

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN SOCIETY FOR THE :
PREVENTION OF CRUELTY TO :
ANIMALS, et al., :
 :
 :
 Plaintiffs, :
 :
 :
 v. :
 :
 RINGLING BROS. AND BARNUM & :
BAILEY CIRCUS, et al., :
 :
 :
 Defendants. :
 :

Case No. 03-2006 (EGS/JMF)

DEFENDANT'S OPPOSITION TO PLAINTIFFS' MOTION UNDER RULE 11

EXHIBIT 64

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THE TRUTH ABOUT ANIMAL RIGHTS GROUPS (Not rated)

6-Feb-04 11:22 am

My name is Glenn Ewell. I was the person back in Dec. of 1998, that turned evidence against Ringling Bros
Circus. The charges were about animal abuse, and that I seen it for myself while I worked on the animal crew. But, The Topic is not about the circus, matter of fact, it has nothing to do with the circus at all.
ALF, Or the Animal Liberation Front.
Known to all and by the FBI as Eco-Terrorist, and that act just like any other terrorist group. They have
Cells, or terrorist-cells as they are called, and they go around burning, bombing, and cuaseing problem. Funded by such groups as Peta in Va., P.A.W.S. IN Calif. operated by Pat Derby and Edward Stewart. To the reader that can unders that can understand what I am talking about, they are all terrorist just like the ones that crashed planes into the WTC. Animal rights groups like this cuase more harm then good, and they don't care about the lives they effect by doing these things. They are disonest and lie to get the general public opinion, telling half lies and speculations. I have seen alot of this type of activity going on. Pat Derby of P.A.W.S. told me when this is all over with I make sure that you are paid well for your services, for turning evidence against ringling bros. circus. She won an out of court settlement with
Feld Entertainment that owns the ringling show, andI've yet to see any of her so called; paid well sevices, and to this day Feb. 6th, 2004 I've still seen no proof. You will read on the internet about myself, and that I was charged with a crime in Colorado. I was set up and not by Feld Ent., I was set up by Pat Derby. She new I had hard evidence against her on not reporting money to the Governerment on her taxes, and paid someone to do
this to me. Now I ask you is it right
To any National TV news team that reads this contact me by the internet
National Talk Show host feel free to get in touch with me. Anyone else that has something to say, please, contact me. Or, Post a reply



glenndaleewell

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Cronin the ...,
52/Male
Oregon

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Messages in Topic

Subject	Author	Rating	Time of Post (ET)
THE TRUTH ABOUT ANIMAL RIGHTS GROUPS	glenndaleewell	No ratings	6-Feb-04 11:22 am
Re: THE TRUTH ABOUT ANIMAL RIGHTS GROUPS	lil87jewel	Rate it	8-Feb-04 05:55 pm

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Page 1 of about 1 First | < Prev | Next > | Last

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-----Original Message-----

From: frank hagan [mailto:liondoc007@yahoo.com]

Sent: Tuesday, May 17, 2005 10:32 AM

To: djohnson@feldinc.com

Subject: hi darin.....

darin,

this will be surprise for you,,,this is frank hagan,im sure you know who i am. i am curious as to why you keep writing about me in your press releases,ive not talked about ringling or anyone about ringling yet you continually have to justify yourselves in press releases. i do not work with peta or have any affiliation with peta,on the contrary i want nothing to do with peta. you do not know me and you have no right to judge me or anything i do, ringling was my past. i actually loved working at ringling but due to circumstances beyond me and your twisting of the tales without knowing me or the incident that happened is samantics. i am a single father raising a little girl and trying the best i can, what jim andoct did to me was wrong. he needed a fall guy and i after my loyalty to your company was choosen in a bullcrap incident. im sure jim twisted the entire story that he gave kenneth and nicole but the truth is,it could have all been avoided. here is something else to ponder their is my side your side and the truth and we all know that. i dont want a war with feld entertainment,i didnt ask for this nor do i wish to engage in anymore hostility towards each other, you want facts to print here you go,the original affidavit i signed was not done by me,it was done by a lady named debbie Leahy who works for peta and in all honesty when your a single father trying to raise a little girl and someone has a piece of paper for you to sign and is willing to give you money,what would you do darin, i did what i had to do,i signed the paper. i do not think what happened to me was right. i do know what happened with clyde should not have happened and yes to my dying day i will say jeff steele ordered me to cover it up. as far as moving the lions into

07/08/2007

the building in l.a. we did a rehearsal that day and the same thing happened to another driver,we cut the cages down and your production manager said in meeting, jackie santiago,she would be their to guide us around and she wasnt their,she was busy engaging in gossip with other latin performers.so no one was their to spot or guide the cages.as far as peta goes the things they had me say is done and i cant do anything about that. i am letting people know what happened with peta because i got an inside look at what they do and how they manipulate what people say into their own agenda and use for their own publicity and my own self worth. they didnt care about me or even actually what i had to say,at conferences things were printed up and i was to read a prepared statement by them and not me.please do not use this email in any way or manner,this is a private email and is not intended for use outside of feld entertainment. ive been asked to write a book about my experiences not just with ringling but also a look at peta and their agenda because i got an inside look. i dont want to be negative with ringling,i had great times their and met some really great caring people darin,but their is also a side you dont see when you dont travel. did you know that they even use a code word on the road for when any feld's are in a building,who ever see's kenneth in the building is supposed to radio in "the pizza man is here" just so they dont get caught off guard in what happens on the road. i know you have your job to do but i dont want this to be a negative relationship with myself and feld entertainment.if you wish to forward this letter to mr. feld please feel free to. but please do not use it outside of that.my contact number is 407-334-7583 if you wish to talk sometime but you must realize their is 2 people i only trusted at ringling and that is angelina quevedo and jon griggs and me doing what i did and coming forth with what i said ruined me in their eyes and tarnished a friendship and respect that i once had. thanks for your time darin.
respectfully,
frank hagan

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Jeffrey S. Kerr
General Counsel and
Director of Corporate Affairs
Ext. 8303
E-mail: JeffK@fsap.org

June 20, 2005

Maura A. Dalton, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington DC 20004

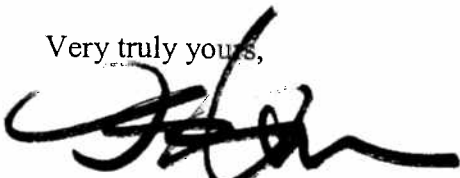
Re: *American Society for the Prevention of Cruelty to Animals, et al. v. Ringling Bros. and Barnum & Bailey Circus, et al.*

Dear Ms. Dalton:

In accordance with our recent phone conversation and in further response to your Subpoena Duces Tecum to PETA in the referenced case, this confirms that there is and was no written agreement between PETA and Frank Hagan. In addition, enclosed are redacted copies of the PETA documents relating to the payments made to Mr. Hagan. As we agreed, the trade secret information relating to PETA's internal processes and administrative personnel has been redacted. I am not submitting a bill for PETA's copying costs incurred in providing these materials because it is a small amount.

These documents complete PETA's response to your subpoena and PETA expressly reserves all objections stated in my previous correspondence.

Very truly yours,



Jeffrey S. Kerr

Enclosures

cc: Philip J. Hirschkop, Esq. (w/ encls.)
Katherine Meyer, Esq. (w/ encls.)

PETA
FOUNDATION

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS
FOUNDATION**

501 FRONT ST.
NORFOLK, VA 23510
TEL 757-622-7382
FAX 757-628-0780
E-MAIL info@fsap.org

447A 29TH ST.
SAN FRANCISCO, CA 94131
TEL 415-550-2562
FAX 415-648-6256
E-MAIL info@fsap.org

PETA FOUNDATION IS AN OPERATING
NAME OF THE FOUNDATION TO
SUPPORT ANIMAL PROTECTION

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: 8-16-05

Payable To: Cash Frank Hagen

Instructions: _____

Submitted By: MBS

Extension #: [REDACTED]

Type Of Request: Travel Advance
 Vendor Invoice Payment
 Employee Expense Report
 Credit Card Expense Report

INVOICE #	DATE	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$345/MILE)	EXPENSE DESCRIPTION	ACCOUNT	DEPT.	PROJ.	AMOUNT	RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE OR RECEIPT NO.	INVOICE REGSTR (FINANCE USE ONLY)
	8/16/05	Frank Hagen - salary	advance from	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	no	[REDACTED]	[REDACTED]
			petty cash	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			
			please	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			
				TOTAL			[REDACTED]			
				LESS ADVANCE/CREDIT			[REDACTED]			
				AMT. DUE PETA			[REDACTED]			
				AMT. DUE EMPLOYEE			[REDACTED]			

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: MBSweetland Date: 8-16-05

Authorized Signer: _____ Date: _____

FSAP Review: _____ Date: _____

Check Rec'd. By: [REDACTED] Date: 8/16/05

FINANCE USE ONLY

POSTING: _____	CHECK REGISTER: _____
CHECK NO: _____	VENDOR NO: _____
CHECK DATE: _____	RECEIVED: _____

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: today
 Payable To: Frank Hagan
 Instructions: CASH

Submitted By: [Redacted]
 Extension #: [Redacted]
 Type Of Request:

- Vendor Invoice Payment
- Travel Advance
- Employee Expense Report
- Credit Card Expense Report

INVOICE #	DATE	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$345/MILE)	EXPENSE DESCRIPTION	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE FOR JTR (FINANCE USE ONLY)
			Advance for Frank Hagan (Consultant)	[Redacted]	[Redacted]	[Redacted]	[Redacted]	no	
							TOTAL		
							LESS ADVANCE/CREDIT		
							AMT. DUE PETA		
							AMT. DUE EMPLOYEE		

Does any expense relate to lobbying activity?
 YES NO


Authorized Signer: M Sweetland Date: 8/20/04
 Authorized Signer: _____ Date: _____
 FSAP Review: _____ Date: _____
 Check Rec'd. By: [Redacted] Date: 8/20/07

FINANCE USE ONLY





POSTING: _____ CHECK REGISTER: _____
 CHECK NO: _____ VENDOR NO: _____
 CHECK DATE: _____ RECEIVED: _____


PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: 8/26/04
 Payable To: Frank Hagan
 Instructions: Kelby will pick-up

Submitted By: 
 Extension #: _____
 Type Of Request: _____

- Vendor Invoice Payment
- Travel Advance
- Employee Expense Report
- Credit Card Expense Report

INVOICE #	DATE	EXPENSE DESCRIPTION	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.345/MILE)	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE FOR FINANCE USE ONLY
			<u>Contractor fee for Rytig Whistleblare</u>					<u>no</u>	
							TOTAL		
							LESS ADVANCE/CREDIT		
							AMT. DUE PETA		
							AMT. DUE EMPLOYEE		

Authorized Signer: M. Sweetland Date: 8/26/04
 Authorized Signer: _____ Date: _____
 FSAP Review:  Date: _____
 Check Rec'd. By: _____ Date: 8/26/04

Does any expense relate to lobbying activity?
 YES NO

FINANCE USE ONLY

POSTING: _____ CHECK REGISTER: _____
 CHECK NO.: _____ VENDOR NO.: _____
 CHECK DATE: _____ RECEIVED: _____

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

042203

DATE	INVOICE NO.	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
08/27/2004	[REDACTED]	Consult thru Sept 3	[REDACTED]	0.00	[REDACTED]
CHECK: 042203 08/27/2004 Frank Hagan			TOTAL		[REDACTED]

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: 8-27-04
 Payable To: Frank Hagan
Lin office
 Instructions: MB needs check, pls

Submitted By: MBB
 Extension #: [REDACTED]
 Type Of Request:

- Vendor Invoice Payment
- Travel Advance
- Employee Expense Report
- Credit Card Expense Report

INVOICE #	DATE	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.345/MILE)	EXPENSE DESCRIPTION	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE FOR FINANCE USE ONLY
	8-27-04	Frank Hagan - consulting fee		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		
TOTAL								[REDACTED]	
LESS ADVANCE/CREDIT									
AMT. DUE PETA									
AMT. DUE EMPLOYEE									

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: MB Sweetland Date: 8/27/04
 Authorized Signer: [REDACTED] Date: _____
 FSAP Review: _____ Date: _____
 Check Rec'd. By: _____ Date: _____

FINANCE USE ONLY

POSTING: _____ CHECK REGISTER: _____
 CHECK NO.: _____ VENDOR NO.: _____
 CHECK DATE: _____ RECEIVED: _____

August 27, 2004

TO: [REDACTED]
FROM: Mary Beth Sweetland
RE: Consulting fees for Frank Hagan


We have an agreement with Frank Hagan that he will be paid [REDACTED] per day for a period of time yet to be determined for consulting with PETA on matters pertaining to captive exotics.

Frank started with us on August 16, 2004. We need to pay him through September 3, 2004 as he will be traveling to the West Coast to participate in news conferences.

As we have already paid Frank [REDACTED] thus far, please issue a check in his name for [REDACTED]. Frank's social security number is [REDACTED].

If Frank's consultation services are needed after September 3, we will enter into a formal contract arrangement for a prescribed period of time. Thank you.

cc: Frank Hagen
Debbie Leahy



PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: 9-3-04
 Payable To: Frank Hagan
 Submitted By: MBS [Redacted]
 Extension #: [Redacted]
 Type Of Request: [Redacted]

Vendor Invoice Payment
 Travel Advance
 Employee Expense Report
 Credit Card Expense Report

Instructions: [Redacted]
 [Redacted]

INVOICE #	DATE	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.345/MILE)	EXPENSE DESCRIPTION	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE (REGTR) (FINANCE USE ONLY)
9-3-04		Cash advance	<i>to be taken against per diem rate paid w/o 9-6-04</i>	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

TOTAL [Redacted]
 LESS ADVANCE/CREDIT [Redacted]
 AMT. DUE PETA [Redacted]
 AMT. DUE EMPLOYEE [Redacted]

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: *PB Sweetland* Date: 9/3/04
 Authorized Signer: _____ Date: _____
 FSAP Review: _____ Date: _____
 Check Rec'd. By: [Redacted] Date: 9/3/04

