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OFFICE OF GENERAL
COUNSEL

February 4, 2011

VIA HAND-DELIVERY

Jeff S. Jordan, Esq.
Supervisory Attorney
Complaints Examination & Legal Administration
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 6439 - Linda McMahon, Linda McMahon for Senate 2010, Inc., and
Rob Jentgens in his official capacity as Treasurer

Dear Mr. Jordan:

This office represents Linda McMahon ("Ms. McMahon"), Linda McMahon for Senate 2010, Inc. ("McMahon Campaign"), and Rob Jentgens as Treasurer (collectively "Respondents") in the above-captioned MUR.

We have reviewed the Complaint filed on December 6, 2010 by Nancy DiNardo, Chair of the Connecticut Democratic State Central Committee ("Complainant"). The Complaint alleges with no supporting evidence that certain corporate activities and communications undertaken by World Wrestling Entertainment, Inc. ("WWE") were coordinated with the Respondents, thereby resulting in WWE making prohibited corporate in-kind contributions to the McMahon Campaign.

The allegations in the Complaint have no basis in law or fact. As is detailed below, the Complaint contains erroneous and speculative allegations that fail to state a claim that a violation has occurred. In addition, nearly all of the WWE corporate promotional activities and communications that the Complainant alleges were coordinated with the Respondents were not public communications and therefore did not constitute coordinated communications as a matter of law. Moreover, the WWE corporate promotional activities and communications at issue did not satisfy the content standards in the Commission's coordinated communications regulations. Accordingly, the Commission should find no reason to believe that a violation occurred and should promptly dismiss the Complaint.

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THE COMPLAINT

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The Complaint speculates with no credible evidence that WWE made prohibited corporate in-kind contributions in the form of coordinated communications to the McMahon Campaign in violation of the Federal Election Campaign Act of 1971, as amended ("FECA" or "Act"), and Commission regulations concerning: (1) WWE's "Stand Up for WWE" online promotional program; (2) a WWE television advertisement disseminated in October 2010 that highlighted WWE's longstanding involvement with the "Make-A-Wish" Foundation; (3) WWE's "Fan Appreciation Day" event held in Hartford, CT on October 30, 2010; and (4) WWE's "SmackDown" television episode that was recorded in Bridgeport, CT on November 2, 2010. *See* Complaint at 1-2.¹ The Complaint baldly asserts that illegal coordination must have taken place between WWE and the McMahon Campaign regarding the foregoing WWE corporate activities and communications because "[i]t is inconceivable that this major, comprehensive, and public effort . . . was not undertaken in coordination with Linda McMahon's Senate Campaign." *Id.* at 2. The Complainant's allegations are based upon rank speculation and innuendo and are not supported by any credible factual evidence.

FACTUAL BACKGROUND

I. Linda McMahon

Ms. McMahon was the Republican nominee for U.S. Senator from Connecticut in 2010. Together with her husband, Vince McMahon, Ms. McMahon helped build WWE into an enormously successful publicly-traded sports entertainment corporation. Ms. McMahon was Chief Executive Officer of WWE from 1980 – 2009.

Ms. McMahon filed a Statement of Candidacy with the FEC on September 16, 2009 and resigned as CEO of WWE that same day. Since stepping down as WWE's CEO, Ms. McMahon has not played a role in the management or operations of the company.

At Ms. McMahon's insistence, the McMahon Campaign declined to accept any contributions from political action committees and only accepted contributions from individuals up to \$100 per election. Remaining free from outside interests was so important to Ms. McMahon that she personally financed nearly all of her U.S. Senate campaign.

¹ The Complaint fails to include numbered pages. All citations herein to the pages of the Complaint are based upon our own page numbering.

II. Vince McMahon

Vince McMahon is the husband of Ms. McMahon. Vince McMahon is the Chairman of WWE and assumed the role of CEO in 2009 following Ms. McMahon's resignation from the company.

III. WWE "Stand Up for WWE" Online Promotional Program

On October 18, 2010, WWE announced the launch of its "Stand Up for WWE" corporate promotional program. In announcing the promotional program, Vince McMahon reportedly indicated that the U.S. Senate Campaign involving Ms. McMahon and Senator Blumenthal had generated inaccurate and negative attacks on WWE and that the promotional effort was designed to permit WWE's fans to respond to the attacks and set the record straight about the company. See Complaint at 2 (quoting in full the "Stand Up for WWE" introductory online video). According to a WWE press release, the company's promotional effort was to consist primarily of Internet communications, including "WWE.com and social networking websites, including Facebook, YouTube and Twitter," and the online social media campaign's purpose was to "invite[] fans to voice their support for the company because it has come under unfair and biased attack from certain politicians and media outlets. WWE will correct factual inaccuracies that have been reported about the company during this election season." Press Release, World Wrestling Entertainment, Inc., Fans "Stand Up for WWE" (Oct. 18, 2010) (Exhibit 1). The October 18, 2010 WWE press release stated that the company's Internet videos:

will feature Vince McMahon, WWE Chairman and CEO, along with several WWE Superstars discussing various topics including WWE's PG content, treatment of WWE's full-time employees and its performers, and WWE's Talent Health and Wellness Program. In addition, the videos will highlight WWE's longstanding commitment to give back to communities through literacy programs, support of the military and their families, the annual "Tribute To The Troops" holiday special and the company's more than 25 year relationship with the Make-A-Wish Foundation.

Id.

IV. WWE "Make-A-Wish" Foundation Television Advertisement

During October 2010, WWE sponsored a television advertisement publicizing and highlighting WWE's longstanding involvement with the "Make-A-Wish" Foundation. See Video, WWE Supports the Make-A-Wish Foundation, Oct. 14, 2010, <http://www.youtube.com/watch?v=S7fmdsZbP98> (last accessed Feb. 4, 2011). The television advertisement was produced by WWE personnel with footage obtained from film archives of WWE's corporate history.

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V. WWE "Fan Appreciation Day" Event

On September 30, 2010, WWE announced that it would hold a "Fan Appreciation Day" event in Hartford, Connecticut on October 30, 2010 "[a]s a way to thank its loyal fans." Press Release, World Wrestling Entertainment, Inc., Fan Appreciation Day Saturday October 30th in Hartford (Sept. 30, 2010) (Exhibit 2). Ms. McMahon did not attend the event nor was her name or candidacy mentioned at the event. See Christopher Keating, *WWE Show: Vince McMahon Encourages Fans to Vote Tuesday; Does Not Mention Linda's Run for U.S. Senate*, CONN. COURANT, Oct. 30, 2010 (Exhibit 3). Vince McMahon spoke at the event and is reported to have said that "[s]ome people may think I was going to talk about politics today. . . . Nothing could be further from the truth." *Id.*

VI. WWE "SmackDown" Television Episode

On Tuesday, November 2, 2010, WWE recorded an episode of its ongoing "SmackDown" television series in Bridgeport, Connecticut. Upon information and belief, WWE "SmackDown" episodes are regularly recorded on Tuesdays in front of a live audience and are subsequently broadcast at a later time. WWE has historically recorded numerous television shows in Bridgeport, Connecticut as part of its tour. See, e.g., Noah Starr, *Arena Report - Arena at Harbor Yard*, WWE.com, Apr. 9, 2007 (Exhibit 4); Andrew Rote, *Arena Report - Arena at Harbor Yard*, WWE.com, Aug. 21, 2006 (Exhibit 5).

Ms. McMahon did not attend the WWE "SmackDown" episode that was recorded in Bridgeport. Contrary to the innuendo in the Complaint, the taping of WWE's "SmackDown" episode in Bridgeport did not interfere with any voting activities on Election Day. In fact, published reports indicate that the most significant election day issue that took place in Bridgeport resulted from the local government's failure to print a sufficient number of paper ballots for voters, which prompted the local courts to extend the polling hours to accommodate the ballot shortage and long voter lines at the polls. See *Bridgeport Chaos: 21,000 Ballots Readied for 69,000 Registered Voters*, CONN. POST, Nov. 3, 2010 (Exhibit 6).

THE LAW

The Complaint alleges that WWE made prohibited corporate in-kind contributions to the McMahon Campaign under FECA and Commission regulations in the form of coordinated communications. See Complaint at 1-2.

