

EXHIBIT B

1 Q. What were the documents that you reviewed that
2 had been sent to you by Matthew Peterson?

3 A. Wouldn't that be covered by client --

4 Q. Your job is to answer questions, not ask them.

5 A. Well, I can't answer that under client
6 confidentiality.

7 Q. No, you can answer everything unless your
8 lawyer instructs you otherwise.

9 MR. ZAGRANS: Yeah. You can tell
10 him -- you can identify any documents you
11 looked at.

12 THE WITNESS: Yes, an E-mail that he
13 sent to me.

14 BY MR. McDEVITT:

15 Q. What was the date of the E-mail?

16 A. It was March of 2016.

17 Q. March 16th?

18 A. I believe so.

19 Q. And when you reviewed that E-mail did it
20 refresh your recollection about what he had
21 said?

22 A. Yes.

23 Q. What else did you review?

24 A. My Interrogatories and other documents.

25 Q. What other documents?

1 2000 or -- wait -- well before that.

2 Q. All right. Did Mr. Peterson ever tell you how
3 he met Mr. Dupree?

4 A. We never spoke about Mr. Dupree.

5 Q. And I think you indicated you have talked to
6 Mr. Bagwell about this lawsuit.

7 A. Only, I believe, at the restaurant where we
8 met Matthew Peterson.

9 Q. So he was at that meeting too?

10 A. Yes.

11 Q. Who else was at the meeting?

12 A. I brought my significant other.

13 Q. Who is that?

14 A. Marguerite Reynolds.

15 Q. When you say "significant other," are you
16 engaged to her --

17 A. She's my ex-wife, best friend, and significant
18 other.

19 Q. All right. So there's you, Mr. Bagwell --
20 Did he bring anybody?

21 A. No.

22 Q. He didn't bring his wife?

23 A. No.

24 Q. Mr. Peterson --

25 Anybody else?

1 A. I don't think so.

2 Q. How long was the meeting?

3 A. An hour I guess.

4 Q. What was discussed in the meeting?

5 MR. ZAGRANS: Objection. I'm going
6 to instruct you not to answer the question.

7 MR. McDEVITT: On what grounds?

8 MR. ZAGRANS: Attorney/client
9 privilege.

10 MR. McDEVITT: You heard the
11 testimony who was present at the meeting.

12 MR. ZAGRANS: I did.

13 BY MR. McDEVITT:

14 Q. Did your significant other talk during this
15 meeting?

16 A. I imagine so.

17 Q. Why did you take her?

18 A. Because she's my significant other.

19 Q. Did you want her to hear what was said?

20 A. She manages me in a way, unofficially.

21 Q. Aside from that meeting that Bagwell was at
22 with you and your significant other and
23 Mr. Peterson in the restaurant, have you had
24 any other conversations with Mr. Bagwell about
25 this lawsuit?

1 A. I don't think so.

2 Q. So as you sit there your best recollection is
3 you have had the one and only conversation
4 with him, and that was the one in the
5 restaurant you've just described?

6 A. That I can recall.

7 Q. Was that meeting before or after you brought
8 this lawsuit?

9 A. I think it was before.

10 Q. Do you recall whether there was any discussion
11 about whether Mr. Bagwell had already brought
12 a lawsuit?

13 A. I don't recall.

14 Q. How did you first hear of Matthew Peterson?

15 A. He contacted me.

16 Q. How did you contact you?

17 A. By E-mail.

18 Q. Is that the March 16th one that you just
19 described earlier?

20 A. I believe so.

21 Q. The E-mail that you reviewed yesterday?

22 A. Yes, sir.

23 Q. And prior to receipt of that E-mail you had
24 not heard of him. Is that correct?

25 A. I don't recall.

1 Q. You hadn't spoken to him though. Correct?

2 A. Correct.

3 Q. And you hadn't asked him to send you that
4 E-mail, did you?

5 A. No. I asked others --

6 I had put out the word to my
7 colleagues that I was looking for someone -- a
8 lawyer who could -- I could engage who knew
9 some of the intricacies of the WWE in order to
10 pursue avenues of relief against the WWE, for
11 I felt that they had harmed me by their
12 actions.