FINANCE USE ONLY

POSTING: _____ CHECK REGISTER: _____
 CHECK NO.: _____ VENDOR NO.: _____
 CHECK DATE: _____ RECEIVED: _____

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

042467

N

DATE	INVOICE NO.	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
09/10/2004	[REDACTED]	Consulting fee 9/6-9/10	[REDACTED]	0.00	[REDACTED]
CHECK: 042467 09/10/2004 Frank Hagan				TOTAL	[REDACTED]

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: 9/10/04 2 pm
 Payable To: Frank Hagan
 (in office)

Instructions:

Submitted By: MBS
 Extension #: [REDACTED]
 Type Of Request:

Vendor Invoice Payment
 Travel Advance
 Employee Expense Report
 Credit Card Expense Report

INVOICE #	DATE	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.345/MILE)	EXPENSE DESCRIPTION	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE REGISTER (FINANCE USE ONLY)
	9-10	Frank Hagan - consulting fee	(9/6-10) advance	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	no	

TOTAL
 LESS ADVANCE/CREDIT
 AMT. DUE PETA
 AMT. DUE EMPLOYEE

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: [Signature] Date: 9/10/04
 Authorized Signer: _____ Date: _____
 FSAP Review: _____ Date: _____
 Check Rec'd. By: _____ Date: 9/10/04

FINANCE USE ONLY
 POSTING: _____ CHECK REGISTER:
 CHECK NO.: _____ VENDOR NO.: _____
 CHECK DATED: SEP 7 2004 RECEIVED: _____

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

042588

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
09/16/2004		Consulting fees		0.00	
CHECK: 042588 09/16/2004 Frank Hagan				TOTAL	

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: RUSH please! 9/16/04

Payable To: Frank Hagan

Instructions: call [redacted] at ext. [redacted] for pick-up

Submitted by: [redacted]

Extension: [redacted]

Type of Request:

- Vendor Invoice Payment
- Travel Advance
- Employee Expense Report
- Credit Card Expense Report

INVOICE #	DATE	EXPENSE DESCRIPTION - PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.375/MILE)	ACCOUNT	ACCOUNT, DEPARTMENT, PROJECT CODE	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)
	9/16/2004	Frank Hagan's consulting fees	Professional Services/Consult.-Other Consultant Fees	[redacted]	[redacted]	yes
SUB TOTAL						
LESS ADVANCE/CREDIT						\$0.00
AMOUNT DUE PETA						\$0.00
AMOUNT DUE EMPLOYEE						[redacted]

Authorized Signer: MB Sweetland Date: 9-16-04

Authorized Signer: _____ Date: _____

FSAP Review: _____ Date: _____

Check Rec'd. By: [redacted] Date: 9/16/04

Does any expense relate to lobbying activity?
 Yes No

FINANCE USE ONLY

POSTING: _____ CHECK REGISTER: 90291

CHECK NO.: _____ VENDOR NO.: _____

CHECK DATE: _____ RECEIVED: _____

NEW F.R.F.D. SEP 2004


PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

042617

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
09/24/2004		Consult fee		0.00	
CHECK: 042617 09/22/2004 Frank Hagan				TOTAL	

PETA FINANCIAL REPORT AND CHECK REQUEST FORM





Date Needed: Friday 9/29/04
 Payable To: Frank Hagan

Submitted By: 
 Extension #:

Type Of Request:

<input checked="" type="checkbox"/>	Vendor Invoice Payment
<input type="checkbox"/>	Travel Advance
<input type="checkbox"/>	Employee Expense Report
<input type="checkbox"/>	Credit Card Expense Report

Instructions: call  for pick-up x 

INVOICE #	DATE	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.345/MILE)	EXPENSE DESCRIPTION	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE ROSTR (FINANCE USE ONLY)
	9/29/04		consulting fee for Frank Hagan					no	
							TOTAL		
							LESS ADVANCE/CREDIT		
							AMT. DUE PETA		
							AMT. DUE EMPLOYEE		

Authorized Signer: MBSweetland Date: 9/20/04
 Authorized Signer: _____ Date: _____

Does any expense relate to lobbying activity?
 YES NO

FSAP Review:  Date: _____
 Check Rec'd. By:  Date: Sep 12 2004

FINANCE USE ONLY

POSTING: _____
 CHECKING: _____
 CHECK DATE: _____

CHECK REGISTER: _____
 VENDOR NO: _____
 RECEIVED: _____

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

M

042696

DATE	INVOICE NO.	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
09/23/2004		Consult 14 days Sept 27-Oct 10		0.00	
09/24/2004		Travel Advance		0.00	
CHECK: 042696 09/24/2004 Frank Hagan				TOTAL	

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed:
Payable To:

~~Tomorrow~~
Frank Hagan, Sep + 24

Submitted By:
Extension #:



Type Of Request:

- Vendor Invoice Payment
- Travel Advance
- Employee Expense Report
- Credit Card Expense Report

Instructions:

pls cut v for Frank

INVOICE #	DATE	EXPENSE DESCRIPTION PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.345/MILE)	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN) <small>(ONLY)</small>
	9/23/04	Frank fee for 14 days Sept. 27 - Oct. 10					
				TOTAL			
				LESS ADVANCE/CREDIT			
				AMT. DUE PETA			
				AMT. DUE EMPLOYEE			

Does any expense
relate to lobbying
activity?
 YES NO

Authorized Signer: See email Date: _____

Authorized Signer: _____ Date: _____

FSAP Review: Date: _____

Check Rec'd. By: SEP 24 2004 Date: SEP 24 2004

FINANCE USE ONLY

POSTING	CHECK REGISTER	VENDOR NO.	RECEIVED
CHECK NO.			
CHECK DATE	SEP 24 2004		

SEP-24-04 FRI 10:40 AM

FAX NO.

P. 01

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: 9/29/04
 Payable To: Cash

Submitted By: _____
 Extension #: _____

Type Of Request: _____

<input checked="checked" type="checkbox"/>	Vendor Invoice Payment
<input type="checkbox"/>	Travel Advance
<input type="checkbox"/>	Employee Expense Report
<input type="checkbox"/>	Credit Card Expense Report

Instructions: cash petty for put-up

INVOICE #	DATE	PAYEE PURPOSE. PLEASE BEGIN WITH ENJOY, 5-8 MEMBER	ACCOUNT	DEPT.	PROJ.	AMOUNT
	9/29/04	Travel Advance for Frank Hoge				

TOTAL
LESS ADVANCE/CREDIT
AMT. DUE PETA
AMT. DUE EMPLOYEE

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: Debbie Leahy Date: 9/24/04
 Authorized Signer: _____ Date: _____
 FSAP Review: _____ Date: _____
 Check Recd. By: _____ Date: _____

FINANCE USE ONLY

POSTING CHECK REQUEST
 DATE: SEP 24 2004
 BY: 858
 APPROVED: _____

frd0-11063

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

h

042896

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
10/02/2004		Passport expedite fee		0.00	
CHECK: 042896 10/08/2004 Frank Hagan				TOTAL	

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: As Soon As Possible
 Payable To: Frank E. Hagan

 Instructions: Print Check

Submitted By: _____
 Extension #: _____
 Type Of Request: _____

<input checked="" type="checkbox"/>	Vendor Invoice Payment
<input checked="" type="checkbox"/>	Travel Advance
<input checked="" type="checkbox"/>	Employee Expense Report
<input type="checkbox"/>	Credit Card Expense Report

