## UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

MARCUS BAGWELL and SCOTT LEVY, individually and on behalf of all others similarly

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situated,

Plaintiffs,

VS.

WORLD WRESTLING ENTERTAINMENT, INC.,

Defendant.

: NO. 3:16-CV-01350-JCH

## AFFIDAVIT OF JERRY S. MCDEVITT

I, Jerry S. McDevitt, having been duly sworn, depose and state:

- 1. I am over the age of eighteen (18) years and believe in the obligations of an oath.
- 2. I am making this affidavit based upon personal knowledge.
- 3. I am a partner at K&L Gates LLP and represent Defendant World Wrestling Entertainment, Inc. ("WWE") in the above-captioned action.
- 4. I am submitting this affidavit in accordance with Local Rule of Civil Procedure 37 to certify that counsel for WWE have conferred with counsel for Plaintiffs, including during a teleconference conference on October 27, 2017, in a good faith effort to resolve by agreement the issues raised by WWE's Motion to Compel Regarding Privilege Issues without the intervention of the Court and were unable to reach such an agreement.

JERRY S. MCDEVITT

Subscribed and sworn before me this 27th day of October 2017.

Notary Public

My Commission Fxnire Vania OMMONWEALTH OF PENNSYEVANIA NOTARIAL SEAL

Tamara Ann Harding, Notary Public City of Pittsburgh, Allegheny County My Commission Expires May 14, 2018

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES