

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE PREVENTION)	
OF CRUELTY TO ANIMALS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	
)	Civ. No. 03-2006
)	(EGS)
RINGLING BROTHERS AND BARNUM & BAILEY)	
CIRCUS, <i>et al.</i> ,)	
)	
Defendants.)	

**PLAINTIFFS’ OPPOSITION TO DEFENDANT FELD ENTERTAINMENT’S
REQUEST THAT THEY BE REQUIRED TO FILE AN EXPEDITED RESPONSE TO
ITS “MOTION TO ENFORCE THE COURT’S SEPTEMBER 26, 2005 ORDER”**

Plaintiffs oppose defendant Feld Entertainment’s request that plaintiffs be required to file an expedited response, by June 18, 2007, to its “motion to enforce the Court’s September 26, 2005 Order,” for the following reasons.

1. Plaintiffs’ lead counsel who is handling this matter will be out of town from June 15-19, 2007 on a personal matter than can not be rescheduled.
2. None of the records covered by FEI’s motion is covered by a protective order in this case, and all of those records are exhibits to public pleadings that have already been filed with the Court in support of major briefs by the plaintiffs. Accordingly, any member of the public or press can obtain copies of such documents simply by logging on to the PACER system or going down to the courthouse and requesting copies. Indeed, FEI itself has now filed yet another full set of these non-confidential documents with the Court in support of its new motion.

See Defendant's Exhibit 5.

3. Defendants' counsel have been working on their motion for well over a month – indeed, by letter dated May 8, 2007, they stated that they “will file a motion” concerning this matter. See Letter from John M. Simpson to Katherine Meyer (May 8, 2007) at 2, Defendants' Exhibit 2. In light of this fact, it is entirely unfair to request that plaintiffs only get five working days to respond to their motion.

4. Defendants have not demonstrated that they have suffered any harm whatsoever from the plaintiffs' reference to these publicly available documents on their websites.

For the foregoing reasons, plaintiffs should be given the full amount of time allotted by the Local Rules to respond to defendant's motion.

Respectfully submitted,

/s/ Katherine A. Meyer

Katherine A. Meyer
(D.C. Bar No. 244301)
Kimberly D. Ockene
(D.C. Bar No. 461191)
Tanya M. Sanerib
(D.C. Bar No. 473506)

Meyer Glitzenstein & Crystal
1601 Connecticut Ave., N.W.
Suite 700
Washington, D.C. 20009
(202) 588-5206

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