

Plaintiffs' Exhibit 12
Motion To Compel Inspections
(Civ. No. 03-2006 (EGS/JMF))

Washington, DC

1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF COLUMBIA

3 - - - - - X

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

5 Plaintiffs, : Civ. No.
v. : 03-02006

6 RINGLING BROTHERS AND BARNUM & BAILEY : (EGS)
CIRCUS, et al., :

7 Defendants. :

8 - - - - - X

Certified Copy

9 Washington, D.C.

10 Thursday, October 12, 2006

11 Videotaped deposition of TOM E. RIDER, called
12 for examination by counsel for the Plaintiffs in the
13 above-entitled matter, pursuant to notice, the witness
14 being duly sworn by CARLA L. ANDREWS, a Notary Public
15 in and for the District of Columbia, taken at the
16 offices of Meyer, Glitzenstein & Crystal at 1601
17 Connecticut Avenue, Northwest, Suite 700, Washington,
18 D.C. 20009-1056, at 9:27 a.m., Thursday, October 12,
19 2006, and the proceedings being taken down by Stenotype
20 by CARLA L. ANDREWS and transcribed under her
21 direction.

22

1 A It could vary. On a non-show day, we are
2 probably looking at six hours. On a show day, a
3 one-show day, you are looking at seven or eight hours.
4 On a three-show day, about the same as you would --
5 about the same as a one-show day. They just get
6 watered two or three times a day. So you are usually
7 running four or five, six hours in between elephants in
8 between watering. It depends on the situation.

9 Q And you mentioned an open house earlier in
10 your testimony. What is an open house?

11 A Well, it is -- I will use Nassau because
12 that -- in Nassau we had a barn. The elephants were to
13 the left. And it was kind of open area. Using like
14 this table, there was an open area down the middle.
15 And the guests of the circus could come walking in, and
16 they could view the elephants. I believe we had the
17 horses. They were all right in there. It was like a
18 little open thing. They would walk in and view
19 everything. And it was just an opportunity for the
20 people to come back in and look at the animals.

21 Q And how long did an open house last?

22 A Usually a half an hour, 45 minutes.

1 strike them against the back of the legs with the bull
2 hook to make them move faster.

3 MR. SIMPSON: Object to the answer as
4 non-responsive, move to strike, object to the lack of
5 question and answer format.

6 BY MS. MEYER:

7 Q How many times did you see an elephant
8 handler strike an elephant on its leg to make it move
9 faster?

10 A Everyday.

11 Q How many times did you see an elephant
12 handler jab an elephant with a bull hook under its chin
13 to make it raise its chin higher?

14 A Everyday.

15 Q And how many times did you see an elephant
16 handler hook, as you say, an elephant behind its leg to
17 make it raise its leg?

18 A Everyday.

19 Q Did you ever see handlers use bull hooks to
20 discipline elephants?

21 MR. SIMPSON: Object to the question,
22 argumentative.

1 THE WITNESS: Yes, I have seen -- at Ringling
2 they say the bull hook is for discipline. And I have
3 seen elephants smacked up along side the head with the
4 bull hook. They didn't -- like if they had to have
5 their head down to throw the headpiece, you kind of --
6 because they are so tall, you have to throw the
7 headpiece up. They wouldn't get their head down, they
8 would hit them on the head with the bull hook to get
9 their head down. Sometimes they would hook them, take
10 the bull hook and put it on the top of their head and
11 pull down, especially behind the top of the ears and
12 behind the ears. You go up and they hook them in the
13 top of the ear.

14 Now, Meena, I could stick my finger up into
15 the first joint and some of the scars behind her ear up
16 in here was all cut. You could just pull it back, and
17 it was just scared all the way down the back of her
18 ears. A lot of elephants were like that.

19 MR. SIMPSON: Objection. Move to strike. The
20 answer is non-responsive. Lack of a question and
21 answer format.

22 BY MS. MEYER:

1 Q And how many times did you see an elephant
2 handler smack an elephant on its head with a bull hook?

3 A Too numerous to count.

4 MR. SIMPSON: Objection. Leading the
5 witness.

6 MS. MEYER: I'm sorry. Objection to the
7 leading of the witness.

8 THE WITNESS: I would say it's very hard to
9 count how many times in a day. But I would say
10 approximately in a week's time 10, 15 times. I would
11 see them hit on the head. I would see them hit behind
12 the legs at least once a day.

13 BY MS. MEYER:

14 Q Did you ever see an elephant handler hit an
15 elephant repeatedly with a bull look?

16 A Yes.

17 MR. SIMPSON: Objection. Lead the witness,
18 argumentative.

19 BY MS. MEYER:

20 Q Can you describe those instances?

21 A The main one was in New Haven, Connecticut.
22 Benjamin was -- Benjamin was playing around -- playing

1 around with Shirley. And when I say that, I am -- he
2 was trying to be the male elephant and being a little
3 too aggressive with Shirley. And the handler came out
4 and started yelling and hit Benjamin. And at that
5 time, Karen was across -- straight across from us. And
6 she started rattling her chain.