Commission regulations provide that "[a] payment for a coordinated communication is made for the purpose of influencing a Federal election, and is an in-kind contribution under 11 C.F.R. § 100.52(d)

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to the candidate" 11 C.F.R. § 109.21(b)(1).² Under Commission regulations, "[c]oordinated means made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's authorized committee, or a political party committee" or an agent of any of these entities. 11 C.F.R. § 109.20(a).

Pursuant to the Commission's coordinated communications regulations, a communication is deemed to be coordinated if it satisfies all elements of a three-pronged test:

- (1) The communication must be paid for, in whole or in part, by a person other than a candidate, the candidate's authorized committee, or a political party committee;
- (2) The communication must satisfy at least one of the content standards set forth at 11 C.F.R. § 109.21(c); and
- (3) The communication must satisfy at least one of the conduct standards set forth at 11 C.F.R. § 109.21(d).

See 11 C.F.R. § 109.21(a).

In order for the content prong to be satisfied, the communication must first be considered a public communication. A public communication is defined as:

a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing, or telephone bank to the general public, or any other form of general public political advertising. The term general public political advertising shall not include communications over the Internet, except for communications placed for a fee on another person's Web site.

11 C.F.R. § 100.26.

A public communication satisfies the content prong of the Commission's coordinated communications regulations when the communication:

² Following the 2010 election cycle, the Commission promulgated new coordinated communications regulations which went into effect on December 1, 2010 and apply to activity occurring after that date. See *Final Rules and Explanation and Justification: Coordinated Communications*, 75 Fed. Reg. 55947 (Sep. 15, 2010). Because the activity at issue here occurred before December 1, 2010, the Commission's then-existing coordinated communications regulations apply to this matter. Unless otherwise noted, all citations herein are to the Commission's coordinated communications regulations in effect during the 2010 election cycle.

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- Constitutes an electioneering communication under 11 C.F.R. § 100.29;³
- Disseminates, distributes, or republishes, in whole or in part, campaign materials prepared by a candidate or the candidate's authorized committee;
- Expressly advocates the election or defeat of a clearly identified federal candidate; or
- Refers to a clearly identified U.S. House or U.S. Senate candidate and is publicly distributed or otherwise publicly disseminated in the clearly identified candidate's jurisdiction 90 days or fewer before the clearly identified candidate's general, special, or runoff election, or primary or preference election.

See 11 C.F.R. § 109.21(c)(1)-(4).

DISCUSSION

I. The Complaint Contains Rank Speculation and Innuendo and Should be Dismissed on this Basis Alone

The Complainant fails to meet the Commission's well-established "reason to believe" standard because the Complaint's allegations are based upon pure speculation and the Complainant fails to include any credible evidence in support of the allegations. The Complainant baldly speculates that illegal coordination must have taken place in this matter because "[i]t is inconceivable that this major, comprehensive, and public effort [by WWE] . . . was not undertaken in coordination with Linda McMahon's Senate Campaign." Complaint at 2.

However, a "reason to believe" finding is appropriate only when a complaint sets forth specific facts that, if proven true, would constitute a violation of the Act. See 11 C.F.R. § 111.4(d). The Commission has emphasized repeatedly that "[u]nwarranted legal conclusions from asserted facts, or mere speculation, will not be accepted as true." Statement of Reasons, MUR 4960 (Hillary Rodham Clinton for U.S. Senate Exploratory Committee) at 2 (Dec. 21, 2000) (several citations omitted). See also Statement of Reasons, MUR 5141 (Moran for Congress) at 2 (Mar. 11, 2002) ("This Commission finding requires an affirmative vote of four of its members and is proper only if a

³ An electioneering communication "means any broadcast, cable, or satellite communication that (1) Refers to a clearly identified candidate for Federal office; (2) Is publicly distributed within 60 days before a general election for the office sought by the candidate; or within 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate, and the candidate referenced is seeking the nomination of that political party; and (3) Is targeted to the relevant electorate, in the case of a candidate for Senate or the House of Representatives." 11 C.F.R. § 100.29(a).

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complaint sets forth sufficient specific facts, which, if proven true, would constitute a violation of the Act. A complaint's unwarranted legal conclusions from asserted facts will not be accepted as true." (internal citations omitted); Statement of Reasons, MURs 5540, 5545, 5562, and 5570 (CBS and Sinclair) at 3 (July 12, 2005) ("[B]ecause the complaint was wholly speculative when filed, it should have been rejected on that basis alone."); Statement of Reasons, MUR 3534 (Bibleway Church of Atlas Road) at 2 (Oct. 7, 1993) ("Several reasons supported our decision [to dismiss the complaint]. First, the complaint was quite vague regarding the content of the literature, who may have distributed it, and to whom it was allegedly given. Second, there was a lack of evidence indicating the literature was distributed on behalf of the Bibleway Church or at its expense.".)⁴ Moreover, "[c]omplaints not based upon personal knowledge must identify a source of information that reasonably gives rise to a belief in the truth of the allegations presented" Statement of Reasons, MUR 4960 (Hillary Rodham Clinton for U.S. Senate Exploratory Committee) at 1-2 (Dec. 21, 2000) (internal citations omitted). See also 11 C.F.R. § 111.4(d).

The Complaint contains little more than idle speculation and innuendo, including the remarkable assertion that because Ms. McMahon was formerly the CEO of WWE, WWE *must* have illegally coordinated the various corporate promotional activities and communications at issue with the McMahon Campaign. The Commission has summarily rejected complaints in the past that were based upon such innuendo and speculation and the Complaint should be promptly dismissed on this basis alone.

II. There is No Reason to Believe That WWE Made Prohibited Coordinated Communications on Behalf of the McMahon Campaign

The Complainant's allegation that the WWE corporate promotional activities and communications at issue constituted coordinated communications on behalf of the McMahon Campaign is based largely upon the fact that Ms. McMahon is the former CEO of WWE, Ms. McMahon is a current WWE shareholder, and Ms. McMahon's husband is the current CEO of WWE. See Complaint at 1. From these unremarkable facts, the Complainant blithely alleges, without any factual corroboration or legal support, that the Respondents illegally coordinated with WWE based upon Ms. McMahon's "close personal, familial, and financial connection to the WWE." Complaint at 3.

⁴ See also Statement of Reasons of Commissioner David M. Mason, MUR 5338 (The Leadership Forum) at 3 (Apr. 28, 2003) ("The one non-specific article cited in the FGCR (and indeed other speculative reports submitted with the complaint) fails to provide support for a finding of RTB by the Commission in the face of the specific and documented denials of the allegations by all parties involved. . . ."); First General Counsel's Report, MUR 4545 (Clinton/Gore '96 Primary Committee and Amtrak) at 17 (Apr. 12, 2000) ("While the available evidence is inadequate to determine whether the costs of the Train Trip were properly paid, the complainant's allegations are not sufficient to support a finding of reason to believe that the Primary Committee or the United States Government violated the FECA, Matching Payments Act or the Commission's regulations.").

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The Complaint's allegations are utterly baseless. As is detailed below, there is no reason to believe that WWE made prohibited coordinated communications on behalf of the McMahon Campaign because nearly all of the WWE activities identified in the Complaint were not public communications within the meaning of Commission regulations and therefore could not have constituted coordinated communications as a matter of law. Moreover, even if the WWE activities at issue had constituted public communications, the content prong of the Commission's coordinated communications regulations was not satisfied.

A. The Vast Majority of WWE Activities At Issue Were Not Public Communications and Therefore Could Not Have Constituted Coordinated Communications

In order for an activity or communication to potentially constitute a prohibited coordinated communication, the activity or communication must be a public communication pursuant to 11 C.F.R. § 100.26. A public communication is defined as:

a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing, or telephone bank to the general public, or any other form of general public political advertising. The term general public political advertising shall not include communications over the Internet, except for communications placed for a fee on another person's Web site.

