

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. :

_____ :

DEFENDANT'S OPPOSITION TO PLAINTIFFS' MOTION UNDER RULE 11

EXHIBIT 4

Tom Rider's Evolving Story

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Response, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
		<p>“The abuse at Ringling Brothers is 6 out of 7 days a week. The worst that I witnessed was the following.”</p>	<p>“June 12-15, 1997, Lubbock, TX. We had a tornado coming and the elephants were acting up and so everybody grabbed their bull hooks, all the handlers, except me, started going after the elephants, started hooking them, and making them get their legs up.”</p>	<p>“The length of time it would have taken to do a day by day [description of what he saw in his USDA affidavit] just I have seen this hooking and that hooking would have been a very, very, very, very, long tedious process. So I explained it was an everyday occurrence.” Ex. 73, Rider Dep. at 297 (10/12/06).</p>	<p>What Rider actually told the USDA is “6 out of 7 days” which is not “everyday.”</p>
	<p>“(.) in Lubbock, TX (about June 12, 1997) – there was a semi-emergency because of a tornado in the area. The employeess started hitting and hooking the elephants to get them out of the tent and into one of the buildings. I saw blood on the trunks of the elephants. It was my job to unchain the elephants, the elephants were panicked and looked like they wanted to run. Graham Chipperfield was in charge of the elephants.”</p>			<p>The version of this incident in the 2004 interrogatory answer leaves out the part about getting the elephants out of the tent and into the building and out of the way of the storm. The second version of this incident therefore clearly suggests that the elephants were hooked to subdue them, not to move them to shelter.</p>	

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<p>“When I say beating, I’m talking about both hands on the hook and severely beat them three or four times on the head. Not just thumping them one time, well, that was their discipline. That’s their, quote, discipline for the elephants, is smack them on the head.” [Tr. p. 64-65.]</p>			<p>“June 19-22, 1997, Little Rock, ARK. In Little Rock they were doing a lot of hooking and hitting. In Little Rock, the elephants were taken off the train, put into a building, and chained up 24/7. The only time they were unchained was to do the show or rehearse.”</p> <p>“June 24-25, 1997 Tulsa, OK. The whole time, the elephants were being hit, hooked, yelled at.”</p> <p>“June 27-29, 1997, Oklahoma City, OK.. Basically the same thing - hooking, poking, stabbing by the handlers. Whenever they came in to clean the elephants, they started hooking and hitting them.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p> <p>The PAWS statement distinguishes between “beating” and “thumping them one time” which is acknowledged by Rider to be a disciplinary measure. That distinction appears nowhere in the USDA affidavit or the 2004 interrogatory answer.</p>
			<p>“July 3-6, 1997,</p>		<p>This account was omitted</p>

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<p>“Okay, Tupelo, Mississippi, July of '97 one of them comes to mind. We were doing a load-out and we got down to the stock cars and there was a dumpster sitting in front of the door. Graham was impatient and, instead of waiting to get one of the harness to come over, one of the harlums that pull the truck, wagons around with, to move the dumpster, he went and got Karen and was</p>	<p>“My first experience with an elephant running was in Tupelo, Mississippi, when we were on the elephant walk returning to the train and a cattle truck stopped to let us pass. Karen, who was in the front, was startled by the cattle and she, Minnie and Mysore took off running straight down the road. Luckily, it was at night and there were some police cars in their path which stopped them and the trainer was able to catch them. If this had occurred during the day, with a lot of public aground, it could have caused a lot of injury to innocent</p>	<p>“2) On July 9, 1997, in Tupelo, MS – again a storm was coming in, all the elephants were chained in a line and getting wet, the elephants were starting to get antsy. After the storm, Graham and I unchained the elephants to walk back to the night facility. A cattle truck drove up and scared the elephants and four of them started to run. Graham took off after them and he hooked one elephant (it was Mini) in the front of the trunk and brought her down on the ground. He did stop them from running, but Mini ends up with a 3 inch cut across the trunk.”</p>	<p>Memphis, TN. I remember in Memphis nobody cared whether the fireworks were going off on the 4th of July and the elephants were getting all panicky and everybody that would walk up, would hit or yell at them.”</p>		<p>The March 2000 PAWS statement was the closest in time to this incident, and Rider states, under oath, that he remembered it “very specifically.” Yet the only thing remarkable about Tupelo, according to Rider’s statement to PAWS, was the fact that the elephant Karen was used to push a dumpster to one side. He makes no reference at all to an incident regarding allegedly runaway elephants.</p> <p>The statement to the congressional committee in June 2000 was in connection with a bill that would have banned elephants from traveling shows because they are</p>

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<p>making Karen push it. Karen was trying to push it. Of course, she wasn't trying hard enough. He hooked her and yanked her back and he screamed at her. He said, 'Karen, move the dumpster.' And Karen rammed the dumpster because he put the hook right behind her leg and yanked like that. She hit the dumpster and sunk about a 3-foot hole in that brand new dumpster and flipped it over sideways. I don't know if Karen (unintelligible) but, I mean, she sunk a big hole in it. You might be able to verify the record with the people in the</p>	<p>people."</p>				<p>allegedly "dangerous." Therefore Rider's June 2000 congressional statement does not mention the fact that there was a storm with lightning, which are details included in the USDA affidavit and the 2004 interrogatory answer. In the June 2000 congressional statement, the elephants are startled simply by a cattle truck as opposed to a storm. The June 2000 congressional statement also adds another "running" elephant - Mysore - that is omitted from the other versions. The narrative in the June 2000 congressional statement suggests that, but for the police cars, the handlers would not have caught the elephants; later versions omit the police cars and emphasize the hooking as the means of stopping the elephants.</p> <p>The USDA affidavit and the 2004 interrogatory</p>

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<p>(unintelligible) company. Just ask them if they got a dumpster that has a big ol' elephant hole hit in the side where it dented it. That was Tupelo, Mississippi. That was early on in my travels with them. And I remember that very specifically." [Tr. at pp. 43-44.]</p>					<p>answer, which are submitted in support of claims of "elephant abuse" tell a different story. They omit any reference at all to the police cars being the reason the elephants were stopped and emphasize what Rider claims were the "hooking," "stabbing" and "poking" – none of which is described in either the PAWS statement or the June 2000 congressional statement. In the USDA affidavit, four elephants ran; by the time Rider submitted the 2004 interrogatory answer, he implied that all of the elephants were running. In the USDA affidavit, Mini [sic] was the one "hooked;" in the 2004 interrogatory answer it was Karen.</p>
<p>"Jackson, Mississippi. There I remember having them out, and one thing I felt was very cruel, it</p>			<p>"July 11, 1997, Jackson, MS. A lot of hooking and hitting of the elephants by Jeff Pettigrew, Franko, Sonny. I can't recall all the handlers, anybody that</p>		<p>The Mach 2000 PAWS statement was closer in time to the events, but when asked about it, all Rider could relate about Jacksonville was that it was "cruel" for the</p>

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<p>started raining and we got a very, very cold breeze and they were outside underneath an awning. But the wind was blowing so hard, the water was coming in on them. It was a very cold rain. We basically had to put our coats on. This was, what, July? There was a chill to the cold wind." [Tr. p. 44.]</p>			<p>had a bull hook was doing the hitting and stabbing."</p>		<p>elephants to be out in the rain in July in Florida. Four years later, no mention is made of the "cold rain;" instead Jacksonville stands out as an instance of '[a] lot of hooking and hitting,' none of which was mentioned in the PAWS statement.</p>
<p>"The only thing I remember about Houston, the summer, how hot it was. They were inside. We would take them outside, wash them off. It was extremely hot. We didn't have a lot of cold air downstairs. But the heat is not</p>			<p>"July 15-27, 1997, Houston, TX. We ended up putting the elephants downstairs all in a row chained up. The only time they went outside was to get water. Sometimes we watered them inside."</p>		<p>The PAWS statement acknowledges that the Houston, Texas, heat is not a significant issue for Asian elephants. That acknowledgement is omitted from the description of the Houston events in the 2004 interrogatory answer in which the emphasis is upon "chaining" which is nowhere mentioned in the</p>