7 And that was the worse thing an elephant
8 could do is rattle its chain because this handler would
9 come over -- came over to Karen and started in on
10 Karen. And for the next 23 minutes, that elephant --
11 he had her leg in the air, hooked her underneath. He
12 was hitting her on the head, had her doing trunk up and
13 salute for long periods of time, up down, made her lay
14 down, get up just over rattling her chain because of
15 what be Benjamin was doing. It was a very disturbing
16 situation.

17 MR. SIMPSON: Object to the answer as
18 speculation.

19 BY MS. MEYER:

20 Q And when was that? What year was that?

21 A Without my route card -- I am going to say it
22 was -- New Haven was second year. It would have been

1 '99. I am going to say '98. I would have to look at
2 the route card, but I am pretty sure it is '98.

3 Q I actually have your route cards here, so
4 maybe I should just give these to you.

5 MS. MEYER: Why don't we have these marked as
6 Exhibit 5. These are documents that were produced by
7 Mr. Rider, and they are Bates labelled TR 00163 to
8 172. So let's have those marked as Exhibit 5, I
9 believe.

10 (Plaintiffs' Exhibit No. 5, marked for
11 identification.)

12 MS. MEYER: The Bates numbers are actually
13 out of order chronically, so I have reshuffled them so
14 they are in chronological order for you.

15 THE WITNESS: That was '98.

16 MR. SIMPSON: Is there a question pending?

17 MS. MEYER: Yes. I asked him when this
18 incident he was describing occurred, and he --

19 MR. SIMPSON: Well, the exhibits have no
20 foundation. I want to make that objection. And the
21 question was when. When what? When the Karen incident
22 occurred?

1 MS. MEYER: Yes.

2 THE WITNESS: New Haven, Connecticut, '98 in
3 May of '98.

4 BY MS. MEYER:

5 Q And who was the handler that you were talking
6 about who you saw hit Karen in this incident?

7 A Pat Harned.

8 Q And who is Pat Harned?

9 A He was a performer and caretaker of the
10 babies. Performer -- I call him caretaker of the
11 babies. He was in charge of the babies, although Randy
12 was his superintendent of all animals.

13 Q Randy Peterson?

14 A Yes.

15 Q And can you tell me which handlers you saw
16 use the bull hooks in the way that you have described?

17 MR. SIMPSON: Objection to the question,
18 compound.

19 THE WITNESS: Names?

20 MS. MEYER: Sorry.

21 MR. SIMPSON: It was a compound question. He
22 has described numerous incidents, and you haven't

1 broken down what it is you are asking him to describe.

2 BY MS. MEYER:

3 Q When you are giving me your answer, if you
4 can tell me what kinds of bull hook use you saw each of
5 the handlers engage in, that would be helpful.

6 MR. SIMPSON: Object to form of the question.

7 THE WITNESS: Okay. Names. Okay. Start
8 with Randy Peterson. I saw the same -- every handler
9 there basically it is the same routine for every
10 handler. If you take Randy Peterson. If he is walking
11 an elephant and that elephant is not moving fast
12 enough, you got hooked. Or if he gets out of line on
13 the picket line, they could get hit with a bull hook.
14 They could get hooked under the legs, him them on the
15 trunk, especially if the elephant is trying to reach
16 for something, they would get hit on the trunk with a
17 bull hook.

18 Patrick Harned. I just explained Patrick's
19 behavior on a daily basis was hitting Benjamin on a
20 daily basis with the bull hook. Let's see. Geoff
21 Pettigrew. Geoff Pettigrew is very -- it is the same
22 pattern. It is a pattern of what I would call a

1 systematic daily abuse. It is a pattern of striking an
2 elephant. If it does anything that it is not supposed
3 to do on that line it is discipline -- what Ringling
4 calls discipline. Those elephants were struck for
5 doing anything out of the ordinary.

6 MR. SIMPSON: Objection. Move to strike as
7 non-responsive.

8 BY MS. MEYER:

9 Q And who besides Pat Harned, Randy Peterson,
10 and Geoff Pettigrew engaged in this kind of behavior
11 with the ankus?

12 A Some of these are going to be first names
13 because we had 69 employees in two and a half years.
14 Alan Vargas, Gary Jacobson, excuse me, not Gary
15 Jacobson. Gary. A gentleman named Frank. He was a
16 Spanish gentleman. There was George. I believe he was
17 in Puerto Rico. Steve Heart, Adam Hill. James come
18 from the farm in Florida, John Wiedenhofer, although it
19 was kind of rare for John, but he has used a bull hook
20 on elephants. It's a lot of names for 69 people.