11 C.F.R. § 100.26.

A number of the WWE corporate promotional activities and communications identified in the Complaint did not satisfy the definition of a public communication and therefore could not have constituted coordinated communication as a matter of law. For example, the "Stand Up for WWE" corporate promotional program, which the Complainant describes as a "political campaign and rapid-response news media operation," was primarily a social media campaign consisting of press releases, communications using WWE's own website, and communications involving Internet social networking tools, such as YouTube, Twitter, and Facebook. See Complaint at 2. The Complaint cites to WWE's own press releases announcing the various corporate promotional efforts and initiatives, which clearly describe an Internet-based program and also refer to WWE's "Stand Up for WWE" webpage on the company's website. However, these various WWE online promotional activities did not and could not constitute coordinated communications because they were not public communications under Commission regulations. See 11 C.F.R. § 100.26 (excluding from the definition of a public communication "communications over the Internet, except for communications placed for a fee on another person's Web site").

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Moreover, WWE's "Fan Appreciation Day" event held in Hartford, Connecticut on October 30, 2010 was a corporate promotional event similar to events sponsored by other corporations across the country; accordingly, the event did not constitute a public communication under 11 C.F.R. § 100.26. Similarly, the taping of the WWE "SmackDown" episode in Bridgeport, Connecticut on November 2, 2010 was merely a public taping session for the company, and the Complaint fails even to allege—let alone identify—any public communications under 11 C.F.R. § 100.26 that occurred in connection with the taping session.

None of the foregoing WWE corporate promotional activities and communications could have qualified as prohibited coordinated communications on behalf of the McMahon Campaign because they did not constitute public communications under 11 C.F.R. § 100.26; the Commission should find no reason to believe a violation occurred regarding all of these WWE activities and communications on this basis alone. The one remaining communication at issue—WWE's television advertisement highlighting the company's longstanding involvement with and support of the "Make-A-Wish" Foundation—did qualify as a public communication under Commission regulations. However, as is demonstrated in Part II.B below, WWE's television advertisement and the other WWE activities and communications at issue failed to satisfy any of the content standards in the Commission's coordinated communications regulations.

B. The WWE Activities and Communications Identified in the Complaint Did Not Trigger Any of the Content Standards

A public communication satisfies the content prong of the Commission's coordinated communication regulations if the public communication:

- Constitutes an electioneering communication under 11 C.F.R. § 100.29;
- Disseminates, distributes, or republishes, in whole or in part, campaign materials prepared by a candidate or the candidate's authorized committee;
- Expressly advocates the election or defeat of a clearly identified federal candidate; or
- Refers to a clearly identified House or Senate candidate and is publicly distributed or otherwise publicly disseminated in the clearly identified candidate's jurisdiction 90 days or fewer before the clearly identified candidate's general, special, or runoff election, or primary or preference election.

See 11 C.F.R. § 109.21(c)(1)-(4).

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1. The Republication Content Standard Was Not Met

The Complainant does not allege and there is no evidence that WWE disseminated, distributed, or republished, in whole or in part, any materials prepared by the McMahon Campaign. Accordingly, there is no reason to believe that the republication content standard set forth at Section 109.21(c)(2) was implicated.

2. The Express Advocacy Content Standard Was Not satisfied

a. There Was No Express Advocacy Under Section 100.22(a)

Whether a public communication satisfies the content standard set forth at Section 109.21(c)(3) turns on whether the communication contains express advocacy. Section 100.22(a) of the Commission's regulations states that a communication contains express advocacy if the communication uses certain bright-line words or phrases:

Expressly advocating means any communication that—(a) Uses phrases such as “vote for the President,” “re-elect your Congressman,” “support the Democratic nominee,” “cast your ballot for the Republican challenger for U.S. Senate in Georgia,” “Smith for Congress,” “Bill McKay in '94,” “vote Pro-Life” or “vote Pro-Choice” accompanied by a listing of clearly identified candidates described as Pro-Life or Pro-Choice, “vote against Old Hickory,” “defeat” accompanied by a picture of one or more candidate(s), “reject the incumbent,” or communications of campaign slogan(s) or individual word(s), which in context can have no other reasonable meaning than to urge the election or defeat of one or more clearly identified candidate(s), such as posters, bumper stickers, advertisements, etc. which say “Nixon's the One,” “Carter '76,” “Reagan/Bush” or “Mondale!”

11 C.F.R. § 100.22(a) (emphasis in original). This section of the Commission's regulations is drawn directly from the Supreme Court's ruling in *Buckley v. Valeo*, 424 U.S. 1 (1976), and is commonly referred to as the “magic words test.”

The WWE corporate promotional activities and communications at issue did not expressly advocate the election or defeat of a clearly identified federal candidate under Section 100.22(a) of the Commission's regulations. Apart from Vince McMahon's announcement of the program that referenced the adverse publicity for WWE that the campaign between Senator Blumenthal and Ms. McMahon had generated, the “Stand Up for WWE” promotional program, which was a social media campaign primarily consisting of Internet communications and press releases, did not even reference or identify Ms. McMahon, the McMahon Campaign, or Senator Blumenthal, let alone contain express advocacy under 11 C.F.R. § 100.22(a). Moreover, there is no evidence that Ms.

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McMahon, the McMahon Campaign, or Senator Blumenthal were referenced or identified during either the WWE "Fan Appreciation Day" Event held in Hartford, Connecticut on October 30, 2010, or the WWE "SmackDown" episode recorded in Bridgeport, Connecticut on November 2, 2010; accordingly, neither of these activities contained express advocacy communications pursuant to 11 C.F.R. § 100.22(a). In addition, although the WWE "Make-A-Wish" Foundation television advertisement disseminated in October 2010 did include a fleeting image of Ms. McMahon that appeared on screen for less than one second, the television advertisement did not mention Ms. McMahon's name, did not reference Ms. McMahon's Senate candidacy or any other federal candidate, did not influence an election, and contained no electoral advocacy whatsoever. See Video, WWE Supports the Make-A-Wish Foundation, Oct. 14, 2010, <http://www.youtube.com/watch?v=S7fmisZhP98> (last accessed Feb. 4, 2011). Finally, the WWE corporate activities and communications identified in the Complaint did not contain any campaign slogan or individual words "which in context can have no other reasonable meaning than to urge the election or defeat of one or more clearly identified candidates." 11 C.F.R. § 100.22(a).

In light of the foregoing, there is no reason to believe that the express advocacy content standard was satisfied regarding any of the WWE corporate activities and communications at issue.

b. Given that Multiple Federal Courts Have Struck Down Section 100.22(b) as Unconstitutional, It Should Not Be Applied Against Respondents

Section 100.22(b) of Commission regulations states that expressly advocating includes any communication that:

When taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more clearly identified candidate(s) because—

(1) The electoral portion of the communication is unmistakable, unambiguous, and suggestive of only one meaning; and

(2) Reasonable minds could not differ as to whether it encourages actions to elect or defeat one or more clearly identified candidate(s) or encourages some other kind of action.

11 C.F.R. § 100.22(b).

Vice Chair Hunter and Commissioners McGahn and Petersen have noted that Section 100.22(b) has had a "checkered history" and that "portions of section 100.22--namely, subsection (b)--have been held unconstitutional by every Federal court that has considered the regulation on its merits." Statement of Reasons of Vice Chairman Matthew S. Petersen and Commissioners Caroline C. Hunter and Donald F. McGahn, MURs 5694 and 5910 (Americans for Job Security) at 2, 7 fn. 26 (Apr. 27, 2009) See e.g., *Maine Right to Life Comm., Inc. v. Fed. Election Comm'n*, 914 F. Supp. 8 (D. Me.), *aff'd per curiam*, 98 F.3d 1 (1st Cir. 1996), *cert. denied*, 522 U.S. 810 (1997) ("MRLC"); *Fed. Election Comm'n v. Christian Action Network, Inc.*, 110 F.3d 1049 (4th Cir. 1997) ("CAN II"); *Virginia Soc'y for Human Life, Inc. v. Fed. Election Comm'n*, 263 F.3d 379, 387-88 (4th Cir. 2001) (noting that in the wake of MRLC and CAN II the Commission voted unanimously not to enforce Section 100.22(b) in the First and Fourth Circuits); *Right to Life of Dutchess Co., Inc. v. Fed. Election Comm'n*, 6 F. Supp. 2d 248, 253 (S.D.N.Y. 1998) ("11 C.F.R. § 100.22(b)'s definition of 'express advocacy' is not authorized by FECA, 2 U.S.C. § 441b, as that statute has been interpreted by the United States Supreme Court in *MCFL* and *Buckley v. Valeo*"). Given that multiple federal courts have struck down Section 100.22(b) as unconstitutional, and given that the Commission itself has prudently chosen not to enforce Section 100.22(b) in the First and Fourth Circuits, the Commission should exercise the same prudence in this matter and not seek to apply Section 100.22(b) in this matter.

