

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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

Plaintiffs,

v.

Case No. 03-2006 (EGS/JMF)

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

Defendants.

EXHIBIT 2

TO

**MEMORANDUM OF POINTS AND AUTHORITIES IN
SUPPORT OF FEI'S MOTION TO COMPEL
DISCOVERY FROM PLAINTIFF TOM RIDER
AND FOR SANCTIONS, INCLUDING DISMISSAL**

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

Plaintiffs,

v.

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

Defendants.

Case No. 03-2006 (EGS)
JUDGE: Emmet G. Sullivan

**DEFENDANTS' FIRST SET OF INTERROGATORIES
TO PLAINTIFF TOM RIDER**

Pursuant to Federal Rule of Civil Procedure 33 and the Stipulated Pre-Trial Schedule dated December 5, 2003, defendants Feld Entertainment, Inc. and Ringling Bros. and Barnum & Bailey Circus hereby propound the following first set of interrogatories to plaintiff Tom Rider. Plaintiff is requested to respond to these interrogatories within thirty (30) days after the date of service of these interrogatories, in accordance with Federal Rule of Civil Procedure 33(b)(3).

I. DEFINITIONS AND INSTRUCTIONS

Defendants incorporate by reference, as if fully set forth herein, the Definitions and Instructions set forth in defendants' First Set of Document Requests to Plaintiff Tom Rider. In addition, the following definitions and instructions should be considered in responding to these interrogatories.

DEFINITIONS

1. "Describe" means (1) when used in reference to any communication, complaint, or report, to state the date and location of the communication, complaint, or report, to identify each person who spoke, complained, reported, or otherwise communicated, to identify each person who heard the communication or to whom the communication was addressed or directed, to state the substance of the communication, complaint, or report, and to state any response received; (2) when used in reference to any event or incident other than a communication, complaint, or report, to state the date and location of the event or incident, to identify all people present at or involved in the event or incident, to state what occurred, and to state the source of your knowledge; and (3) when used in reference to a job or employment, to state the position you held and your responsibilities, the provide the dates that you held the position, to identify your employer and each of your immediate supervisors, to state whether you left voluntarily or involuntarily, and to state the reason you decided to leave or the reason you were asked to leave.

2. "Identify" means (1) when used in reference to a natural person, to state his or her name, any former or stage names, job title, and present or last known residence and business address and telephone numbers; (2) when used in reference to a person other than a natural person, to state the entity's name, address, and principal business telephone

number; (3) when used in reference to a document, to state its date, title, general subject matter, each author, all individuals designated on the document to receive a copy, and, if such document was but is no longer in your possession, custody, or control, or if any such document was in existence but is no longer in existence, what disposition was made of it, when such disposition took place, and the identity of the person(s) who ordered or authorized such disposition.

INSTRUCTIONS

You shall adhere to the following instructions in responding to these interrogatories:

1. These interrogatories shall be deemed continuing so as to require supplemental answers if you obtain further information after the answers are served.
2. If you are unable to answer any of these interrogatories fully and completely after exercising due diligence to obtain the information necessary to make a full and complete answer, so state and answer each interrogatory to the fullest extent possible, specifying the extent of your knowledge and your inability to answer the remainder.
3. Each interrogatory shall operate and be construed independently. Unless otherwise indicated, no paragraph limits the scope of any other paragraph.

II. INTERROGATORIES

1. Describe each and every job or volunteer position you have held with defendants.
2. Describe each and every job or volunteer position you have held since you completed high school (or, if you never completed high school, since your last year of schooling) that you did not describe in response to the previous interrogatory.

3. Describe any training or experience you have in the treatment of Asian elephants, including but not limited to the use of an ankus or tethering Asian elephants, and describe that training or experience, including the employer that required you to take such training, if any.

4. Describe every communication you have had regarding defendants with any and all animal advocates or animal advocacy groups prior to working for defendants, while working for defendants, or since leaving defendants' employment.

5. Describe every communication you have had regarding defendants with any members of the press or at any lectures, conferences, or seminars.

6. State whether you have ever been arrested for, charged with, or convicted of a crime. If you have been arrested for, charged with, or convicted of a crime, for each arrest, charge, or conviction, describe the incident for which you were arrested, charged, or convicted and provide the jurisdiction of the arrest, charge, or conviction, and/or plea; the offense(s) for which you were arrested and/or charged; the offense(s) to which you pled guilty or of which you were convicted; the disposition of any other charges against you; the sentence, incarceration, or other form of punishment imposed on you; and the date of each arrest, conviction, plea, punishment, incarceration, or other disposition.

