

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

**RUSS McCULLOUGH, a/k/a “Big Russ McCullough,” RYAN SAKODA, and MATTHEW R. WIESE, a/k/a “Luther Reigns,” individually and on behalf of all others similarly situated,**

**Plaintiffs,**

**vs.**

**WORLD WRESTLING  
ENTERTAINMENT, INC.,**

**Defendant.**

**LEAD CONSOLIDATED CASE NO.  
3:15-cv-01074-VLB**

**OCTOBER 7, 2015**

**WWE’s MOTION FOR LEAVE TO FILE REPLY TO KYROS LAW P.C.’s BRIEF IN  
OPPOSITION TO WWE’s MOTION FOR EXPEDITED DISCOVERY AS TO  
THE IDENTITIES OF JOHN DOE DEFENDANTS IN THE WINDHAM ACTION**

World Wrestling Entertainment, Inc. (“WWE”) respectfully moves the Court for leave to file the attached reply to Kyros Law P.C.’s brief in opposition to WWE’s motion for expedited discovery as to the identities of John Doe Defendants in the Windham Action. In support of this Motion, WWE states as follows:

1. On August 28, 2015, WWE filed its motion for expedited discovery as to the identities of John Doe Defendants in the Windham Action (Dkt. 60).
2. On September 18, 2015, Kyros filed a brief in opposition to WWE’s motion for expedited discovery (Dkt. 71).
3. On September 22, 2015, the Court issued an Order (Dkt. 74) denying WWE’s motion for expedited discovery “as moot” because “[t]he Amended Complaint filed September 21, 2015 does not name any John Doe plaintiffs.”

4. Because the Court denied WWE's motion for expedited discovery as moot prior to the date on which WWE's reply to Kyros' brief in opposition to the motion for expedited discovery otherwise would have been due, WWE did not previously submit a reply with respect to the motion for expedited discovery.

5. On September 25, 2015, WWE filed a motion to reschedule the status conference that was postponed pursuant to the Court's August 21, 2015 Order (Dkt. 75). Among the reasons cited by WWE for requesting a status conference was to seek clarification and reconsideration of the Court's August 21, 2015 Order denying WWE's motion to expedited discovery. WWE pointed out that the Amended Complaint filed on September 21, 2015 was Plaintiff's Amended Complaint in the McCullough Action (a lawsuit that never included any John Doe plaintiffs), while WWE's motion for expedited discovery was directed to WWE's Complaint in the Windham Action (which did name John Doe Defendants). WWE explained its belief that some confusion may have arisen from the fact that WWE's motion for expedited discovery in the Windham Action and Plaintiff's Amended Complaint in the McCullough Action both were filed on the McCullough Action docket with the McCullough Action caption (as the lead consolidated case) in accordance with the Court's July 23, 2015 consolidation order (Dkt. 41). Because WWE's Complaint in the Windham Action continued to name John Doe Defendants and WWE continued to require their identities so that all proper parties could be joined, WWE submitted that its motion for expedited discovery was not moot.

6. On October 2, 2015, the Court issued an Order (Dkt. 78) denying

WWE's motion to reschedule status conference and advising the parties, in pertinent part: "the court is aware of Defendant WWE's Motion for Expedited Discovery in the Windham matter and the Court will consider that Motion to be pending at this time, should the Court determine expedited discovery in Windham is appropriate, an Order will issue."

7. Since the Court has advised that WWE's motion for expedited discovery is pending and the Court will consider if expedited discovery is appropriate, WWE now desires to submit a reply to Kyros' brief in opposition to WWE's motion for expedited discovery.

8. The Court's consideration of WWE's motion for expedited discovery is warranted at this time because granting WWE's motion will avoid further delay in the Windham Action, as the limited discovery WWE seeks is necessary to enable WWE to expeditiously amend its complaint to join all proper parties so the action can proceed.

WHEREFORE, the Court should grant WWE's motion for leave to file the attached reply to Kyros' brief in opposition to WWE's motion for expedited discovery.

WORLD WRESTLING  
ENTERTAINMENT, INC.,

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Its Attorneys.

#### CERTIFICATION

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

*/s/ Jeffrey P. Mueller*  
Jeffrey P. Mueller (ct27870)