

**PLAINTIFFS' EXHIBIT 9**  
To Plaintiffs' Motion Under Rule 11  
Against Defendants And Their Counsel  
Civ. No. 03-2006 (EGS/JMF)

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF COLUMBIA

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4 AMERICAN SOCIETY FOR THE PREVENTION :  
5 OF CRUELTY TO ANIMALS, et al., :  
6 Plaintiffs, : Civ. No.  
7 v. : 03-02006  
8 RINGLING BROTHERS AND BARNUM & BAILEY : (EGS)  
9 CIRCUS, et al., :  
10 Defendants. :

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12 Washington, D.C.

**Certified Copy**

13 Thursday, October 12, 2006

14 Videotaped deposition of TOM E. RIDER, called  
15 for examination by counsel for the Plaintiffs in the  
16 above-entitled matter, pursuant to notice, the witness  
17 being duly sworn by CARLA L. ANDREWS, a Notary Public  
18 in and for the District of Columbia, taken at the  
19 offices of Meyer, Glitzenstein & Crystal at 1601  
20 Connecticut Avenue, Northwest, Suite 700, Washington,  
21 D.C. 20009-1056, at 9:27 a.m., Thursday, October 12,  
22 2006, and the proceedings being taken down by Stenotype  
by CARLA L. ANDREWS and transcribed under her  
direction.

1 A Oh, no, no.

2 Q When you executed the affidavit for USDA that  
3 Mr. Simpson referred to earlier, did you include every  
4 single incident you observed at Ringling Brothers that  
5 you considered to be mistreatment of the elephants?

6 A No.

7 Q Why not?

8 A The length of time it would have taken to do  
9 a day by day just I have seen this hooking and that  
10 hooking would have a been very, very, very long tedious  
11 process. So I explained that it was an everyday  
12 occurrence.

13 Q And when you gave testimony before the  
14 Connecticut Senate that Mr. Simpson referred to  
15 earlier, did you include every single incident that  
16 occurred at Ringling Brothers that you considered to be  
17 mistreatment?

18 A No.

19 Q And why not?

20 A I had three minutes to speak. I could not  
21 possibly cover it all in three minutes.

22 Q And the testimony that you gave to the U.S.

1 Congress about the Ringling Brothers, did you include  
2 every single incident of mistreatment that you  
3 experienced at Ringling Brothers?

4 A No, ma'am.

5 Q And you mentioned in response to a question  
6 from Mr. Simpson an elephant named Rebecca. Why  
7 haven't you gone to see Rebecca?

8 A Rebecca is on a sanctuary and doesn't need me  
9 to go see her. She is living her life in a sanctuary  
10 as far as I know.

11 Q Whose sanctuary is it?

12 A I believe it is PAWS in California.

13 Q And are you welcome to come to PAWS?

14 A As far as I know. I have never been told not  
15 to come to PAWS.

16 Q Did you leave PAWS under good terms with Pat  
17 Derby and Ed Stewart?

18 A No, I wasn't mad at them personally. I was  
19 mad at them settling the lawsuit. So is that is a yes  
20 or a no? I was not -- I wasn't taking it out on them  
21 personally. I was mad because they settled the  
22 lawsuit.