INVOICE #	DATE	EXPENSE DESCRIPTION PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.29/MILE)	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE REGISTR (FINANCE USE ONLY)
	10/02/04	Passport Expedite fee	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Yes	
TOTAL							[REDACTED]	
LESS ADVANCE/CREDIT								
AMT. DUE PETA								
AMT. DUE EMPLOYEE								

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: DN Date: 10/17
 Authorized Signer: _____ Date: _____
 FSAP Review: _____ Date: _____
 Check Rec'd. By: [REDACTED] Date: 10-8-04

FINANCE USE ONLY	
POSTING: _____	CHECK REGISTER: _____
CHECK NO: <u>1001</u>	VENDOR NO.: _____
CHECK DATE: _____	RECEIVED: _____

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

X
043017

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
10/13/2004	[REDACTED]	Consult 10/11-10/29	[REDACTED]	0.00	[REDACTED]
CHECK: 043017	10/14/2004	Frank Hagan		TOTAL	[REDACTED]

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: RUSH! 10/14/2004 by 10AM if possible

Payable To: Frank Hagan

Instructions: call ext. [redacted] for pick-up

Submitted by: [redacted]

Extension: [redacted]

Type of Request:

- Vendor Invoice Payment
- Travel Advance
- Employee Expense Report
- Credit Card Expense Report

INVOICE #	DATE	EXPENSE DESCRIPTION - PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$375/MILE)	ACCOUNT	ACCOUNT, DEPARTMENT, PROJECT CODE	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE RGSTR (FINANCE USE ONLY)
	10/13/2004	Consulting fee for Frank Hagan (10/4-10-29)	Professional Services/Consult.-Other Consultant Fees	[redacted]	[redacted]	no	
				SUB TOTAL			
				LESS ADVANCE/CREDIT	\$0.00		Does any expense relate to lobbying activity?
				AMOUNT DUE PETA	\$0.00		<input type="radio"/> Yes <input checked="" type="radio"/> No
				AMOUNT DUE EMPLOYEE	[redacted]		

Authorized Signer: [Signature] Date: 10/13/04

Authorized Signer: _____ Date: _____

FSA? Review: _____ Date: _____

Check Recd. By: [redacted] Date: 10/14/04

FINANCE USE ONLY

POSTING: _____ CHECK REGISTER: _____

CHECK NO.: _____ VENDOR NO.: _____

CHECK DATE: OCT 2004 RECEIVED: _____


PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

M

043267

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
11/02/2004		Consult Nov 1-5		0.00	
CHECK: 043267	11/03/2004	Frank Hagan		TOTAL	


PETA FINANCIAL REPORT AND CHECK REQUEST FORM









Submitted By: 
 Extension #:

Type Of Request:


<input checked="" type="checkbox"/>	Vendor Invoice Payment
<input type="checkbox"/>	Travel Advance
<input type="checkbox"/>	Employee Expense Report
<input type="checkbox"/>	Credit Card Expense Report

Date Needed: ASAP
 Payable To: FRANK HAGAN

Instructions: CHECK TO 

INVOICE #	INVOICE DATE	EXPENSE DESCRIPTION	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.375/MILE)	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE OR RECEIPT ATTACHED? (FINANCE USE ONLY)
	11/02	FRANK HAGAN - CONSULTANT FEES						NO	
	11/02	For the week of NOV 1-5th Less personal deductions: XXXX (see Attached)						YES	
							TOTAL		
							LESS ADVANCE/CREDIT		
							AMT. DUE FSAP		
							AMT. DUE EMPLOYEE		

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: MB Sweetland Date: 11/2/04
 Authorized Signer:  Date: _____

Finance:  Date: _____
 Check Rec'd. By: _____ Date: 11/6/04

FINANCE USE ONLY

POSTING: _____ CHECK REGISTER: _____
 CHECK NO.: FN VENDOR NO.: _____
 CHECK DATE: NOV 2004 RECEIVED: NOV

[REDACTED]

From: [REDACTED]
Sent: Monday, November 01, 2004 8:37 AM
To: [REDACTED]
Subject: FW: Frank's expenses

FYI, and holler with questions, please. TY

-----Original Message-----

From: [REDACTED]
Sent: Friday, October 29, 2004 5:42 PM
To: Debbie Leahy
Subject: RE: Frank's expenses

Please make the adjustments on the check requests otherwise we won't remember. Thanks!

-----Original Message-----

From: Debbie Leahy [mailto:DebbieL@peta.org]
Sent: Friday, October 29, 2004 5:40 PM
To: [REDACTED]
Subject: FW: Frank's expenses

[REDACTED] we'll reimburse Lisa for these and take the money out of Frank Hagan's payment. She submitted these on her last expense report, total for Frank's expenses [REDACTED]. Can you take out around [REDACTED] from his next four weekly checks until PETA is reimbursed. Do I need to do anything else? Should we adjust the amount on the check request?

-----Original Message-----

From: Lisa Wathne [mailto:lisaw@peta.org]
Sent: Tuesday, October 12, 2004 3:41 PM
To: Debbie Leahy
Subject: Frank's expenses

Salt Lake City Holiday Inn

[REDACTED]

Sheraton - Michigan

9/28 [REDACTED]

9/29 [REDACTED]

9/30 [REDACTED] each (different check #s, so I don't think it's a mistake)

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

043433

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
11/10/2004		Consult Nov 7-20		0.00	
CHECK: 043433 11/10/2004 Frank Hagan				TOTAL	

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: Friday Morning
 Payable To: Frank Hagan
pls. give check to [redacted]
 Instructions: Frank's pay for this week and next

Submitted By: [redacted]
 Extension #: _____
 Type Of Request: _____

<input checked="" type="checkbox"/>	Vendor Invoice Payment
<input type="checkbox"/>	Travel Advance
<input type="checkbox"/>	Employee Expense Report
<input type="checkbox"/>	Credit Card Expense Report

INVOICE #	INVOICE DATE	EXPENSE DESCRIPTION	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.375/MILE)	ACCOUNT	DEPT.	PROJ.	AMOUNT	RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE OR RECEIPT FOR FINANCE USE ONLY
1	11/10/04	Frank Hagan - Consult. Fee for the week ending 11/13		[redacted]	[redacted]	[redacted]	[redacted]	YES	
		Less deductions:		[redacted]	[redacted]	[redacted]	[redacted]	YES	
2	11/10/04	Frank Hagan - Consult Fee for the week ending 11/20		[redacted]	[redacted]	[redacted]	[redacted]	YES	
		Less deductions:		[redacted]	[redacted]	[redacted]	[redacted]	YES	
							TOTAL		
							LESS ADVANCE/CREDIT		
							AMT. DUE FSAP		
							AMT. DUE EMPLOYEE		

Authorized Signer: [Signature] Date: 11/10/04
 Authorized Signer: [Signature] Date: 11/12
 Finance: [redacted] Date: _____
 Check Rec'd. By: [redacted] Date: 11/12

Does any expense relate to lobbying activity?
 YES NO

POSTING: _____	CHECK REGISTER: _____
CHECK NO: _____	VENDOR NO: _____
CHECK DATE: <u>11/10/04</u>	RECEIVED: <u>2004</u>

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

u
043527

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
11/15/2004	[REDACTED]	Consult Nov 21-Dec 4	[REDACTED]	0.00	[REDACTED]
CHECK: 043527 11/15/2004 Frank Hagan			TOTAL		[REDACTED]