21 Q That's good for now. I can go on. And were
22 the baby elephants hit with bull hooks as well?

1 A Yes.

2 MR. SIMPSON: Object to the leading.

3 BY MS. MEYER:

4 Q Do you recall any specific instance when the
5 baby elephants were hit with bull hooks?

6 A A specific incident when they were hit with
7 the bull hook. Other than Benjamin in New Haven.
8 Benjamin was -- the babies were -- Benjamin was hit
9 everyday any venue you want. If Benjamin was -- he
10 would get yelled at and hit everyday.

11 Q And who hit Benjamin?

12 A Pat Harned.

13 Q And what was Geoff Pettigrew's position at
14 the circus?

15 A Handler.

16 Q And what was Randy -- we already talked about
17 Randy Peterson. What was Alex Vargas' position at the
18 circus?

19 A He was a both performer on the trapeze and a
20 performer with the elephants and that would vary. Alex
21 was like if Robert Ridely -- Sunny. I forgot him on
22 the other names. Robert Ridely. We called him Sunny.

1 MR. SIMPSON: Objection. Move to strike the
2 answer. The question was who was Alex Vargas.

3 THE WITNESS: Alex Vargas, performer.

4 BY MS. MEYER:

5 Q And who was Robert Ridely?

6 A Robert Ridely was a handler who mainly
7 handled Karen.

8 Q And you said his nickname was Sunny?

9 A Yes.

10 Q And did you see Sunny use the bull hook on
11 the elephants?

12 A Yes.

13 MR. SIMPSON: Object to the leading.

14 THE WITNESS: I have seen Sunny hit Karen on
15 the head, hook her behind the legs. I have seen him
16 the use the bull hook frequently.

17 MR. SIMPSON: Objection. Move to strike.

18 The answer is non-responsive.

19 BY MS. MEYER:

20 Q And who is Steve Heart?

21 A Another handler.

22 Q And how about Adam Hill? Who is he?

1 A Adam Hill -- he would be in charge of the
2 barn. He was hired as Randy Peterson's assistant in
3 Philadelphia -- hang on. Which one is on --
4 Philadelphia. Philadelphia is on this side.
5 Philadelphia. And he was hired as Randy's assistant.
6 Then he eventually came into the show as a performer.

7 Q And who were the supervisors of the elephant
8 handlers that you have identified?

9 A Randy Peterson. The people we listened to
10 was Adam Hill, Pat Harned, Randy Peterson and Alex
11 Vargas, those four. If they were in the tent, they
12 were the people who could say we need this done; you do
13 it.

14 Q Who were their supervisors?

15 A Randy Peterson.

16 Q Who was Randy Peterson's supervisor?

17 A Going up -- well, Jeff Steele, unit manager,
18 would be overall. He would be an assistant manager --
19 assistant unit manager.

20 Q And did you ever see Jeff Steele present when
21 an elephant was struck with a bull hook?

22 A Yes, I did.

1 MR. SIMPSON: Object to the leading question.

2 THE WITNESS: Yes, I did in Toronto --

3 MR. SIMPSON: Object to --

4 THE WITNESS: Ottawa, Canada.

5 MR. SIMPSON: Object to the answer as
6 non-responsive.

7 BY MS. MEYER:

8 Q When was that?

9 A That would have been '99. Let me get you
10 the -- we went in the summer of '99. In June of '99.

11 Q And can you describe that incident?

12 A Well, I was -- it was an afternoon. I would
13 come to work. And there we had actually -- we put some
14 pens up. I think we had four pens. Well, in the
15 middle two pens, we had the English -- Kamala, Lechme,
16 and Meena in one pen. And Karen and Sophie and couple
17 of others were here. All of a sudden, two of them
18 started fighting just butting heads and doing what
19 elephants do like pushing and shoving. And it turned
20 into a little melee of elephants right here going at
21 it.

22 And Jeff Steele and Richard Fremming, was who

1 was in charge of circus operations, were standing at
2 approximately 45-degree angle. And they could see very
3 well what was going on. I didn't go into the -- when
4 they were fighting. I didn't do it. Randy Peterson
5 and Adam Hill and Pat Harned came running out of the
6 arena, immediately grabbed their bull hooks, and went
7 in and started hitting, poking, and doing everything
8 trying to break those elephants up trying to just stop
9 them from fighting. And then I was heavily reprimanded
10 for not taking a bull hook and going after them myself.

