

**CERTIFIED COPY**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE )  
PREVENTION OF CRUELTY TO )  
ANIMALS, ANIMAL WELFARE )  
INSTITUTE,, THE FUND FOR )  
ANIMALS, and TOM RIDER. )

Plaintiffs, )

) Case No. 1:03CV02006

vs. )

RINGLING BROTHERS AND )  
BARNUM & BAILEY CIRCUS, FELD )  
ENTERTAINMENT, INC., )

Defendants. )

VIDEOTAPED DEPOSITION OF GERALD R. RAMOS  
LAS VEGAS, NEVADA  
JANUARY 24, 2007

LS & T JOB NO. 1-70262

Reported By: LISA MAKOWSKI, CCR 345



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1 VIDEOTAPED DEPOSITION OF GERALD R. RAMOS,  
2 taken at 3773 Howard Hughes Parkway, Third Floor  
3 South, Las Vegas, Nevada, on Wednesday, January 24,  
4 2007, at 10:10 a.m., before Lisa Makowski, Certified  
5 Court Reporter, in and for the State of Nevada.

6  
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20 \* \* \* \* \*

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1 LAS VEGAS, NEVADA, WEDNESDAY, JANUARY 24, 2007

2 10:10 a.m.

3 -o0o-

4

5 THE VIDEOGRAPHER: This is the beginning  
6 of videotape No. 1 in the deposition of Jerry  
7 Ramos, in the matter of American Society for the  
8 Prevention of Cruelty to Animals versus Ringling  
9 Brothers, held at 3773 Howard Hughes Parkway, third  
10 floor, on January 24th, 2007 at 10:10 a.m.

11 The court reporter is Lisa Makowski. I  
12 am Dustin Kittleson, the videographer, an employee  
13 of Litigation Services and Technologies, located at  
14 1640 West Alta Drive, Las Vegas, Nevada 89106.

15 This deposition is being videotaped at  
16 all times unless specified to go off the video  
17 record.

18 Would all present please identify  
19 themselves, beginning with the witness?

20 PROSPECTIVE JUROR: Gerald, G-E-R-A-L-D,  
21 middle initial R., last name Ramos, R-A-M-O-S.

22 MS. CROWLEY: Amanda Crowley, Jones  
23 Vargas, counsel for Mr. Ramos.

24 MS. MEYER: Katherine Meyer, counsel for  
25 Plaintiffs.

1 MS. JOINER: Lisa Joiner, counsel for  
2 Feld Entertainment, Inc.

3 MS. PARDO: Michelle Pardo, counsel for  
4 Feld Entertainment.

5 THE VIDEOGRAPHER: Would the court  
6 reporter please swear the witness.

7 THE REPORTER: Do you solemnly swear that  
8 the testimony you are about to give will be the  
9 truth, the whole truth, and nothing but the truth,  
10 so help you God?

11 THE WITNESS: Yes.

12  
13 Whereupon,

14 GERALD R. RAMOS,  
15 having been first duly sworn, did testify as follows:

16 EXAMINATION

17 BY MS. MEYER:

18 Q. Mr. Ramos, I'm Katherine Meyer, and I  
19 represent the Plaintiffs in this case, and they are  
20 the American Society for the Prevention of Cruelty  
21 to Animals, the Animal Welfare Institute, the Fund  
22 for Animals, the Animal Protection Institute, and  
23 Tom Rider. This is a case against Ringling  
24 Brothers and Feld Entertainment, under the  
25 Endangered Species Act.

1 I'm going to ask you some questions, and  
2 if you don't understand my questions, let me know,  
3 and I'll try to clarify it for you. And please  
4 wait until I'm done asking the question before you  
5 provide an answer, so the reporter can get it down  
6 on the transcript.

7 Do you understand all that?

8 A. Yes.

9 I got one question. If I don't  
10 understand a question or if I have some questions,  
11 is it okay to speak with Mrs. Crowley?

12 MS. MEYER: Of course.

13 MS. JOINER: About privileged matters.

14 THE WITNESS: If I have any questions  
15 that are posed to me.

16 MS. CROWLEY: If you don't understand a  
17 question, you can ask her to rephrase it for you,  
18 or if you didn't hear it, you could ask her to  
19 repeat it. Okay?

20 BY MS. MEYER:

21 Q. Mr. Ramos, where do you currently reside?

22 A. Las Vegas, Nevada.

23 Q. Okay. And you are here pursuant to  
24 subpoena that was served by the Plaintiffs; is that  
25 correct?

1 A. Yes.

2 Q. I'd like to show you a copy of the  
3 subpoena and have it marked as Exhibit 1, please.

4 (Thereupon, Exhibit 1 was marked for  
5 identification.)

6

7 BY MS. MEYER:

8 Q. Would you take a look at that subpoena  
9 for me, please, and let me know if that's a copy of  
10 the subpoena that you were served with?

11 A. Okay to get my glasses out?

12 Q. Of course.

13 A. (Reading)

14 Appears to be.

15 Q. Okay. Thank you.

16 Mr. Ramos, have you ever worked for the  
17 Ringling Brothers Circus?

18 A. Yes, I have.

19 Q. When did you work for the Ringling  
20 Brothers Circus?

21 A. Last year. Approximately in September of  
22 last year.

23 Q. September of 2006?

24 A. 2006.

25 Q. And how long did you work at the Ringling

1 Brothers Circus?

2 A. Approximately one week.

3 Q. And how did you get that job?

4 A. I applied for the job.

5 Q. Where were you living at the time?

6 A. Las Vegas, Nevada.

7 Q. And when you were hired for the job,  
8 where did you work at Ringling Brothers Circus?

9 MS. JOINER: Objection to form.

10 THE WITNESS: Can you rephrase the  
11 question for me?

12 BY MS. MEYER:

13 Q. Sure. When you applied for the job and  
14 then you got the job, I assume; is that correct?

15 A. Yes.

16 Q. And then where did you actually work for  
17 the circus? In what city?

18 A. Oakland. I started in Oakland,  
19 California.

20 Q. And again, that would have been in  
21 September 2006?

22 A. Yes.

23 Q. Did you work in any other cities for the  
24 Ringling Brothers Circus?

25 A. For approximately one day I worked in



1 San Jose, California.

2 Q. What were your duties when you worked at  
3 the circus?

4 A. Feed the animals, clean the equipment,  
5 clean up after the animals, be available for the  
6 trainers or the elephant handlers if they needed  
7 anything in particular done as it pertained to the  
8 elephants.

9 Q. Okay. And when you say "feed the  
10 animals," are you talking about the elephants?

11 A. Yes.

12 Q. When you say "clean up after the  
13 animals," were you talking about the elephants as  
14 well?

15 A. Yes.

16 Q. Did you receive any training for this  
17 job?

18 A. No.

19 Q. Do you know which unit you were working  
20 for? Which unit of the circus?

21 A. I don't understand what you --

22 Q. Do you know whether or not you were  
23 working for the blue unit?

24 A. I think it was. I'm pretty sure it was  
25 the blue unit.

1 Q. And who was your supervisor at the blue  
2 unit?

3 A. As it related to the elephants?

4 Q. Yes.

5 A. Fellow by the name of Troy. I can't  
6 recall his last name at the present time. I think  
7 it's Metzler or --

8 Q. Was it Troy Metzler?

9 A. Yes. I think that was his last name.

10 Q. Mr. Ramos, do you know what a bull hook  
11 is?

12 A. Yes.

13 Q. Can you tell me what it is?

14 A. It's a piece of metal that -- kind of  
15 like straight piece of metal with a hook on it, and  
16 it has a point at the end. Approximately, oh, I  
17 would say about 2-inches in length -- or, 2 feet in  
18 length.

19 Q. Did you have occasion to see bull hooks  
20 when you worked at Ringling Brothers?

21 A. Several times.

22 Q. Did you see the elephant handlers  
23 carrying bull hooks at Ringling Brothers?

24 A. Yes.

25 Q. Did you ever see Mr. Metzler use a bull

1 hook on an elephant?

2 A. All the time.

3 Q. Can you describe what you saw?

4 A. Are we talking about -- are you talking  
5 about specifics or -- the bull hooks -- in order to  
6 move the elephants, the bull hooks were employed  
7 all the time.

8 Q. Did you ever see Mr. Metzler use a bull  
9 hook aggressively on an elephant?

10 A. What I would consider -- pardon me?

11 MS. JOINER: Objection to form.

12 You can answer.

13 THE WITNESS: I saw Mr. Metzler take a  
14 bull hook on one occasion and take the bull hook in  
15 this manner, put it in the elephant's mouth, and  
16 come back at a very rapid and -- and -- very rapid  
17 rate in order to make the animal -- I guess the  
18 animal -- I don't know what the animal was doing.  
19 It was eating, and Mr. Metzler, for whatever  
20 reason, put that hook in the animal's mouth and  
21 came back very rapidly, what I would consider  
22 rapid.

23 BY MS. MEYER:

24 Q. Which end of the bull hook did he use?

25 A. He used the hook -- hook end.

1 Q. Which city were you in when you observed  
2 that incident?

3 A. That was in Oakland, California.

4 Q. Was it an adult elephant?

5 A. No. It was the smallest elephant that  
6 was with the group there.

7 Q. Do you know what the elephant's name was?

8 A. No. I can't remember the names at this  
9 time.

10 I think one was Elizabeth. They were  
11 kind of like -- no. I think one was Elizabeth. I  
12 can't remember the name of the -- all the names of  
13 the elephants. That's kind of like -- just can't  
14 remember them right now.

15 One was Elizabeth. I'm pretty sure was  
16 Elizabeth. One had kind of like an Asian name or  
17 Mideastern name. Sara -- I think one was named  
18 Sara. Elizabeth, Sara, and I can't remember the  
19 other four or the other five.

20 Q. Do you know if the elephant that you saw  
21 Mr. Metzler use the hook on, as you described, was  
22 Sara?

23 A. Like I said, I can't -- I can't place the  
24 names with the size of the elephants. Some  
25 appeared -- some were larger than others.

1 Q. But you said she was the smallest  
2 elephant?

3 A. Yes. I think somebody said that she was,  
4 like, three -- three years old. I couldn't be -- I  
5 couldn't be sure, though.

6 MS. JOINER: Objection; hearsay,  
7 nonresponsive. Move to strike.

8 BY MS. MEYER:

9 Q. Did you have an opportunity to observe  
10 that elephant's reaction to Mr. Metzler's use of  
11 the bull hook on her?

12 A. Well, she moved and made a -- made a  
13 sound.

14 Q. What?

15 A. Kind of like a chirping sound or a --  
16 kind of like a low-pitched sound. Her head moved  
17 very rapidly in the other direction.

18 Q. Did you ever see the elephants chained  
19 while you worked at Ringling Brothers?

20 A. All the time.

21 Q. What were the hours that you worked at  
22 Ringling Brothers?

23 A. Normally started somewhere between seven  
24 and nine in the morning.

25 Q. And how late did you work?

1           A.     Probably about 12 to -- anywhere from 11  
2     to 14 hours a day. Or on site and -- kind of like  
3     that.

