

# **App. Tab 93**

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

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:
SINGLETON, ET AL, :
:
Plaintiffs : CRIMINAL NO.
v. : #3:15-CV-00425 (VLB)
:
WORLD WRESTLING : June 8, 2015
ENTERTAINMENT, INC., :
Defendants :
:
----- x

Federal Building  
450 Main Street  
Hartford, Connecticut

HEARING

(Transcription from Electronic Recording)

Held Before:

THE HON. VANESSA L. BRYANT  
United States District Judge

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Simsbury, CT 06070  
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A P P E A R A N C E S:

For the Plaintiffs:

WILLIAM BLOSS, ESQ.  
Koskoff, Koskoff & Bieder, P.C.  
350 Fairfield Avenue  
Bridgeport, CT 06604

and

KONSTANTINE KYROS, ESQ.  
Kyros Law Offices  
17 Miles Road  
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For the Defendants, Admitted Pro Hac Vice:

THOMAS D. GOLDBERG, ESQ.  
Day Pitney, LLP  
One Canterbury Green  
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and

JEFFREY MUELLER, ESQ.  
Day Pitney, LLP  
242 Trumbull Street  
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and

JERRY S. McDEVITT, ESQ.  
K & L Gates, LLP  
K & L Gates Center  
210 Sixth Avenue  
Pittsburgh, PA 15222-2613

and

CURT KRASIK, ESQ.  
K & L Gates, LLP  
K & L Gates Center  
210 Sixth Avenue  
Pittsburgh, PA 15222-2613

Also Present:

ANTHONY NORRIS, ESQ.

1 COURT CLERK: The Court is now open  
2 after recess in the matter of -- in the matter of  
3 Singleton v. WWE, case no. 3:15-cv-425-VLB.

4 THE COURT: Good afternoon.

5 MULTIPLE VOICES: Good afternoon, Your  
6 Honor.

7 THE COURT: Okay, can we have the  
8 appearances of the parties for the record please.

9 MR. BLOSS: William Bloss, Your Honor  
10 of Koskoff, Koskoff & Bieder for the plaintiffs.  
11 With me is Konstantine Kyros who has been  
12 admitted by the Court as visiting counsel and  
13 Anthony Norris (phonetic) of Mr. Kyros' firm is  
14 here - is not expected to participate, but I did  
15 want to note his attendance, Your Honor.

16 THE COURT: And who will be  
17 participating today?

18 MR. BLOSS: I will be Your Honor,  
19 William Bloss and Mr. Kyros may as needed,  
20 depending on the Court's questions.

21 THE COURT: Alrighty. Yes. And for  
22 the defense?

23 MR. GOLDBERG: Good afternoon, Your  
24 Honor, Tom Goldberg. And I'm here with Jeff  
25 Mueller from Day Pitney for the defendants World

1 Wrestling Entertainment, Inc. And I'd also like  
2 to introduce to the Court Jerry McDevitt and Curt  
3 Krasik of K & L Gates who have been admitted pro  
4 hac vice.

5 THE COURT: Wonderful. Welcome.

6 UNIDENTIFIED MALE: Good afternoon,  
7 Your Honor.

8 THE COURT: Please be seated. The  
9 defense requests that a pre-filing conference in  
10 this case or pre-scheduling conference before the  
11 Court entered a scheduling order. And we're  
12 convened for the Court to hear the parties on the  
13 issues preceded to that entry.

14 MR. BLOSS: I believe it, Your Honor,  
15 to the defense - it's the defense's request if  
16 the Court please, I will present the position on  
17 behalf of the plaintiffs, but it might be  
18 fruitful to start with the defense - defendant.

19 THE COURT: Yes.

20 MR. McDEVITT: Good afternoon Your  
21 Honor, Jerry McDevitt from K & L Gates in  
22 Pittsburgh.

23 Thank you for having the conference  
24 Your Honor. We requested it because there's been  
25 a lot of what I'll say is irregular things going

1 the same evidence or are we basically going to  
2 have two trials at the same time? Are we going  
3 to have you know, guilt by association? I mean  
4 what - why should these cases be tried together?  
5 Typically cases would only be tried together if  
6 they arise out of the same nucleus of fact.  
7 These cases seem to be wholly factually distinct.  
8 There may be a culture. I mean on that theory,  
9 every single person that alleges an employment  
10 discrimination at Pitney Bowes for example, would  
11 be able to file a single lawsuit. That doesn't  
12 happen.

13 MR. KYROS: Well, that raises an  
14 interesting question about separating two cases,  
15 Your Honor. The cases as you know, were  
16 originally filed together as a class claim and  
17 then they were transferred to this Court. And  
18 then --

19 THE COURT: Right. And even as a class  
20 claim, I mean let's face it, where's the -  
21 where's the typicality in Mr. Lograsso and Mr.  
22 Singleton? How could you allege that they're  
23 representative of a whole class of people that  
24 fought for the WWE?

25 MR. KYROS: Well, that - that I would

1 argue that - we're arguing that the class  
2 actually is all WWE wrestlers. Singleton does  
3 present unique facts in the nature of how his  
4 injury occurred and I do believe that you're  
5 right Your Honor, that Singleton's case in some  
6 ways is distinct because the injury alleged is -  
7 is more in line with a single incident, single  
8 event, but it does play into the negligent  
9 discharge - negligent pattern of conduct we  
10 allege where they are prayed. If for example Mr.  
11 Singleton's case, he was taught how to do a choke  
12 slam six minutes according to him - he was taught  
13 how to do it six minutes before he was put in one  
14 and subsequently permanently injured.

15 So that type of conduct is, I think,  
16 something that runs through the note - the cases,  
17 including Mr. Lograsso's case. And you know, the  
18 notion that you know, Lograsso has this  
19 degenerative disease, is distinct in a sense.  
20 But it continues - his - the allegation that Mr.  
21 Lograsso makes is that during his time at the WWE  
22 when he was injured less severely in a single  
23 incident, but he continued to space these  
24 injuries throughout his tenure there. And there  
25 was no medical treatment, both at ringside or

1 outside the ring. And in fact, the abusive  
2 culture encouraged these folks to not speak up  
3 about their injuries because if they did, they  
4 would lose their spot on television or they  
5 wouldn't be allowed to perform and earn a living.  
6 So the WWE contrary to the representations that  
7 they make even to this Court, wasn't very  
8 concerned according to our theory of the case and  
9 according to Mr. Lograsso and other wrestlers  
10 that we've investigated and spoken to.

11 THE COURT: But - okay. Doesn't your  
12 complaint say that WWE required them to fight,  
13 even though they were injured?

14 MR. KYROS: I believe it says  
15 "encouraged".

16 THE COURT: Now you're saying it's the  
17 opposite. Now you're saying that they couldn't  
18 disclose that they were injured because if they  
19 disclosed they were injured, the WWE wouldn't  
20 allow them to fight.

21 MR. KYROS: Well that's part of the  
22 culture which is if you -

23 THE COURT: Is part of the culture --

24 MR. KYROS: - if they were being --

25 THE COURT: -- you can't fight if