

ORIGINAL

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAN - 8 2003
Clerk
Deputy Clerk

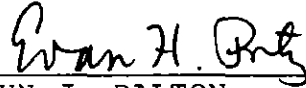
WILLIAM WORTHEN,)	
)	
Plaintiff,)	
)	CIVIL ACTION FILE
v.)	
)	NO. 1:00-CV-1717-CC
WORLD CHAMPIONSHIP WRESTLING, INC.,))	
TURNER SPORTS, INC., and)	
TURNER BROADCASTING SYSTEM, INC.)	
)	
Defendants.)	

DEFENDANTS' NOTICE OF FILING ORIGINAL AFFIDAVITS

Defendants Universal Wrestling Corporation (f/k/a World Championship Wrestling, Inc.), Turner Sports, Inc. and Turner Broadcasting System, Inc. (collectively "Defendants") hereby serve notice that they are filing herewith in the above-captioned case the following original Affidavits in support of Defendants' Motion for Summary Judgment contemporaneously filed with this Court:

1. Affidavit of Joseph M. Hamilton (attached hereto as Exhibit A); and
2. Affidavit of Paul Orndorff (attached hereto as Exhibit B).

This 8th day of January, 2003.



JOHN J. DALTON
Georgia Bar No. 203700
JAMES A. LAMBERTH
Georgia Bar No. 431851
ERIC A. RICHARDSON
Georgia Bar No. 233873
EVAN H. PONTZ
Georgia Bar No. 583577

Attorneys for Defendants

TROUTMAN SANDERS LLP
5200 Bank of America Plaza
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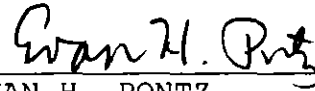
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of
DEFENDANTS' NOTICE OF FILING ORIGINAL AFFIDAVITS upon the
interested parties by hand delivery to:

Cary Ichter
Kelly Jean Beard
Charles Gernazian
Michelle M. Rothenberg-Williams
MEADOWS, ICHTER AND BOWERS, P.C.
Fourteen Piedmont Center, Suite 1100
3535 Piedmont Road
Atlanta, GA 30305

This 8th day of January, 2003.



EVAN H. PONTZ
Georgia Bar No. 583577

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AFFIDAVIT OF JOSEPH HAMILTON

JOSEPH HAMILTON, who having personally appeared before the undersigned officer duly authorized to administer oaths and having been first duly sworn according to law, deposes and states the following:

1. My name is Joseph Hamilton. I am of majority age, and I give this testimony of my own free will. I have personal knowledge of and am competent to testify to the facts stated herein. The facts stated herein are true and correct.

2. I first began providing services to Universal Wrestling Corporation (f/k/a World Championship Wrestling, Inc. and hereinafter referred to as "WCW") in 1989 as a member of the creative staff. After working with the organization in various capacities, I eventually became the Director of the Power Plant, WCW's training facility.

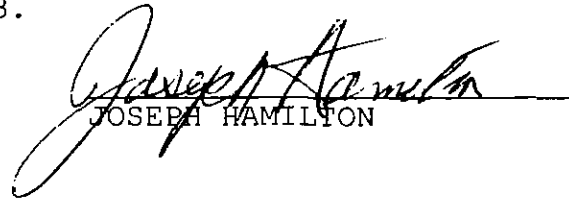
3. As part of my duties as Director of the Power Plant, I worked with WCW's professional wrestlers and trainees. At times, members of the creative staff and I would discuss my opinion with respect to wrestling and training talent.

4. Based on my experience in the wrestling industry and at WCW, the creators, producers, bookers and marketers of professional wrestling programming such as WCW's use their better performers with greater frequency in their wrestling programs. Factors considered by the creators, producers, bookers and marketers of these programs in determining who the better wrestlers are include the wrestler's crowd appeal, stage presence, charisma, uniqueness, wrestling ability and physique. In light of these factors, I periodically evaluated wrestlers and trainees at the Power Plant, to determine how well they were progressing.

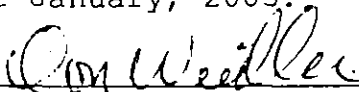
5. William Worthen first became affiliated with WCW in 1996 when he was accepted into the professional wrestling training program at the Power Plant facility. The goal in including Mr. Worthen in the training program was to help him develop the physical skills, charisma, acting ability, stage presence and other characteristics necessary to be a successful wrestler with WCW.