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: Today!!!!
Payable To: Frank Hagan
pls. give check to [redacted]
Instructions: Frank's pay for the weeks of Nov 21-27 and Nov. 28-Dec 4

Submitted By: [redacted]
Extension #: _____
Type Of Request: _____

<input checked="" type="checkbox"/>	Vendor Invoice Payment
<input type="checkbox"/>	Travel Advance
<input type="checkbox"/>	Employee Expense Report
<input type="checkbox"/>	Credit Card Expense Report

INVOICE #	INVOICE DATE	EXPENSE DESCRIPTION	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$375/MILE)	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	FINANCE USE (FINANCE USE ONLY)
1	11/15/04	Frank Hagan - Consult. Fee for the week ending 11/27		[redacted]	[redacted]	[redacted]	[redacted]	YES	
		Less deductions:		[redacted]	[redacted]	[redacted]	[redacted]	YES	
2	11/15/04	Frank Hagan - Consult Fee for the week ending 12/4		[redacted]	[redacted]	[redacted]	[redacted]	YES	
							TOTAL		
							LESS ADVANCE/CREDIT		
							AMT. DUE FSAP		
							AMT. DUE EMPLOYEE		

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: [Signature] Date: 11/15/04
 Authorized Signer: _____ Date: _____
 Finance: [redacted] Date: _____
 Check Rec'd. By: [redacted] Date: 11/15

FINANCE USE ONLY

POSTING: _____ CHECK REGISTER: _____
 CHECK NO. 208 VENDOR NO. _____
 CHECK DATE: _____ RECEIVED: _____

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

W


043529

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
11/15/2004	[REDACTED]	Travel advance	[REDACTED]	0.00	[REDACTED]
CHECK: 043529 11/15/2004 Frank Hagan				TOTAL	[REDACTED]

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: November 17, 2004

Payable To: Frank Hagan

Submitted By: 
 Extension #:

Type Of Request:

<input checked="" type="checkbox"/>	Vendor Invoice Payment
<input type="checkbox"/>	Travel Advance
<input type="checkbox"/>	Employee Expense Report
<input type="checkbox"/>	Credit Card Expense Report

Instructions: _____

INVOICE #	INVOICE DATE	EXPENSE DESCRIPTION PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.36/MILE)	ACCOUNT	DEPT.	PROJ.	AMOUNT
	11-15	Transportation	█	█	█	█
		Food, Frank and Danielle, 10 days	█	█	█	█
TOTAL						█
LESS ADVANCE/CREDIT						
AMT. DUE PETA						
AMT. DUE EMPLOYEE						

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: attached Date: _____
 Authorized Signer: _____ Date: _____

FSAP Review:  Date: _____
 Check Rec'd. By: WISH FRI Date: 11/15/04

FINANCE USE ONLY	
POSTING: <u>CHECK REGISTERED</u>	CHECK REGISTER: <u>101/10</u>
VENDOR NO.: <u>2004</u>	RECEIVED: <u>2004</u>

[REDACTED]

From: [REDACTED]
Sent: Monday, November 15, 2004 11:14 AM
To: [REDACTED]
Subject: Franks schedule has changed and he'll be gone for almost 2 weeks
Importance: High

So I need to get him a travel advance. He'll have his kid with him. I'm giving him [REDACTED] per day for food for the both of them, plus [REDACTED] for transportation which is [REDACTED]. Can I have that ready by 10am tomorrow? I'm sending a request up now. Sorry for the rush. Thanks

[REDACTED]
Senior Campaign Coordinator
501 Front Street
Norfolk, VA, 23510
757.962.8330
www.Circuses.com

"After my three years working with elephants in the circus, I can tell you that they live in confinement and they are beaten all the time when they don't perform properly."

-Tom Rider, former Ringling Brothers employee

[REDACTED]


From: [REDACTED]
Sent: Monday, November 15, 2004 2:38 PM
To: [REDACTED]
Subject: FW: Go ahead with the Frank check request. TY.

-----Original Message-----

From: Tracy Reiman
Sent: Monday, November 15, 2004 2:38 PM
To: [REDACTED]
Subject: Go ahead with the Frank check request. TY.

Tracy Reiman, Vice President
International Grassroots Campaigns
757-962-8322
PETA.org
<http://www.petatv.com/tvpopup/videodirect.asp?video=chew> on this

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

 043842

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
12/03/2004		Consult Dec 5-18		0.00	
CHECK: 043842	12/03/2004	Frank Hagan	TOTAL		

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: By 4 pm Today !!!
 Payable To: FRANK HAGAN
 Instructions: Pls give check to [redacted]

Submitted By: [redacted]
 Extension #: [redacted]
 Type Of Request:

Vendor Invoice Payment
 Travel Advance
 Employee Expense Report
 Credit Card Expense Report

INVOICE #	INVOICE DATE	EXPENSE DESCRIPTION PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.375/MILE)	ACCOUNT	DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	INVOICE REGISTER (FINANCE USE ONLY)
	12/3	consult. fee for 2 weeks Dec. 5-18	[redacted]	[redacted]	[redacted]	[redacted]	yes	
TOTAL						[redacted]		
LESS ADVANCE/CREDIT								
AMT. DUE FSAP								
AMT. DUE EMPLOYEE								

Does any expense relate to lobbying activity?
 YES NO

Authorized Signer: [Signature] Date: 12/3/04
 Authorized Signer: _____ Date: _____
 Finance: _____ Date: _____
 Check Rec'd. By: _____ Date: 12/3/04

FINANCE USE ONLY

POSTING CHECKED BILL [redacted] CHECK REGISTER: _____
 CHECK NO: _____ VENDOR NO: _____
 CHECK DATE: _____ RECEIVED: _____

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS 501 FRONT STREET NORFOLK, VA 23510

044174

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
12/20/2004		Purchase bullhook		0.00	
CHECK: 044174 12/22/2004 Frank Hagan			TOTAL		

PETA FINANCIAL REPORT AND CHECK REQUEST FORM

Date Needed: Dec 28

Payable To: FRANK HAGAN

Instructions: _____

Submitted By: [REDACTED]

Extension #: _____

Type Of Request:

- Vendor Invoice Payment
- Travel Advance
- Employee Expense Report
- Credit Card Expense Report

INVOICE #	INVOICE DATE	EXPENSE DESCRIPTION	PAYEE, PURPOSE, MILEAGE (BEGINNING & ENDING, \$.36/MILE)	ACCOUNT		DEPT.	PROJ.	AMOUNT	INVOICE OR RECEIPT ATTACHED? (IF NO, EXPLAIN)	
1	12-20	FRANK HAGAN -- FOR BULLHOOK		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		N
		WE ARE PURCHASING FROM								
		HUM								

Does any expense relate to lobbying activity?

