

X05CV000180933S : SUPERIOR COURT  
X05CV030193994S  
  
STANLEY SHENKER AND :  
ASSOCIATES, INC. : J.D. STAMFORD/NORWALK  
  
vs. : AT STAMFORD  
  
WORLD WRESTLING FEDERATION :  
ENTERTAINMENT, INC. : MARCH 10, 2003

B E F O R E:  
The Honorable Chase Rogers, Judge

A P P E A R A N C E S:  
For the Plaintiffs  
Attorney Peter M. Nolin  
Attorney Stephanie A. McLaughlin  
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For the Defendants  
Attorney Jerry McDevitt  
(pro hac vice)  
Kirkpatrick & Lockhart

Attorney Richard P. Colbert  
Attorney Amy Barrette  
Day, Berry & Howard, LLP

Court Clerk  
Sharnett Jumpp

Court Reporter  
Patricia A. Pernacchio

1 has not happened?

2 MR. NOLIN: No, it has not, Your Honor.

3 THE COURT: And then Mr. Nolin, while even  
4 the motion -- what you were looking for was an  
5 April 30 extension?

6 MR. NOLIN: That was at the time, probably  
7 need to be longer this time.

8 THE COURT: We'll talk about it. All right.  
9 In terms of the cross-motion for orders dated  
10 February 5, what I'd like to do, if you all have a  
11 copy of that, is walk through I believe it's  
12 Page 44, what W.W. is seeking in the way of  
13 orders. Everybody have it?

14 MR. MCDEVITT: I have it, Your Honor.

15 THE COURT: 44. March 10, 2003. So  
16 Number one it appears has been addressed, correct?

17 MR. NOLIN: Yes, Your Honor.

18 MR. MCDEVITT: That's not our view,  
19 Your Honor. They still have not censured  
20 interrogatories dealing with the Stanfull payment  
21 recently disclosed on January 24, a \$300,000  
22 payment to Jim Bell. They have provided really  
23 none of the details necessary to understand the  
24 sanction action.

25 THE COURT: There was specific  
26 interrogatories in that regard?

27 MR. MCDEVITT: My understanding in

1 discussions about whether they would be  
2 supplemented to reveal that there was  
3 supplementation found, they don't address the  
4 issue.

5 MR. NOLIN: I don't believe --  
6 interrogatories on Stanfull we did provide on the  
7 28th of February, corrected deposition testimony,  
8 that provided information and Stanfull we provided  
9 some records on Stanfull. We asked the defendant  
10 to provide us with interrogatories and offered to  
11 answer within fifteen days.

12 THE COURT: I know you're going to have to  
13 point to specific interrogatories on Stanfull you  
14 believe have not been answered. You have it?

15 MR. MCDEVITT: It's my understanding there  
16 had been a dialogue that was admitted between  
17 Ms. Brett (phonetic) and counsel for Mr. Nolin  
18 about that specific subject.

19 THE COURT: Start with do you have a copy of  
20 what the requests are, you believe have not been  
21 answered?

22 MR. MCDEVITT: Come back later on, we'll dig  
23 it out, we have a whole bunch of stuff to dig out.

24 THE COURT: I want to work through this  
25 systematically.

26 MR. MCDEVITT: Interrogatory Number ten,  
27 identify all fact witnesses and documents which

1 refer or relate in anyway to any agreement,  
2 arrangement or understanding between you and  
3 Jim Bell while he was an employee of W.W.E. that  
4 has not been supplemented.

5 THE COURT: Has that been supplemented?

6 MR. NOLIN: I don't believe that specific  
7 question has been as to Stanfull. Stanfull is a  
8 separate company. We have through the initial  
9 deposition testimony provided that. If they want  
10 to interpret that to include Stanfull, we'll  
11 answer that accordingly.

12 THE COURT: That how you want to do it or a  
13 separate one?

14 MR. MCDEVITT: Again, Your Honor, we think  
15 the questioning fairly asked him to identify the  
16 payment of Jim Bell. What we're talking about is  
17 a \$280,000 transaction, Your Honor, that's all I  
18 can emphasize. The importance to you, this was  
19 never revealed in any discovery or court order.  
20 The way we found out about this is the way we had  
21 to find out about everything. There had been a  
22 document that was produced by Mr. Suchoff of  
23 Mr. Shenker's accountability, which references the  
24 \$280,000 payment to Jim Bell, what was current  
25 consulting services. Then when you go to Bell's  
26 accounting records obtained from his tax  
27 accountant, there is a ledger entry for \$280,000

1 but not a single record had ever been produced by  
2 them to tell you what it was for. Mr. Bell when  
3 confronted with it said he didn't remember what it  
4 was for.

5 We know what we know, the little bit. The  
6 defendant's close attempt at recantation is  
7 apparently Mr. Shenker took \$280,000 out of the  
8 SSAI account, wire transferred it to some  
9 Hong Kong bank in the Stanfull Industry Account,  
10 thereafter, transferred the money to Mr. Bell in  
11 the beginning of 1999. They are deliberately  
12 withholding despite our requests for the checkbook  
13 entries for their Hong Kong outfit.

14 THE COURT: Let me see the request.

15 MR. MCDEVITT: Sorry, Your Honor, you want  
16 it?

17 THE COURT: Yes. However you want to do it.

18 MR. COLBERT: Not the actual interrogatory,  
19 it's a note. It's a note.

20 THE COURT: Not an interrogatory?

21 MR. COLBERT: Just typed on counsel notes not  
22 the actual interrogatory.

23 THE COURT: I'm looking at it. I think  
24 arguably that's going to fall within. Can you  
25 respond, within fifteen days?

26 MR. NOLIN: No problem, Your Honor. We have  
27 produced the check records showing the payments.

1 THE COURT: They want interrogatory  
2 response.

3 MR. NOLIN: We'll have it.

4 THE COURT: Any other interrogatories you  
5 haven't responded to?

6 MR. MCDEVITT: First, that's the big one  
7 we're concerned about.

8 THE COURT: All right. Okay. Number two,  
9 you requested SSAI have ordered to file by  
10 February 11 a complete statement listing page and  
11 line number, specific testimony Shenker intended  
12 to recant, together with full and complete  
13 proffer, Stanley would give -- attempt at  
14 recantation, then the response was interesting  
15 because counsel says that plaintiff will file  
16 corrections.

17 I think you're both wrong. Let me tell you  
18 why. Number one, can you cite me any basis they  
19 have to tell you before you actually have another  
20 meeting with him and a deposition, why they have  
21 to tell you anything? Why would they have to tell  
22 you that it's not worth anything so what counsel  
23 says that they think he's going to say something,  
24 what do you care what he's going to say?

25 MR. MCDEVITT: First, Your Honor, this is  
26 rather a unique case.

27 THE COURT: I thought a number of these