4           Q.     Were the elephants chained when you came  
5     to work in the morning?

6           A.     Yes.

7           Q.     Can you describe the condition of the  
8     elephants when you arrived in the morning?

9           A.     What do you mean by "condition"?

10          Q.     Any observations you made about the  
11     condition in which they were being kept.

12                   MS. JOINER:  Objection to form.

13                   THE WITNESS:  Okay to answer the question  
14     then?

15     BY MS. MEYER:

16          Q.     Yes.  Go ahead.

17          A.     When I came to work in the morning, the  
18     elephants were always chained.  Two legs were  
19     always chained.  Each elephant was chained one  
20     front leg and one back leg.

21                   There was usually -- always -- not  
22     usually, always excrement -- excrement on the  
23     platforms, either -- either crushed down or seemed  
24     to be in its original state.  And the elephants,  
25     from what I could see, all of them had like green

1 marks, excrement marks, and traces of green  
2 substance on their bodies.

3 Some of them were -- were laying in the  
4 excrement when I did arrive there, trying to,  
5 because I guess they had a problem with one leg  
6 being chained and trying to lay down and stuff.

7 But they -- each morning I came, at least  
8 one or two of the elephants were laying in the  
9 excrement, and the ones that were standing had  
10 green marks all over them, on their trunks and on  
11 their sides and their legs, on their underbelly.

12 Q. And was the youngest elephant, who you  
13 described earlier, also in chains?

14 A. Yes.

15 Q. And when you said the elephants -- you  
16 saw the elephants on chains all the time, was that  
17 true of the youngest elephant as well?

18 A. Let me -- let me clar -- let me clarify  
19 that.

20 Other than them going and -- during the  
21 day, when they were doing their shows, they were  
22 not chained. They would go do their shows and then  
23 come back.

24 The larger elephant was always chained.  
25 There's one big elephant there that was always

1 chained.

2 MS. CROWLEY: Mr. Ramos, listen to the  
3 question. She asked you about the baby elephant.

4 THE WITNESS: Okay. The baby elephant.  
5 She was loose sometimes during the day and chained  
6 sometimes.

7 BY MS. MEYER:

8 Q. Can you tell me which times during the  
9 day elephants were not on chains?

10 A. When -- obviously, when they were in the  
11 show and when they were out front for the people --  
12 the people would come through and they would see  
13 the elephants out front there.

14 Some would be inside the tent, chained,  
15 with one leg chained.

16 If the larger elephant -- I forget what  
17 her name was -- was out front, she would always be  
18 chained, at least the one leg. There would be a  
19 stake in the ground, a big stake, metal stake with  
20 a chain on it. And she would always be chained.

21 Q. Do you know what elephant that was, her  
22 name?

23 A. I can't remember. She was one of the  
24 larger ones, and I can't remember her name.

25 But she was the one that, for whatever



1 reason, seemed to be chained all the time, day and  
2 night, if she wasn't in the show.

3 Q. Was there a particular Ringling Brothers  
4 handler who seemed to be in charge of that  
5 elephant?

6 A. What do you mean by "seemed to be in  
7 charge"? I don't understand.

8 Q. Was there any particular handler who you  
9 saw with that elephant more than others?

10 A. Not really, no.

11 It seemed to be a standard operational  
12 procedure to make sure that that one elephant was  
13 subdued to some degree.

14 Q. And when did you -- when did you leave  
15 the circus?

16 A. I left the circus in approximately a  
17 week.

18 Q. Why did you leave the circus?

19 A. I just couldn't -- I just couldn't  
20 believe what was -- what was taking place there. I  
21 just -- just -- I just didn't like what was going  
22 on, just that simple.

23 Q. What do you mean by that?

24 A. Well, the treatment of the animals. I  
25 just -- I didn't like the job, let's put it that

1 way.

2 MS. MEYER: I have no further questions.

3 MS. CROWLEY: Can we just take a  
4 five-minute break?

5 MS. MEYER: Sure.

6 THE VIDEOGRAPHER: Off the record at  
7 10:27.

8 (A recess was taken.)

9 THE VIDEOGRAPHER: Back on the record at  
10 10:34.

11 EXAMINATION

12 BY MS. JOINER:

13 Q. Mr. Ramos. My name is Lisa Joiner. I'm  
14 counsel for Feld Entertainment.

15 Do you recall you actually worked for the  
16 circus in August, rather than September of 2006?

17 A. To best of my recollection, it was  
18 September. It might have been August, but...

19 Q. Okay. What is your current street  
20 address now in Las Vegas?

21 A. 21 -- 218 South 11th Street, Apartment D,  
22 like in dog. It's Las Vegas, Nevada 89101.

23 Q. That's also where you had that apartment  
24 and you were living also in August; is that  
25 correct?

1 A. Yes.

2 Q. Where were you living when you actually  
3 submitted your application for the --

4 A. Same address.

5 Q. Okay. Where did you turn that  
6 application in at?

7 A. That was in San Diego.

8 Q. And you didn't have a valid driver's  
9 license at the time --

10 A. No.

11 Q. -- is that correct?

12 So if you were living in Las Vegas, why  
13 were you in -- how did you wind up in San Diego to  
14 turn in the application?

15 A. I -- I sent an E-mail to Harry Sugarman.  
16 He said the circus had -- checked the circus's  
17 schedule and they were in San Diego. So he said to  
18 go speak with the circus manager or the main person  
19 at the circus. I indicated that I was interested.  
20 I thought it would be nice to take care of the  
21 elephants and travel with the circus and all like  
22 that.

23 So he suggested I go down and talk with  
24 the person at the circus in San Diego. I took a  
25 Greyhound down there. I think it was on a Sunday.

1 Yeah, Sunday. I think it was Sunday. And I spoke  
2 with -- I think his name was Mike, but I can't  
3 remember who ran the blue unit. I'm pretty sure it  
4 was the blue unit.

5 And they wanted me to start that day.  
6 And I said, "Well, I have to sew up a few odds and  
7 ends in Las Vegas, and I can get in touch with you  
8 in Oakland."

9 I took a drug test and spoke with some  
10 other -- I think Nina -- Nina. I forget who else.

11 MS. CROWLEY: Jerry, just -- just focus  
12 on the question --

13 THE WITNESS: Okay.

14 MS. CROWLEY: -- okay?

15 THE WITNESS: And what -- came back to  
16 Las Vegas and then took a plane to Oakland and  
17 started working for the circus in Oakland.

18 BY MS. JOINER:

19 Q. Okay. So you took a Greyhound bus from  
20 Las Vegas to San Diego?

21 A. Yes.

22 Q. How did you know to contact Harry  
23 Sugarman?

24 A. I had called the Ringling Brothers  
25 number, and they said to contact Harry Sugarman, a

1 secretary at the -- I think it was in Virginia or  
2 somewhere. And I believe she gave me his E-mail,  
3 so I sent him an E-mail.

4 Q. And what gave you the idea to apply to  
5 the circus?

6 A. The circus was here in Las Vegas at the  
7 Orleans Casino, and I just happened to be there,  
8 and I came out and I saw the elephants there.

9 And there was two fellows -- it was on a  
10 hot day. It was two fellows out there cooling  
11 themselves off with a big fan, and I got to talking  
12 to them. And I said, "Who takes care of the  
13 elephants?" I said [sic], "You know, would you  
14 like a job? We need somebody to take care of the  
15 elephants." So I says, "Yeah, that might be kind  
16 of fun, traveling with the circus."

17 I said, "How do you guys live?" And I  
18 asked them kind of some questions, cursory  
19 questions about their housing. Well, we live on  
20 the train sometimes. We travel the circus. We set  
21 up the thing, kind of like that. So I thought that  
22 might be kind of fun with the clowns and the  
23 circus.

24 Q. Do you -- do you remember when that was?

25 A. Whenever the circus was here in Las -- I

1 think it was June or July. Might have been June or  
2 July, August of last year at the Orleans here in  
3 Las Vegas, whenever the schedule was.

4 Q. The two gentlemen that you spoke to at  
5 the time, were they actually on the unit when you  
6 went to work? Did you see them again?

7 A. They were inside the fence; I was  
8 outside. They appeared to be part of the Ringling  
9 Brothers work force or had something to do with  
10 Ringling, because I was on the other side of the  
11 fence, and they were cooling themselves. There was  
12 a big fan, about that big, and they were cooling  
13 themselves off.

14 And I mentioned about the elephants. And  
15 they said, "Well, we need someone to take care of  
16 the elephants." I said, You want to take apps? So  
17 she goes -- so they said, go talk to so-and-so.

18 And I was busy at the time. I had some  
19 things to do, and I never got a chance to come back  
20 and talk to -- it was a female they said to go  
21 speak with. I think it was the veterinary  
22 technician. And says "okay." I kept that in mind,  
23 and finally got ahold of the circus later -- later  
24 in the year, and then went to work for them in  
25 Oakland.

1 Q. So you went -- I'm sorry.

2 Did you say how you went from San Diego  
3 back to Vegas?

4 A. What form of transportation?

5 Q. Yeah.

6 A. Bus. Took the bus.

7 Q. Okay. And then you spent two or three  
8 days in Las Vegas and then flew to Oakland; is that  
9 correct?

10 A. No. I -- after that -- no. That's  
11 right.

12 I spent a few days, two or three days  
13 here, and maybe a week at the most here in Las  
14 Vegas. And then I made a call to -- I believe it  
15 was Troy's cell phone, told him that I'll be --  
16 I'll be coming into Oakland. And said, well, just  
17 show up at the arena at the -- I think it was the  
18 Oakland Sports Arena, where the two stadiums are  
19 there, and we'll get you going.

20 Q. Do you remember in San Diego who you  
21 interviewed with? You mentioned Mike.

22 A. The main person -- I talked with the main  
23 person at the circus, fellow which I believe was in  
24 charge. I can't remember his name there.

25 I talked with two females. One was a --

1 one was the secretary and one was a vet tech.

2 And I spoke with another person that has  
3 something to do with the elephants. I can't  
4 remember who it was. The animals -- with the  
5 horses -- people that work with the animals there.

6 And I spoke with Troy, I think it's  
7 Metzler or -- briefly. And he says, well, yeah, da  
8 da da da da da -- just a brief conversation,  
9 nothing of substance, all relating to the  
10 elephants, taking care of the elephants, and da da  
11 da da da da da.

12 Said, "You ever taken care of animals  
13 before?" And I said, "Yes. I used to have horses  
14 and chickens and goats and things of that nature."

15 Q. That is when you were talking to Troy?

16 A. Yes.

17 Q. Okay. Did you have any other experience  
18 with animals prior to --

19 A. Yeah. I used to have horses. Horses,  
20 goats, chickens, dogs.

21 Q. Were you on a farm? Can I presume that?

22 A. No. This was back in the eighties.  
23 Eighties I was in the -- I was kind of like a  
24 gentleman farmer in California.

25 Q. Uh-huh. Were there any other reasons why



1 you applied to the circus?

2 A. I thought it would be fun. I thought it  
3 would be a nice experience traveling with the  
4 circus and setting up the tent and kind of like  
5 that. That was -- that was my first impression.  
6 Kind of like a little kid traveling with the  
7 circus. Never done it before.

8 Q. Did you ask for or apply for any  
9 particular position?

10 A. It was animal caretaker. I think that  
11 was in the thing there. So that's -- I think  
12 that's what I spoke to Mr. Sugarman -- Sugarman  
13 about, and I think secretary -- I mentioned that to  
14 the secretary when I called back.