7. Identify any civil litigation to which you have been a party or have testified, whether in the United States or abroad, including without limitation the parties to the case, the attorneys who represented any of the parties, whether you were a plaintiff or a defendant, the jurisdiction in which the case was filed, the causes of action asserted in the case, the allegations in the case, and the disposition of the case.

8. Identify any person who you or the other plaintiffs expect to call as a witness in this case, and state the subject and substance of their expected testimony.

9. State the date on which you first became aware of defendants' alleged mistreatment of Benjamin, and describe each incident thereafter in which you contend that Benjamin was mistreated.

10. State the date on which you first became aware of defendants' alleged mistreatment of Kenny, and describe each incident in which you contend that Kenny was mistreated.

11. State the date on which you first became aware that defendants allegedly harmed their elephants, as is alleged in the complaint, and describe each incident thereafter in which you contend that defendants harmed one or more of their elephants.

12. Describe each and every incident which you did not identify in response to the previous interrogatory in which you contend that defendants have "taken" an elephant within the meaning of the Endangered Species Act.

13. State the date on which you first became aware of any alleged injuries that you claim were suffered by any of defendants' juvenile elephants as a result of defendants' practices regarding separation of juvenile elephants from their mothers and describe each incident thereafter in which you contend that one of defendants' juvenile elephants was injured as a result of its separation from its mother

14. Describe each incident in which you allegedly observed someone harm one of defendants' elephants, as alleged in Paragraph 19 of, or elsewhere in, the complaint.

15. Describe each complaint or report that you made to any person about the way that the defendants' elephants were treated while you were employed by defendants.

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16. Describe the extent and nature of your contact with each and every elephant with which you worked while you worked for defendants, including the dates that you worked with that elephant.

17. Describe each of your "observations" of elephants that you know, as alleged in Paragraph 23 of the complaint, since you left defendants' employ, including which elephants you observed.

18. For each elephant with which you claim, in Paragraph 23 of the complaint, a "close personal relationship," describe the "demeanor and behavior" which you contend is "a result of the way [the elephants] are mistreated by Ringling Bros."

19. Describe each incident in which you contend that one of defendants' elephants has been "chained" for "long periods of time, up to 20 hours a day, and longer when the elephants are traveling," including the name of the elephant allegedly involved.

20. Describe each incident in which you claim to have seen one of defendants' elephants exhibiting "stereotypic behavior" as set forth in the complaint.

21. Describe every communication you have had with any current or former employee of defendants since your employment with defendants concluded.

22. Describe every circus performance or any other activity involving the presentation of animals, including performances or activities of the Ringling Bros. and Barnum & Bailey Circus, that you viewed or witnessed since you left defendants' employ.

23. Describe each occasion since you left defendants' employ in which you have sought employment or volunteered your services to work with animals, and whether you secured the position you sought. If you did not secure the position and were given a reason for your rejection, provide that reason.

24. Identify all income, funds, compensation, other money or items, including, without limitation, food, clothing, shelter, or transportation, you have ever received from any animal advocate or animal advocacy organization. If the money or items were given to you as compensation for services rendered, describe the service rendered and the amount of compensation.

25. Describe the subject and substance of the testimony that would be given by each person identified in the initial disclosures.

COVINGTON & BURLING



Harris Weinstein (DC Bar No. 032268)
Eugene D. Gulland (DC Bar No. 175422)
Jeannie Perron (DC Bar No. 456099)
Joshua D. Wolson (DC Bar No. 473082)
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004
(202) 662-6000

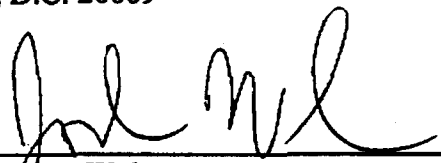
ATTORNEYS FOR DEFENDANTS

March 30, 2004

CERTIFICATE OF SERVICE

I, Joshua D. Wolson, certify that I caused a true and correct copy of the foregoing to be served on this 30th day of March, 2004, via Federal Express, upon the following:

Katherine A. Meyer
Eric R. Glitzenstein
Jonathan Lovvorn
Kimberly Ockene
Meyer & Glitzenstein
1601 Connecticut Avenue N.W.
Suite 1700
Washington, D.C. 20009



Joshua Wolson