

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE  
PREVENTION OF CRUELTY TO  
ANIMALS, et al.,

Plaintiffs,

v.

FELD ENTERTAINMENT, INC.,  
Defendant.

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Case No. 03-2006 (EGS/JMF)

**EXHIBIT 8**

**TO**

**DEFENDANT'S RESPONSE TO THE COURT'S INQUIRY OF**  
**FEBRUARY 6, 2009**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE )  
PREVENTION OF CRUELTY TO )  
ANIMALS, *et al.*, )

Plaintiffs, )

v. )

RINGLING BROS. AND BARNUM & )  
BAILEY CIRCUS, *et al.*, )

Defendants. )  
\_\_\_\_\_ )

Case No. 1:03-cv-02006 (EGS/JMF)

**DX 28**

**EXHIBIT 28  
TO  
REPLY IN SUPPORT OF DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT**

**(Attached abstract filed electronically, disk filed with clerk's office)**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE  
PREVENTION OF CRUELTY TO  
ANIMALS, *et al.*,

Plaintiffs,

v.

RINGLING BROS. AND BARNUM &  
BAILEY CIRCUS, *et al.*,

Defendant.

Case No. 1:03-cv-02006 (EGS/JMF)

**DECLARATION OF THOMAS ALBERT**

1. My name is Thomas Albert. I am more than twenty-one (21) years of age, and I have personal knowledge of the facts stated below. I am employed by Feld Entertainment, Inc. as the Vice President of Government Relations.

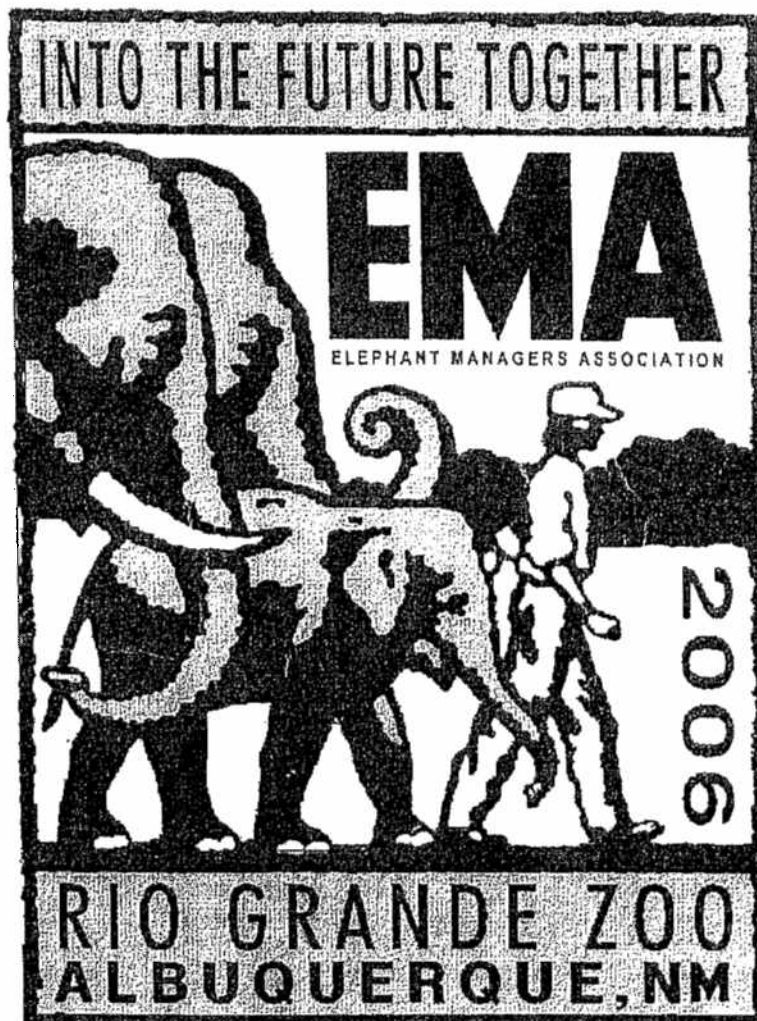
2. I attended the Elephant Managers Association ("EMA") annual conference held in Albuquerque on October 15-18, 2006 ("Conference"). On October 16, 2006, Dr. Barbara Kohn, Senior Staff Veterinarian for USDA, APHIS, Animal Care made a presentation at the Conference entitled "USDA Role In US Fish and Wildlife Service Permit/Registration" ("Presentation"). A true and accurate copy of the abstract from Dr. Kohn's Presentation is attached hereto.

3. The EMA maintains a video library of its conferences from which copies of presentations can be ordered. I ordered a video copy from EMA of Dr. Kohn's Presentation. A true and accurate copy of the video of Dr. Kohn's Presentation that I received from EMA is attached hereto.

4. I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 27, 2006.

  
\_\_\_\_\_  
Thomas Albert



ANNUAL CONFERENCE, OCTOBER 15 - 18

# Elephant Managers Association 2006

October 15 - 18

## TABLE OF CONTENTS

EMA Program Committee Members .....	2
EMA Host Committee Members .....	2
Conference Hotel .....	3
General Information .....	4-5
Audio/Visual Equipment	
Admission to BioPark Facilities	
Badges	
Business Services	
Conference Meals/Breaks	
Information	
Message Board	
No Smoking Policy	
Silent Auction Donations	
Tickets	
Transportation	
Volunteers	
Hospitality .....	6
Registration Schedule .....	6
Social Events .....	6
Ice Breaker	
Zoo Day Visit	
Silent Auction	
Banquet	
Meeting/Session Schedule	
Sunday, October 15 .....	7
Monday, October 16 .....	8
Tuesday, October 17 .....	9
Wednesday, October 18 .....	10
Thursday, October 19 .....	11
EMA 2006 Papers .....	12
EMA 2006 Posters .....	27
In Memoriam .....	28
Acknowledgements .....	back cover

Hosted by the Albuquerque Biological Park

## EMA 2006 ABSTRACTS (IN ORDER OF PRESENTATION)

### USDA Role in US Fish and Wildlife Service Permit/Registration Process

Barbara Kohn, DVM  
Senior Staff Veterinarian  
USDA, APHIS, Animal Care

The use, transport, importation and exportation of endangered species such as Asian and African elephants are governed by several laws, including the Endangered Species Act (ESA) and the Animal Welfare Act (AWA). The cooperation of the agencies that enforce these laws is paramount to their success. USDA, APHIS, Animal Care interacts with the US Fish and Wildlife Service (FWS) to communicate and coordinate oversight over endangered species when used for regulated purposes under the AWA. This cooperation includes providing recent inspection reports and recommendations in FWS permit and registration protocols, as well as evaluating transportation plans for imports and exports. It is important to note that violation of ESA or CITES permit conditions can jeopardize AWA licensing renewals.