

EXHIBIT 5

Plaintiffs requested that this deposition transcript be treated as “Confidential” pursuant to the Stipulated Confidentiality Agreement and Protective Order adopted by the Court on January 27, 2022. See ECF Docs. 110-1 and 111.

Therefore, the transcript excerpts designated as Exhibit 5 to Defendant WTNY’s Response Brief will be filed immediately following the entry of this document into the record. This filing under seal is preauthorized pursuant to L.R. 5.2(b)(3) and ECF Docs. 110-1 and 111