</p> <p>19 Q. You worked for TNA also, right?</p> <p>20 A. Yes.</p> <p>21 Q. What years did you work for them?</p> <p>22 A. 2004.</p> <p>23 Q. Just one year?</p> <p>24 A. Yeah.</p> <p>25 Q. Were you terminated from WCW?</p> | 104 | <p>1 can.</p> <p>2 A. Would you say that one more time?</p> <p>3 Q. Did you contend that you were not</p> <p>4 an independent contractor when you were</p> <p>5 working for the WWE?</p> <p>6 MR. SCIOLLA: Same objection.</p> <p>7 A. I was under contract when I was an</p> <p>8 WWE employee.</p> <p>9 Q. So you think you were an employee,</p> <p>10 not an independent contractor?</p> <p>11 A. Well --</p> <p>12 MR. SCIOLLA: Object to the form.</p> <p>13 A. -- when I signed the WWE contract,</p> <p>14 I couldn't do anything else, couldn't take</p> <p>15 any dates, couldn't go anyplace else, so you</p> <p>16 take it as you work for the WWE as an</p> <p>17 employee. You're paid. It's a Catch 22,</p> <p>18 because they say you're an independent</p> <p>19 contractor, but then you can't go out and do</p> <p>20 anything else or take any other -- earn any</p> <p>21 money anyplace else, unless you get the</p> <p>22 authorization of the WWE. And when you are</p> <p>23 working for the WWE, they basically own you.</p> <p>24 So there is no outlet for you to go</p> <p>25 and get any other kind of employment or make</p> |
| 103 | <p>1 A. I lasted when they did the</p> <p>2 takeover, and then when the McMahons bought</p> <p>3 WCW, I was not taken over in the exchange.</p> <p>4 Q. Were you terminated for domestic</p> <p>5 abuse?</p> <p>6 A. No, sir.</p> <p>7 Q. I'm sorry, did you say you did or</p> <p>8 did not have a contract with TNA?</p> <p>9 A. I did not.</p> <p>10 Q. And in every promotion that you</p> <p>11 have ever performed for in your wrestling</p> <p>12 career, have you been treated as an</p> <p>13 independent contractor?</p> <p>14 MR. SCIOLLA: Object to the form.</p> <p>15 MR. McDEVITT: Let me rephrase</p> <p>16 that.</p> <p>17 Q. You've been given a 1099, not a</p> <p>18 W-2, from every wrestling promoter; correct?</p> <p>19 Is that right?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Do you contend you weren't an</p> <p>22 independent contractor when you were working</p> <p>23 with the WWE?</p> <p>24 MR. SCIOLLA: Object to the form.</p> <p>25 To the extent you can answer, you</p> | 105 | <p>1 any other money.</p> <p>2 Q. When you say the WWE basically owns</p> <p>3 you, since you were let go in 2007 and before</p> <p>4 you filed this lawsuit, have you often</p> <p>5 praised the WWE?</p> <p>6 A. I never spoke badly of company.</p> <p>7 Q. I mean before you filed this</p> <p>8 lawsuit, you were saying wonderful things</p> <p>9 about the WWE and your time there?</p> <p>10 MR. SCIOLLA: Object to form.</p> <p>11 A. I always said I had the best time</p> <p>12 of my life, I said I lived my dream. I did</p> <p>13 say these things.</p> <p>14 Q. Had no negatives at all, isn't that</p> <p>15 what you said?</p> <p>16 A. Any negativity, any negativity I</p> <p>17 had I kept to myself, because it was nobody's</p> <p>18 business.</p> <p>19 Q. My question was, you said you had</p> <p>20 no negatives at all about WWE, did you?</p> <p>21 Publicly?</p> <p>22 A. Publicly, I did not say anything</p> <p>23 bad about the WWE.</p> <p>24 Q. And publicly you kept trying to get</p> <p>25 back into WWE, didn't you?</p> |

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| 106 | <p>1 A. Not publicly. Quietly.</p> <p>2 Q. Well, weren't you promoting the</p> <p>3 idea that it would be a good match between</p> <p>4 you and Ryback, for example?</p> <p>5 A. Saying something on Facebook,</p> <p>6 saying it would be a good match, of course it</p> <p>7 would. So it's not promoting that I wanted a</p> <p>8 job back. I said it would be a good match.</p> <p>9 Q. How many times since your release</p> <p>10 have you tried to communicate with the WWE or</p> <p>11 its personnel about getting a job with WWE?</p> <p>12 We went through the one already.</p> <p>13 Any other times?</p> <p>14 A. I went to, I went to Tampa and, in</p> <p>15 the one TV taping where John Laurinaitis had</p> <p>16 me come in. And I saw John, I think 2011 he</p> <p>17 had me come in, maybe, I'm not sure, or 2010.</p> <p>18 And he basically told me WWE was</p> <p>19 going in a different direction. I was too</p> <p>20 old and they weren't taking the older guys,</p> <p>21 they wanted to go with somebody else, as far</p> <p>22 as being talent. And then started talking</p> <p>23 about me being a trainer. They said they had</p> <p>24 no positions open.</p> <p>25 And then I had gotten in touch with</p> | 108 | <p>1 you just testified to?</p> <p>2 A. That was it.</p> <p>3 Q. Was there anything else to the</p> <p>4 conversation with John Laurinaitis other than</p> <p>5 what you've just testified to?</p> <p>6 A. I'm just going to think.</p> <p>7 Basically told me the WWE was going</p> <p>8 in a different direction. They didn't want</p> <p>9 to hire old guys. He said the age thing was</p> <p>10 a factor for Stephanie and Tripe H, so that</p> <p>11 was the end of that, basically.</p> <p>12 (LoGrasso Exhibit 4, Canoe Network</p> <p>13 article entitled, "Big Vito takes aim at</p> <p>14 Japan," marked for identification, this</p> <p>15 date.)</p> <p>16 Q. Mr. LoGrasso, I've handed you what</p> <p>17 has been marked as Exhibit 4.</p> <p>18 Do you recognize the picture there</p> <p>19 as a picture of you?</p> <p>20 A. Do I recognize the picture?</p> <p>21 Q. That's you, isn't it?</p> <p>22 A. Yes.</p> <p>23 Q. And did you give an interview with</p> <p>24 Slam Wrestling in April of 2008?</p> <p>25 A. I would have to read this. I</p> |
| 107 | <p>1 Bill DeMott about possibly being, be a</p> <p>2 trainer.</p> <p>3 Q. What year is that?</p> <p>4 A. The Bill DeMott thing had to be a</p> <p>5 couple of years ago.</p> <p>6 Q. 2012, 2013?</p> <p>7 A. About that, when he was in charge</p> <p>8 of NXT.</p> <p>9 Q. Any other contacts trying to get a</p> <p>10 job with them?</p> <p>11 A. And -- no, basically it was bring</p> <p>12 you in as a guest trainer. I called him a</p> <p>13 few times, then he told me don't call me no</p> <p>14 more I'll call you.</p> <p>15 Q. Who is the "he" there?</p> <p>16 A. Bill DeMott.</p> <p>17 Q. I didn't mean to interrupt you. Go</p> <p>18 ahead.</p> <p>19 A. That's fine.</p> <p>20 Q. Have you finished your answer?</p> <p>21 So he told you, don't call me, I'll</p> <p>22 call you?</p> <p>23 A. Yeah.</p> <p>24 Q. Was there anything else in that</p> <p>25 conversation with Bill DeMott other than what</p> | 109 | <p>1 really don't recall it.</p> <p>2 Q. Well, let's look back to the second</p> <p>3 page.</p> <p>4 Again, that's your likeness there</p> <p>5 depicted, isn't it?</p> <p>6 Again, you have to say yes --</p> <p>7 A. Yes, sir.</p> <p>8 Q. -- or no.</p> <p>9 And then you go on to talk about</p> <p>10 your time at the WWE and the character you</p> <p>11 portrayed when you were wearing a dress.</p> <p>12 And this quotes you as saying, "'It</p> <p>13 was one of the most enjoyable times of my</p> <p>14 career,' he said, explaining he became one of</p> <p>15 the most recognized performer as a result and</p> <p>16 even posed for Playgirl magazine. 'How many</p> <p>17 guys can say they went undefeated for four or</p> <p>18 five months? I had a lot of fun with it.'"</p> <p>19 Did you say that?</p> <p>20 A. Yes, sir.</p> <p>21 Q. And that time period that you are</p> <p>22 talking about there would include the time</p> <p>23 you spent performing with Steven Regal,</p> <p>24 correct?</p> <p>25 A. That was my time frame with the</p> |

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1 WWE, yes.
 2 **Q. So prior to the lawsuit, you were**
 3 **saying you had a lot of fun with that?**
 4 A. That gimmick, yes.
 5 **Q. And you were undefeated for four or**
 6 **five months with Mr. Regal, correct?**
 7 A. Yes.
 8 **Q. And that's always good for your**
 9 **character to be the one who wins, isn't it?**
 10 A. You know, when you wear a dress and
 11 you win, I guess it's a win/win for
 12 everybody, I guess.
 13 **Q. And then it says, it closes by**
 14 **saying, "If the opportunity arose to go back,**
 15 **I'd go back. I have nothing to be bitter**
 16 **about. I always wanted to wrestler in the**
 17 **WWE and I did. I have no regrets. I'm not**
 18 **bitter about one thing."**
 19 **Did you say that?**
 20 A. Yes.
 21 **Q. And that was in 2008?**
 22 A. If that's the date, if I'm reading
 23 it correctly, yes, sir, on the top, yes.
 24 **Q. On the top.**
 25 **And that would have been at a time**

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1 **which according to your time you were having**
 2 **these horrible headaches, right?**
 3 A. Yep.
 4 **Q. That you have today dated from the**
 5 **match you had with Steven Regal in which you**
 6 **contend he threw you into the metal steps,**
 7 **right?**
 8 MR. SCIOLLA: Object to the form.
 9 A. Yes, sir.
 10 (LoGrasso Exhibit 5, Article
 11 entitled, "Ring Ranting Week 1: A Rant
 12 Sports Exclusive Interview with Former
 13 WWE Star Vito (Part 2)," marked for
 14 identification, this date.)
 15 **Q. We've just handed you what's been**
 16 **marked as Exhibit 5, Mr. LoGrasso.**
 17 **Do you recall doing an interview in**
 18 **2013 with a fellow by the name of Brian, and**
 19 **I'm probably going to mispronounce his name,**
 20 **Rzeppa?**
 21 A. I would have to read it.
 22 **Q. Feel free.**
 23 **Have you read it all?**
 24 A. Yes, sir.
 25 **Q. And do you recall being asked the**

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1 **question, "What was your favorite part about**
 2 **your time in WWE"?**
 3 A. Yes, sir.
 4 **Q. And he says your answer was, "Just**
 5 **that I was doing what I loved to do and was**
 6 **wrestling for the company that I wanted to**
 7 **wrestle for. I was living the dream."**
 8 **Is that what you said?**
 9 A. Yes, sir.
 10 **Q. And then it says, "How about**
 11 **your least favorite?" And you said, "Nothing**
 12 **at all. I enjoyed every minute of it.**
 13 **Everyone treated me very well. I have no**
 14 **negatives at all."**
 15 **Is that what you said?**
 16 A. Yes, sir.
 17 **Q. Were you lying then, or are you**
 18 **lying now?**
 19 MR. SCIOLLA: Object to the form.
 20 I don't think he can even answer that
 21 question. That's not a legit question.
 22 **Q. Which is it, Mr. LoGrasso?**
 23 MR. SCIOLLA: Object to the form.
 24 **Q. Everyone treated you fairly well,**
 25 **or you were severely beaten while you were**

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1 **performing there?**
 2 A. Okay, here is where I'm getting a
 3 little confused.
 4 THE WITNESS: Do I answer?
 5 MR. McDEVITT: No, you answer.
 6 MR. SCIOLLA: You can answer.
 7 MR. McDEVITT: Unless he instructs
 8 you not to answer, you answer.
 9 A. I'm asking, which question would
 10 you like me to answer. I've actually
 11 answered the first one before, where you
 12 asked me if I was lying, or you asked me to
 13 answer this one now, so I'm trying to catch
 14 up.
 15 **Q. Well, let's put it this way: In**
 16 **this lawsuit you contend you were severely**
 17 **beaten and mistreated, correct?**
 18 MR. SCIOLLA: Object to the form
 19 and characterization, but you can
 20 answer.
 21 A. In my personal time and when I do
 22 interviews, I rarely do not bad mouth
 23 anybody, because bad mouthing people doesn't
 24 bring you anything.
 25 And I always said that I enjoyed my

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1 time in WWE, and in this article, I said the
 2 truth, which is the truth.
 3 **Q. You had no negatives at all, that**
 4 **was the truth?**
 5 A. At that time, yes.
 6 **Q. And that time, 2013 --**
 7 A. In 2013.
 8 **Q. What you now say is you were**
 9 **suffering from various symptoms of head**
 10 **trauma that you today dated as beginning when**
 11 **Steven Regal supposedly threw you into the**
 12 **steps in the match in 2006?**
 13 MR. SCIOLLA: Object to the form --
 14 excuse me. Object to the form.
 15 **Q. Correct?**
 16 A. Like I said in a lot of my
 17 interviews, I always said positive things.
 18 **Q. Well, was it a lie, then?**
 19 MR. SCIOLLA: Object to the form,
 20 asked and answered.
 21 A. In my interviews I always say
 22 positive things.
 23 **Q. That's not my question.**
 24 **Were you lying in this interview?**
 25 A. I wasn't lying in the interview.

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1 That's what I said.
 2 (LoGrasso Exhibit 6, Article
 3 entitled, "Big Vito speaks out on Dixie
 4 Carter/TNA, Russo & More," marked for
 5 identification, this date.)
 6 **Q. Mr. LoGrasso, I've handed you**
 7 **what's been marked as Exhibit 6, which**
 8 **appears to be, at least on the date of it, up**
 9 **at the top right-hand corner it's dated**
 10 **4/21/2016; but I don't want to mislead you,**
 11 **because I don't think that's date of the**
 12 **interview. I could be wrong.**
 13 MR. SCIOLLA: If you look at the
 14 last page, there's a different date.
 15 MR. McDEVITT: Yes, 2013.
 16 **Q. I just want to ask you, on the**
 17 **second page here, there are some quotes that**
 18 **are attributed to you, where you are asked**
 19 **about "On the current WWE product."**
 20 **Do you see that paragraph that**
 21 **begins with that?**
 22 A. On the current WWE product. Yes, I
 23 have it.
 24 **Q. And then if you skip down where it**
 25 **says "On Ryback."**

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1 **Do you see that?**
 2 **Have you found that paragraph, sir?**
 3 A. I'm reading.
 4 MR. SCIOLLA: One more down.
 5 A. "On Ryback."
 6 **Q. It quotes you as saying, "They**
 7 **brought Ryback in, you know. Ryback was up**
 8 **and then he was down. If I could work a**
 9 **program with him, you would never hear Big**
 10 **Vito complain about how he ever got hit too**
 11 **hard. I would love to work with that guy,**
 12 **because it would be a hard hitting thing."**
 13 **Did you say that?**
 14 A. Yes, I did say that.
 15 **Q. And what did you mean by "it would**
 16 **be a hard hitting thing"?**
 17 A. Because my persona is always a
 18 rugged wrestler, and here you have this guy
 19 who everybody is complaining with wrestling
 20 against and, you know, being that I thought
 21 it would be a good match between him and I.
 22 **Q. And so were you sort of promoting**
 23 **the idea that the WWE should bring you back**
 24 **to wrestle Ryback?**
 25 A. No, I just said that it would be a

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1 good match.
 2 **Q. Were you hoping that would happen?**
 3 A. No, I just said it would be a good
 4 match.
 5 **Q. And in 2013 is when you claim you**
 6 **were suffering from the symptoms of head**
 7 **injury, right?**
 8 A. I didn't hear the last part of what
 9 you said, I'm sorry.
 10 **Q. You claim you were suffering from**
 11 **the symptoms of the head injury in 2013, too,**
 12 **right?**
 13 A. Yes, sir.
 14 **Q. How many times prior to this**
 15 **lawsuit, sir, did you publicly state that you**
 16 **have been three-quarters deaf your whole**
 17 **life?**
 18 A. I did that in an article that I
 19 wrote for people, for people who were doing
 20 a, it was a deaf, a guy who was wrestling, a
 21 Coach McKay who was teaching wrestlers who
 22 were deaf how to, they were trying to get
 23 into the Olympics. Wanted me to be a guest
 24 speaker and to come down to his college, and
 25 he really had no money. So I took it upon

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| 118 | <p>1 myself to write something inspiring for them 2 and write this article that was published. 3 Q. Where was it published? 4 A. I'm not sure where it was 5 published. I think it was on my Facebook. 6 It could have been, it could have been 7 something that was put out there. But I know 8 I wrote it, and I wrote it just for inspiring 9 kids that you can do things even if you're 10 handicapped. 11 Q. And what year did you write that? 12 A. I'm not sure. 13 Q. Before you came to the WWE? 14 Let me rephrase it. Was it before 15 or after your last run at the WWE? 16 A. It was afterwards. 17 Q. And what did you say in that piece? 18 A. I don't recall. I would have to 19 read it. I have it in front of me. 20 Q. Well, what did it say about your 21 deafness? 22 A. Just as you repeated it, that I was 23 deaf, three-quarters deaf or deaf, you know, 24 half my whole life, and then I was able to 25 overcome it.</p> | 120 | <p>1 A. If I wrote it, and do I write 2 things to inspire people, with lies. 3 Q. No. Did you lie to inspire people. 4 Then you went off on this rant about other 5 subjects. 6 A. I was answering the question. 7 Q. My question was, did you lie in 8 that article in an attempt to inspire them? 9 A. I guess you could say I lied, yes. 10 Q. And did you ever make any other 11 public statements anywhere else that you were 12 three-quarters deaf since birth? 13 A. I don't recall. 14 Q. Did you ever tell your doctors you 15 were deaf since birth? 16 A. I don't recall. 17 Q. Have you been deaf since birth? 18 A. No, sir, I haven't. 19 Q. So any time you've said that, you 20 were lying? 21 A. Yes, sir. 22 Q. Why would you lie about that? 23 MR. SCIOLLA: Object to the form. 24 And asked and answered. 25 A. Why would I lie about it? Well, in</p> |
| 119 | <p>1 Q. And that's what you wrote? 2 A. That's what I wrote. 3 Q. Was it true? 4 A. No. 5 Q. So you wrote a lie to inspire 6 people? 7 A. You write things to help people and 8 inspire them, just like the WWE writes things 9 to inspire people, like the anti-bullying 10 campaign, even though they might do it in 11 their own backyard, you know, they do it to 12 inspire, you know, bullying and do all that 13 kind of stuff. 14 It's kind of like when the turkey 15 thing came out, and they insulted me and they 16 had this big anti-bullying thing going on, 17 and they took liberties of making fun of me, 18 calling me a turkey, and my career 19 was nothing to be made fun of. 20 Q. Do you remember the question I 21 asked you? 22 Do you remember the question I just 23 asked you? 24 A. Uh-huh. 25 Q. What was it?</p> | 121 | <p>1 that instance, it was to inspire people. 2 Q. Well, in other instances where 3 you've said it. 4 Have you said it in other 5 instances, or are you claiming that's the 6 only time in your life that you ever told 7 people you were deaf since birth? 8 MR. SCIOLLA: Object to the form, 9 asked and answered. 10 A. I don't recall if I did. 11 Q. Well, has it been a habitual lie 12 that you've told all your life, that you've 13 been deaf since birth? 14 A. No, you asked me that one article, 15 and I said I lied about that. You asked me 16 if I told people I was deaf my whole life, 17 and obviously I'm not, I wasn't. 18 Q. No, I didn't ask you about the one 19 article. You identified the one article. I 20 asked you if you ever made those statements 21 publicly, and you identified that one article 22 with what you did. 23 A. Because that's the one that I knew 24 about. 25 Q. And my question is, what other</p> |

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1 ones, what other times have you made that
 2 statement publicly that you've been deaf
 3 since birth?
 4 A. I don't know.
 5 Q. As you sit there today, can you
 6 think of any other times where you have lied
 7 and told people in the public that you've
 8 been deaf since birth?
 9 A. No, I can't.
 10 Q. Did you tell any other performers
 11 that you were deaf since birth?
 12 A. I don't recall if I did.
 13 Q. Did you tell Tommy Dreamer you were
 14 deaf since birth?
 15 A. I don't recall.
 16 Q. So for other wrestlers who have
 17 known you through your career and say you've
 18 told them you were deaf since birth, would
 19 they be lying?
 20 MR. SCIOLLA: Object to the form.
 21 A. I couldn't be deaf since birth,
 22 obviously.
 23 Q. If they said you told them that,
 24 would they be lying?
 25 A. Not lying.

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1 (LoGrasso Exhibit 7, Article
 2 entitled, "Big Vito talks about wanting
 3 to work with Jeff Jarrett, and much
 4 more," marked for identification, this
 5 date.)
 6 Q. I've shown you what's been marked
 7 as Exhibit 7, Mr. LoGrasso.
 8 Again, do you recognize this as
 9 your picture there?
 10 A. It's me in the picture.
 11 Q. And this is posted on Online World
 12 of Wrestling. And it's a column, and it
 13 quotes you as saying, "Big Vito On Wrestling
 14 Deaf." "I don't advertise that I'm
 15 handicapped. I am three-quarters deaf, and I
 16 have been that way my whole life. I made it,
 17 I did my thing."
 18 Did you say that?
 19 A. What year was this?
 20 Q. It apparently was published in
 21 2014, prior to this lawsuit.
 22 A. I couldn't have been deaf my whole
 23 life.
 24 Q. Did you say that or didn't you?
 25 A. I did say it.

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1 Q. Was that a lie when you told this
 2 person that?
 3 A. Yes, it is a lie.
 4 Q. Who was that supposed to inspire?
 5 MR. SCIOLLA: Object to the form.
 6 A. I was just going along with what I
 7 had said previously.
 8 Q. Well, where had you said it
 9 previously?
 10 A. When you asked me if I ever said it
 11 before in that other article.
 12 Q. You state here "I don't advertise
 13 that I'm handicapped."
 14 A. That's a time I know I said it.
 15 You just mentioned Tommy Dreamer.
 16 Q. Well, why wouldn't you tell him,
 17 then, that, look, I'm not really deaf. I
 18 just said that to inspire people. I just
 19 told a story"?
 20 A. Well, it was done to inspire people
 21 that you could do things. Maybe I used poor
 22 judgment.
 23 Q. Well, fine. But why didn't you
 24 tell the truth in this interview and say, I'm
 25 not deaf?

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1 So you were lying in 2014, too --
 2 MR. SCIOLLA: Object to the form.
 3 Q. -- is that right?
 4 A. No, sir.
 5 Q. Well, you're saying now this isn't
 6 true. The statements you make here, "I'm
 7 three-quarters deaf, and I have been that way
 8 my whole life," is that true or is it false?
 9 A. I have not been three-quarters deaf
 10 my whole life.
 11 Q. So then you told a lie, then,
 12 right?
 13 A. In that, yes.
 14 Q. Do you remember appearing on an
 15 interview called the Angry Marks Podcast in
 16 February of 2014?
 17 A. No.
 18 Q. Did you tell that same tale on that
 19 podcast --
 20 A. Don't recall.
 21 Q. -- of being deaf?
 22 MR. McDEVITT: We are going to mark
 23 this.
 24 (LoGrasso Exhibit 8, CD labeled,
 25 "The Undisputed Wrestling Show with Big

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|-----|--|-----|--|
| 126 | <p>1 Vito & Lucky Thirteen (February 2014),"</p> <p>2 marked for identification, this date.)</p> <p>3 Q. Mr. LoGrasso, you are going to hear</p> <p>4 a voice talking here, and I'm going to ask,</p> <p>5 after you are done hearing it, whether you</p> <p>6 recognize it as your voice saying what you</p> <p>7 hear.</p> <p>8 MS. LACY: Can you please skip to</p> <p>9 4724. At least before it. If you can't</p> <p>10 get close, that's fine.</p> <p>11 (Video played and transcribed</p> <p>12 following:)</p> <p>13 "Voice: I was and this week I'm</p> <p>14 supposed to be getting a big boy. And I</p> <p>15 don't know, I've said this before, you</p> <p>16 know, I've mentioned it a few times in</p> <p>17 interviews. A lot of people don't know</p> <p>18 that I'm deaf. And, you know, and</p> <p>19 people ask me all the time, how the hell</p> <p>20 do you wrestle, if you're deaf, and how</p> <p>21 did you play ball? I was born deaf. I</p> <p>22 was born deaf, you know. And sometimes</p> <p>23 when I'm in the house, you know, I hear,</p> <p>24 my hearing is so accurate that I hear</p> <p>25 things all the time and every little</p> | 128 | <p>1 A. Yes.</p> <p>2 Q. And that's you in a radio interview</p> <p>3 in February of 2014 saying you were born</p> <p>4 deaf, right?</p> <p>5 A. I said that. I was just saying it.</p> <p>6 Q. And that was, again, before the</p> <p>7 lawsuit you were telling people that you were</p> <p>8 born deaf, right?</p> <p>9 A. That's what I was saying.</p> <p>10 Q. And you said you had been like that</p> <p>11 your whole life?</p> <p>12 A. That's what I said.</p> <p>13 Q. So were you lying then, or are you</p> <p>14 lying now?</p> <p>15 MR. SCIOLLA: Object to the form.</p> <p>16 A. No.</p> <p>17 Q. Which is it?</p> <p>18 A. I can't hear you.</p> <p>19 Q. Were you lying then or are you</p> <p>20 lying now?</p> <p>21 A. I'm not lying.</p> <p>22 Q. Were you born deaf?</p> <p>23 A. No, I couldn't be born deaf.</p> <p>24 Q. You could be born deaf.</p> <p>25 Why couldn't you be born deaf?</p> |
| 127 | <p>1 thing. And I'm so used to having a dog</p> <p>2 with me and, you know, just like I need</p> <p>3 that extra just in case I can't hear</p> <p>4 something or something is going on that</p> <p>5 I don't know. So unless you're a</p> <p>6 120-pound Rottie, his name is King, I'm</p> <p>7 going to change his name to Brother,</p> <p>8 come on, Brother. His name is going to</p> <p>9 be Brother. And he's two years old and</p> <p>10 he's 100, started out at 140. He's been</p> <p>11 training, so he's about 125 pounds right</p> <p>12 now. They hey, goodbye, somebody I</p> <p>13 could pal around with, somebody I could</p> <p>14 train with, somebody to have a companion</p> <p>15 with, somebody to be in the house with</p> <p>16 me and, you know, I don't advertise it.</p> <p>17 Like I said, I don't advertise it that</p> <p>18 I'm handicapped. I'm deaf. I'm</p> <p>19 three-quarters deaf, you know, and I've</p> <p>20 been like that my whole life.</p> <p>21 And you know, I made it. I did my</p> <p>22 thing and I just need, you know, I've</p> <p>23 been" --</p> <p>24 (End of transcription.)</p> <p>25 Q. Is that your voice?</p> | 129 | <p>1 A. How I did get in the military?</p> <p>2 Q. I don't know. Maybe you lied</p> <p>3 there, too.</p> <p>4 A. How could you lie in an exam or a</p> <p>5 state physical?</p> <p>6 Q. I've been in the military Mr.</p> <p>7 LoGrasso. I know you how get into the</p> <p>8 military?</p> <p>9 A. I know you've been in the military.</p> <p>10 Q. Don't kid me about that. They'll</p> <p>11 take anybody, especially in the time when you</p> <p>12 were going in.</p> <p>13 A. It's 1983, it was peacetime. They</p> <p>14 take anybody?</p> <p>15 Q. They took you.</p> <p>16 A. Thank you for the compliment, I</p> <p>17 appreciate it.</p> <p>18 Q. What was your discharge?</p> <p>19 MR. SCIOLLA: Object to the form.</p> <p>20 Asked and answered.</p> <p>21 Q. So you basically have been shown</p> <p>22 now to have said repeatedly that you were</p> <p>23 deaf since birth, right?</p> <p>24 A. I said this in interviews.</p> <p>25 Q. Now, apart from interviews, you</p> |

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1 also told a doctor that, too, didn't you?
 2 A. Not that I recall.
 3 Q. Is it fair to assume, Mr. LoGrasso,
 4 that you would not lie to your doctors about
 5 your condition?
 6 A. I have hearing loss.
 7 Q. But you would not lie to them,
 8 would you?
 9 A. No.
 10 Q. I mean you want to get treated
 11 accurately, don't you?
 12 A. Yes, sir.
 13 Q. And you know you can't get treated
 14 accurately unless you tell them the truth
 15 about your condition?
 16 MR. SCIOLLA: Object to the form.
 17 A. About my condition, yes.
 18 (LoGrasso Exhibit 9, Medical
 19 records, Bates Nos. Smith020516_00031
 20 through Smith020516_00040, marked for
 21 identification, this date.)
 22 Q. Showing you what's been marked as
 23 Exhibit 9, Mr. LoGrasso, which comes out of
 24 your medical records from Dr. Smith. And if
 25 I could, sir, I would direct your attention

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1 to page 3 of this document, under the last
 2 paragraph on page 3.
 3 Am I correct that what the doctor's
 4 note states is "Congenitally deaf on left,
 5 severe loss on right"?
 6 Is that what your doctor's own note
 7 states?
 8 A. I'm reading it.
 9 Q. Is that what they say, do you know
 10 what that means?
 11 A. That I'm deaf on the left and
 12 severely lost on the right.
 13 Q. Do you know what "congenitally
 14 deaf" means?
 15 A. I can't hear nothing out of the
 16 left.
 17 Q. No. Did you tell the doctor you
 18 had been deaf since birth?
 19 A. No. I just don't hear good out of
 20 the ear.
 21 Q. And there is a note that is made in
 22 May of 2012. This is way before your
 23 lawsuit, right? At the top right it says
 24 "May 2012."
 25 A. Right.

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1 Q. And then when you went back after
 2 this lawsuit --
 3 (LoGrasso Exhibit 10, Medical
 4 records, Bates Nos. Smith020516_00002
 5 through Smith020516_00006, marked for
 6 identification, this date.)
 7 Q. Showing you what's been marked as
 8 Exhibit 10. This is the same Dr. Smith,
 9 isn't it, that this is addressed to, from
 10 Jennersville Neurology Center, do you see
 11 that?
 12 A. Jennersville.
 13 Q. Jennersville at the top there?
 14 A. Yes.
 15 Q. Did you go to Jennersville
 16 Neurology?
 17 A. Yes.
 18 Q. And you went there after this
 19 lawsuit was brought, right?
 20 That's March of 2015 --
 21 A. Yes.
 22 Q. -- two months after you brought
 23 this lawsuit, right?
 24 A. Yes.
 25 Q. Knowing that you have to

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1 demonstrate some kind of symptoms to support
 2 your brain injury claim, right?
 3 MR. SCIOLLA: Object to the form,
 4 argumentative.
 5 Q. You know that by then, don't you?
 6 You know it by then. You are trying to show
 7 that you have symptoms associated with the
 8 injuries that you're claiming in the lawsuit,
 9 right?
 10 MR. SCIOLLA: Object to form.
 11 A. This was when I could get an
 12 appointment to see a neurologist.
 13 Q. Two months after your suit?
 14 A. I was getting everything done,
 15 because I was going by what Dr. Smith had
 16 said, so this is where he referred me.
 17 Q. And when you go to this
 18 Jennersville, you tell them --
 19 MR. McDEVITT: Strike that.
 20 Q. If you look at the History of
 21 Present Illness on the second page, it says,
 22 "Mr. LoGrasso is a 50-year-old man referred
 23 by Dr. Smith for evaluation of headaches and
 24 head trauma. He has some difficulty giving a
 25 concise history." And then it goes on to

| | |
|--|---|
| 134 | 136 |
| <p>1 state that you were "A former WWE wrestler, 2 completely stopped wrestling only five months 3 ago. He attributes most of his problems to 4 consequences of his wrestling career spanning 5 almost 30 years. This includes deafness in 6 the left ear, moderate hearing loss in the 7 right ear." Right?</p> <p>8 Isn't that what it says?</p> <p>9 A. I'm reading it.</p> <p>10 MR. SCIOLLA: Can you repeat the 11 question.</p> <p>12 Q. And my question, Mr. LoGrasso, is 13 whether you told the Jennersville folks that 14 your deafness issue you associated with your 15 wrestling career.</p> <p>16 A. Yes, I did tell them that.</p> <p>17 Q. So after the lawsuit, you weren't 18 telling them that you were deaf since birth, 19 you were selling them that it was associated 20 with your wrestling career?</p> <p>21 MR. SCIOLLA: Object to the form.</p> <p>22 A. I told -- he asked me how this 23 happened, and I said repeated blows to the 24 head and that I had, this had gotten worse 25 and worse during my wrestling career.</p> | <p>1 happening. So it was the doctors telling me 2 what is going on, and then I told him what 3 was happening. And now I know what 4 everything is, I put everything together. 5 But during this time I'm finding out like 6 everybody else, I'm finding out what is wrong 7 with me.</p> <p>8 Q. This was all done after you filed 9 the lawsuit where you had listed all the 10 symptoms, supposedly, of head injuries.</p> <p>11 A. This is all of what --</p> <p>12 Q. You knew the symptoms of the head 13 injuries by the time you went to the doctor, 14 didn't you, and filed a lawsuit about it; 15 isn't that true?</p> <p>16 A. Say that one more time.</p> <p>17 Q. You already filed a lawsuit where 18 you claimed a symptomatology of head injuries 19 in the lawsuit that you claimed and filed in 20 a Federal court, so you knew the symptoms by 21 the time you went to this doctor.</p> <p>22 A. I was getting checked out.</p> <p>23 Q. And you report to him you didn't 24 have any prolonged headaches, according to 25 what he says, and that you didn't have any</p> |
| 135 | 137 |
| <p>1 Q. Did you tell him that you had 2 previously made statements to the effect that 3 you had been deaf since birth?</p> <p>4 A. No.</p> <p>5 Q. This also goes on to state, you 6 told him, this doctor, whoever he is -- 7 Handler, Dr. Handler, that you did not recall 8 having any significant post-concussive 9 symptoms during your career, do you see that?</p> <p>10 A. I was not educated on what they 11 were, so I didn't know what I was -- I was 12 finding out as I was going along what was 13 going on with me.</p> <p>14 Q. Well, he says, "He did not recall 15 having any significant post-concussive 16 systems during his career, such as loss of 17 consciousness, prolonged headaches, nausea, 18 balance problems or memory loss." 19 That's what he says, right?</p> <p>20 A. That's what it says there.</p> <p>21 Q. And that's what -- you claim those 22 things now, the prolonged headaches --</p> <p>23 A. That's what I'm suffering from, and 24 that's what I didn't know what was going on, 25 because I wasn't educated on what was</p> | <p>1 significant post-concussion symptoms during 2 your career, which he says only ended a short 3 time ago.</p> <p>4 MR. SCIOLLA: Object to the form 5 and characterization.</p> <p>6 Q. Right?</p> <p>7 A. I can't speak for the doctor's 8 notes.</p> <p>9 Q. Do you have some reason to think 10 they don't reflect what you told him?</p> <p>11 A. This is what is his observation, 12 and I'm telling you what I was going through.</p> <p>13 Q. And he's basing his --</p> <p>14 MR. McDEVITT: Strike that.</p> <p>15 Q. Do you agree that every symptom you 16 claim is a subjective symptom?</p> <p>17 MR. SCIOLLA: Object to the form.</p> <p>18 A. If you could say that one more 19 time.</p> <p>20 Q. Every symptom you now claim is 21 subjective, right?</p> <p>22 MR. SCIOLLA: Object to the form.</p> <p>23 A. "Subjective" meaning?</p> <p>24 Q. You claim you have headaches, but 25 it can't be verified.</p> |

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|-----|---|-----|--|
| 138 | <p>1 A. What headaches are there?</p> <p>2 Q. You claim it, but they can't be</p> <p>3 objectively verified, right?</p> <p>4 MR. SCIOLLA: Object to the form.</p> <p>5 A. Objectively verified that they</p> <p>6 wanted to stick needles in my head to give me</p> <p>7 relief. They put me on medication.</p> <p>8 Q. Well, they've given you three MRIs,</p> <p>9 haven't they?</p> <p>10 A. I believe I've taken three MRIs.</p> <p>11 Q. And every one of them showed your</p> <p>12 brain was perfectly normal, didn't they?</p> <p>13 MR. SCIOLLA: Object to the form.</p> <p>14 A. That's not what I was told.</p> <p>15 Q. Who told you otherwise?</p> <p>16 A. A doctor never told me my brain was</p> <p>17 perfectly normal.</p> <p>18 Q. Did he tell you your MRIs were</p> <p>19 unremarkable?</p> <p>20 A. The doctor told me that I had</p> <p>21 things wrong with me.</p> <p>22 Q. What did he tell you about the</p> <p>23 MRIs?</p> <p>24 A. He said that there was, the MRIs</p> <p>25 that I took, he said that there was some</p> | 140 | <p>1 some, you know, concussion, CT, concussion</p> <p>2 syndrome. He told me these things, so.</p> <p>3 Q. Did he tell you the MRI was a</p> <p>4 negative study?</p> <p>5 Did he tell you you have a normal</p> <p>6 head brain?</p> <p>7 A. He gave me three MRIs. He said the</p> <p>8 first one came out normal.</p> <p>9 Q. And what about the other ones?</p> <p>10 A. I don't recall what he said on the</p> <p>11 other ones.</p> <p>12 (LoGrasso Exhibit 11, Brandywine</p> <p>13 Hospital medical records, Bates Nos.</p> <p>14 Brandywine050416_000020 through</p> <p>15 Brandywine050416_000083, marked for</p> <p>16 identification, this date.)</p> <p>17 Q. I'm handing you one of the MRI</p> <p>18 reports, Mr. LoGrasso, and if you would turn</p> <p>19 back to page, and it's on the bottom</p> <p>20 right-hand corner, number 34.</p> <p>21 Do you see the line that says,</p> <p>22 "Impression"? It should midway down on page</p> <p>23 34. You see "Impression"?</p> <p>24 MR. McDEVITT: For the record, I'm</p> <p>25 just putting a little arrow next to it</p> |
| 139 | <p>1 brain issues.</p> <p>2 Q. Who, who told you that?</p> <p>3 A. Dr. Handler.</p> <p>4 Q. Dr. Handler.</p> <p>5 A. He's the one who looked at the</p> <p>6 MRIs.</p> <p>7 Q. And did he actually show you the</p> <p>8 MRIs?</p> <p>9 A. No.</p> <p>10 Q. And what did he tell you the MRIs</p> <p>11 showed?</p> <p>12 Did he identify what the brain</p> <p>13 issue was?</p> <p>14 A. He said that I had brain trauma.</p> <p>15 Q. What did he say he saw on the MRIs</p> <p>16 that would verify that you had brain trauma?</p> <p>17 A. He was telling me that I had brain</p> <p>18 trauma. That's what I -- that's what I</p> <p>19 interpreted.</p> <p>20 Q. Well, you told him you had brain</p> <p>21 trauma, didn't you?</p> <p>22 A. And he told me that I had brain</p> <p>23 trauma, and he told me that he sent me for</p> <p>24 the MRIs. I went to do the tests. They put</p> <p>25 me on medication. He told me, you do have</p> | 141 | <p>1 on the exhibit.</p> <p>2 THE WITNESS: Thank you.</p> <p>3 Q. Do you see the, under the word</p> <p>4 "impression" it says "Negative study"?</p> <p>5 A. Right.</p> <p>6 Q. And then if you would leaf back a</p> <p>7 couple more pages to the one that says "68"</p> <p>8 on it.</p> <p>9 A. You said "68," right?</p> <p>10 Q. 68 on the bottom right.</p> <p>11 Have you found it?</p> <p>12 A. 68.</p> <p>13 Q. Do you see the category "Finding"?</p> <p>14 A. Got it.</p> <p>15 Q. First one is for hemorrhage. It</p> <p>16 says, "No intercranial hemorrhage," right?</p> <p>17 A. I see that.</p> <p>18 Q. The next one says, "Brain</p> <p>19 unremarkable, no significant white matter</p> <p>20 disease, no edema," correct?</p> <p>21 A. Uh-huh.</p> <p>22 Q. Next one for, ventricles,</p> <p>23 "Unremarkable, no hydrocephalus."</p> <p>24 Next one, "Bones, no acute</p> <p>25 fracture. Sinuses, unremarkable, mastoid ear</p> |

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1 cells unremarkable."
 2 **And what does it say under**
 3 **"Impression"?**
 4 A. "Normal."
 5 **Q. "Normal head brain," right? Is**
 6 **that what he told you?**
 7 MR. SCIOLLA: Objection. Who?
 8 MR. McDEVITT: The doctor.
 9 MR. SCIOLLA: The --
 10 MR. McDEVITT: Either doctor.
 11 **Q. This was done on March of 2015,**
 12 **after your lawsuit, sir.**
 13 **Did he tell you after you filed**
 14 **your lawsuit that the MRI showed you had a**
 15 **normal head brain?**
 16 MR. SCIOLLA: Object to the form.
 17 This is the CT scan.
 18 A. He didn't tell me this.
 19 MR. McDEVITT: I stand corrected.
 20 **Q. Did you get told that this CT scan**
 21 **shows you had a normal head brain?**
 22 A. I don't recall him telling me this.
 23 **Q. Does it give you comfort to know**
 24 **that now?**
 25 MR. SCIOLLA: Object to form.