13 Q. Who was those colleagues?

14 A. I don't recall.

15 Q. And what did they do when you told them that?

16 A. I assume --

17 I would have to speculate on what
18 they said.

19 Q. I don't want your speculation. Do you have
20 any knowledge of what they did?

21 A. No.

22 Q. So you can't tell me what unnamed persons did
23 in response to this solicitation to put the
24 word out. Is that your testimony?

25 A. I would imagine that they put the word out.

1 other than these friends that you identified
2 previously?

3 A. I'm not even sure who I put the would out to
4 that they would be included.

5 Q. Did you ever make statements that you thought
6 you could bullshit your way through
7 litigation?

8 A. No.

9 Q. Never?

10 A. No.

11 Q. Did you ever say to anybody that you could
12 bullshit your way through problems in a
13 lawsuit?

14 A. No

15 Q. Are you trying to bullshit your way through a
16 problem now, Mr. Levy?

17 MR. ZAGRANS: Objection. You don't
18 have to answer that question.

19 On second thought, go ahead and
20 answer that.

21 THE WITNESS: No.

22 BY MR. McDEVITT:

23 Q. Well, how long ago was it that you put this
24 word out that you wanted to find somebody?

25 A. Probably after I found out -- not probably --

1 after I found out that the network was in
2 operation and that my likeness, my trademark
3 likeness, was being used and I wasn't
4 receiving royalties for it.

5 Q. You learned that in 2014. Right?

6 A. Excuse me?

7 Q. You learned that in 2014, didn't you?

8 A. Whenever the network started.

9 Q. That was 2014.

10 A. Then yes.

11 Q. Did you bring any lawsuits in 2014?

12 A. No.

13 Q. Did you bring lawsuits in 2015?

14 A. No.

15 Q. Did you have lawyers in 2014?

16 A. I had my lawyer Frank Smith.

17 Q. Did you have lawyers in 2015?

18 A. Frank Smith.

19 Q. Did you ask Frank Smith for a recommendation
20 of a lawyer who could bring a lawsuit if he
21 couldn't?

22 A. I might have.

23 Q. Did he give you a name?

24 A. He might have.

25 Q. I know he might have. Did he?

1 MR. ZAGRANS: We object consistently
2 about producing that document, yes.

3 BY MR. McDEVITT:

4 Q. Had you produced your contract to Mr. Peterson
5 by the time that E-mail had been sent to you?

6 A. That was the first time I had met him.

7 Q. He sent you an E-mail. Right?

8 A. Yes.

9 Q. You didn't meet him for months after that.
10 Right?

11 A. Yes.

12 Q. What did you know about Mr. Peterson when he
13 sent that E-mail? Anything?

14 A. I don't recall.

15 Q. Did you know how long he even practiced law?

16 A. I don't recall.

17 Q. Did you know if he was a partner in a law
18 firm?

19 A. I don't recall.

20 Q. Did you know if he ever tried a case?

21 A. I don't recall.

22 Q. Did you ask him any of those things?

23 A. I'm sure I asked him many questions --

24 Q. Did he --

25 A. -- but not prior to the E-mail.

1 Q. You say she's your sort of semi official
2 business advisor?

3 A. She's my life advisor.

4 Q. You took her to the meetings with him? You
5 don't recall whether you showed her this
6 document?

7 A. I don't show her everything.

8 Q. I understand that, but did you show her that
9 document?

10 MR. ZAGRANS: Objection. Asked and
11 answered. You can answer it again.

12 THE WITNESS: I don't recall. That
13 was a long time ago.

14 BY MR. McDEVITT:

15 Q. Did you send that document to Mr. Smith?

16 A. I'm not sure.

17 Q. Did Mr. Peterson ever tell you how he got your
18 E-mail address?

19 A. We discussed it.

20 Q. How did you discuss that?

21 A. He had said someone had contacted him on my
22 behalf.

23 Q. Who?

24 A. I don't recall.

25 Q. Did he tell you who?

1 Peterson?

2 A. Yes, I think so.

3 Q. When did you do that?

4 A. I don't recall.

5 Q. How many months after you were originally
6 contacted by this E-mail did you do so?

7 A. I don't recall.

8 Q. Was there a delay?

9 A. What do you mean?

10 Q. Well, when you received this March document,
11 did you immediately retain him to represent
12 you and file a lawsuit?