YES NO

TOTAL [REDACTED]

LESS ADVANCE/CREDIT [REDACTED]

AMT. DUE FSAP [REDACTED]

AMT. DUE EMPLOYEE [REDACTED]

Authorized Signer: [REDACTED] Date: 12/19/04

Authorized Signer: DM Date: 12/18/04

Finance: [REDACTED] Date: _____

Check Rec'd. By: [REDACTED] Date: _____

FINANCE USE ONLY

POSTING: _____

CHECK NO.: _____

CHECK DATE: _____

CHECK REGISTER: _____

VENDOR NO.: _____

RECEIVED: _____

Jeffrey S. Kerr
General Counsel and
Director of Corporate Affairs
Ext. 8303
E-mail: JeffK@fsap.org

April 15, 2005

Maura A. Dalton, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington DC 20004

Re: *American Society for the Prevention of Cruelty to Animals, et al. v. Ringling Bros. and Barnum & Bailey Circus, et al.*

Dear Ms. Dalton:

In response to our telephone discussions regarding your Subpoena Duces Tecum in the referenced case, dated January 21, 2005, directed and objected to by PETA, this will confirm my understanding that you revised your subpoena to seek statements of Frank Hagan about Ringling Bros. and Barnum & Bailey Circus (RBBB), Kenneth Feld, Feld Entertainment, RBBB's treatment of animals, and/or the treatment of animals in captivity generally. You also requested documents reflecting payments made to Mr. Hagan by PETA.

Even as amended, and as stated in my previous correspondence on this matter, your subpoena remains overly broad in that it seeks to require the production of certain confidential, trade secret information discussed below. Subject to this, copies of the following responsive items are enclosed:

- Undated affidavit of Frank Hagan;
- Statement of Frank Hagan Concerning the July 13, 2004, Death of a Lion and Animal Abuse at Ringling Bros. Circus;
- Excerpt from Circuses.com entitled "Hold Ringling Accountable for Clyde's Tragic Death;"
- Excerpt from Circuses.com entitled "Ringling Whistleblower Reveals Shocking Details of Lion's Death, Elephant Abuse;"
- Excerpt from the Winter 2004 issue of PETA's *Animal Times* magazine entitled "Death in the Desert;" and
- Videotaped interviews with Mr. Hagan dated September 16, 2004, September 24, 2004, and October 14, 2004, respectively.

PETA
FOUNDATION

PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS
FOUNDATION

501 FRONT ST.
NORFOLK, VA 23510
TEL 757-622-7382
FAX 757-628-0780
E-MAIL info@fsap.org

447A 29TH ST.
SAN FRANCISCO, CA 94131
TEL 415-550-2562
FAX 415-648-6256
E-MAIL info@fsap.org

PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS
FOUNDATION

Maura A. Dalton, Esq.
April 15, 2005
Page 2

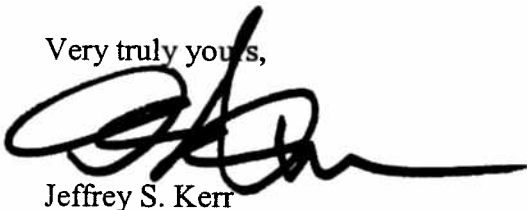
PETA also possesses an Affidavit dated August 24, 2004, provided by Mr. Hagan to Francis W. Keyser of the USDA, APHIS, Investigative and Enforcement Services, as part of what may be an ongoing investigation by that body. In order to avoid any suggestion of interference with or disruption of that investigation by disclosing this Affidavit, I request that you seek a copy of the document directly from the USDA to the extent permitted under the federal Freedom of Information Act. That Affidavit addresses the same incidents contained in the other statements of Mr. Hagan produced with this letter.

It is PETA's position that documents reflecting payments made by it to consultants contain confidential, proprietary and trade secret information and, therefore, PETA objects to producing such documents referring to Mr. Hagan. However, consistent with the stated purpose of your inquiry, I can confirm that during the period of August 16, 2004, through December 18, 2004, PETA paid Mr. Hagan consulting fees in the amount of \$6,425.96.

I am not submitting a bill for PETA's copying costs incurred in providing the responsive materials because it is a small amount.

I trust this adequately responds to your subpoena.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffrey S. Kerr", written over the typed name below.

Jeffrey S. Kerr

Enclosures

cc: Philip J. Hirschkop, Esq. (w/ encls.)
Katherine Meyer, Esq. (w/ encls.)

State of Maryland }
 }
Washington County }

Affidavit of Frank Hagan

I, Frank Hagan, of full age, do hereby solemnly swear to the truth of the following.

1. I am currently 35 years of age. Following High School I was in the Marine Corp. being honorably discharged in 1991. I worked as an Investigator for the State of Maryland from approximately 1991 until 1993. From March of 1993 until July 2004, I worked primarily for Ringling Bros. I left once in or around 1994 to work for MCI for a little over a year, and again in the later 1990s for a telemarketing position, after which I returned to the circus in March of 2000.
2. My first position at Ringling was as a transport driver for the big cats. I later was assigned to floor crew and rigging. I also worked in the back-stage props department. My final position was as a lion handler.
3. A lion handler's job is to care for the lions, including feeding and watering them, cleaning their cages, providing them with clean straw or saw dust for bedding, and generally being the animals' primary caretaker. The job includes caring for the lions while they are in transport on trains as well as when the circus is at its performance location.

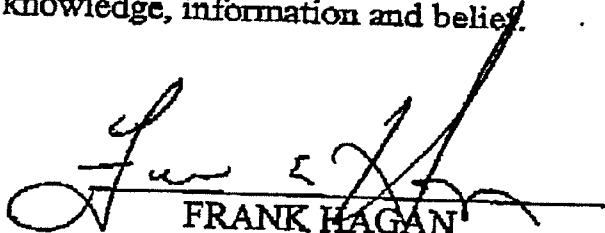
around 9:30 a.m. I called Gene Petis on the radio and advised him that we needed to make another stop to water down the lions. Petis said we couldn't stop because we were behind schedule.

10. After I called Petis, Jarak made the second call. Jarak said words to the effect "Gene it's getting hot out here and we need to water these lions." Gene repeated that we could not stop because we were behind schedule.
11. Jarak then tried to contact the General Manager, Jeff Steele, to see if he would stop the train so that the lions could be watered. First he called him on the radio and then went directly to his train car. There was no answer to either attempt to reach Steele.
12. The train finally stopped at 2:45 p.m. We were still in Arizona. The animals had been in transit since 8:30 a.m. in the desert heat without being watered down. Jarak and I went to water down the lions and immediately saw that Clyde, a two year old male, was not moving, barely breathing, and his tongue was hanging out of his mouth. Clyde was completely unresponsive. Jarak said to me that something was seriously wrong. Clyde breathed his last breathe within moments of our arrival.
13. We tried calling Jeff Steele and Gene Petis, neither of whom responded. We called Jason Peters and told him what had happened since he was the