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<p>going to hurt them all that bad. That's where, Houston, Texas, basically, was still Graham Chipperfield. That's when he talked to me about wanting to be barn man. I really wanted to at that point because I wanted to get in there and start taking care of the girls."</p> <p>[Tr. p. 46.]</p>			<p>"July 30 - August 10, 1997, Dallas, TX. There we had elephants in a patio behind the parking deck on the bottom, first level. Again, there was a lot of hitting, stabbing, and poking of the elephants with bull hooks. Systematic daily abuse is what I call it."</p>		<p>statement to PAWS.</p> <p>The 2004 interrogatory answer makes no reference to Dallas being the point at which Rider started to complain about elephant treatment.</p>
<p>"I'd say about Dallas, it was Dallas or shortly after that I started complaining a lot about people hooking the elephants and stuff, and kind of got this feeling that I better watch my mouth because I haven't been here very long. I started getting a little upset about that</p>					

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<p>stuff and (unintelligible) mentioning it to them. But that portion, the first year was really just seeing the stuff going on and not really opening my mouth too much about it and stuff because of fear of what could happen to me.” [Tr. pp. 46-47.]</p>					<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“August 15-17, 1997, Ft. Worth, TX. The elephants were inside the building the whole time. No exercise, chained up the whole time, except when the animals were rehearsing or performing. Again, every time the handlers come in to clean up the elephants, they hooked and hit the elephants.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“August 21-24, 1997, New Orleans, LA. The elephants were inside the Superdome the whole time, and, again, there was a lot of hitting and</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>

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<p>"[O]nly thing I can remember about Wichita, Kansas in '97. I remember that was a (unintelligible) walk-out when we left. It was like a three and-a-half to four-mile walk that we do. It had to be 95 or 100 degrees out. We took off walking across -- the pavement was -- I remember it being so hot, that Graham wanted to water down the pavement on the road, to see if you could get water trucks through the blacktop between the arena and where we load them in this little town. It didn't happen, of</p>			<p>stabbing the elephants with bull hooks."</p> <p>"August 29-31, 1997, Wichita, KS. Basically the elephants were inside the coliseum there, kept inside the whole time. A lot of hooking went on, whenever the handlers laid the elephants down, they hooked them."</p>		<p>The March 2000 statement to PAWS was closer in time to the events in question, but the "only thing" Rider remembered about Wichita, Kansas, was the heat and the purported lack of water for the elephants. Four years later, none of this is mentioned in the 2004 interrogatory answer. Instead, Wichita is another town in which "[a] lot of hooking went on."</p>

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<p>course. But I remember that walk in particular was very -- we stopped maybe halfway just to rest them for a minute. The heat was outrageous that day walking them. At the pace they walked, they drank a lot of water that day when I watered them right after the stocks. They drank a lot of water. They should have been watered halfway. That was my feeling. It is only a three and-a-half mile walk but, still, when the girls are in that kind of heat and walking like that, they should at least stop and have some water. A water truck or somebody come</p>					

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<p>along, hose them or something. It was very hot out that day.” [Tr. pp. 47-48.]</p>					<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“Sept 9-12, 1997, Miliwaukee, WI. Again, the elephants were hooked and hit. I remember when the handlers came in to clean up the elephants, and they would always be hooking and hitting them.”</p>	<p>“Sept. 3-7, 1997, Greenbay, WI. The elephants were inside, and getting hooked all the time. I was getting yelled at because I was complaining about people hooking the elephants.” Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04).</p>	<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“Sept. 12-14, 1997, Moline, IL. The elephants were outside in a tent, chained up 24 hours a day. The only time when they were unchained was to do a show or maybe rehearse. The handlers hooked and hit the elephants all the</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>

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			<p>time.”</p> <p>“Sept 17-21, 1997, Kansas City, MO. The elephants were kept inside the building, with no exercise, chained up the whole time, except when they were performing or rehearsing. There again, the elephants were hooked and hit all the time.”</p>	<p>“Sept. 17-21, 1997, Kansas City, MO. I complained about the elephants being hit.”</p> <p>Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04).</p>	<p>Both of these accounts were omitted from the PAWS statement and the USDA affidavit.</p>
<p>“Detroit, Detroit Michigan. That was a walk where -- Graham used to walk so fast. He would walk the elephants fast. That was the one time we got him to slow down a little bit. We had</p>		<p>“3.) October 1997, in Detroit -- the elephant ‘Susan’ was sick (not eating, diarrhea). I reported it to Gary (Veterinarian with Ringling Brothers). Gary and Graham came out to see ‘Susan,’ looked at her from a distance, did no examination, and claimed the elephant looked fine.</p>	<p>“Sept. 24-28, 1997, Indianapolis, IN. The elephants were chained up the whole time, never got out for exercise except when they went in to the arena to rehearse or do a show. Again, the handlers hooked and hit the elephants whenever they cleaned them.”</p>	<p>“Oct. 1-5, 1997, Detroit, MI. We were inside, and the elephant Susan got sick. I requested the veterinarian Gary West and Graham Chipperfield to come back to the unit. They came back, they stood about 20 feet away and looked at her, said she looked fine, probably had a stomach ache and</p>	<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“Oct. 1-5, 1997, Detroit, MI. Jeff Pettigrew told me that if I didn’t quit complaining about the handlers hitting and disciplining the elephants he was going to get me fired.” Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04).</p>		<p>The March 2000 PAWS statement says nothing about the elephant Susan. In the PAWS statement, Detroit is significant because of the long elephant walk. This fact is omitted from the USDA affidavit and the 2004 interrogatory answer. It could reasonably be argued that the difference</p>

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<p>extremely long walks for the elephants. That is something that amazed me. Sure, elephants walk a long way, but we had them -- never did we ever stop off and water them between like a three and-a-half mile walk or something. We never stopped. We just did the whole walk." [Tr. p. 50.]</p>		<p>I took care of 'Susan,' and she does recover, but the Vet did not examine her."</p>	<p>walked off. That is not taking care of an elephant to me, but that is what they did. Also, there was hooking and hitting by Jeff Pettigrew."</p>		<p>The USDA affidavit and the 2004 interrogatory answer focus on the veterinary care for the elephant Susan. Although Rider acknowledged in the USDA affidavit that Susan recovered, he omitted that fact from the 2004 interrogatory answer and added a statement of "hooking and hitting by Jeff Pettigrew" that is not found in either of the 2000 statements.</p>
<p>"Other than that, the daily stuff,</p>		<p>"4.) October 1997, in Pittsburgh, PA - I</p>	<p>"Oct. 22-26, 1997, Pittsburgh, PA. Alex getting poked and hit."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p> <p>Rider's description of Alex Vargas evolves over</p>

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<p>for the menu that year, we were just constantly seeing more and more figuring out who, at that point, it came to me, who was hook happier than the other person. Who was doing a lot of -- the beating at that time, it was Jeff Pettigrew, some of your older guys there, Sonny and (unintelligible) quote, acts, the presenters. (unintelligible), Alex. Alex wasn't too bad. He would have his days. He was probably one of the very few supervisor types that I seen. He is still with -- he is with the tent show now. He is one of the very</p>		<p>witnessed Alex Vargas and Daniel Raffo beating the elephant 'Nichole and Sophie.' Apparently the elephants did not perform in the show correctly and they were being punished. The people (public) outside the tent could hear the elephants screaming from the beating."</p>	<p>Vargas came back and the elephants were not doing the public walk right and so Vargas and the other handlers got them inside, closed the curtain, and started hitting the elephants, and the elephants were screaming."</p>		<p>time. The March 2000 statement to PAVS describes Vargas as "not that bad," as one of the "few supervisors" who "didn't really like using the hook too much" and as a person who would "yell" at others for overusing the guide. The later versions omit these statements about have Vargas and lump him in with the other alleged abusers. It could be reasonably be argued that the omissions stem from the fact that Vargas "yelling" at other for improper husbandry practices demonstrates that FEI does not condone animal abuse.</p> <p>In the USDA affidavit, the "punishment" of the elephants is for the activities during the performance; in the 2004 interrogatory answer, it is for activities on the public walk.</p>

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<p>few that I have seen that didn't really like using the hook too much. He would get kind of upset at Roffo and a few others when they overused the hook. That became quite a big -- that was a very big thing on an everyday basis yelling at somebody because they are hooking somebody too much. The problem was they just kept hooking. They wouldn't stop. They are pretty bad." [Tr. pp. 51-52.]</p>			<p>"Oct. 29-Nov. 2, 1997, Buffalo, NY. Again, hooking and hitting all the time. Hooking them and getting them on the train, hooking them getting them off"</p> <p>"Nov. 5-9, 1997, St.</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p> <p>This account was omitted</p>