13 A. I didn't retain him to file a lawsuit, but I
14 felt that I had engaged him and that we were
15 going to investigate things so I felt that he
16 was acting as my lawyer on behalf of me.

17 Q. My question was did you retain him to be your
18 lawyer.

19 A. In --

20 Yes, then.

21 Q. How did you do that?

22 A. By verbally -- by verbal.

23 Q. By verbal what?

24 A. By verbal agreement.

25 Q. What was the verbal agreement?

1 A. I don't think so.

2 Q. When did you become aware of the claims that
3 you are asserting here in this litigation?

4 A. When did I become aware of the network?

5 Q. Let's start with that, yes. When did you
6 become aware of that?

7 A. When it started or maybe --

8 Yeah, I guess when it started.

9 Q. When was that?

10 A. 2014.

11 Q. All right. And did you ever watch the
12 network?

13 A. No.

14 Q. To this day you've never watched it?

15 A. No.

16 Q. Do you have any understanding of what's on the
17 network?

18 A. Yes.

19 Q. What's your understanding?

20 A. They have programs that are designed to
21 entertain WWE fans.

22 Q. All right. Do you know whether they put
23 current Pay-Per-Views on there, for example?

24 A. They probably do.

25 Q. You don't know for sure?

1 your answer's on the top of Page 7.

2 - - - -

3 (The witness reviewed the document.)

4 - - - -

5 BY MR. McDEVITT:

6 Q. With respect to the statement that you made
7 that you first became aware of the subject
8 matter of the claims asserted in this action
9 in late 2014, what exactly was it that made
10 you aware of the subject matter of the claim?

11 A. Someone had told me that I was in a show
12 broadcast on the network.

13 Q. Do you remember who that someone was?

14 A. No.

15 Q. What action did you take whenever you found
16 that out, if any?

17 A. I spoke to some friends and tried to find some
18 legal remedy because my trademark had been
19 violated.

20 Q. What friends?

21 A. I don't recall.

22 Q. What did you do to find a legal remedy?

23 A. I put the word out to friends that I was
24 looking for an attorney that would be
25 interested and was familiar with the

1 intricacies of the WWE and would be interested
2 in representing me.

3 Q. And that's the same thing that you testified
4 to earlier today?

5 A. Yes.

6 Q. You said your trademark had been violated. Do
7 you have any trademark claims in this case?

8 A. Not if I'm paid royalties.

9 Q. What is the trademark violation that you think
10 occurred?

11 A. They used my likeness without paying me for
12 it.

13 Q. You think you have a trademark in your
14 likeness?

15 A. Yes, I do.

16 Q. Do you have a registered trademark in your
17 likeness?

18 A. Yes.

19 Q. And what's the registration number of that?

20 A. I don't know.

21 Q. So at the time you learned about it in 2014,
22 you thought then that there was something
23 wrong?

24 A. I believed that there was something wrong, and
25 as I became aware of more of my performances,

1 MR. McDEVITT: I've handed you what
2 has been marked as Levy 16 which is a
3 supplement to your Interrogatory answers.
4 Again I would like to direct your attention to
5 your answer to No. 9.

6 Take a minute and read that.

7 THE WITNESS: Sure.

8 - - - -

9 (The witness reviewed the document.)

10 - - - -

11 BY MR. McDEVITT:

12 Q. Now, with respect to your supplemental answer,
13 you add the statement in 2016 plaintiff
14 subsequently learned he had a claim as a
15 result of discussing the matter with one of
16 plaintiff's attorneys.