19. Jason Peters arrived while Clyde was being transferred to Dr. Weiner's truck. I could hear Jason urging Dr. Weiner to perform an autopsy on Clyde. Jason was certain that Clyde had died because the lions had spent over six hours in desert heat without being watered.
20. The next day, July 15th, the Vice President of Ringling, Mr. Jim Andock arrived with several legal people. Each of us with information on what had happened the day Clyde died was interviewed by Feld Entertainment lawyers. My interview lasted for possibly an hour to an hour and one-half. I was told by the lawyer not to talk to anyone about what had happened.
21. Ringling flew in staff to quickly install a misting system in the lions' boxcar before the U.S.D.A. inspectors arrived.
22. On Friday, July 16th, I saw Dr. Weiner and asked her about the results of Clyde's autopsy. She told me that the results were "inconclusive" but said "you know what happened."
23. That same day, two people from the U.S.D.A. came to inspect. They were only there for less than an hour. Before the U.S.D.A. inspectors could see the meat truck where Clyde's body had been transported, Jarak and I were ordered to power wash the car. Clyde's blood and hair were stuck to the floor of the meat truck which is what we washed out. Ringling's lawyers

- employee named Joe who complained to Troy that he was getting out of hand with hurting the elephants. A baby elephant named Sara is currently being trained on the road by Troy.
28. Two of the younger elephants, Kelly Ann and Angelica have, at times, been temporarily taken off the shows because they both suffer from foot infections.
29. The misters in the elephants' boxcars were broken for a long period of time while I was there.
30. Another incident I witnessed relates to a young Alpaca named Felix. While in Phoenix, Felix was suddenly bumping into things evidencing some kind of medical problem but veterinary care was not immediately provided. There are no veterinarians who travel with the circus. Felix went blind the next day. Another Alpaca, Jasper, was never treated for leg problems. Both Alpacas were taken off the show.

I solemnly affirm under the penalties of perjury that the statements made above are true to the best of my knowledge, information and belief.


FRANK HAGAN

**Statement of Frank Hagan
Concerning the July 13, 2004, Death of a Lion
and Animal Abuse at Ringling Bros. Circus**

My name is Frank Hagan. I am 35 years old, father of a 9-year-old daughter, and a Marine Corps veteran.

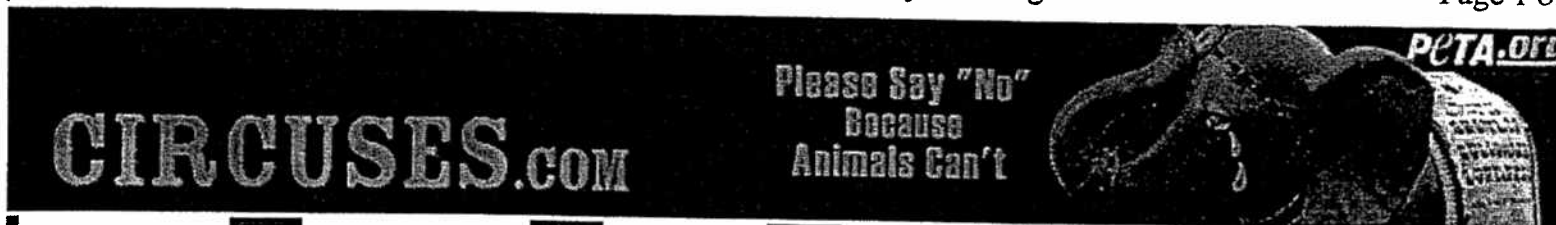
I worked for Ringling Bros. and Barnum & Bailey Circus for nearly 10 years. As of December 2003, my position with Ringling was as a lion handler. As a handler, my duties included feeding, watering, and cleaning for the show's 13 lions while they were in transport on the trains as well as at the circus performance locations.

On Monday, July 12, 2004, the Ringling train left Phoenix, Ariz., en route to Fresno, Calif., at about 10 or 11 in the morning. The lions had been loaded onto the train at about 2 a.m. the night before. I checked them at approximately 8:30 a.m., at 3:30 p.m. when the train made its first stop, and at 10 p.m. By this time, we were in the Mojave Desert.

The train traveled through the night, and the next day I checked the lions at 8:30 a.m. The temperature was over 100°F at this point. The lions were panting, and I watered them down. As we continued traveling through the Mojave Desert, Jarak, the other lion handler, and I kept going in between the trains to determine how hot it was outside, and we could tell that the temperature was rising quickly.

At about 9:30 a.m. on Tuesday, July 13, I called Gene Petis, the train master, on the radio and told him that we needed to make another stop to water the lions. Petis said that we couldn't stop because we were behind schedule. One-half hour later, Jarak called Petis and very firmly told him that it was getting hot and that the lions needed water. Petis repeated that we were behind schedule, and he refused to stop the train. Jarak then tried to contact Jeff Steele, the general manager, to see if he would stop the train. Steele could not be reached.

The train finally stopped at 2:45 p.m. to change crews. By this time, the lions had been traveling for more than six hours in the desert heat in closed boxcars and without being watered down. When Jarak and I opened the train doors, we immediately saw that Clyde, a 2-year-old male, was not moving, he was barely breathing, and his tongue was hanging out of his mouth. Clyde was completely unresponsive and breathed his last breath within moments of our arrival.



INTRODUCTION

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INFORMATION FOR ...

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- Educators
- Kids
- Law-Enforcement Officials

RINGLING BROS.

- Fact vs. Fiction
- Help Stop Ringling Bros. Sponsors
- Ringling Bros. Factsheet

RESOURCES

- Ads/PSAs
- Animal-Free Circuses
- Animal-Free Fundraisers
- Bans on Animal Acts
- Become a PETA Member
- Circus Criminals
- Circus Schedules
- Factsheets
- FAQ
- Information in Spanish
- Literature
- Photographs
- Shopping
- State of the Circus Industry
- Videos

RELATED WEB SITES

- BuckTheRodeo.com
- CircusWatch.com
- HelpThaiElephants.com

Hold Ringling Accountable for Clyde's Tragic Death

On July 13, 2004, a healthy, 2-year-old lion named Clyde died on a Ringling Bros. and Barnum & Bailey Circus train while crossing the Mojave Desert, where temperatures soared to 109°F. The train was en route from Phoenix, Arizona, to Fresno, California.



According to Frank Hagan, a veteran Ringling employee and lion handler who was present when Clyde died, the circus's trainmaster refused repeated requests to stop the train so that the lions could be checked for signs of distress and provided with water. By the time the train finally stopped during mid-afternoon in Parker, Arizona, the lions had been traveling for more than six hours in the desert heat without being watered in closed, poorly ventilated boxcars. According to Hagan, Clyde "was not moving, barely breathing, and his tongue was hanging out of his mouth. ... Clyde breathed his last breath within moments of our arrival." Clyde is believed to have died from heatstroke and dehydration.

The tragic death of Clyde appears to be a clear violation of multiple sections of the state of Arizona's anti-cruelty statute. A number of the violations are felony offenses.

An investigation of this incident is likely to prove that Clyde, trapped in an overheated boxcar and helpless to escape the suffocating heat, suffered cruel mistreatment and neglect as defined in the statute and that Ringling and its agents were aware of the problem as well as the consequences of their decision to ignore the pleas of Mr. Hagan, and thus should be charged with multiple counts of felony cruelty to animals.