11 MR. SIMPSON: Object to the answer as
12 non-responsive, speculation, hearsay.

13 BY MS. MEYER:

14 Q Did you see the handlers strike the elephants
15 with the bull hooks --

16 MR. SIMPSON: Objection.

17 Q -- during that incident?

18 MR. SIMPSON: Objection. Leading.

19 MS. MEYER: Let me finish my question,
20 please.

21 MR. SIMPSON: Well, he is not letting me make
22 my objection. He is obviously trying to get the answer

1 out before I can object. So you need to instruct him
2 to let me do that. Otherwise, I won't try to talk over
3 you, and we will proceed in a civil fashion. But
4 several times my objection has been just run over
5 before I get a chance to get it out. Now, either we
6 are going to do this like a trial or we are not. The
7 judge would let me make my objection and would make the
8 witness shut up until I do it. So either we are going
9 to do that format or we are going to continue to talk
10 over each other. It is up to you.

11 BY MS. MEYER:

12 Q Okay. I was asking you a very specific
13 question.

14 MS. MEYER: Would you let me ask my question
15 before you object to my question?

16 MR. SIMPSON: I will. I would be happy to do
17 it.

18 MS. MEYER: Thank you.

19 MR. SIMPSON: But I want to time to make an
20 objection. So you need to instruct him to let me do
21 that.

22 BY MS. MEYER:

1 Q And my question was, did you see the handlers
2 in the incident that you are describing strike the
3 elephants with bull hooks?

4 MR. SIMPSON: Objection. Leading.

5 THE WITNESS: Yes, I did.

6 BY MS. MEYER:

7 Q Did you see either Mr. Steele or Mr. Fremming
8 take any action with respect to the handlers who were
9 striking the elephants with bull hooks?

10 MR. SIMPSON: Objection. Leading.

11 THE WITNESS: No, I didn't.

12 BY MS. MEYER:

13 Q Who is Richard Fremming?

14 A Vice president in charge of Circus Operations
15 is what I was told. I mean, he was Corporate. That's
16 the only way I can explain it.

17 Q And how common was the use of the bull hook
18 in terms of striking the elephants with the bull hook?

19 MR. SIMPSON: Objection.

20 THE WITNESS: Daily, everyday.

21 BY MS. MEYER:

22 Q And how common among the handlers was it?

1 A Very -- very common, all the time.

2 Q And can you describe when during the daily
3 routines of the elephants the bull hook was used to
4 strike the elephants?

5 MR. SIMPSON: Objection. Leading.

6 THE WITNESS: Whenever the handlers come to
7 work or are present around the elephants, an elephant
8 is going to get struck with a bull hook or it is going
9 to get hooked with a bull hook or it is going -- all
10 the time. Whenever there is a handler around with a
11 bull hook, an elephant is going to get hooked or struck
12 in some manner.

13 BY MS. MEYER:

14 Q Did you ever observe an actual performance of
15 the circus?

16 A Yes, I did.

17 Q And was the bull hook used during the
18 performance as well?

19 A Yes, it was.

20 Q How was it used?

21 A We have what they called men in black is the
22 term that was used there. The handlers who are not

1 actual performers dress in black so they can basically
2 blend in. And they are around the arena where the
3 elephants are. And say the elephant is not moving fast
4 enough. Then they could come in real quick and hook
5 them behind the leg. Or, you know, if they weren't
6 raising up fast enough for the long mount, for
7 instance, they could jab them with the bull hook
8 underneath a leg or something, or chin, whatever it
9 took to get them up.

10 Q And did you see handlers jab elephants in the
11 way you have just described during a show?

12 MR. SIMPSON: Objection. Leading.

13 THE WITNESS: Yes, I have.

14 BY MS. MEYER:

15 Q And did you see them hook elephants in the
16 way you described during a show?

17 MR. SIMPSON: Objection. Leading.

18 THE WITNESS: Yes.

19 BY MS. MEYER:

20 Q And when you say hook, what do you mean by
21 that?

22 A I mean hooking them behind the ears. Taking

1 the bull hook and -- okay. Usually it is not two
2 hands. But during a show it will one hand. And say
3 they are going to go in a circle and one has not moved
4 fast enough. Reach over and just a quick yank with the
5 hook.

6 Q What end of the bull hook is used?

7 A The hook end.

8 Q Were some elephants hit with bull hooks
9 more than others?

10 MR. SIMPSON: Objection. Leading.

11 THE WITNESS: Yes.

12 BY MS. MEYER:

13 Q Which ones?

14 A Benjamin.

15 Q Is he the only one?

16 A The rest of them -- the rest of them it was
17 more of -- and Nicole got it a lot. Nicole did. Yeah,
18 she got it a lot. The rest of them, the normal daily
19 system.

20 Q And when you say the normal daily system,
21 what do you mean by that?

22 A Hooking them, you know, everyday. No matter

1 what that elephant is doing. If it is moving
2 somewhere, if it's going to lay down, that hook is used
3 to hook that elephant to make it do something.