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<p>“Asheville, February 1st, 1998, Asheville, North Carolina. The day we got there, it was like 65, 60, 65 degrees and Randy said, ‘Well, we are not going to walk them. We have to wait until morning to walk them.’ I don’t think it was just Randy. I believe the police said we had to wait. Well, the next morning there was 8 inches of snow on the ground. We actually walked the elephants in that snow. It was</p>		<p>“6.) February 1998 – we were in Nashville, [sic] NC, and it was snowing. We were made to walk the elephants 3 ½ miles in the snow (from the train, to where the show was set up), it was dangerous because it was slippery.”</p>	<p>Louis, MO. The elephants were hooked and hit when they were being cleaned.”</p> <p>“Jan. 21-25, 1998, Birmingham, AL. It was the same -- the elephants were hooked and hit.”</p> <p>“Jan. 28 - Feb. 1, 1998, Asheville, NC. We didn’t unload them when we got there, instead we waited until next morning and we had 8 inches Of snow. We had to walk the elephants in the snow. Getting them off the train, the elephants were repeatedly hooked to make them move faster in the snow.”</p>	<p>“Jan. 28-Feb 1, 1998, Asheville, NC. Jeff Pettigrew threatened my life because I was complaining about everybody hitting the elephants all the time.”</p> <p>Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04).</p>	<p>From the PAWS statement and the USDA affidavit.</p> <p>This account was omitted from the PAWS statement and the USDA affidavit.</p> <p>The USDA affidavit and the 2004 interrogatory answer imply that it was negligence by FEI that resulted in waiting until the next morning to unload the elephants and then having to do the elephant walk in the snow. The PAWS statement includes the point that the local police may have dictated that the unloading be postponed until the following morning. That point is not included in either the USDA affidavit or the 2004 interrogatory answer.</p> <p>The 2004 interrogatory answer emphasizes that the elephants were “repeatedly hooked to make them move faster in the snow.” Nothing about</p>

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<p>a good two and-a-half miles uphill and downhill. My opinion is -- that's maybe an opinion. If I was a trainer I would have never walked them in the snow and I never would have walked them on a slippery surface because they could have slipped and hurt themselves.</p> <p>That's (unintelligible.)</p> <p>They did have trucks out there to plow the snow away but it was coming down just as fast. One thing in particular happened to me. I was walking one of the miniature horses and a tree branch come down and</p>					<p>this is stated in either the PAWS statement or the USDA affidavit.</p> <p>The 2004 interrogatory answer describes a "threat" on Rider's life because he was "complaining about everybody hitting the elephants all the time." A death threat would be a memorable event for anyone, but Rider mentioned no such threat by Petigrew in either the PAWS statement or the USDA affidavit.</p> <p>Furthermore, Rider admitted in his 2006 deposition that he did not report this "threat" to the police or to the union, and he continued working for FEI in any event despite the "threat." Ex. 73, Rider Dep. at 263-64 (10/12/06).</p>

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<p>hit me and the horse. Luckily, it wasn't a big one, but it bounced off my shoe and hit one of the miniature horses. If that could have been an elephant, it would have ran. We could have had a problem tacked on. If it would have been somebody like Karen, she would have came back into the crowd and killed somebody. She is a very mean elephant." [Tr. pp. 70-71.]</p>					
<p>"I would say that at one point, I don't know, in my two and-a-half year tenure there, they came</p>		<p>"7.) February 1998, in Greensboro, NC - I had been doing a lot of complaining about the animal abuse, Randy wanted to get me out of</p>	<p>"Feb. 3-8, 1998, Knoxville, TN. Again, hooking and hitting of the elephants - very hard to watch"</p>	<p>"Feb. 11-15, 1998, Greensboro, NC. Randy Peterson hit and hooked the elephants."</p>	<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
				<p>"Feb. 11-15, 1998, Greensboro, NC. I went to the Union, because Randy Peterson threatened my job because I was</p>	<p>Rider admitted in his 2006 deposition that, in response to a threat by Randy Peterson to fire Rider because of Rider's complaining about</p>

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<p>up and they were saying something about they wanted -- Randy wanted to get rid of me. It was in Greensboro, North Carolina. And Randy said, 'I'm going to get you out of the circus completely.' And I said, 'Well, I would be careful because I got 16 rolls of film of abuse.' So I was kind of noted -- I never had the 16 rolls of film but it was nice. It put a little bit of scare in at the time. They thought, maybe he does. And for some reason I was never bothered again. I was asked the day before I left to go to Europe, did I have that film, by</p>		<p>the circus because of my complaints, Randy knew I didn't like the animal abuse."</p>		<p>complaining about people beating the elephants." Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04).</p>	<p>elephant treatment, Rider threatened Peterson with "16 rolls" of tape of alleged elephant abuse and that Rider's statement in that regard was untrue (because he had no such tapes). Ex. 73, Rider Dep. at 264 (10/12/06). However, the point about the phantom "16 tapes" was omitted from the USDA affidavit and the 2004 interrogatory answer. One could reasonably argue that the omission was made because Rider stated to PAWS that, once he played the 16 rolls of tape gambit, he was never bothered again -- a fact that would be inconsistent with Rider's frequent assertions that he did not complain about elephant abuse while he was employed by FEI to anyone in a position of authority because he was constantly fearful of being fired. See Ex. 73, Rider Dep. at 200 (10/12/06) ("Q. You could have walked up and</p>

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<p>one of the girls, Jamie, that works on the -- (unintelligible.) 'Do you really have the film?' I said, 'Jamie, if I did, I would have used it a long, long time ago.' I said, no, I didn't. But it didn't help my job a couple of times." [Tr. pp. 15-16.]</p>		<p>"8.) February 1998, in Richmond, VA - I saw Jeff Pettigrew try to get two elephants (Zina and Rebecca) to lay down. The elephants would not respond to him and he beat the elephants. Immediately after the beating - I saw 24 plus lesions on Zina, and 36 plus lesions on Rebecca. Randy saw what Jeff had done to the elephants, and got mad at Jeff because he was afraid that Mr. Feld would see the wounds on the elephants (Kenneth Feld was</p>	<p>"Feb. 18-22, 1998, Richmond, VA. We were inside. This is where Zina and Rebecca were being laid down by Andy Weller and Jeff Pettigrew, who beat them severely. When they were done, I had to go get the wonder dust and had to cover up about 30 hook wounds on Zina and 20 on Rebecca. Kenneth Feld showed up that night when the elephants were screaming, and he did not pay any attention to it."</p>	<p>"Down in Richmond, Virginia, we actually had to cover up 30-plus hook marks on one elephant and 20-plus hook marks on another elephant." Ex. 72, Statement to Nebraska Legislature (1/25/06).</p>	<p>told him [Kenneth Feld] what you thought the problem with the treatment of the elephant was if you wanted to, couldn't you? A. No sir. Q. What kept you from doing that? A. Getting fired from Ringling Brothers.... [In Greensboro, North Carolina Randy threatened my job, the same thing. So, no I was very scared to go to Kenneth Feld").</p> <p>In the March 2000 PAWS statement, which is closer in time to the events in question, Rider cannot remember the exact number of "hook marks" on the elephants, and stumbles through the account. As the story is told again, the number becomes more definite, and it increases.</p> <p>The PAWS statement makes no mention of Kenneth Feld being present in Richmond. This detail is added to the later accounts. In the</p>
<p>"One case in particular, in Richmond, Virginia, that would have been the first year with Randy Peterson, Zyna and Rebecca. Zyna had -- it was either 23 or 28. I can't remember the exact number but it was between 23 and 28, that one of them had 23 and one of them had 28 hook marks</p>					

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<p>on them, between Rebecca and Zyna, on each one. I think Zyna had 23 and Rebecca had 28. We counted them one day. We said this is after, what is the -- Jeff Pettigrew and Andy Weller got done with them. And John, the barn man, he was day barn man. I can't remember why he was there but he was working. He was in on that trying to say, oh, this is how you have to lay Zyna down. She came out with all them hook marks on her. I got very upset that night. In fact, Feld showed up that night but never, ever came back to the elephants. In all the time</p>		<p>visiting the unit on this date)."</p>			<p>USDA affidavit, Rider describes the alleged incident abuse and then describes fellow employees as being concerned that Mr. Feld (who was coming to the arena later) might see the "hook marks." Four years later, in the 2004 interrogatory answer, the clear implication is that Mr. Feld was present during the alleged abuse and did nothing about it.</p>