Even if Section 100.22(b) were constitutional, the WWB corporate promotional activities and communications at issue did not contain express advocacy under the regulation. The Commission emphasized when it promulgated Section 100.22(b) that in order for the regulation to be triggered, "the electoral portion of the communication must be unmistakable, unambiguous and suggestive of only one meaning, and reasonable minds could not differ as to whether it encourages election or defeat of candidates or some other type of non-election action." *Final Rules and Explanation and Justification for Express Advocacy; Independent Expenditures; Corporate and Labor Organization Expenditures*, 60 Fed. Reg. 35292, 35295 (Jul. 6, 1995). The Commission also made clear that "[c]ommunications discussing or commenting on a candidate's character, qualifications, or accomplishments are considered express advocacy under new section 100.22(b) if, in context, they have no other reasonable meaning than to encourage actions to elect or defeat the candidate in question." *Id.* In MURs 5695 and 5910 (Americans for Job Security), Vice Chair Hunter and Commissioners McGahn and Petersen emphasized that "[t]he plain language of section 100.22(b) limits its reach to speech that 'could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more clearly identified candidate(s) because the 'electoral portion' is 'unmistakable, unambiguous, and suggestive of only one meaning.'" Statement of Reasons by Vice Chairman Matthew S. Petersen and Commissioners Hunter and McGahn, MURs 5694 and 5910 (Americans for Job Security) at 8 (Apr. 27, 2009) (quoting 11 C.F.R. § 100.22(b)). The Commissioners also noted that:

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[T]he standard for 'express advocacy' is not whether a communication might somehow be read as campaign-related, or whether such a reading is a reasonable, or perhaps even the most reasonable, interpretation. Instead, as long as 'reasonable minds' can plausibly interpret an ad in some way other than as encouraging actions to elect or defeat a clearly identified federal candidate, the ad does not contain 'express advocacy' as defined by section 100.22(b). This is so even in cases where a communication 'discusses or comments on a candidate's character, qualifications, or accomplishments.'

Id. (citations omitted). "Thus, section 100.22(b), even though somewhat broader than section 100.22(a), still sets a very high bar." *Id.* (emphasis added).

Most fundamentally, for Section 100.22(b) to be implicated, a communication must contain "advocacy of the election or defeat of one or more clearly identified federal candidates." 11 C.F.R. § 100.22(b) (emphasis added). However, as was outlined above, the "Stand Up for WWE" online promotional program once it was launched did not even reference or identify Ms. McMahon or Senator Blumenthal. Similarly, WWE's "Fan Appreciation Day" held in Hartford, Connecticut likewise did not reference or identify Ms. McMahon or Senator Blumenthal and instead consisted of a "WWE Supershow" featuring Superstars from both the Raw and SmackDown brands." Press Release, World Wrestling Entertainment, Inc., Fan Appreciation Day Saturday October 30th in Hartford (Sept. 30, 2010) (Exhibit 2). Moreover, the WWE "SmackDown" television episode recorded in Bridgeport, Connecticut was strictly corporate in nature and neither Ms. McMahon nor Senator Blumenthal were mentioned or identified. The "SmackDown" event, which was a television episode recorded in front of a live audience and subsequently broadcast on the Friday after Election Day, was an ordinary, regularly-scheduled recording of a television show. A WWE episode summary indicates that the event focused on several different wrestling matches, including "the biggest 10-Man Tag Team Match in SmackDown history, with the blue brand claiming victory." Mitch Passero, *Results: Yellow, Black and Blue*, WWE.com, Nov. 5, 2010 (Exhibit 7).

In light of the foregoing, neither the "Stand Up for WWE" promotional program, the WWE "Fan Appreciation Day" event, nor the WWE "SmackDown" television episode contained express advocacy under Section 100.22(b) because none of these corporate activities and communications contained a reference to a clearly identified federal candidate.

The WWE "Make-A-Wish" Foundation television advertisement did include a fleeting image of Ms. McMahon's likeness that appeared on screen for less than a second. However, this communication did not constitute express advocacy under Section 100.22(b) because the communication did not contain an "unmistakable" and "unambiguous" message urging recipients to vote for or against any federal candidate. Rather, the television advertisement highlighted and publicized WWE's longstanding support of and relationship with the Make-A-Wish Foundation during a time when

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WWE was facing public criticism and numerous public attacks. *See* Video, WWE Supports the Make-A-Wish Foundation, Oct. 14, 2010, <http://www.youtube.com/watch?v=S7fmdaZbP98> (last accessed Feb. 4, 2011). While Ms. McMahon's likeness did appear in the television advertisement for a fleeting moment, the message of the television advertisement was clearly charitable and not electoral in nature and in no way contained express advocacy under Section 100.22(b).

3. The Content Standard for Referencing a Federal Candidate 90 Days Before An Election Was Not Met

Although all of the WWE corporate promotional activities and communications identified in the Complaint occurred within 90 days of the November 2010 general election, it is important to reiterate that only one of the WWE activities and communications at issue even potentially identified a federal candidate, which is a strict prerequisite for satisfying the candidate-reference content standard in 11 C.F.R. § 109.21(c)(4)(i).

As was described above, once it was initiated the "Stand Up for WWE" online promotional program did not reference or identify Ms. McMahon or Senator Blumenthal in any fashion whatsoever. Rather, the "Stand Up for WWE" promotional program featured videos of "Vince McMahon, WWE Chairman and CEO, along with several other WWE Superstars discussing various topics including WWE's PG content, treatment of WWE's full-time employees and its performers, and WWE's Talent Health and Wellness Program." Press Release, World Wrestling Entertainment, Inc., Fans "Stand Up for WWE" (Oct. 18, 2010) (Exhibit 1).

Similarly, WWE's "Fan Appreciation Day" held in Hartford, Connecticut did not reference or identify Ms. McMahon or Senator Blumenthal in any manner and instead focused on thanking WWE's fans. In announcing the event, Vince McMahon explained:

With its headquarters located in Connecticut since 1983, WWE has a strong history and a large and loyal fan base through the state and specifically in Hartford, which hosted WrestleMania XE as well as countless sold-out Raw and SmackDown events. . . . We look forward to thanking our fans for their continued support and loyalty on October 30th.

Press Release, World Wrestling Entertainment, Inc., Fan Appreciation Day Saturday October 30th in Hartford (Sept. 30, 2010) (Exhibit 2). News reports confirm that the event did not reference Ms. McMahon or Senator Blumenthal and that Vince McMahon flatly stated that the event was not political in nature. *See* Christopher Keating, *WWE Show: Vince McMahon Encourages Fans to Vote Tuesday; Does Not Mention Linda's Run for U.S. Senate*, CONN. COURANT, Oct. 30, 2010 (Exhibit 3) ("Some people may think I was going to talk about politics today. . . . Nothing could be further from

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Jeff S. Jordan, Esq.
February 4, 2011
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the truth. . . . I came out here to simply say thank you. . . . That's what this day is all about. It's about fan appreciation. No one appreciates the fans more than World Wrestling Entertainment").

In addition, the WWE "SmackDown" television episode recorded in Bridgeport, Connecticut did not reference or identify Ms. McMahon or Senator Blumenthal in any way. The episode, which was recorded in front of a live audience and subsequently broadcast on the Friday after the election, was strictly a WWE corporate event. A WWE episode summary indicates that the event focused on several different wrestling matches, including "the biggest 10-Man Tag Team Match in SmackDown history, with the blue brand claiming victory." Mitch Passero, *Rawls: Yellow, Black and Blue*, WWE.com, Nov. 5, 2010 (Exhibit 7).