4 Q And how sharp were the bull hooks?

5 A Usually very sharp. Usually made out of
6 stainless steel. They come to a point. And some of
7 them could make your finger bleed.

8 Q Did you observe whether the use of the bull
9 hook ever left any marks on the elephants?

10 MR. SIMPSON: Objection. Leading.

11 THE WITNESS: Yes.

12 BY MS. MEYER:

13 Q What did you see?

14 A I saw -- I would use an example of Richmond,
15 Virginia. Richmond, Virginia there were -- Andy Weller
16 is another name I forget. Sorry. Andy Weller and
17 Geoff Pettigrew were trying to lay Zina and Rebecca
18 down to brush them off. Couldn't get neither one of
19 them to lay down. They took with both hands on the top
20 of the back where I said how they laid the elephants
21 down on their backbone and were constantly taking the
22 bull hook and pulling it into the top. This went on

1 for several minutes -- approximately three or four
2 minutes. Neither one would lay down. They finally got
3 Rebecca down. I walked back with my brush, walked up
4 to Zina, Zina, lay down. Zina went right down. I had
5 no bull hook in my hand. Got done.

6 I had to go get the Wonder Dust, which is a
7 chemical compound which is gray in color which
8 coagulates the blood and had to go and cover 20-plus
9 hook marks on each elephant just from Geoff Pettigrew
10 and Andy Weller digging in with the bull hook, leaving
11 hook boils and cuts on the skin.

12 MR. SIMPSON: Objection. Non-responsive,
13 move to strike. Object to the lack of question and
14 answer format.

15 BY MS. MEYER:

16 Q What year was that?

17 A It had to be '98. It should have been --
18 hang on. February of '98.

19 Q And who is Andy Weller?

20 A Andy Weller is the first person I ever met at
21 Ringling. He was a handler on the elephant crew. I
22 met him the day I got hired. He was probably the first

1 person that has ever told me to stay away from Karen
2 and if anybody --

3 MR. SIMPSON: Objection. Move to strike the
4 answer as hearsay and non-responsive.

5 MS. MEYER: Okay. Would you let him finish
6 his answer before you object?

7 MR. SIMPSON: All right. As long as you are
8 not going to take the position that having not done
9 that isn't going to waive the objection.

10 MS. MEYER: Fine.

11 MR. SIMPSON: He can talk for 20 minutes as
12 long as my objection stands at the end of this
13 soliloquy, then I will be happy to proceed that way.

14 MS. MEYER: That's fine.

15 BY MS. MEYER:

16 Q I was asking you about Andy Weller.

17 A Okay.

18 Q Who he was?

19 A After -- I will just -- after everything --
20 Andy was the first one that told me about, yeah, we
21 have a bull hook. You have got to just -- this is
22 discipline. And then it went -- Andy eventually became

1 my grandson's father.

2 MR. SIMPSON: Objection. Are you done?.

3 THE WITNESS: Yeah.

4 MR. SIMPSON: Okay. Move to strike as
5 hearsay, non-responsive.

6 BY MS. MEYER:

7 Q Did you ever see Andy Weller strike an
8 elephant with a bull hook?

9 A Yes, I did.

10 Q How often did you see Andy Weller strike an
11 elephant with a bull hook?

12 A Everyday. Everyday I was there. Andy --
13 every handler everyday.

14 Q And how many months or how much time did Andy
15 Weller work at the circus when you were there?

16 A Approximately a year and a half. He left in
17 Seattle, Washington, which would have been in '98. I
18 could tell you exactly when he left. He left the show
19 in September of '98.

20 Q And you said earlier that he was there when
21 you started; is that correct?

22 A Yes.

1 MR. SIMPSON: Objection to the leading
2 question.

3 BY MS. MEYER:

4 Q Did you ever observe whether or not the use
5 of the bull hook left any wounds on an elephant?

6 MR. SIMPSON: Objection. Argumentative,
7 leading.

8 THE WITNESS: Yes.

9 BY MS. MEYER:

10 Q What did you observe?

11 A Cuts behind the ear, cuts on the trunk, cuts
12 under the trunk, cuts on the -- on their back, cuts on
13 their leg, cuts on their rear, hook boils a lot.

14 Q How often did you observe those kinds of
15 wounds on an elephant?

16 MR. SIMPSON: Objection. Argumentative.

17 THE WITNESS: Actually -- an actual wound on
18 an elephant would be three to four times a week. An
19 actual looking where you could say a bull hook cut the
20 skin, three to four times a week.

21 BY MS. MEYER:

22 Q And did the elephants bleed as a result of

1 these wounds?