15 I think it was Virginia or Florida. I  
16 forget. North Carolina. Forget. Somewhere Back  
17 East.

18 Q. Okay. Did you ask in particular to work  
19 with the elephants?

20 A. Yes, I -- yes, I did.

21 Q. And why was that?

22 A. I think they are just dynamic animals,  
23 just very intelligent and just fantastic animals,  
24 everything I read up on them. I used to read up on  
25 them when I was in grammar school.

1                   And I took some pre vet courses, and kind  
2 of like that. Seem to be just a fantastic animal.  
3 Hannibal taking them over the Alps there and  
4 whatnot.

5           Q. Did you take -- you said pre vet courses.  
6 Did you attend college?

7           A. Yeah. I've been to Fullerton College.

8           Q. Fullerton?

9           A. Fullerton College, yes.

10          Q. In Fullerton, California?

11          A. Fullerton, California, yeah.

12          Q. How long did you attend there?

13          A. Well, sporadically, off and on. I was  
14 there in the '60s, before I got drafted into the  
15 Army during the Vietnam era. I went and took some  
16 real estate courses, some accounting courses,  
17 mathematics, English. Let's see what -- I was  
18 looking into some premed courses. I think I  
19 dropped out of those, because I was working at the  
20 time. I think I was up to, like, 16 units at one  
21 time.

22          Q. Did you earn a degree?

23          A. No. I think I have approximately --  
24 about 80 units of college credit, 80 or 90. Close  
25 to a B.A.

1 MS. CROWLEY: I'll invite Ms. Joiner, if  
2 she'd prefer, to move her position so that  
3 Mr. Ramos can look at the camera when you're asking  
4 the questions.

5 MS. JOINER: Sure. Whatever is easiest  
6 for you.

7 MS. CROWLEY: Okay. That might just be a  
8 little easier, because he's looking off to the  
9 side.

10 MS. MEYER: Let's do that.

11 MS. JOINER: Is that easier?

12 THE WITNESS: Yeah. Sure. I guess.

13 BY MS. JOINER:

14 Q. Okay. So you were at Fullerton College.  
15 And then you said you got drafted?

16 A. Yes.

17 Q. Okay. And how long were you in the  
18 service?

19 A. A little over two years.

20 Q. Which branch?

21 A. Army.

22 Q. Status of discharge?

23 A. Honorable.

24 Q. So that would -- what time frame would  
25 that have been in?

1           A.    I was inducted in September -- September  
2 of '69, and I got my discharge in October of '71.

3           Q.    Okay.  So would you have had the  
4 horses -- was this before or after you got out of  
5 the Army when you were raising horses?

6           A.    Well, when I was younger, my uncle in  
7 Fresno, he had a ranch, so I used to be around  
8 animals during my childhood.

9                   And then in 19 -- in the '80s, late '70s  
10 and '80s, I had a home in Orange, California, which  
11 I had horses on, two horses -- actually, three.  
12 It's kind of like a horse community type thing.  
13 Kind of a gentleman rancher type thing.  Goats.  I  
14 had goats, chickens.  I had geese, some turkeys.  
15 That's about it.

16          Q.    Okay.  And you had the horses just for  
17 your own personal pleasure?

18          A.    Yes.  Wasn't raising them professionally,  
19 just for pleasure.

20          Q.    Okay.  Did you have any other experience  
21 or schooling related to animals?

22          A.    No.  Just my own personal studying.  
23 Right now I'm studying some animal physiology on my  
24 own type, over the Internet.

25          Q.    And when did you start doing that?

1           A.    Approximately -- approximately two years  
2 ago, three years ago. About two and a half years  
3 ago.

4           Q.    Is that like a long-distance type,  
5 coursework program that you're enrolled in?

6           A.    Well, I hope -- I hope -- I'm trying to  
7 get into -- become a -- trying to study to become a  
8 veterinary technician, just to keep me busy.

9           Q.    So you had started those studies before  
10 you applied with the circus?

11          A.    Well, way back when, when I was going to  
12 Fullerton College back in the -- back in the '60s.  
13 I got out of the Army, and I started working, and  
14 then I went back to college in the '70s.

15          Q.    Did you go back to Fullerton College?

16          A.    After I got out of the service, yes.

17          Q.    Okay.

18                   THE WITNESS: May I speak with  
19 Mrs. Crowley, please?

20                           (Thereupon, a brief off-the-record  
21 discussion was held.)

22 BY MS. JOINER:

23          Q.    So have we covered all of the studies  
24 that you've done regarding animals?

25          A.    Yes. Basically, on my own.

1 Q. Okay. Had you ever gone to the circus  
2 before this visit that you talked about, last June  
3 or July?

4 A. The last time I was at the circus was  
5 in -- back in the '70s, in Anaheim, California, at  
6 the Convention Center. I think it was '73, '74,  
7 somewhere in there.

8 Q. Was that the first time you had ever  
9 been?

10 A. First and only, yes.

11 Q. And then you came back this last summer  
12 to see the circus here in Las Vegas?

13 A. No. I just was -- I was at the casino.  
14 I play dice once in a while. And I was coming out  
15 of the casino, going through the parking lot there,  
16 and I see the animals there.

17 Q. Oh, I see. So you didn't actually see  
18 the show?

19 A. No.

20 Q. So you saw the animals in the outside  
21 area?

22 A. Yes.

23 Q. Okay. Have you ever been deposed before?

24 A. Oh, yes.

25 Q. How many times?

1           A.    Two that I can think of.  Two -- two  
2 times, yes.

3           Q.    Were you a party in those cases or were  
4 you just a witness?

5           A.    One case I was a defendant and the other  
6 case -- what's the plaintiff now?  Is that --

7           MS. CROWLEY:  The person who brings the  
8 action.

9           THE WITNESS:  Both cases I was the  
10 defendant.

11 BY MS. JOINER:

12          Q.    Okay.  The first case, where you were the  
13 defendant, when was that?

14          A.    That was back in 19 -- back in the '70s.

15          Q.    Was that a criminal or a civil case?

16          A.    That was a civil case.

17          Q.    And -- excuse me -- what was the name of  
18 the person or party that was the plaintiff in that  
19 case?

20          A.    It was an architect.

21          MS. CROWLEY:  She's asking you for the  
22 name.

23          THE WITNESS:  I --

24          MS. CROWLEY:  If you know the name,  
25 that's fine, you tell her.

1 THE WITNESS: Ra -- Ra --

2 MS. CROWLEY: If you don't know the  
3 name --

4 THE WITNESS: Raoul Gardenio [phonetic].

5 BY MS. JOINER:

6 Q. And what was the nature of his claim in  
7 that case?

8 MS. CROWLEY: I'm going to object. This  
9 was, you know, a lawsuit, civil lawsuit, some  
10 35 years ago. I'm going to object on the grounds  
11 of relevance.

12 BY MS. JOINER:

13 Q. Okay. You can answer.

14 A. It had to do with -- I owned some land in  
15 Orange, California. And I had contracted with him  
16 to draw up some plans for a tract of homes. And he  
17 had went so far with --

18 MS. CROWLEY: She's asking you the nature  
19 of the action.

20 THE WITNESS: Just had to do with drawing  
21 up some plans for some homes, for a tract of homes.

22 BY MS. JOINER:

23 Q. And so, what was the nature of the claim?

24 A. He wanted more money, and I wasn't happy  
25 with the plans, and so he sued and kind of like



1 that.

2 Q. Contract dispute?

3 A. Yes.

4 Q. Okay. The second case, where you were  
5 the defendant, when was that?

6 A. That was back in 1987.

7 Q. Was that a civil or criminal case?

8 A. That was a criminal case.

9 Q. And where was that case?

10 A. That was in the -- California, Southern  
11 California.

12 Q. Do you remember the city?

13 A. Los Angeles.

14 Q. And what was the charge in that case, or  
15 charges?

16 A. That was an investigation having to do  
17 with wire fraud.

18 Q. Were there any other defendants?

19 A. There were -- the other defendants were  
20 John -- Southport Development; John Ward,  
21 Incorporated; Sun West Financial, Incorporated;  
22 Gerald R. Ramos, Incorporated; Inversiones  
23 Fulfideos, Incorporated -- S.A. --

24 THE REPORTER: I'm sorry. Inversion?

25 THE WITNESS: It's a Spanish name.

1 THE REPORTER: Do you want to just spell  
2 the words for me?

3 THE WITNESS: I-N-V-E-R-S-I-O-N-E-S.  
4 Fulfideos, F-U-L-F-I-D-E-O-S. I think that's --  
5 now, don't take me on gospel on that; okay? It's  
6 been a while.

7 S.A., Sociedad Anonima. That's S.A.,  
8 just letters, capital S, capital A. A Costa Rican  
9 corporation.

10 John W. Chodak.

11 BY MS. JOINER:

12 Q. How is that last name spelled?

13 A. C-H-O-D-A-K.

14 John Hayden. And that's -- I think it's  
15 H-E-Y or H-A-Y. I don't know if it's D-O-N or  
16 D-E-N.

17 Glacier General Insurance Corporation.

18 Brittenum Securities. I don't know -- I  
19 can't remember the name of it.

20 Furst Funding Corporation, F-U-R-S-T.

21 David Techak. It's T-E-C-H-A-K.

22 Let's see. What else is there? Let's  
23 see.

24 John Wain. It's W-A-I-N.

25 Marvin Weis, W-E-I-S.

1 Leo Peterson. I don't know if that was  
2 incorporated or just a DBA.

3 Let's see. Transamerican Title  
4 Corporation; Sunbird Financial; N.V., Netherland  
5 Antilles. And I believe that's about it.

6 That might be -- Downey -- it might have  
7 been Downey Savings and Loan -- Downey Federal  
8 Savings and Loan, but I don't think they were named  
9 in the complaint.

10 I think that's about it, but I could be  
11 wrong.

12 Q. Was this a federal case?

13 A. Yes.

14 Q. What were the charges against you?

15 A. Charges were interstate transportation of  
16 funds obtained through fraud and wire fraud.

17 Q. Did that case go to trial?

18 A. Yes, it did.

19 Q. What was the outcome?

20 A. I was found guilty of wire fraud.

21 Q. Were you sentenced?

22 A. Yes.

23 Q. What was the sentence?

24 A. Sentence was 14 years in the federal  
25 prison.

1 Q. So when did that sentence begin?

2 A. I went to federal prison in 1987.

3 Q. Toward the latter -- mid, latter part of  
4 the year? Do you remember?

5 A. I think court was -- court ended in 19 --  
6 in June -- I think June of that year, 1987. I  
7 think the trial took about two weeks, three weeks.