Given that neither Ms. McMahon nor Senator Blumenthal was referenced or identified in any of the foregoing WWE promotional activities and communications, none of them as a matter of law triggered the candidate-reference content standard in Section 109.21(c)(4)(i).

Although the "Make-A-Wish" Foundation television advertisement did display a fleeting image of Ms. McMahon's likeness for less than a second, the communication nevertheless did not satisfy the candidate-reference standard because the communication did not meet the legal test for referencing a clearly identified federal candidate. Approximately five seconds into the 30-second television advertisement, which sought to highlight WWE's longstanding commitment to and involvement with the "Make-A-Wish" Foundation, a profile image of Ms. McMahon appeared for less than one second. See Video, WWE Supports the Make-A-Wish Foundation, Oct. 14, 2010, <http://www.youtube.com/watch?v=S7fmdsZbpP98> (last accessed Feb. 4, 2011). However, at no point in the advertisement was Ms. McMahon's name or federal candidacy referenced and the advertisement focused exclusively on WWE's well-established relationship with the Make-A-Wish Foundation. The advertisement contained the following script:

Voiceover:	For over 25 years, World Wrestling Entertainment has proudly supported the Make-A-Wish Foundation.
Voiceover:	Helping to grant wishes to children with life-threatening illnesses.
David Williams: President & CEO, Make-A-Wish Foundation	WWE grants more wishes for kids than any other professional sports organization.
Child #1:	I was crying a little bit. Man, I was so excited.
Child #2:	It was amazing to meet him . . . and it was very awesome and I just want to thank Make-A-Wish.

Id.

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The Commission has appropriately concluded in the past that not all references to a candidate's name or likeness are considered to be references to a clearly identified federal candidate within the meaning of Commission regulations and has emphasized that the Commission is not precluded "from making a determination that the specific facts and circumstances of a particular case indicate that certain advertisements do not refer to a clearly identified Federal candidate and, hence, do not constitute electioneering communications." FEC Adv. Op. 2004-31 (Darrow) at 4 (Sep. 10, 2004). In Advisory Opinion 2004-31 (Darrow), a federal candidate was the founder, chief executive officer, and chairman of the board of a corporation bearing his name, Russ Darrow. *See id.* at 1. The company had built a valuable brand out of the name "Russ Darrow," had a history of advertising its products and services using the name "Russ Darrow," and planned to continue to do so for the foreseeable future. Although the candidate's likeness would not be featured in any corporate advertising, the candidate's name would inevitably be referenced several times because the corporation's name included the candidate's name. *See id.* at 2. The Commission concluded that such advertisements would not be considered electioneering communications because they did not refer to a clearly identified federal candidate. The Commission reasoned that the references to "Russ Darrow," when considered together with the other references in the advertisement, referred to a business entity and not to the candidate. *See id.* at 3.

The rationale of Advisory Opinion 2004-31 is clearly applicable to the WWE "Make-A-Wish" Foundation television advertisement. The advertisement's brief, one-second use of Ms. McMahon's likeness, when considered together with the other references in the advertisement, were clearly intended to refer to WWE and to WWE's business activities and not to Ms. McMahon as a candidate. Upon information and belief, the image of Ms. McMahon that was used in the television advertisement was recorded many years ago while Ms. McMahon was the CEO of WWE and was actively involved with the Make-A-Wish Foundation. The incidental reference to Ms. McMahon's likeness was meant to refer to WWE's relationship with the Make-A-Wish Foundation and not to Ms. McMahon's candidacy. Given the relevant circumstances, and given the rationale of Advisory Opinion 2004-31, the Commission should find that the WWE "Make-A-Wish" Foundation television advertisement did not reference a clearly identified federal candidate within the meaning of Commission regulations.

In light of the foregoing, there is no reason to believe that any of the WWE corporate promotional activities and communications at issue satisfied the candidate-reference content standard in Section 109.21(c)(4)(i).⁵

⁵ Pursuant to the fourth and final content standard, a public communication satisfies the content prong if it is an electioneering communication under 11 C.F.R. § 100.29. Because electioneering communications must contain a reference to a clearly identified federal candidate, none of the WWE activities and communications at issue triggered this content standard.

C. The WWE "Make-A-Wish" Television Advertisement Falls Within the Commission's Near Safe Harbor for Business and Commercial Communications

As was discussed above, only one of the WWE corporate promotional activities and communications identified in the Complaint—WWE's "Make-A-Wish" Foundation television advertisement—was a public communication, which is a threshold predicate for finding a coordinated communication under Commission regulations. However, the Commission established a new safe harbor for certain business-related public communications—such as the WWE "Make-A-Wish" Foundation television advertisement—in the revised coordinated communications regulations which took effect on December 1, 2010. *See Final Rules and Explanation and Justification for Coordinated Communications*, 75 Fed. Reg. 55947, 55959 (Sept. 15, 2010). Although the new safe harbor did not go into effect until after the activity at issue took place, the Commission could nevertheless choose to apply the safe harbor to this matter as a prudential matter. The safe harbor:

excludes from the definition of a coordinated communication any public communication in which a Federal candidate is clearly identified only in his or her capacity as the owner or operator of a business that existed prior to the candidacy, so long as the public communication does not PASO that candidate or another candidate who holds the same office, and so long as the communication is consistent with other public communications made by the business prior to the candidacy . . .

75 Fed. Reg. at 55959. *See also* 11 C.F.R. § 109.21(g) (2011).

The WWE "Make-A-Wish" Foundation television advertisement meets all of the foregoing requirements for application of the safe harbor. The WWE television advertisement contained only a fleeting image of Ms. McMahon acting in her former capacity as the CEO of WWE, WWE existed for decades prior to Ms. McMahon becoming a federal candidate, and the television advertisement did not promote, support, attack, or oppose Ms. McMahon or Senator Blumenthal. Although the Respondents are not privy to WWE's entire corporate advertising history, WWE is rightfully proud of its longstanding relationships with the "Make-A-Wish" Foundation and other charitable organizations, and WWE appears to publicize its corporate support for these organizations through a wide variety of public communications. Accordingly, the Commission as a prudential matter should apply the safe harbor for certain business and commercial transactions at 11 C.F.R. § 109.21(g) to the WWE "Make-A-Wish" Foundation television advertisement and find no reason to believe that the advertisement constituted a coordinated communication on that basis alone.

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III. There is No Reason to Believe That WWE Made and Respondents Accepted Prohibited Corporate In-Kind Contributions

In addition to the Commission's coordinated communications provisions, the Act and Commission regulations also impose restrictions on expenditures coordinated with a candidate that are not public communications. See 2 U.S.C. § 441a(a)(7)(B)(i) ("[E]xpenditures made by any person in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his authorized political committees, or their agents, shall be considered to be a contribution to such candidate."). The Commission's regulations, which largely track the Act, provide that any expenditure that is coordinated or "made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's authorized committee, or a political party committee," but that is not made as a coordinated communication under Section 109.21, "is either an in-kind contribution to, or a coordinated party expenditure with respect to, the candidate or political party committee with whom or with which it was coordinated and must be reported as an expenditure made by that candidate or political party committee. . . ." See 11 C.F.R. § 109.20(b).

Following the enactment of the Bipartisan Campaign Reform Act ("BCRA"), the Commission reorganized and renumbered its coordination regulations. The definition of "coordinated" was inserted into Section 109.20(a) and Section 109.20(b) was moved from Section 109.1(c). See *Explanation and Justification for Final Rules on Coordinated and Independent Expenditures*, 68 Fed. Reg. 421, 425-26 (Jan. 3, 2003). The Commission has indicated that the meaning of Section 109.26(h), which was based upon the original Act, was not intended to be changed or altered upon the passage of BCRA. See *id.* at 425.