2 MR. SIMPSON: Objection. Argumentative,
3 leading.

4 THE WITNESS: Yes, they did.

5 BY MS. MEYER:

6 Q And you mentioned the term hook boil. What
7 is that?

8 A A hook boil is approximately a golf ball -- a
9 golf ball-sized knot that is produced when the bull
10 hook breaks the skin on an elephant. You know, it is
11 caused -- it is like -- it is similar to a mosquito
12 bite, but it is not a mosquito bite. I want to make
13 that very clear. I am just trying to explain. If you
14 have got a bite on your arm and it swelled up into a
15 little hard bump, that would be a hook boil.

16 Q Is a hook boil infected?

17 MR. SIMPSON: Objection. Lack of foundation,
18 leading.

19 THE WITNESS: I don't know if it is an
20 infection. I am not a veterinarian to say, yes, that's
21 caused by an infection. But I do know that it swells
22 up into a hard knot.

1 BY MS. MEYER:

2 Q Okay. And how often did you see hook boils
3 on elephants?

4 A Well, you see them everyday. But when were
5 they caused, you know, they could have been there for
6 two or three days. But, yeah, you see them all the
7 time on elephants.

8 Q Did you ever observe an elephant being
9 treated for a hook boil?

10 MR. SIMPSON: Objection. Vague.

11 THE WITNESS: No. No.

12 BY MS. MEYER:

13 Q Did you ever see an elephant being treated
14 for a wound?

15 MR. SIMPSON: Objection. Argumentative,
16 leading.

17 THE WITNESS: Yes.

18 BY MS. MEYER:

19 Q What kind of treatment did you observe?

20 A Wonder Dust.

21 Q What is a Wonder Dust?

22 A A blood coagulant. Yeah, it turns the blood

1 hard. And it is a gray color. All the time. We went
2 through a lot of Wonder Dust. It comes in a bottle
3 about yea big. It is -- it is maybe a couple ounces in
4 it, two or three ounces. It is a bottle and it says
5 Wonder Dust on it. It is a blue bottle, light. And
6 like I said, it is like charcoal. You can put it in
7 your hand. It's almost the color of your suit. It is
8 a gray.

9 Q And how was it used?

10 A To cover up the wounds on an elephant and
11 hook marks.

12 Q And who used Wonder Dust?

13 A Every -- I had to use it sometimes. Like I
14 said, you know, when they would say cover that up or
15 cover this up and anybody that caused a wound on an
16 elephant. I didn't cause any wounds. I would just
17 take care of covering up. If somebody was busy, hey,
18 take care of that.

19 MR. SIMPSON: Objection. Move to strike. The
20 answer is non-responsive.

21 BY MS. MEYER:

22 Q Did you actually see -- observe any other

1 elephant handlers apply Wonder Dust to an elephant?

2 A Yes.

3 Q Who did you see using Wonder Dust?

4 A Randy Peterson, Pat Harned, Adam Hill,
5 myself, Geoff Pettigrew, everybody. Everybody that was
6 handling elephants knew about Wonder Dust.

7 MR. SIMPSON: Objection. Move to strike the
8 answer as non-responsive and speculative.

9 BY MS. MEYER:

10 Q Did you ever see Sunny use Wonder Dust on an
11 elephant?

12 MR. SIMPSON: Objection. Leading.

13 THE WITNESS: No, not that I recall.

14 BY MS. MEYER:

15 Q Were you ever given any instructions about
16 how to use a bull hook?

17 A Myself?

18 Q Yes.

19 A No.

20 Q Did you ever see a handler use the handle
21 part of the bull hook to strike an elephant?

22 A Yes.

1 Q How often did you see that?

2 A The handle goes all the way up to where the
3 top part is. So they were instructed by Randy that if
4 you are going to -- when you hit them, don't use the
5 point, don't poke an eye with the point of the hook.
6 So let's say if you are going to hit the top of the
7 head, then they would hit them like that. I have also
8 seen them turn the handle around and smack them with
9 both hands like a baseball bat.

10 MR. SIMPSON: Objection. Move to strike the
11 hearsay.

12 BY MS. MEYER:

13 Q When you say they were instructed by Randy,
14 could you be more specific about --

15 A The animal crew.

16 Q How do you know they were instructed by Randy
17 to use the bull hook in this fashion?

18 A We were -- I was around -- I was with the
19 elephants during my time as barn man when I came to
20 work. So it was in the period of those conversations
21 when we are all sitting around and waiting for the show
22 to begin. You know, you are sitting there in a group

1 and you are just talking. And they are going -- you
2 know, it is like, you know, yeah, well, we have got
3 to -- don't poke an eye out with a bull hook. Don't --
4 be careful. Randy would say, You get caught or you get
5 on camera hitting -- using the bull hook, you are going
6 to be in trouble.