FURTHER AFFIANT SAYETH NAUGHT.

This 17th day of January, 2003.


JOSEPH HAMILTON

Sworn to and subscribed
Before me this 17th day
of January, 2003.


Notary Public

My Commission Expires:

Oct 24, 2005



EXHIBIT / ATTACHMENT

 B

(To be scanned in place of tab)

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Defendants.)	

AFFIDAVIT OF PAUL ORNDORFF

PAUL ORNDORFF, who having personally appeared before the undersigned officer duly authorized to administer oaths and having been first duly sworn according to law, deposes and states the following:

1. My name is Paul Orndorff. I am of majority age, and I give this testimony of my own free will. I have personal knowledge of and am competent to testify to the facts stated herein. The facts stated herein are true and correct.

2. I first began providing services to Universal Wrestling Corporation (f/k/a World Championship Wrestling, Inc. and hereinafter referred to as "WCW") in 1994 as a professional wrestler. After working with the organization in various capacities, I eventually became the Director of the Power Plant, WCW's training facility.

3. As part of my duties as the Director of the Power Plant, I worked with WCW's professional wrestlers and trainees. At times, members of the booking committee and I would discuss my opinion with respect to wrestling and training talent.

4. Based on my experience in the wrestling industry and at WCW, factors to be considered in determining which wrestlers and/or trainees will be well-received by wrestling audiences include the wrestler's crowd appeal, stage presence, charisma, uniqueness, wrestling ability and physique. In light of these factors, I periodically evaluated wrestlers and trainees at the Power Plant, to determine how well they were progressing.

5. Nearly all of the wrestlers who performed with WCW came to WCW from either other professional wrestling organizations, went through WCW's professional wrestling training program, located at the Power Plant, and/or had otherwise established fame, notoriety or a reputation at some other sport or entertainment industry before coming to WCW.

6. Wrestlers at WCW exercised control over the manner of their performance, were given creative freedom in performing, did not receive benefits, were permitted to have employment outside of WCW, and signed independent contractor agreements, often for short terms or duration.

7. I became familiar with William Worthen when Mr. Worthen was training in WCW's professional wrestling training

program. Most wrestlers from the Power Plant with little or no wrestling experience, such as Mr. Worthen, are scripted to lose any matches they appear in on WCW's programming. If they progress and master the requisite wrestling skills, personality and charisma, then WCW may begin to script them to win matches. Because Mr. Worthen was not a polished wrestler and lacked the distinct personality and charisma of WCW's better wrestling talent, he was generally used during his matches as "enhancement talent." However, by allowing Mr. Worthen to perform in matches as enhancement talent, WCW gave Mr. Worthen the opportunity to develop his skills.

8. At the end of 1998 and into 1999, WCW began to restructure much of its operations, including the professional wrestling training program located at the Power Plant. WCW transferred its Power Plant facility from its previous location on Carroll Drive, to a new location on Log Cabin Drive, in Smyrna, Georgia. This new establishment was to serve as the training facility for a smaller group of wrestler trainees than the group that had previously been training at the old Power Plant location. Each wrestler selected to train at the new Power Plant facility was to be signed to a trainee independent contractor agreement.

9. To determine which wrestler trainees would receive agreements, I, along with other WCW training officials, spent


roughly six to eight weeks evaluating the talent of approximately forty individuals who were then training at the Power Plant. At the end of this evaluation period, WCW conducted "try outs" for all of the wrestler trainees.

10. During this restructuring and the evaluation process at the Power Plant, Mr. Worthen was training only part-time and had been doing so for some time. WCW concluded that at that time, because Mr. Worthen was not training nearly as much as other trainees and had no prior experience, Mr. Worthen lacked the training, wrestling skills, persona and other attributes necessary to be a successful professional wrestler. Further, WCW determined that because Mr. Worthen was only training part-time and training to become a professional wrestler is a full-time commitment, Mr. Worthen not only lacked the necessary skills, but that Mr. Worthen was not committed to WCW and becoming a professional wrestler.

11. Based on this evaluation of Mr. Worthen, WCW decided not to offer Mr. Worthen a contract to train at the new facility. This decision had nothing to do with Mr. Worthen's race.

FURTHER AFFIANT SAYETH NAUGHT.

This 6th day of January, 2003.


PAUL ORNDORFF

Sworn to and subscribed
Before me this 6th day
of January, 2003.


Notary Public

My Commission Expires:

Notary Public, Hall County, Georgia
My Commission Expires June 29, 2003