It is clear that the foregoing coordination restrictions are limited as a matter of law to expenditures that are made for the purpose of influencing a federal election. See 11 C.F.R. § 109.20(b) ("Any expenditure that is coordinated within the meaning of paragraph (a) of this section . . . is considered either an in-kind contribution to, or a coordinated party expenditure with respect to, the candidate or political party committee with whom or with which it was coordinated . . .") (emphasis added). See also 2 U.S.C. § 441a(a)(7)(B)(i) ("[E]xpenditures made by any person in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his authorized political committees, or their agents, shall be considered to be a contribution to such candidate.") (emphasis added). Based upon the plain meaning of the Act and Commission regulations in this area, the Commission has emphasized that apart from coordinated communications, coordination restrictions are limited to expenditures that are made for the purpose of influencing a federal election. See FEC Advisory Opinion 1981-44 (Friends of Les Aspin) at 2 (noting that the "legislative history of 2 U.S.C. 441a(a)(7) indicates that to be considered as a contribution under [2 U.S.C. 441a(a)(7)(B)], an expenditure must 'aid a candidate in a manner indistinguishable in substance from the direct payment of cash to a candidate.' The candidate who is aided in such a fashion is thus regarded as

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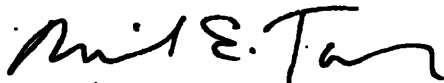
having received a contribution from the person making the expenditures.") (internal citations omitted).

The WWE corporate promotional activities and communications at issue are plainly not subject to the coordination restrictions contained in 2 U.S.C. § 441a(a)(7)(B)(i) and 11 C.F.R. § 109.20(b) because none of the WWE activities and communications were expenditures under the Act made for the purpose of influencing a federal election. Rather, as was detailed above, the WWE corporate activities and communications identified in the Complaint were bona fide corporate programs and efforts designed to defend WWE in the face of public criticism and to promote WWE's corporate image. Accordingly, there is no reason to believe that WWE made and the Respondents accepted any prohibited corporate in-kind contributions under 2 U.S.C. § 441a(a)(7)(B)(i) and 11 C.F.R. § 109.20(b).

CONCLUSION

For all of the reasons set forth above, the Commission should find no reason to believe that a violation occurred and should promptly dismiss the Complaint.

Sincerely,



Michael E. Toner
Brandis L. Zehr

cc: Cynthia Bauerly, Chair
Caroline Hunter, Vice Chair
Donald McGahn, Commissioner
Matthew Petersen, Commissioner
Steven Walther, Commissioner
Ellen Weintraub, Commissioner

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2010 NEWS

FANS "STAND UP FOR WWE"

October 18, 2010

STAMFORD, Conn., October 18, 2010 – World Wrestling Entertainment® is calling on WWE fans worldwide to "Stand Up For WWE" in a new viral campaign launched today on WWE.com and social networking websites, including Facebook, YouTube and Twitter. WWE invites fans to voice their support for the company because it has come under unfair and biased attack from certain politicians and media outlets. WWE will correct factual inaccuracies that have been reported about the company during this election season.

Videos will feature Vince McMahon, WWE Chairman and CEO, along with several WWE Superstars discussing various topics including WWE's PG content, treatment of WWE's full-time employees and its performers, and WWE's Talent Health and Wellness Program. In addition, the videos will highlight WWE's longstanding commitment to give back to communities through literacy programs, support of the military and their families, the annual "Tribute To The Troops" holiday special and the company's more than 26 year relationship with the Make-A-Wish Foundation.

"The nearly 800 full-time WWE employees, as well as its 148 Superstars, all work for one reason – to put smiles on people's faces," said Vince McMahon, Chairman and CEO, WWE. "The incessant media reports about our company are not only an injustice but an insult to our millions of fans worldwide."

World Wrestling Entertainment, Inc., a publicly traded company (NYSE: WWE), is an integrated media organization and recognized leader in global entertainment. The company consists of a portfolio of businesses that create and deliver original content 52 weeks a year to a global audience. WWE is committed to family-friendly, PG content across all of its platforms including television programming, pay-per-view, digital media and publishing. WWE programming is broadcast in more than 145 countries and 30 languages and reaches more than 500 million homes worldwide. The company is headquartered in Stamford, Conn., with offices in New York, Los Angeles, Chicago, London, Shanghai, Singapore, Tokyo, Toronto and Mexico City. Additional information on World Wrestling Entertainment, Inc. (NYSE: WWE) can be found at wwe.com and corporate.wwe.com. For information on our global activities, go to <http://www.wwe.com/worldwide/>.

Additional information on World Wrestling Entertainment, Inc. (NYSE: WWE) can be found at corporate.wwe.com.

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Forward-Looking Statements: This news release contains forward-looking statements pursuant to the safe harbor provisions of the Securities Litigation Reform Act of 1995, which are subject to various risks and uncertainties. These risks and uncertainties include risks relating to maintaining and renewing key agreements, including television distribution agreements; the need for continually developing creative and entertaining programming; the continued importance of key performers and the services of Vincent McMahon; the conditions of the markets in which we compete; competition of the Company's brands, marks and merchandise with those results; uncertainties relating to regulatory and litigation matters; risks resulting from the highly competitive nature of our markets; the importance of protecting our intellectual property and complying with the intellectual property rights of others; risks associated with producing live events both domestically and internationally; uncertainties associated with international markets; risks relating to our film business and any new business initiative which we may undertake; risks relating to the large number of shares of common stock controlled by members of the McMahon family; and other risks and factors set forth from time to time in Company filings with the Securities and Exchange Commission. Actual results could differ materially from those currently expected or anticipated. In addition, our dividend is significant and is dependent on a number of factors, including, among other things, our liquidity and historical and projected cash flow, strategic plan, fluctuating alternative uses of capital, our financial results and condition, contractual and legal restrictions on the payment of dividends, general economic and competitive conditions and such other factors as our Board of Directors may consider relevant, including a waiver by the Discretionary Committee of a portion of the dividend.

2010 NEWS

FAN APPRECIATION DAY SATURDAY OCTOBER 30TH IN HARTFORD

September 30, 2010

STAMFORD, Conn., September 30, 2010 – World Wrestling Entertainment® announced today that it will hold a special Fan Appreciation Day event at the XL Center in Hartford, CT on Saturday, October 30 at 3:00 p.m. featuring WWE's biggest Superstars. As a way to thank its loyal fans, tickets will be available for only \$20 for floor seats and \$40 for all other seating.

The event will be a "WWE Superstar" featuring Superstars from both the Raw® and SmackDown® brands and "The Game" Triple H returns for one time only at Fan Appreciation Day. Matches will include Randy Orton® vs. Wade Barrett™ for the WWE Championship; "The Big Red Monster" Kane vs. "The World's Largest Athlete" The Big Show for the World Heavyweight Championship Match and Rey Mysterio® vs. Alberto Del Rio™. Other WWE Superstars scheduled to appear include Sheamus MVP®, Daniel Bryan™, The Miz, WWE Divas Michelle McCool, Kelly Kelly and many more.

"With its headquarters located in Connecticut since 1983, WWE has a strong history and a large and loyal fan base throughout the state and specifically in the city of Hartford, which hosted WrestleMania® XI as well as countless sold-out Raw and SmackDown events," said WWE Chairman and CEO Vince McMahon. "We look forward to thanking our fans for their continued support and loyalty on October 30th."

Tickets for WWE's Fan Appreciation Day event go on sale Tuesday, October 5 at 12:00 Noon at the XL Center box office, online at www.ticketmaster.com or by calling Ticketmaster charge by phone at 1-800-745-3000.

World Wrestling Entertainment, Inc., a publicly traded company (NYSE: WWE), is an integrated media organization and recognized leader in global entertainment. The company consists of a portfolio of businesses that create and deliver original content 52 weeks a year to a global audience. WWE is committed to family-friendly, ~~PS content~~ content across all of its platforms including television programming, pay-per-view, digital media and publishing. WWE programming is broadcast in more than 145 countries and 30 languages and reaches more than 500 million homes worldwide. The company is headquartered in Stamford, Conn., with offices in New York, Los Angeles, Chicago, London, Shanghai, Singapore, Tokyo, Toronto and Mexico City. Additional information on World Wrestling Entertainment, Inc. (NYSE: WWE) can be found at www.wwe.com and corporate.wwe.com. For information on our global activities, go to <http://www.wwe.com/worldwide/>.