8 Q. When did you get out?

9 A. '96.

10 Q. Where did you go after your release?

11 A. I was in Bullhead City.

12 Q. State?

13 A. Arizona.

14 Q. What were you doing in Bullhead City?

15 A. I was living in Bullhead City and working  
16 at the Ramada Casino in Laughlin, across the river.

17 Q. And what did you do there, your duties?

18 A. I was a bar back.

19 Q. And how long did you hold that position?

20 A. Approximately four months, three months.

21 Q. In 1996?

22 A. Yes.

23 Q. All right. What was your next job?

24 A. After that, I was -- went back to prison  
25 for violation of probation.

1 Q. How did you violate your probation?

2 A. The probation officer didn't want me  
3 working at the casino.

4 Q. So was it 1996 when you went back to  
5 prison?

6 A. Yes. I went back to prison for two  
7 years.

8 Q. 1996 to 1998?

9 A. Yes.

10 Q. Do you remember the month in '98 when you  
11 were released?

12 A. It was late in '98.

13 Q. And where did you go when you were  
14 released in 1998?

15 A. I got my commercial driver's license and  
16 started driving a truck.

17 Q. And where was that?

18 A. I started driving for Werner Enterprises  
19 out of Omaha, Nebraska.

20 Q. Were you actually living in Omaha?

21 A. No. I was an over-the-road driver.

22 Q. Okay. Did you live on the road?

23 A. Most of the time, yes.

24 Q. Did you have a permanent address at that  
25 time?

1 A. Fullerton, California.

2 Q. Is that the same address as your mother?

3 A. Yes. 211 North Acacia, Apartment B.

4 Q. So did you start -- were you driving semi  
5 trucks? Is that what you were doing?

6 A. Yes. Yes.

7 Q. Did you start doing that in 1998?

8 A. Yes.

9 Q. And how long did you drive trucks for  
10 Werner Enterprises?

11 A. Approximately a year.

12 Q. And why did you leave that job?

13 A. Just got tired of the over-the-road  
14 routine, wanted to spend some downtime.

15 Q. Did you quit?

16 A. Yes.

17 Q. Where did you go after you quit that job?

18 A. I went back to Bullhead City.

19 Q. So how much time passed before you took  
20 your next position?

21 A. From Bullhead City, I took off to Mexico  
22 for approximately two years.

23 MS. CROWLEY: Listen to the question.

24 How much time passed before you took up your next  
25 position?

1 THE WITNESS: Approximately two years.

2 BY MS. JOINER:

3 Q. So you went to Bullhead City, but you  
4 didn't have a job at that time; is that correct?

5 A. No.

6 Q. Okay. Then you went to Mexico for two  
7 years?

8 A. Yes.

9 Q. So that would have put it in the  
10 2000-2002 time frame you were in Mexico?

11 A. Approx -- well, from about 2000 to 2002,  
12 2003.

13 Q. Okay. What did you do while you were in  
14 Mexico?

15 A. Traveled around.

16 Q. Did you work while you were there?

17 A. Once in a while.

18 Q. Okay. What prompted you to return to the  
19 U.S. from Mexico?

20 A. I came back to see my granddad. He was  
21 in bad shape, so I talked with some of the family  
22 here and I came back to visit him.

23 Q. Where was your grandfather located?

24 A. Placentia, California.

25 P-L-A-C-E-N-T-I-A.

1 Q. Did you stay there?

2 MS. CROWLEY: Counsel, I'm going to  
3 permit the witness to answer these to some limited  
4 degree further, but we're getting pretty far afield  
5 from the subject matter of the complaint, as it  
6 appears to me. I didn't bring the witness here for  
7 you to ask him his life story. And I'd appreciate  
8 if you would get back onto the subject matter of  
9 the complaint.

10 MS. JOINER: We're on the subject matter.  
11 You'll see shortly.

12 BY MS. JOINER:

13 Q. Okay. So when you returned to  
14 California, how much time did you spend in  
15 Placentia?

16 A. Probably -- off and on, probably a year,  
17 six months.

18 Q. Would this have been in 2003 or 2004?

19 A. Somewhere in there. 2003, 2004, yes.

20 Q. Okay. What was the next job that you  
21 took?

22 A. I went to Seattle and started working for  
23 Atlas -- Atlas Van Lines.

24 Q. Do you remember the time frame when you  
25 took that job in Seattle?



1 A. Seattle was 2003, 2004, approximately.

2 Q. Were you a driver for --

3 A. No. I worked in a warehouse.

4 MS. CROWLEY: Please note my continuing  
5 objections to relevance. I will repeat them before  
6 each question if you wish, or you can consider the  
7 objection on a continuing basis.

8 MS. JOINER: That's fine.

9 THE WITNESS: No, I didn't drive.

10 BY MS. JOINER:

11 Q. Okay. And how long were you at Atlas Van  
12 Lines?

13 A. Approximately six to eight months.

14 Q. Did you leave that position voluntarily?

15 A. Yes.

16 Q. Where did you go after Atlas Van Lines?

17 MS. CROWLEY: Objection. Are you going  
18 to get pretty soon to the subject matter of the  
19 complaint? Because I think we've gone, you know,  
20 way beyond what would be considered admissible,  
21 relevant or leading to relevant or admissible  
22 evidence.

23 MS. JOINER: Go ahead.

24 THE WITNESS: Can you ask me the question  
25 again?

1 BY MS. JOINER:

2 Q. Sure. What was your next job that you  
3 took after the Atlas Van Lines?

4 A. I came to Atlas Van Lines here in  
5 Las Vegas.

6 Q. In what year?

7 A. I think it was 2000 -- in between 2003,  
8 2004. Might have gone into 2005.

9 Q. Were you also working at the warehouse?

10 A. Yes. I unloaded trucks and worked at the  
11 warehouse, yes.

12 Q. Okay. Then from Atlas Van Lines in  
13 Las Vegas, what was your next position?

14 A. I went to -- I went to Mexico again.  
15 Saved my money, went to Mexico.

16 Q. What was the time period where you were  
17 in Mexico?

18 A. I stayed in Mexico approximately -- a  
19 little under five months.

20 Q. Do you remember the year?

21 A. That was 2000 -- end of 2004.

22 Q. Okay. What were you doing in Mexico?

23 A. Just traveling.

24 Q. And then what prompted you to return to  
25 the U.S.?

1           A.    You're not going to believe this, but my  
2 grandfather again. They came to say they thought  
3 he was going to die, so I came back to -- I came  
4 back to see him again.

5           Q.    And when did you take a next -- next take  
6 another job?

7           MS. CROWLEY: Now, listen. The question  
8 is -- sorry to interrupt. The question is, when  
9 did you next take another job? Okay?

10           THE WITNESS: My next job was with  
11 Universal Sodexho.

12 BY MS. JOINER:

13           Q.    Where is that located?

14           A.    They are in Harahan, Louisiana.

15           Q.    What was your job there?

16           A.    I was a utility worker.

17           Q.    Would that have been in 2005?

18           A.    Yes.

19           Q.    And how long did you work at Universal  
20 Sodexho?

21           A.    I stayed at Universal Sodexho until  
22 April 9th, 2006.

23           Q.    Did you voluntarily leave that position?

24           A.    Yes.

25           Q.    And what did you do after Universal

1 Sodexho?

2 A. I came here to Las Vegas. Moved to  
3 Las Vegas.

4 Q. Did you take another job once you got to  
5 Las Vegas?

6 A. I started working for Atlas moving vans  
7 again.

8 Q. In the warehouse again?

9 A. Mostly as a lumper, driver's helper,  
10 loading, unloading furniture. I was on call with  
11 them.

12 Q. Were you driving for them?

13 A. No, ma'am.

14 Q. Why was that?

15 A. I no longer have a commercial driver's  
16 license.

17 Q. And why was that?

18 A. Driving doesn't interest me.

19 Q. You let it lapse?

20 A. Yes.

21 Q. So you moved to Las Vegas. Did you -- in  
22 April of 2006?

23 A. Yeah. Had to be April. So I got --  
24 yeah, April.

25 Q. So between April and August of 2006, did

1 you have any other jobs or positions aside from the  
2 one with the Atlas Van Lines?

3 A. Yes. I used to do handyman work and work  
4 for the temp services, again, mostly on call.

5 Q. Was the handyman work through an agency  
6 or --

7 A. Mostly through painters and people I knew  
8 in the -- I know in the construction industry.

9 Q. And then what was the temp work that you  
10 referenced?

11 A. Through temp agencies.

12 Q. Oh, okay. What was the work you were  
13 doing through temp agencies?

14 A. Whatever they needed, whatever they felt.  
15 Painting, cleanup, light construction, plumbing,  
16 loading, unloading, moving furniture, digging  
17 ditches, changing tires. Whatever -- whatever  
18 they -- whatever they needed.

19 Q. Okay. And then in August you decided to  
20 leave those positions and work -- go to work for  
21 the circus?

22 A. Approximately in August. August or  
23 September, yes.

24 Q. Okay. Had you ever worked or been around  
25 elephants before you took your job with the circus?

1 A. No.

2 Q. Do you remember the name of your position  
3 that you were hired for?

4 A. Animal caretaker.

5 Q. Was your first day Thursday, August 17th?

6 MS. CROWLEY: If you know.

7 Objection to coaching.

8 THE WITNESS: I -- I really couldn't say  
9 one way or the other. I think it was on a weekend,  
10 but it might have been Thursday. But I would have  
11 to look at my check stubs in order to establish the  
12 real dates.

13 BY MS. JOINER:

14 Q. But you do remember that the first day  
15 was in Oakland, California?

16 A. Yes.

17 Q. With the blue unit?

18 A. Yes.

19 Q. Okay. This might help us to put a time  
20 frame on things.

21 If you would mark this as Exhibit 2,  
22 please.

23 (Thereupon, Exhibit 2 was marked for  
24 identification.)

25 / / /

1 BY MS. JOINER:

2 Q. This is Exhibit 2, Mr. Ramos. Can you  
3 take a minute, and go ahead and look at that and  
4 tell me when you are ready and we will proceed.

5 A. Yes, this is -- appears to be the  
6 application.

7 Q. Okay. You recognize your handwriting?

8 A. I guess it's my mine. But it looks like  
9 the application.

10 Q. Okay. Do you see the date in the top  
11 right-hand corner, August 13th, 2006?

12 A. Uh-huh.

13 Q. If you turn to the second page, down at  
14 the bottom --

15 A. Uh-huh.

16 Q. -- do you see the signature and the date  
17 is also August 13th, 2006?

18 A. Uh-huh.

19 Q. Is that your signature?

20 A. It appears to be, yes.

21 Q. If you go back to the front page --

22 A. Uh-huh.

23 Q. -- one, two, three, four, five, six,  
24 seven lines down it asks, "Have you ever been  
25 convicted of a felony?" And that box is checked

1 "no."

2 Do you see that?

3 A. Okay.

4 Q. Did you find that?

5 A. Yes.

6 Q. That's false. As of August 2006, you had  
7 been convicted of a felony; correct?

8 A. Okay. Yes.

9 Q. Okay. And you had, in fact, served  
10 prison time for that conviction by then; correct?

11 A. Yes.

12 Q. Okay. If you go down to the lower  
13 section on the same front page --

14 A. Uh-huh.

15 Q. -- "previous employment and references,"  
16 okay, and on the far right-hand corner do you see  
17 that? It says "Allied Van Lines, Seattle,  
18 Washington."

19 A. Uh-huh.

20 Q. And it list the dates March 2001,  
21 March 10, 2001, specifically. And then what's the  
22 date below that? Is it 1/1/2003 or '4?