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1 **Q. Does it give you comfort to know**
 2 **that now?**
 3 A. I still deal with my headaches
 4 every day.
 5 (LoGrasso Exhibit 12, OpenMRI
 6 medical records, Bates Nos.
 7 OpenMRI032316_000002 and
 8 OpenMRI032316_000003, marked for
 9 identification, this date.)
 10 **Q. Showing you what's been marked as**
 11 **Exhibit 12, sir, do you remember being**
 12 **referred to open MRI by Dr. Cavoto?**
 13 A. Yes.
 14 **Q. And Dr. Cavoto is what? What kind**
 15 **of doctor?**
 16 A. Pain management.
 17 **Q. And he referred to you this MRI**
 18 **clinic in April?**
 19 A. Yes.
 20 **Q. Which is months after you brought**
 21 **your lawsuit?**
 22 A. Yes.
 23 **Q. And do you see where he says, "Soft**
 24 **tissue swelling over left face likely from**
 25 **recent trauma"?**

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1 A. I haven't been hit, so I didn't --
 2 that's what, that's what they asked me. He
 3 said, what is wrong with your face?
 4 I said, nothing. I haven't been
 5 hit or anything.
 6 **Q. Why was your face swollen?**
 7 A. I don't know.
 8 **Q. Did you even know you had a swollen**
 9 **face when you went in to see him?**
 10 A. No, I did not.
 11 **Q. So you weren't in any fight where**
 12 **you got hit by anybody?**
 13 A. No, sir.
 14 **Q. Including your wife?**
 15 A. No, sir.
 16 **Q. What does it say under**
 17 **"Impression"?**
 18 A. "Soft tissue swelling over the left
 19 face likely from recent trauma. No
 20 significant findings in the brain."
 21 **Q. And did you get told that they had**
 22 **made no significant findings in your brain?**
 23 A. I wasn't told.
 24 **Q. So this is the first time you've**
 25 **learned that?**

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1 A. This is -- I'm reading this, and
 2 all I knew was about the swellings and that I
 3 had some trauma on the face.
 4 **Q. Well, you knew you were going for**
 5 **an MRI, didn't you?**
 6 A. Yes.
 7 **Q. Didn't they tell you the results of**
 8 **the MRI?**
 9 A. Basically they just -- they didn't
 10 tell me this part.
 11 **Q. So you go for an MRI, and you don't**
 12 **say to them, well, what did it show about my**
 13 **brain?**
 14 A. They didn't say I was normal.
 15 **Q. Well, what did they say?**
 16 A. I don't recall what they told me.
 17 **Q. Do you have some reason to think**
 18 **they would have told you anything other than**
 19 **what the findings are on the MRI report, that**
 20 **it was a normal brain?**
 21 MR. SCIOLLA: Object to the form.
 22 **Q. Are you comforted by the fact that**
 23 **those objective tests don't show anything**
 24 **wrong with your brain?**
 25 MR. SCIOLLA: Object to the form.

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| 146 | <p>1 A. Sitting here reading it like you 2 are. 3 Q. Does it make you feel better to 4 know that there's nothing wrong with your 5 brain? 6 MR. SCIOLLA: Object to the form. 7 A. It doesn't make me feel better, 8 because I still have other problems. I still 9 have the headaches and I still have things 10 that are wrong with me And still have the 11 other stuff that I deal with. There is 12 something going on up there. 13 Q. Do you think everybody who gets 14 headaches has brain damage? 15 MR. SCIOLLA: Object to the form, 16 calls for medical opinion. 17 You can answer. 18 Q. Does your wife get headaches? 19 A. Does what? 20 Q. Does your wife get headaches? 21 A. Does she get headaches? I guess. 22 I'm not sure. 23 MR. SCIOLLA: Jerry, if you're 24 going to switch topics if we can take a 25 break for a little bit; but if you are</p> | 148 | <p>1 AFTERNOON SESSION 2 (Time noted: 1:13 p.m.) 3 (LoGrasso Exhibit 13, Plaintiff 4 Vito LoGrasso's Supplemental Objections 5 and Responses to Defendant World 6 Wrestling Entertainment, Inc.'s First 7 and Second Set of Interrogatories, 8 marked for identification, this date.) 9 THE VIDEOGRAPHER: The time is 10 1:13 p.m. Back on the record. 11 VITO LOGRASSO, resumed. 12 EXAMINATION (Cont'd.) 13 BY MR. McDEVITT: 14 Q. Mr. LoGrasso, you understand you 15 are still under oath? 16 A. Yes, sir. 17 Q. And did you discuss your testimony 18 at lunchtime with anybody? 19 A. No, sir. 20 Q. I want to begin by clarifying 21 something I think I know the answer to, based 22 on your testimony this morning, but we will 23 start with, do you have Exhibit 1, the 24 complaint there, sir? The very first one I 25 gave you, this one.</p> |
| 147 | <p>1 still going on with this line, I can 2 wait a little bit. I just have to go to 3 the bathroom. 4 MR. McDEVITT: What time do you 5 guys want to break for lunch? You want 6 to do it now? 7 MR. SCIOLLA: If it's a good time 8 for you. 9 MR. McDEVITT: That's fine, we do 10 it now. Why don't we get back at 1:15 11 then. 12 MR. SCIOLLA: Great, perfect. 13 THE VIDEOGRAPHER: The time is 14 1:15. We're off the record. 15 (Lunch recess taken at 11:15 p.m.) 16 17 18 19 20 21 22 23 24 25</p> | 149 | <p>1 And if you would start there by 2 finding, if you will, paragraph 134, on page 3 37. 4 Do you see -- 5 A. Right there. 6 Q. And that paragraph, if you take a 7 minute and read that for a minute. 8 A. Read 134? 9 Q. Yes, sir. Just read that to 10 yourself for a minute. 11 A. Okay. 12 Q. Now, is that paragraph intending to 13 describe the match with Mr. Regal we've been 14 talking about this morning where you got 15 thrown in the metal steps? 16 A. Yes, I believe so. 17 Q. Now, just for a minute, I want to 18 clarify. 19 If you would look at the 20 interrogatory, the new exhibit I just gave 21 you. 22 A. This one? 23 Q. Yes, that one underneath that one. 24 First of all, that's Exhibit 14. 25 And if you look at the back page, sir, am I</p> |

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| 150 | <p>1 correct, that's your verification where you</p> <p>2 signed the --</p> <p>3 MR. SCIOLLA: 13, right?</p> <p>4 MR. McDEVITT: 14.</p> <p>5 Q. What number do you have?</p> <p>6 A. 13.</p> <p>7 Q. Exhibit 13, I'm sorry. You signed</p> <p>8 a verification attesting that the answers in</p> <p>9 that were true and correct, to the best of</p> <p>10 your belief, right? On the last page?</p> <p>11 A. I see my signature.</p> <p>12 Q. Okay. And what does it say above</p> <p>13 that?</p> <p>14 A. Okay.</p> <p>15 Q. Would you read out loud what it</p> <p>16 says?</p> <p>17 A. It says, "I, Vito LoGrasso, duly</p> <p>18 sworn, hereby verify that I have reviewed the</p> <p>19 above supplemental objections and responses</p> <p>20 to WWE's first set of interrogatories --</p> <p>21 interrogatories and requests for production.</p> <p>22 And they are true, accurate and complete, to</p> <p>23 the best of my knowledge."</p> <p>24 Q. All right. Now would you look,</p> <p>25 sir, to the answer that was given to</p> | 152 | <p>1 stipulate on the record that more</p> <p>2 information became available and they</p> <p>3 are discussing the same exact incident,</p> <p>4 just a new date and location was found.</p> <p>5 MR. McDEVITT: So the date is</p> <p>6 October 10th?</p> <p>7 MR. SCIOLLA: Correct.</p> <p>8 MR. McDEVITT: And the reason I'm</p> <p>9 confused. There is one more document</p> <p>10 that we will go through just to get</p> <p>11 clarification, and maybe you can verify</p> <p>12 this, too.</p> <p>13 MR. SCIOLLA: Sure.</p> <p>14 MR. McDEVITT: Mark this.</p> <p>15 (LoGrasso Exhibit 14, Plaintiffs'</p> <p>16 Evan Singleton and Vito LoGrasso's Brief</p> <p>17 in Opposition to Defendant World</p> <p>18 Wrestling Entertainment, Inc.'s Motion</p> <p>19 for Reconsideration of March 21, 2016</p> <p>20 Order with Respect to Singleton and</p> <p>21 LoGrasso v. World Wrestling</p> <p>22 Entertainment, Inc., marked for</p> <p>23 identification, this date.)</p> <p>24 Q. I've handed you what's been marked</p> <p>25 as Exhibit 14, and if I can, sir, I will just</p> |
| 151 | <p>1 interrogatory number 9 on page 9.</p> <p>2 This one. Okay.</p> <p>3 A. Thank you, sir.</p> <p>4 Q. And while you're reading, that</p> <p>5 basically asks you to identify the locale of</p> <p>6 the match that was referenced in paragraph</p> <p>7 134, the prior document that we talked about,</p> <p>8 the Regal match, okay? And if you would just</p> <p>9 take a minute and read your answer there.</p> <p>10 A. Okay. I read it.</p> <p>11 Q. In paragraph 134 the date of that</p> <p>12 match is said to be September of 2006, and</p> <p>13 then in your interrogatory answers, which you</p> <p>14 have verified, it seems to be correcting that</p> <p>15 date to October 10th; am I correct?</p> <p>16 A. There's two different dates.</p> <p>17 September 6, that's one date.</p> <p>18 Q. But it's asking you where, under</p> <p>19 paragraph, it's asking you about where</p> <p>20 paragraph 134 took place, and your answer</p> <p>21 indicates that perhaps the September date was</p> <p>22 wrong and October 10th is the day of the</p> <p>23 match.</p> <p>24 Am I understanding that correctly?</p> <p>25 MR. SCIOLLA: Yes, and I'll</p> | 153 | <p>1 turn -- this was recently filed with the</p> <p>2 court. And in this document, beginning on</p> <p>3 page 8, at the bottom, if you look, it is</p> <p>4 describing a match you had with Regal, but</p> <p>5 now it goes back to the September date.</p> <p>6 Do you see that, is that an error</p> <p>7 on your part?</p> <p>8 MR. SCIOLLA: That is an error. I</p> <p>9 don't know if it was reliance on the</p> <p>10 complaint.</p> <p>11 MR. McDEVITT: That's what I</p> <p>12 figured, but I wanted to make sure.</p> <p>13 Q. So that the date you claim that</p> <p>14 match occurred that you described this</p> <p>15 morning as hitting your head and the</p> <p>16 headaches follow and all the rest of it is</p> <p>17 the October 10th date; am I correct?</p> <p>18 MR. SCIOLLA: That is correct,</p> <p>19 counsel.</p> <p>20 Q. And if we could, sir, go back to,</p> <p>21 in terms of the I-roq answers?</p> <p>22 MR. SCIOLLA: 13 or 14?</p> <p>23 MS. LACY: Exhibit 13.</p> <p>24 MR. SCIOLLA: Thanks.</p> <p>25 Q. In your answers to interrogatory</p> |

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| 154 | <p>1 number 1, on page --</p> <p>2 A. 13.</p> <p>3 Q. Yes. I'm focusing on your answer</p> <p>4 to interrogatory number 1 here.</p> <p>5 A. All right.</p> <p>6 Q. Which asks you to identify all the</p> <p>7 dates on which you claim to have suffered a</p> <p>8 TBI while you performed for WWE or any other</p> <p>9 wrestling organization, persons involved in</p> <p>10 any matches in which each injury occurred,</p> <p>11 the location or venue where each injury</p> <p>12 occurred and how each such injury occurred."</p> <p>13 And am I correct, sir, that the</p> <p>14 only ones you identified specifically are the</p> <p>15 five matches you identify there beginning at</p> <p>16 the bottom of page 4 and going over to the</p> <p>17 top of page 5?</p> <p>18 A. Yes, sir.</p> <p>19 Q. And that includes the October 10th</p> <p>20 match with Mr. Regal we've been talking</p> <p>21 about, as well as a different September match</p> <p>22 with Mr. Regal, and apparently an August</p> <p>23 match with Mr. Regal, correct?</p> <p>24 A. Yes, sir.</p> <p>25 Q. And that was all in the program you</p> | 156 | <p>1 it's to the point where you are struck and</p> <p>2 you're selling it for the crowd. There are</p> <p>3 some instances where the impact gets a little</p> <p>4 bit too rough or it comes too forceful, but</p> <p>5 sometimes you really sell it like for real,</p> <p>6 like real life, like hey, man, I got hurt, I</p> <p>7 got stung, you hurt me.</p> <p>8 So to wrestling people who don't</p> <p>9 know, you do sell the moves and you do sell</p> <p>10 them when they're coming in. There are times</p> <p>11 when the, when you get hit that with so much</p> <p>12 force that you sell them like it's a real</p> <p>13 life shot, like you just explained, and, you</p> <p>14 know, that's selling.</p> <p>15 Q. You used the term in your answer,</p> <p>16 potato.</p> <p>17 A. Right.</p> <p>18 Q. By "potato," is that wrestler</p> <p>19 parlance for when somebody hits you really</p> <p>20 when they're not supposed to hit you?</p> <p>21 A. Yes, Mr. McDevitt, that is a</p> <p>22 potato.</p> <p>23 Q. And that's sort of a mistake that</p> <p>24 does happen, but it's not really intended,</p> <p>25 right?</p> |
| 155 | <p>1 were running with him?</p> <p>2 A. Yes, sir.</p> <p>3 Q. In terms of the wrestling</p> <p>4 vocabulary, what does the term "selling" mean</p> <p>5 to you?</p> <p>6 A. Selling?</p> <p>7 Q. Yes.</p> <p>8 A. Selling means when somebody does</p> <p>9 something offensive to you, you register it.</p> <p>10 Q. In other words, if I, if I make a</p> <p>11 move that is designed to look like I punched</p> <p>12 you, you sell it by having your head move</p> <p>13 back or some such thing; is that fair?</p> <p>14 A. Yes, sir.</p> <p>15 Q. And do you also often like a</p> <p>16 wrestler purports to kick you in the leg, for</p> <p>17 example, you sell that by indicating you're</p> <p>18 injured?</p> <p>19 A. Right. Yes, sir.</p> <p>20 Q. So it's a lot of different aspects</p> <p>21 to the performance to make it look real, but</p> <p>22 it's really not hurting you, it's just you're</p> <p>23 selling the idea of injury just as part of</p> <p>24 the match, right?</p> <p>25 A. When you sell something, it's to,</p> | 157 | <p>1 A. Well, Mr. McDevitt, you know as</p> <p>2 well as I do the first one is okay, the</p> <p>3 second one is okay. The third one I'm going</p> <p>4 to give you a receipt.</p> <p>5 Q. And what's the receipt mean?</p> <p>6 A. I'm going to give you one for every</p> <p>7 two potatoes you give me.</p> <p>8 Q. So am I understanding, there is</p> <p>9 sort of an unwritten code among wrestlers</p> <p>10 that you aren't supposed to be trying to hurt</p> <p>11 me; and if you do, I'm going to hurt you</p> <p>12 back?</p> <p>13 A. Yes, sir, you are correct.</p> <p>14 Q. But again, we talked about this</p> <p>15 morning if you are doing a program with</p> <p>16 Steven Regal, you and he want to both be able</p> <p>17 to perform the next night, right?</p> <p>18 A. We would like to.</p> <p>19 Q. And so the idea is not to hurt each</p> <p>20 other and put on a good show?</p> <p>21 A. That is the idea.</p> <p>22 Q. Now, I'm curious how you picked</p> <p>23 these five matches.</p> <p>24 Did you go through every match you</p> <p>25 had at WWE and pick these matches?</p> |

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| 158 | 160 |
| <p>1 A. No, sir. Those were the ones that 2 were most memorable, where I actually endured 3 some head shots, where I really did not know 4 what the hell was going on. And I got, as 5 you said, potato, or I got stiffed or I got 6 my bell rung.</p> <p>7 Q. So these in your mind are the most 8 significant indications of performances you 9 gave at WWE during your last run that 10 resulted in traumatic brain injuries?</p> <p>11 A. These are the ones that stick out 12 the most in my mind.</p> <p>13 Q. And you were trying to be thorough 14 when you did this, correct?</p> <p>15 A. Excuse me?</p> <p>16 Q. You were trying to be thorough when 17 did you this, I assume?</p> <p>18 A. Well, to know which matches, the 19 ones that I know I got rocked, I got my bell 20 rung, yes, I was trying to be as thorough as 21 possible.</p> <p>22 Q. And so then is it safe to assume 23 that there were many more matches that you 24 didn't feel you got rocked, in your parlance?</p> <p>25 A. Yes, sir, other matches where I</p> | <p>1 Q. I know you have. And you've had a 2 lot of hard core matches, too, haven't you?</p> <p>3 A. Not for a very long time.</p> <p>4 Q. I know you haven't had it for a 5 long time, but when you were a performer you 6 had a lot of hard core matches, didn't you?</p> <p>7 A. Yes, I had hard core matches. But 8 to the extent of what you're saying when you 9 brought up ECW and you brought up the 10 extreme, I know a lot of people are not 11 wrestling people.</p> <p>12 ECW is a very strong and very 13 violent organization and they carry 14 themselves to be, you know, over the top. So 15 when you're doing over-the-top stuff, you 16 know, that's good, because some of the 17 wrestlers did not know how to wrestle 18 conventionally, like Mr. McDevitt explained. 19 And conventional wrestling is where I was at 20 my best and, you know, for the guys who 21 needed to do the hard core stuff, they did 22 it. When you were asked to participate in 23 this type of wrestling, that's where you were 24 asked to do a little bit more and give your 25 heart and soul to the team.</p> |
| 159 | 161 |
| <p>1 feel like I did not get rocked or I did not 2 get as severely hit as I did in these 3 matches.</p> <p>4 Q. In fact, there are far more matches 5 not listed than are listed, correct?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Now you don't purport to list 8 matches elsewhere where you may have received 9 a TBI; is that correct?</p> <p>10 MR. SCIOLLA: Object to the form.</p> <p>11 A. They're not listed anywhere else, 12 no, sir.</p> <p>13 Q. If you had to list those, could you 14 do that?</p> <p>15 Let me put it another way. Aside 16 from WWE, aside from your time in WWE, when 17 you were performing for other organizations, 18 what is the most significant match you recall 19 being in where you got rocked, in your 20 parlance?</p> <p>21 A. I couldn't say off the top of my 22 head. I don't recall.</p> <p>23 Q. Were there any?</p> <p>24 A. Probably there were, you know, but 25 I mean I've had a lot of matches.</p> | <p>1 So conventional wrestling in ECW, I 2 did a majority of those matches, and then I 3 was asked to slide over into the hard core 4 matches with, you know, with different guys, 5 like I'll just say when I did Da Baldies.</p> <p>6 And then when I was in WCW I was a 7 conventional wrestler. As you know, I 8 wrestled tag team and then I wrestled as 9 singles. Then I went into the hard core 10 division because they asked me to, and then I 11 did my little stuff, I did my programs and 12 then I left the hard core division.</p> <p>13 So it wasn't that I did it every 14 day. I did it for small periods of time. 15 And, you know, being in the wrestling 16 business, Mr. McDevitt, you make your way 17 through the wrestling ranks being a good 18 solid wrestler, a guy that doesn't hurt 19 anybody. You take care of your guys. And as 20 you say, as you're saying, there it's the 21 code, and that's the way it goes. Getting a 22 potato, you take one, you take two, you might 23 a third. On the third one you might give it, 24 hey, lighten up. Hey, give me a break. Hey, 25 take it easy.</p> |

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| 162 | <p>1 But if the guy doesn't register the</p> <p>2 first one he gave and he give you a second</p> <p>3 one, he automatically knows there's a code</p> <p>4 and you say, hey, calm down. So I hope that</p> <p>5 was the best way I can explain it.</p> <p>6 Q. I appreciate your answer, but using</p> <p>7 a distinction you made, mat wrestling has</p> <p>8 meaning, doesn't it?</p> <p>9 A. It's gone.</p> <p>10 Q. You were a good mat wrestler,</p> <p>11 weren't you? That's sort of what you were</p> <p>12 just saying and you consider yourself skilled</p> <p>13 in that craft?</p> <p>14 A. Yes.</p> <p>15 Q. Holds and submission holds and all</p> <p>16 of those sorts of things?</p> <p>17 A. Yes, sir.</p> <p>18 Q. But then going back to your days in</p> <p>19 ECW and WCW, you did a lot of matches with</p> <p>20 Terry Funk, didn't you?</p> <p>21 A. I did. I ran a small program with</p> <p>22 Terry Funk that may have lasted three weeks,</p> <p>23 where we took the belt off him in one segment</p> <p>24 on a mitral entity I came back and I beat him</p> <p>25 in a singles on a Monday Night Nitro.</p> | 164 | <p>1 watch, none of it is from WWE.</p> <p>2 MR. SCIOLLA: Just so I understand.</p> <p>3 It's a collection of videos or it's one</p> <p>4 video?</p> <p>5 MR. McDEVITT: No, it's a</p> <p>6 collection from different matches.</p> <p>7 MS. LACY: It's clips, from the</p> <p>8 different matches from ECW and WCW.</p> <p>9 MR. SCIOLLA: You guys created this</p> <p>10 yourself?</p> <p>11 MS. LACY: Yes.</p> <p>12 MR. McDEVITT: From the films, yes.</p> <p>13 And we have a copy of what we are going</p> <p>14 to show you.</p> <p>15 Hang on just one minute here.</p> <p>16 (LoGrasso Exhibit 15, CD labeled,</p> <p>17 "LoGrasso Headshots Received-Full Reel,"</p> <p>18 marked for identification, this date.)</p> <p>19 MR. McDEVITT: Start now.</p> <p>20 (Video played.)</p> <p>21 Q. Do you agree, Mr. LoGrasso, that</p> <p>22 that film depicts you being hit on the head</p> <p>23 with various objects?</p> <p>24 MR. SCIOLLA: Object to the form.</p> <p>25 A. I'm sorry.</p> |
| 163 | <p>1 Q. These were hard core matches,</p> <p>2 weren't they?</p> <p>3 A. Right, for the title.</p> <p>4 Q. He's kind of a legendary hard core</p> <p>5 performer, isn't he?</p> <p>6 A. Yes, sir, he is.</p> <p>7 Q. He does tables, garbage cans,</p> <p>8 chairs.</p> <p>9 A. He is the man.</p> <p>10 Q. You are going to get hit with</p> <p>11 everything when you perform with him, aren't</p> <p>12 you?</p> <p>13 A. When he hits you, he hits you. You</p> <p>14 couldn't see, he hits you.</p> <p>15 Q. Let's do this, Mr. LoGrasso. We</p> <p>16 prepared a little reel here of you in ECW and</p> <p>17 WCW. And I want you to look at this and tell</p> <p>18 me whether it's depicting shots that you took</p> <p>19 when you performed in WCW and ECW. And I</p> <p>20 think you will be able to identify where they</p> <p>21 come from, both by the visual sight that</p> <p>22 tells you it's a the logo and Tony Chavonne,</p> <p>23 his voice, for example, was a commentator for</p> <p>24 WCW.</p> <p>25 So I think what you are about to</p> | 165 | <p>1 MR. McDEVITT: What's the</p> <p>2 objection?</p> <p>3 MR. SCIOLLA: Do you want me to</p> <p>4 speak all of my objections?</p> <p>5 MR. McDEVITT: You said it's a form</p> <p>6 objection. What is wrong with the form.</p> <p>7 MR. SCIOLLA: The form is that</p> <p>8 you're generalizing and being vague and</p> <p>9 lumping all of those into one question,</p> <p>10 many different events that you depicted</p> <p>11 in this creation of yours. So some</p> <p>12 seems like it was hit on the head and</p> <p>13 some others not.</p> <p>14 Q. Do you agree, Mr. LoGrasso, that</p> <p>15 that video you just saw depicts you being hit</p> <p>16 on the head with various objects?</p> <p>17 MR. SCIOLLA: Same objection.</p> <p>18 A. In that video I saw, a lot of the</p> <p>19 stuff was choreographed, and a lot of the</p> <p>20 stuff I did get hit on the head with objects.</p> <p>21 Q. You got hit on the head with</p> <p>22 garbage cans, correct?</p> <p>23 A. I saw a garbage can, yes.</p> <p>24 Q. Steel chair?</p> <p>25 A. I saw s steel chair.</p> |

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| 166 | <p>1 Q. Candlestick?</p> <p>2 A. I saw a candlestick.</p> <p>3 Q. Thrown into steel walls.</p> <p>4 A. I saw the wall.</p> <p>5 Q. Laying under a garage, Terry Funk</p> <p>6 hits you full bore with a chair right in the</p> <p>7 top of the head?</p> <p>8 A. Thank God, he hit the top of that</p> <p>9 steel door. I don't think I'd be here with</p> <p>10 that one.</p> <p>11 Q. You're claiming he didn't hit you</p> <p>12 in the head?</p> <p>13 A. Not that time.</p> <p>14 Q. Did you see the other ones where</p> <p>15 you lean in and take a full head shot from a</p> <p>16 chair?</p> <p>17 A. I've seen myself and my head down.</p> <p>18 Q. And did you see the chair bending</p> <p>19 when it hits your head?</p> <p>20 A. I saw that, sir.</p> <p>21 Q. Did that hurt when that happened?</p> <p>22 A. I would say that it stung. And</p> <p>23 when you're wrestling, when you're wrestling</p> <p>24 like that, you know, your body is like you</p> <p>25 become programmed to absorb that. And you</p> | 168 | <p>1 these people here, but you would understand</p> <p>2 it.</p> <p>3 Q. I understand you to be claiming</p> <p>4 you're suffering a consequence of voluntary</p> <p>5 actions that you took.</p> <p>6 That's basically what you're</p> <p>7 saying, isn't it?</p> <p>8 MR. SCIOLLA: Object to the form.</p> <p>9 Q. Nobody forced you to do any of</p> <p>10 that, did they?</p> <p>11 A. It was part of the script.</p> <p>12 Q. Well, you work some of that out</p> <p>13 with the wrestlers, don't you?</p> <p>14 A. You work it out with the wrestlers,</p> <p>15 and you work it out with the agents.</p> <p>16 Q. And if you didn't want to do it,</p> <p>17 you were free to tell them, I'm not going to</p> <p>18 take a chair shot to the head unprotected.</p> <p>19 Let me ask you this: Did you ever</p> <p>20 tell any of those people, when you were</p> <p>21 working through your matches beforehand, I'm</p> <p>22 not taking the chair shots, I'm not.</p> <p>23 Did you ever tell anybody that?</p> <p>24 A. You're asking me to the tell the</p> <p>25 truth, yeah.</p> |
| 167 | <p>1 know, Mr. McDevitt, like you brought out a</p> <p>2 few terms, and you said it's a badge of honor</p> <p>3 and a code, and you're not trying to hurt</p> <p>4 each other. And also there's a code</p> <p>5 backstage that you know of is that you don't</p> <p>6 complain, you don't open your mouth, and</p> <p>7 you're a tough guy and you got to take it.</p> <p>8 And if you complain, you go home, and if you</p> <p>9 complain, you lose your job.</p> <p>10 And I'm just speaking as a code and</p> <p>11 not anything else, that's aside from civilian</p> <p>12 life, but the wrestling life. And there are</p> <p>13 certain things you follow and there are</p> <p>14 certain rules that you follow; and when you</p> <p>15 live that life, that's the way you live your</p> <p>16 life. And sometimes, you know, you really</p> <p>17 don't take into consideration things, and you</p> <p>18 don't realize things as you're going through</p> <p>19 them; but it's later on that you realize what</p> <p>20 you did and what you went through, and you</p> <p>21 deal with the results of what your actions</p> <p>22 were. You know, in my case, banging against</p> <p>23 my head and stuff I deal with today, but</p> <p>24 that's the best way I answer it, you know, in</p> <p>25 terms of what you would understand; but not</p> | 169 | <p>1 Q. Who?</p> <p>2 A. Mr. McDevitt --</p> <p>3 Q. On those shots that you just saw,</p> <p>4 which one of them?</p> <p>5 A. No, no, you asked me --</p> <p>6 Q. No, I'm asking about that film that</p> <p>7 you saw. Don't tell me what I'm asking you,</p> <p>8 I'm asking you now.</p> <p>9 A. No, I don't --</p> <p>10 Q. You're going to answer my</p> <p>11 questions.</p> <p>12 A. I'm answering your question.</p> <p>13 Q. My question is, on the shots you</p> <p>14 just saw --</p> <p>15 A. I am answering your question, the</p> <p>16 first one.</p> <p>17 Q. What's my question? I didn't ask</p> <p>18 that question. I withdraw that question.</p> <p>19 Here's my question: On the shots</p> <p>20 you just saw of all those wrestlers hitting</p> <p>21 you on the head, the one you just saw, did</p> <p>22 you tell any of them that you did not want to</p> <p>23 do that?</p> <p>24 A. Of those shots to the head, I did</p> <p>25 not say that I did not want to do it.</p> |

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| 170 | <p>1 But the previous question was --</p> <p>2 Q. I'm not talking about the previous</p> <p>3 question.</p> <p>4 A. You asked me --</p> <p>5 Q. That's the only answer I need, the</p> <p>6 answer to that question.</p> <p>7 MR. SCIOLLA: Let the witness</p> <p>8 answer.</p> <p>9 MR. McDEVITT: I'm not asking</p> <p>10 another question. That was the question</p> <p>11 I asked.</p> <p>12 MR. SCIOLLA: He's not done with --</p> <p>13 MR. McDEVITT: I'm entitled to</p> <p>14 answers to the questions I ask, not the</p> <p>15 ones he poses.</p> <p>16 MR. SCIOLLA: He answered the</p> <p>17 question.</p> <p>18 MR. McDEVITT: No, he's going to a</p> <p>19 previous question.</p> <p>20 MR. SCIOLLA: You're not entitled</p> <p>21 to tell him when he's done with his</p> <p>22 answer.</p> <p>23 MR. McDEVITT: I'm entitled to a</p> <p>24 witness that doesn't evade answers.</p> <p>25 He answered my question, I'm on to</p> | 172 | <p>1 Q. Let me ask you this, Mr. LoGrasso:</p> <p>2 Were you forced to hit people on the head?</p> <p>3 A. No, I was not forced to hit people</p> <p>4 on the head.</p> <p>5 Q. Did you take garbage cans and smash</p> <p>6 them over people's heads in the ECW and WCW?</p> <p>7 A. Sorry?</p> <p>8 Q. Did you take garbage cans and</p> <p>9 chairs and foreign objects and hit people</p> <p>10 over the head in ECW and WCW?</p> <p>11 A. Those are the types of matches I</p> <p>12 was in.</p> <p>13 Q. So you did to others exactly what</p> <p>14 we saw being done to you, right?</p> <p>15 A. Right. And if there was something</p> <p>16 that somebody did not like or did not want to</p> <p>17 do, I did not do it. And if I was asked if I</p> <p>18 wanted to do something, I did not do it, and</p> <p>19 I told the people I didn't want to do it.</p> <p>20 So there was an instance where</p> <p>21 somebody did not want to do something, you</p> <p>22 didn't do it. If somebody asked me to do</p> <p>23 something and I didn't want to do it, there</p> <p>24 is nobody on God's green earth is going to</p> <p>25 make me do it.</p> |
| 171 | <p>1 the next one.</p> <p>2 MR. SCIOLLA: You can wait until</p> <p>3 he's done. He's given you the courtesy</p> <p>4 of listening to your questions.</p> <p>5 MR. McDEVITT: I'm not going to sit</p> <p>6 here while he does open field running on</p> <p>7 answering things that haven't been asked</p> <p>8 him.</p> <p>9 MR. SCIOLLA: Maybe you have some</p> <p>10 better questions.</p> <p>11 MR. McDEVITT: The problem isn't</p> <p>12 with the question, it's with the</p> <p>13 answers.</p> <p>14 MR. SCIOLLA: Okay, if you say so.</p> <p>15 Q. It's pretty straightforward.</p> <p>16 Did you tell anybody on that film</p> <p>17 not to hit you on the head? That's about as</p> <p>18 straightforward a question as you can get.</p> <p>19 It's either yes or no.</p> <p>20 MR. SCIOLLA: Now that you've</p> <p>21 revised it four times.</p> <p>22 MR. McDEVITT: I didn't revise it.</p> <p>23 MR. SCIOLLA: Yes, you did.</p> <p>24 MR. McDEVITT: No, I didn't revise</p> <p>25 it.</p> | 173 | <p>1 Q. So from your answer, then, I take</p> <p>2 it you wanted to do everything we just saw?</p> <p>3 A. I did what was asked of me.</p> <p>4 Q. Well, you just said nobody on God's</p> <p>5 green earth would make you do it, if you</p> <p>6 didn't want to do it.</p> <p>7 A. That's right. This was my job, but</p> <p>8 I did what was asked of me.</p> <p>9 Q. And did you just say, nobody could</p> <p>10 have made you do that, if you didn't want to</p> <p>11 do it?</p> <p>12 That's what you just said, isn't</p> <p>13 it?</p> <p>14 A. I was answering your first</p> <p>15 question.</p> <p>16 Q. Now --</p> <p>17 MR. McDEVITT: Let's play the --</p> <p>18 (Discussion off the record.)</p> <p>19 MR. McDEVITT: I'm going to</p> <p>20 condense that prior tape.</p> <p>21 MS. LACY: Can you please play the</p> <p>22 top five clip, please.</p> <p>23 (LoGrasso Exhibit 16, CD labeled,</p> <p>24 "LoGrasso Top Hits-Received," marked for</p> <p>25 identification, this date.)</p> |