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<p>(unintelligible) I never seen that man back there. If he had been back there that night I believe I would have said, 'Excuse me, come here.' And I could have showed you some bloody hook marks that night. With Ringling it is a known fact, if you start screaming and yelling about somebody doing hooking, this and that, you are going to lose your job eventually. If you want to keep your job, you kind of kept it quiet." [Tr. pp. 17-18.]</p>			<p>"Feb. 25 - March 1, 1998, Knoxville, VA. The elephants were inside the whole time, on chains, and got no exercise."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>

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<p>“East Rutherford, New Jersey. I remember that Mini and Nicole on the end -- wait a minute. No. Excuse me. It was Mia and Kamara on the far end of the pickup line and they tore some edging on a wall. They were fixing a wall and they tore down the little metal things. And Randy came in there and just wailed into both Kamara and Mia because they grabbed a hold of that and tore it down. Like these lights in this room. Right above their head. Something they were playing with it. I didn't catch it in time. He yelled at me because I didn't</p>					<p>“March 10- 15, 1998, East Rutherford, NJ. The elephants were inside the whole time. The elephants were chained up under the brand new overhang and the elephants kept reaching up pulling it down with their trunks. I said we have to move them, but we were told instead just to hit the elephants and smack them on their trunks to make them stop pulling down the overhang. Randy Peterson beat the elephants Minnie and Kamala with a bull hook.”</p>		<p>In the PAWS statement, the elephants are hit after they have pulled down the overhang – some “20-30 minutes later” – as punishment. In the 2004 interrogatory answer, the elephants are beaten before they pull anything down to prevent them from pulling down the overhang.</p>

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<p>catch it. They are so quick, once they did it, it was too late at that point. Saying something to him, he wailed into him, took the bull hook to them. Of course, this was probably 20 or 30 minutes after the incident happened so the elephant, obviously, had no idea what he was getting hit for. That was East Rutherford, New Jersey.” [Tr. 72-73.]</p>			<p>“March 17-23, 1998, Uniondale, NY. This is the first time we had an animal open house. We had to go in and cover the chains and make sure they stayed covered with straw and hay, so that the public, when they came back to see the animals, wouldn’t see them chained up. It would look</p>	<p>March 17-23, 1998, Uniondale, NY. I did a lot of complaining there about the animals being chained up all the time.” Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04).</p>	<p>Both of these accounts were omitted from the PAWS statement and the USDA affidavit.</p>

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		<p>“9.) March/April 1998, in Madison Square Gardens, New York – the elephants got no exercise for 3 weeks. There was no place to exercise them in the city, they tried once to walk them about the block but it didn’t work out. At this location 4 people quit work in one day because of the animal abuse – two of their names were Neil and Tony.”</p>	<p>better covered with hay. Again as soon as the people were gone, the elephants got hooked and hit.”</p>		<p>The 2004 interrogatory answer adds the detail, omitted from the USDA affidavit, that the elephants were chained “24 hours a day” – a “fact” that is inherently incredible since not even Rider has claimed that the elephants ever performed in chains (which would have to be the case to validate the claim of 24-hour per day chaining).</p>
			<p>“April 29 - May 29, 1998, Providence, RI. Again we were inside, and the elephants were chained and got no exercise. The elephants were brought off the train, hooked, they were hooked and hit when they were getting cleaned up.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“May 5-6, 1998, Springfield, MA. We were only there a couple days, and there was constant chaining, hitting,</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>

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			hooking of the elephants.” “May 8-10, 1998, Worcester, MA. Again, the elephants were inside the whole time, chained, and there was lots of hooking and hitting.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“May 15-17, 1998, Hartford, CT. Again, lots of poking and hitting of the elephants. Benjamin was getting hit all the time, and Shirley was also getting smacked around. The big elephants got hit 100.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“May 23-25, 1998, Hershey, PA. The elephants were outside. We had to keep one side of the tent closed so the public in the park could not see the handlers hit the elephants.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“May 28-31, 1998, Albany, NY. Again, lots of hooking and hitting. The handlers were always walking out, making sure the government didn’t come around.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“June 2-3, 1998, Syracuse, NY. Again the elephants were hit and		This account was omitted from the PAWS statement and the USDA

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			<p>hooked.”</p> <p>“June 5-7, 1998, Rochester, NY. Same thing, the elephants were hit and hooked.”</p>		<p>affidavit.</p> <p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“June 11-14, 1998, Washington, KY. Again, there was hooking and hitting of the elephants on the walk going to and from the train, cleaning them up at night, constant hooking and hitting.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
		<p>“11.) July 1998, in route to Phoenix, AZ – it was over 100 degrees and we were traveling during the day. I was riding with the elephants in the train, the heat was unbearable. The car that transports the elephants in [sic] close to</p>	<p>“June 18-21, 1998, Lubbock, TX. I remember Tony Rodriguez smacking an elephant, I remember Randy Peterson coming out there and doing the same thing, hooking and hitting, giving them commands. Sometimes they hit them and then gave them the commands.”</p>	<p>“June 18-21, 1998, Lubbock, TX. I complained to Randy Peterson that Tony Rodriguez was hooking and hitting the elephants.” Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04).</p>	<p>Both of these accounts were omitted from the PAWS statement and the USDA affidavit.</p>
<p>“Yuma, Arizona to Phoenix, it was 125 degrees. It was about 112 outside. It had to be 125. I had every door open, every window open. And I was</p>					<p>The USDA affidavit adds the detail about the ceiling lights and vents being “clogged with straw” and creating a “fire hazard” which is not included in the PAWS statement. In addition, the USDA affidavit</p>

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<p>sitting there, could hardly breathe. All the water was hot. I couldn't water the animals. I remember that. Because all I was getting was real hot water. 120 some degrees water coming out was too hot for the girls to drink. So what I did -- I think you know this now -- I went and took a whole bunch of the bottled water that I knew wasn't that hot, and dumped them in there. All the girls were getting just a little sip at the time. I poured like 215 cases and I told them, I said, 'Somebody stole our water.' But I had about 15 cases of bottled water and</p>		<p>the engine, and the heat and smoke from the engines was coming into the train car. I complained to Tommy Henry that I had no way to cool the elephants down, even the water was hot; Tommy said there was nothing we could do. There is no air conditioning in the train cars, and the ceiling vents/lights are always clogged with straw and dirt (they are a fire hazard). I feared for myself and the elephants during this trip, because of the heat."</p>			<p>emphasizes heat in the elephant car and that Rider "had no way to cool the elephants down, even the water was hot," thereby clearly implying that the elephants did not have enough water. However, the USDA affidavit omits the fact included in the PAWS statement Rider in fact gave the elephants water.</p>

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<p>ran it through the car, giving the girls a drink. It was so hot that day that -- I didn't have anything to drink. I know that. I give the water to the girls instead of me drinking it. The water that we have in the tanks was so hot. It was hot in the cars. That was Yuma to Phoenix." [Tr. pp. 92-93]</p>					
			<p>"July 1-15, 1998, Phoenix, AZ. The elephants were down inside, they were hit and hooked."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>"July 8 -12, 1998, Fresno, CA. We were outside in Fresno. It was a 100 degrees. Very hot. There was lots of hitting and hooking of the elephants on and off the train."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>"Aug. 6-9, 1998, Englewood, CA. We were out in the parking</p>		<p>This account was omitted from the PAWS statement and the USDA</p>