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WWE Show: Vince McMahon Encourages Fans To Vote Tuesday; Does Not Mention Linda's Run For U.S. Senate

By Christopher Keating on October 30, 2010 11:12 PM | [Email](#) | [Comments \(4\)](#) | [Print](#) | [Share](#)

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HARTFORD - Linda McMahon never showed up.

More than 15,000 cheering fans arrived at the XL Center in Hartford on Saturday as World Wrestling Entertainment hosted Fan Appreciation Day to thank the fans for continuing to support professional wrestling in spite of criticism of McMahon during the past year.

McMahon has spent more than \$45 million of her own money in her long quest for the U.S. Senate seat against Republican primary opponents and in Tuesday's election against Democrat Richard Blumenthal. Her high-profile husband, Vince, has become more outspoken in the race recently, and he scheduled the fan appreciation day on the Saturday before the election.

One hour into the three-hour show, Vince McMahon stepped into the ring and addressed the hard-core fans.

"Some people may think I was going to talk about politics today," McMahon told the crowd. "Nothing could be further from the truth. I do encourage you to vote this Tuesday, and while you're voting, feel free to wear a WWE T-shirt."

"I came out here to simply say thank you," he said. "That's what this day is all about. It's about fan appreciation. No one appreciates the fans more than World Wrestling Entertainment."

WWE, McMahon said, has been subject to "out and out lies by some politicians" and "subject to distortion, equivocation by some members of the media" during the U.S. Senate campaign. Critics have been widely cited the case of various wrestlers, as well as complaints about sexual abuse in the sport.

Linda McMahon's campaign had originally said that she would attend Saturday's show, but she did not. When asked for the reason why she did not attend, campaign spokesman Ed Patai said, "We purposely had a fluid schedule to allow her flexibility. Linda can't be in two places at one time. She'd like to be."

On Saturday, she was in Westport, Southington, Stamford, Greenwich, and Danbury.

The WWE show - in the 15,000-seat arena - came on the same afternoon as a massive rally in Bridgeport in The Arena at Harbor Yard as President Barack Obama hosted hard-core Democrats and urged them to vote on Tuesday in the same way that McMahon urged them to vote.

A random sampling of fans at the XL Center showed widespread support for Linda McMahon amid a nearly unanimous outpouring of television commercials and criticism of violence and the treatment of women in professional wrestling.

"They're attacking her family business, which is not really fair," said 24-year-old Giovanni Thakian of Danvers, who has watched wrestling with her father, notably her mother's life. "She's not going after Blumenthal's family."

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Thurston criticized the Blumenthal campaign for paying for the father of former wrestler Chris Benoit to fly to Hialeah to talk about his son's suicide after killing his family members.

"It was his son who killed his family, not Linda McMahon," Thurston said.

Middletown resident Bob Jacobsen, who has lived in Connecticut for 27 of his 38 years, said he did not know much about Blumenthal. But he did know that he is voting for McMahon.

"I definitely think it's wrong they take wrestling in a negative light," said Abramson, who was wearing a baseball cap. "There's a lot of good they do, like charity work."

Michael Pitaro drove from Manchester, N.H. to Hartford with his wife, Misty, in order to celebrate his birthday. Despite living outside Connecticut, Pitaro said he was highly familiar with the political scene from wrestling web sites. He thinks McMahon has been unfairly criticized.

"That's the whole point of the standing up for the WVE campaign. It's kind of an unfair thing," Pizaro said. "Unfortunately, the last I heard is she's a 10-point trailer."

McManus has been behind Blumenthal by double-digits in various polls, and a new Quinnipiac University poll is expected to be released Monday morning.

Categories: Barack Obama
Tags: Barack Obama, Dan, Deborah Dick, Democratic, G. H. Jones, Jack, Mitt Romney

Arena Report - Arena at Harbor Yard

By: Noah Start
Written: April 9, 2007

Tonight, Raw will roll into Bridgeport, Conn. and the Arena at Harbor Yard. This 10,000-seat multi-purpose arena is the permanent home to the Bridgeport Sound Tigers ice hockey team and the Fairfield University Stags. Although the arena has only been around since 2001, it has hosted a slew of exciting WWE events.

In November of 2002, when Raw first visited the arena, RVD thrilled WWE fans by coming out on top in an exciting Triple Threat Match. In March of 2004, Chris Benoit defeated Matt Hardy in Bridgeport on a night that also featured Mick Foley's book party.

On December 26, 2005, the Arena at Harbor Yard saw Mr. McMahon uttering the infamous words: "Don't make me screw you," to Shawn Michaels. That same evening, a group of Superstars including Carlito, John Cena and Kane competed in a Beat the Clock Match for the last spot in the New Year's Revolution Elimination Chamber.

For a look inside Bridgeport's Arena at Harbor Yard, catch Raw at 9/8 CT on USA Network!

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Arena Report - Arena at Harbor Yard

By: Anthony Romano
Written: August 21, 2006

It doesn't seem like eight months, but that's how long it has been since RAW made its last appearance in Bridgeport, CT. It was December 28, 2005 in the Arena at Harbor Yard when Vince McMahon uttered those infamous words, "Don't make me screw you," to Shawn Michaels. The threat has come back to haunt The Chairman in the worst way since the Flagbearer King teamed up with Triple H to revive D-Generation X and wreak havoc on WWE. Now that the pranksters have proven their ability to overpower authority, will the McMahons and DX finally call a truce?

On December 26, the theme was "beat the clock" as Carliko, John Cena, Michaels, Chris Masters, Kurt Angle and Kane competed to be named the last man to enter the Elimination Chamber at New Year's Revolution. On March 8, 2004 on RAW, Evolution highlighted the show when they interrupted Mick Foley's book party. The night also featured Chris Bischoff shutting down Matt Hardy. RAW's first trip to Bridgeport on November 18, 2002 was headlined by Rob Van Dam's Triple Threat win over Booker T and Chris Jericho. The victory led to a chance at the World Heavyweight Championship as well as a new alliance with Shawn Michaels.

Just over a year ago, SummerSlam made its final stand at Harbor Yard where Undertaker seemed to end Randy Orton's legend-killing streak. Now, one day after his loss to the legend of all legends, will Orton still consider himself the Legend Killer? Could Hulk Hogan have possibly humbled the young Superstar?

The Arena seats 10,000 and played host to the regional rounds of the NCAA women's basketball tournament this year. It has only been standing since 2001, but WWE has paid a visit every year since. Tonight's show promises to be as exciting as ever as fans that didn't get enough watching SummerSlam won't have to wait long for the after party.

Will Beary have anything to say after being tortured by the "Netsky Boy" in last night's "I Quit" Match, or will he go running like a coward from the Biggest Pay-per-View of the Summer? His gold changed hands last night, but will Kane wrestle the Intercontinental Championship away from Johnny Nitro? When the royal couple of King Booker and Sharmell stood face-to-face backstage with the championship couple of Edge and Lita, did they start a rivalry that will bring RAW and SummerSlam to a head? Find out tonight and watch the return of Jeff Hardy on RAW at 8/8 CT on USA.

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BRIDGEPORT 'CHAOS': 21,000 ballots readied for 69,000 registered voters

Staff Reports

Published: 02:43 a.m., Wednesday, November 3, 2010

BRIDGEPORT -- It will be an election that will be remembered for years to come.

Not because of who won or lost, but because of what happened in Bridgeport.

Not enough ballots at many polling stations caused long lines, and ballots had to be photocopied and delivered to the polls by police. Frustrated citizens left without casting ballots and Superior Court Judge Marshall Barger ordered about a dozen polling places to stay open an extra two hours, until 10 p.m.

But that led to more confusion. No one, not even Republican Registrar of Voters Joseph Borges, knew which polling places the order applied to. After the 8 p.m. closing, Borges was still waiting for the court's order.

At Geraldine Johnson School, an observer said some people were let in after 8 p.m., then sent home without being allowed to vote.

Then Republicans claimed that people voted in Bridgeport districts other than their home districts without receiving proper approval and possible fraud in absentee ballot applications and votes, which assure one thing -- this election will be something for the state and federal courts to sort out.

"Something doesn't smell right," said Dennis Kingston, who waited nearly 90 minutes to vote at Central High School late Tuesday afternoon. "Either somebody didn't do their job or this is an example of dirty politics."