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| 174 | <p>1 MR. McDEVITT: Mr. LoGrasso, we are</p> <p>2 going to mark as 16. This is another</p> <p>3 video compilation. Most of what you are</p> <p>4 going to see on this one, if not all,</p> <p>5 you've seen in the longer one, but these</p> <p>6 are I think five specific shots I want</p> <p>7 to ask you questions about.</p> <p>8 THE WITNESS: Yes, sir.</p> <p>9 MR. SCIOLLA: Just for</p> <p>10 clarification, these are all still WCW?</p> <p>11 MS. LACY: Yes. They are all from</p> <p>12 WCW or ECW, and they are all contained</p> <p>13 in the former reel.</p> <p>14 MR. SCIOLLA: Got you.</p> <p>15 (Videotape played.)</p> <p>16 Q. You saw again that shot, Terry Funk</p> <p>17 hitting you with the chair, right?</p> <p>18 A. Uh-huh.</p> <p>19 Q. And you reached up and grabbed your</p> <p>20 head, right?</p> <p>21 A. Uh-huh.</p> <p>22 Q. Again, you have to respond</p> <p>23 verbally, because he can't --</p> <p>24 A. I'm sorry.</p> <p>25 Q. Yes or no?</p> | 176 | <p>1 selling, you're getting flat out smashed on</p> <p>2 the head with chairs and bend when you get</p> <p>3 hit, aren't you?</p> <p>4 MR. SCIOLLA: Object to the form.</p> <p>5 A. I thought I was selling. Maybe it</p> <p>6 was a poor job of selling it.</p> <p>7 Q. Put it this way: You're selling,</p> <p>8 but you're really getting hit on the head.</p> <p>9 It's not fake, you're getting smashed on the</p> <p>10 head, aren't you?</p> <p>11 A. Yes.</p> <p>12 MR. SCIOLLA: Object to the form.</p> <p>13 Q. And do you see them bend?</p> <p>14 A. Yes, I saw them.</p> <p>15 Q. And you saw the one garbage can he</p> <p>16 hit you with three times and it bends?</p> <p>17 Did you see stars when that was</p> <p>18 happening?</p> <p>19 A. I don't recall if I saw stars. It</p> <p>20 was a long time ago.</p> <p>21 Q. Did you go to any doctor after any</p> <p>22 of those and say, my bell was rung?</p> <p>23 A. No.</p> <p>24 Q. And you didn't think any of that</p> <p>25 had any consequence to your health?</p> |
| 175 | <p>1 A. I'm sorry. Yes, I saw the tape.</p> <p>2 Q. And are you saying that he really</p> <p>3 didn't hit you on the head?</p> <p>4 A. He did not hit me on the head, he</p> <p>5 hit the door.</p> <p>6 Q. So when you reached out to hold</p> <p>7 your head, was that selling?</p> <p>8 A. Yes.</p> <p>9 Q. So you're faking getting hit on the</p> <p>10 head?</p> <p>11 A. Yes.</p> <p>12 Q. So somebody watching that wouldn't</p> <p>13 know whether you are faking or whether you</p> <p>14 are selling, right?</p> <p>15 A. Right. They would believe that I</p> <p>16 got hit on the head.</p> <p>17 Q. And that's the whole idea, right?</p> <p>18 So if somebody sitting ringside or anybody</p> <p>19 watching that would think you didn't get hit</p> <p>20 on the head, right?</p> <p>21 MR. SCIOLLA: Object to the form.</p> <p>22 A. I got hit on the head. Anybody</p> <p>23 watching would see I got hit on the head,</p> <p>24 because I sold it.</p> <p>25 Q. And there is other ones you're not</p> | 177 | <p>1 A. No. Back then I wasn't educated</p> <p>2 like I am today.</p> <p>3 Q. Let me ask you now, having watched</p> <p>4 that, sir, with these symptoms that you say</p> <p>5 you have now, how do you know the symptoms</p> <p>6 you have now weren't caused by what you just</p> <p>7 watched on that film?</p> <p>8 MR. SCIOLLA: Object to the form.</p> <p>9 A. I wasn't educated to what getting</p> <p>10 hit in the head would do to you later on in</p> <p>11 life.</p> <p>12 Q. I heard that answer. Now you want</p> <p>13 to answer the question I asked you?</p> <p>14 A. I just did answer the question.</p> <p>15 Q. How do you know that the symptoms</p> <p>16 you're having weren't caused by what you just</p> <p>17 saw?</p> <p>18 MR. SCIOLLA: Same objection to the</p> <p>19 form.</p> <p>20 A. Nobody knows. I don't know.</p> <p>21 Q. Did you sue WCW?</p> <p>22 A. No, I did not.</p> <p>23 Q. Why not?</p> <p>24 MR. SCIOLLA: Object to the form.</p> <p>25 And to the extent it goes into any</p> |

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| 178 | <p>1 attorney-client communications as to 2 your decisions on suing and who to sue, 3 I'll instruct you not to answer the 4 question. 5 MR. McDEVITT: That's coaching the 6 witness. 7 MR. SCIOLLA: No that's posing an 8 objection. 9 Q. Why didn't you sue ECW? 10 MR. SCIOLLA: And I'll instruct you 11 again, to the extent it goes into the 12 attorney-client privilege, don't answer 13 the question. 14 Q. Do you have a reason, Mr. LoGrasso, 15 you didn't sue WCW? 16 MR. SCIOLLA: Same objection, same 17 instruction. 18 Q. Are you going to answer or not? 19 MR. SCIOLLA: He's asking you if 20 you are going listen to my instruction. 21 THE WITNESS: I am listening to 22 your objection. 23 Q. So you are not going to answer my 24 question as to why -- 25 A. My attorney advised me not to</p> | 180 | <p>1 shot where that ended Bret Hart's career and 2 changed his life. And you really can't judge 3 when you're going to get hit a certain way or 4 a certain reaction you are going to have 5 after a hit. So the stuff that I presented 6 here is stuff, is the stuff that I presented, 7 and I thought I was being, that's when life 8 changed for me. 9 Q. What was the question I just asked 10 you? 11 THE WITNESS: I don't know. Can 12 you repeat it? 13 Q. Can you just try to answer the 14 questions I ask you, rather than speeches you 15 want to give? 16 A. Can I have the question repeated to 17 me. 18 MR. McDEVITT: Read it back. 19 (A portion of the record was read.) 20 A. Visually, it probably looks bad. 21 Q. It not just looks bad, he's hitting 22 you in the head with chairs isn't he? 23 MR. SCIOLLA: Objection, asked and 24 answered. 25 A. I did get hit with a chair.</p> |
| 179 | <p>1 answer your question, Mr. McDevitt. 2 Q. No, he advised you not to answer 3 the question if it would disclose 4 conversations you had with him. I'm not 5 asking you to disclose conversations you had 6 with him. 7 I'm asking you, why you didn't sue 8 WCW? 9 MR. SCIOLLA: If you have 10 independent knowledge absent 11 communications with your attorneys, then 12 you can answer his question. If you 13 don't, then tell him that you can't. 14 A. I did not sue WCW. You're asking 15 me why I didn't sue WCW. I don't have a 16 rhyme or reason why I didn't. 17 Q. Would you agree with me, Mr. 18 LoGrasso, what we just saw happening to your 19 head in the tapes that we just watched is far 20 worse than anything we're going to see in the 21 five matches that you identified at WWE? 22 MR. SCIOLLA: Object to the form. 23 A. The best way I could explain is the 24 video you showed of the Bret Hart and 25 Goldberg, where it took that one particular</p> | 181 | <p>1 Q. And you didn't get hit in the head 2 with chairs in any of these matches with WCW 3 or WWE, do you? 4 A. I got hit with the chairs and then 5 a lot of times when you are hit with the 6 direct impact from a person, it comes with a 7 lot greater force. 8 Q. Do you have a hard time answering 9 questions directly, sir? The question was 10 very simple. 11 MR. SCIOLLA: Please don't bully 12 the witness. 13 Q. The question was very simple. 14 Did you get hit on the head with 15 the chairs with the WWE? That's a very 16 straightforward, simple question. Can you 17 answer that? 18 A. Mr. McDevitt, I did not get hit 19 with a chair in WWE. 20 Q. Thank you. That was very easy, 21 wasn't it? 22 A. You're very welcome. 23 Q. If we were to watch these matches 24 that you identified for WWE, the ones that 25 you supposedly got hurt in, will we see you</p> |

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| 182 | <p>1 dancing, for example?</p> <p>2 A. I'm sorry, if you can say that</p> <p>3 again, sir.</p> <p>4 Q. If we were to watch these matches</p> <p>5 that you say you were hurt in at WWE, at the</p> <p>6 end of the matches would we see you in the</p> <p>7 ring dancing all over the ring, being very</p> <p>8 happy?</p> <p>9 A. I don't know. I'll have to watch</p> <p>10 the match and see.</p> <p>11 Q. Do you think anybody watching a</p> <p>12 match and seeing you after the finish dancing</p> <p>13 around the ring and flopping your skirt you</p> <p>14 up and laughing and playing to the crowd</p> <p>15 would think you suffered an injury?</p> <p>16 MR. SCIOLLA: Object to the form,</p> <p>17 calls for speculation.</p> <p>18 A. Well, it's kind of like the example</p> <p>19 you used earlier with Bret Hart and Goldberg,</p> <p>20 when he got hit with that kick, he finished</p> <p>21 the match and he got out of there. Nobody</p> <p>22 knew he was hurt until he went to the back.</p> <p>23 Q. You didn't see him dancing, did</p> <p>24 you?</p> <p>25 A. Hmm?</p> | 184 | <p>1 will talk about it afterwards?</p> <p>2 MR. McDEVITT: Afterward.</p> <p>3 MR. SCIOLLA: Okay.</p> <p>4 MR. McDEVITT: You can stop it.</p> <p>5 MS. LACY: I don't want to</p> <p>6 interrupt the clip, but these are the</p> <p>7 matches.</p> <p>8 (LoGrasso Exhibit 17, CD labeled,</p> <p>9 "LoGrasso Interrogatory Matches," marked</p> <p>10 for identification, this date.)</p> <p>11 Q. You agree with me, Mr. LoGrasso,</p> <p>12 that at the end of that match you were</p> <p>13 dancing around the ring and giving the</p> <p>14 appearance of being happy and fine with the</p> <p>15 outcome of the match?</p> <p>16 A. I finished the match. I was</p> <p>17 dancing in the ring.</p> <p>18 Q. Did you appear to be happy?</p> <p>19 A. That was my persona to be happy.</p> <p>20 Q. Playing to the crowd?</p> <p>21 A. Yes, sir.</p> <p>22 Q. Do you think that portrayed a</p> <p>23 wrestler who had just suffered a traumatic</p> <p>24 brain injury?</p> <p>25 A. I finished the match. It's not</p> |
| 183 | <p>1 Q. You didn't see him dancing around,</p> <p>2 did you?</p> <p>3 MR. SCIOLLA: On the clip that you</p> <p>4 played?</p> <p>5 MR. McDEVITT: Yeah.</p> <p>6 A. No. That wasn't his gimmick to</p> <p>7 dance around afterwards.</p> <p>8 MS. LACY: Do you want to play the</p> <p>9 August 1st?</p> <p>10 MR. McDEVITT: The August.</p> <p>11 MS. LACY: Can you please play --</p> <p>12 MR. McDEVITT: We're going to play</p> <p>13 now --</p> <p>14 MS. LACY: The match, the 8/29/2006</p> <p>15 full match.</p> <p>16 Q. And when you watch this, Mr.</p> <p>17 LoGrasso, please tell me where you think in</p> <p>18 the match you received head trauma.</p> <p>19 MR. SCIOLLA: Are we watching the</p> <p>20 whole thing?</p> <p>21 MR. McDEVITT: Yes.</p> <p>22 (Video played.)</p> <p>23 MR. SCIOLLA: Just to make sure</p> <p>24 he's clear on the instructions, do you</p> <p>25 want him to stop when it happens, or we</p> | 185 | <p>1 until afterwards when you get back to the</p> <p>2 ring. It's not to say that I wasn't dizzy or</p> <p>3 rocked in the ring or my head wasn't</p> <p>4 spinning. Just like you indicated in the</p> <p>5 Bret Hart match, he got up and finished his</p> <p>6 match. I did the same thing.</p> <p>7 Q. Bret Hart actually, in fact,</p> <p>8 suffered a severe concussion, and he didn't</p> <p>9 dance in the ring.</p> <p>10 Where did you get hurt in there?</p> <p>11 A. But you said that Bret Hart was</p> <p>12 selling after the kick, which he did. You</p> <p>13 saw he got the kick, which he made a</p> <p>14 reference to. He got up and he finished the</p> <p>15 match. So I was taking the blows to the</p> <p>16 head, and I got up afterwards, after I was</p> <p>17 done with my match. I continued and I did</p> <p>18 what I was supposed to do.</p> <p>19 Q. Where did you take blows to the</p> <p>20 head?</p> <p>21 A. You didn't see any of the blows to</p> <p>22 the head, you didn't see shots?</p> <p>23 Q. No. Tell me where the blows to the</p> <p>24 head occurred.</p> <p>25 Were they punches?</p> |

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| 186 | <p>1 A. Say it again?</p> <p>2 Q. Were they punches?</p> <p>3 A. The knees.</p> <p>4 Q. So you think you got kneed in the</p> <p>5 head?</p> <p>6 A. Uh-huh.</p> <p>7 Q. What else?</p> <p>8 A. Knees, just basically the knees.</p> <p>9 The elbow.</p> <p>10 Q. Knees and elbows? So he potatoed</p> <p>11 you?</p> <p>12 Is that what you call it?</p> <p>13 A. I guess, yeah.</p> <p>14 Q. It wasn't called for him to hit you</p> <p>15 like that, was it?</p> <p>16 A. No.</p> <p>17 Q. Did you tell him afterwards that,</p> <p>18 you know, you hit me twice, you're going to</p> <p>19 get a receipt now?</p> <p>20 A. No.</p> <p>21 Q. I thought that was the rule of</p> <p>22 wrestling.</p> <p>23 A. It is a rule of wrestling, but I</p> <p>24 couldn't do it right then and there.</p> <p>25 Q. Did you tell him afterwards?</p> | 188 | <p>1 can't recall where I gave him the potato. If</p> <p>2 you ask me for a potato receipt, I can't</p> <p>3 exactly say.</p> <p>4 Q. Did you, when you came out of that</p> <p>5 match, were you, was your bell rung, as you</p> <p>6 call it?</p> <p>7 A. I went back to the doctor</p> <p>8 afterwards, you know, and, you know, a lot of</p> <p>9 times at the matches with him I would go back</p> <p>10 to the, go back and I would tell Dr. Rios,</p> <p>11 you know, if I could ask for some Tylenol</p> <p>12 and, you know, and on those knee shots I know</p> <p>13 I bang in the face and head.</p> <p>14 Q. What's the question I just asked</p> <p>15 you?</p> <p>16 A. Huh.</p> <p>17 Q. What's the question I just asked</p> <p>18 you?</p> <p>19 A. Can you repeat the question?</p> <p>20 Q. Could you please again answer the</p> <p>21 question you're asked rather than speeches.</p> <p>22 Answer the question you're asked, sir.</p> <p>23 (A portion of the record was read.)</p> <p>24 A. My bell was rung. It was how I had</p> <p>25 a headache afterwards.</p> |
| 187 | <p>1 A. There was nothing to say</p> <p>2 afterwards.</p> <p>3 Q. Well, you could have said you gave</p> <p>4 me two potatoes, next time you're going to</p> <p>5 get it.</p> <p>6 A. But that's a silent code, Mr.</p> <p>7 McDevitt, like you stated yourself.</p> <p>8 Q. Well, I don't know if it's a silent</p> <p>9 code. I thought you said you tell somebody,</p> <p>10 if they do that.</p> <p>11 A. Say it again?</p> <p>12 Q. I thought you said you would let</p> <p>13 him know that you are going to get a receipt?</p> <p>14 A. You let them know when the next.</p> <p>15 Q. Did you give him a receipt?</p> <p>16 A. In that match, no.</p> <p>17 Q. Any of the subsequent matches, did</p> <p>18 you?</p> <p>19 A. It got physical in there.</p> <p>20 Q. Did you give him a receipt?</p> <p>21 A. I hit him just as hard as he hit</p> <p>22 me.</p> <p>23 Q. Which match was that?</p> <p>24 A. I believe in the rest of the</p> <p>25 matches I think I fired up a few times. I</p> | 189 | <p>1 Q. And when you say "bell rung," what</p> <p>2 do think that means?</p> <p>3 A. You are hit pretty hard, you're</p> <p>4 rocked, you don't know where you are.</p> <p>5 Q. And you know you don't have a bell</p> <p>6 in your head, correct? So when you say that,</p> <p>7 what do you think is the part of your body</p> <p>8 that has been injured?</p> <p>9 A. It's an expression, Mr. McDevitt.</p> <p>10 Q. I understand it's an expression,</p> <p>11 but it's designed to express the idea that</p> <p>12 your brain has been hurt, isn't it?</p> <p>13 A. Well, if you would like to say your</p> <p>14 brain got scrambled, if you would like me to</p> <p>15 say that instead, I'll do that.</p> <p>16 Q. Well, did you ever feel that your</p> <p>17 brain had gotten scrambled?</p> <p>18 A. Yeah, there are times when my brain</p> <p>19 has been scrambled, and there are times when</p> <p>20 my brain did feel like everything moved</p> <p>21 around inside it.</p> <p>22 Q. So you understand you're having an</p> <p>23 injury to your brain?</p> <p>24 A. You understand it, but you don't</p> <p>25 know, because you're not educated to the</p> |

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| 190 | <p>1 extent of what's going on.</p> <p>2 Q. Well, you have doctors you can ask,</p> <p>3 don't you?</p> <p>4 A. That's why Dr. Rios was my</p> <p>5 physician at the time. And when I asked for</p> <p>6 aspirin, I told them I needed, I was feeling</p> <p>7 a little woozy, and I needed to go to him and</p> <p>8 ask him for things. You know, give me the</p> <p>9 Tylenol, like I needed. I told him I needed</p> <p>10 to take an shower to cool down, you know, to</p> <p>11 get myself together. So I was talking to a</p> <p>12 doctor.</p> <p>13 Q. But you had never told Dr. Rios,</p> <p>14 and you signed interrogatories saying you</p> <p>15 never sought treatment for any head injury</p> <p>16 from Dr. Rios, so --</p> <p>17 MR. SCIOLLA: Object to the form.</p> <p>18 Q. -- why didn't you ask your own</p> <p>19 personal physician what any of this meant?</p> <p>20 A. Because I was seeing Dr. Rios and</p> <p>21 he was the doctor on staff, and he was the</p> <p>22 gentleman who was taking care of me.</p> <p>23 Q. Who was Dr. Tambour?</p> <p>24 A. He was my home physician.</p> <p>25 Q. Your personal physician?</p> | 192 | <p>1 A. So having a headache and asking for</p> <p>2 aspirin and feeling woozy is not in any way</p> <p>3 an injury.</p> <p>4 Q. Sometimes I go and say I have a</p> <p>5 headache, that doesn't say I have an injury.</p> <p>6 Did you go to him and say, I have a head</p> <p>7 injury? And you said repeatedly --</p> <p>8 MR. SCIOLLA: Object to the form.</p> <p>9 Q. -- in your I-rogs that you did not</p> <p>10 do so.</p> <p>11 Which is it, Mr. LoGrasso?</p> <p>12 MR. SCIOLLA: Object to the form,</p> <p>13 compound.</p> <p>14 Q. Well, under oath you said,</p> <p>15 "Plaintiff states he did not seek or receive</p> <p>16 any treatment immediately following those</p> <p>17 occasions identified in the previous</p> <p>18 response." And that's the five times we're</p> <p>19 talking about.</p> <p>20 So you didn't seek any treatment</p> <p>21 for any kind of head injury, did you?</p> <p>22 A. I didn't know I had a head injury.</p> <p>23 THE WITNESS: Excuse me. May I use</p> <p>24 the men's room?</p> <p>25 MR. McDEVITT: Absolutely.</p> |
| 191 | <p>1 A. Right.</p> <p>2 Q. And is there some reason you could</p> <p>3 not ask him any question you wanted to ask</p> <p>4 him?</p> <p>5 A. No, because I was seeking the</p> <p>6 advice from the physician, Dr. Rios.</p> <p>7 Q. You were even told Dr. Rios wasn't</p> <p>8 your personal physician, weren't you?</p> <p>9 A. Hmm?</p> <p>10 Q. You were even told that Dr. Rios</p> <p>11 wasn't your personal physician, weren't you?</p> <p>12 A. You're right. He wasn't my</p> <p>13 personal physician.</p> <p>14 Q. And your personal -- he told you,</p> <p>15 your personal physician is the one you have</p> <p>16 to go to for personal kind of information,</p> <p>17 not Dr. Rios.</p> <p>18 MR. SCIOLLA: Object to the form.</p> <p>19 Q. You knew that.</p> <p>20 A. That's after the point.</p> <p>21 Q. No, during the time you were</p> <p>22 performing, you were told, Dr. Rios isn't</p> <p>23 your personal physician. He's here to</p> <p>24 treat-in-ring injuries.</p> <p>25 You were told that, weren't you?</p> | 193 | <p>1 THE WITNESS: Thank you.</p> <p>2 THE VIDEOGRAPHER: The time is</p> <p>3 2:04 p m. We're off the record.</p> <p>4 (A brief recess was taken.)</p> <p>5 (LoGrasso Exhibit 18, Memorandum</p> <p>6 dated 6/19/06, marked for</p> <p>7 identification, this date.)</p> <p>8 THE VIDEOGRAPHER: The time is</p> <p>9 2:09 p m. Back on the record.</p> <p>10 Q. Mr. LoGrasso, you've been handed</p> <p>11 what's been marked as Exhibit 18.</p> <p>12 Have you had a chance to look at</p> <p>13 that document?</p> <p>14 A. I can look at it now.</p> <p>15 Q. Sure.</p> <p>16 Have you finished reading it, sir?</p> <p>17 A. Yes, I have.</p> <p>18 Q. Do you recall getting this memo?</p> <p>19 A. No, I do not recall getting the</p> <p>20 memo.</p> <p>21 Q. Do you have any reason to dispute</p> <p>22 that you did? Do you have any specific</p> <p>23 reason to dispute that you would have gotten</p> <p>24 this?</p> <p>25 A. I don't remember getting it, to be</p> |

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1 honest with you.
 2 **Q. Were you with the company in**
 3 **June of 2006?**
 4 A. Yes, sir.
 5 **Q. Do you recall ever getting sort of**
 6 **memorandums from the talent booking office?**
 7 A. I would get some.
 8 **Q. And how would they be delivered to**
 9 **you?**
 10 A. I think, if I remember, it's been a
 11 long time, I think maybe they were in your
 12 travel envelope when, your yellow envelope
 13 when you got your schedule, your booking
 14 schedule. That's the one way I might have
 15 gotten it.
 16 I think that's the way -- I'm not
 17 sure. I'm not sure.
 18 **Q. And am I correct, this memo tells**
 19 **talent it was sent to, "Dr. Rios is not the**
 20 **personal physician for any WWE employee,**
 21 **talent or production personnel and cannot be**
 22 **regarded as such."**
 23 **That's what it says, correct?**
 24 A. That's what it says, yeah.
 25 **Q. And was that your understanding,**

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1 **too, that he was not your personal physician?**
 2 A. Yes, sir.
 3 (LoGrasso Exhibit 19, Document
 4 entitled, "World Wrestling
 5 Entertainment, Inc., Booking Contract,"
 6 Bates Nos. WWE_SING00000307 through
 7 WWE_SING00000332, marked for
 8 identification, this date.)
 9 (Discussion off the record.)
 10 **Q. Mr. LoGrasso, I've handed you what**
 11 **had been marked as Exhibit 19, which I**
 12 **believe to be a copy of your contract that**
 13 **you signed with WWE. If you would like to**
 14 **verify that, you can leaf back to page 22 and**
 15 **just confirm that that is, in fact, your**
 16 **signature on the contract?**
 17 A. Yes, sir.
 18 **Q. And am I correct that you signed**
 19 **that to indicate your agreement with the**
 20 **terms of this contract?**
 21 A. If you could say that once more.
 22 **Q. Sir, am I correct, you signed that**
 23 **to indicate your agreement with the terms of**
 24 **this contract?**
 25 A. Yes.

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1 **Q. And would you turn, sir, to page**
 2 **9 -- or page 14, section 9.5.**
 3 A. 9.5, you said?
 4 **Q. 9.5 under the paragraph "A**
 5 **Wrestler's Obligation."**
 6 **And am I correct that that**
 7 **paragraph reads as follows: "Wrestlers shall**
 8 **take such precautions as are appropriate to**
 9 **avoid any unreasonable risk of injury to**
 10 **himself and others in any and all events.**
 11 **These precautions shall include without**
 12 **limitation prematch review of all wrestling**
 13 **moves and maneuvers with wrestling partners**
 14 **and opponents and prematch demonstration**
 15 **and/or practice with wrestling partners and**
 16 **opponents to ensure familiarity with**
 17 **anticipated wrestling moves and maneuvers**
 18 **during a wrestling match. In the event of**
 19 **injury to wrestler, and/or wrestler's**
 20 **partners and opponents during a wrestling**
 21 **match, wrestler shall immediately signal**
 22 **partner, opponent and/or referees that it is**
 23 **time for the match to end, and wrestler shall**
 24 **finish the match forthwith so as to avoid**
 25 **aggravation of such injury."**

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1 **Did I read that correctly?**
 2 A. Yes, you did.
 3 **Q. Did you comply with that paragraph**
 4 **when you were performing for WWE?**
 5 A. I believe so.
 6 **Q. And in terms of prematch review of**
 7 **wrestling moves and maneuvers with your**
 8 **partners, that's sort of what we talked about**
 9 **before, that you go over what you're going to**
 10 **do in the match?**
 11 A. Right.
 12 **Q. So that neither of you is,**
 13 **generally speaking, surprised by what**
 14 **happens, and you can all sort of do a good**
 15 **match and sell what you're supposed to sell**
 16 **and do what you're supposed to do, correct?**
 17 A. Yes, sir.
 18 **Q. And were you aware of this**
 19 **provision that if you were hurt, you were**
 20 **supposed to signal that you were hurt to the**
 21 **referee?**
 22 A. Yes, you know about the signal.
 23 **Q. What is the signal that the referee**
 24 **then gives, if a wrestler tells the referee**
 25 **that he's hurt? What happens?**

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| 198 | <p>1 A. Well, one of two things that 2 happen. If I just bring up a name, Charles 3 Robinson is one I'm familiar with it. So if 4 you tell Charles, if a guy takes a bad bump, 5 does something, he will go over and ask the 6 guy if he's okay. He will back up the 7 wrestler, make sure, you know, give him a 8 couple of seconds just to get his mind 9 together.</p> <p>10 If he sees the wrestler is hurt and 11 can't go on, he will do the X signal, to 12 signal that the match is going to be over. 13 So basically that would be what would happen 14 during the match with what we're doing.</p> <p>15 Q. In your experience, have you seen 16 that happen?</p> <p>17 A. I've seen it happen once or twice.</p> <p>18 Q. And there's been some pretty famous 19 in-ring injuries through time, hasn't there?</p> <p>20 A. There's been some famous injuries, 21 yes.</p> <p>22 Q. For example, are you aware of what 23 happened to Stone Cold with Owen Hart?</p> <p>24 A. Yes, I was.</p> <p>25 Q. And that was one of those examples</p> | 200 | <p>1 Q. And for example, have you ever seen 2 the Undertaker's move, where he turns a 3 fellow upside down?</p> <p>4 A. The Tombstone.</p> <p>5 Q. The Tombstone? Have you ever had 6 that move performed on you?</p> <p>7 A. Yes.</p> <p>8 Q. Would it be fair to say that for 9 the wrestler who is in the position of 10 receiving the Tombstone, that is pretty much 11 an ultimate act of trust that he's putting in 12 an Undertaker to execute that move correctly, 13 isn't he?</p> <p>14 A. Yes, sir.</p> <p>15 Q. If the Undertaker doesn't execute 16 that move correctly, that wrestler risks 17 paralysis, right?</p> <p>18 A. Yes, sir.</p> <p>19 Q. And you knew that when you executed 20 that move, correct?</p> <p>21 A. I never did that move, but I 22 understand your point.</p> <p>23 Q. And am I correct that the whole key 24 to that move is that the wrestler has to know 25 to keep your head above Undertaker's knees?</p> |
| 199 | <p>1 where a guy gets hurt, referee has to step 2 in. They go to a quick finish, it's not 3 planned, and try to eliminate any further 4 damage to the man, right?</p> <p>5 A. Yes, sir.</p> <p>6 Q. And again, this goes with -- well, 7 the same, the object is not to hurt anybody, 8 is it?</p> <p>9 A. Yes, sir.</p> <p>10 Q. I mean that's, you don't want to 11 hurt Stone Cold or anybody else here in the 12 ring.</p> <p>13 A. It was an accident.</p> <p>14 Q. It was a total accident.</p> <p>15 And correct me if I'm wrong, sir, 16 every wrestler who enters that ring 17 understands there's risk from going in the 18 ring, don't they?</p> <p>19 A. Yes.</p> <p>20 MR. SCIOLLA: Object to the form.</p> <p>21 Q. They know there can be serious 22 injuries, up to and including death, if they 23 do things wrong, don't they?</p> <p>24 MR. SCIOLLA: Object to form.</p> <p>25 A. Yes, sir.</p> | 201 | <p>1 A. Yes, he's got you.</p> <p>2 Q. So that when he drops to his knees 3 your head doesn't hit the mat, it just looks 4 like it does, and then he rolls you forward?</p> <p>5 A. Some guys actually, some guys panic 6 when they're upside down and they do hit the 7 mat. It's an accident, it does happen.</p> <p>8 Q. Do you remember Draws?</p> <p>9 A. Yes, sir.</p> <p>10 Q. That's what happened to him, isn't 11 it?</p> <p>12 A. I remember.</p> <p>13 Q. And that's not something anybody 14 could have prevented once you got in the 15 ring, right? That's just an accident that is 16 going to happen sometimes in wrestling?</p> <p>17 A. He was a good, he was a good, he 18 was a good guy.</p> <p>19 Q. I didn't say he wasn't. I agree 20 with you.</p> <p>21 A. He was a good guy.</p> <p>22 Q. But nobody intended that to happen 23 to him, and the wrestler who executed that 24 move probably feels terrible the rest of his 25 life about that, doesn't he?</p> |

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| <p>1 A. I know for a fact he does.</p> <p>2 Q. But again, every wrestler who walks</p> <p>3 in that ring understands there is a risk of</p> <p>4 serious injury associated with what we do; is</p> <p>5 that a fair statement?</p> <p>6 A. Fair statement.</p> <p>7 Q. Okay. And would you agree, in this</p> <p>8 document, if you would look back to page 9 --</p> <p>9 sorry, page 16.</p> <p>10 A. You said page 15?</p> <p>11 Q. I'm sorry, page 16. In bold print</p> <p>12 there, under 9.12(b), would you just take a</p> <p>13 minute and read that?</p> <p>14 A. Okay. Okay. I've read it.</p> <p>15 Q. And does that embrace the concept</p> <p>16 that we were just talking about, that you</p> <p>17 understand there is risk involved, and you're</p> <p>18 indicating that you're accepting those risks</p> <p>19 that come with being a professional wrestler?</p> <p>20 MR. SCIOLLA: Object to form.</p> <p>21 A. Yes, sir.</p> <p>22 Q. And that you assumed full</p> <p>23 responsibility for all inherent risks as well</p> <p>24 as those due to the negligence of a promoter</p> <p>25 or other wrestlers?</p> | <p>1 was selling, correct?</p> <p>2 MR. SCIOLLA: Object to the form.</p> <p>3 Q. As far as you could tell?</p> <p>4 A. From what I could tell.</p> <p>5 Q. Let's go now to the October 10th</p> <p>6 match that we've been describing and talking</p> <p>7 about today with Mr. Regal, in which you</p> <p>8 claim that you had a traumatic brain injury</p> <p>9 and began to suffer headaches thereafter.</p> <p>10 MS. LACY: Can you please play</p> <p>11 LoGrasso, September 10, 2006 full match.</p> <p>12 THE WITNESS: Is there something</p> <p>13 I'm looking for, or do I have to explain</p> <p>14 something to you after this match?</p> <p>15 MR. SCIOLLA: I'm going ask you</p> <p>16 some questions afterwards, but just</p> <p>17 watch it, to refresh your memory. This</p> <p>18 is the one you identified we've been</p> <p>19 talking about all day.</p> <p>20 I think just before we start, I</p> <p>21 don't think there is multiple occasions</p> <p>22 where the chair or the steps come into</p> <p>23 play. I think it's one scene.</p> <p>24 A. One time.</p> <p>25 (Video played.)</p> |
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| <p>1 A. Yes, sir.</p> <p>2 Q. And then down below that in (c),</p> <p>3 did you agree that you waived and discharged</p> <p>4 the WWE from all liability to you on account</p> <p>5 of injury to you which results in serious or</p> <p>6 permanent injury?</p> <p>7 MR. SCIOLLA: Object to form.</p> <p>8 A. I see that, sir, yes.</p> <p>9 Q. And that's what you agreed to,</p> <p>10 right?</p> <p>11 A. Yes, sir.</p> <p>12 Q. In fact, did you hear during I</p> <p>13 think the pendency of this lawsuit about the</p> <p>14 Mexican wrestler who died in the ring?</p> <p>15 A. I heard about it.</p> <p>16 Q. Did you actually ever see the match</p> <p>17 in which he died?</p> <p>18 A. No, I didn't see it.</p> <p>19 Q. You didn't see it was sort of just</p> <p>20 a routine maneuver, he hit the ropes and...</p> <p>21 A. I didn't see -- I might have saw</p> <p>22 the end -- I think I saw the clip where he</p> <p>23 was laying like this. That's about the</p> <p>24 extent I saw.</p> <p>25 Q. And the other wrestlers thought he</p> | <p>1 Q. Is that the match we've been</p> <p>2 talking about all day, in which you now claim</p> <p>3 you got a serious traumatic brain injury from</p> <p>4 hitting the steps?</p> <p>5 A. That's the match we talked about.</p> <p>6 Q. And at the end of that match were</p> <p>7 you dancing?</p> <p>8 A. Yes, making my way back to the</p> <p>9 dressing room.</p> <p>10 Q. And what part of your head hit the</p> <p>11 steps?</p> <p>12 A. The top part.</p> <p>13 Q. Point with your finger to what part</p> <p>14 of your head hit the steps.</p> <p>15 A. It was in here.</p> <p>16 Q. And you are pointing to the crown</p> <p>17 of your head?</p> <p>18 A. Crown of my head.</p> <p>19 Q. You're saying you went head first</p> <p>20 into those steps?</p> <p>21 A. When I got kicked, I was going to</p> <p>22 fall, then when I turned, I didn't have</p> <p>23 enough room. I didn't have enough room for</p> <p>24 me to go anywhere except that when I took --</p> <p>25 when I saw the steps, I just, you know, they</p> |