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	<p>“While I worked for Ringling Brothers, I heard stories all the time about dangerous elephants and how they could kill you if you got too close. One of the top trainers for the circus had been killed</p>		<p>lot. Again there was hooking and hitting of the elephants on the walk. They kept the elephants in the parking lot. We had a little recreation area, although they were not in there very much. It was too rough on the elephants because they had to walk into the arena and they were being hooked while the handlers warmed them up, every night when they’d warm them up before the show, in every single town, they would always hook them, hit them behind the leg to make them go faster.”</p>		<p>affidavit.</p>
	<p>“While I worked for Ringling Brothers, I heard stories all the time about dangerous elephants and how they could kill you if you got too close. One of the top trainers for the circus had been killed</p>	<p>“12.) August 1998, in Anaheim, CA – the elephant ‘Lechame’ was having problems with constipation. We had to ‘rack’ her out (to clean her bowels). While doing this Lechame accidentally hit me in the eye with her</p>	<p>“Aug. 12-16, 1998, San Diego, CA. There was a lot of hooking and hitting Of the elephants on the train, off the train.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
	<p>“While I worked for Ringling Brothers, I heard stories all the time about dangerous elephants and how they could kill you if you got too close. One of the top trainers for the circus had been killed</p>	<p>“August, 1998, Anaheim, CA. Pat Harned and Randy Peterson hit the elephant Lechame with a bull hook.”</p>			<p>In the June 2000 congressional statement, when the subject is legislation to control dangerous elephants, Rider relates the incident with the elephant’s tail as an instance in which he was “slammed” in the</p>

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"Karen, I don't	"We had an elephant			"They're very, as far as,	<p>eye, thereby emphasizing how "dangerous" working around the elephants can be. In the USDA affidavit, written just a month later, the theme is "abused elephants" and here the same incident is portrayed as Rider being "accidentally" hit with the elephant's tail and the elephant being "hit" unjustifiably for it by her handlers. The June 2000 congressional statement omitted the part about the "accident," and the USDA affidavit omitted the part about the "slamming," thereby conforming the respective accounts to the contexts in which the statement was being made.</p> <p>By 2004, when the interrogatory answer is served, the account leaves out the tail altogether and therefore simply reports what is portrayed as Hill hitting the elephant for no reason at all.</p> <p>In the June 2000</p>
by one of his elephants and a lot of handlers were hit when they were working around them. I was injured in the eye when an elephant slammed me with her tail and I have been slammed a few times while working around them."	tail. Pat Harned and Randy Peterson hit Lechame because she flicked her tail at me. It was just an accident, the elephant did not intentionally hit me, she did not deserve to get hit for this."				

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<p>know for a fact that Karen has ever killed anybody but I, in my two and-a-half years with Ringling Brothers, have never physically put my hand like I have the rest of them, pat them or touched them. I've never physically touched Karen in two and-a-half years because Karen just didn't like me. But she never got aggressive with me. I've seen her hit guys on several occasions. When they get too close she would reach out and smack them. She would swing at me all the time. If I would be walking by 20 feet away, she</p>	<p>named Karen who was labeled 'killer' yet she was kept on the road performing because she was a good performing elephant. Although she was the most dangerous elephant in the group, she is the only one they used in the three-ring adventure where the public is allowed to stand around the elephant with no safety net or other protection around her. Karen had a bad habit of knocking anyone who came into range, slamming them into the ground, yet they allowed her to have contact with the audience."</p>			<p>they're gentle. They can be as gentle as, you'd [sic] could curl up even and go to sleep in their trunks. Until, just to show you just the feelings of Karen, this was an elephant over in [inaudible]. She developed some kind of sickness. They called about three vets. They did the normal [inaudible] drugs. She became a lot healthier shall we say. Thirty days later in [inaudible] the same thing happened to her again. I went up to her. I put my arms around her. I went up to that elephant and I said, Karen, what's wrong? You're not eating. She took a little finger on her trunk, put it on her cheek, and I saw what was wrong. I've lost some of my teeth. I know what an abscess is. I had to open her mouth. Her back tooth was abscessed. The next day the vet comes in. I said, [inaudible] has an abscess [inaudible]. He goes,</p>	<p>statement to the congressional committee, when the subject was legislation to control "dangerous" elephants, the elephant Karen portrayed as a purportedly "killer" elephant that has irresponsibly been allowed to be on the road with the show and interact with customers. In the Connecticut hearing in 2005 when the subject was legislation to ban elephants in circuses due to allegedly abusive handling practices, Rider portrays the same elephant Karen as a sensitive creature that he actually hugged and spoke with concerning her toothache. The two accounts of this animal are totally inconsistent. Furthermore, the portrayal of Karen as a dangerous animal that should not be involved in public exhibitions is false, based upon facts that are known to Rider. Rider</p>

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<p>would still take a swing just to be doing it. But I remember on one occasion, I was pulling -- I reached way out and grabbed the hay in front of the picket line and started pulling back so I had to clean. Two elephants over I looked at Karen and said, 'Can't get me now,' and turned my back. She slapped me on the back just to be playing with me. She was a very -- to me she I wasn't -- she never ever got aggressive with me but I know, if I ever got close enough -- if I had purposely walked up, she would have killed me. But I have walked past her</p>				<p>how do you know? I said, Karen, where do you hurt. She took a finger and went like that. He pulled the tooth. It was an abscess. Yes, elephants have feelings." Ex. 71, Rider Statement to Connecticut Legislature at 190-91 (3/4/05)</p>	<p>admitted in his October 2006 deposition that Karen is an elephant who is wary of strangers entering her space and may respond to such strangers by swinging her trunk. However when strangers are accompanied by a handler whom Karen trusts, she does not pose the "threat" that has been publicly ascribed to her by Rider. Ex. 73, Rider Dep. at 275-76 (10/12/06). This highly material qualifier was omitted from both the PAWS statement and the congressional statement. Rider now claims that the reference in the Connecticut hearing to Karen was a "misprint" because he actually referred to another elephant, "Kamala." However, the transcript was prepared by an independent third party reporter, not FEL. "Kamala" sounds nothing like "Karen" and it is</p>

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<p>and forget what I am doing, she will reach over and nudge me like, hey, come on, don't get here." [Tr. pp. 102-03.]</p>					<p>more than a coincidence that, of the 53 elephants that FEI owns, the reporter mistakenly heard Rider refer to the one elephant that Rider has publicly portrayed as "dangerous."</p> <p>In 2000, Rider told PAWS that "I don't know for a fact that Karen has ever killed anybody." However, Rider stated in his deposition in 2006 that she was "responsible for the death of two people" based a statement that he heard from Randy Peterson, a person with whom Rider worked in 1997-98. So six years after the fact, Rider chose to disclose this information in his deposition, having never said anything about it in the prior statements.</p>
		<p>"13.) August, 1998, in San Jose, CA – the Humane Society investigated an elephant bleeding behind the ear. They documented the bloody elephant, but they</p>	<p>"Aug. 25-30, 1998, San Jose, CA. All the hitting took place inside the tent with the walls down, so the public wouldn't see it. Elephants were struck with bull hooks behind</p>		<p>The 2004 interrogatory answer makes no mention of the fact that a purported incident of elephant abuse was investigated by a local humane society but was</p>

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		<p>said they could not prosecute because they could not determine who had beat the animal. Ringling Brothers said that the blood was from drawing blood for veterinary care.”</p>	<p>their ears.”</p>		<p>not pursued.</p>
		<p>“14.) September 1998, San Francisco, CA – Randy wanted all the doors (at the Cow Palace) kept closed because the animal activists were trying to film the hitting of the elephants. It was really hot, and the air conditioners were not working, and I had to keep the doors closed and let the animals suffer in the high heat.”</p>	<p>“Sept. 2-7, 1998, San Francisco, CA. Adam Hill and Robby Costillo were checking for blood behind the elephants from hook wounds because they knew there were cameras around. I was standing right there and Adam pointed to blood behind the ear of an elephants and he went to raise the trunk and smacked the elephant on the trunk, while Robby stabbed the elephants under the chin to make them raise their trunks up.”</p>		<p>In the 2000 USDA affidavit the problem described was the excessive heat. In the 2004 interrogatory answer it was blood behind the elephants’ ears, with no mention of the heat.</p>
			<p>“Sept. 9-13, 1998, Sacramento, CA. Sacramento they had a 3.5. mile walk in. The elephants came off the rain and were hooked all the way for 3.5 miles, the handlers were always</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
			<p>hooking them.”</p> <p>“Sept. 17-20, 1998, Seattle, WA. It was cold. The elephants were in a little bitry barn, right under the space heater, no room to move around, no exercise at all, chained up for long periods of time. So far the elephants have been chained pretty well 24/7 except when they were ever taken into the arena to perform, or if there was rehearsal. They were always chained up over 20 hours a day. Again, lots of hooking and hitting.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“Sept. 22-23, 1998, Spokane, WA. Again, hooking and hitting on the train, hooking all the way up to the ring. Hooking them when they went into the show to warm up before the show.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“Sept. 25-27, 1998, Portland, OR. Hooking and hitting often on the train, and during warm up before the show.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“Sept. 30 - Oct. 4, 1998, Salt Lake City, UT. They</p>		<p>This account was omitted from the PAWS</p>