23 A. Right here?

24 Q. Let me show you this box right here.  
25 Is that a 4/1/2003?



1 A. Might have been, yeah.

2 Q. Okay. Then you list your next employment  
3 with Allied Van Lines in Las Vegas --

4 A. Uh-huh.

5 Q. -- from April 1, 2003 to October 1, 2005;  
6 correct?

7 MS. CROWLEY: Where are you looking on  
8 the exhibit?

9 BY MS. JOINER:

10 Q. Yeah. I think it goes by -- I think it  
11 goes by columns.

12 A. We are here.

13 Q. So we were here, right, which was  
14 Seattle, Washington?

15 A. Oh, yeah. Been there. Okay.

16 Now where are we?

17 Q. Then if you move to the next column, it  
18 list your next position as Allied Van Lines and  
19 then the date. You see that?

20 A. Allied Van Lines. (Mumbling.)

21 Yeah. Allied down here.

22 Q. Yes, with an asterisk. That's correct.

23 So you have two Allied Van Lines listed,  
24 one in Seattle and one in Las Vegas.

25 A. Previous employer, utility, Universal.

1 Where's Allied? Allied's the only one I see here.  
2 What are you talking about? Where's Allied? See  
3 Allied down here.

4 Q. Yes. See up here, the fourth --

5 A. Oh, Allied. Okay.

6 Q. Yes. Fourth column is Allied Van Lines,  
7 Seattle; correct?

8 A. Uh-huh.

9 Q. See that?

10 Then the third column is Allied Van Lines  
11 in --

12 A. Seattle.

13 Q. -- Las Vegas.

14 A. Las Vegas, yeah.

15 Q. Okay.

16 A. Yeah, that's true.

17 Q. Right? Okay.

18 MS. CROWLEY: I'm sorry, Counsel. If  
19 you're looking at the top line on the third column,  
20 Allied Van Lines, I don't see Las Vegas right next  
21 to that. I see John Burkhart immediately  
22 underneath that.

23 MS. JOINER: Right. And then go two  
24 more. "Location, North Las Vegas."

25 MS. CROWLEY: Okay. But it's not clear

1 to me that that location is in reference to the  
2 employment that is three lines above.

3 MS. JOINER: Okay. Well, I'll object to  
4 the commentary. If the witness has a question, he  
5 can ask.

6 BY MS. JOINER:

7 Q. You did tell us that you worked at Allied  
8 Van Lines in Seattle, Washington --

9 A. Yeah.

10 Q. -- correct?

11 A. Allied and Atlas.

12 Q. Yes. And then you said you came to  
13 Las Vegas --

14 A. Uh-huh.

15 Q. -- and worked for Allied Van Lines  
16 again --

17 A. Yes.

18 Q. -- correct?

19 Then the next thing you have listed here  
20 is Universal Sodexho.

21 A. Yes.

22 Q. You see that, the second column?

23 A. Yes. Yes.

24 Q. And you told us that that was in Harahan,  
25 Louisiana; correct?

1 A. Yes. Yes.

2 Q. Then after that you came back to  
3 Las Vegas --

4 A. Uh-huh.

5 Q. -- right?

6 A. Yes.

7 Q. And the nature of your business that you  
8 have listed in that first column is driver's  
9 helper --

10 A. Yes.

11 Q. -- warehouse person.

12 A. Yes.

13 Q. Okay. Now, if you go down to dates of  
14 employment.

15 A. Uh-huh.

16 Q. All right. If we start at the earliest,  
17 which would be the far right-hand column.

18 A. Far right-hand column, yes.

19 Q. The Seattle position.

20 A. My other right hand. Okay.

21 Q. At the Seattle position --

22 A. Up in the top one.

23 Q. Yes. The fourth column over and the  
24 fifth column down -- I'm sorry -- one, two, three,  
25 four, five -- sixth line down --

1 A. Okay.

2 Q. -- you listed the dates of employment as  
3 March 10, 2001 through April 1, 2003; is that  
4 correct?

5 A. Uh-huh.

6 Q. Okay. Then for the next job you listed  
7 April 1, 2003. We are one column over now.

8 A. Okay.

9 Q. For the Las Vegas van lines.

10 A. Okay.

11 Q. Through October 1, 2005 --

12 A. Okay.

13 Q. -- correct?

14 A. Yes.

15 Q. All right. Then if we move to the  
16 Universal Sodexho, you listed the next date of  
17 employment as October 1, 2005 through June 1, 2006;  
18 correct?

19 A. Yes.

20 Q. Okay. So when you filled out this  
21 application, you did not indicate any breaks in  
22 your employment.

23 MS. CROWLEY: Is that a question?

24 MS. JOINER: It is.

25 / / /

1 BY MS. JOINER:

2 Q. Is that correct?

3 MS. CROWLEY: Did you -- did you indicate  
4 any breaks in your employment?

5 MS. JOINER: I don't need my question  
6 rephrased.

7 THE WITNESS: Yes, yes.

8 MS. CROWLEY: You are asking him to agree  
9 with your statement.

10 THE WITNESS: Yes, yes.

11 BY MS. JOINER:

12 Q. All right. So when filled this out, that  
13 wasn't accurate either? You had taken trips to  
14 Mexico?

15 A. Sure. I'm an independent contractor. I  
16 load and unload trucks. And they gave me -- I'm  
17 paid -- I'm paid cash by the drivers; okay? I work  
18 whenever I want to.

19 Q. Okay.

20 A. So if I got a call right now on my cell  
21 phone and a guy says, you know what? I got a  
22 driver coming into Seattle right now, and he wants  
23 you as his driver's helper. I say I got a driver  
24 going to the truck stop -- the Frandia [phonetic]  
25 Truck Stop, is going up to Seattle, three days from

1 now. I want you in Seattle, and I'll get you back  
2 to Las Vegas in a week, and I'll cover your  
3 lodging, I say okay, fine, how much you going to  
4 pay me? Twenty bucks an hour. Say okay, fine.

5 Q. But you said five months -- five months  
6 in Mexico --

7 A. Yeah.

8 Q. -- at the end of 2004?

9 A. Yeah.

10 Q. So while you were doing that, you  
11 wouldn't have been working for Allied Van Lines in  
12 Las Vegas?

13 A. Well, I'm on call. I'm on call with  
14 these things. You understand, in moving  
15 business -- okay, nine times out of ten with the  
16 moving business, all the time with me I'm on call.

17 They can call me -- they call me and I  
18 say, you know what? I don't feel like working  
19 today. So they get a little irritated for a while.  
20 Then I say, hey, I'm ready to go to work, you got  
21 something happening? They say yeah.

22 So they get you -- especially in the  
23 summer, they get -- everybody gets frantic for  
24 people to work in the warehouse, people that  
25 know -- they know that I know what I'm doing, so

1 they get me in the warehouse. I can help them  
2 clear things up for, like, three or four days and  
3 make myself five, six, 700 bucks and be back on the  
4 road again.

5 I take off to Mexico two months, three  
6 months, three years, or whatever. And they call me  
7 again or whatever or I call them. If the money is  
8 good, I'll be there. If it's not -- if the money  
9 is not any good, I won't be there.

10 Q. Okay.

11 A. Just that simple. So that's basically  
12 the way it works. That's basically the way it  
13 works.

14 They call me from the offshore company,  
15 wanted me to take some jack up rigs, oil rigs for  
16 the oil company to Arabia. I didn't want to go.  
17 That was, like, 60 bucks an hour.

18 Q. Right.

19 A. I didn't want to go back. It was back in  
20 January of this year. I didn't want to go.

21 Q. So when you were in Mexico, did they call  
22 you to come to work?

23 A. I could have gone to work in Mexico on an  
24 offshore rig, but I didn't -- I didn't -- I didn't  
25 want -- I didn't feel like going to work.



1 Q. But specifically back in 2004, when you  
2 were there for five months traveling, did they call  
3 you then?

4 A. In 2004, God, I can't remember. Might  
5 have.

6 I don't think I had my Mexican cell phone  
7 with me. Because you usually get a cell phone.  
8 You rent one, buy a card, call them up, here's my  
9 number.

10 If you got anything happening down here,  
11 like oil companies, I said I go down to -- I go  
12 down to Tamaulipas or I'll go down to Veracruz or  
13 Cancun and maybe do some service work or do that  
14 for you. And they send you -- they send me the --  
15 fax me application, da da da da da, you're hired.  
16 They by -- they bypass different things; okay?

17 Q. Okay. If you look down at the last line  
18 on the first page there.

19 A. Last line on the first page. Okay.  
20 Newspaper. Other.

21 Q. Yes. You checked the box as to how did  
22 you hear about us as "other."

23 And then can you read for us what you  
24 wrote?

25 A. "Went to circus in 1968."

1 Q. Yeah. That's my question. What is the  
2 date there that you wrote?

3 A. I don't know. Probably -- probably  
4 '68 --

5 Q. Okay.

6 A. -- because I got out of the -- no,  
7 couldn't have been '68. Maybe '58. Maybe '78. I  
8 don't know. Because the last time I went to the --  
9 I went -- went to the circus in 1968.

10 "Other" would have to do with -- I talked  
11 to the guys there at the -- when I was at The  
12 Orleans. And then I was probably referring to when  
13 I was filling out the application, talking to the  
14 lady in the thing there, and she was kind of  
15 guiding me through there, kind of like -- I don't  
16 want to get anybody in hot water here, but she was  
17 kind of guiding me through it there.

18 It could have been '68. It had to be in  
19 the seventies, because I was out of the service  
20 when I went to the circus there in Anaheim.

21 So the "other" would have to refer to my  
22 talking to the fellows there at The Orleans.

23 Q. And that's not listed there; is it?

24 A. No. Under "other," no. It says  
25 "specify."

1 Q. Okay.

2 A. It says "specify." Yeah.

3 Q. So the date there is not correct?

4 MS. CROWLEY: Objection. No foundation.

5 Misleading. You laid no foundation for what he  
6 understands by the word "other." He's already  
7 attempted to answer what his association with  
8 "other" is in connection with the circus. So why  
9 don't you lay a foundation?

10 MS. JOINER: I'll object to the coaching.

11 BY MS. JOINER:

12 Q. Mr. Ramos, you understand that if you  
13 don't understand my questions at any point in time,  
14 stop and ask me and we'll clarify.

15 A. Yeah. I understand your questions. And  
16 you're just trying to clarify. And I'm more than  
17 willing to -- to help you clarify all this.

18 Q. Sure. So when you went to the circus in  
19 Anaheim, that would have been in the 1970s;  
20 correct?

21 A. Yes. That had to be -- that has to be in  
22 the '70s.

23 Q. Okay. So this date here wouldn't be  
24 correct; is that right?

25 A. No, not 1958. 1970. How that got there.

1 1958 was, like, when I was ten years old or nine,  
2 because I was born in '48. So --

3 Q. Okay.

4 A. -- I don't recall being to the circus --  
5 the circus back in 1971.

6 Q. What was the reason that you decided to  
7 leave the circus? We touched on that earlier, I  
8 think, with Ms. Meyer.

9 A. Didn't like the job.

10 Q. Why was that? What didn't you like about  
11 the job?

12 A. I didn't like the way the animals were  
13 treated.

14 Q. And what specifically didn't you like  
15 about the way the animals were treated?

16 A. I didn't like the animals getting beat  
17 on. Just -- just didn't see any reason for it.

18 Q. Were there any other reasons as to why  
19 you left?

20 A. None that I can think of other than --  
21 that's about it. I just didn't like the treatment  
22 of the animals.

23 Q. So how did you -- how did you communicate  
24 that you were quitting? How did that happen?

25 A. Nothing. I just decided one day this is

1 not for me. I said, "You know, fellas, I'm going  
2 to -- I'm going to call it a day." That was in  
3 San Jose.