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| 206 | <p>1 were there. You know, there is nothing, 2 nothing for me to do. It was just one of 3 those things that happened.</p> <p>4 Q. When you say there was nothing for 5 you to do, what do you mean by that?</p> <p>6 A. Well, there was no place for me to 7 land, really, because the angle, like I 8 explained before, that I got hit, you know, 9 when I went into the steps I was going to 10 take the bump, that means a fall, I mean I 11 looked and I looked where I was and where I 12 was headed and, you know, I did the best I 13 could not to make a full impact with those 14 stairs, but I got a good stop. Top of my 15 head was hit.</p> <p>16 Q. Are you saying you didn't know that 17 move was going to be part of that match?</p> <p>18 You have to say yes or no.</p> <p>19 A. No.</p> <p>20 Q. So you didn't know that?</p> <p>21 A. No.</p> <p>22 Q. So you're saying he actually kicked 23 you?</p> <p>24 A. The kick was part of it.</p> <p>25 Q. And that was a real kick, not a</p> | 208 | <p>1 head.</p> <p>2 Q. When you are seen after that 3 holding your head, are you holding your head 4 because you actually hit your head or are you 5 holding your head --</p> <p>6 A. I hit my head.</p> <p>7 Q. -- because you're selling the move?</p> <p>8 A. I hit my head.</p> <p>9 Q. You hit your head.</p> <p>10 Is there a stunt component or what 11 you might call tricks of the trade aspect of 12 that move that you were supposed to have 13 done?</p> <p>14 A. If it was part of the match. There 15 is a way that you go into the stairs.</p> <p>16 Q. And how is that?</p> <p>17 A. On that particular match, no.</p> <p>18 Q. And if you want to execute that 19 move in a way that makes it appear to the 20 crowd that you hit your head, make a big 21 noise by hitting your head, but you don't 22 really hit your head, how do you do that 23 move? What do you do?</p> <p>24 A. Try to put your hand in front of 25 your head and, you know, put your hand, try</p> |
| 207 | <p>1 fake kick; is that what your testimony is?</p> <p>2 A. It's a kick.</p> <p>3 Q. What's a flatfoot called? Do you 4 know what a flatfoot is in wrestling 5 parlance?</p> <p>6 A. Flatfoot, a flatfoot is when you 7 hit somebody with the flat of your boot, if 8 I'm not mistaken.</p> <p>9 Q. And your testimony is that's not 10 what he did there, he actually kicked you?</p> <p>11 A. The impact of what I was hit with, 12 it did hit me. He didn't kick me with the 13 tip, he didn't kick me with the heel; but 14 when he did flatfoot, like you are 15 suggesting, the impact behind it; you know, 16 like we said, nobody goes to hurt anybody, 17 and you do try and protect each other. And 18 when you're outside and your adrenaline is 19 going and you see the ferocity of the match 20 and you see the speed you're going at and the 21 hits I'm taking, it does get physical at 22 times.</p> <p>23 Q. So you claim you hit the top of 24 your head flush on the steps, right?</p> <p>25 A. If I remember. I know I hit my</p> | 209 | <p>1 to make your hand go to the point of contact 2 and then you peel off. Peel off means to 3 skim.</p> <p>4 Q. So the hand, properly done --</p> <p>5 A. Properly done.</p> <p>6 Q. -- the hand hits the metal steps 7 first, makes a loud noise, makes people think 8 your head is the one that hit the steps; and 9 then you roll away and hold your head to make 10 look like that's what happened, right?</p> <p>11 A. Sometimes when you do that 12 particular move, as you know, when you are 13 doing it or when it's being applied to you, 14 sometimes you can't defend the force that's 15 behind the person doing it to you or the 16 force that you're going actually into it. So 17 there are times when you can hurt yourself 18 even doing a safe move like you're saying.</p> <p>19 Q. Mr. LoGrasso, before I play the 20 next tape, I'm going to give you an 21 opportunity to recant the testimony which was 22 just given and admit it's false.</p> <p>23 Would you care to do that?</p> <p>24 A. Say again?</p> <p>25 Q. I'm going to give you an</p> |

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| 210 | <p>1 opportunity, before I play the next piece of</p> <p>2 evidence, that the testimony you've given</p> <p>3 today about that step and hitting that step</p> <p>4 with your head is categorically false. If</p> <p>5 you wish to take the opportunity before I</p> <p>6 show you the next tape, this is your chance</p> <p>7 to do it. You might want to talk to your</p> <p>8 counsel beforehand.</p> <p>9 You understand perjury is a</p> <p>10 significant Federal crime; you understand</p> <p>11 that, right? All right.</p> <p>12 Do you want to talk to your counsel</p> <p>13 before I show the next piece of tape about</p> <p>14 whether you wish to recant what you've</p> <p>15 testified to before I confront you with a</p> <p>16 piece of evidence? I'm giving you an</p> <p>17 opportunity. I don't have to, but I'm giving</p> <p>18 you the opportunity.</p> <p>19 MR. SCIOLLA: Do you want to talk?</p> <p>20 MR. KYROS: Yeah, let's talk.</p> <p>21 Might as well.</p> <p>22 THE VIDEOGRAPHER: The time is</p> <p>23 2:32 p.m. Off the record.</p> <p>24 (A brief recess was taken.)</p> <p>25 THE VIDEOGRAPHER: Back on. The</p> | 212 | <p>1 Q. Your hand comes out, your hand hits</p> <p>2 the steps. Your head never hits the steps,</p> <p>3 does it, Mr. LoGrasso?</p> <p>4 A. It's not how I remember it</p> <p>5 happening.</p> <p>6 Q. Do you agree with me that what you</p> <p>7 saw just now is your hand hits the steps, and</p> <p>8 your head never does?</p> <p>9 A. Yes, sir.</p> <p>10 Q. So you lied this morning?</p> <p>11 MR. SCIOLLA: Object to the form.</p> <p>12 Q. You lied repeatedly this morning,</p> <p>13 didn't you?</p> <p>14 A. No, I did not. That's how I</p> <p>15 remember what happened.</p> <p>16 Q. Your lawyers have told the judge in</p> <p>17 a pending motion that is now before the court</p> <p>18 in one match positioned -- in one match the</p> <p>19 position of LoGrasso against Regal in</p> <p>20 September 2006, which we already covered, is</p> <p>21 the one we just watched, "The video of the</p> <p>22 match, which has been in defendant's</p> <p>23 possession since it aired, shows LoGrasso,</p> <p>24 one, falling head first in the steel steps</p> <p>25 that were ringside; two, looking dazed and</p> |
| 211 | <p>1 time is 2:41 p.m. Back on the record.</p> <p>2 Q. Mr. LoGrasso, you understand you</p> <p>3 are still under oath?</p> <p>4 A. Yes, sir.</p> <p>5 Q. You've had a chance now to consult</p> <p>6 with your counsel?</p> <p>7 A. Yes, sir.</p> <p>8 Q. And before we go any further, do</p> <p>9 you wish to recant the testimony you gave</p> <p>10 this morning about hitting your head on the</p> <p>11 steps as false?</p> <p>12 A. No, sir.</p> <p>13 Q. What?</p> <p>14 A. No, sir.</p> <p>15 Q. All right. Let's play the tape.</p> <p>16 MS. LACY: Can you please play</p> <p>17 the --</p> <p>18 MR. SCIOLLA: Is this a different</p> <p>19 this is a slow motion depiction of what</p> <p>20 that step episode is.</p> <p>21 (LoGrasso Exhibit 20, CD labeled,</p> <p>22 "LoGrasso October 10, 2006 Stairs Clip,"</p> <p>23 marked for identification, this date.)</p> <p>24 Q. Would you like to see it again?</p> <p>25 A. Uh-huh.</p> | 213 | <p>1 disoriented afterwards; three, repeatedly</p> <p>2 holding his head with his hand; and four,</p> <p>3 continuing to wrestler regardless.</p> <p>4 "Accordingly, it rings quite hollow</p> <p>5 when WWE claims that there was no treatment,</p> <p>6 no suspicion, no knowledge of LoGrasso's head</p> <p>7 injury at that time. In fact, the argument</p> <p>8 only further highlights attempts by WWE to</p> <p>9 deny reality and continue the same course of</p> <p>10 conduct to this day."</p> <p>11 That description of events is</p> <p>12 false, isn't it?</p> <p>13 MR. SCIOLLA: I'm sorry, what are</p> <p>14 you reading from, counsel?</p> <p>15 MR. McDEVITT: From your opposition</p> <p>16 to our petition for reconsideration</p> <p>17 which is currently pending before the</p> <p>18 court --</p> <p>19 MR. SCIOLLA: Okay.</p> <p>20 MR. McDEVITT: -- that you filed on</p> <p>21 -- I'll answer your question -- that you</p> <p>22 filed on, through Mr. Flaharty, on</p> <p>23 5/9/16. There is a currently pending</p> <p>24 motion before the Federal judge.</p> <p>25 MR. SCIOLLA: It's a brief, written</p> |

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| 214 | <p>1 by lawyers. Just making sure.</p> <p>2 MR. McDEVITT: It's a motion we</p> <p>3 filed, and you have filed that, and you</p> <p>4 now know it's false. Are you going to</p> <p>5 withdraw that? Are you going to tell</p> <p>6 the judge that that is false? What is</p> <p>7 your intention.</p> <p>8 MR. SCIOLLA: To amend the</p> <p>9 statement?</p> <p>10 MR. McDEVITT: Are you going to</p> <p>11 tell the judge that what you have told</p> <p>12 her is categorically false? There is a</p> <p>13 pending motion before the Federal judge</p> <p>14 on a motion for reconsideration that you</p> <p>15 now know is false.</p> <p>16 MR. SCIOLLA: Okay.</p> <p>17 MR. McDEVITT: Are you going to</p> <p>18 tell the Federal judge that?</p> <p>19 MR. SCIOLLA: I'm not here to</p> <p>20 answer your questions. He is.</p> <p>21 MR. McDEVITT: Mr. Kyros, you're</p> <p>22 lead counsel. Are you going to tell the</p> <p>23 Federal judge that?</p> <p>24 MR. KYROS: Well, I'm actually not</p> <p>25 lead counsel.</p> | 216 | <p>1 MR. McDEVITT: You didn't see what</p> <p>2 we just saw.</p> <p>3 MR. SCIOLLA: I appreciate your</p> <p>4 instructions. Thank you. You can move</p> <p>5 on with your question.</p> <p>6 MR. McDEVITT: You were given an</p> <p>7 opportunity to advise him, which I</p> <p>8 didn't have to do. I gave him an</p> <p>9 opportunity to recant his testimony,</p> <p>10 which he didn't.</p> <p>11 Do you wish to continue answering</p> <p>12 questions, or do you want to take the</p> <p>13 Fifth Amendment?</p> <p>14 MR. SCIOLLA: He's going to</p> <p>15 continue answering questions.</p> <p>16 MR. McDEVITT: All right.</p> <p>17 MR. SCIOLLA: And no more</p> <p>18 instructions to counsel, thanks.</p> <p>19 MR. McDEVITT: You know, you're</p> <p>20 sitting there with your client</p> <p>21 committing perjury. You're not criminal</p> <p>22 lawyers, I assume, so I'm just being</p> <p>23 fair. I'm being more fair than I</p> <p>24 probably have to be.</p> <p>25 MR. SCIOLLA: I appreciate the</p> |
| 215 | <p>1 MR. McDEVITT: Well, you have three</p> <p>2 lawyers here. All of you speak for him.</p> <p>3 Are any of you planning on telling the</p> <p>4 Federal judge that this statement is</p> <p>5 false.</p> <p>6 MR. SCIOLLA: We will consider,</p> <p>7 after we look at it and read it, what</p> <p>8 our actions will be.</p> <p>9 MR. McDEVITT: What do you need to</p> <p>10 read? I just read it to you.</p> <p>11 MR. SCIOLLA: This is not the</p> <p>12 appropriate venue.</p> <p>13 MR. McDEVITT: Well, it is, because</p> <p>14 the judge is pending --</p> <p>15 MR. SCIOLLA: It's not, and we're</p> <p>16 not going to answer your question. You</p> <p>17 can move on.</p> <p>18 MR. McDEVITT: Well, the judge is</p> <p>19 going to be deciding a pending motion.</p> <p>20 You have a responsibility, ethically, as</p> <p>21 lawyers, every one of you do. You've</p> <p>22 now seen graphic evidence that your</p> <p>23 client committed perjury.</p> <p>24 MR. SCIOLLA: I didn't see that,</p> <p>25 but.</p> | 217 | <p>1 speech, thank you very much.</p> <p>2 MR. McDEVITT: It's not a speech.</p> <p>3 MR. SCIOLLA: Little bit of a</p> <p>4 speech.</p> <p>5 MR. McDEVITT: No, it's ethics.</p> <p>6 It's ethics. That's what we call it.</p> <p>7 MR. SCIOLLA: I'm glad the ethics</p> <p>8 committee is in the room.</p> <p>9 MR. McDEVITT: Well, you can tell</p> <p>10 the judge. I'm very comfortable with</p> <p>11 what I have done with Mr. LoGrasso.</p> <p>12 MR. SCIOLLA: Okay.</p> <p>13 MR. McDEVITT: If you don't want to</p> <p>14 tell the judge --</p> <p>15 MR. SCIOLLA: Do you have no</p> <p>16 further questions?</p> <p>17 MR. McDEVITT: I will get to my</p> <p>18 questions.</p> <p>19 MR. SCIOLLA: Okay.</p> <p>20 BY MR. McDEVITT:</p> <p>21 Q. Mr. LoGrasso, what you saw in that</p> <p>22 clip demonstrates that you performed that</p> <p>23 move exactly the way a skilled professional</p> <p>24 wrestler would perform it so as not to hit</p> <p>25 your head on the steps, doesn't it?</p> |

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| 218 | <p>1 A. That's what it shows. I just</p> <p>2 thought I hit my head, that's all.</p> <p>3 Q. And in fact you testified this</p> <p>4 morning that you hit your head so bad that</p> <p>5 these horrible headaches started right after</p> <p>6 that? Do you remember that?</p> <p>7 A. I did because of the physicality in</p> <p>8 the match where I got hit outside the ring.</p> <p>9 So the kick, and I went into the stairs,</p> <p>10 obviously the kick was a solid kick, and then</p> <p>11 the blows to the head in the ring was also a</p> <p>12 part of it.</p> <p>13 If you're directing it to one part</p> <p>14 of the match, it was the whole match, the</p> <p>15 repeated blows to the head, the kick. It was</p> <p>16 a physical match.</p> <p>17 Q. Wasn't it your previous testimony</p> <p>18 that the headaches started after you hit your</p> <p>19 head on those steel steps?</p> <p>20 MR. SCIOLLA: Objection, asked and</p> <p>21 answered and mischaracterizes his</p> <p>22 previous testimony. The record stands</p> <p>23 for itself.</p> <p>24 Q. Isn't that what you said</p> <p>25 previously?</p> | 220 | <p>1 had a headache, I told him I needed some</p> <p>2 Tylenol. I wanted to go take a shower to</p> <p>3 cool off.</p> <p>4 Q. You have a kind of memory that you</p> <p>5 can remember that kind of a conversation in</p> <p>6 October of 2006? Is that your claim, is that</p> <p>7 your memory?</p> <p>8 A. It's a specific something, because</p> <p>9 I dealt with Dr. Rios.</p> <p>10 Q. What did you talk with Dr. Rios</p> <p>11 about on December 17, 2006?</p> <p>12 A. I don't recall.</p> <p>13 Q. How about November 26th?</p> <p>14 A. If there were dates for TV and</p> <p>15 dates that I would see him on Tuesdays on</p> <p>16 Mondays, I would talk about my health.</p> <p>17 Q. No, no, specifically, what did you</p> <p>18 talk with him about, for example, on</p> <p>19 November 26th of 2006?</p> <p>20 A. Was it a TV taping?</p> <p>21 Q. I'm just asking the date. You</p> <p>22 apparently can recall dates.</p> <p>23 MR. SCIOLLA: Object to the form.</p> <p>24 Q. Can you tell me what you talked</p> <p>25 with him about, say, on January 2, 2007?</p> |
| 219 | <p>1 A. Say it again.</p> <p>2 Q. Isn't that what you said</p> <p>3 previously, that these headaches really began</p> <p>4 after you hit your head on the steps during</p> <p>5 that match?</p> <p>6 MR. SCIOLLA: Object to the form.</p> <p>7 A. That's not the way I remember it.</p> <p>8 Q. Now, if we were to do slow-mos of</p> <p>9 your other matches, would we find the same</p> <p>10 pattern?</p> <p>11 A. I have no idea.</p> <p>12 MR. SCIOLLA: Object to the form.</p> <p>13 Q. Now, after that match you didn't</p> <p>14 report any head injury, because you had no</p> <p>15 head injury, correct?</p> <p>16 MR. SCIOLLA: Objection, asked and</p> <p>17 answered.</p> <p>18 A. I went back to the -- I went back</p> <p>19 to Dr. Rios, sat on the table. He examined</p> <p>20 me and my stomach.</p> <p>21 Q. But you reported -- I'm sorry, I</p> <p>22 didn't mean to interrupt you, go ahead.</p> <p>23 Are you done?</p> <p>24 A. He advised me of my stomach. I</p> <p>25 said I would like to cool down. I told him I</p> | 221 | <p>1 A. I can't recall.</p> <p>2 Q. Even though that's more recent than</p> <p>3 October 11, 2006, on which you purport to be</p> <p>4 able to recall the specifics of a</p> <p>5 conversation that day.</p> <p>6 MR. SCIOLLA: I'm not sure if</p> <p>7 that's a question.</p> <p>8 Q. I take it you have a pretty good</p> <p>9 memory then, huh?</p> <p>10 This brain injury stuff hasn't</p> <p>11 affected your memory?</p> <p>12 MR. SCIOLLA: Objection.</p> <p>13 A. Like I said, I don't remember it</p> <p>14 happening like that.</p> <p>15 MR. McDEVITT: Let's mark this.</p> <p>16 (LoGrasso Exhibit 21, Medical</p> <p>17 notes, Bates Nos. WWE_SING00000517</p> <p>18 through WWE_SING00000521, marked for</p> <p>19 identification, this date.)</p> <p>20 Q. I've shown you, Mr. LoGrasso,</p> <p>21 what's been marked as Exhibit 21. These are</p> <p>22 notes that WWE produced in this litigation of</p> <p>23 your medical treatment notes.</p> <p>24 Have you seen this document before?</p> <p>25 A. I can't say that I recall seeing</p> |

222

1 this.

2 **Q. Do you see the October -- well,**

3 **were you told that these notes existed?**

4 MR. SCIOLLA: Objection, calls for

5 attorney-client privilege. I'll

6 instructed you not to answer.

7 MR. McDEVITT: There is no

8 communicative content in that, other

9 than a document exists.

10 MR. SCIOLLA: Were you told.

11 MR. McDEVITT: You're not giving

12 legal advice.

13 MR. SCIOLLA: Were you told. It's

14 attorney-client communications. He's

15 not going to answer.

16 MR. McDEVITT: It's not any

17 attorney-client communication.

18 MR. SCIOLLA: It's

19 communications --

20 MR. McDEVITT: -- given for the

21 purposes of giving or receiving legal

22 advice.

23 MR. SCIOLLA: You're trying to get

24 the substance of communications.

25 MR. McDEVITT: You are telling me

223

1 I'm not allowed to find out if you told

2 him about this document.

3 MR. SCIOLLA: That's what I'm

4 telling you.

5 **Q. Mr. LoGrasso, on this document, it**

6 **says your complaint that date of**

7 **October 11th, which is the day after the**

8 **episode we just went through, you state, "He**

9 **was kicked in the abdomen during his match.**

10 **He's complaining along the left side of his**

11 **erectus muscle."**

12 **Do you see that?**

13 A. Uh-huh.

14 **Q. No mention of a headache, is there?**

15 **Nothing about head injuries, is there?**

16 A. I don't think that he recorded

17 everybody that had a headache in the WWE.

18 **Q. Well, there is nothing there that**

19 **indicates that you told him you had a**

20 **headache, is there?**

21 A. And not everybody reports

22 headaches.

23 **Q. And you would frequently go to**

24 **Dr. Rios and ask him to give you a vitamin D**

25 **shot wouldn't you?**

224

1 **I'm sorry, a vitamin B-12 shot.**

2 A. Yes, I did.

3 **Q. You still like getting vitamin**

4 **B-12 shots, don't you?**

5 A. Say again?

6 **Q. You still like getting vitamin**

7 **B-12 shots, don't you?**

8 A. Yes. I still take them, yes.

9 **Q. And they give you energy, is that**

10 **why you take them?**

11 A. I take them, they're part of my

12 medication.

13 **Q. What is the reason you take them?**

14 A. Well, now I'm older, they help me,

15 you know, just to stay -- you know, being

16 over 50, you know, kind of sluggish, I'm kind

17 of not, you know, they help you. It's a

18 vitamin I take.

19 **Q. And then if I could, sir, if you go**

20 **back to your interrogatory answer, you**

21 **identified August 29th of 2006 as another**

22 **match with Mr. Regal where you contend you**

23 **had a traumatic brain injury.**

24 **Would you look at the medical notes**

25 **and say what it says, you told Dr. Rios on**

225

1 **August 29th?**

2 A. I requested B-12 shots.

3 **Q. Again, no indication you went to**

4 **him and complained to him about a head**

5 **injury, is there?**

6 A. No, it doesn't report headaches.

7 **Q. Well, I'm not talking headaches,**

8 **I'm talking about head injury.**

9 **You didn't go to him and say, I got**

10 **hit on the head and I have an injury to my**

11 **head tonight. You went and asked for a B-12**

12 **shot, right? Is that right?**

13 MR. SCIOLLA: Object to the form.

14 A. Can you repeat that?

15 **Q. You didn't go to him and say, I**

16 **suffered a head injury tonight. You went to**

17 **him and said, can I get a B-12 shot.**

18 **Isn't that what you did?**

19 MR. SCIOLLA: Object to the form.

20 A. I got a B-12 shot from Dr. Rios.

21 **Q. But you didn't tell him you had a**

22 **head injury that night, did you?**

23 A. No, I didn't say I had a head

24 injury.

25 **Q. Do you understand --**

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| 226 | <p>1 MR. McDEVITT: Strike that.</p> <p>2 Q. Did you read the judge's decision</p> <p>3 on our motion to dismiss?</p> <p>4 A. Did I read the judge's decision on?</p> <p>5 Q. Yes, we moved to dismiss your case,</p> <p>6 and she issued a written opinion.</p> <p>7 Did you read it?</p> <p>8 A. I believe I did.</p> <p>9 Q. And what is your understanding of</p> <p>10 the claim that you have in this case that</p> <p>11 remains?</p> <p>12 MR. SCIOLLA: I'll object to the</p> <p>13 form, but you can answer.</p> <p>14 A. I'm really not understanding what</p> <p>15 you're saying, so I really can't answer it.</p> <p>16 Q. Well, what is the claim you are</p> <p>17 making against WWE?</p> <p>18 A. About not providing information</p> <p>19 about head injuries and CTE during my time</p> <p>20 there. And not getting proper care, not</p> <p>21 getting proper medical treatment, not getting</p> <p>22 evaluated for head trauma.</p> <p>23 Q. What specific information do you</p> <p>24 think they should have told you?</p> <p>25 MR. SCIOLLA: Object to the form,</p> | 228 | <p>1 his, you know, you know, on his</p> <p>2 recommendation to help me along.</p> <p>3 Q. I'm going to ask you for the third</p> <p>4 and last time, what information about head</p> <p>5 injuries are you contending that WWE should</p> <p>6 have given you that you didn't know?</p> <p>7 A. They should have given me the</p> <p>8 information that there was something that</p> <p>9 could be happening to your head, some</p> <p>10 awareness or some knowledge of head trauma.</p> <p>11 Q. And what is the something that</p> <p>12 could be happening to your head that they</p> <p>13 should have told you about?</p> <p>14 A. That you can suffer from a</p> <p>15 concussion and that you can, you don't have</p> <p>16 to be knocked out to get a concussion.</p> <p>17 Because that was my understanding of what a</p> <p>18 concussion was.</p> <p>19 Q. Anything else they should have told</p> <p>20 you that you didn't know?</p> <p>21 MR. SCIOLLA: Object to the form.</p> <p>22 A. I mean they didn't give us -- I</p> <p>23 mean you have a drug policy that goes for</p> <p>24 addicts, for drug addiction, for alcohol</p> <p>25 addiction, but you have nothing in place for</p> |
| 227 | <p>1 calls for speculation.</p> <p>2 A. Well, being that you're in -- there</p> <p>3 is no time or rest between wrestling and you</p> <p>4 go in every day, you know, and you're on the</p> <p>5 road and you're banging your body around, you</p> <p>6 know, there was no evaluation on how my head</p> <p>7 was or any evaluation on how my physical</p> <p>8 well-being was. And WWE never sought to</p> <p>9 evaluate me at any time and never, you know,</p> <p>10 sought to check and see if I was okay, if I</p> <p>11 had any, any problems.</p> <p>12 Q. My question was, what specific</p> <p>13 information do you contend they should have</p> <p>14 told you that they didn't tell you?</p> <p>15 MR. SCIOLLA: Same objection.</p> <p>16 A. When they -- well, the information</p> <p>17 they should have done and should have</p> <p>18 provided was an evaluation or a physical of</p> <p>19 some sort to see if I was suffering from any</p> <p>20 head trauma, if I had any head injuries, if I</p> <p>21 needed any assistance.</p> <p>22 I was getting the B-12 shots</p> <p>23 because I was fatigued, and I did have the</p> <p>24 headaches, you know. And I was feeling</p> <p>25 lethargic and Dr. Rios was giving me those on</p> | 229 | <p>1 people who suffer head injuries or people who</p> <p>2 suffer from headaches or depression or people</p> <p>3 who have, you know, irregularities with their</p> <p>4 brain.</p> <p>5 Q. You mean former talent? You mean</p> <p>6 former talent?</p> <p>7 A. Former talent, former employees.</p> <p>8 You make it aware that there is a drug</p> <p>9 policy, but that's only if you have a drug</p> <p>10 addiction. And you have drug addiction,</p> <p>11 alcohol addiction, but there is nothing in</p> <p>12 place for the talent to where they can get</p> <p>13 help if they need it for head injuries.</p> <p>14 And you offer this through your</p> <p>15 program, but there is nothing for guys like</p> <p>16 myself who have these problems, and all I'm</p> <p>17 looking for is help.</p> <p>18 Q. And who do you contend at WWE was</p> <p>19 engaged in fraud, who specifically?</p> <p>20 A. Huh?</p> <p>21 Q. Do you contend that people at WWE</p> <p>22 were engaged in trying to defraud you?</p> <p>23 MR. SCIOLLA: Object to the form,</p> <p>24 to the extent it calls for a legal</p> <p>25 conclusion or evaluation.</p> |

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| 230 | <p>1 You can answer.</p> <p>2 A. I didn't come out and say that they</p> <p>3 tried to defraud me. I said they didn't give</p> <p>4 me any awareness or knowledge.</p> <p>5 Q. Do you contend that somebody at WWE</p> <p>6 was trying to defraud you?</p> <p>7 MR. SCIOLLA: Object to the form.</p> <p>8 A. And my answer is, nobody gave me</p> <p>9 the awareness or the knowledge for head</p> <p>10 injury and for the trouble I was having.</p> <p>11 Q. Well, that's not the question I'm</p> <p>12 asking you, sir.</p> <p>13 Who at WWE, if anybody, are you</p> <p>14 accusing of engaging in fraud towards you?</p> <p>15 A. I didn't accuse anybody of saying</p> <p>16 fraud. All I said is they did not provide</p> <p>17 any information about CTE awareness or</p> <p>18 concussions.</p> <p>19 Q. And do you think, sir, that maybe a</p> <p>20 reason that they wouldn't tell you anything</p> <p>21 about CTE is either because they didn't know</p> <p>22 it either, or they probably figured you might</p> <p>23 be reading it in the newspaper like everybody</p> <p>24 else did?</p> <p>25 MR. SCIOLLA: Object to the form</p> | 232 | <p>1 A. Might have heard the name. I'm not</p> <p>2 a Pittsburgh Steeler fan, so, I'm sorry.</p> <p>3 Q. In 2005 you don't recall hearing</p> <p>4 any talk about CTE inside of WWE's locker</p> <p>5 rooms from anybody, right?</p> <p>6 MR. SCIOLLA: Objection, asked and</p> <p>7 answered.</p> <p>8 A. No.</p> <p>9 Q. How about in 2006, did you hear any</p> <p>10 talk in the locker rooms in 2006 about CTE?</p> <p>11 A. No.</p> <p>12 Q. Did you hear any wrestlers talking</p> <p>13 about it?</p> <p>14 A. Not that I recall.</p> <p>15 Q. Did you hear any management talking</p> <p>16 about it?</p> <p>17 A. Not that I recall.</p> <p>18 Q. Did you hear Vince McMahon ever</p> <p>19 talk about it?</p> <p>20 A. Not that I recall.</p> <p>21 Q. And you left in 2007, right?</p> <p>22 A. Uh-huh.</p> <p>23 Q. And Chris Benoit was a friend of</p> <p>24 yours, wasn't he?</p> <p>25 A. I wrestled with him up until May of</p> |
| 231 | <p>1 and calls for speculation.</p> <p>2 A. Well, maybe.</p> <p>3 Q. Are you trying to tell me that in</p> <p>4 all the years since 2007, that you never read</p> <p>5 anything about CTE?</p> <p>6 A. I was not -- it didn't -- I didn't</p> <p>7 know up until 2014 that I had any of these</p> <p>8 problems that could contribute to me having</p> <p>9 CTE.</p> <p>10 Q. That's not my question.</p> <p>11 Did you read in the newspapers</p> <p>12 anything about CTE?</p> <p>13 A. No.</p> <p>14 Q. Well, let's take, for example, in</p> <p>15 2005. Were you in the WWE locker rooms in</p> <p>16 2005?</p> <p>17 A. Yes.</p> <p>18 Q. Was there any talk about CTE in the</p> <p>19 locker rooms in 2005?</p> <p>20 A. No.</p> <p>21 Q. Was there any talk that you heard</p> <p>22 of in 2005 about Mike Webster?</p> <p>23 A. I don't know who Mike Webster is.</p> <p>24 Q. Do you know the former Pittsburgh</p> <p>25 Steeler Mike Webster?</p> | 233 | <p>1 2007.</p> <p>2 Q. And Chris Benoit was a friend of</p> <p>3 yours, wasn't he?</p> <p>4 A. We worked together in the WWE.</p> <p>5 Q. Was Chris Nowinski a friend of</p> <p>6 yours?</p> <p>7 A. He was before me.</p> <p>8 Q. Did you know him?</p> <p>9 A. I might have met him once or twice.</p> <p>10 I think he was there in 2003.</p> <p>11 Q. Did you watch Tough Enough?</p> <p>12 A. I don't watch Tough Enough.</p> <p>13 Q. Did you know his persona, Chris</p> <p>14 Harvard?</p> <p>15 A. I really didn't.</p> <p>16 Q. You never saw him perform?</p> <p>17 A. I can't say that I have. I wasn't</p> <p>18 a Tough Enough watch, I wasn't a fan of the</p> <p>19 show.</p> <p>20 Q. Well, he made it to the main</p> <p>21 roster. Did you watch him when he made it to</p> <p>22 the main roster?</p> <p>23 A. I might have remembered him being</p> <p>24 on the main roster with Chris Nowinski. But</p> <p>25 that's about it. I never watched him, per</p> |

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| 234 | <p>1 se.</p> <p>2 Q. And what was your understanding of</p> <p>3 what happened to Chris Nowinski?</p> <p>4 A. I'm not sure.</p> <p>5 Q. Did you ever hear he got</p> <p>6 concussions?</p> <p>7 A. Not that I was aware of.</p> <p>8 Q. You never heard Chris Nowinski got</p> <p>9 concussions?</p> <p>10 A. I know he runs this foundation.</p> <p>11 Q. And when did you learn that, when</p> <p>12 did you learn that?</p> <p>13 A. A concussion foundation.</p> <p>14 Q. When did you learn that?</p> <p>15 A. I'm not sure.</p> <p>16 Q. But your testimony is that you</p> <p>17 never heard in the locker rooms or anywhere</p> <p>18 that Chris Nowinski had to retire from the</p> <p>19 WWE wrestling because of concussions that he</p> <p>20 received?</p> <p>21 A. I didn't know he had to retire</p> <p>22 because of a concussion.</p> <p>23 Q. Did you know that he got</p> <p>24 concussions?</p> <p>25 A. I don't recall if he got a</p> | 236 | <p>1 Q. Did you know her, too?</p> <p>2 A. Yeah, I knew her. Yeah.</p> <p>3 Q. And did you know Dr. Aston?</p> <p>4 A. Dr. Aston I don't think I met.</p> <p>5 Q. Did you know that's the person who</p> <p>6 was supplying him drugs down in Georgia?</p> <p>7 A. No. Person life like that, I don't</p> <p>8 know.</p> <p>9 Q. So you were aware of Chris Benoit</p> <p>10 murdering his wife and his son and then</p> <p>11 committing suicide in 2007, weren't you?</p> <p>12 A. Yes, sir.</p> <p>13 Q. And would you agree with me that</p> <p>14 was a huge story --</p> <p>15 A. Yes, sir.</p> <p>16 Q. -- just about everywhere when it</p> <p>17 happened, wasn't it? National news, USA</p> <p>18 Today, People magazine, well-known in</p> <p>19 wrestling business, wasn't it?</p> <p>20 A. Yeah, it was well known. I mean --</p> <p>21 Q. And you followed that story, didn't</p> <p>22 you?</p> <p>23 A. All I know is that she, they said</p> <p>24 he had CTE, he had brain damage. They said</p> <p>25 it could have been a steroid range -- rage,</p> |
| 235 | <p>1 concussion.</p> <p>2 Q. Did you know that he went into the</p> <p>3 area of concussion research?</p> <p>4 A. I know he was into the research.</p> <p>5 Q. Did you know that in 2005, 2006?</p> <p>6 A. No.</p> <p>7 Q. Did you know he wrote a book?</p> <p>8 A. No.</p> <p>9 Q. So your testimony is you had no</p> <p>10 knowledge whatsoever of this wrestler who</p> <p>11 went into concussion research that led to all</p> <p>12 these scientific discoveries of what we're</p> <p>13 here to talk about?</p> <p>14 A. I'm sorry, I don't read books.</p> <p>15 Q. Did you know Chris Benoit?</p> <p>16 A. Yes.</p> <p>17 Q. Was he a friend of yours?</p> <p>18 A. I guess you could say he was a</p> <p>19 friend. We worked together.</p> <p>20 Q. And you're aware what happened</p> <p>21 shortly after you left -- by the way, did you</p> <p>22 know his wife?</p> <p>23 A. Nancy, right?</p> <p>24 Q. Yes.</p> <p>25 A. Uh-huh.</p> | 237 | <p>1 excuse me.</p> <p>2 WWE had said that it had nothing to</p> <p>3 do with wrestling.</p> <p>4 Q. Where did WWE say that?</p> <p>5 A. I don't recall.</p> <p>6 Q. Then why did you say that, if you</p> <p>7 don't recall?</p> <p>8 A. Because that's what I remember. If</p> <p>9 you're asking me. I remember that you guys</p> <p>10 took him off, you guys took him off all of</p> <p>11 your programming, and he was abolished, and</p> <p>12 he's a memory in the WWE.</p> <p>13 Q. What does that have to do with the</p> <p>14 WWE supposedly saying that it nothing to do</p> <p>15 with wrestling?</p> <p>16 A. Because I believe that's what you</p> <p>17 guys had said.</p> <p>18 Q. Where?</p> <p>19 A. I don't remember where, but it had</p> <p>20 nothing to do with wrestling. You know, he</p> <p>21 was just -- he went out of his mind. He</p> <p>22 could have had CTE, it could have been a</p> <p>23 steroid rage.</p> <p>24 Q. So when did you hear that he could</p> <p>25 have had CTE?</p> |

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| 238 | <p>1 A. Well, at the same time he was 2 having all of these problems when the story 3 came out.</p> <p>4 Q. And that was 2007, right?</p> <p>5 A. I think it was after 2007. I'm not 6 sure.</p> <p>7 Q. Well, do you recall there being a 8 big press conference that announced he had 9 CLE (sic)? It was all over the news.</p> <p>10 MR. SCIOLLA: CLE? 11 MS. LACY: CTE. 12 MR. SCIOLLA: It's not legal 13 classes.</p> <p>14 Q. CTE. Do you remember there being a 15 news conference announcing this and making a 16 whole lot of publicity about the fact that 17 this wrestler who had murdered his wife and 18 his child had this supposed CTE?</p> <p>19 A. I mean I feel story that he did 20 that, and I knew Nancy and I knew him and I 21 knew the son, and I feel bad.</p> <p>22 Q. I'm sure we all do, Mr. LoGrasso, 23 but my question is: Did you hear about the 24 press conference where there was this 25 announcement that he had CTE?</p> | 240 | <p>1 He could have went into a steroid rage, 2 because he was on the gas. He could have, it 3 could have been, who knows? You know, I was 4 there, nobody knows for sure what the hell 5 happened. All I know is that it happened, 6 and it was a shock to the wrestling world.</p> <p>7 Q. And a lot of people were wondering 8 about the CTE aspect, weren't they?</p> <p>9 MR. SCIOLLA: Objection, calls for 10 speculation. 11 A. I guess so. I'm not sure.</p> <p>12 Q. Well, what was his finishing move?</p> <p>13 A. Flying head butt off the top of, if 14 I remember. Cripple cross fist.</p> <p>15 Q. But in terms of flying head butt, 16 wasn't that a lot of discussion about whether 17 that particular move is what contributed to 18 his alleged head trauma and CTE?</p> <p>19 MR. SCIOLLA: Objection, calls for 20 speculation. 21 Q. Do you recall --</p> <p>22 A. It could have been something that 23 he did every night.</p> <p>24 Q. And you recall that being part of 25 the discussion as to whether that was part of</p> |
| 239 | <p>1 A. No, I did not.</p> <p>2 Q. But you knew it was said publicly 3 in or around the time of that murder that he 4 had CTE?</p> <p>5 A. Right.</p> <p>6 Q. And that was, frankly, a big story 7 in the wrestling business, wasn't it?</p> <p>8 MR. SCIOLLA: Objection, asked and 9 answered. 10 A. It was.</p> <p>11 Q. And there probably wasn't anybody 12 that ever wrestled in that time frame that 13 did not know Chris Benoit had been supposedly 14 diagnosed with CTE?</p> <p>15 MR. SCIOLLA: Objection, calls for 16 speculation. 17 Q. Would you agree with that?</p> <p>18 A. It was a big story, like you said.</p> <p>19 Q. And people were talking about it in 20 locker rooms, because they were concerned 21 about what does that mean about me; is that 22 fair to say?</p> <p>23 MR. SCIOLLA: Object to form. 24 A. There was a lot of talk at that 25 time. Like, you know, nobody knew for sure.</p> | 241 | <p>1 what caused it?</p> <p>2 A. No, I don't recall.</p> <p>3 Q. Do you know how many newspaper 4 articles and media stories were out there 5 about Chris Benoit and CTE?</p> <p>6 A. No, I don't, sir.</p> <p>7 Q. But you would agree a lot, right?</p> <p>8 MR. SCIOLLA: Objection. 9 A. I would assume so. It was a pretty 10 big story.</p> <p>11 Q. Well, when you heard that story, 12 did you go to your doctor, your personal 13 doctor and say, do I have anything to worry 14 about?</p> <p>15 A. No, because it wasn't until 2014 16 that I started to get myself checked out and 17 realized that something could possibly be 18 wrong.</p> <p>19 So whatever Chris Benoit did or how 20 or that stuff didn't pertain to me at the 21 time, because I didn't think it was me. But 22 it wasn't until I started going to these 23 doctors, and they started telling me that I 24 had these symptoms, that I thought that it 25 could be me. And that's when I started to do</p> |