Kingston watched as frustrated voters waiting for ballots simply left.

"No one kept us apprised as to what was going on," he said. "No one was telling us what to expect."

About 6:30 p.m. he said police arrived with a stack of photocopied ballots.

He voted and slid it in the top of the scanner. Now, after hearing Secretary of the State Susan Bysiewicz say photocopied ballots would be hand-counted, Kingston wondered whether his vote will count at all.

"I'm mad," he said. "I'm really angry. This is an important election to me."

That was repeated throughout the city.

At Blackham School, Drew Auth arrived with his wheelchair-bound wife about 4:30 p.m. They had no problem getting a ballot. Their problem began when they tried to cast the ballot. They waited and waited and waited as the line behind them grew longer and longer and longer.

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The vote scanner was broken, he was told.

"I finally shouted: 'Has anyone called the Secretary of the State?' " he said.

His response was met with "that's a good idea" by poll workers, Auth said.

Eventually, he and others were told to slip the ballot into a side slot of the tabulator, where it would be counted manually later.

"I just hope all parties are represented when these votes are counted," Auth said.

Central and Blackman weren't the only trouble spots.

Mayor Bill Finch said he heard of issues at every city polling place except Hooker School.

The mayor said only 21,000 ballots were ordered by the registrars in a city that has nearly 68,000 registered voters. Twenty-four of 25 polls reported that they ran out of ballots.

"We're going to find out what happened," he said. "I'm very upset about this ... I intend to get to the bottom of it."

So does, Chris Healy, chairman of the state Republican Party, who vows to challenge the electoral process in the Park City.

Meanwhile, Ernest Newton, the former state senator from the city's East End, said changes need to be made -- in the General Assembly.

"If I were in office, I'd be drafting a bill tomorrow requiring all towns to order enough ballots to cover the number of registered voters," he said. "People at Dunbar School were going home after being told there were no ballots. The president was here Saturday urging people to vote. And we don't have enough ballots? This is crazy. The House and Senate have to step forward and do something."

It was only three weeks ago that Newton regained his right to vote after serving a federal prison term on corruption charges. He spent the past several weeks urging others to register and vote.

Voting in Bridgeport was extended to 10 p.m. after widespread ballot shortages. But long lines of angry and disappointed voters formed at several polling stations, including Central High, Reid, Park City Magnet, Black Rock, Hooker, Winthrop and Thorne schools. At Winthrop, voters became so angry that police had to be called to calm the crowd.

"It's been chaos at the voting booths at Central High School today," according to former City Council member Anthony Minutoli, a moderator.

"People are going crazy and I don't blame them," he said, adding that a man was arrested for refusing to leave the voting station.

"As long as everybody is in the door by 8 p.m., they will be able to vote," he said. "This has been an Election Day nightmare. I'm never working Election Day again."

Healy argued that voting hours should not be extended.

The mayor's office used reverse-911 phone calls to alert residents that polls were open later.

Secretary of the State Susan Bysiewicz said voting was extended two hours "because of the grave potential for people to be disenfranchised in Bridgeport." She added, "We are very thankful that the judge has taken this extraordinary measure to protect the civil rights of voters in Bridgeport."

The state Democratic Party sued because of the ballot shortage, and the state Republicans challenged the extension of polling hours.

Some people who waited more than an hour to vote angrily left their polling stations without casting votes. Some people were told by police to come back later.

Monique Ivy, of Brooklawn Avenue, waited to vote in the lobby of Central High School for 90 minutes before casting her vote.

"A lot of people were angry and left," she said of the ballot shortage. "But (the volunteers) were good about it, they walked up and down offering everyone pizza."

Ivy emerged from the school at 7:15 p.m., sporting an "I voted" pin on her shirt.

"For me, people died for my right to vote. My forefathers went through a lot worse to cast their vote, so I was going to wait no matter what."

City Councilman Robert Walsh said more than 100 people were waiting in line at his poll. Walsh said they were angry, frustrated and couldn't understand how ballots could run out.

There were also reports that some of the candidates' names were left off ballots.

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CONNECTICUT POST

Results:**Yellow, black and blue**

By: Mark Peters
November 5, 2010

BRISBANE, Conn. — Just like they did on the Oct. 1 season premiere on Syfy, The Nexus invaded SmackDown. However, this time the night ended in the biggest 16-Man Tag Team Match in SmackDown history, with the blue brand claiming victory.

Edge, Roll Kingston, Alberto Del Rio, Big Show & World Heavyweight Champion Kane def. David Otunga, WWE Tag Team Champion Justin Gabriel, WWE Tag Team Champion Heath Slater, Michael McGillicutty & Husky Harris in a 16-Man Tag Team Match (WATCH | PHOTOS)

After The Nexus fractured to take over SmackDown at the start of the night, the blue brand's Superstars defended their turf in a massive 16-Man Tag main event. Despite Alberto Del Rio incessantly walking away from the battle, and various differences amongst themselves, the blue brand was able to throw The Nexus. In the closing moments of the war, The Rated-R Superstar avoided a chokehold from his own teammate — World Heavyweight Champion Kane — then Spearsed both The Big Red Monster and David Otunga to get the win for his team. Can the No. 1 contender take his momentum into Survivor Series against Randy (Previous)

Tyler Reks def. Chris Masters (WATCH | PHOTOS)
In his continued quest to make a name for himself, Tyler Reks went up against Chris Masters. Using his strength and power, Reks picked up an impressive and dominating win against The Masterpiece.

Official SmackDown Consultant Vickie Guerrero def. NXT Rookie Diva Kaitlyn (WATCH | PHOTOS)
After Official SmackDown Consultant Vickie Guerrero attacked her NXT Rookie Diva Kaitlyn earlier in the night, the two squared off in an official match. By using the ring as a lever, Vickie was able to pin Kaitlyn and get the win.

The Nexus attacked Rey Mysterio, MVP and Kane (WATCH)
Sometime of a hotel attack by The Nexus, Rey Mysterio would not go on to compete in the main event 16-Man Tag Team Match. And not content with just one cowardly deed, the yellow and black clad members also assaulted MVP as he lived from out of nowhere, leaving them ready for more.

MVP def. "Battering" Cody Rhodes and Drew McIntyre in an Intercontinental Championship Qualifying Match (WATCH | PHOTOS)

Former tag team champions, Cody Rhodes and Drew McIntyre squared with each other and MVP for a chance to become the No. 1 contender to the Intercontinental Championship. After a hard-fought struggle, MVP claimed victory by pinning McIntyre. Next week, MVP will face Intercontinental Champion Dolph Ziggler in a title match on SmackDown. It will not be the first time the two have met for Ziggler's title on the Oct. 1 episode on Syfy. MVP faced Ziggler for his championship, but the match ended when The Nexus attacked. (WATCH)

Intercontinental Champion Dolph Ziggler def. JTG (WATCH | PHOTOS)
In an amusing fashion, Intercontinental Champion Dolph Ziggler hit JTG with the Zig Zag then put him away with

a sleeper hold. After the decisive victory, NXT Rookie Diva Kaitlyn came out to the ring to congratulate Ziggy. Infuriated and jealous, Vickie Guerrero jumped into the ring. After screaming "Dolph was mine first," Guerrero viciously slapped Kaitlyn across the face, knocking her to the canvas. Still livid, Guerrero had to be kept at bay by the ref to prevent more chaos. Afterward, SmackDown General Manager Theodore Long agreed to give Guerrero a match with Kaitlyn later in the night.

Edge vs. Alberto Del Rio ended in a No Contest (WATCH | PHOTOS)

After driving himself to ringside in a Rally Stage, Alberto Del Rio took on Edge one-on-one for the first time ever. However, just when it looked like the No. 1 contender to World Heavyweight Champion Kane was going to put away The "Essence of Excellence," The Nexus invaded SmackDown, with David Otunga, Justin Gabriel, Heath Slater, Michael McGillicutty and Finlay Harris all attacking. But after Otunga declared The Nexus was taking over SmackDown, Big Show, Rey Mysterio and Kane joined Edge in helping drive off the arm-bored rebels.