4 Q. And who did you speak to about that?

5 A. I think his name was Bill. I'm -- don't  
6 quote me on that there. But he was one of the  
7 fellas that was running around with the -- one of  
8 those hooks that they use on the elephants. What  
9 do you call those? I can't think of the name of  
10 them now. The bull hooks, whatever they were, that  
11 the elephant handlers use.

12 Q. Was this at the tent? Do you remember  
13 where --

14 A. Yeah. After they came back after the --  
15 after we put up the -- first day we put up the  
16 tent. The next day I came back, I said, "You know  
17 what? I'm going to call it a day." And that's  
18 about it.

19 Q. Did you talk to just one person or did  
20 you talk to anybody else?

21 A. No. I spoke with I- just spoke with the  
22 one handler. He said, "Okay, fine." And that was  
23 about it.

24 Q. Okay. So you were in San Jose at the  
25 time?

1 A. Yes.

2 Q. What did you do when you left?

3 A. I caught a plane back to Las Vegas.

4 Q. Have you worked with animals since --  
5 since that time?

6 A. No.

7 Q. Do you remember speaking to a person  
8 named David Polk when you quit?

9 A. David Polk. Was he one of the workers  
10 there?

11 Q. He is the --

12 A. I think there was a small guy there by  
13 the name of David that worked in the -- worked with  
14 the elephants there. Little short fella. I can't  
15 remember the names of the people there, but couple  
16 of them I do. But...

17 Q. Do you remember telling anybody when you  
18 left that you had to leave to take care of your  
19 mother who was sick?

20 A. No.

21 Q. You didn't tell anybody that?

22 A. No.

23 Q. I think you testified earlier that you  
24 had no training when you arrived at the circus; is  
25 that correct?

1           A.     That would be my opinion of the  
2 situation, yes.

3           MS. MEYER:   I'm going to actually object  
4 to that question.   I think it's taken out of  
5 context.   I think his testimony was he had no  
6 training with respect to the care of elephants.

7 BY MS. JOINER:

8           Q.     Okay.   Did you -- let's just go back and  
9 re-cover, because I may have misunderstood.

10           Did you have any training when you  
11 arrived --

12           A.     No.

13           Q.     -- at the circus?

14           A.     No.

15           What do you mean -- what do you mean by  
16 "training"?

17           Q.     Well, let's start this way:   What do you  
18 understand training to be and we can go from there?

19           A.     I would think as it pertains to taking  
20 care of animals, especially those as sophisticated  
21 as an elephant, would be very comprehensive, which  
22 it was not.

23           Q.     Did anybody tell you anything about the  
24 elephants?

25           A.     Troy told me to stay away from the

1 elephants and don't go near them for any reason,  
2 unless one of the handlers alerted me or called  
3 somebody and asked you to do something. And that  
4 was -- that was it in a nutshell. Wasn't supposed  
5 to go near the elephants without one of the  
6 trainers saying come over here and do this or that  
7 or whatever --

8 Q. Okay.

9 A. -- for any reason. They didn't want you  
10 near the elephants for any reason. I mean, within  
11 I guess, like, from here to there, what have you.

12 Q. Okay. Do you remember who you worked  
13 with at the time?

14 You mentioned Troy Metzler. Do you  
15 remember anybody else that you worked with?

16 A. The people I worked with were the other,  
17 supposedly, caretakers; okay? Now, I consider  
18 Mr. Metzler and the -- and the elephant handlers  
19 people that I didn't work with. They were kind of  
20 like the people in charge type thing, and they just  
21 says -- I didn't work with them. I need this done,  
22 this done, and do this, do that, one thing and  
23 another.

24 The people I worked with were people  
25 other -- were like myself, subordinates. I would



1 consider subordinates to the trainers or the  
2 handlers, if you will.

3 So those are -- I worked with a little --  
4 I think his name was -- might have been Dave. A  
5 fellow by -- a tall fellow by the name of Casey,  
6 another short fellow, and a young lady, that were  
7 in the same capacity I was.

8 Q. Did you all work the same shift?

9 A. Yes.

10 Q. That would have been during the day?

11 A. Yes.

12 Q. Did Mr. Metzler tell you anything else  
13 about the elephants?

14 MS. CROWLEY: Objection; vague. Can you  
15 be more specific? At a particular time? Are you  
16 talking throughout his -- duration of his  
17 employment?

18 BY MS. JOINER:

19 Q. Yeah. During the five days that you were  
20 employed, you told us that Mr. Metzler told you to  
21 stay away from the elephants and don't go near them  
22 without a trainer.

23 Did he tell you anything else about the  
24 elephants?

25 A. He says -- he said they were not --

1 they're animals; they are not pets. Quote,  
2 unquote. "They're dangerous animals, not pets."

3 Q. Did he talk to you about any of your  
4 duties or responsibilities?

5 A. Basically. Not on a verbatim, but to the  
6 best of my recollection and best of my -- way he  
7 said things to me is just, they'll show you what  
8 needs to be done around here. And the other  
9 fellows in my capacity, they showed me what needed  
10 to be done, and basically just follow their lead.

11 Q. Okay. So back to the question about  
12 training.

13 Did you review any kinds of rules, any  
14 kind of videos, any kind of orientation that you  
15 had?

16 A. Yes. I saw a couple of videos in the  
17 trailer in San -- San Diego. San Diego. I think  
18 it was in San Diego I saw some videos which --  
19 well, they kept going off and on and the sound kept  
20 going off and on. But basically just left there to  
21 look at videos. And the video supposedly kept  
22 going off and on. And it came to an end and then  
23 they came. Okay, fine, da da da da, fill this out.  
24 Kind of like that.

25 It was a very -- very casual type

1 atmosphere, to say -- to say the least.

2 Q. Do you remember what -- what those videos  
3 were about that you saw?

4 A. One was what the circus -- the blue unit,  
5 this and that. And I think one was on safety. But  
6 I can't recall because the video -- the video kept  
7 stopping, the sound kept going off and on, and it  
8 finally came to an end. I lost interest in the  
9 video, let's put it that way.

10 I told the -- I told the people about it.  
11 I said -- basically, their attitude or their -- the  
12 basic thing was kind of like don't worry about it.  
13 That was -- that was my thing I said. The radio is  
14 kind of like not that good. They said -- well, it  
15 wasn't taken as something that was -- was  
16 necessary, let's put it that way.

17 Q. Okay.

18 A. It might have been because they were in a  
19 transition. They said they were moving to another  
20 trailer, this and that. Stuff was thrown all over.  
21 Kind of like a mess.

22 Q. Did you actually -- once you got to  
23 Oakland, did you actually stay on the train?

24 A. I -- I -- yes. I -- I had a room in the  
25 train.

1 Q. So can you describe for us -- you talked  
2 earlier about your daily schedule.

3 How did you get from the train to the  
4 venue?

5 A. There was a personnel bus. They had a  
6 bus that left every so often, back and forth to the  
7 train.

8 Q. And what time in the morning would you  
9 leave?

10 A. Depending. Whenever they -- whenever  
11 they said they needed something -- they needed you  
12 there. Sometimes it was seven, sometimes it was  
13 eight or nine, whatever. Whenever the trainer  
14 said, well, be here at the -- be here at the tent  
15 at such and such time in the morning.

16 Q. Okay. And when you got there in the  
17 morning, then what would you do?

18 A. I would have to clean up the tent where  
19 the animals were chained up all night. We had to  
20 clean up all the excrement and everything else, the  
21 urine, and hose things down and kind of like that.

22 Q. Okay. And then after you cleaned up,  
23 what would you do next?

24 A. Clean up the equipment, just make sure  
25 the elephants had food, make sure all the equipment

1 and everything was in order, make sure that  
2 everything was -- at least I did -- make sure  
3 everything was safe and the tent was secure. Just  
4 basic things like that, but didn't -- basically,  
5 didn't go near the elephants.

6 Q. And after the tent was secure, did you  
7 have any other duties?

8 A. Just whatever -- just whatever needed to  
9 be done out there. The trainers, they come out --  
10 the handlers say do this or that, get the elephants  
11 some food or -- just whatever -- you had to just be  
12 there in case they needed something done.

13 Q. Were the elephants in their pens at that  
14 time?

15 A. They didn't have pens.

16 MS. CROWLEY: Objection; no foundation.

17 THE WITNESS: The elephants don't have  
18 pens. They're chained up. They have platforms  
19 they're chained to and -- they have wooden  
20 platforms that they're chained to.

21 BY MS. JOINER:

22 Q. Do you remember seeing an electric fence  
23 while you were there?

24 A. Somebody -- this is just hearsay now --  
25 somebody mentioned there was an electric fence

1 around the thing, but I didn't -- I didn't see an  
2 electric fence. I was not -- I didn't see an  
3 electric fence that I -- that I know of. Of  
4 course, I didn't go around touching the fences and  
5 stuff.

6 Q. So in Oakland the tent was outside; is  
7 that correct?

8 A. Yes --

9 Q. Okay.

10 A. -- the parking lot.

11 Q. Were the tent flaps open during the day?

12 A. Yeah. Sometimes, when it got warm, we  
13 were instructed to open up the tent so we get  
14 better ventilation. At least that was my theory.  
15 Just -- I just -- I just followed orders.

16 Q. Uh-huh. Did you have a break during the  
17 middle of the day for four or five hours?

18 A. During the -- yeah, there was -- there  
19 was slack times I would call them, slack times.

20 When the elephants giving shows, you'd  
21 sweep up, make sure the hay was picked up on the --  
22 when the elephants were at the show and they're all  
23 done, you'd make sure that everything was cleaned  
24 up. So there was always something to do there.  
25 You cleaned up or hosed down or -- and made sure

1 everything was sanitary for the -- sanitary for the  
2 animals there.

3 Their -- their -- their thing was make  
4 sure the people don't see it. They didn't want the  
5 people to see anything dirty there, especially if  
6 they had the tent open.

7 Q. Okay. Is it your testimony that they  
8 were in chains all day long?

9 A. Most of the time -- not -- during the  
10 day, the -- the elephants were -- were -- were --  
11 when they're not -- when they come back from the  
12 show, sometimes they were chained with one leg to  
13 their platform there.

14 The big elephant was practically always  
15 chained, the biggest one, either inside the tent or  
16 outside the tent, when people came in for viewing.  
17 The rest of the animals were left free from time to  
18 time after -- during the day.

19 But depending on what the trainers wanted  
20 to do, sometimes they bring them in and they would  
21 chain -- chain them to their platforms there, under  
22 the tent. It depended. They would -- they  
23 would -- just depended what the trainers --  
24 trainers do.

25 But the one big elephant was always

1 chained, either outside or inside the -- inside the  
2 tent. Once in a while, she would be, but there  
3 would always be one or two trainers there.

4 Q. Was it a single chain on one foot?

5 A. Yes. That was during the day. During  
6 the evening, they were chained up with two chains,  
7 front leg and back leg.

8 Q. Have we covered all of your duties that  
9 you had while you were there? Cleanup, hose down,  
10 feed.

11 A. Just try -- try and keep the place  
12 sanitary and clean for the animals. I guess try to  
13 make them feel comfortable, as comfortable as they  
14 could under the circumstances.