Please write a polite letter to the prosecutor for the town of Parker, Arizona, and urge him to thoroughly investigate Clyde's death and to file appropriate charges against Ringling and all other culpable parties for violations of Arizona's anti-cruelty statute:

Martin Brannan
La Paz County Attorney
1320 Kofa Ave.
Parker, AZ 85344
928-669-6118
928-669-2019 (fax)

MORE INFORMATION

- Ask Ringling Sponsors to Stop Promoting Cruelty
- Circus Splis
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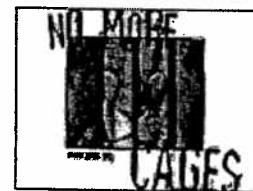
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Ringling Whistleblower Reveals Shocking Details of Lion's Death, Elephant Abuse

[Introduction](#) ★ [Coverup](#) ★ ["Captain Hook"](#) ★ [What You Can Do](#)

Introduction

 Now Showing on PETA TV



Meet "Captain Hook" ▶▶



Standard Elephant Training ▶▶

See Also:

- ★ [Hold Ringling Accountable for Clyde's Tragic Death](#)
- ★ [Ringling Bros. Campaign](#)
- ★ [Ringling Factsheet](#)
- ★ [Circus Literature](#)
- ★ [Subscribe to Action Alerts](#)
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- ★ [Circuses.com](#)
- ★ [Circuswatch.com](#)

Frank Hagan, a veteran Ringling employee and lion handler who has signed an affidavit stating that he was present when a 2-year-old lion named Clyde died on the Ringling train, reports that Clyde's death was a result of negligence. What's more, he says, the circus apparently tampered with evidence and interfered with the USDA's investigation.



Hagan alerted PETA that Clyde died on July 13 while the circus was traveling through the Mojave Desert on a day when temperatures soared to 109°F, which was not unusual. Despite the scorching heat and poorly ventilated boxcars, Gene Petis, the circus's train master, refused repeated requests to stop the train to check on the lions because the circus was behind schedule.

When the train finally stopped mid-afternoon, Clyde "was not moving, barely breathing, and his tongue was hanging out of his mouth. ... Clyde breathed his last breath within moments of our arrival."

This incident is nearly identical to one in July 2000 in which two of Ringling's tigers injured themselves in attempting to escape from cages in an overheated boxcar. Then, the USDA cited Ringling for failure to provide adequate care in transit, failure to provide drinking water, and failure to maintain transport enclosures. The tigers were in immediate danger because of an excessive rise in temperature. Despite chronic problems with rail transit, the circus continues to transport animals by train simply because it's cheaper than using trucks.

Death in the Desert

EYEWITNESS ACCOUNT OF CIRCUS CRUELTY

places by two lion handlers to stop and check on the lions, the circus's train master, Gene Peitz, refused to stop until 2:45 p.m.—more than six hours later. By then, it was too late. A 2-year-old lion named Clyde was found lying motionless, his tongue hanging out, barely breathing. "Clyde breathed his last breath within moments of our arrival," says former lion handler Frank Hagen.

Hagen claims that Ringling then scrambled to cover up the circumstances of Clyde's death

In a signed affidavit, Hagen claims that Ringling then scrambled to cover up the circumstances of Clyde's death, tampering with evidence and interfering with the U.S. Department of Agriculture's (USDA) investigation by quickly installing misters in the lions' boxcar before the USDA arrived, in an apparent attempt to create the illusion that the circus had been providing the lions with relief from the heat. Hagen reports that Ringling officials told him to

and Barnum & Bailey Circus lion named Clyde found out the hard way that a stifling boxcar and desert temperatures exceeding 100°F can be fatal.

When the Ringling train left the station at 8:30 a.m. on July 13, the lions were already panicking from the midsummer desert heat. Despite repeated

it was 109°F in the Mojave Desert that day, hot enough to fry an egg—and a lion.

We all know better than to leave our pet in a parked car on a hot day, even for a few minutes, but a Ringling Bros.

This isn't the first time Ringling has tried to bake big cats alive.

"keep [his] f---ing mouth shut" and expressly forbade him and others with firsthand knowledge of Clyde's death to talk to USDA inspectors.

This isn't the first time that Ringling has tried to bake big cats alive. In July 2000, two tigers injured themselves in a frantic attempt to escape from cages in an

overheated boxcar. In that case, the USDA cited Ringling for failure to provide adequate care in transit, failure to provide drinking water, and failure to maintain transport enclosures.

After Clyde's death, Ringling temporarily switched to transporting lions by truck. However, despite chronic problems with rail transit, the circus continues to transport other animals, including elephants, by train, simply because it's cheaper than using trucks.

BREAKING BABIES B

8-month-old elephant named Ricardo was destroyed after he fell off a pedestal during a training exercise and suffered severe fractures to both hind legs.

Ricardo was understood when he was born to Ringling elephant Shirley, who was herself still a baby—just 7 years old—at the time Ringling used her for breeding (elephants don't naturally breed until they are 16). Ricardo may have been afflicted with a bone disorder caused by malnutrition, since his young mother was unable to nurse him. He is the third Ringling baby elephant to die in less than a decade.

Frank Hagen reports that he has repeatedly observed Ringling elephant trainer Troy Metzler beating elephants, including babies, with steel-tipped bathtubs—so much so that circus workers have given Metzler the nickname "Captain Hook."

Read ex-lion handler Frank Hagen's entire affidavit at Circuses.com.

On the WEB



Ringling persists in using trains and boxcars to transport animals despite the demonstrated risks.



DEMAND JUSTICE FOR CLYDE

Frank Hagen reports that he has repeatedly observed Ringling elephant trainer Troy Metzler beating elephants, including babies, with steel-tipped bathtubs—so much so that circus workers have given Metzler the nickname "Captain Hook."

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Read ex-lion handler Frank Hagen's entire affidavit at Circuses.com.

PUTTS & GETTS

PUTTS to Sarah Ferguson, Hollen Bontham-Carter, and Eddie Izzard for signing a petition to ban the confinement of laying hens to cages in the UK.

PUTTS to Matthew Perry and Richard Pryor for contributing to a reward fund for information leading to the arrest of the person who tied up a dog and threw him into a river to drown.



GETTS to Massachusetts Gov. Mitt Romney for vetoing a bill that would have given students the right to refuse to participate in classroom dissections. Please remind Gov. Romney that biology is the study of life: State House, Office of the Governor, Rm. 360, Boston, MA 02133, or e-mail via www.mass.gov.

PUTTS to America West for being the first airline in the world to provide in-flight meatless meals that don't have to be specially ordered in advance. (AJR)mail thanks you to: America West Customer Relations, 4000 E. Sky Harbor Blvd., Phoenix, AZ 85034, or e-mail via AmericaWest.com.

PUTTS to the Myrtle Beach City Council for upholding a ban on the sale of frogs and turtles as living "souvenirs" in beachwear shops. "I don't care if it's a frog or a dog," said Councilmember Judy Rodman. "I hate

PUTTS to Toyota for offering only nonleather seats in its eco-friendly hybrid Prius. Toyota marketing director Paul Davenport told *The Los Angeles Times*: "Prius does represent social responsibility....And we understand that there are some issues with leather." Ford Motor Company also noted in an eight-page advertisement in the *New Yorker* that

PUTTS to Marriott for allowing hurricane Frances evacuees to bring their companion animals to the hotel. Said general manager Jay Johnson, "I've never had a dog destroy a hotel room. I've had 100 people destroy a hotel room." Send thank-yous to Jay Johnson, General Manager, Coral Springs Marriott, 11775 Heron Bay Blvd., Coral Springs, FL 33076.

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