

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

MARCUS BAGWELL and SCOTT LEVY,	:	NO. 3:16-CV-01350-JCH
individually and on behalf of all others similarly	:	
situated,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
WORLD WRESTLING ENTERTAINMENT,	:	
INC.,	:	
	:	
Defendant.	:	NOVEMBER 6, 2017

**DEFENDANT’S MOTION TO COMPEL  
REDACTED INFORMATION FROM PHONE RECORDS**

Pursuant to Federal Rule of Civil Procedure 37, Defendant World Wrestling Entertainment, Inc. (“WWE”) hereby moves to compel the production of information concerning phone calls between Plaintiffs Marcus Bagwell and Scott Levy (“Plaintiffs”) and their counsel that was improperly redacted from the phone records produced by Plaintiffs, including information relating to the length or duration of the calls and the charges for the calls.<sup>1</sup>

As set forth more fully in the accompanying Memorandum of Law in support of this motion, the information redacted from the phone records is not privileged and is plainly relevant to establishing that Plaintiffs were improperly solicited to join this lawsuit by Attorney Matthew Peterson and to demonstrating the falsity of sworn interrogatory answers provided by Plaintiff Bagwell in an attempt to hide such solicitation.

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<sup>1</sup> Pursuant to Local Rule of Civil Procedure 37(a), an affidavit is attached to this motion certifying that counsel for WWE have conferred with counsel for Plaintiffs in a good faith effort to resolve by agreement the issues raised by this motion without the intervention of the Court and have been unable to reach such an agreement.

**ORAL ARGUMENT REQUESTED**

WHEREFORE, the Court should grant WWE's motion to compel and require Plaintiffs to pay WWE its reasonable attorney's fees and expenses incurred in connection with this motion pursuant to Federal Rule of Civil Procedure 37(a)(5)(A).

DEFENDANT WORLD WRESTLING  
ENTERTAINMENT, INC.,

By: /s/ Jerry S. McDevitt  
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Its Attorneys

**CERTIFICATE OF SERVICE**

I hereby certify that, on November 6, 2017, 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 email 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)