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| 242 | <p>1 my own research, do my own read up. But</p> <p>2 there was no reason for me to read up on</p> <p>3 something that had nothing to do, that didn't</p> <p>4 pertain to me.</p> <p>5 Q. So you have knowledge that Bret</p> <p>6 Hart asked to retire from the wrestling</p> <p>7 business in '99 because of concussions. You</p> <p>8 know Chris Nowinski is out of the business</p> <p>9 because of concussions and involved in</p> <p>10 concussion research.</p> <p>11 You know Chris Benoit had</p> <p>12 supposedly killed his wife because of CTE</p> <p>13 associated with head trauma, but you can't</p> <p>14 put that together that that might have</p> <p>15 something to do with your symptoms?</p> <p>16 MR. SCIOLLA: Objection, that calls</p> <p>17 for the mischaracterization of the</p> <p>18 testimony.</p> <p>19 A. I don't know how to answer that</p> <p>20 question. You're asking me on an assumption,</p> <p>21 if I only knew about these symptoms in 2014,</p> <p>22 that they came to fruition (sic), then how</p> <p>23 would I know how to react to Chris Benoit,</p> <p>24 and all these other guys, if it wasn't</p> <p>25 pertaining to me.</p> | 244 | <p>1 correct?</p> <p>2 A. If it meant something to me and I</p> <p>3 was going, having these things going on back</p> <p>4 then, and I had doctors to see, but since I</p> <p>5 didn't, no.</p> <p>6 MR. SCIOLLA: And I'm offering an</p> <p>7 objection in for the last question.</p> <p>8 Q. And you also had Dr. Tambour too,</p> <p>9 didn't you?</p> <p>10 A. Actually, no.</p> <p>11 Q. You could have went to any doctor</p> <p>12 in the country and said, "This is what I'm</p> <p>13 experiencing."</p> <p>14 MR. SCIOLLA: Objection, calls for</p> <p>15 speculation.</p> <p>16 Q. Did you do that?</p> <p>17 A. No, I didn't go to Dr. Tambour.</p> <p>18 Q. Did you go to any doctor, and say,</p> <p>19 "Look" -- "I, you know, I'm just being</p> <p>20 cautious here, I'm having headaches, I took a</p> <p>21 lot of blows to my head when I was a</p> <p>22 wrestler. I know Chris Benoit had CTE. I</p> <p>23 just want to make sure I'm okay." Did you do</p> <p>24 anything like that?</p> <p>25 MR. SCIOLLA: Object to the form.</p> |
| 243 | <p>1 Q. What diligence did you do in those</p> <p>2 years to find out after you left WWE, when</p> <p>3 you were experiencing these symptoms, what</p> <p>4 diligence did you use to determine what the</p> <p>5 cause of all these problems supposedly was?</p> <p>6 MR. SCIOLLA: Objection.</p> <p>7 Q. Let's start it this way: Did you</p> <p>8 try to do any internet research to read up on</p> <p>9 possible reasons you might be suffering from</p> <p>10 headaches and whatnot?</p> <p>11 A. I had no knowledge, like I said, a</p> <p>12 concussion to me was somebody being knocked</p> <p>13 out because you and I come to --</p> <p>14 Q. I've heard that speech. I'd like</p> <p>15 an answer to my question.</p> <p>16 A. It's the same answer I'm going to</p> <p>17 give you.</p> <p>18 Q. My question was: Did you do any</p> <p>19 internet research?</p> <p>20 A. Not back then, no.</p> <p>21 Q. But you have since?</p> <p>22 A. Since I found out that I have these</p> <p>23 symptoms, I have.</p> <p>24 Q. So you could have looked very</p> <p>25 easily then and found out the same thing,</p> | 245 | <p>1 A. No, I didn't go to a doctor and</p> <p>2 say, my friend Chris Benoit killed himself or</p> <p>3 his family and go to a doctor and say these</p> <p>4 things. No, it didn't happen.</p> <p>5 Q. Did you watch -- do you know Dr.</p> <p>6 Maroon?</p> <p>7 A. Dr. Maroon. I know of him. I</p> <p>8 don't know him personally.</p> <p>9 Q. He came after you were gone, right?</p> <p>10 A. Right.</p> <p>11 Q. So you've never had any personal</p> <p>12 dealings with him?</p> <p>13 A. No.</p> <p>14 Q. How do you know of him?</p> <p>15 A. I think I heard his name mentioned</p> <p>16 with brain research with the NFL. I think,</p> <p>17 I'm not sure.</p> <p>18 Q. Have you talked to the Ben Omalu?</p> <p>19 A. No, sir.</p> <p>20 Q. You just put out a Tweet or a</p> <p>21 Twitter about him supposedly helping you?</p> <p>22 A. I don't recall if I did.</p> <p>23 Q. Do you know who he is?</p> <p>24 A. She does CTE analyzing, studies</p> <p>25 brains.</p> |

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1 (LoGrasso Exhibit 22, Twitter
 2 update, marked for identification, this
 3 date.)
 4 **Q. I've handed you what's been marked
 5 as exhibit -- what number is that?**
 6 A. 22.
 7 **Q. -- 22.**
 8 **Can you confirm that is a document
 9 that you authored?**
 10 THE WITNESS: You want me to give
 11 them --
 12 MR. SCIOLLA: No, I have it.
 13 MR. McDEVITT: He has a copy.
 14 **Q. Did you write that on April 22nd of
 15 this year?**
 16 A. Yes, I did.
 17 **Q. You say, "Dr. Omalu, working on my
 18 behalf and on the behalf of others. More is
 19 coming. What a ride this has been." What
 20 does that mean?**
 21 A. I believe that Dr. Omalu is working
 22 as a consultant with -- with the lawyers on
 23 the CTE study.
 24 **Q. And has he examined you?**
 25 A. Never once. I never met the man.

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1 **Q. What did you mean "More is coming"?**
 2 A. Meaning that there is more to this
 3 that is coming, basically. It was just an
 4 out-there statement.
 5 **Q. Well, what is "More"?**
 6 A. Just an out-there statement.
 7 **Q. Let me go back to a question I
 8 asked you before.**
 9 **Can you identify anything that
 10 anybody at WWE, beyond what you testified to,
 11 did that you regard as deceiving you or
 12 fraudulent towards you?**
 13 A. Deceiving or fraudulent towards me,
 14 if you could explain in what manner you mean.
 15 **Q. Well, in any manner, did they say
 16 or do anything to you that deceived you, had
 17 misled you in any way?**
 18 A. I guess as far as being misled, it
 19 goes about time when I was going back and
 20 forth to, when I was going back and forth to
 21 Louisville and Deep South Wrestling, and I
 22 was doing a new gimmick down there and Mike
 23 and Steve Curran were working for that
 24 company, and I believe Mike was in charge of
 25 talent relations, along with the Steve

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1 Curran, and they came down to look at my new
 2 gimmick. And they had told me that I was
 3 going up to TV the week -- the next week, and
 4 then the following week I was released from
 5 WWE.
 6 **Q. Anything else?**
 7 A. That's about it.
 8 **Q. You've made allegations about Bill
 9 DeMott in this case. You never trained under
 10 Bill DeMott, did you?**
 11 A. At Deep South.
 12 **Q. You had been a professional
 13 wrestler for how many decades by the time you
 14 went to Deep South?**
 15 A. I still abided by his rules,
 16 because it was his training facility.
 17 **Q. How many decades had you been a
 18 wrestler?**
 19 A. I think it was up to 15 years at
 20 the time.
 21 **Q. And when you went down there, you
 22 went down there as a WWE Superstar to help
 23 those people, did you?**
 24 A. I went down there to help and keep
 25 training.

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1 **Q. And you were by that time a fully
 2 accomplished professional wrestler, fair to
 3 say?**
 4 A. You always could learn some things.
 5 **Q. And that was after these matches
 6 with Steve Regal that you lied about this
 7 morning, correct?**
 8 MR. SCIOLLA: Objection.
 9 A. So your point being?
 10 **Q. So whatever you ran into with Bill
 11 DeMott, that is after these matches that you
 12 lied about this morning, isn't it?**
 13 MR. SCIOLLA: Objection to the
 14 characterization.
 15 A. You didn't tell me what Bill DeMott
 16 did that I could say yes or no to.
 17 **Q. Well, you didn't even encounter
 18 Bill DeMott until what, 2007? When did you
 19 go down there, in 2007?**
 20 A. I'm sorry?
 21 **Q. When did you go down to Deep South?**
 22 A. When did go down to Deep South?
 23 **Q. Yes.**
 24 A. I was going down to Deep South, I
 25 believe from 2005 to 2007, because I would go

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| 250 | <p>1 on the weeks that I was off.</p> <p>2 Q. Was DeMott a Facebook friend of</p> <p>3 yours?</p> <p>4 A. No.</p> <p>5 Q. Never?</p> <p>6 A. He was at one time, I believe.</p> <p>7 Q. And when was that?</p> <p>8 A. I'm not even sure.</p> <p>9 Q. Did you ever read any congressional</p> <p>10 testimony in the Benoit matter?</p> <p>11 A. Read congressional testimony?</p> <p>12 Q. Yeah.</p> <p>13 A. No.</p> <p>14 Q. Are you a boxing fan?</p> <p>15 A. A boxing fan?</p> <p>16 Q. Yes.</p> <p>17 A. Yes, sir.</p> <p>18 Q. And do you follow Muhammad Ali?</p> <p>19 A. Pretty much.</p> <p>20 Q. And have you followed his</p> <p>21 deterioration in health?</p> <p>22 A. I know of it. I don't follow it,</p> <p>23 as per se.</p> <p>24 Q. And what is your understanding of</p> <p>25 what caused his deterioration?</p> | 252 | <p>1 Q. And he didn't seen talk any more,</p> <p>2 does he?</p> <p>3 A. Not that I know of, sir.</p> <p>4 MR. SCIOLLA: Objection, calls for</p> <p>5 speculation.</p> <p>6 Q. And he's been that way for quite a</p> <p>7 while, hasn't he?</p> <p>8 MR. SCIOLLA: Objection.</p> <p>9 A. I think so.</p> <p>10 Q. And that's another instance where</p> <p>11 you could have deduced that that man suffered</p> <p>12 brain damage from blows to the head, right?</p> <p>13 MR. SCIOLLA: Objection.</p> <p>14 A. I would assume so.</p> <p>15 Q. You indicated I think --</p> <p>16 MR. McDEVITT: Strike that.</p> <p>17 Q. When did you say your last match in</p> <p>18 2007 with WWE in the main roster was?</p> <p>19 A. I didn't.</p> <p>20 Q. When was that?</p> <p>21 A. I'm not sure.</p> <p>22 Q. It was prior to June though, wasn't</p> <p>23 it.</p> <p>24 I mean, you were gone by the time</p> <p>25 Benoit had murdered his wife, right?</p> |
| 251 | <p>1 MR. SCIOLLA: Objection, calls for</p> <p>2 speculation.</p> <p>3 A. It's a lot of blows to the head.</p> <p>4 Q. Did you see him light the Olympic</p> <p>5 torch in Atlanta several years ago?</p> <p>6 A. I might have.</p> <p>7 Q. Did you generally watch the</p> <p>8 Olympics?</p> <p>9 A. I watched the Olympics. I might</p> <p>10 have watched him do it. I'm not sure.</p> <p>11 Q. Are you familiar with what I'm</p> <p>12 talking about? How he came out and lit the</p> <p>13 Olympic torch in Atlanta in 1996?</p> <p>14 A. Vaguely.</p> <p>15 Q. And if you watched that in 1996 and</p> <p>16 you watched Muhammad Ali, did you conclude</p> <p>17 that he was suffering from brain damage?</p> <p>18 MR. SCIOLLA: Objection, calls for</p> <p>19 speculation.</p> <p>20 A. I don't know because I didn't watch</p> <p>21 the tape, so I don't know. Again, I can't</p> <p>22 answer that.</p> <p>23 Q. Have you seen him in public where</p> <p>24 he shakes?</p> <p>25 A. I've seen him with the shakes.</p> | 253 | <p>1 A. Yes.</p> <p>2 Q. Did you talk to him in that part of</p> <p>3 2007, prior to the murders?</p> <p>4 A. Locker room talk?</p> <p>5 Q. Yeah.</p> <p>6 A. "How are you doing, what's going</p> <p>7 on."</p> <p>8 Q. Right.</p> <p>9 A. I mean before Eddie Guerrero died,</p> <p>10 we were talking this, me, Nunzio, Chavo,</p> <p>11 Benoit and Eddie, we used to go to the gym</p> <p>12 all the time at the same time, and we all</p> <p>13 used to meet.</p> <p>14 So you're asking me if I was</p> <p>15 friendly with him, during train or after</p> <p>16 shows, yes.</p> <p>17 Have an extensive conversations</p> <p>18 with him, no.</p> <p>19 Q. Do you remember the last time you</p> <p>20 talked to him?</p> <p>21 A. Not at all.</p> <p>22 Q. Have you ever known any 85-year-old</p> <p>23 people with dementia?</p> <p>24 A. 85-year-old people with the</p> <p>25 dementia?</p> |

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1 **Q. Around 85 years old. Have you ever**
 2 **known anybody with dementia?**
 3 A. I know one or two people.
 4 **Q. And how old are they?**
 5 A. I could say the one person I know
 6 is 50 or 60.
 7 **Q. And how far along is their**
 8 **dementia?**
 9 A. I really don't keep up with him. I
 10 know him, when I see him I'm nice to him. I
 11 say, hello, how are you doing today. It
 12 doesn't look very well but, you know.
 13 **Q. Is he capable of managing his**
 14 **affairs?**
 15 A. Is he capable of what?
 16 **Q. Capable of managing his own**
 17 **affairs?**
 18 A. No.
 19 **Q. Would he be capable, for example,**
 20 **of getting on a plane and flying to a strange**
 21 **city?**
 22 MR. SCIOLLA: Objection, calls for
 23 speculation.
 24 A. No.
 25 **Q. Did the Chris Benoit that you knew**

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1 **before you left WWE strike you as an 85 year**
 2 **old with dementia?**
 3 A. No.
 4 **Q. No.**
 5 **And nobody who knew him would have**
 6 **thought he had dementia on a scale of an**
 7 **85 year old dementia, would they?**
 8 MR. SCIOLLA: Objection, calls for
 9 speculation.
 10 A. It wasn't even a thought.
 11 **Q. And so if somebody had said to you**
 12 **back in 2007 when Chris Benoit did what he**
 13 **did, "Vito, he's like an 85-year-old with**
 14 **dementia," what would you have said to that?**
 15 MR. SCIOLLA: Objection, calls for
 16 a hypothetical.
 17 A. I would say that it's a standard no
 18 way, I can't believe it. But that's I think
 19 everybody's reaction.
 20 **Q. And if you had said that, would you**
 21 **think you would be committing some kind of**
 22 **fraud by expressing your opinion that you**
 23 **didn't believe that?**
 24 MR. SCIOLLA: Objection, calls for
 25 speculation.

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1 A. You're talking like in general
 2 circles about your own opinion about
 3 different people. So I mean you know it's
 4 not about being any kind of thing like fraud,
 5 but it's what you think about that person.
 6 **Q. So that, in your mind, if you**
 7 **express your truthful opinion, based on your**
 8 **knowledge of Chris Benoit, no way; you don't**
 9 **think you're trying to deceive anybody.**
 10 **You're just expressing your opinion about**
 11 **what you knew about the man?**
 12 MR. SCIOLLA: Object to the form.
 13 **Q. Is that fair to say?**
 14 A. Fair, fair statement.
 15 **Q. Back in 2007, after Benoit, after**
 16 **the initial discovery of the murders, do you**
 17 **recall, there was a lot of discussion about**
 18 **whether that was associated with steroid**
 19 **rage?**
 20 A. That's what they said it was part
 21 of.
 22 **Q. Right after the murder.**
 23 **And did that concern you as a**
 24 **steroid user?**
 25 A. Well, when you are on steroids like

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1 that, you know, you do have these bits of
 2 rage. So I mean, it is possible.
 3 **Q. So did that make you more**
 4 **interested in the story as to whether or not**
 5 **that could have been the cause?**
 6 A. There's a difference between taking
 7 steroids and taking testosterone replacement.
 8 **Q. Understood.**
 9 A. So I mean when you are taking
 10 testosterone replacement, you are replacing
 11 testosterone because you have a deficiency.
 12 When you are taking steroids, you're taking
 13 them for other gains and goals.
 14 So when you are on a mild dose, you
 15 know, the effect of having those rages are
 16 very limited. You do get irritable. I'm not
 17 saying that. But they're much greater when
 18 you're actually taking steroids.
 19 **Q. But is the fact that steroids were**
 20 **put in play in this case something that made**
 21 **you more interested in the story?**
 22 A. No. Like I said -- like I said,
 23 you know, like him doing that and everything
 24 that happened, my interest of it was, okay,
 25 it's a shock value, but after that, it really

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| 258 | <p>1 wasn't of importance. That's not to neglect 2 or negate anybody. It just didn't deal with 3 my everyday life. 4 Q. Did you hear when Chris Nowinski 5 made a call out to get his brain to get 6 examined for concussions? 7 A. No, I did not. 8 Q. What was your understanding of how 9 his brain was obtained? Did you have any 10 understanding? 11 A. No, I did not. 12 Q. Did you know Andrew Martin? 13 A. Yes. 14 Q. Did you ever wrestle with Andrew 15 Martin? 16 A. We wrestled together from the time 17 I was there in the WWE. 18 Q. Was he a friend of yours? 19 A. I guess so. You know, hey, how you 20 doing. 21 Q. Did you come to learn in 2009 that 22 Andrew Martin reportedly had been diagnosed 23 with CTE? 24 A. I did not know that. 25 Q. Is this the first time you learned</p> | 260 | <p>1 wrestling community? 2 A. Jimmy Hawk was there every day 3 because he ran it. 4 Basically it was just Jimmy that 5 was there. 6 Q. Did you talk to him about any of 7 these issues, about brain tumor -- or brain 8 trauma and headaches and all the rest of 9 that? 10 A. Just there, hey, Jimmy, how you 11 doing, have a good time. 12 Q. So can you tell me in the year 13 2008, for example, everything you did to 14 determine the cause of your symptoms? 15 A. Okay. Repeat that again. 16 Q. In 2008 -- 17 A. Right. 18 Q. -- tell me everything you did to 19 determine the cause of your symptoms. 20 A. Tell you everything I did that 21 caused my symptoms. 22 MR. SCIOLLA: I'm sorry. Can you 23 just repeat one more time? Can you just 24 repeat it? 25 Q. Let me make sure.</p> |
| 259 | <p>1 that? 2 A. I'm learning it as we are going 3 along. 4 Q. Did you know he died? 5 A. Yes, I was a Tampa resident. I 6 knew he died in his condo in Tampa of a drug 7 overdose. 8 Q. And you never heard anything about 9 a CTE findings for Andrew Martin? 10 MR. SCIOLLA: Objection, asked and 11 answered. 12 A. Not that I -- not that I recall. 13 Q. Did you talk to any friends in the 14 business, the wrestling business in 2009 15 about the fact that Testa died and been 16 diagnosed as supposedly having CTE? 17 A. No. 18 Q. Did you used to hang around Hulk 19 Hogan's bar? 20 A. Say it again. 21 Q. Did you used to hang around Hulk 22 Hogan's bar down in Tampa? 23 A. Yes. 24 Q. Who else was in that bar when you 25 were hanging out there that were in the</p> | 261 | <p>1 A. I'm trying to figure out how to 2 answer it. 3 Q. Let me make sure you understand the 4 question. 5 The question is, tell me everything 6 you did in 2008 to try to determine the cause 7 of the symptoms you were having? 8 A. Tell you what I did to determine 9 what were the causes -- 10 Q. In the year 2008, what did you do 11 to determine the cause of the symptoms you 12 were having that year? 13 A. Seeking medical help, is that what 14 you're asking me? 15 Q. Anything. Anything you did. 16 Medical help, research, anything. 17 A. I don't recall what I did. 18 Q. Can you tell me anything you did in 19 the year 2009 to figure out the cause of your 20 symptoms? 21 A. I don't recall. 22 Q. Can you tell me anything you did in 23 the year 2010 to determine the cause of your 24 symptoms? 25 A. No, sir.</p> |

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1 **Q. How about 2011?**
 2 A. I don't -- I don't recall, sir.
 3 **Q. How about 2012?**
 4 A. I don't recall.
 5 **Q. How about 2013?**
 6 A. I don't recall.
 7 **Q. So is it fair to say that in that**
 8 **six-year period that you were having**
 9 **symptoms, you can't recall doing anything to**
 10 **determine the cause of those symptoms?**
 11 A. I didn't know I had these symptoms
 12 until I got checked out in 2014.
 13 **Q. Well, you knew you had headaches,**
 14 **didn't you?**
 15 A. Huh?
 16 **Q. You knew you had headaches, didn't**
 17 **you?**
 18 A. But I didn't know it was a symptom.
 19 I just dealt with the headaches.
 20 **Q. It's a symptom of what you're now**
 21 **calling a TMI or a TBI, isn't it?**
 22 A. I didn't know that.
 23 **Q. What other symptoms did you have in**
 24 **the years 2008 to 2013 that you now**
 25 **characterizing as being associated with TBI?**

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1 **Did you have anger?**
 2 A. I do have anger issues.
 3 **Q. Did you have depression?**
 4 A. I did have my own depression.
 5 **Q. Did you have any memory loss?**
 6 A. I guess vague.
 7 **Q. Do you have anxiety?**
 8 A. I have anxiety. I definitely had
 9 the sleep apnea was terrible and it still is.
 10 They want me to sleep with a machine and I
 11 can't do it.
 12 **Q. And when did you begin to**
 13 **experience sleep apnea?**
 14 A. I had had that for a very long
 15 time, and I just -- I sleep a couple of
 16 hours. I would wake up. I sleep a couple
 17 more hours, I get up. I could never -- seems
 18 like unless I was totally wiped out,
 19 exhausted, I would sleep, but I don't sleep
 20 the whole way through.
 21 **Q. What -- from the minute you got**
 22 **sleep apnea, what did you do to determine the**
 23 **cause of the sleep apnea?**
 24 A. I went to Brandywine Hospital.
 25 **Q. What year?**

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1 A. 2014 I believe, or 2015.
 2 **Q. I'm sorry. When did you say you**
 3 **started experiencing that?**
 4 A. I've had that, you know, for a
 5 while, a long time.
 6 **Q. Prior to 2014?**
 7 A. Prior, yes.
 8 **Q. And how many years prior to 2014**
 9 **did you have sleep apnea?**
 10 A. I would say maybe 2008.
 11 **Q. Between 2008 and 2014 what did you**
 12 **do to determine the cause of the sleep apnea?**
 13 A. Absolutely, this is not being --
 14 this is nothing but I just thought I couldn't
 15 sleep. I just thought anxiety and just --
 16 **Q. In the years 2008 to 2013, do you**
 17 **contend WWE did anything to prevent from you**
 18 **discovering the cause of your injuries?**
 19 MR. SCIOLLA: Objection, calls for
 20 speculation, legal conclusion.
 21 A. Did they do anything to prevent me?
 22 **Q. Yeah, from discovering the cause of**
 23 **your injuries in the years 2008 to 2013.**
 24 MR. SCIOLLA: Same objection.
 25 A. No.

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1 **Q. Am I correct, Mr. LoGrasso, that**
 2 **you, in the years when you were still --**
 3 MR. McDEVITT: Strike that.
 4 **Q. In the years where you were having**
 5 **these symptoms, you were still trying to**
 6 **perform as a professional wrestler?**
 7 A. Yes, sir.
 8 **Q. When did you perform your last**
 9 **match?**
 10 A. I don't recall.
 11 **Q. After you left the WWE and any of**
 12 **the matches that you performed in, did you**
 13 **take any chair shots?**
 14 A. Did I take any what?
 15 **Q. Chair shots?**
 16 A. No, sir.
 17 **Q. When was the last time you took a**
 18 **chair shot?**
 19 A. I don't remember.
 20 **Q. I think you already indicated you**
 21 **didn't when you were at WWE and you didn't**
 22 **after you left WWE; am I correct in that?**
 23 A. I would say so, yeah.
 24 **Q. So it would have been sometime**
 25 **prior to that last run with the WWE that you**

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| 266 | <p>1 took your last chair shot?</p> <p>2 A. Prior to WWE is probably, the last</p> <p>3 time I took a chair shot, prior. During my</p> <p>4 time at WWE, I did not take any chair shots.</p> <p>5 Afterwards, I'm really not sure -- I'm</p> <p>6 probably saying, I don't remember if I did.</p> <p>7 I know I wasn't into the hard core. I wasn't</p> <p>8 into doing the stuff. I just, you know --</p> <p>9 Q. You were advertising pretty much on</p> <p>10 social media for wrestling bookings and</p> <p>11 things of that nature through 2013, weren't</p> <p>12 you?</p> <p>13 A. I think so.</p> <p>14 Q. And you were advertising on, the</p> <p>15 Marmelukes, available for bookings in 2013,</p> <p>16 correct?</p> <p>17 A. I think, I don't remember, but I</p> <p>18 think so. But I'm not sure.</p> <p>19 Q. And Da Baldies were available for</p> <p>20 bookings in 2013?</p> <p>21 A. I think so.</p> <p>22 Q. And then you opened up your</p> <p>23 wrestling facility down in Florida, correct?</p> <p>24 A. Yes, sir.</p> <p>25 Q. How did that go?</p> | 268 | <p>1 Q. Did you go to the emergency room?</p> <p>2 A. Yes.</p> <p>3 Q. And did they tell you you almost</p> <p>4 died?</p> <p>5 A. Yes, they told me it was serious.</p> <p>6 Q. Were you sparring with your</p> <p>7 students in this studio?</p> <p>8 A. Yes.</p> <p>9 Q. Throwing punches at them?</p> <p>10 A. We were doing combination punches,</p> <p>11 no head shots, kicks, practices kicks to the</p> <p>12 legs.</p> <p>13 Q. So even as late as 2014, while</p> <p>14 you're experiencing these symptoms, now</p> <p>15 you're engaging in real fighting?</p> <p>16 MR. SCIOLLA: Objection.</p> <p>17 A. It wasn't really real fighting. It</p> <p>18 was a bunch of kids that didn't know and you</p> <p>19 are trying to teach them the basics. So it</p> <p>20 wasn't fighting.</p> <p>21 Q. Did you say, "I spar with each</p> <p>22 student the whole way through. I tell them</p> <p>23 if I have no breaks, no water, no chair, you</p> <p>24 can do this. You get to hit the teacher, I</p> <p>25 tell you to hit"?</p> |
| 267 | <p>1 A. I wind up closing my doors.</p> <p>2 Q. Would you consider it a financial</p> <p>3 success?</p> <p>4 A. No.</p> <p>5 Q. Would you consider it a flop?</p> <p>6 A. I considered it a good old fashion</p> <p>7 college try. That's about it.</p> <p>8 Q. You were doing MMA sparring in</p> <p>9 there, weren't you?</p> <p>10 A. Just dummies and everything.</p> <p>11 Q. With dummies, not real people?</p> <p>12 A. We were doing sparring with the</p> <p>13 dummies. We were practicing kicks, you know.</p> <p>14 Q. Didn't you almost get killed?</p> <p>15 A. Say it again?</p> <p>16 Q. Didn't you almost get killed?</p> <p>17 Didn't you have to go to the hospital because</p> <p>18 of a serious injury you got sparring?</p> <p>19 A. I had hit my leg and I had -- I</p> <p>20 didn't know that I had a blood clot in my</p> <p>21 leg, and I thought it was -- I thought it was</p> <p>22 a black and blue.</p> <p>23 Q. And you got that from getting</p> <p>24 kicked hard, right?</p> <p>25 A. In a kick pad.</p> | 269 | <p>1 A. I don't recall that. Unless you</p> <p>2 let me read it.</p> <p>3 (LoGrasso Exhibit 23, Facebook</p> <p>4 status update, marked for</p> <p>5 identification, this date.)</p> <p>6 Q. I handed you what has been marked</p> <p>7 as Exhibit 23, Mr. LoGrasso. Is that</p> <p>8 something you posted?</p> <p>9 A. Can I -- am allowed to read it?</p> <p>10 Q. Absolutely. I'm sorry.</p> <p>11 A. I posted this, yes, I did.</p> <p>12 Q. Is that what you said, "you get to</p> <p>13 hit the teacher, I tell you to hit"?</p> <p>14 A. Meaning, when you're sparring is</p> <p>15 that a lot of the guys were afraid to make</p> <p>16 contact because, you know, they didn't want</p> <p>17 to hit the teacher. There was a no heading</p> <p>18 hunting rule, no head shots allowed.</p> <p>19 Everything was one, two, three, four, kick,</p> <p>20 kick, one, two, and all body shots and to the</p> <p>21 legs.</p> <p>22 And a lot of guys, a lot of guys</p> <p>23 who don't know how to fight were intimidated</p> <p>24 because they didn't want to make a mistake,</p> <p>25 and as you know, being a new guy, you try not</p> |

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| 270 | 272 |
| <p>1 to -- and, you know, everybody has a fear. 2 And everybody has -- everybody wants to be in 3 MMA fighter and everybody wants to do it. 4 And it's okay to hit the bags, hit the dummy, 5 kick the pads. But now you're standing in 6 there with a guy who is going to actually 7 throw back at you, everybody was hesitant. 8 And then I used to tell the guys, I said, if 9 I could do, you could do it. If I could do 10 this and not take a break, you can do this. 11 Q. In one of the postings you made 12 about this lawsuit, did you state, "The WWE 13 will definitely see this and to know that I 14 will be going on TV soon in a tell all and 15 just prove that you got to believe in you and 16 the sacrifices you made in life. As you know 17 you had to be tough. Never say you're hurt. 18 If you were, you lost your spot." Did you 19 say that? 20 A. Can I read it? Is it okay? 21 (LoGrasso Exhibit 24, Facebook 22 status update, marked for 23 identification, this date.) 24 A. I wrote this. 25 Q. Is that what you said? "You know</p> | <p>1 can monitor their head injuries, you know, 2 get what they need to survive this world. 3 Q. Well, such as what? 4 A. Well, you know, you're looking at 5 possibly healthcare, you know, some sort of 6 pension, you know, some kind of relief for 7 guys to help them get through their tough 8 times. 9 Q. So you think this lawsuit is a way 10 of getting a pension? 11 MR. SCIOLLA: Objection. 12 A. Well, to get a pension for the guys 13 who put their time in. 14 Q. By the way, are you one of them? 15 A. I would think so. 16 Q. So you put a couple of years in the 17 WWE and you think this lawsuit should get you 18 a pension? 19 A. I didn't just put a couple of years 20 in the WWE. It was for wrestling in general. 21 (LoGrasso Exhibit 25, Facebook 22 status update, marked for 23 identification, this date.) 24 Q. Where did you get this information 25 about the NFL lawsuit is about billion</p> |
| 271 | 273 |
| <p>1 you had to be tough. Never say you're hurt. 2 If you were, you lost your spot"? 3 A. That was one of the things we 4 talked about before is a code in wrestling. 5 If you say you're hurt, you lose your spot. 6 You always got to, you know, never say you're 7 injured, never say you're hurt. Always keep 8 going. I did say that. 9 Q. And is that sort of the code you 10 followed when you were performing for the 11 WWE, never say you're hurt? 12 A. You try to follow that code and you 13 try to do it to the best of your ability. 14 Q. You also say in here, "This is a 15 chance for benefits. The same as the NFL 16 lawsuit. No one knew but a billion dollars 17 divided up for the guys who put their time in 18 and have some issues now have relief." 19 What is a chance for benefits? Do 20 you see this lawsuit as a chance for 21 benefits? 22 A. To get help. 23 Q. Well, what benefits do you think 24 this lawsuit is about? 25 A. To get the help people need so they</p> | <p>1 dollars divided up by the guys. Where did 2 that come from? 3 A. I read about it online. That's 4 where I got the information from. It was on 5 the newspaper and in the news. 6 Q. Do you have some understanding that 7 Mr. Kyros was involved in that? 8 A. Yes, I do. 9 Q. What is your understanding? 10 A. That he helped some of the people 11 in the NFL lawsuit. 12 Q. Did you understand he had something 13 to do with that settlement? 14 A. I know he was affiliated with it. 15 But the things that are on there, from what I 16 read, and what I saw on TV, and I wrote about 17 it. It's my own opinion. 18 Q. How is he affiliated with the 19 billion dollar settlement? 20 A. How is Mr. Kyros affiliated with 21 it? 22 Q. Yeah, how is he affiliated with 23 that. 24 A. I didn't say he was affiliated with 25 it. I said he was affiliated with the</p> |

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1 lawsuit. I didn't say the billion dollar
 2 one.
 3 Can I read it?
 4 **Q. Well, it was on the one I just**
 5 **asked.**
 6 **(Discussion off the record.)**
 7 **Q. What was his affiliation with the**
 8 **lawsuit?**
 9 A. That was what I heard on TV and
 10 read online, so that's what I put.
 11 **Q. Where did you hear that on TV?**
 12 A. I don't recall.
 13 **Q. Advertisements?**
 14 A. It wasn't advertising. It was on I
 15 think maybe Sports Center, or something, one
 16 of the sports shows.
 17 **Q. Sport Center said Mr. Kyros had**
 18 **something to do with that?**
 19 A. No, I didn't say that.
 20 **Q. What --**
 21 A. You asked me about the billion
 22 dollar lawsuit. You didn't ask me about Mr.
 23 Kyros.
 24 **Q. No, well, I'm sorry. I thought I**
 25 **did. But I'm asking, what is your reason for**

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1 **thinking he had something to do with that**
 2 **billion dollar settlement?**
 3 A. He represented some of the people
 4 in the NFL lawsuit.
 5 **Q. And did what?**
 6 MR. SCIOLLA: Objection, calls for
 7 speculation.
 8 **Q. I'm not asking you to speculate.**
 9 **I'm asking you, what is your understanding?**
 10 A. He represented some of his clients
 11 in the lawsuit.
 12 THE WITNESS: Is it all right if I
 13 take a break?
 14 MR. McDEVITT: You want to take a
 15 couple of minutes too. Actually that's
 16 a probably a good idea. It will give me
 17 a chance to look through and see if I
 18 can shorten.
 19 THE VIDEOGRAPHER: The time is
 20 3:51 p m. Off the record.
 21 (A brief recess was taken.)
 22 THE VIDEOGRAPHER: The time is
 23 4:02 p m. Back on the record.
 24 **Q. Just a few more things to cover**
 25 **with you today, if I could.**

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1 **On Exhibit 25, am I correct that --**
 2 **and I'll give it back to you -- am I correct**
 3 **that on this one, you also said, "The fear on**
 4 **losing your spot is real. Are you hurt, no,**
 5 **you keep going. It was the culture."**
 6 **That's the same thing you said in**
 7 **the prior e-mail, not e-mail, the prior**
 8 **posting, about the culture?**
 9 A. Basically the same thing.
 10 **Q. Did you ever subscribe or read the**
 11 **WWE Magazine?**
 12 A. No. They stopped sending me the
 13 magazine a long time ago.
 14 **Q. Are you a subscriber to what is**
 15 **called Dirt Cheats?**
 16 A. No.
 17 **Q. Have you ever been?**
 18 A. No.
 19 **Q. Do you ever read The Wrestling**
 20 **Observer?**
 21 A. Wrestle Zone, Wrestling Observer.
 22 **Q. How about The Torch?**
 23 A. The Torch is still a paper thing,
 24 isn't it?
 25 **Q. Yes. Well, I think it is. It may**