7 MR. SIMPSON: Objection. Move to strike.
8 The answer is non-responsive and also is hearsay.

9 BY MS. MEYER:

10 Q Did you actually hear Randy Peterson tell the
11 handlers how to use a bull hook?

12 A Yes.

13 Q And did you actually hear Randy Peterson tell
14 handlers not to hit an elephant with a bull hook when
15 there were cameras around?

16 MR. SIMPSON: Objection. Leading the witness
17 and also calls for hearsay.

18 THE WITNESS: Yes.

19 MS. MEYER: Okay. I want to take a break for
20 about 10 minutes.

21 THE VIDEOGRAPHER: This marks the end of tape
22 one of the deposition of Tom Rider. Going off the

1 record. The time is 10:47:41.

2 (A recess was held.)

3 THE VIDEOGRAPHER: This marks the beginning
4 of tape two of the deposition of Tom Rider. Going back
5 on the record. The time is 11:01:55.

6 BY MS. MEYER:

7 Q There were sometimes when you were a barn man
8 that you were not around the elephants; is that
9 correct?

10 MR. SIMPSON: Object to the leading.

11 THE WITNESS: No. When I was at work, I was
12 with the elephants.

13 BY MS. MEYER:

14 Q There were sometimes because of your shift
15 that you were not at work; is that correct?

16 A Yeah.

17 MR. SIMPSON: Object to the leading.

18 THE WITNESS: Yes, yes.

19 BY MS. MEYER:

20 Q And what did you say your shift was again?

21 A 3:30 to 10:30.

22 Q And was that true when you began your work at

1 Ringling Brothers as well?

2 MR. SIMPSON: Objection. Leading.

3 THE WITNESS: No.

4 BY MS. MEYER:

5 Q What was your shift at that point in time?

6 A Usually 8:30 until the last show was over.

7 Q What time was that?

8 A Sorry. A one-show day. A one-show day we
9 had -- we would come in and usually break, let's say,
10 11:30, 12 until 5:30 or 6:30. Excuse me. When -- 6:30
11 we would come back for the show. That's when I wasn't
12 a barn man. During a three-show day, you are there
13 from 8:30 all the way through the day and same way on
14 what we called load-out would be all the way until the
15 elephants are back on the train and your day is
16 complete.

17 Q And how long did you work at Ringling
18 Brothers when you were not working there as a barn man?

19 A I can tell you exactly. A month and a
20 week -- a month and two weeks.

21 Q What is your basis for knowing whether the
22 elephants were chained during the time when you were

1 not working and your shift?

2 MR. SIMPSON: Objection. Calls for hearsay.

3 THE WITNESS: Because of my experience when
4 I was not a barn man. I know the routine of the
5 elephants at that time.

6 BY MS. MEYER:

7 Q And what is your basis for knowing whether
8 the elephants were struck with bull hooks during the
9 time when you were not working you shift as a barn man?

10 MR. SIMPSON: Same objection.

11 THE WITNESS: Based on my knowledge of
12 working with the elephants when I was not a barn man.

13 BY MS. MEYER:

14 Q Did you ever see an elephant struck with
15 anything other than a bull hook?

16 A Yes.

17 Q What did you see?

18 A Shovels, broom handles, leather pliers,
19 hands, feet, sticks. Sometimes we had tree limbs and
20 stuff brought in from tree companies. And there would
21 be sticks there. That's what I mean by stick.

22 Q And who did you see hit an elephant with a

1 shovel?

2 A Steve Heart and Adam Hill.

3 Q And what about a broom? Who did you see use
4 a broom on an elephant?

5 A That was very numerous. I am sorry. I can't
6 remember his name.

7 Q Was it only one individual that you saw use a
8 broom to hit an elephant?

9 A The actual broom was, you know, a push broom
10 with the handle, the wide one. It was one of the guys
11 from Puerto Rico. It wasn't George. But for the life
12 of me, I can't -- it is a Spanish name that I can't
13 remember. He used the broom. And --

14 Q Did you ever see a whip used on an
15 elephant?

16 A Yes.

17 Q What did you see?

18 A Well, they have these whips that were used
19 during the show. So the whip would be like that, smack
20 them on the -- whip them on the head with the -- you
21 know, it is a horse -- it is not a horse whip. Like a
22 tall pole like you see on the back of a bicycle with a

1 flag on it, a fiberglass-like pole. And on the end
2 would be a long piece come off of it. So that would be
3 the whip part, and they could reach out and whip the
4 elephants like that. Mostly it was Graham Chipperfield
5 because we had some miniature horses.

6 MR. SIMPSON: Objection. Move to strike as
7 non-responsive.

8 BY MS. MEYER:

9 Q How often did you see Graham Chipperfield use
10 a whip on an elephant?

11 A Eight, ten times.

12 Q Did you have an opportunity to observe how
13 the other elephants behaved when an elephant was being
14 hit with a bull hook?