15 Q. Did you take anything with you when you  
16 left the circus?

17 A. No, not that I can think.

18 Q. No employment documents, anything like  
19 that?

20 A. No. I gave my ID and everything back to  
21 the --

22 Q. Returned everything?

23 A. Yes.

24 Q. Did you take any photos or videos while  
25 you were there?



1 A. Not me, no.

2 Q. Okay. When did you first learn about  
3 this case?

4 A. They contacted me from Washington.

5 Q. When was that?

6 A. September or -- September or October.

7 Q. Who was it that contacted you?

8 A. I think it was a lady by the -- it might  
9 have been Katherine or Tonya or Sandra.

10 Q. Was that by phone?

11 A. Yes.

12 Q. And what did they say?

13 A. Well, I had spoke to somebody in San Jose  
14 when I was quitting --

15 MS. CROWLEY: Jerry --

16 THE WITNESS: Well, just said --

17 MS. CROWLEY: -- listen to the question.  
18 What did they say?

19 THE WITNESS: Okay. This was -- like to  
20 talk to me about -- about my employment with  
21 Ringling Brothers Circus, as it pertained to the  
22 elephants there.

23 BY MS. JOINER:

24 Q. How long did that conversation last?

25 A. Probably two or three minutes. Very

1 brief.

2 Q. Did you talk to them about your  
3 employment on the phone?

4 A. They send they would send someone out to  
5 make contact with me, and I said, "That's fine." I  
6 said, "Okay. That's fine."

7 Q. Who did you talk to in San Jose about  
8 your employment?

9 A. What are you talking about? I don't  
10 understand what you're saying.

11 Q. You just -- you just mentioned that you  
12 spoke to somebody in San Jose about the circus.

13 Who was that?

14 A. Oh, the fellow that gave me his card.  
15 When I -- when I decided to come back to  
16 Las Vegas, I was outside the thing there, and I was  
17 waiting for one of the guys to come back to give  
18 him my ID and my circus stuff, like that, and my  
19 uniforms and stuff. And there was a fellow -- I  
20 just happened to be -- I went to go get a hot dog.  
21 There was a little food court out there, so I went  
22 to go get a hot dog and a soda pop. And there was  
23 a fellow there, standing, and I was -- happened to  
24 be standing there. And I think he said -- I don't  
25 know what he said.

1 I says, "Yeah, this is ridiculous." I  
2 says, "It's just horrible the way those -- they  
3 treat those animals." He says -- says -- says,  
4 "How do you know that?" I says yeah. I says -- we  
5 got to talking. I said, "Yeah. I just worked  
6 there for a week," and kind of like that. He says,  
7 "Here's a card. I think these people would like to  
8 talk to you."

9 I thought he was a guy from a newspaper,  
10 because he had a camera and stuff. I says -- oh,  
11 that's what it was. I said, "You with the  
12 newspaper?" And he says, da da da da da. I says,  
13 no, da da da da da da. I forget what he said.

14 But he gave me this card of this law firm  
15 in Washington. And he said, "I think they would  
16 like to talk to you." And I said, "Okay. Fine.  
17 No problem." And that's how I got in contact with  
18 the Washington, D.C. people.

19 Q. Did you contact them first?

20 A. No. No. They -- they -- they contacted  
21 me.

22 Q. Did the man with the camera tell you his  
23 name?

24 A. He might have. It was a very brief  
25 conversation. It just wasn't anything that --

1 wasn't a lengthy type thing. It was very brief.

2 It was, Hi, how are you?

3 I thought he was with the newspaper. Had  
4 a camera. And he says -- I think he said he was  
5 with some activist group or something, or SPCA or  
6 something like that. I says I don't -- didn't  
7 talk -- didn't talk much.

8 Q. Do you remember if he told you his name?

9 A. He might have. I think -- I think he  
10 might have, but I don't -- I don't -- I don't  
11 recall his name.

12 Q. Was it Mr. Cuvello [phonetic]?

13 A. I couldn't say one way or the other. I  
14 just -- I was -- didn't really pay much attention.  
15 Just gave me a card. And I think I gave him my --  
16 hey, if you want to talk about it, here's my --  
17 here's my phone number. And they contacted me, and  
18 kind of like that.

19 Q. When you were at the circus, did you talk  
20 to anybody at all about your concerns about how the  
21 animals were treated?

22 A. Not really, other than -- other than  
23 Casey. I spoke with Casey, and Casey said that --  
24 I think the first time they beat on the animals.  
25 But I don't know what -- I don't want to be getting

1 anybody in trouble.

2 MS. CROWLEY: Just answer the question.

3 That's okay. Just answer the question.

4 THE WITNESS: He said, "This isn't the  
5 first time they beat on those animals." And the  
6 other fella says, "Yeah." Says, "One of the  
7 animals went crazy in the big -- big tent one time,  
8 and after they got him back -- after they got him  
9 subdued in the circus, they brought him back and  
10 wailed on him."

11 But the animal -- I think it was -- they  
12 sent the animal back. I guess it's in the funny  
13 farm now or something like that.

14 But the other fellow said he seen them  
15 beat on the animals. And I said, Well -- I says,  
16 Man -- I said, "I don't need a job that bad."

17 BY MS. JOINER:

18 Q. Is Casey a man or a woman?

19 A. It's a male.

20 Q. Do you remember what his position was?

21 A. Same as mine, caretaker.

22 Q. And who was the second person?

23 A. I can't remember his name. There was  
24 one, two -- it was five of us -- to the best of my  
25 recollection, there was five of us that were kind

1 of like caretakers.

2 He said people are always coming and  
3 going. When I had got there, one guy had just  
4 quit, but he didn't quit the circus. I think he  
5 went to work in the arena.

6 Q. You had referenced earlier an incident  
7 that you witnessed with Mr. Metzler.

8 Do you remember that?

9 A. With the bull hook?

10 Q. Yes.

11 A. Yes.

12 Q. You described earlier for us.

13 A. That was -- there was -- there was a  
14 couple other ones where he took the hook --

15 MS. CROWLEY: Wait until she asks the  
16 question.

17 BY MS. JOINER:

18 Q. Sorry. I'm trying to be accurate here.

19 A. That was in Oakland.

20 Q. Okay. So that was in Oakland.

21 What was the elephant doing?

22 A. He was next to the -- he was next to the  
23 other elephants, the bigger elephants. It was the  
24 baby elephant, always the baby elephant. She  
25 seemed to be the one that was a little bit more

1 independent, so to speak, and hadn't had enough  
2 hits over the head or bull hooks in the mouth, I  
3 guess, to -- to -- to get the message instilled in  
4 her.

5 She was next to some of the elephants  
6 there and drinking. Either -- one time she was  
7 drinking water and eating some hay from a pile  
8 and -- next to the elephants, next to the bigger  
9 ones. And he wanted her, I guess, away so he put  
10 the bull hook right in her mouth and kind of  
11 like -- and that was -- that was interesting.

12 And another time he put -- she didn't  
13 want to -- I guess she didn't want to move.  
14 Anyway, for whatever reason, he took the bull hook  
15 and hit her over the head with it.

16 Q. Now, this elephant that you keep  
17 referring to is the baby elephant?

18 A. The baby elephant. That would --

19 Q. Do you have any age?

20 A. I really couldn't say. It was smaller  
21 elephant, smaller than the other ones. But they  
22 kept referring to her as "the baby." That was the  
23 baby elephant.

24 Q. After you spoke with the attorneys in  
25 September or October, did somebody come here to

1 Las Vegas to meet with you?

2 A. From the law firm?

3 Q. Yes.

4 A. Yeah. Tonya Sanerib.

5 Q. When was that visit?

- 6 A. Had to be in -- I think it was October  
7 or -- September or October.

8 THE REPORTER: Tonya -- can you spell  
9 Tanya's last name?

10 THE WITNESS: S --

11 MS. MEYER: I can. It's S-A-N-E-R-I-B.

12 BY MS. JOINER:

13 Q. How long did you meet with Ms. Sanerib?

14 A. I would say approximately an hour.

15 Q. And what did she say to you?

16 A. That she would -- that they had a case  
17 that was a case pending with the animal rights  
18 people against Ringling Brothers, and any  
19 information that I can supply them would be --  
20 anything I could tell them about my experience with  
21 Ringling Brothers. That was basically it.

22 I said, well, that's basically -- the  
23 same thing I'm telling you, that's basically what I  
24 saw, what took place in my -- in my brief period  
25 with the Ringling Brothers Circus.



1 Q. Did she tell you who the five plaintiffs  
2 in the case were?

3 A. She might have, but I really didn't pay  
4 attention to it.

5 Q. What else did you discuss with her?

6 A. That's about it. Just my -- my  
7 experiences with the circus, as it pertained to the  
8 elephants. That's about it. Basically, the same  
9 thing I'm telling you, what took place with the  
10 elephants.

11 Q. And then did you have any additional  
12 contact with Plaintiffs' counsel after that?

13 A. No. This is -- this is only the second  
14 time I've met someone from the law firm here.  
15 Tonya and Katherine here.

16 Q. Did you meet with Ms. Meyer before your  
17 deposition today?

18 A. No. Uh-uh.

19 Q. So you mean -- when you say met with her,  
20 you mean here at the deposition?

21 A. Yeah. This is the first time I've even  
22 laid eyes on her --

23 Q. Okay.

24 A. -- or spoke with her for that matter.

25 Q. Have you done any kind of volunteer work

1 with any animal rights groups?

2 A. No.

3 Q. Okay.

4 A. I don't belong to any animal rights  
5 groups.

6 Q. How did you find your counsel for today?

7 A. Tonya said that -- contact the -- this  
8 law firm. They might be able to represent you in  
9 the -- in the deposition.

10 Q. What is the name of your attorney here  
11 today?

12 A. Amanda -- Amanda Cowley.

13 Q. Are you paying for her?

14 A. No. She's pro bono.

15 MS. JOINER: Let's take a five-minute  
16 break, and I'll make sure I don't have anything  
17 else. Okay?

18 THE VIDEOGRAPHER: Off the record at  
19 12:00.

20 (A brief recess was taken.)

21 THE VIDEOGRAPHER: Back on the record at  
22 12:10.

23 MS. JOINER: I have nothing further.  
24  
25

FURTHER EXAMINATION

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BY MS. MEYER:

Q. Mr. Ramos, I would like you to take a look at Exhibit 2, which is the --

MS. MEYER: Actually, let's switch again. That's a good idea. Sorry. Off the record here.

(Thereupon, a brief off-the-record discussion was held.)

THE VIDEOGRAPHER: Back on the record.

It's 12:11.

BY MS. MEYER:

Q. Mr. Ramos, I would like you to take a look at Exhibit 2, which is your application for employment with Feld Entertainment.

Were you under oath when you signed that application?

A. No.

Q. But you're under oath today; aren't you?

A. Yes.

Q. Would you actually refer to page 2 of that exhibit --

A. Uh-huh.

Q. -- for me?

And I just want you to read to yourself, before I ask you a couple of questions, the first

1 paragraph at the bottom that starts with "I  
2 understand." Just read that paragraph to yourself.