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1 **be on the internet too, but paper --**
 2 A. I don't read The Torch. Maybe
 3 Wrestle Zone or the PWInsider.
 4 **Q. So they are internet-based rag**
 5 **sheets, for lack of a better word?**
 6 A. Those two.
 7 **Q. Those two. All right.**
 8 **How long have you read those?**
 9 A. I don't know, on and off.
 10 **Q. Have you received written**
 11 **communications from the WWE since you left**
 12 **there? Have you received any kind of written**
 13 **communications from the WWE since you left**
 14 **the company in 2007?**
 15 A. E-mails about the wellness policy.
 16 **Q. Anything else?**
 17 A. Asking Tom Luminowski (phonetic)
 18 about my royalties.
 19 **Q. Tom Rigmoski (phonetic), do you**
 20 **mean?**
 21 A. Yes.
 22 **Q. Anybody else?**
 23 A. Let me think. No, not that I know
 24 of.
 25 **Q. When you say you got e-mails, I**

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| 278 | 280 |
| <p>1 think that's what you said, e-mails regarding</p> <p>2 the wellness policy?</p> <p>3 A. They used to send them to me I</p> <p>4 guess as a group blast.</p> <p>5 Q. And did you keep those e-mails?</p> <p>6 A. No.</p> <p>7 Q. What did the e-mails say?</p> <p>8 A. Basically what you showed me,</p> <p>9 something to the effect earlier, about the</p> <p>10 wellness policy.</p> <p>11 Q. I don't recall what I showed you</p> <p>12 about the wellness policy you're referring</p> <p>13 to.</p> <p>14 A. It was saying that if you have -- I</p> <p>15 think, if I remember, if you have any</p> <p>16 problems or you know anybody who needs help,</p> <p>17 call the wellness policy.</p> <p>18 Q. It would say call the WWE, not call</p> <p>19 the wellness policy?</p> <p>20 A. Well, the program, WWE wellness</p> <p>21 policy.</p> <p>22 Q. Well, those letters don't even</p> <p>23 mention wellness policy, do they?</p> <p>24 A. I'm not sure because I don't</p> <p>25 remember the exact e-mail. You asked me if</p> | <p>1 and the DDP Yoga he swears by. I mean it</p> <p>2 might have helped him.</p> <p>3 Q. Do you --</p> <p>4 THE VIDEOGRAPHER: 4:07 p.m. Off</p> <p>5 the record.</p> <p>6 (A brief recess was taken.)</p> <p>7 THE VIDEOGRAPHER: 4:08 p.m. Back</p> <p>8 on the record.</p> <p>9 (LoGrasso Exhibit 26, Article</p> <p>10 entitled, "Is it over for HBK?," Bates</p> <p>11 Nos. SINGLETON_0000612 through</p> <p>12 SINGLETON_0000614, marked for</p> <p>13 identification, this date.)</p> <p>14 MR. SCIOLLA: Can I have a copy of</p> <p>15 25? I don't think I got one.</p> <p>16 MS. LACY: There were two that I</p> <p>17 handed over. I don't know where the</p> <p>18 other copy went.</p> <p>19 THE WITNESS: This is 25.</p> <p>20 MR. SCIOLLA: You have to keep that</p> <p>21 there. That's marked.</p> <p>22 MR. McDEVITT: She's going to</p> <p>23 attach them.</p> <p>24 MS. LACY: I don't know where it</p> <p>25 got lost, but I did have two copies.</p> |
| 279 | 281 |
| <p>1 there was any contact, if I remember, that</p> <p>2 was the only one.</p> <p>3 Q. But you would agree, I take it, the</p> <p>4 WWE has not provided you any kind of medical</p> <p>5 care since you left the WWE?</p> <p>6 A. No.</p> <p>7 Q. All right. And the letters you're</p> <p>8 referring to are letters by which WWE offers</p> <p>9 any talent that has a drug or alcohol</p> <p>10 problem, help in going to rehab; is that</p> <p>11 basically what you're talking about?</p> <p>12 A. That's it.</p> <p>13 Q. And do you happen to know any</p> <p>14 people who have been helped by that program?</p> <p>15 A. No. Pretty much, I guess the guys</p> <p>16 who go to the rehab keep it to themselves,</p> <p>17 and they don't advertise it.</p> <p>18 Q. Do you know Scott Hall?</p> <p>19 A. I know Scott Hall. I don't talk to</p> <p>20 him. I'm not a friend of his.</p> <p>21 Q. Do you think he would be alive</p> <p>22 today but for the WWE's help in that program?</p> <p>23 MR. SCIOLLA: Objection, calls for</p> <p>24 speculation.</p> <p>25 A. I guess -- I guess it did help him,</p> | <p>1 THE WITNESS: Do you guys want that</p> <p>2 door shut?</p> <p>3 MR. McDEVITT: No, that's okay.</p> <p>4 Q. Would you have a minute to take a</p> <p>5 look at Exhibit 26.</p> <p>6 Have you read that article before</p> <p>7 today?</p> <p>8 A. No.</p> <p>9 MR. McDEVITT: I'm probably going</p> <p>10 to conclude by showing you the last</p> <p>11 three matches of WWE that you identified</p> <p>12 in the interrogatories as the five</p> <p>13 matches that you were hurt in. We've</p> <p>14 seen two already.</p> <p>15 Let's do the January 16, 2007</p> <p>16 match.</p> <p>17 MS. LACY: It always together.</p> <p>18 Full match.</p> <p>19 Q. And I would like you to do, Mr.</p> <p>20 LoGrasso, is --</p> <p>21 MR. McDEVITT: Are you able to stop</p> <p>22 that when he speaks?</p> <p>23 THE VIDEOGRAPHER: Yes. Just let</p> <p>24 me know.</p> <p>25 Q. What I would like you to do is when</p> |

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| 282 | <p>1 you watch this one is if -- if you see a</p> <p>2 place where you think you received a head</p> <p>3 injury, I would like you to tell us when you</p> <p>4 see it, stop the tape. You can identify it</p> <p>5 and we will continue to roll it.</p> <p>6 MR. SCIOLLA: We are going to stop</p> <p>7 now.</p> <p>8 MR. McDEVITT: Whenever he</p> <p>9 identifies a spot so we can make sure we</p> <p>10 identify.</p> <p>11 MR. SCIOLLA: Okay. Do you</p> <p>12 understand? Okay.</p> <p>13 (Video played.)</p> <p>14 MR. McDEVITT: Can you run that</p> <p>15 until the match starts. Run it to until</p> <p>16 the match actually begins.</p> <p>17 Okay. There.</p> <p>18 (Video played.)</p> <p>19 A. Right there is where I got rocked.</p> <p>20 MR. McDEVITT: Before we start it.</p> <p>21 A. That's where it started.</p> <p>22 Q. Who is your opponent there?</p> <p>23 A. Steve Taylor.</p> <p>24 Q. And you're indicating in the tape</p> <p>25 where he sort of gives you a series of upper</p> | 284 | <p>1 A. That was another upper cut on that.</p> <p>2 Q. And you've indicated the same</p> <p>3 movement that that man made earlier in the</p> <p>4 film with sort of a bent arm upper cut to</p> <p>5 your chin?</p> <p>6 A. Yep.</p> <p>7 Q. Does he actually hit you in the</p> <p>8 face there?</p> <p>9 A. Say it again.</p> <p>10 Q. Does he actually hit you in the</p> <p>11 face?</p> <p>12 A. I believe so. All I know is I got</p> <p>13 it good.</p> <p>14 (Videotape played.)</p> <p>15 A. This is the bit of the match where</p> <p>16 they're actually tell me to tag, if it is,</p> <p>17 and I'm not -- like, I'm trying to get there,</p> <p>18 but I'm having a problem getting to make the</p> <p>19 tag.</p> <p>20 Q. Well, that's conventional issue in</p> <p>21 tags, the guy is trying to get, but he can't</p> <p>22 get there because the guy keeps dragging him</p> <p>23 back?</p> <p>24 A. I'm talking about I'm trying to go</p> <p>25 back -- I'm saying if it's the end, you can</p> |
| 283 | <p>1 cuts with the bent arm?</p> <p>2 A. Right.</p> <p>3 Q. Let's continue, and if you see any</p> <p>4 others ones, tell us where is that.</p> <p>5 A. That's where it started and that's</p> <p>6 where I like, from then on, you can go ahead.</p> <p>7 (Video played.)</p> <p>8 A. Right in the corner I was being hit</p> <p>9 in the head.</p> <p>10 Q. And you are indicating that Steven</p> <p>11 Regal is hitting you in the head in the</p> <p>12 corner?</p> <p>13 A. In that series also.</p> <p>14 Q. All right. Let's continue.</p> <p>15 (Video played.)</p> <p>16 A. Again I'm hit in the head, in the</p> <p>17 back of the head on that.</p> <p>18 Q. Were you indicating the spot where</p> <p>19 Steven Regal --</p> <p>20 A. Where I received a kick to the</p> <p>21 head.</p> <p>22 Q. With his right foot?</p> <p>23 A. Yes, sir.</p> <p>24 Q. All right.</p> <p>25 (Videotape played.)</p> | 285 | <p>1 go forward.</p> <p>2 (Video played.)</p> <p>3 A. That's the point I'm talking about.</p> <p>4 Like a miss altogether.</p> <p>5 Q. That's scripted, isn't it? That's</p> <p>6 the scripted part of the finish, isn't it?</p> <p>7 A. Not that part. They were telling</p> <p>8 me from all three of them, to make the tag,</p> <p>9 make the tag. He couldn't missed any more</p> <p>10 and made it more obvious that, you know, make</p> <p>11 the tag already. And I was having a hard</p> <p>12 time making a tag and I missed it. As you</p> <p>13 could see, I missed it.</p> <p>14 Q. Well, that often happens, doesn't</p> <p>15 it? You miss the tag? That's sort of</p> <p>16 setting up the idea, you can't make the tag?</p> <p>17 A. Not when you are going on the</p> <p>18 finish, or the go home. You are supposed to</p> <p>19 make the hot tag.</p> <p>20 Q. Let's see how it ends here.</p> <p>21 (Video played.)</p> <p>22 MR. McDEVITT: All right. You can</p> <p>23 stop.</p> <p>24 Q. So after the segment where you</p> <p>25 didn't make the tag, you made the tag, right?</p> |

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| 286 | <p>1 A. I missed, and then eventually they</p> <p>2 tagged me.</p> <p>3 Q. That's the scripted. You are</p> <p>4 supposed to miss to set up what you</p> <p>5 eventually do?</p> <p>6 A. That end part wasn't supposed to</p> <p>7 be, I was supposed to make the hot tag diving</p> <p>8 into the corner, but then it took me a little</p> <p>9 extra at end to do a neck break. You never</p> <p>10 do a neck break that how close to the</p> <p>11 turnbuckle. Because as you're making a hot</p> <p>12 tag, you're coming, you're coming, you're</p> <p>13 coming, you make a hot tag, you jump and you</p> <p>14 make the hot tag. When you're doing a neck</p> <p>15 breaker and you are doing something like</p> <p>16 right there, so I have to fall back into the</p> <p>17 turnbuckle, so I could wave my hands like</p> <p>18 this. I still never made the tag. They made</p> <p>19 the tag to me. When you are going into the</p> <p>20 turnbuckle, you make the tag, hot tag, and</p> <p>21 you fall.</p> <p>22 Q. After every one of the episodes</p> <p>23 that you indicated you got hurt in, you</p> <p>24 continued to perform, didn't you?</p> <p>25 A. I continued to perform.</p> | 288 | <p>1 A. Other wrestlers, the agents, the</p> <p>2 bookers, anybody who knows wrestling.</p> <p>3 Q. Well, did any of these wrestlers</p> <p>4 say to you, were you hurt?</p> <p>5 A. They were telling me to make the</p> <p>6 tag. They were pushing me to the corner.</p> <p>7 The ref was telling me to go home.</p> <p>8 Q. When we talk to those wrestlers,</p> <p>9 they will say they knew you were hurt?</p> <p>10 A. They were telling me to go long and</p> <p>11 I couldn't.</p> <p>12 Q. So they're going to say they knew</p> <p>13 you were hurt?</p> <p>14 MR. SCIOLLA: Objection, calls for</p> <p>15 speculation.</p> <p>16 MR. McDEVITT: All right.</p> <p>17 Let's watch the January 30th one.</p> <p>18 MS. LACY: The full match.</p> <p>19 Q. Let's do the same thing, Mr.</p> <p>20 LoGrasso. When you see something that you</p> <p>21 say now hurt you and took a head injury, tell</p> <p>22 us and we will stop the tape.</p> <p>23 (Videotape played.)</p> <p>24 A. Right there the knee to the head.</p> <p>25 Q. So your testimony is he actually</p> |
| 287 | <p>1 Q. And you continued to execute</p> <p>2 various complicated maneuvers, didn't you?</p> <p>3 A. Complicated, in dropping to your</p> <p>4 knees, I don't think so.</p> <p>5 Q. If somebody was watching that, do</p> <p>6 you find anything in that that looks like</p> <p>7 anything other than a routine wrestling</p> <p>8 match?</p> <p>9 MR. SCIOLLA: Objection, calls for</p> <p>10 speculation.</p> <p>11 A. I'm just telling you what happened</p> <p>12 in the ring.</p> <p>13 Q. I'm just asking you, sir: If you</p> <p>14 watched that would you think that was</p> <p>15 anything other than a routine, garden variety</p> <p>16 wrestling match?</p> <p>17 A. I guess you could say it's a</p> <p>18 wrestling match.</p> <p>19 Q. But you wouldn't find anything in</p> <p>20 that that would indicate that anybody was</p> <p>21 seriously hurt, would you?</p> <p>22 A. To the blind eye, what you're</p> <p>23 saying is correct. To the trained eye, there</p> <p>24 is something wrong.</p> <p>25 Q. What trained eye? Of a wrestler's?</p> | 289 | <p>1 kneed you in the head?</p> <p>2 A. What you just saw.</p> <p>3 Q. No, I'm asking. Are you selling</p> <p>4 that he hit you in the head or did he hit you</p> <p>5 in the head?</p> <p>6 A. He hit me in the head.</p> <p>7 Q. All right. Let's go forward.</p> <p>8 (Video played.)</p> <p>9 MR. McDEVITT: All right. You can</p> <p>10 stop that.</p> <p>11 THE WITNESS: There was more after</p> <p>12 that, but if you want to stop it.</p> <p>13 MR. McDEVITT: All right. Let's</p> <p>14 run it just to make sure. I didn't</p> <p>15 realize it.</p> <p>16 (Video played.)</p> <p>17 THE WITNESS: That's fine.</p> <p>18 Q. Do you recall about halfway through</p> <p>19 that, when you were laying on the mat, he</p> <p>20 bends down and appears to be talking to you?</p> <p>21 A. I don't know if he was talking to</p> <p>22 me.</p> <p>23 Q. Well, fair enough.</p> <p>24 But he bends down and his face is</p> <p>25 near your ear; do you remember that?</p> |

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| 290 | <p>1 A. I just saw it. I don't know if he</p> <p>2 said anything to me.</p> <p>3 Q. But that is kind of an example of</p> <p>4 when wrestlers -- I don't know did that one</p> <p>5 or not. But that's how they communicate,</p> <p>6 right? He could have told you what move to</p> <p>7 go to next, right?</p> <p>8 A. We talk to each other.</p> <p>9 Q. He tells you what is the next move</p> <p>10 he is going to do to you, or you should do</p> <p>11 him?</p> <p>12 A. Or if you're okay.</p> <p>13 Q. Right. Did he say anything to you</p> <p>14 there?</p> <p>15 A. No.</p> <p>16 Q. And then at the end when he was,</p> <p>17 had the red dress and apparently choking you,</p> <p>18 he wasn't really choking you, was he?</p> <p>19 A. At one point when he had my neck</p> <p>20 up, I was like, you know. I was losing it a</p> <p>21 little bit. I was choking a little bit at</p> <p>22 the end. But, you know, you just did it and</p> <p>23 that's was it.</p> <p>24 Q. You had your hands between the rag</p> <p>25 and the --</p> | 292 | <p>1 THE WITNESS: If I could say</p> <p>2 something, if you could cut that for a</p> <p>3 second.</p> <p>4 I know we're watching matches here</p> <p>5 and I know that the match just had</p> <p>6 Kennedy, but if I remember right, there</p> <p>7 was a running boot to where he started</p> <p>8 off on one side of the ring and he hit</p> <p>9 me full force, running me across to the</p> <p>10 other side. And that wasn't in the</p> <p>11 tape. If I remember correctly. Maybe</p> <p>12 I'm mistaken, but if I remember, I think</p> <p>13 there was a running boot in there.</p> <p>14 MR. McDEVITT: We haven't edited</p> <p>15 the tape.</p> <p>16 THE WITNESS: I'm just making a</p> <p>17 statement. Go ahead.</p> <p>18 (Video played.)</p> <p>19 THE WITNESS: There is another kick</p> <p>20 to the head on the outside. I know I</p> <p>21 took the turnbuckle in the post. You</p> <p>22 know, I absorbed the hit, but I just</p> <p>23 making points.</p> <p>24 You can go ahead.</p> <p>25 Q. What are you saying about the</p> |
| 291 | <p>1 A. I had my fingers there, but that</p> <p>2 strength, it doesn't matter. If I'm pulling</p> <p>3 and you have your fingers there, two fingers</p> <p>4 is not going to separate it. I did the best</p> <p>5 I could. But as he was bringing it back, it</p> <p>6 was stronger and stronger.</p> <p>7 Q. Were you selling that move at that</p> <p>8 point?</p> <p>9 A. Say what.</p> <p>10 Q. Were you selling this move there,</p> <p>11 his choking you?</p> <p>12 A. Well, I was selling it and</p> <p>13 experiencing it.</p> <p>14 Q. And if you watch that match, would</p> <p>15 you agree that it looks like an everyday,</p> <p>16 ordinary wrestling match?</p> <p>17 A. I would say it looks like an</p> <p>18 everyday, ordinary wrestling match.</p> <p>19 MR. McDEVITT: Let's watch the last</p> <p>20 one, which is --</p> <p>21 MS. LACY: Vito versus William</p> <p>22 Regal, September 12, 2006.</p> <p>23 Q. Same thing, whenever you see what</p> <p>24 hurt you, say so.</p> <p>25 (Video played.)</p> | 293 | <p>1 turnbuckle, are you saying you hit your head</p> <p>2 there, or not?</p> <p>3 A. I'm saying I absorbed the post.</p> <p>4 Q. What does that mean?</p> <p>5 A. That I took the post -- if you</p> <p>6 rewind it back, you see I run into the post.</p> <p>7 Q. What part of your body hit the</p> <p>8 post?</p> <p>9 A. The corner post of the ring.</p> <p>10 Q. What part of your body hit the</p> <p>11 post?</p> <p>12 A. I'm not sure.</p> <p>13 Q. Are you claiming your head did or</p> <p>14 not?</p> <p>15 A. I know I got kicked after that.</p> <p>16 I'm just making a notation that I hit the</p> <p>17 post. I'm not sure if I hit my head. I</p> <p>18 don't think I did. But I'm just letting you</p> <p>19 know that I did register that with the steel.</p> <p>20 Q. And that move with the post, what</p> <p>21 are you supposed to do to avoid hitting your</p> <p>22 head and make it realistic?</p> <p>23 A. As a guy brings is bringing you in,</p> <p>24 you hope you don't crack your head open. You</p> <p>25 know, and try to get out of there as safe as</p> |

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|-----|--|-----|--|
| 294 | <p>1 possible, because there is a code of safety.</p> <p>2 But when you blatantly take in a post and you</p> <p>3 are running into it, you know, there is a</p> <p>4 chance you can get hurt.</p> <p>5 Q. There is always a chance you can</p> <p>6 get hurt, but what are you supposed to do to</p> <p>7 avoid getting hurt when you run into a post?</p> <p>8 What is the stunt aspect of it all?</p> <p>9 A. You are supposed to put your hand</p> <p>10 up.</p> <p>11 Q. Right. And did you do that there?</p> <p>12 A. I don't think I did, but I know I</p> <p>13 took the post.</p> <p>14 Q. And then when you say he kicked</p> <p>15 you, are you saying he actually --</p> <p>16 A. Like I did the last time outside</p> <p>17 the ring.</p> <p>18 Q. You're saying he actually kicked</p> <p>19 you in the face?</p> <p>20 A. He kicked me hard in the head.</p> <p>21 Q. Am I right, Mr. LoGrasso, that some</p> <p>22 of these wrestlers are so talented that they</p> <p>23 can stop a punch, or design a punch</p> <p>24 one millimeter from your nose?</p> <p>25 MR. SCIOLLA: Object to the form.</p> | 296 | <p>1 that I was unprotected. He came with the</p> <p>2 upper cut. Same one he has been hitting me</p> <p>3 with.</p> <p>4 (Videotape played.)</p> <p>5 A. There was a forearm shot and not a</p> <p>6 punch. Because as he's coming around, he's</p> <p>7 turning the forearm in and hitting me, giving</p> <p>8 me a shimmer, instead of just a punch.</p> <p>9 (Video played.)</p> <p>10 A. Forearm shift to the head, the</p> <p>11 elbows.</p> <p>12 (Video played.)</p> <p>13 A. There are shots there to the head</p> <p>14 and the forearm and elbows.</p> <p>15 (Video played.)</p> <p>16 A. And across face, across the jaw in</p> <p>17 that series.</p> <p>18 (Video played.)</p> <p>19 A. And there's a series of elbows.</p> <p>20 Q. And are you saying that he's</p> <p>21 actually hitting with you those elbows</p> <p>22 repeated what you called previously potatoes?</p> <p>23 A. Shows are stiff shots.</p> <p>24 Q. But you're saying he's actually</p> <p>25 hitting you in your face with his elbows?</p> |
| 295 | <p>1 A. Yeah, absolutely correct, and there</p> <p>2 are some wrestlers who are known to be stiff</p> <p>3 in the ring.</p> <p>4 Q. Understood. But there are also</p> <p>5 some that can do the same thing with the</p> <p>6 foot, aren't they?</p> <p>7 A. And like you said, it's an expert,</p> <p>8 if you're an expert and you can do it, that's</p> <p>9 great. If the illusion is there, that's</p> <p>10 great. And there are some wrestlers that are</p> <p>11 stiff in the ring, like Mr. Regal and they --</p> <p>12 you know, he's a real wrestler. He's not</p> <p>13 wrestling there.</p> <p>14 Q. And it's a bit of an art form,</p> <p>15 isn't it?</p> <p>16 A. Yes, sir, it is.</p> <p>17 Q. And so if you're really good at</p> <p>18 kicks, he will stop that kick that close to</p> <p>19 your nose, won't he?</p> <p>20 A. If you're that good. But if you're</p> <p>21 eating it --</p> <p>22 Q. All right. Let's continue, see</p> <p>23 what else you say happened here.</p> <p>24 (Video played.)</p> <p>25 A. That was a shot there to my face</p> | 297 | <p>1 A. Yeah.</p> <p>2 Q. Repeatedly?</p> <p>3 A. Repeatedly, and my hands are down.</p> <p>4 Q. So this is more than two, right?</p> <p>5 So he's really due for a receipt from you,</p> <p>6 isn't he?</p> <p>7 A. Yeah.</p> <p>8 Q. I mean, if what you've said, he's</p> <p>9 given you how many potatoes in this match so</p> <p>10 far?</p> <p>11 A. I know but the tape is still</p> <p>12 rolling.</p> <p>13 Q. How many so far? A lot, right?</p> <p>14 A. Yeah, we're rock and rolling,</p> <p>15 that's for sure.</p> <p>16 Q. Have you given him a receipt yet?</p> <p>17 A. I haven't had any offense yet.</p> <p>18 MR. McDEVITT: Let's go, continue.</p> <p>19 (Video played.)</p> <p>20 A. There is one thing right there. I</p> <p>21 tried to kick off, as offense. It wasn't</p> <p>22 even a perfectly dump kick, it ways sloppy</p> <p>23 kick, but I just trying to keep him off.</p> <p>24 (Video played.)</p> <p>25 A. And now I try give back what he's</p> |

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| 298 | 300 |
| <p>1 giving to me.</p> <p>2 Q. Now, you're saying you're hitting</p> <p>3 him in the face now?</p> <p>4 A. Giving him the same of what he gave</p> <p>5 to me.</p> <p>6 (Video played.)</p> <p>7 MR. McDEVITT: You can stop there.</p> <p>8 Q. And you don't think that's a comedy</p> <p>9 match?</p> <p>10 A. Not the way we were going at it.</p> <p>11 You say common, I've taken those shots to the</p> <p>12 head, and you can see my head is like a</p> <p>13 pinata in the corner, and if you had just</p> <p>14 taken forearm blows to the chest, or you are</p> <p>15 taking punches, but if he's getting me the</p> <p>16 shimmy from here, with catching me with the</p> <p>17 elbow with the inning.</p> <p>18 Q. If you watched that match, would</p> <p>19 you think that was anything other than a</p> <p>20 normal wrestling match?</p> <p>21 A. From the naked eye, it looks like a</p> <p>22 regular wrestling match.</p> <p>23 Q. And what saw there is done in just</p> <p>24 about every wrestling we've ever watched,</p> <p>25 isn't it?</p> | <p>1 MR. SCIOLLA: Objection, calls for</p> <p>2 speculation.</p> <p>3 A. Well, I'm standing in there. So I</p> <p>4 guess I'll stand outside.</p> <p>5 MR. McDEVITT: I think for now, Mr.</p> <p>6 LoGrasso, I have no further questions</p> <p>7 for you today.</p> <p>8 Depending on the outcome of what</p> <p>9 happens in the case, maybe later, but</p> <p>10 none for the day. Thank you for your</p> <p>11 testimony.</p> <p>12 I would like to know, counsel, what</p> <p>13 you intend to do before the call</p> <p>14 tomorrow.</p> <p>15 MR. SCIOLLA: I do have some</p> <p>16 follow-up questions.</p> <p>17 MR. McDEVITT: That's fine.</p> <p>18 MR. KYROS: You want to take a</p> <p>19 five-minute.</p> <p>20 MR. SCIOLLA: Very quick. I will</p> <p>21 be right back.</p> <p>22 THE VIDEOGRAPHER: 4:44 p m. Off</p> <p>23 the record.</p> <p>24 (A brief recess was taken.)</p> <p>25 THE VIDEOGRAPHER: The time is</p> |
| 299 | 301 |
| <p>1 A. Unless you're in there experiencing</p> <p>2 it, you don't know how it feels and how it's</p> <p>3 taken. Am I correct?</p> <p>4 Q. And you don't know whether you are</p> <p>5 selling or whether you don't?</p> <p>6 A. Huh.</p> <p>7 Q. And you don't know whether you are</p> <p>8 selling or whether you are not?</p> <p>9 MR. SCIOLLA: Object to the form.</p> <p>10 Q. Right?</p> <p>11 You're a big guy, aren't you?</p> <p>12 A. I'm a what?</p> <p>13 Q. You're pretty big guy? Do you</p> <p>14 really think if you punch somebody in the</p> <p>15 face full amount, they would still be</p> <p>16 standing?</p> <p>17 A. If I punched somebody in the face?</p> <p>18 Q. Yeah. I mean if you punched Steve</p> <p>19 Regal as hard as you could in the face, you</p> <p>20 think you would still be standing?</p> <p>21 A. There are a bunch of tough guys in</p> <p>22 WWE. You know that.</p> <p>23 Q. Yeah, I know. Do you think if</p> <p>24 somebody hauled off and punched you full in</p> <p>25 the face, you would still stand there?</p> | <p>1 4:56 p m. Back on record.</p> <p>2 EXAMINATION BY</p> <p>3 MR. SCIOLLA:</p> <p>4 Q. Vito, I have some follow-up</p> <p>5 questions to address or clarify some of the</p> <p>6 testimony that you gave earlier. Okay.</p> <p>7 First off, we looked at the</p> <p>8 October 2006 match with Regal where you had</p> <p>9 initially thought you hit your head into the</p> <p>10 stairs and certainly that's been talked out</p> <p>11 at length.</p> <p>12 Did you honestly believe before</p> <p>13 seeing the slow motion of that impact that</p> <p>14 you had hit your head?</p> <p>15 MR. McDEVITT: Object to the form</p> <p>16 and foundation.</p> <p>17 A. Honestly thought that I hit my head</p> <p>18 on the stairs. I was kicked really hard, and</p> <p>19 I thought I hit my head honestly and truly,</p> <p>20 my head in the stairs.</p> <p>21 Q. Was there any attempt on your part</p> <p>22 to deceive any of us about whether or not you</p> <p>23 hit your head?</p> <p>24 A. Not in the least bit.</p> <p>25 Q. How do you explain your confusion</p> |

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1 **about whether or not you hit your head in**
 2 **that match?**
 3 MR. McDEVITT: Object to the form.
 4 He didn't express any confusion.
 5 A. I got kicked really hard, and I
 6 guess the impact to the kick just sent me, I
 7 guess when I made contact with the stairs, I
 8 thought that I hit my head, but the kick is
 9 what really did me in.
 10 **Q. Did you sustain any other, after**
 11 **watching it again, do you recall seeing any**
 12 **other blows to the head during that fight**
 13 **following the stairs?**
 14 A. When we watched the tape and went
 15 through the fight, there were several blows
 16 to the head that I pointed out to Mr.
 17 McDevitt, and the people in the room that,
 18 you know, affected me.
 19 **Q. Okay. And we've watched several**
 20 **videos of your fights -- excuse me -- your**
 21 **matches with Mr. Regal?**
 22 A. Yes.
 23 **Q. You described him as a stiff**
 24 **wrestler. Can you explain what that means?**
 25 A. That means he hits harder than

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1 most, and he makes it as legit as possible.
 2 **Q. When you say as "legit as**
 3 **possible," are there any times when you're**
 4 **actually getting hit in the head?**
 5 A. Yes, you are getting hid in the
 6 head. I mean, like we spoke about, you could
 7 punch somebody without hurting them, and
 8 there's guys, like Mr. Regal, who make
 9 contact in a stiff way to bring out the
 10 realism in wrestling. So the contact that
 11 was made in those blows were legit shots.
 12 **Q. There's been a lot of discussion**
 13 **today about what's real, what's fake, what's**
 14 **selling.**
 15 **Can you explain for those of us who**
 16 **are not, you know, and have never involved in**
 17 **the WWE, the reality versus fiction of what**
 18 **is going on in the ring?**
 19 MR. McDEVITT: Object to the
 20 question. I don't understand what you
 21 mean.
 22 MR. SCIOLLA: You don't have to
 23 answer it.
 24 THE WITNESS: Answer the question.
 25 MR. SCIOLLA: Go ahead.

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1 THE WITNESS: Can you repeat the
 2 question again?
 3 MR. SCIOLLA: Sure.
 4 **Q. For those who don't have any**
 5 **experience in the WWE --**
 6 A. Right.
 7 **Q. -- we have talked today about the**
 8 **real aspects, there is fake aspects to the**
 9 **wrestling matches. Can you take us or**
 10 **explain to us what aspects can be real and**
 11 **which aspects are fake or selling?**
 12 MR. McDEVITT: Same objection.
 13 A. To the naked eye when you are
 14 watching as a fan, you see -- you see the
 15 contact or you see the -- you see a light
 16 contact that is perceived as real. Guys
 17 sells it upon contact.
 18 There are wrestlers who make it, as
 19 they are trained in a certain way, where it's
 20 old school wrestling, like it's believable,
 21 it's TV, you got to make it -- you know, you
 22 got to make it stiff, you got to make
 23 contact, you can't leave nothing out.
 24 Because for the viewers at home who watch it,
 25 they might say, oh, that was full of shit, or

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1 that was, you know, full of crap. That's why
 2 some wrestlers from back in the day were
 3 trained and taught make contact, make solid
 4 contact, and when your adrenaline is running
 5 in there, okay, and you're going, and you are
 6 throwing constant blows and you get fired up
 7 and your adrenaline is going, sometimes you
 8 don't realize how hard you're hitting.
 9 Like we explained before, the
 10 concept and the oath that we take between
 11 each other is not to hurt each other, and
 12 it's to protect each other. But in those
 13 circumstances, when you are laying it in
 14 against somebody, when you're working with
 15 them on a nightly basis, you are going back
 16 and forth. And you know how he's going to
 17 come at you every night. So you kind of like
 18 got to expect it. And if you complain about
 19 it, or go to the office, you're in the wrong.
 20 Because then you lose your spot or they get
 21 mad or they say something that's not -- you
 22 know, hey, listen, what are you complaining
 23 about? This is the guy you're working the
 24 program with. So you learn not to complain
 25 and you just take it.

