

PLAINTIFFS' EXHIBIT 13
To Plaintiffs' Motion Under Rule 11
Against Defendants And Their Counsel
Civ. No. 03-2006 (EGS/JMF)

Privacy Act Notice on Reverse

AFFIDAVIT

bl
(name of affiant) []
statement:

[] *bl*
being duly sworn on oath make the following

Freely under oath to Mr. Samuel Santiago who has identified himself as an Investigator with
USDA, APHIS, INVESTIGATIVE & ENFORCEMENT SERVICES. I am [] *bl*

[] FELD ENTERTAINMENT INC DBA RINGLING BROS.
AND BARNUM & BAILEY CIRCUS. I have been in this position for [] I have been in *bl*

bl this organization since [] The phone contact is [] My postal address is [] *bl*

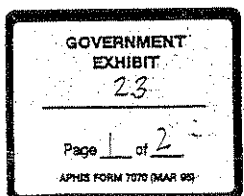
Investigator Santiago has inquired regarding a complaint of abuse of the elephants on the Blue Unit. There has not been any abuse of any of the elephants. I deny that Nicole has been abused by me or any of the employees of the circus. Nicole is one of the gentlest elephants in the group. The allegation of me breaking a fiberglass ankus over the top of Nicole is not true. I have never beaten Nicole or any of the elephants. Nicole is not known to be afraid of performing. I have two ankuses. One of them is about 12 inches and the other about 2.5 feet. I use the ankus to lead the elephants. I use the ankus to lead the animal by the chin. Ninety percent of communication is vocal. I have never used an ankus to beat any of the elephants. I have never seen any of my colleagues beat or abuse any of the circus elephants.

We use a purple liquid in a spray bottle that we apply to the animals and it is used for drying and killing bacteria on the animals.

Karen likes her space and does not like strangers. We advise new employees without any elephant experience to stay away from her to avoid getting hurt. She is a very intelligent elephant. She is not aggressive but will push you away. I do not consider Karen to be dangerous to the general public. She is one of the most intelligent elephants in our unit. [] *bl*

SIGNATURE OF AFFIANT [] *bl*

Subscribed and sworn to before me at Sunrise, Florida
on this 9th day of January, 1999



PL 04334

Privacy Act Notice on Reverse

AFFIDAVIT

I, (name of affiant) statement:

being duly sworn on oath make the following

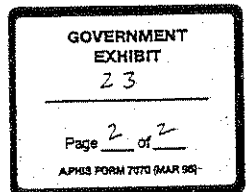
The elephants are walked when they arrive to and leave the cities where the circus is performing. The distance varies because the distance from the train yard to the arena varies. The elephants are taken out and watered and washed everyday. The elephants are exercised during their performance. We also exercise them by walking them before the performance. We also set up exercise pens if the site permits. We also have them practice their current routines and practice new routines.

The elephants are not exercised during the movement on the train. They do have enough room to lay down in the stock car. We always have personnel in the stock cars to keep the cars clean, feed and water the elephants. We have personnel attending these animals 24 hours a day, 7 days a week.

I have read and had the opportunity to change and correct this sworn statement which is true and correct to the best of my knowledge.

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Sunrise, Florida on this 9th day of January, 1999



PL 04335