3 A. "I understand that --

4 Q. No. Just silently. I'm sorry.

5 A. Okay.

6 Q. Let me know when you're done reading just  
7 that first paragraph.

8 A. Oh, just the first one. I'm done with  
9 it, yeah.

10 Q. Okay. And did you, on page 2 of  
11 Exhibit 2, authorize Feld Entertainment to  
12 thoroughly investigate the information included on  
13 your employment application?

14 A. I authorized them to do whatever makes  
15 them feel comfortable with me being employed with  
16 them.

17 Q. I'm asking you a very specific question  
18 based on that first paragraph.

19 A. Yes, yes, yes.

20 Q. Again, I'll just repeat it. And wait  
21 until I'm done until you answer it; okay?

22 Did you authorize Feld Entertainment to  
23 thoroughly investigate the information included on  
24 your application?

25 A. I certainly did, yes.

1 Q. Did you authorize Feld Entertainment to  
2 thoroughly investigate that information for the  
3 purposes of deciding whether or not to hire you?

4 A. Yes.

5 Q. And if Feld Entertainment had  
6 investigated your criminal background, is there any  
7 reason why they would not have found out about your  
8 criminal record?

9 A. No. Public record.

10 Q. Okay.

11 A. I thought I checked that "yes," but  
12 evidently I put "no" on this.

13 Q. You mentioned a conversation you had with  
14 an individual at Ringling Brothers named Casey.  
15 And you mentioned in your response to questions  
16 from Defendant's counsel that Casey recounted an  
17 incident that he apparently observed, which  
18 involved Troy Metzler or somebody else wailing on  
19 some elephants.

20 Do you remember that testimony?

21 MS. JOINER: Objection to form,  
22 mischaracterizes prior testimony --

23 MS. MEYER: Could you read --

24 MS. JOINER: -- assumes facts not in  
25 evidence.

1 MS. MEYER: Could you read that testimony  
2 back, please?

3 (Thereupon, the requested portion of the  
4 record was read back by the court  
5 reporter.)

6 MS. MEYER: Thank you.

7 BY MS. MEYER:

8 Q. When you provided that testimony and you  
9 were referring to the other fellow who gave -- who  
10 said that he had seen Ringling Brothers individuals  
11 wail on an elephant, who was the other fellow you  
12 were referring to?

13 A. That could have been any one of the  
14 elephant -- I wasn't there. That was just related  
15 to me by -- by -- I think it was Casey, or it might  
16 have been the other fellow. But since I wasn't  
17 there, I couldn't really say who -- who -- I wasn't  
18 there, employed with the circus at that time.

19 It was just -- that was just stuff that  
20 was related to me after they knew what I saw, the  
21 little baby elephant get the thing -- hook in her  
22 mouth. And then I just brought up kind of like  
23 conversation relating to the treatment of the  
24 animals and so forth and so on.

25 MS. JOINER: Objection to hearsay, lack

1 of foundation. Move to strike.

2 MS. MEYER: Well, you're the one who  
3 elicited the testimony, so I'm allowed to follow up  
4 on it.

5 BY MS. MEYER:

6 Q. I'm just trying to find out if you  
7 remember who the individual was who repeated this  
8 information to you?

9 A. I'm almost certain it was Casey, the  
10 tall -- the tall fellow.

11 Q. And when this individual used the phrase  
12 "wailed on the elephant," what did you understand  
13 that to mean?

14 A. Well, I would understand it to mean that  
15 it wasn't being nice. It was something that wasn't  
16 very pleasant if you were in the position of the  
17 elephant. Beating the elephant, using -- using  
18 excessive force on the animal, mistreating the  
19 animal, or doing whatever had to be done to make  
20 the elephant be subservient to one. Whatever else  
21 goes along with it. That would be my -- that would  
22 be my opinion, just -- wasn't anything nice, let's  
23 put it that way. That would be my opinion.

24 Q. And you answered some questions regarding  
25 the circumstances under which you saw the elephants

1 off the chains. And I want to ask you if you could  
2 be more precise about that.

3 You seemed to indicate that you saw them  
4 off the chains when they were doing the show; is  
5 that correct?

6 A. Yes. Yes.

7 Q. Now, is the public able to see them when  
8 they're doing the show?

9 A. When they're -- that's in the arena, yes.  
10 They take you out -- can I -- you want me to  
11 elaborate or just --

12 Q. Sure. Go ahead.

13 A. The elephants have their own tent  
14 outside; okay. Now, in Oakland they had an arena,  
15 like a sports arena, big, covered arena, and they  
16 march the elephants in there, they do their show  
17 and come back out, and they get a break. They  
18 have -- for each show they go on -- I seen them go  
19 on twice.

20 Once they come back out, some of them are  
21 chained out, some are left out front for the  
22 people, viewing or whatever, so they can have some  
23 leisure time. And then they put their -- several  
24 of them put their headdresses on again and they  
25 take them back in.



1           And then they bring them back and chain  
2           some of them up and leave some of them loose.  
3           Sometimes they'll leave them all loose except for  
4           the one, but that's not -- that's maybe for about  
5           an hour, two hours, if that.

6           That would be my -- that would be my  
7           recollection of what took place in between the  
8           shows there. Sometimes there's one show, sometimes  
9           there's two shows, sometimes there's three shows.

10          Q.    And how long are the elephants actually  
11           performing in the show?

12          A.    Shoot, I -- I've never seen the show so I  
13           really couldn't tell you when it would -- it would  
14           be a guesstimation. Just a guesstimation would be  
15           from the time they leave the tent area from where  
16           they're chained to, the chained area, from the time  
17           they come back, I would say it's approximately half  
18           an hour to 50 minutes.

19          MS. JOINER:  Objection.  Move to strike  
20           as nonresponsive.

21          THE WITNESS:  But you could -- that could  
22           be determined.  You can go to any show.

23          BY MS. MEYER:

24          Q.    You testified that you actually observed  
25           the elephants when they were brought out of the

1 tent and then taken in to perform; is that correct?

2 A. Yeah.

3 Q. And did you observe the elephants being  
4 brought back from a performance and then put back  
5 in the tent?

6 A. Yes.

7 Q. And how -- is your estimate based on the  
8 time that you observed where the elephants came out  
9 of the tent, went in, performed, and came back out  
10 of the tent?

11 A. Yeah --

12 Q. Came back into the tent.

13 MS. JOINER: Objection; compound.

14 THE WITNESS: Yeah. I'd say it's  
15 about -- about a half an hour to 50 minutes. That  
16 would be my guesstimate.

17 BY MS. MEYER:

18 Q. So your guess is based on your actual  
19 observations?

20 A. Yes. Yes. Empirical knowledge, as it  
21 were.

22 Q. Okay. And you mentioned one or two hours  
23 when the elephants are not on chains.

24 And my question is, is that a time when  
25 the public can see the elephants?

1           A.    Yes.  During the day the public can --  
2   between performances, the public can -- they set up  
3   a fence.  At least in Oakland, there was a fence  
4   set up, little white fence, about that high, looked  
5   like a picket fence.  And the public would come out  
6   there and they could talk to the handlers and --  
7   and view the elephants.

8           Q.    And that's the time when the elephants  
9   were not on chains; is that correct?  Except for  
10  the one that you said was always in chains?

11          A.    Yes.  Yes.

12                 Sometimes there are -- five of them were  
13  unchained and one was always chained, the big one.  
14  Sometimes the handlers, for whatever reason, would  
15  take a few of the other elephants, bring them back  
16  to the thing and chain them, chain one foot, and  
17  leave just maybe four or three out there for the  
18  public to view.

19                 But most of the time, to the best of my  
20  recollection, there was the one elephant -- they  
21  were all out there.  I think there was six or eight  
22  elephants and -- let's see -- one, two, three,  
23  four -- yeah, I think there was eight elephants all  
24  total and -- yeah, eight elephants.

25                 And sometimes they would leave like --

1 the big one would be chained up front for public  
2 viewing. There would be a stake, a big metal stake  
3 with a chain on it, and chain up the one leg there.  
4 And then the rest would be out there. They used to  
5 have hay or bamboo for them to munch on while  
6 they're out there.

7 And once in a while the trainers would,  
8 for whatever reason, grab a couple of the elephants  
9 and they would bring them back under the tent and  
10 chain up one leg for whatever reason. So it was  
11 just a sporadic thing I guess. I don't know what  
12 their reasoning was.

13 And then they would get them ready for --  
14 if they had more than one show, they would get them  
15 ready for the next show. Just wait around for the  
16 next show. And to the public -- once the public  
17 cleared up, sometimes they would leave some of them  
18 out there. Sometimes they'd bring them back and  
19 chain up their leg in the tent there. But that was  
20 about it.

21 Q. When the elephant weren't performing or  
22 being walked to the performance or outside for  
23 public viewing, where were they?

24 A. They would be in the tent or just around  
25 the tent area or they would be inside chained up,

1 or sometimes it would be in -- under the tent.  
2 They would -- most of the time they would -- some  
3 of them would be unchained and they would be  
4 running around -- not running around, but be  
5 unchained in that particular area.

6 Q. But when they were inside the tent, were  
7 they chained?

8 A. Most of the time, yes, and sometimes, no.

9 Q. And did the public have access to the  
10 elephants who were inside the tent?

11 A. What do you mean by "did they have  
12 access"?

13 Q. Could the public go inside the tent --

14 A. No.

15 Q. -- and see the elephants?

16 A. They had to be -- I could draw you a  
17 diagram, but --

18 Q. That's all right.

19 A. Like, this would be the tent here, the  
20 table. And out front, that area there would be,  
21 like, a fence. That wall would be, like, a fenced  
22 area, but it would be bigger. And the public would  
23 be behind there, and that would be like an open  
24 area where they would have the elephants, and they  
25 would come outside the tent, and they could eat

1 their food or hay or whatever they did, and the  
2 public could view them. But it was a lot bigger.

3 Q. But, again, did the public have access --  
4 did the public view the elephants when they were  
5 inside the tent?

6 A. Only if the -- only if the sides of the  
7 tent were up. If the sides of the tent were up --  
8 there was only an entrance to the tent, and the  
9 public could not see what was going on inside the  
10 tent there, only when the elephants were outside  
11 the tent.

12 Q. Was -- were -- was the public allowed  
13 inside the tent?

14 A. No, no.

15 MS. MEYER: I have no further questions.

16 Actually -- I'm sorry. I do. I do have  
17 another question.

18 BY MS. MEYER:

19 Q. You testified in response to one question  
20 from Ms. Joiner that you saw Troy Metzler hit the  
21 baby elephant over the head with a bull hook.

22 Do you remember that testimony?

23 A. Yes.

24 Q. Did Mr. Metzler use force when he hit the  
25 elephant over the head with the bull hook?

1 MS. JOINER: Objection; vague.

2 BY MS. MEYER:

3 Q. Can you describe what you saw?

4 A. Well, to -- to put it in context, have  
5 you ever seen anybody swing a baseball bat -- a  
6 baseball player swing a baseball bat? Kind of like  
7 that, but over the head.

8 MS. MEYER: I have no further questions.

9 MS. JOINER: I have no further questions.

10 Thank you.

11 THE VIDEOGRAPHER: Off the record at  
12 12:25.

13 THE REPORTER: Do you want a copy?

14 MS. JOINER: Yes.

15 MS. MEYER: Ordering.

16 (Thereupon, the taking of the deposition  
17 was concluded at 12:25 p.m.)

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