15 A Yes.

16 Q And what did you observe elephant?

17 A Mainly a lot of movement. Instead of just
18 the normal swaying, they would get more vocalization.
19 And you could see that they were up -- I don't want to
20 say upset. But you could tell that the action was
21 getting around them, especially if it was getting more
22 intense.

1 Q How did an elephant -- did you have an
2 opportunity to observe how an elephant reacted to being
3 hit with a bull hook?

4 MR. SIMPSON: Objection. Leading the
5 witness.

6 THE WITNESS: Yes.

7 BY MS. MEYER:

8 Q What did you observe?

9 A Cowering as they come at them with a bull
10 hook. They would cower back. I have seen them scream
11 as in not like a human scream but a very loud elephant
12 scream. I have seen them turn sideways and just flinch
13 from the hit.

14 Q Did you ever observe any form of discipline
15 used on an elephant other than the ones you have
16 already described?

17 MR. SIMPSON: Objection. Leading the
18 witness, argumentative.

19 THE WITNESS: Yes.

20 BY MS. MEYER:

21 Q What did you see?

22 A I saw -- I believe his name was Ray. He used

1 his foot to kick one of the female elephants in the
2 groin area.

3 Q When did you see that?

4 A Florida in Winter Quarters, '98 -- excuse
5 me -- '97 first Winter Quarters that I was at.

6 Q Did you ever see any forms of discipline used
7 on the elephants?

8 A Yes.

9 Q What did you see?

10 A A lot of making them do trunk up and then
11 salute, raise a foot. I mean, I explained that with
12 Karen. But it is very common is to jab them and make
13 them do this. You know, hold that position for a long
14 period of time, say, five or ten minutes just standing
15 there at a salute constantly making them keep it up.

16 MR. SIMPSON: Objection. Move to strike the
17 answer, lack of foundation.

18 BY MS. MEYER:

19 Q And how many times did you observe that kind
20 of treatment of the elephants?

21 A A couple.

22 Q And who did you see engage in that treatment

1 of the elephants?

2 A Randy Peterson and Pat Harned.

3 Q Did you ever complain to anyone at the circus
4 about the treatment of the elephants?

5 A Yes.

6 Q Who did you complain to?

7 A Pat Harned, Randy Peterson, Alex Vargas, Jeff
8 Steele. That's about it.

9 Q And what did you say to them?

10 MR. SIMPSON: Objection. Compound question.

11 THE WITNESS: I told them that -- I told them
12 didn't -- I didn't like seeing those elephants hit. I
13 said, Why are they always hitting the elephants? A
14 conversation that I had with Alex Vargas. He had left
15 the show to go, I believe, to what they called that
16 Nicke -- not Nickelodeon. Kaleidoscope. He had went
17 there but he came back to visit us in Jacksonville,
18 Florida. And I told Alex. I said, Alex, Why are these
19 guys -- I said, I have been here a long period of
20 time. And these guys constantly are hitting them.
21 What can I do about them? He says, You can't do
22 anything. It is discipline.

1 MR. SIMPSON: Objection. Move to strike the
2 answer as hearsay and non-responsive.

3 BY MS. MEYER:

4 Q Do you remember any other conversations that
5 you had with Ringling Brothers employees about the way
6 the elephants were treated?

7 A Yes.

8 Q Can you tell us what those were?

9 A All -- with all the time on the train I would
10 get back at 10:30 at night. And we would complain. I
11 mean, I complained all the time. All we did was why
12 did they do this to this one or why are they doing that
13 to this one. It was constant arguing on the train.
14 You would have one or two of them. Like Geoff
15 Pettigrew was always, You don't know what you are
16 talking about; you have to do this. You know, you have
17 to have to hit them. And it was a big argument about
18 it all the time.

19 MR. SIMPSON: Objection. Move to strike the
20 answer as hearsay.

21 BY MS. MEYER:

22 Q And was any action ever taken as a result of

1 your complaints?

2 MR. SIMPSON: Objection. Calls for hearsay.

3 THE WITNESS: No.

4 BY MS. MEYER:

5 Q You mentioned earlier that there were times
6 when elephants were taken off the road. Can you tell
7 us who those elephants were?

8 A Yes. It was Roma and Nicole are the two.

9 Q Do you remember when Roma was taken off the
10 road?

11 A New Orleans, August 7.

12 Q Do you know why Roma was taken off the road?

13 MR. SIMPSON: Objection.

14 BY MS. MEYER:

15 Q First, tell me whether you know. And if you
16 do know, then I will ask you what you know.

17 MR. SIMPSON: Still objection to the question
18 because it has no predicate.

19 BY MS. MEYER:

20 Q Do you know why Roma was taken off the road?

21 A Yes.

22 Q What do you know?