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| 306 | 308 |
| <p>1 Q. Now, we watched some of the matches 2 with Regal and you stopped and pointed out, I 3 took this hit, I took that hit. When you did 4 that, were you saying that you actually 5 received contact?</p> <p>6 A. I was receiving full contact hits 7 to my head.</p> <p>8 Q. Is it your belief that when 9 receiving those hits that they had an effect 10 on you?</p> <p>11 A. I was rocking my head and forth 12 and, you know, it felt like sometimes, like 13 it was like, you know, your mind is juggling 14 or your brain is like scrambled eggs. You 15 know what I mean, when you get hit and a lot 16 of times when you are getting hit with that 17 kind of force, you know -- I know Mr. 18 McDevitt doesn't like to hear the term you 19 get your bell rung but, you know, you get 20 rocked. And you get -- you know, you get 21 discombobulated, where you got to regain 22 yourself and try to shake it off. I mean 23 when you got two, three, four, five shots 24 coming in at you, it's kind of hard to shake 25 it them off. It's just like a boxer who is</p> | <p>1 A. Well, being rocked, getting your 2 bell rung, getting your head shaken up. I 3 mean, it's just an expression, a term. It 4 might not just be in the WWE universe, but 5 it's used worldwide, that you got rocked, or 6 you got -- you know, you got, say you got 7 your bell rung.</p> <p>8 And a lot of times, sometimes if 9 they see you've been in a bad match and you 10 are going in the back and you are seeing your 11 agents, like my agents, you know, on Arn 12 Anderson, Fit Bin Li (phonetic), Michael 13 Tondo, Steve Boat, Arn Anderson, and they 14 would say, hey, you okay? I know that got 15 pretty rough in there.</p> <p>16 Or if you are walking past 17 Stephanie or Triple H and they say, hey, you 18 okay?</p> <p>19 I mean during that time Stephanie 20 was the one who gave me the dress gimmick. 21 She's the one who addressed me with it and 22 presented it to me.</p> <p>23 And I lived that lifestyle. I did 24 that gimmick to her preference to what she 25 wanted.</p> |
| 307 | 309 |
| <p>1 in the corner and he's taking five, six, 2 seven, eight, nine, and then ref stands in 3 for standing eight count. In wrestling there 4 is no standing eight count, so he's not 5 breaking up the action. Any time do you see 6 the refs step, except to maybe give a five 7 count, and then the ref guy will bring it 8 back to three, and then you go back to work.</p> <p>9 But as you see the ref never 10 stepped in on any of that stuff.</p> <p>11 Q. So to you've said the naked eye, or 12 the untrained eye, when we look at the 13 matches and you go and you hold your head, is 14 any of that real, are you ever holding your 15 head because you hit your head?</p> <p>16 A. At times it is real, and at times 17 it is legit, you know. And there are times 18 when you are selling, like it was explained 19 by Mr. McDevitt.</p> <p>20 Q. Okay. And yourself, you also 21 explained that sometimes it's selling?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. When you say "rocked," is 24 that something that is in the world of WWE or 25 can you explain what that means?</p> | <p>1 Q. But going back to something you 2 just said, you mentioned that the wrestlers 3 or Stephanie McMahon or Triple H would come 4 say something to you, as far as untrained 5 eyes versus trained eye, what would you 6 consider the wrestlers and management?</p> <p>7 A. The wrestler and management are 8 trained eyes, because they're in the 9 business.</p> <p>10 Q. So when you say "trained eye," what 11 do you believe is their understanding of 12 whether you took an actual hit versus a fake 13 hit?</p> <p>14 MR. McDEVITT: Object, calls for 15 total speculation.</p> <p>16 A. Well, they could tell by your 17 reaction if something was stiff or something 18 was a work.</p> <p>19 Q. Why do you think that?</p> <p>20 MR. McDEVITT: Calls for 21 speculation.</p> <p>22 A. Because -- because they have the 23 understanding of what is going on in the 24 business and they could tell.</p> <p>25 Q. Do they also know the script?</p> |

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| 310 | 312 |
| <p>1 A. The writers and everybody, yes.</p> <p>2 Q. What about the production?</p> <p>3 A. The production team gets the</p> <p>4 feedback from the writers who are sitting in</p> <p>5 the gorilla position, or that's the TV</p> <p>6 position where the monitors are, and they're</p> <p>7 looking for the focal points where to look</p> <p>8 and what highlights of the match to key in</p> <p>9 on.</p> <p>10 Q. What if -- are there ever times</p> <p>11 when you go off script?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. We looked at one video where</p> <p>14 you said you were trying to make the tag and</p> <p>15 then you had to do a maneuver too close to</p> <p>16 the belt. Is that an example of you going</p> <p>17 off script in that moment?</p> <p>18 A. That was off. They were trying to</p> <p>19 get me to go, and I couldn't. You know, he</p> <p>20 was talking to me, and you could see I was</p> <p>21 there, and then I'm trying to make the tag.</p> <p>22 Mr. McDevitt explained, yes, it is correct to</p> <p>23 have a hot tag and make it. But when you're</p> <p>24 that close, you never miss. I never used to</p> <p>25 miss.</p> | <p>1 something that is wrong, they will say, turn</p> <p>2 the camera, or go to another part or focus on</p> <p>3 something else. Just like if something gets</p> <p>4 knocked out in the ring, like it just</p> <p>5 happened on the last programming of the WWE,</p> <p>6 where a young wrestler got knocked out, he</p> <p>7 had a concussion, Enzo Amore, he took a very</p> <p>8 bad spill, and they had the camera on him,</p> <p>9 and then they took the camera off him,</p> <p>10 because they didn't want to show him laying</p> <p>11 there having a seizure.</p> <p>12 That's an example of where</p> <p>13 something where, you know, a guy gets hurt,</p> <p>14 and they break from the back. And they, you</p> <p>15 know, deviate, and they come back to him, but</p> <p>16 it's not an up-close thing. It's from far</p> <p>17 away.</p> <p>18 Q. When you missed that tag, who would</p> <p>19 be alerted that something is wrong that you</p> <p>20 missed that tag?</p> <p>21 A. Basically --</p> <p>22 MR. McDEVITT: Form and foundation.</p> <p>23 You haven't established that anybody was</p> <p>24 alerted.</p> <p>25 MR. SCIOLLA: Okay. You can</p> |
| 311 | 313 |
| <p>1 Q. Who besides yourself would you</p> <p>2 expect to notice that that you're off script</p> <p>3 at that point?</p> <p>4 A. It would be the guys who -- the</p> <p>5 agents, the guys in the ring, the referee,</p> <p>6 and you know, they would know because they</p> <p>7 pretty much know the matches.</p> <p>8 Q. Okay. And you mentioned something</p> <p>9 about the spotters. You used the term I'm</p> <p>10 not -- what is the term for -- the gorilla</p> <p>11 position?</p> <p>12 A. The gorilla position. That's the</p> <p>13 TV position where you go out before TV, where</p> <p>14 you see the big Triton, and you walk through</p> <p>15 the curtain, there are cameras back there.</p> <p>16 And the producers of the show sit behind the</p> <p>17 cameras during their matches, and they talk</p> <p>18 to the ring crew, and the people who are</p> <p>19 doing TV, to catch the spots and get</p> <p>20 everything on camera, the highlights of the</p> <p>21 matches that they need so they could produce</p> <p>22 their matches for TV.</p> <p>23 Q. Are they alerted when you are going</p> <p>24 off script?</p> <p>25 A. I believe so. If they see</p> | <p>1 answer.</p> <p>2 A. Basically everybody in the back,</p> <p>3 oh, shit, what's wrong, why did he miss it or</p> <p>4 they would get angry because the match was</p> <p>5 botched, and the last thing you want to do is</p> <p>6 piss off Mr. McMahon when you are working,</p> <p>7 because then it comes down from Vince to</p> <p>8 Stephanie, to Triple H, to the producers.</p> <p>9 Q. Had anyone in your history with WWE</p> <p>10 come to you and said, something went wrong,</p> <p>11 you did it wrong, you didn't follow the</p> <p>12 script?</p> <p>13 A. Yes.</p> <p>14 Q. Who?</p> <p>15 A. Vince himself has come out of the</p> <p>16 position.</p> <p>17 There is one time where he didn't</p> <p>18 like the fact that I used the super kick to</p> <p>19 do a finish. He sent me right back in the</p> <p>20 ring. He yelled at me. He said go in there</p> <p>21 and finish the Goddamn match the way you are</p> <p>22 supposed and do something of your own.</p> <p>23 I went back out with nobody</p> <p>24 knowing, and I told them, I told the guys, I</p> <p>25 said Vince sent me out here. I said let's do</p> |

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1 this finish. And I tried to tell them as
 2 best as possible, you know, what was going
 3 on. So it does happen.
 4 **Q. Okay. Now, we've -- if you will**
 5 **look at Exhibit Number 13, if you can, I know**
 6 **there's a lot in front of you. But it's**
 7 **interrogatory --**
 8 A. Here is 11, here is 12, 10, 9, 7.
 9 **Q. On page 4?**
 10 A. I have it.
 11 **Q. Now, if you look under the response**
 12 **and at the very end of that long paragraph,**
 13 **just follow along with me, it says,**
 14 **"Plaintiff cannot recall every match or date**
 15 **we he suffered a TBI during the relevant time**
 16 **period but he can identify the following**
 17 **matches and dates." Do you see that?**
 18 A. Yes.
 19 **Q. Now -- and then listed are the five**
 20 **matches that you have identified, four of**
 21 **which were Regal and one which is Kennedy,**
 22 **all of which we watched today, correct?**
 23 A. Yes.
 24 **Q. Now, why in your recollection, did**
 25 **you focus on those five? Why can you recall**

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1 **those five versus, you know, you were**
 2 **involved with a lot of matches?**
 3 A. Because that was the program I was
 4 running with Steven Regal, the guy I was
 5 working with. And those are the ones where I
 6 had the most significant head shots and the
 7 most real head shots during that time, when I
 8 worked with him.
 9 **Q. Is that because of who Mr. Regal**
 10 **was?**
 11 A. That's just because I was married
 12 to him, and that's a married term, means
 13 that's the guy you are in the program with,
 14 that's the guy you work with, night in and
 15 night out. So the matches I was in, except
 16 with the exception of Mr. Kennedy match,
 17 which was I believe after those matches -- I
 18 think, yes -- I think they were after those
 19 matches, and that's when they finished off
 20 the dress, you know. Because there was
 21 somebody who didn't like the dress gimmick.
 22 **Q. Do you believe that there were**
 23 **certain shots that you took in these matches**
 24 **versus other matches that hurt you more?**
 25 A. No. These were pretty significant.

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1 These are the ones I remember as being the
 2 ones that really laid into me.
 3 **Q. Now, do you think there could have**
 4 **been other matches as well that you just**
 5 **couldn't recall?**
 6 A. There could be, but I don't recall.
 7 **Q. These stand out in your**
 8 **recollection?**
 9 A. These stand out.
 10 **Q. Okay.**
 11 **And there are dates with all of**
 12 **these matches. Do you recall those specific**
 13 **dates, or do you just recall the match?**
 14 A. As far as the matches, I do have
 15 100 percent. The dates, they're from a long
 16 time ago, there could be, you know, hit or
 17 miss in what it was. I'm not a date guy.
 18 I'm just a match guy.
 19 **Q. Okay. Speaking of that, you were**
 20 **asked several dates about your communications**
 21 **where Dr. Rios. Do you recall that?**
 22 A. Yes.
 23 **Q. And we looked at Exhibit 21, I**
 24 **believe, yes, Exhibit 21.**
 25 MR. McDEVITT: Which one is that?

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1 MR. SCIOLLA: It's the Rios notes.
 2 THE WITNESS: Mr. McDevitt, it's
 3 this one here.
 4 MR. McDEVITT: Yes, I know.
 5 **Q. Okay. Now, you were asked on**
 6 **these, on this date, tell me what you**
 7 **reported to Mr. Rios, on this date tell me**
 8 **what you reported to Dr. Rios, but you had a**
 9 **specific recollection that was challenged**
 10 **about October 11, 2006, that match with Mr.**
 11 **Regal and what you talked to Dr. Rios about.**
 12 **Why do you specifically recall that**
 13 **match and that conversation with Dr. Rios?**
 14 A. Because I had the lump on my
 15 stomach that was pretty prudent, and that's
 16 why I know I definitely went to him, and told
 17 him about how I was feeling with the lump on
 18 my stomach. It wasn't -- I mean the lump on
 19 the stomach is the key because I remember
 20 that significantly because it was a pretty
 21 big lump.
 22 What a lot of people don't
 23 understand with Dr. Rios, Dr. Rios just
 24 wasn't a doctor. He was a -- he took care of
 25 everybody, not just me. And he looked after

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| 318 | <p>1 a whole roster of guys. If there's was 100 2 guys, some guys were thumbing him and looked 3 to, some guys kept things from him and didn't 4 talk to him. But he was the type of doctor 5 that helped you. He wasn't there to hurt 6 you.</p> <p>7 And going to him with these things, 8 and getting the B-12 shots, and telling him 9 what I was going through, he's not going to 10 write down I had a headache. He's not going 11 to write down I took Tylenol.</p> <p>12 MR. McDEVITT: He's speculating 13 about what he's going to do. Form.</p> <p>14 A. (Continuing) He's not going to 15 write down these things. What other doctor 16 reports do you see that you have from 17 anything, oh, he said, he had a headache. He 18 took aspirin.</p> <p>19 Q. Okay. So you said you have a 20 specific recollection because of the injury 21 to your abdomen.</p> <p>22 A. Right.</p> <p>23 Q. Do you specifically recall what 24 other things you reported to Dr. Rios during 25 that conversation?</p> | 320 | <p>1 these other symptoms that went along with it, 2 because I wasn't educated and nobody told me 3 about this.</p> <p>4 Q. Okay. We will get back to that. 5 But, on all of these other -- if 6 you are looking at Exhibit 21, looking at 7 page 1, there's several other entries where 8 you saw him and the complaint is requesting a 9 B-12-shot. Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. And then for each of those three on 12 the first page, as an example, it says 13 "Examination: None," right?</p> <p>14 A. Right.</p> <p>15 Q. And then he would give you the 16 B-12-shot, correct?</p> <p>17 A. Yes.</p> <p>18 Q. What symptoms were you reporting to 19 Dr. Rios when going in to get these 20 B-12 shots?</p> <p>21 MR. McDEVITT: On which date?</p> <p>22 A. Fatigue --</p> <p>23 Q. On these three dates that we're 24 using as an example.</p> <p>25 A. Fatigue, feeling lethargic, tired,</p> |
| 319 | <p>1 A. I told him that I had a headache. 2 I told him that I was feeling a little woozy. 3 I was sweating profusely and I had to sit 4 down before he examined me with my lump on my 5 stomach. I told him that I needed to go to 6 take a shower to cool off and try to collect 7 myself.</p> <p>8 Q. Okay. There's been some 9 discussion. Did you tell him that you had a 10 head trauma? Is that something that you ever 11 told Dr. Rios?</p> <p>12 A. No.</p> <p>13 Q. Are those words that would have 14 come out of your mouth at the time?</p> <p>15 A. No.</p> <p>16 Q. What was your -- did you understand 17 those hits to your head to be causing head 18 trauma?</p> <p>19 A. No.</p> <p>20 Q. What did you understand them to be?</p> <p>21 A. Just blows to the head, because I 22 was not educated in CTE or head trauma, 23 because my understanding was that a 24 concussion was that you had to be knocked 25 out. I didn't understand that you had all</p> | 321 | <p>1 muscle aches and, you know, told him, you 2 know, that I had headaches. So I would tell 3 him, could I have some aspirin, can I have 4 some Tylenol. So I mean those were the 5 things.</p> <p>6 The thing I'm looking at here is, 7 is that I know we have this mentioned and he 8 wasn't supposed to be administer it, but Dr. 9 Rios used to administer my testosterone shots 10 as well. They're not listed here because he 11 wasn't supposed to administer them because he 12 wasn't my physician. But he did it anyway.</p> <p>13 Q. He wasn't the physician that 14 prescribed the testosterone to you?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Okay. When you were getting these 17 B-12 shots, is this directly after a match or 18 is this at a different time period or 19 different day?</p> <p>20 A. Usually it would be before a match, 21 when I would go in and ask for a B-12 shot.</p> <p>22 Q. So when you are reporting these 23 symptoms you just mentioned of headaches and 24 tired and lethargy, sluggish, this is not 25 right after you took a head shot, this is</p> |

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| 322 | <p>1 before a match?</p> <p>2 A. Before, before your match.</p> <p>3 Q. Okay. And what type of examination</p> <p>4 would Dr. Rios do that perhaps he didn't list</p> <p>5 here on you to determine the cause of your</p> <p>6 symptoms?</p> <p>7 MR. McDEVITT: Again, calls for</p> <p>8 speculation.</p> <p>9 A. He would look at you, ask you how</p> <p>10 you felt, but he didn't do no examination.</p> <p>11 Q. Okay. Quickly looking at</p> <p>12 Exhibit 18 --</p> <p>13 MR. McDEVITT: What is 18?</p> <p>14 MR. SCIOLLA: This is the</p> <p>15 memorandum. You got it.</p> <p>16 Q. Looking at Exhibit 18, which is a</p> <p>17 memo from WWE to talent and production</p> <p>18 personnel, regarding Dr. Rios. Do you</p> <p>19 remember looking at this?</p> <p>20 A. When Mr. McDevitt showed it to me.</p> <p>21 Q. And if you look at the very first</p> <p>22 sentence of the second paragraph, it says,</p> <p>23 "Dr. Rios' main responsibility is to treat</p> <p>24 talent at the assigned venues for injuries</p> <p>25 suffered as a result of a performance." Did</p> | 324 | <p>1 Q. Had you seen other athletes in</p> <p>2 other sports get knocked out like that?</p> <p>3 A. Boxing is a prime example of being</p> <p>4 knocked out.</p> <p>5 Q. And what about, let's say,</p> <p>6 football, have you ever seen somebody just</p> <p>7 lay flat on the grass in football?</p> <p>8 A. I've seen it before.</p> <p>9 Q. Okay. And boxing, we talked about,</p> <p>10 or you talked about Muhammad Ali. Did you</p> <p>11 ever see him get knocked out?</p> <p>12 A. I seen him get knocked around,</p> <p>13 never get knocked out.</p> <p>14 Q. So is this idea of getting knocked</p> <p>15 out cold, is that what you believed a</p> <p>16 concussion was?</p> <p>17 A. That's what I believed a concussion</p> <p>18 was.</p> <p>19 Q. When did you learn that's not what</p> <p>20 a concussion is?</p> <p>21 A. 2014 when I found out -- when I</p> <p>22 started to get all the symptoms, and I</p> <p>23 started to go to doctors to get treated, and</p> <p>24 I started to get all the testing done.</p> <p>25 Q. Had you ever been knocked out cold</p> |
| 323 | <p>1 I read that correctly?</p> <p>2 A. Yes, you did.</p> <p>3 Q. Now, was that your understanding,</p> <p>4 that Dr. Rios would treat you for injuries</p> <p>5 you suffered in the ring?</p> <p>6 A. Yes.</p> <p>7 Q. And is that what he did?</p> <p>8 A. Yes.</p> <p>9 Q. And did this memorandum in June 19,</p> <p>10 2006, in any way change your understanding of</p> <p>11 whether Dr. Rios was to be treating you for</p> <p>12 injuries you sustained in the ring?</p> <p>13 A. No.</p> <p>14 Q. You mentioned what your knowledge</p> <p>15 of concussions was at the time you were</p> <p>16 wrestling for WWE involved blacking out.</p> <p>17 What do you mean when you say blacking out or</p> <p>18 knocked out?</p> <p>19 A. When you knocked off your feet,</p> <p>20 you're knocked unconscious.</p> <p>21 Q. And --</p> <p>22 A. I mean you're being out on, you're</p> <p>23 being out, knocked out, you're down, knocked</p> <p>24 down, out cold. That's my understanding of</p> <p>25 what it was.</p> | 325 | <p>1 like that?</p> <p>2 A. No.</p> <p>3 Q. All right. We talked a little bit</p> <p>4 about the unfortunate occurrence with Chris</p> <p>5 Benoit.</p> <p>6 A. Yes, sir.</p> <p>7 Q. And you knew him?</p> <p>8 A. Yes.</p> <p>9 Q. And apparently you knew his wife as</p> <p>10 well?</p> <p>11 A. Yes.</p> <p>12 Q. And there was a lot of discussion</p> <p>13 about the news stories and the public</p> <p>14 knowledge of the circumstances of the</p> <p>15 murder/suicide.</p> <p>16 Do you recall that conversation</p> <p>17 earlier?</p> <p>18 A. Yes.</p> <p>19 Q. What do you recall, if anything,</p> <p>20 the WWE said to you or other wrestlers, or</p> <p>21 publicly about that situation?</p> <p>22 A. Well, basically they didn't say</p> <p>23 directly to me. But they said, you know,</p> <p>24 that they made the announcement, I guess</p> <p>25 that -- basically what was said was, Chris</p> |

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| 326 | <p>1 Benoit killed his family. It could be 2 because of steroids. It could be because of 3 CTE. You know, I remember -- I remember, 4 like I stated before, that I believe it was 5 the WWE said, we believe that they said this 6 had nothing to do with wrestling. When you 7 make a statement like that, you say, okay, it 8 had nothing to do with wrestling. You know, 9 and I trusted in the WWE and what they were 10 saying at the time, and when they took him 11 off all their programming and never to make 12 mention of him, never to say anything about 13 him, to delete him out of their files, their 14 archives, everything, tapes. It's like he 15 didn't exist.</p> <p>16 So if it didn't have nothing to do 17 with wrestling and it didn't have nothing to 18 do with anything, and of course, with public 19 perception, they don't want to have a guy who 20 killed his family in their environment, which 21 is understandable, but they pushed it to the 22 side and they made him disappear.</p> <p>23 And that's my understanding of it.</p> <p>24 Q. Based upon your trust, as you said, 25 in the WWE and their statement that it had</p> | 328 | <p>1 stand there sometimes and just stare into 2 space and he would just look with this 3 bewildered look, like in this outcast look 4 like, what the hell is going on, because that 5 was his best friend who died.</p> <p>6 And that being pushed in his face, 7 night in, night out. Eddie, Eddie, Eddie, 8 Eddie, as good as a human being he was, as a 9 good father he was, as a good -- his wife, 10 who I knew, Vicky, you know, still the impact 11 that had on that guy, because that was his 12 best buddy. And he had traveled with him, he 13 went on the roads with him. That had an 14 affect on him too, and it was pushed. And, 15 you know, everybody had to console everybody, 16 because it happened on the road. We were 17 getting ready to go overseas. We were 18 getting ready to go to the gym, and then you 19 know, nobody shows up to the gym. We going 20 to the building and find out that Eddie died, 21 you know. What led to Eddie dying is his 22 own, you know, what he was doing in his 23 personal life and what he was taking at the 24 time.</p> <p>25 I know that's not Chris Benoit, but</p> |
| 327 | <p>1 nothing to do with wrestling, did you think 2 that, hey, this could happen to me?</p> <p>3 MR. McDEVITT: What's "this"?</p> <p>4 Q. This type of injury or instance 5 could -- this type of a situation that Chris 6 Benoit was in could happen to me?</p> <p>7 A. I really -- I don't think -- I 8 never thought that. I didn't think it could 9 happen to me because I don't know what went 10 on. It's just like anybody else. Nobody 11 knows and nobody was there for that instance.</p> <p>12 So whether he took -- a steroid 13 rage or he had CTE, his mind snapped. I 14 would tell you one thing, when Eddie Guerrero 15 died, and this was a big impact on the WWE, 16 you know, Eddie and Chris were best buddies 17 and every night they would do the Chris 18 Benoit -- I mean the Eddie Guerrero would 19 solute and the tribute and everything.</p> <p>20 And a lot of guys could see he was 21 affected by that. He kind of lost it.</p> <p>22 Q. "He" being?</p> <p>23 A. Chris Benoit.</p> <p>24 Q. Okay. Go ahead.</p> <p>25 A. I mean he became like -- he would</p> | 329 | <p>1 it's along the same lines.</p> <p>2 Q. So when the -- with that background 3 and knowledge of how Chris Benoit reacted to 4 Eddie's death, and combined with the 5 statements by WWE that it wasn't wrestling 6 related, how did, in your mind what was the 7 relationship or what thought processes did 8 you have about whether wrestling could cause 9 these type of brain injuries?</p> <p>10 MR. McDEVITT: Asked and answered.</p> <p>11 A. If he did have the head trauma, and 12 he did have, you know -- you know, he did 13 have anything wrong with him, with his head 14 or he had CTE, nobody knew about it. Because 15 we weren't tested for it, and there was no 16 awareness given.</p> <p>17 Q. Did you do any research of your own 18 at that time to find out more about 19 concussions or CTE Or anything like?</p> <p>20 A. No, I did not.</p> <p>21 Q. And why didn't you do it at that 22 time?</p> <p>23 A. Because I did not have the symptoms 24 and I did not have anything pertaining to 25 that that affected my life at the time until</p> |

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| 330 | <p>1 2014, when I went to the doctors and I saw 2 that had I had all these symptoms and I had 3 these problems, that's when I started to do 4 my research.</p> <p>5 Q. And the six years or so that was 6 pointed out earlier that you didn't see any 7 doctors or do any research, why didn't you 8 look into it during that time period, why was 9 it not until 2014?</p> <p>10 A. Basically I didn't have any health 11 insurance. I just dealt with my problems. 12 You know, sleepless nights, the headaches, 13 the fatigue, you know, the headaches. I mean 14 I just dealt with it as it was just a part of 15 life. I wasn't educated. I didn't know. 16 The only time I went to doctors was to get my 17 testosterone checked, my B-12, you know, and 18 get that taken care of.</p> <p>19 But other than that, I didn't go to 20 see any neurologist. I didn't have the 21 money. I didn't have the healthcare. I 22 didn't have nothing for my, you know, for my 23 head, my hearing or anything.</p> <p>24 Q. So what changed in 2014 then?</p> <p>25 A. I started getting all of my</p> | 332 | <p>1 headache that I have every day is just 2 ridiculous. I can't explain it. I know 3 there was -- one day everybody is going to 4 cut in my brain, they're going to have a 5 field day, and they will see, hey, this guy 6 has a problem and he's also nuts, which I 7 always say is true. It probably is true.</p> <p>8 But you know what, I know there is 9 something wrong. I feel it. I'm living it. 10 And it's not until the day I die where 11 everybody is going to be able to see what's 12 up there. And I know this.</p> <p>13 Am I going to be on that list with 14 the rest of my friends, and the rest of my 15 wrestling family who died. We already had 16 ten people die this year. Who knows? Maybe 17 I might be number 11. I don't know.</p> <p>18 Q. We looked at some MRIs that came 19 back negative or CT scan came back negative 20 or didn't show anything in particular.</p> <p>21 A. Yes.</p> <p>22 Q. Do you have any knowledge about 23 whether MRIs or CT scans can reveal evidence 24 of CTE?</p> <p>25 A. The thing with MRIs is that they</p> |
| 331 | <p>1 symptoms worsened, and I was getting worse. 2 And I said I better go get this checked out 3 and that's when I went and I started my quest 4 to get all theses testing and get Medicaid. 5 And then with the Medicaid I was able to go 6 to Dr. DeMarco, and I was able to go to Dr. 7 Smith, then I was able to go to Dr. Handler, 8 and I was able to go to Dr. Cavoto, and then 9 I was able to go to the Dr. Schneider, and I 10 was able to go to Dr. Adams.</p> <p>11 Q. So the relationship of you seeking 12 out medical attention had to do with the 13 worsening?</p> <p>14 A. Yes, the worsening of my condition.</p> <p>15 Q. And explain what got worse?</p> <p>16 A. My depression got worse, because I 17 would sit there and stare out the window a 18 lot. My headaches were atrocious. My 19 irritability was off the wall. I couldn't 20 explain it. My sleeping habits were 21 terrible. They got worse, and sometimes I 22 would stay up all night. I wouldn't go to 23 sleep.</p> <p>24 You know, being fatigued. You 25 know, the headaches. The constant mild</p> | 333 | <p>1 can show a fresh brain trauma when it first 2 happens. After it heals and there is scar 3 tissue, it doesn't show or come up.</p> <p>4 So when you get, when you get a 5 concussion and you go to the doctor, they're 6 able to tell right there, because it comes up 7 on the MRI.</p> <p>8 After it heals it is very hard to 9 see what was traumatized in your brain 10 because it healed itself.</p> <p>11 Q. What doctor explained that to you?</p> <p>12 A. It was Dr. Handler.</p> <p>13 Q. Okay. So even after these MRI 14 results came back, Dr. Handler told you what?</p> <p>15 A. What I just explained, about that 16 it healed, and that, you know, you do have 17 something going on there. I mean for him 18 wanting to stick a needle in the back of my 19 head, for him to put me on these two kinds of 20 medications that make me dopey as hell and, 21 you know, to dull my headache. For him 22 wanting, to -- I had an MRI of my neck. I 23 have bone spurs on my neck. I can't get them 24 treated, you know. And that's from years of 25 wear and tear on my body in wrestling.</p> |

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| 334 | 336 |
| <p>1 So everything attribute from the 2 bottom of my neck, up my neck, to my head. 3 Q. So despite what the MRI and CT 4 results may show, did Dr. Handler tell you 5 you're fine, you have a clean bill of health? 6 A. No, never once. And when I went to 7 do the tests with Dr. Schneider and he gave 8 me his -- he was a brain specialist, and he 9 gave me his test. He said my brain, I have 10 one side of my brain is weak and the other 11 side is not. He said your left side is 12 weaker than your right side and just putting 13 spinning me in a chair and doing the testing, 14 he saw that I had some brain issues. 15 Q. Okay. 16 Real briefly you talked about your 17 headaches getting worse, and you described 18 earlier having headaches the entire time in 19 those six years that you were not getting 20 treatment. 21 While with the WWE, were you still 22 having headaches after matches or even on 23 days off? 24 A. I would still get headaches, but I 25 never thought anything of them, because I</p> | <p>1 happened in 1999 at Starrcade. I was the 2 first match on the card. 3 Q. And that -- after that match he 4 never wrestled again? 5 A. He -- if I remember correctly, he 6 came back and he wrestled. He was doing some 7 stuff in the WWE. He wasn't wrestling as 8 Brett Hart, as we know it, but he did some 9 things. So He retired and then he came back 10 and did some things. 11 Q. Is it considered that Brett Hart, 12 maybe just the character, retired after that 13 fight? 14 A. Brett Hart retired after that 15 fight. 16 Q. Okay. And you think that was 1999? 17 A. Yes. 18 Q. So when he -- what was your 19 understanding of why he had to retire at that 20 time, if you had one? 21 A. My understanding was he took a kick 22 from Goldberg and got a concussion. Nobody 23 explained the severity, nobody said how bad 24 it was, nobody knew nothing, because it 25 wasn't a priority -- a head trauma wasn't the</p> |
| 335 | 337 |
| <p>1 just thought I was getting headaches. 2 Q. Were the headaches limited to only 3 after these five matches that we looked at on 4 the video today? 5 A. No. They started coming around 6 more often. So it wasn't, you know, just 7 because -- it could have been a lot of things 8 but like I started to get them. And I 9 couldn't explain why. I was in the unknown. 10 I didn't know why I got them. I didn't know 11 why I wasn't sleeping. I didn't know why, 12 you know, I was irritable. I didn't know why 13 I was having these things I was going 14 through. 15 Q. And you're saying you didn't know 16 why, and that's during that period of the 17 five matches we were talking about? 18 A. Yes, sir. That's when it got 19 worse. 20 Q. Okay. And you can specifically 21 recall that time period is when it got worse? 22 A. Yes. 23 Q. The Brett Hart, you talked about 24 that incident, when did that happen? 25 A. Mr. McDevitt pointed out to me, it</p> | <p>1 priority, it wasn't a thing. It wasn't 2 the -- you know, if you got, you know, a kick 3 to the head, you had a concussion. It was 4 like, okay. It wasn't like you had the 5 knowledge that you have today that you go 6 into all these things. Being that he retired 7 from it, I mean, it had to be pretty serious. 8 Q. You mentioned a freak accident. Is 9 that what you considered that to be? 10 A. That was a freak accident. Brett 11 Hart was a great wrestler. He was a tough 12 wrestler. He was one of the best of all 13 time. 14 Q. We looked at that video where he 15 got kicked. Do you know whether or not he 16 blacked out at any point after that kick? 17 A. I don't know. I wasn't in the ring 18 with him. As Mr. McDevitt pointed out, he 19 was telling me finished the match. But when 20 your adrenaline is running that high, you are 21 able to keep going just on instincts and when 22 your instincts are kicking in and you just 23 keep going, but sometimes you don't remember 24 you finished, you don't remember what you 25 did, you don't remember what is going on.</p> |

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| <p>1 You know, in that instance that was a freak 2 thing.</p> <p>3 Q. Do you think it's possible that he 4 could have been knocked out and then revived 5 in a couple of seconds like that?</p> <p>6 MR. McDEVITT: Calls for 7 speculation and lack of foundation.</p> <p>8 Q. Do you have any idea if that's 9 possible?</p> <p>10 A. I don't know. You would have to 11 ask Brett Hart himself.</p> <p>12 Q. Do you know if it's possible 13 whether he doesn't remember the rest of that 14 fight because he was blacked out even though 15 not knocked out?</p> <p>16 MR. McDEVITT: Same objections.</p> <p>17 A. Yes, it's possible.</p> <p>18 Q. We looked also at another 19 wrestler's injuries, Exhibit 26, regarding 20 Shawn Michaels. Do you remember seeing that 21 exhibit?</p> <p>22 A. Yes.</p> <p>23 Q. Do you recall ever seeing this 24 before today?</p> <p>25 A. No.</p> | <p>1 or repeated concussions something that Dr. 2 Rios ever talked to you about when you met 3 with him?</p> <p>4 A. Never brought it up once.</p> <p>5 Q. You've been -- you talked about 6 receiving communications or letters from WWE 7 since your time with them has ended regarding 8 drug and alcohol. Do you recall that?</p> <p>9 A. Yes.</p> <p>10 Q. And do you recall receiving those 11 letters?</p> <p>12 A. Yes.</p> <p>13 Q. In any of those letters, do you 14 recall them ever mentioning something about 15 concussions or head injuries?</p> <p>16 A. Never once.</p> <p>17 Q. Did you ever get contacted by 18 someone at the WWE following your time with 19 them expressing concern about concussions or 20 repeated concussions suffered by wrestlers?</p> <p>21 A. No, I did not.</p> <p>22 Q. Do you know, do you have personal 23 knowledge of what information the WWE 24 gathered during the 2000s and thereafter 25 regarding concussions or repeated</p> |
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| <p>1 Q. The only indication of the 2 publication is on the third page, which is a 3 blank page, except for the date, that says 4 May 21, 2007. Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. So this occurred after your 7 wrestling matches that we looked at today?</p> <p>8 A. This is -- I was released from the 9 WWE May 15, 2007. So I was out of the 10 company. So, no, I did not see this.</p> <p>11 Q. Okay. Do you recall Shawn Michaels 12 retiring or hanging up?</p> <p>13 A. No.</p> <p>14 Q. No.</p> <p>15 This article seems to discuss the 16 history of concussions going back to 1995 17 that Shawn Michaels has suffered. Do you see 18 that that?</p> <p>19 A. I see it here. I'm reading it.</p> <p>20 Q. Okay. At any time before your 21 career ended with WWE, was this concern about 22 concussions and repeat concussions something 23 that the WWE spoke to you about?</p> <p>24 A. Never.</p> <p>25 Q. Is this concern about concussions</p> | <p>1 concussions?</p> <p>2 A. I have no knowledge of what they 3 did, nothing.</p> <p>4 Q. Did they ever share any of that 5 information with you at any point?</p> <p>6 A. No, they did not.</p> <p>7 Q. If they had information during that 8 time period between when you, when your 9 career ended in 2007 and 2014, would you have 10 expected them to share that information with 11 you?</p> <p>12 MR. McDEVITT: Object to form and 13 foundation.</p> <p>14 A. Yes, sir.</p> <p>15 Q. Why?</p> <p>16 A. Because it was just as important as 17 the alcohol and drug abuse, and it had to do 18 with our health.</p> <p>19 Q. And did you think they cared about 20 you?</p> <p>21 A. Well, you would hope they would 22 care about you.</p> <p>23 Q. Did you trust that they did?</p> <p>24 A. We trusted they did. You know, 25 they always try to put out their best foot</p> |

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| 342 | <p>1 and say we care about with our wrestlers. 2 You know, we care about how we take care of 3 our guys. 4 You know -- and, you know, some 5 things, what you say and what you do is two 6 different things I guess. 7 Q. You earlier mentioned briefly today 8 maybe a conversation or comment that you've 9 had with Stephanie McMahon. Do you recall 10 saying that? 11 A. Yes. 12 Q. What type of interaction have you 13 ever had with her? 14 A. Well, she is the one who helps run 15 the WWE and she's, you know, one of the 16 owners and the CEO and the head writers of 17 the company. 18 So she knows, along with her father 19 and the talent people, who comes into the 20 company, who leaves the company, who is being 21 used, who is not being used, who is injured, 22 who is not injured, who is available, who is 23 not available. 24 When you go to TVs and you go to 25 these places where we have SmackDown and we</p> | 344 | <p>1 Q. That's a good question. How often 2 were you doing tapings? 3 A. Every week. 4 Q. With the WWE? 5 A. Yes. 6 Q. Every week? 7 A. Every week. 8 Q. And how about with -- we talked a 9 little bit about ECW and WCW. How often were 10 tapings with those programs? 11 A. Every week. 12 Q. Every week. Okay. 13 And so during this time period 14 where you were wearing the dress, are you 15 still doing a watch every week? 16 A. Yes. 17 Q. Are you meeting with the producers 18 before each match? 19 A. I met the producers. I met with 20 Stephanie. I met with Vince. It was -- it 21 was a pretty big thing back then. 22 Q. Would they see you after matches? 23 A. Yes, in the office. 24 Q. Would they see you before matches? 25 A. Yes, in the office.</p> |
| 343 | <p>1 have Raw, and if they're on tour, I mean, she 2 says hello to you acknowledges you if you are 3 doing a story line. She interacts with you. 4 You know, I mean she's one of the directors 5 there. She's the one who gave me the dress 6 gimmick. I mean I spent countless times with 7 her in meetings with her and Vince over how 8 to do this particular dress gimmick. 9 And a lot of times -- it was her 10 baby, you know, it was her and Vince. You 11 know, and she took a lot of credit for this, 12 and Vince said this is going to be big, and I 13 did the best I could with it. 14 You know, I never wore a dress 15 before, but I pulled it off. I did what they 16 asked me to do, to the best of my ability, 17 and I did it. 18 Q. So during these matches that we 19 looked at, where you had the dress on, were 20 you in contact with Stephanie during that 21 time period? 22 A. Yes. 23 Q. How often? 24 A. Every time we were doing the 25 tapings or if we were on tour together.</p> | 345 | <p>1 Q. Would they know about the script? 2 A. Yes, they would. 3 Q. Did they ever help develop the 4 script? 5 A. Yes, they did. 6 Q. Did they ever make comments to you 7 after any of these matches we looked at a -- 8 A. They would critique me on my 9 performance. They would say, you got a 10 pretty good one in that one. You know, like 11 if I got -- you know, if I got a good blow or 12 got hit pretty good, you know. I mean, they 13 would see it. They know the business. So I 14 mean they would comment or they would joke. 15 You know, that roughly ruffled your skirt, 16 how is your garter? You know, jokes like 17 that. Nothing in a facetious way. 18 Q. And that really ruffled your 19 skirt -- I'm sorry, you said that really 20 ruffled your skirt? 21 A. Your garter. 22 Q. Your garter? 23 A. Meaning that I got, you know -- I 24 got hit pretty good or I took a good shot or 25 I got pumped or, you know.</p> |

