

PLAINTIFFS' EXHIBIT 1
To Plaintiffs' Motion Under Rule 11
Against Defendants And Their Counsel
Civ. No. 03-2006 (EGS/JMF)

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VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

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PEOPLE FOR THE ETHICAL TREATMENT
OF ANIMALS, INC.,

Plaintiff,

vs. At Law No. 220181

KENNETH FELD, et al.,

Defendants.

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PEOPLE FOR THE ETHICAL TREATMENT
OF ANIMALS, INC.,

Plaintiff,

vs. At Law No. 204452

STEVEN KENDALL, et al.,

Defendants.

-----X

Fairfax, Virginia

Tuesday, February 28, 2006

The trial commenced at 9:50 a.m.

BEFORE:

THE HONORABLE DAVID T. STITT

1 THE COURT: Plaintiff's 88 and 89 are admitted
2 over objection.

3 (The bills marked for identification as
4 Plaintiff's Exhibit Nos. 88 and 89 were received
5 in evidence.)

6 BY MR. HIRSCHKOP:

7 Q 89 is Sells-Floto special operations, \$3,793 for
8 reference B. What was that for, for the reference B,
9 Putting People First?

10 A 89?

11 Q Yes.

12 A I don't know.

13 MR. HIRSCHKOP: I would move No. 90 in evidence.
14 Your Honor.

15 THE COURT: Plaintiff's 90 is admitted over
16 objection.

17 (The bill marked for identification as
18 Plaintiff's Exhibit No. 90 was received in
19 evidence.)

20 MR. HIRSCHKOP: I'd move No. 91 into evidence,
21 Your Honor.

22 THE COURT: Number? I'm sorry. 90?

1 the name."

2 Do you see that?

3 A I see that, yeah, the name.

4 Q Animal Rights Litigation, Inc. What is Animal
5 Rights Litigation, Inc.

6 A I don't recall.

7 Q Did it ever come to your attention that PETA
8 printed a lot of literature that other groups used?

9 A I think that's probably true.

10 Q Thank you, sir.

11 Look at page -- it will be four 0s and 9 in the
12 lower right-hand corner.

13 A 04?

14 Q Quadruple 09?

15 A Got it.

16 Q At the bottom, "Money. Putting People First is
17 still in its infant stages. We have taken control of
18 circus activities within the same, but they need some help
19 with fund-raising."

20 Do you recall that?

21 A (No response).

22 Q Sir?

1 MR. HIRSCHKOP: 91.

2 THE COURT: 91.

3 MR. HIRSCHKOP: To speed the thing up, I've
4 agreed with counsel if it's billing or report I needn't ask
5 the witness about it; I can just move it.

6 THE COURT: Mr. Cawley.

7 MR. CAWLEY: That's fine, subject to the
8 objection.

9 THE COURT: The same objection certainly
10 Plaintiff's 91 is admitted over objection.

11 (The document marked for identification as
12 Plaintiff's Exhibit No. 91 was received in
13 evidence.)

14 BY MR. HIRSCHKOP:

15 Q Sir, take a look at 91, would you, please.

16 MR. HIRSCHKOP: Would you put on it the screen,
17 please, the bottom.

18 BY MR. HIRSCHKOP:

19 Q Do you see that bottom paragraph there, "Opening
20 night. PPF group arrives at 6 p.m. About two dozens
21 demonstrators from PETA groups. They have posters, two
22 children in costumes. Not protesting under PETA, but using

1 A I don't -- I don't recall it except for seeing it
2 here.

3 Q All right. Look at the middle of that next page,
4 triple 0 10. Do you have that, sir?

5 A I do.

6 Q The second part, the middle of the page, sir.

7 A Okay.

8 Q "Attack PETA at their weak points; lawsuits,
9 legislation, government interaction, money irregularities,
10 public support. Get other industry involved in fight.
11 Fur, animal research, government, et cetera."

12 Did you authorize Mr. Froemming to do all those
13 things?

14 A No. I think he's making suggestions.

15 Q It goes -- I'm sorry. Did you finish?

16 It goes on to state, "By keeping up the pressure
17 other PETA on both fronts, they will have a hard time
18 keeping demonstrators on the front line. Will spend more
19 of their resources in defending their actions."

20 This was all about countering PETA's

21 demonstrations, wasn't it?

22 A I think when you're under attack by an