

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

|   |   |                       |
|---|---|-----------------------|
| MARCUS BAGWELL and SCOTT LEVY,<br>individually and on behalf of all others similarly<br>situated, | : | NO. 3:16-CV-01350-JCH |
|   | : |                       |
|   | : |                       |
| Plaintiffs,   | : |                       |
|   | : |                       |
| vs.   | : |                       |
|   | : |                       |
| WORLD WRESTLING ENTERTAINMENT,<br>INC.,   | : |                       |
|   | : |                       |
|   | : |                       |
| Defendant.  | : | MAY 23, 2017          |

**JOINT MOTION FOR CLARIFICATION REGARDING RULE 26(F) DEADLINE**

Plaintiffs Marcus Bagwell and Scott Levy (“Plaintiffs”) and Defendant World Wrestling Entertainment, Inc. (“Defendant”) (collectively, the “Parties”) jointly move for clarification of the Court’s order (Doc. No. 48) regarding the deadline for filing a Rule 26(f) report and jointly request that the deadline be set at June 16, 2017, 14 days from the deadline for Defendant’s response to Plaintiffs’ Second Amended Complaint.

1. On May 5, 2017, the Court issued its ruling on Defendant’s motion to dismiss the First Amended Complaint (the “Ruling”). The Ruling granted Plaintiffs leave to file a Second Amended Complaint. (Doc. No. 48 at 40.)

2. The Ruling provided in relevant part: “If [Plaintiffs] choose to file a second amended complaint, plaintiffs are directed to do so within 14 days from the entry of this Ruling. In the event plaintiffs file a second amended complaint, WWE shall answer or file a responsive pleading within 14 days from the docketing of the second amended complaint. If plaintiffs do not choose to amend the FAC, the parties are ordered to confer and to propose a scheduling order to the court within 21 days from the entry of this Ruling.” (*Id.* at 41.)

3. On May 19, 2017, Plaintiffs filed a Second Amended Complaint. (Doc. No. 51.)

4. Pursuant to the Ruling, Defendant must file an answer or responsive pleading to the Second Amended Complaint by June 2, 2017. (Doc. No. 48 at 41.)

5. The Ruling does not specify the deadline for the filing of a Rule 26(f) report in the event that Plaintiffs filed a Second Amended Complaint.

6. The Parties therefore jointly seek clarification of the Ruling and request that the deadline for the filing of a Rule 26(f) report be set at June 16, 2017, 14 days from the deadline for Defendant's response to Plaintiffs' Second Amended Complaint, which will enable the Parties to take into account the issues raised by Defendant's responsive pleading when conferring and proposing an appropriate case management plan.

WHEREFORE, the Court should grant the Parties' joint motion for clarification and set June 16, 2017 as the deadline for filing of their Rule 26(f) report.

PLAINTIFFS MARCUS BAGWELL and  
SCOTT LEVY,

DEFENDANT WORLD WRESTLING  
ENTERTAINMENT, INC.,

By: /s/ Brenden Leydon

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### **CERTIFICATE OF SERVICE**

I hereby certify that on May 23, 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 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  
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