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| 346 | <p>1 Q. And when they talked, you took a</p> <p>2 good shot, are they ever, from your</p> <p>3 understanding, are they talking about shots</p> <p>4 to your body?</p> <p>5 A. Shots to your body, shots to your</p> <p>6 head, you know, they would come up to you,</p> <p>7 good match, bad match, we would like to see</p> <p>8 from your match, would like to see that from</p> <p>9 your match, but they acknowledged you because</p> <p>10 you were an employee of the company.</p> <p>11 Q. Did anyone talk to you about that</p> <p>12 match where you missed the tag?</p> <p>13 A. They asked me what happened in the</p> <p>14 back. You know, they said what happened, and</p> <p>15 I just said I don't know. I just missed it.</p> <p>16 I was, you know, messed up.</p> <p>17 Q. Who did you have that conversation</p> <p>18 with?</p> <p>19 A. Vince asked me, and then Johnny Ace</p> <p>20 asked me, and then my agent, I think -- I</p> <p>21 forgot who my agent was.</p> <p>22 Q. Johnny who, I'm sorry?</p> <p>23 A. Johnny Ace. John Laurinaitis, and</p> <p>24 then the guys in the ring asked me. They</p> <p>25 said, "Vito, what the hell were you doing?"</p> | 348 | <p>1 Q. Is it your testimony that they were</p> <p>2 able to recognize that you missed that tag?</p> <p>3 MR. McDEVITT: Object.</p> <p>4 A. Yes.</p> <p>5 MR. McDEVITT: How are you going to</p> <p>6 establish a foundation that he is going</p> <p>7 to speak for what they do?</p> <p>8 MR. SCIOLLA: You can answer.</p> <p>9 A. To the people who are experienced,</p> <p>10 they could tell things that happen in a</p> <p>11 wrestling ring.</p> <p>12 Q. Is it your testimony that they</p> <p>13 recognize that you missed that tag?</p> <p>14 A. Yes.</p> <p>15 Q. And how do you have that</p> <p>16 understanding?</p> <p>17 A. Because they asked me after the</p> <p>18 match.</p> <p>19 Q. They talked to you about it</p> <p>20 specifically?</p> <p>21 A. Yes.</p> <p>22 Q. Aside from those people you just</p> <p>23 mentioned who talked to you about missing</p> <p>24 that tag, and the wrestlers in the ring you</p> <p>25 said noticed, would anyone else have been</p> |
| 347 | <p>1 I said, "I was out of it, I was</p> <p>2 rocked."</p> <p>3 So when they seen me go like this</p> <p>4 and, you know, I'm -- you know, I'm a careful</p> <p>5 wrestler. I'm a veteran wrestler. I'm an</p> <p>6 expert wrestler. You know, I do things</p> <p>7 precisely and very rarely I make a make a</p> <p>8 mistake. And for them to see that, they were</p> <p>9 like, what the hell are you doing.</p> <p>10 Q. When I look at that video, I don't</p> <p>11 see anything to comment to you about. You're</p> <p>12 saying that all these people recognized you</p> <p>13 couldn't make the tag?</p> <p>14 MR. McDEVITT: Object to the form.</p> <p>15 Are you testifying now?</p> <p>16 MR. SCIOLLA: I mean it's something</p> <p>17 you like to do.</p> <p>18 MR. McDEVITT: What's that?</p> <p>19 MR. SCIOLLA: I said it's something</p> <p>20 you like to do as well.</p> <p>21 I'll rephrase.</p> <p>22 MR. McDEVITT: You don't understand</p> <p>23 the difference between what I do and</p> <p>24 what you just did apparently.</p> <p>25 MR. SCIOLLA: Okay.</p> | 349 | <p>1 aware that you, something was wrong?</p> <p>2 MR. McDEVITT: Again lack of form</p> <p>3 and foundation. He can't testify about</p> <p>4 what people are aware of.</p> <p>5 MR. SCIOLLA: We will get there.</p> <p>6 MR. McDEVITT: You haven't yet.</p> <p>7 MR. SCIOLLA: Go ahead.</p> <p>8 MR. McDEVITT: Are you going to try</p> <p>9 to establish a foundation or is this it?</p> <p>10 Are you just going to ask him to</p> <p>11 speculate --</p> <p>12 MR. SCIOLLA: Is this a speaking</p> <p>13 objection?</p> <p>14 MR. McDEVITT: -- to what other</p> <p>15 people knew without establishing?</p> <p>16 MR. SCIOLLA: Your objection is</p> <p>17 noted. Thank you.</p> <p>18 Q. You can continue.</p> <p>19 A. The people who are concerned with</p> <p>20 the match are the people who are involved</p> <p>21 with it and the people who are running the</p> <p>22 controls from the back.</p> <p>23 So you are talking about the people</p> <p>24 who ran the camera, Vince would run it,</p> <p>25 Stephanie, Johnny Ace, the agents, the</p> |

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| 350 | 352 |
| <p>1 wrestlers involved, the referee. Those are 2 the ones you would ask. If one of your 3 buddies came up to you afterwards and said, 4 hey, you know, what happened on that tag, you 5 know, what was going on in there, you know, 6 then you would tell them. But not everybody 7 would run up to and ask you, hey, you missed 8 that tag. That wasn't how it went.</p> <p>9 Q. But some people did?</p> <p>10 A. Some people. I don't remember who, 11 but some people.</p> <p>12 Q. Okay. During a match would a 13 referee say any anything to you about you 14 being okay or you missed the part of the 15 script?</p> <p>16 A. If he had seen I was down or 17 something was going on, and he would ask. I 18 mean they always ask, are you okay, are you 19 okay.</p> <p>20 Q. And what connection does the 21 referee have to anyone else in the 22 production?</p> <p>23 A. The referee wears an earpiece in 24 his ear, and he's told the go home time, what 25 is going on, how much time is left. He's</p> | <p>1 Q. You were talking about the 2 trainers. Would Dr. Rios ever been ringside?</p> <p>3 A. Dr. Rios, from what I recall, 4 really never was ringside. He was just in 5 the back. If he was out there for a special 6 purpose or a special reason, he would be, but 7 usually he was in the back.</p> <p>8 Q. Are there TVs in the back?</p> <p>9 A. There are TV monitors in the back.</p> <p>10 Q. Okay. And a lot of your fights 11 were also televised, correct?</p> <p>12 A. Yes.</p> <p>13 Q. Your matches, excuse me.</p> <p>14 A. Yes. House shows are no cameras. 15 They might have them for -- they might have 16 cameras rolling to tape for the office, and 17 then those were -- and then there is house 18 show reports that go in, and then the house 19 show reports also go into the office, and 20 they tell you what's going on on the house 21 shows.</p> <p>22 Q. We used some terminology today, you 23 did, you used glancing blows, potatoes, bad 24 bumps. To someone who is not familiar with 25 the terminology used in the WWE, can you</p> |
| 351 | 353 |
| <p>1 instructing the wrestlers what to do in the 2 ring as per se. So -- and if there is 3 anything wrong in the ring, the guys in the 4 back ask, what is going on in there, you 5 know, tell me him to hurry up or, hey, is 6 that guy okay or like, you know, it was a 7 voice from the back. So usually it would be 8 Vince's voice, Stephanie's voice or Triple 9 H's voice who would be running the cameras 10 from the back.</p> <p>11 Q. In the earpiece --</p> <p>12 A. In the earpiece.</p> <p>13 Q. -- of the referee?</p> <p>14 A. Right.</p> <p>15 Q. Were there any trainers around the 16 ring watching your matches?</p> <p>17 A. There were trainers in the back, 18 and then there were trainers maybe ringside. 19 I don't recall, but I know they have them.</p> <p>20 MR. McDEVITT: I'll get that.</p> <p>21 THE VIDEOGRAPHER: 5:50 p m., off 22 the record. 23 (A brief recess was taken.) 24 THE VIDEOGRAPHER: 5:51 p m., back 25 on the record.</p> | <p>1 explain what some of those terms mean?</p> <p>2 A. Well, potato is when you get hit by 3 an accident.</p> <p>4 Q. And hit by an accident with?</p> <p>5 A. With force. Like, give you a black 6 eye, bust your lip, give you a shot to the 7 head, you know. And they will hit you too 8 hard because it's just a time and a moment, 9 kick you too hard, whatever.</p> <p>10 Q. It's a legitimate hit?</p> <p>11 A. Yes.</p> <p>12 Q. So when we looked at the one video 13 and you said I'm -- I think Mr. McDevitt said 14 that you took a lot of potatoes in that?</p> <p>15 A. Yes.</p> <p>16 Q. Is that a common occurrence, you 17 would get potatoes in the match?</p> <p>18 A. It's not really a common 19 occurrence. It happens. And it's a kind of 20 way of saying, excuse me. So it's not like, 21 you know --</p> <p>22 Q. Was it odd that you took so many 23 potatoes in that match?</p> <p>24 A. He's just an aggressive wrestler. 25 That's the way he wrestles.</p> |

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| 354 | <p>1 Q. Mr. Regal?</p> <p>2 A. Yes.</p> <p>3 Q. And the glancing blows, I think you</p> <p>4 said forearm elbow?</p> <p>5 A. The forearm elbow is hit when you</p> <p>6 are coming in and it looks like it's going to</p> <p>7 be a punch, and you're taking a forearm and</p> <p>8 an elbow at the same time. And when you take</p> <p>9 a nose, you know, that is like another word,</p> <p>10 when you get a flying chicken wing, you know</p> <p>11 what I mean, because it's a forearm shiver.</p> <p>12 Q. Do those hurt?</p> <p>13 A. Forearm shiver, when you're taking</p> <p>14 that. So when you're taking this and you hit</p> <p>15 with this part of your body, this part is the</p> <p>16 hardest part of your body, and when you get</p> <p>17 with this, this is solid.</p> <p>18 Q. Now, we talked about you guys, it's</p> <p>19 an art form. You're very professional. You</p> <p>20 can stop a punch close to the face?</p> <p>21 A. There's a way to hit somebody and a</p> <p>22 way to not hit somebody.</p> <p>23 Q. And then you can sell it if he</p> <p>24 stops close to your face?</p> <p>25 A. Right.</p> | 356 | <p>1 Q. Was anyone giving you B-12 shots?</p> <p>2 A. No.</p> <p>3 Q. So were you -- did ECW or WCW</p> <p>4 provide with you any kind of medical</p> <p>5 professional who saw you on a weekly basis?</p> <p>6 A. No.</p> <p>7 MR. McDEVITT: Do you have any idea</p> <p>8 how much more you have?</p> <p>9 MR. SCIOLLA: I think that's all I</p> <p>10 actually do have.</p> <p>11 MR. McDEVITT: Okay.</p> <p>12 EXAMINATION BY</p> <p>13 MR. McDEVITT:</p> <p>14 Q. Mr. LoGrasso, you made a statement</p> <p>15 to the effect that --</p> <p>16 MR. McDEVITT: Excuse me.</p> <p>17 THE VIDEOGRAPHER: 5:56 p m., off</p> <p>18 the record.</p> <p>19 (A brief recess was taken.)</p> <p>20 THE VIDEOGRAPHER: 5:57 p m., back</p> <p>21 on the record.</p> <p>22 Q. You made the statement to the</p> <p>23 effect that if you complain about something,</p> <p>24 you lose your spot. Do you recall that?</p> <p>25 A. Yes.</p> |
| 355 | <p>1 Q. What about with the glancing blow,</p> <p>2 is that something that stops before your</p> <p>3 face?</p> <p>4 A. Try to make contact on a glancing</p> <p>5 blow, a little bit of contact, so it looks</p> <p>6 real.</p> <p>7 Q. Okay. And with Mr. Regal how would</p> <p>8 you describe his glancing blows?</p> <p>9 A. They all of connect.</p> <p>10 Q. Real quickly. ECW, WCW, did they</p> <p>11 have doctors?</p> <p>12 A. ECW, no. WCW, they had trainers.</p> <p>13 Q. But did they have doctors?</p> <p>14 A. I don't believe -- I think maybe</p> <p>15 WCW had a doctor. I'm not sure.</p> <p>16 Q. Okay.</p> <p>17 A. I think I know they had trainers.</p> <p>18 ECW did not have no trainers and doctors.</p> <p>19 Q. And after matches with those, with</p> <p>20 ECW, WCW, was any doctor evaluating you</p> <p>21 after?</p> <p>22 A. No.</p> <p>23 Q. Was anyone treating you for in-ring</p> <p>24 injuries?</p> <p>25 A. No.</p> | 357 | <p>1 Q. Did you ever complain to anybody</p> <p>2 about anything and lose your spot?</p> <p>3 A. No, I tried not to complain.</p> <p>4 Q. So you don't know whether that's</p> <p>5 true or not from a personal basis, do you?</p> <p>6 A. No, I do know it's true, because</p> <p>7 that's the code. You don't complain about</p> <p>8 anything.</p> <p>9 Q. Well, the code doesn't necessarily</p> <p>10 mean it's written by the WWE. Did they ever</p> <p>11 tell you that?</p> <p>12 A. It's practice by the WWE. They</p> <p>13 might not have written it, but they practiced</p> <p>14 it.</p> <p>15 Q. Did you ever complain about</p> <p>16 anything and lose your spot?</p> <p>17 A. I did not complain about anything</p> <p>18 to lose my spot, right.</p> <p>19 Q. Did you ever personally work in the</p> <p>20 gorilla position?</p> <p>21 A. Personally work in the gorilla</p> <p>22 position, I spent a lot of time in there. I</p> <p>23 didn't work in there but I watched and</p> <p>24 learned from there.</p> <p>25 Q. You stand in the gorilla position</p> |

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| 358 | <p>1 essentially before you go out to perform, 2 right?</p> <p>3 A. And I would stand -- I would stand 4 in there to learn what went on behind the 5 scenes. You know, the producers would teach 6 me how to do the job.</p> <p>7 Q. But when you were actually 8 performing, you don't have any idea what they 9 were doing in the gorilla position, do you?</p> <p>10 A. When they're in the gorilla 11 position?</p> <p>12 Q. When you are actually out in the 13 ring performing, you have no idea what is 14 going on in the gorilla position, do you?</p> <p>15 A. I'm in the ring. They're in the 16 gorilla position.</p> <p>17 Q. You're not watching them, you have 18 no idea if they're even in there?</p> <p>19 A. No.</p> <p>20 Q. And so when you missed the tag they 21 were talking about, you really have no idea 22 what was being said in the back at that time, 23 do you?</p> <p>24 A. Not until I got back there.</p> <p>25 Q. And if you miss a finish, that's a</p> | 360 | <p>1 A. Yes.</p> <p>2 Q. And you said he was there to help 3 you, correct?</p> <p>4 A. Yep.</p> <p>5 Q. Who kept things from Dr. Rios?</p> <p>6 A. I don't recall.</p> <p>7 Q. Well, you made the statement. What 8 was the basis of it?</p> <p>9 A. Because guys kept things from him 10 if they were injured. I don't recall the 11 gentlemen, but I knew a lot of guys were 12 injured. Because if you complained about 13 being injured and you reported it to the 14 doctor, there was a chance if you were on TV, 15 you could be taken off TV and sent home. 16 They don't like when you complain.</p> <p>17 Q. Who is "they"?</p> <p>18 A. The office.</p> <p>19 Q. Well, Dr. Rios, did Dr. Rios ever 20 say to you, I don't want to hear your 21 complaints?</p> <p>22 A. No, it's just an unwritten law.</p> <p>23 Q. It's an unwritten law. Where does 24 one find it then?</p> <p>25 A. In the WWE universe.</p> |
| 359 | <p>1 concern from a creative standpoint, isn't it?</p> <p>2 A. Say again.</p> <p>3 Q. If you missed a finish, that's a 4 creative concern, isn't it?</p> <p>5 A. Yes.</p> <p>6 Q. There is nothing usual about Vince 7 asking you why you blew a finish, is there? 8 There is nothing unusual about 9 Vince asking you why you didn't do a finish, 10 is there?</p> <p>11 A. No.</p> <p>12 Q. And in fact, the contract requires 13 you to do the finishes as given to you, 14 correct?</p> <p>15 A. I did, if it's stated in the 16 contract, yes.</p> <p>17 Q. And that's essential to the story 18 line, right?</p> <p>19 A. Right.</p> <p>20 Q. All the wrestlers have to know who 21 is going to win, who is going to lose?</p> <p>22 A. Yes.</p> <p>23 Q. Then when it comes to Dr. Rios, you 24 made a statement, some guys kept things from 25 him, some didn't. Do you recall that?</p> | 361 | <p>1 Q. What, floating around a room 2 somewhere?</p> <p>3 A. That's it.</p> <p>4 Q. And you said some people didn't 5 keep things from Dr. Rios, right?</p> <p>6 A. Some people went to him with 7 problems and injuries.</p> <p>8 Q. And would tell him?</p> <p>9 A. And would tell him, right.</p> <p>10 Q. Including people who had head 11 injuries, right? Including people who had 12 head injuries?</p> <p>13 A. I don't know. I'm not them.</p> <p>14 Q. Well, who are the ones that went to 15 him and told him the problems?</p> <p>16 A. I'm not sure. I don't recall.</p> <p>17 Q. But yet you're going to sit there 18 and give testimony under oath that some 19 didn't and some didn't, but you can't give --</p> <p>20 A. I don't recall the guys who went to 21 him for help.</p> <p>22 Q. You can't give the name of anyone 23 who fit into either one of these categories?</p> <p>24 A. Bob Holly went to him, and Bob 25 Holly had a cyst in his arm that he almost</p> |

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| 362 | <p>1 lost his arm. And when they kept stitching 2 him up and bandaging his arm up and sent him 3 out to the ring, and they kept making that 4 man work, he came back. They knew about the 5 injury. They knew about what was going on, 6 and they still sent him out there, and he 7 almost lost his arm. 8 Q. Who is "they"? 9 A. I said he. 10 Q. You kept saying "they." 11 A. The office. 12 Q. Well, who is the person? The 13 office is not a person. What person? 14 A. The people in charge. 15 Q. Who? 16 A. Vince, the booking committee, 17 whoever was in charge. Bob, I seen his arm. 18 You had asked me, he gotten care of by Dr. 19 Rios. His arm, he had a puss thing coming 20 out. 21 Q. And Dr. Rios was treating him? 22 A. Dr. Rios treated it, wrapped it up 23 and sent him out there. 24 Q. Did Bob Holly object to that? 25 A. Excuse me?</p> | 364 | <p>1 injuries, did you? 2 A. I didn't know I had head injury. I 3 told him about my headaches. 4 Q. Now, you say he was there to help 5 you, right? 6 A. Yes. 7 Q. So you would tell him you had a gut 8 injury or certain kind of injuries to get 9 help, right? 10 A. I never told him I had a head 11 injury. I said I had headaches. 12 Q. But you would go to him for help? 13 A. I would go him for help, my 14 headaches and getting Tylenol and feeling 15 fatigue and getting my B-12 shots. 16 Q. Did you think a doctor, if you just 17 go and say I have a headache, you are 18 supposed to assume that's from a certain 19 cause? 20 MR. SCIOLLA: Object to form. 21 A. I don't know what a doctor can 22 assume, unless he gives you a full 23 examination, but he didn't. 24 So unless you do a full 25 examination, I guess he couldn't really tell.</p> |
| 363 | <p>1 Q. Did Bob Holly object to that? 2 A. No. 3 Q. Did he ever tell he didn't want to 4 be performing? 5 A. Because it was an unwritten rule 6 you don't complain -- 7 Q. Did he tell you he didn't want to 8 perform? 9 A. He never told me that. 10 Q. So for all you know, Bob Holly 11 wanted to be Band-Aided up and perform? 12 A. Right, because his arm, because he 13 knows if he complained about it, he would be 14 sent home. 15 Q. Well, you don't know what he knows. 16 You know what you know. 17 And in terms of the some guys told 18 Rios and some guys didn't, you fall in the 19 category of you didn't tell him, right? 20 MR. SCIOLLA: Object to the form. 21 Q. Right? You fall in that category, 22 right? 23 MR. SCIOLLA: Mischaracterizes 24 testimony. 25 Q. You didn't tell him about head</p> | 365 | <p>1 Q. What is the full examination a 2 doctor does when you tell him you have a 3 headache? 4 MR. SCIOLLA: Object to the form. 5 A. I guess you would be asking me if I 6 went to him with head injury for head 7 injuries, and I keep saying, no, I did not. 8 And you're telling me, well, why didn't you 9 go to the doctor. And I said I did go to him 10 with the headaches and feeling fatigue and, 11 you know, muscle aches and everything else. 12 Q. And you told him you had a 13 headache, give me some aspirin? 14 A. That it. 15 Q. You didn't tell him I think I got a 16 headache because I ran into the chairs -- or 17 the stairs tonight, did you? 18 A. But I did tell him I had headaches. 19 Q. As far as the testosterone -- 20 THE WITNESS: Excuse me, one 21 second. 22 (Discussion off the record.) 23 THE WITNESS: Sorry, guys. Sorry 24 about that. 25 Q. With respect to him giving you</p> |

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| 366 | <p>1 testosterone shots. You asked him to do</p> <p>2 that, didn't you?</p> <p>3 A. Yes.</p> <p>4 Q. As a favor to you?</p> <p>5 A. I have a hard time administering my</p> <p>6 own shots.</p> <p>7 Q. And he's a doctor and he can give</p> <p>8 you a shot?</p> <p>9 A. Right.</p> <p>10 Q. And you were grateful for that,</p> <p>11 right?</p> <p>12 A. Yes.</p> <p>13 Q. And your testimony is that you</p> <p>14 didn't understand until the year 2014 what a</p> <p>15 concussion was, right?</p> <p>16 A. Right.</p> <p>17 Q. How old were you then?</p> <p>18 A. How old am I now?</p> <p>19 Q. How old were you in 2014?</p> <p>20 A. Forty-nine.</p> <p>21 Q. Forty-nine years old. And how many</p> <p>22 years had you been involved in the wrestling</p> <p>23 business?</p> <p>24 A. Twenty something.</p> <p>25 Q. So you managed to live 49 years,</p> | 368 | <p>1 Brett Hart match.</p> <p>2 Q. Yes, he was.</p> <p>3 A. Okay.</p> <p>4 Q. Did you make that statement?</p> <p>5 A. I did.</p> <p>6 Q. And things were looked at a</p> <p>7 different point in time, in '99, about</p> <p>8 concussions than they are today, isn't it?</p> <p>9 A. Yes, they are.</p> <p>10 Q. It's not so much that people didn't</p> <p>11 know concussions were. They didn't think of</p> <p>12 them the same way then as they do now?</p> <p>13 A. That's because they weren't</p> <p>14 educated and didn't have the knowledge.</p> <p>15 Q. Would you even know when CTE was</p> <p>16 discovered?</p> <p>17 A. No.</p> <p>18 Q. So you don't know if in 1999 any</p> <p>19 knew about it or not?</p> <p>20 A. I don't.</p> <p>21 Q. Who is Dr. Schneider?</p> <p>22 A. Dr. Schneider is another doctor I</p> <p>23 went to -- with the -- Dr. Cavoto suggested I</p> <p>24 go see him.</p> <p>25 Q. What is his speciality?</p> |
| 367 | <p>1 and 20-something years in the wrestling</p> <p>2 business and not know what a concussion was?</p> <p>3 A. That was may perception of a</p> <p>4 concussion.</p> <p>5 Q. And you made no effort to teach</p> <p>6 yourself any better?</p> <p>7 A. No.</p> <p>8 Q. Why you are getting whacked over</p> <p>9 the head with chairs and objects and</p> <p>10 everything else, you just didn't care, did</p> <p>11 you?</p> <p>12 MR. SCIOLLA: Object to the form.</p> <p>13 Q. You said, you said something about</p> <p>14 concussions. I think you said there was a</p> <p>15 time where if you got a kick to the head in a</p> <p>16 concussion, okay. It wasn't like it is</p> <p>17 today. Do you remember that?</p> <p>18 A. What was it in reference to?</p> <p>19 Q. I don't know. Your answer to his</p> <p>20 question.</p> <p>21 A. Kick to the head --</p> <p>22 Q. Did you say there was a time you</p> <p>23 get a kick to the head, and a concussion,</p> <p>24 okay, but not like it is today?</p> <p>25 A. I believe he was talking about the</p> | 369 | <p>1 A. Brain specialist.</p> <p>2 MR. McDEVITT: Have the medical</p> <p>3 records for that been turned over?</p> <p>4 MR. KYROS: I don't recognize it.</p> <p>5 MR. SCIOLLA: I can't say that they</p> <p>6 were.</p> <p>7 MR. McDEVITT: Why not?</p> <p>8 MR. SCIOLLA: I don't know that we</p> <p>9 were aware of Dr. Schneider either.</p> <p>10 MR. McDEVITT: Well, you should</p> <p>11 have been.</p> <p>12 MR. SCIOLLA: Thanks.</p> <p>13 MR. McDEVITT: Well, you should</p> <p>14 have been. You served document</p> <p>15 requests.</p> <p>16 Q. Did you tell your lawyers you had</p> <p>17 been seeing Dr. Schneider?</p> <p>18 A. I saw Dr. Schneider one time,</p> <p>19 testing.</p> <p>20 Q. Where does he live?</p> <p>21 A. He is in Pennsylvania.</p> <p>22 Q. In your hometown?</p> <p>23 A. No, he's not in my hometown. I'm</p> <p>24 not sure of the town in Pennsylvania, but</p> <p>25 he's in Pennsylvania.</p> |

| | | | |
|-----|--|-----|---|
| 370 | <p>1 Q. All right.</p> <p>2 Now, with respect to Eddie Guerrero</p> <p>3 you made some comments suggesting the reasons</p> <p>4 he died. Do you recall that?</p> <p>5 A. Uh-huh.</p> <p>6 Q. You don't have any clue why he</p> <p>7 died, do you? Did you ever see his autopsy</p> <p>8 report?</p> <p>9 A. Eddie used to sit in the</p> <p>10 trainers room. He used to sit on the table.</p> <p>11 You know, he used to be out of it. Eddie had</p> <p>12 a drug problem.</p> <p>13 Q. You don't know if he died from a</p> <p>14 drug problem, do you?</p> <p>15 A. No, I don't but. He did have a</p> <p>16 drug problem and drugs can attribute to it.</p> <p>17 Q. Do you know if he had a drug</p> <p>18 problem at the time of his death?</p> <p>19 A. I don't know. All I know when I</p> <p>20 used to see Eddie sitting in the trainers</p> <p>21 room. He always used to sitting there</p> <p>22 sleeping or doped up or was out of it.</p> <p>23 Q. Did you -- you have never looked at</p> <p>24 Eddie Guerrero's autopsy report, correct?</p> <p>25 A. No.</p> | 372 | <p>1 murder has nothing to do with wrestling?</p> <p>2 A. I just read a statement, I made a</p> <p>3 statement. That's what I read at the time</p> <p>4 and that's how I interpreted it. This had</p> <p>5 nothing to do with wrestling. Is it the</p> <p>6 murder that had nothing to do with wrestling,</p> <p>7 it could be. Was it his symptoms that had</p> <p>8 nothing to do with wrestling, I don't know.</p> <p>9 Q. Well, you don't know and you can't</p> <p>10 say now?</p> <p>11 A. I don't know.</p> <p>12 Q. And you can't tell us where this</p> <p>13 was even said? And you can't tell us where</p> <p>14 this was even said?</p> <p>15 A. No.</p> <p>16 Q. And you talked about how they took</p> <p>17 him off television?</p> <p>18 A. Right.</p> <p>19 Q. But I think you also said, you</p> <p>20 couldn't understand why they would do that,</p> <p>21 correct?</p> <p>22 A. I could understand why because they</p> <p>23 didn't want nothing to do with him because he</p> <p>24 killed his family and it was a bad publicity</p> <p>25 for the company.</p> |
| 371 | <p>1 Q. You know nothing about the cause or</p> <p>2 manner of his death, do you?</p> <p>3 A. No, I don't.</p> <p>4 Q. Yet you are willing to talk about</p> <p>5 it as if you do?</p> <p>6 MR. SCIOLLA: Object to the</p> <p>7 characterization.</p> <p>8 A. I've never seen Eddie Guerrero's</p> <p>9 autopsy report.</p> <p>10 Q. You were also asked a bunch of</p> <p>11 questions about WWE, and what they said about</p> <p>12 the Benoit case, and you said, I think, and</p> <p>13 I'm paraphrasing, but I think you said the</p> <p>14 WWE said this has to do with wrestling. Do</p> <p>15 you understand that? Is that what you said?</p> <p>16 What was the "this" in that sentence?</p> <p>17 A. This?</p> <p>18 Q. Yes, what did you mean, "this"</p> <p>19 nothing to do with the wrestling?</p> <p>20 A. I didn't write it. I don't know.</p> <p>21 Q. Well, where did they say it?</p> <p>22 A. I believe it was on the internet</p> <p>23 or, you know, something like that. I don't</p> <p>24 recall where I read it.</p> <p>25 Q. Well, was it in reference to the</p> | 373 | <p>1 Q. Well, you certainly wouldn't want</p> <p>2 to put that on television, would you?</p> <p>3 A. No.</p> <p>4 Q. So you can understand why they</p> <p>5 would take that off after it came out that he</p> <p>6 hog tied his wife and killed his kid, why</p> <p>7 would they put him on their television</p> <p>8 program?</p> <p>9 A. But I didn't mock the WWE for doing</p> <p>10 that. I just said that they took him off all</p> <p>11 the program. He doesn't exist in the</p> <p>12 universe no more.</p> <p>13 Q. Do you find it odd that anybody</p> <p>14 would say Eddie -- or that Chris Benoit and</p> <p>15 only Chris Benoit is responsible for the</p> <p>16 homicides he committed?</p> <p>17 A. You're absolutely right. Only he</p> <p>18 knows. He was there. His wife was there.</p> <p>19 The child was there. That's the only people</p> <p>20 that knew.</p> <p>21 Q. But he's the only one that is</p> <p>22 responsible for the decision to murder his</p> <p>23 family?</p> <p>24 MR. SCIOLLA: Object to the form.</p> <p>25 A. I wasn't there. I don't know.</p> |

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1 **Q. Well, do you think it's fair to try**
 2 **to blame somebody else for his murderous**
 3 **acts?**
 4 A. I didn't say that, Mr. McDevitt.
 5 **Q. So you wouldn't have any problem if**
 6 **WWE, in responding to media articles, were**
 7 **suggesting that WWE in some way was**
 8 **responsible for what Chris Benoit chose to**
 9 **do, that they would say, this has nothing to**
 10 **do with us or wrestling?**
 11 MR. SCIOLLA: Object to the form.
 12 A. I don't know. It's just something
 13 I read. It's a statement.
 14 **Q. In all the years that you were**
 15 **ignorant, according to you, about what**
 16 **concussions mean, is there any reason**
 17 **whatsoever that you could not have read**
 18 **articles in a public realm or watched media**
 19 **articles that discussed at length the**
 20 **emerging science about CTE and concussions**
 21 **that has been going on for years?**
 22 MR. SCIOLLA: Object, calls for
 23 speculation.
 24 A. No, I didn't think it pertained to
 25 me until 2014.

375

1 **Q. Well, whether you thought it or**
 2 **not. You could have read it in the**
 3 **newspapers the same as anybody else, right?**
 4 MR. SCIOLLA: Same objection.
 5 A. I could have, but I didn't.
 6 **Q. And whatever was in the newspapers**
 7 **about Chris Benoit and his CTE that WWE may**
 8 **or may not have read, you could have read the**
 9 **same, couldn't you?**
 10 MR. SCIOLLA: Calls for
 11 speculation.
 12 A. I don't know, Mr. McDevitt.
 13 **Q. I mean they didn't have any**
 14 **exclusive access to the public reporting on**
 15 **anything, did they?**
 16 MR. SCIOLLA: Objection, calls for
 17 speculation.
 18 A. I'm not sure. I wasn't there.
 19 **Q. Now, you mentioned Stephanie**
 20 **McMahon. Did you ever once tell Stephanie**
 21 **McMahon that you think you had a head injury**
 22 **in a match?**
 23 A. No, I did not.
 24 **Q. Did you ever once tell Vince**
 25 **McMahon that you thought you had a head**

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1 **injury in a match?**
 2 A. No, I did not.
 3 **Q. Did you ever once tell John**
 4 **Laurinaitis that you thought you had a head**
 5 **injury in a match?**
 6 A. No, I did not.
 7 **Q. I think you've already indicated**
 8 **you never once told Dr. Rios that either?**
 9 A. Yes, that is true.
 10 **Q. And I think you also indicated,**
 11 **your testimony, that generally speaking, Dr.**
 12 **Rios was in the back when matches were going**
 13 **on?**
 14 A. Unless he was asked to be ringside
 15 for something specific.
 16 **Q. Understood. But I think you**
 17 **indicated the most usual course is he is in**
 18 **the back?**
 19 A. In the back.
 20 **Q. So would it be fair to say the only**
 21 **way Dr. Rios is going to know if something**
 22 **happened out there is if somebody tells him?**
 23 MR. SCIOLLA: Objection, calls for
 24 speculation.
 25 A. The only way during a TV taping Dr.

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1 Rios would know is if he was matching his
 2 monitor. It's in the back. It's in the
 3 trainers room. And if something bad
 4 happened, he would be summoned to the ring by
 5 the TV crew or somebody, the runner would
 6 could come back and get him and bring him to
 7 the ring.
 8 **Q. And that never happened at any of**
 9 **your matches, did it?**
 10 A. No.
 11 **Q. Did you like Dr. Rios?**
 12 A. Yes.
 13 **Q. Did you think he was a good doctor?**
 14 A. Yes.
 15 **Q. Do you have any indication or any**
 16 **knowledge that any person involved in WWE**
 17 **management ever told Dr. Rios not to tell you**
 18 **something about head injuries or concussions?**
 19 A. I don't know. I wasn't there. I
 20 don't know what they told him to say or not
 21 say. But I do know one thing --
 22 **Q. I'm not asking what you know about**
 23 **one thing. I'm asking you specifically.**
 24 **Do you have any knowledge, did you**
 25 **ever hear anybody in management at WWE tell**

| | | | |
|-----|---|-----|--|
| 378 | <p>1 Dr. Rios, look, I don't want you telling Vito</p> <p>2 anything about concussions?</p> <p>3 A. No, I didn't.</p> <p>4 Q. Do you have any evidence that</p> <p>5 anybody at WWE ever directed anybody in the</p> <p>6 medical staff to withhold any information</p> <p>7 from you?</p> <p>8 A. From me personally, no.</p> <p>9 Q. Do you have any knowledge that</p> <p>10 anybody at WWE management or employees ever</p> <p>11 told Dr. Rios or the medical staff to lie to</p> <p>12 you about anything?</p> <p>13 A. Not that I'm aware of.</p> <p>14 MR. McDEVITT: Again, I don't think</p> <p>15 I have anything more, Mr. LoGrasso, and</p> <p>16 I thank you for your time.</p> <p>17 MR. SCIOLLA: All done.</p> <p>18 THE VIDEOGRAPHER: This concludes</p> <p>19 the video deposition. The time 6:14</p> <p>20 p.m., off the record.</p> <p>21 MR. McDEVITT: On the record.</p> <p>22 What do you plan on doing about</p> <p>23 what I asked you about, what you said in</p> <p>24 the reconsideration motion to the court</p> <p>25 that we now know is false.</p> | 380 | <p>1 STATE OF _____)</p> <p>2) :ss</p> <p>3 COUNTY OF _____)</p> <p>4</p> <p>5</p> <p>6 I, VITO LOGRASSO, the witness</p> <p>7 herein, having read the foregoing</p> <p>8 testimony of the pages of this</p> <p>9 deposition, do hereby certify it to be a</p> <p>10 true and correct transcript, subject to</p> <p>11 the corrections, if any, shown on the</p> <p>12 attached page.</p> <p>13</p> <p>14 _____</p> <p>15 VITO LOGRASSO</p> <p>16</p> <p>17 Sworn and subscribed to before</p> <p>18 me, this _____ day of</p> <p>19 _____, 2015.</p> <p>20 _____</p> <p>21 Notary Public</p> |
| 379 | <p>1 MR. SCIOLLA: I'm not prepared to</p> <p>2 give you an answer right now.</p> <p>3 MR. McDEVITT: Well, as you all</p> <p>4 know, we are supposed to talk to the</p> <p>5 court at 4 o'clock tomorrow. I would</p> <p>6 appreciate some answer before the</p> <p>7 conference call, because I will bring it</p> <p>8 up if you don't tell me.</p> <p>9 MR. SCIOLLA: For sure.</p> <p>10 MR. McDEVITT: I would appreciate</p> <p>11 it if you would consult with whoever you</p> <p>12 are going to consult with, and let me</p> <p>13 know the answer.</p> <p>14 MR. SCIOLLA: Agreed.</p> <p>15 MR. McDEVITT: Off the record.</p> <p>16 (Time noted: 6:14 p.m.)</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | 381 | <p>1 C E R T I F I C A T E</p> <p>2 COMMONWEALTH OF PENNSYLVANIA)</p> <p>3 : ss.</p> <p>4 COUNTY OF PHILADELPHIA)</p> <p>5</p> <p>6 I, Jennifer Ocampo-Guzman, a</p> <p>7 Notary Public within and for the Commonwealth</p> <p>8 of Pennsylvania, do hereby certify:</p> <p>9 That VITO LOGRASSO, the witness</p> <p>10 whose deposition is hereinbefore set forth,</p> <p>11 was duly sworn and that such deposition is a</p> <p>12 true record of the testimony given by the</p> <p>13 witness.</p> <p>14 I further certify that I am not</p> <p>15 related to any of the parties to this action</p> <p>16 by blood or marriage, and that I am in no</p> <p>17 way interested in the outcome of this</p> <p>18 matter.</p> <p>19 IN WITNESS WHEREOF, I have</p> <p>20 hereunto set my hand this 19th day of May</p> <p>21 2016.</p> <p>22 _____</p> <p>23 JENNIFER OCAMPO-GUZMAN, CRR, CLR</p> |

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13 LoGrasso Exhibit 3, E-mail date

14 5/6/09, Bates Nos WWE_SING00002132

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19 aim at Japan" 108

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23 A Rant Sports Exclusive Interview

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4 LoGrasso Exhibit 10, Medical records,

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14 OpenMRI032316_000002 and

15 OpenMRI032316_000003 143

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17 LoGrasso Exhibit 13, Plaintiff Vito

18 LoGrasso's Supplemental Objections and

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23 LoGrasso Exhibit 14, Plaintiffs' Evan

24 Singleton and Vito LoGrasso's Brief in

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4 LoGrasso Exhibit 19, Document

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6 Entertainment, Inc., Booking

7 Contract," Bates Nos. WWE_SING00000307

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1

2 **INSTRUCTIONS TO WITNESS**

3

4 Please read your deposition over

5 carefully and make any necessary

6 corrections. You should state the

7 reason in the appropriate space on the

8 errata sheet for any corrections that

9 are made. After doing so, please sign

10 the errata sheet and date it.

11 You are signing same subject to the

12 changes you have noted on the errata

13 sheet, which will be attached to your

14 deposition.

15 It is imperative that you return

16 the original errata sheet to the

17 deposing attorney within thirty (30)

18 days of receipt of the deposition

19 transcript by you. If you fail to do

20 so, the deposition transcript may be

21 deemed to be accurate and may be used in

22 court.

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E R R A T A

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for the following reasons:

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