Ex 67, Rider PAWS Statement (3/25/00)	Ex 68, Rider Congressional Statement (6/13/00)	Ex 69, Rider USDA Affidavit (7/20/00)	Ex 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
<p>"One incident I want to bring up about the stocks. We were going from Cleveland to -- I don't know if we were going from Cleveland. We were heading to Boston. It was winter. I remember that run through Ohio. The snow was not only on the vestibules between the time -- because the windows were open, the snow was just piling in. On the stock cars the gaps in the doors, there was so much snow blowing into, inside the stock cars, and of</p>		<p>"16.) November 1998, Cleveland, OH - it was so cold on the train that I could see my breath. I packed hay in the cracks of the door to try to stop the cold from coming in; there is no heat in the elephant car (only the baby animal car has a heater)."</p>	<p>had a parade, and they hooked the elephants and hit them." "Nov. 17-29, 1998, Chicago, IL. There was a lot of hooking and hitting of the elephants." "Oct. 23 - Nov. 1, 1998, Cleveland, OH. We were inside, and it was cold. Again, there was lots of hooking and hitting on and off the train, getting the elephants to the arena, hooking them before the show, on their way in, repeatedly. After we left Cleveland, it was cold on the train because there were no heaters, and I decided to shove hay in between the doors to keep the snow out because it was too cold for the elephants."</p>		<p>statement and the USDA affidavit. This account was omitted from the PAWS statement and the USDA affidavit. Rider's statement to PAWS admits that he was told that elephant body heat in the railroad cars is a sufficient source of heat for the animals in winter conditions. That fact is omitted from both the USDA affidavit and the 2004 interrogatory answer. The PAWS statement also states that Rider opened the railcar doors to dispose of manure (when he also admitted that it could have been pushed into a corner for disposal when the train stopped) which obviously contributed to the cold temperature in the railcar. This fact also is omitted from the USDA affidavit and the 2004 interrogatory answer. The result is that the latter two statements portray an abusively cold</p>

<p>Ex. 67, Rider PAVS Statement (3/25/00)</p>	<p>Ex. 68, Rider Congressional Statement (6/13/00)</p>	<p>Ex. 69, Rider USDA Affidavit (7/20/00)</p>	<p>Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/2/04)</p>	<p>Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.</p>	<p>Comments</p>
<p>course there is no heaters in there, I was taking bales of hay and breaking up flakes and shoving in the door to keep the snow from coming inside. It was the coldest I've ever seen it on those stocks. I don't know what their excuse is for not having heaters in there. What they tell us is that, well, body heat will keep it warm in there. I've seen -- my travels on the stocks because I'm there from when it gets dark until 10:30 at night -- I've seen many a night when we are traveling in the colder part of the year, the beginning of</p>					<p>environment in the railcar that would be seen in a different light had these two material facts been disclosed.</p>

<p>Ex. 67, Rider PAWS Statement (3/25/00)</p>	<p>Ex. 68, Rider Congressional Statement (6/13/00)</p>	<p>Ex. 69, Rider USDA Affidavit (7/20/00)</p>	<p>Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)</p>	<p>Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.</p>	<p>Comments</p>
<p>tours, and the wintertime, it gets extremely cold inside the stocks. The windows are basically plastic, Plexiglas, and they only slide so you still have a gap where the air comes in, plus your doors are gapped for air. The doors in between are open all the time, between the two cars. Because I only have two stock cars with elephants. So you constantly had wind blowing on Rebecca. You have English, the three English in this car. And the air was coming in the door on the back side of them. I remember that one particular</p>					

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider-Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements In Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
case it was snow blowing in. I mean, piling up in the door. It was (unintelligible) a snowstorm outside, because I didn't open the doors. The other thing is, in the wintertime, the problem we have with stock cars, I would open the doors but most of the guys wouldn't open the doors to push out the stuff. They would just leave the girls stand there. Or they would push it in a pile by the door or something. And then they were picking in it. I would open the doors even though I knew it was going to make the girls cold. I didn't have a choice. I					

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<p>didn't want them standing in their own waste. I got to shove it out, and that automatically brought the temperature in the car back down every time I have open the door. So I would try to push it up by the door and wait as long as I could to push it out. The stock car that we used for two years I believe is gone. It was still -- it went to winter quarters with me but that's the last I've seen of it". [Tr. pp. 88-91]</p>			<p>"Nov. 4-15, 1998, Rosemont, IL. Randy Peterson got mad at his wife, this is just one of the times he did this, he got mad at her and come out and started beating the elephant Nicole. It happened another time in</p>		<p>In one version, Peterson is taking out his frustrations on Karen; in the other it is Nicole. The difference is not immaterial since Karen is the supposed "killer" elephant.</p>
<p>"I've seen several instances where it would be like Randy would just lose his temper. His wife, they would be arguing about something and he would</p>					

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<p>take it out on the elephants. If he come in, if he was mad at somebody, if an elephant rattled the chain, it would get hit on the head. I have seen him severely beat them about the head. I have seen him wail into Karen with not just one hand on the hook but both hands, and just bam, bam back and forth on the top of the head, the trunk and wherever else. Basically, he was a miniature Pat. Between him and Pat, I am surprised some of them lived through it. He was a very rough individual who, supposedly, his whole life had</p>			<p>Winter Quarters, he beat Nicole because he was mad at his wife. A lot of these guys that would come in, they'd be mad about something and take it out on the elephants."</p>		

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
been with elephants." [Tr. pp. 60-61.]			"Nov. 17-29, 1998, Chicago, IL. There was a lot of hooking and hitting of the elephants."		This account was omitted from the PAWS statement and the USDA affidavit.
			"Dec. 3-6, 1998, Huntsville, AL. There was lots of hooking and hitting of the elephants coming off the train, hooking and hitting all around. Very bad. Adam Hill hit Karen and Sophie with a bull hook."		This account was omitted from the PAWS statement and the USDA affidavit.
			"Winter Quarters, 1998, Tampa, FL. It was very rough on the elephants. They did get to go outside a little bit in pens, but usually they were brought back in quickly. When I got to work at about 3:30, they were in the pens, until about 5:00, and then they were back in, chained up the rest of the time. They may have got 15 hours chained and maybe 9 hours out of the chain during this time. But this is the only time when they are not on the road performing."		This account was omitted from the PAWS statement and the USDA affidavit.

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements In Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
		<p>"18.) January 1999, Jacksonville, FL – Alex Vargas came to visit the circus (he has a trapeze act, and use [sic] to work with the elephants), I told Alex about the animal abuse; he said he couldn't do anything about it because he did not want to lose his job (he was still employed by Ringling, but no longer with the Blue Unit)."</p>	<p>"Jan. 7-10, 1999, Sunrise, FL. They started putting up fences because the animal rights groups were complaining about the elephants being chained all the time. So we might put two or three of the elephants outside, for the public to see, but the rest of them would stay inside chained up. Very rarely would the elephants all get outside together. Again, there was daily hooking and hitting of the elephants."</p>	<p>"Jan. 14-18, 1999, Jacksonville, FL. I went to Alex Vargas and asked him to do something about these guys beating the elephants all the time. He said there was nothing he could do, that this is 'discipline,' and the handlers were going to do it anyway." Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04).</p>	<p>This account was omitted from the PAWS statement and the USDA affidavit. Furthermore, this statement acknowledges the use of the electric fence to contain elephants while on the road which is inconsistent with Rider's statements elsewhere that the elephants are always chained unless they are performing or rehearsing.</p>
		<p>"18.) January 1999, Jacksonville, FL – Alex Vargas came to visit the circus (he has a trapeze act, and use [sic] to work with the elephants), I told Alex about the animal abuse; he said he couldn't do anything about it because he did not want to lose his job (he was still employed by Ringling, but no longer with the Blue Unit)."</p>	<p>"Jan 14-18, 1999, Jacksonville, FL. Again the elephants were getting hit."</p>	<p>"Jan. 14-18, 1999, Jacksonville, FL. I went to Alex Vargas and asked him to do something about these guys beating the elephants all the time. He said there was nothing he could do, that this is 'discipline,' and the handlers were going to do it anyway." Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04).</p>	<p>The description of Alex Vargas evolves over time. In the 2000 USDA affidavit, Rider portrayed Vargas as a person to whom Rider complained about elephant abuse but could not do anything about it because Vargas feared he would be fired, thereby implying that Vargas agreed with Rider's views. By 2004 when Rider answers interrogatories in this case, Vargas is portrayed as defending the practices that Rider was</p>