17 Which attorney?

18 A. Matthew Peterson.

19 Q. And what did you learn as a result of talking
20 to Mr. Peterson?

21 A. What I already knew.

22 Q. Which was what?

23 A. That I was owed royalties because my likeness
24 was appearing on the network.

25 Q. Did you learn that as a result of this

1 Correct?

2 A. No, who would investigate matters on my
3 behalf.

4 Q. Exactly what needed to be investigated?

5 A. One was whether my thoughts that I was
6 entitled to royalties were -- if they could
7 look into that for me.

8 ECW, as far as the bankruptcy, I was
9 never informed of it when it happened, and so
10 they still owed me money, \$78,000, and also
11 the DVDs issue that we discussed.

12 Q. The DVD issues that we discussed about what?

13 A. I was investigating into whether or not the --

14 I felt that I was harmed by WWE's
15 usage of my likeness on DVDs and I wasn't
16 being paid for it.

17 Q. You mean DVDs of ECW and WCW?

18 A. Yes.

19 Q. The same issue that Mr. Ichter had
20 corresponded with us about?

21 A. Yes, that was one of the three items.

22 Q. In five months you had not decided yet whether
23 or not they had an answer for the question?

24 A. Who?

25 Q. Mr. Peterson.

1 What did you understand that to
2 mean?

3 A. I'm not sure what I thought it to mean then.
4 I mean, I can hazard a guess what it means
5 now.

6 Q. What do you think it means now?

7 A. I know Kyros the lawyer had a lawsuit against
8 WWE, and I guess he was updating me on it.

9 Q. Did Mr. Peterson ever tell you he knew
10 Mr. Kyros?

11 A. I think so.

12 Q. How did he say he knew him?

13 A. I don't recall.

14 Q. What did he tell you about that?

15 A. About what?

16 Q. Mr. Kyros' and how he knew him.

17 A. I don't recall.

18 Q. What do you recall him saying about knowing
19 him?

20 A. I don't recall. I'm not sure what he said
21 about him other than I'm pretty certain that
22 he did say that they knew each other.

23 Q. How are you pretty certain about that?

24 A. Because that's what I remember.

25 Q. Based on something he told you?

1 A. I'm not sure.

2 Q. Did you ever talk to Mr. Kyros?

3 A. Yes.

4 Q. When did you speak to Mr. Kyros?

5 A. I'm not sure.

6 Q. This year?

7 A. I don't think so.

8 Q. Did you call him or did he call you?

9 A. I'm not certain.

10 Q. How many times did you talk to him?

11 A. I believe under five and probably under three.

12 Q. And what was the subject of the conversation?

13 A. I believe we discussed his lawsuit and I'm
14 pretty sure that was it.

15 Q. Did he ask you to be a party to that lawsuit?

16 A. Yes.

17 Q. What did you say?

18 A. No.

19 Q. Why did you say no?

20 A. Because I didn't feel I had a fair case.

21 Q. Why is that?

22 A. Because I couldn't correlate whatever injuries
23 I have, whatever concussions I may have had,
24 to my time in WWE alone.

25 Q. Did you communicate that to Mr. Kyros?

1 A. I believe so.

2 Q. What did he say?

3 A. I don't recall.

4 Q. Do you have his phone number in your phone?

5 A. Maybe.

6 Q. Could you look and see?

7 A. Sure.

8 MR. ZAGRANS: You just want to hear
9 his ring tone again. Come on, we know.

10 THE WITNESS: Something's wrong with
11 my phone.

12 BY MR. McDEVITT:

13 Q. Looks like an old phone. What kind is it?

14 A. It's a six but the apps are gone. I have to
15 get a new one. I think I dropped it too many
16 times.

17 Q. While you're doing that we'll mark the next
18 exhibit while your phone's booting up.

19 A. What's that?

20 Q. We'll mark the next exhibit while your phone's
21 booting up.

22 A. It just booted.

23 Q. Does it have Mr. Kyros' number on there?

24 A. I'm looking.

25 It doesn't appear to. Let me just