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
			“Jan. 21-24, 1999, North Charleston, SC. Again, a lot of hooking and hitting going on all the time.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“Jan. 28-31, 1999, Macomb, GA. Each and every day of the week these elephants were getting hit. If they didn’t do something right, they got hooked and hit.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“Feb. 2-3, 1999, Augusta, GA. Again, lots of hooking and hitting.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“Feb. 5-7, 1999, Columbia, SC. More hooking and hitting.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“Feb. 10-14, 1999, Raleigh, NC. There was a lot of hooking and hitting, but the handlers were very cautious and always looking over their heads first, because the USDA has an office there.”		This account was omitted from the PAWS statement and the USDA affidavit. Since this makes specific reference to employee concern about the proximity of the local USDA office, one would expect to have seen

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
<p>"I come up one night in the car and I was real mad because of - that was just after the MCI when I was yelling in the train car about Pat beating on the baby and Carl, the electrician on the train, said, 'What are you going to do about it?' I said, 'I'm going</p>			<p>"Feb. 17-21, 1999, Charlotte, NC. We had to walk the elephants from the train to get them to the building, and, again, there was a lot of hooking and hitting; a lot of hooking and elephants getting them off the train and during the walk."</p>		<p>this in the USDA affidavit.</p>
			<p>"March 10-21 1999, Baltimore, MD. That was kind of a rough time in small arena and the elephants were hit repeatedly."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
<p>"March 24-28, 1999, Washington, D.C. As soon as we got the elephants inside, it was constant hooking and hitting inside the arena. Pat Harned beat Benjamin."</p>					<p>The part about Rider threatening to go to the USDA with his complaints about elephant abuse was omitted from the 2004 interrogatory answer. It could be reasonably inferred that this omission stems from the fact that acknowledging that Rider could very well have made a complaint to USDA about what he witnessed, but did not, undercuts his assertion that he had a bond with</p>

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<p>to go to the 22 USDA. The very next day, of course, Pat and Jeff Pettigrew and Randy, all three of them were, 'I hear you are going to go to the USDA on us.'" [Tr. 83-87]</p>					<p>these elephants and suffered an "aesthetic injury" as a result of their treatment.</p>
<p>"I don't remember anything at the armory." [Tr. p. 83.]</p>			<p>"March 30-31, 1999, Washington, DC at the Armory. The Armory is where we got five new employees from Puerto Rico. The first thing they were told was to get a bull hook, made of stainless steel, sharp as can be."</p>		<p>When he gave the statement to PAWS in March 2000 at a time that was closer to the events in question, Rider could not remember "anything" about the events at the D.C. Armory. Four years later, in the interrogatory answer he relates several events at the D.C. Armory.</p>
			<p>"April 16-18, 1999, Landover, MD. Again, there was a lot of hitting and hooking of the elephants."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>"April 22-25, 1999, Charleston, WV. There was hooking getting the elephants off the train, hooking inside the arena, hooking when the</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements In Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
		<p>"21) April 1999, Chattanooga, TN - Randy and Adam had me drop a side wall on the tent (close the tent), so they could beat 'Sophie and Karen' for playing with each other."</p>	<p>elephants went into the show, beating them behind the legs." "April, 1999, Chattanooga, TN. Handlers beat elephants named Sophie and Karen; Nicole was also severely beaten."</p>		<p>By the time Rider answers the interrogatory four years later, Nicole is added to the list of allegedly beaten elephants.</p>
			<p>"May 5-8, 1999, Tulsa, OK. The elephants were hooked getting off the train, hooked on the walk, hooked when they got to the arena."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>"May 12-16, 1999, San Antonio, TX. Adam was beating the elephants."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>"May 26-30, 1999, Ft. Wayne, IN. Again the elephants were hooked and hit on the walk. It was pouring down rain. The handlers were smacking the elephants to make them go faster."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>"June 2-6, 1999, Columbus, OH. Again there was hooking and hitting of the elephants on the train, hitting them before they go into the</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>

<p>Ex. 67, Rider PAWS Statement (3/25/00)</p>	<p>Ex. 68, Rider Congressional Statement (6/13/00)</p>	<p>Ex. 69, Rider USDA Affidavit (7/20/00)</p>	<p>Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)</p>	<p>Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.</p>	<p>Comments</p>
<p>"Nicole is no longer -- she is at the farm, quote. She was the one that Randy used to (unintelligible) get into and hook her. I know she was developing arthritis from it. Her leg was getting awful bad, have infected and swelled up. They said, well, they took her to the farm. I don't know what happened to her after that. I would like to know because that is Kenneth Feld's daughter's elephant." [Tr. pp. 49-50.]</p>		<p>"(22.) June 21, 1999 -- the elephant 'Nicole' was taken off the train and trucked back to Florida, because of all the scars. They didn't want the USDA to see all the hook marks on her leg, which had swollen. We knew the USDA would be inspecting us, because we were moving from the U.S. into Canada. I have asked numerous people what ever happened to 'Nicole', no one knows."</p>	<p>"June 9-13, 1999, Toledo, OH: Again hooking and hitting of the elephants on the train, hooking when they got off the train."</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p> <p>The story about Nicole disappearing mysteriously from the Blue Unit was omitted from the interrogatory answer in 2004 although it was included in the USDA affidavit. It could be reasonably inferred that the omission from the interrogatory answer stemmed from the fact that Rider knew that nothing had "happened" to Nicole because she was returned to the Blue Unit where Rider himself later made a video of her. By 2004, Rider likely knew the whereabouts of Nicole because he had made several visits to the Blue Unit in the period since 2000, Ex. 70, Rider Original Interrogatory Responses, No. 17 (6/3/04). See also Ex. 73,</p>

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
	<p>“Another time, in Ottawa, Canada, in the afternoon, I was alone and the elephants were contained behind their electric fence. I was approximately 75 yards away cleaning when I heard an elephant scream. When I turned around, I saw three elephants fighting and two others were heading for the horse tent, having broken through the fence.</p>	<p>“32.) June 1999, Ottawa, Canada – five elephants get into a fight in the exercise pen. We were using the new exercise pen instead of chaining the elephants in a line. All five elephants broke out of the pens, two ran into the horse tent and three continued to fight. I was lucky that the two elephants went into the horse tent, because I was the only one there with the animals and I had no</p>	<p>“June 23-27, 1999, Ottawa, Ontario, Canada. Five elephants started fighting and broke down the fence. The next thing I knew, Adam came running, grabbed his bull hook, ran in and started hitting every elephant. Pat Harned grabbed his bull hook, ran in and did the same. Randy Peterson joined in and hit the elephants: all three of them were hooking, hitting and yanking on</p>	<p>“June 23-27, 1999, Ottawa, Ontario, Canada. I was yelled at by Randy Peterson because I refused to hit the elephants with a bull hook when the elephants started fighting and broke down a fence. He threatened my job because I was complaining about him and the other handlers hitting the elephants.” Ex. 70, Rider Original Interrogatory Responses,</p>	<p>Rider Dep. at 108 (10/12/06) (admitting that he had observed the Blue Unit elephants “40, 50 times” since he left the employ of FEL. These facts that are inconsistent with the allegation of “injury in fact” that Rider made to the D.C. Circuit, <i>i.e.</i>, that he avoided visiting the Blue Unit elephants to avoid further “aesthetic injury.” See <i>ASPCA v. Ringling Bros. and Barnum & Bailey Circus</i>, 317 F.3d 334, 335 (D.C. Cir. 2003).</p> <p>The account of this incident admits that the elephants were not chained and were being contained with an electric fence which is inconsistent with Rider’s repeated assertion that the elephants were chained “24/7” unless in performance or rehearsal. The statement to Congress, in support of a bill to ban elephants from circuses as “dangerous,” does not</p>

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
	<p>Since I was alone, I was unable to control the situation. It took about five minutes before I could get help and another five minutes before we could begin to regain control. During this time, if the elephants had run in a different direction and had not moved toward the horses, they would have been right in the middle of the public."</p>	<p>way of stopping the elephants from leaving (they could have easily just ran [sic] out into the public street). Adam Hill, Randy, and Pat showed up in about 5 minutes with bull hooks and start beating on the elephants to stop the fight. I got in trouble for not beating the elephants to stop the fight. Adam Hill was in charge of the barn at that time."</p>	<p>those elephants, smacking them to get them back in that pen."</p>	<p>No. 15 (6/3/04). Q: "My only concern is if an elephant in a circus situation were totally out of control, what would be the method of stopping the elephant?" Rider: "If an elephant is out of control? About the same thing that happened to Tyke or to, one of our other speakers will be telling you about an incident that happened in Florida. They're going to get shot." Ex. 72, Rider Statement to Nebraska Legislature (1/25/06).</p>	<p>acknowledge (as do the later statements) that the handlers regained control of the situation by use of the guide. The statement to Congress omits the point that Rider was counseled by his FEI supervisor for not regaining control of the situation. Rider's statement to the Nebraska legislator flatly states that the only way to regain control of an out-of-control elephant is with a firearm and omits the fact that, by Rider's own account, handlers can regain control of out-of-control elephants by use of the guide, as was the case in Rider's own account of Ottawa.</p>
			<p>"July 2-11, 1999, Toronto, Ontario, Canada. The elephants were hit and hooked."</p>	<p>"July 2-11, 1999, Toronto, Ontario, Canada. I called the Union in St. Louis and I told them that my job had been threatened because they were beating the animals again." Ex. 70, Rider Original Interrogatory</p>	<p>Both of these accounts were omitted from the PAWS statement and the USDA affidavit.</p>

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
			<p>“July 16-25, 1999, Houston, TX. There was a lot of hitting and hooking of the elephants. The babies were outside, and the big ones inside, this was unfortunately coming to the end of Benjamin’s life. Benjamin was beat and hooked by Pat Harned, and somewhere between Houston and Dallas Benjamin met his fate. Harned beat Benjamin the whole time he was with him.”</p>	<p>Responses, No. 15 (6/3/04).</p>	<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“Aug. 18-22, 1999, Colorado Springs, CO. Again, the elephants were hooked and hit.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“Aug. 26-29, 1999, Wichita, KS. Again, lots of hooking and hitting, hooking and hitting.”</p>		<p>This account was omitted from the PAWS statement and the USDA affidavit.</p>
			<p>“Sept. 2-5, 1999, Moline, IL. The elephants were hooked and hit on the train and before the show.”</p>		
			<p>“Sept. 8-27, 1999, Kansas City, MO. Same thing in Kansas City --</p>		<p>This account was omitted from the PAWS statement and the USDA</p>

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
			lots of hooking and hitting of elephants with bull hooks.”		affidavit.
			“Sept. 15-19, 1999, Indianapolis, IN. Again, the elephants were hit and hooked; the handlers would close the flaps so the public couldn’t see them hit the elephants.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“Sept. 22-25, 1999, Grand Rapids, MI. The elephants were hooked and hit. Randy Peterson was going all out beating these elephants.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“Sept. 30-Oct. 3, 1999, Buffalo, NY. Same thing: lots of hooking and hitting of elephants.”		This account was omitted from the PAWS statement and the USDA affidavit.
			“Oct. 7-10, 1999, Detroit, MA [sic]. There was more hooking and hitting of the elephants.”		This account was omitted from the PAWS statement and the USDA affidavit.
		“25.) October 1999, travel from Detroit to Boston – it very cold, snowing and the elephants were freezing cold; there was not [sic] heat on the train car.”			
“Just prior to when I left in November, Jeff Steele was kind			“Oct. 15-24, 1999, Boston, MA. James, who came up from the Ringling breeding farm in	“Q. Did you ever complain to anyone at the circus about the treatment of the elephants? A. Yes.	The 2004 interrogatory answer eliminates the reference (in the PAWS statement) to Jeff Steele

<p>Ex. 67, Rider PAWS Statement (3/25/00)</p>	<p>Ex. 68, Rider Congressional Statement (6/13/00)</p>	<p>Ex. 69, Rider USDA Affidavit (7/20/00)</p>	<p>Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)</p>	<p>Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.</p>	<p>Comments</p>
<p>of coming down on all the hook marks. He would get mad, saying, 'If I see any more hook marks on these elephants, somebody is going to pay.' Well, what is he going to pay? He is going to do it again. Of course, nobody ever stops, if he heard Jeff Steele say he didn't want to see no more hook marks. He just didn't want to see them. He knew they would be there. He just didn't want to see it." Q. What were the circumstances that Jeff Steele made that statement? A. "Let me think of the elephant for a second. (Pause.)</p>			<p>Florida, was hitting an elephant. There were five baby elephants there, and I saw Gary Jacobson and Dave Whaley hitting and hooking the baby elephants."</p>	<p>Q. Who did you complain to? A. Pat Harred, Randy Peterson, Alex Vargas, Jeff Steele. That's about it." Ex. 73, Rider Dep. at 82 (10/12/06).</p>	<p>(the manager of the Blue Unit at the time Rider worked for FEI) and the circumstances surrounding Steele's counseling of employees with respect to hook marks on the elephants. Although Rider had his own interpretation of Steele's actions, he acknowledged in the PAWS statement that Steele stated that "somebody is going to pay" if there were further hook marks on the elephants and, therefore, FEI management did not tolerate elephant abuse. It could reasonably be argued that the omission of this fact from the 2004 interrogatory answer stems from the fact that Steele's actions, as acknowledged in Rider's PAWS statement, are not consistent with Rider's current theory of the instant case that complaining about elephant abuse to company management would not have</p>

Ex. 67, Rider PAWS Statement (3/25/00)	Ex. 68, Rider Congressional Statement (6/13/00)	Ex. 69, Rider USDA Affidavit (7/20/00)	Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)	Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.	Comments
<p>It would seem to me -- it was Mini -- no, it was Sophie. Sophie and Mini both had big hook marks on their trunk. These were cuts, gashes, that had to be covered up before the show. I think he actually seen them before they are going in the curtain. That's what brought that on. I know one of them was on Mini, because she had a baby. She got in a head butting with -- I forget whether it was Myso or something. She got in a head butting contest and got a big mark on the head. When you see the big cuts, those are just from head</p>					<p>accomplished anything. In his deposition, Rider stated that he had complained to Jeff Steele about the treatment of the elephants. When it was pointed out to Rider that he had not, in his interrogatory answers, named Steele as one of the people to whom Rider had complained, see Ex. 70, Rider Original Interrogatory Responses, No. 15 (6/3/04), he admitted that he had in fact not made a complaint to Steele, Ex. 73, Rider Dep. at 259 (10/12/06).</p>

<p>Ex. 67, Rider PAWS Statement (3/25/00)</p>	<p>Ex. 68, Rider Congressional Statement (6/13/00)</p>	<p>Ex. 69, Rider USDA Affidavit (7/20/00)</p>	<p>Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04)</p>	<p>Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.</p>	<p>Comments</p>
<p>butting. That's not a hook. Then you look down, on the top there is a big slice from a hook. That's when he came out and told us off. (Unintelligible) right out of his mouth. He actually came out of the tent and said he didn't want to see any more hook marks like that. I'm thinking, myself, that day, I thought, well, you are a little late. It is two years into the game here. You know? This was in -- it was about two weeks before we were finished up around Boston." [Tr. 66-68.]</p>					<p>This account was omitted from the PAWS statement and the USDA</p>
			<p>"Oct. 27-31, 1999, Pittsburgh, PA Again, there was lots of hooking</p>		

<p>Ex. 67, Rider PAWS Statement (3/25/00)</p>	<p>Ex. 68, Rider Congressional Statement (6/13/00)</p>	<p>Ex. 69, Rider USDA Affidavit (7/20/00)</p>	<p>Ex. 70, Rider Original Interrogatory Responses, No. 11 (6/3/04) and hitting.”</p>	<p>Various Statements in Other Contexts, Including Complaints Rider Claims He Made About Abuse.</p>	<p>Comments affidavit.</p>
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