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*FIAT.  
Let this  
be  
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SEP 04 2007

HARRY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

*Joe M  
Facciola  
8/31/07*

August 28, 2007

**Via First Class Mail**

Honorable Judge Facciola  
United States District Court for the  
District of Columbia  
E. Barrett Prettyman U S Courthouse  
333 Constitution Avenue, N W  
Room 4814  
Washington, D.C. 20001

Re: ASPCA v Ringling Bros., Civ No 03-2006 (EGS/JMF)

Dear Magistrate Facciola,

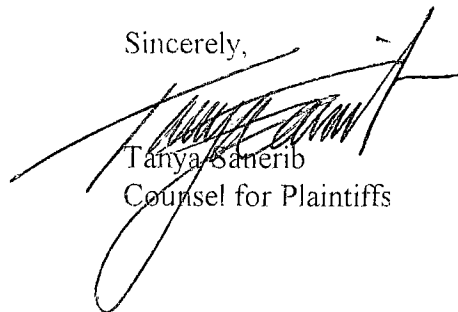
I am writing because on August 23, 2007 Judge Sullivan granted plaintiffs' Motion to Compel Defendants to Comply with Plaintiffs' Rule 34 Request for Inspections of Ringling Brothers' elephants and referred this issue to you "for purposes of overseeing the inspections, developing a framework under which such inspections will be conducted, and resolving any disputes concerning such inspections." Memorandum Opinion at 11 (Docket No. 178); see also Plfs. Memo. in Support of their Mot to Compel Defs to Comply with Plfs' Rule 34 Request for Inspections (Docket No 99); Def. Response in Opp'n to Plfs.' Mot. to Compel Inspections (Docket No. 105); Plfs Reply Memo. in Support of Their Mot. to Compel Defs to Comply with Plfs.' Rule 34 Request for Inspections (Docket No 116).

Because the inspection of the elephants is relevant to expert discovery in the case, which, pursuant to Judge Sullivan's August 23, 2007 Order, must be completed by December 31, 2007, see Memorandum Opinion at 11 (Docket No. 178), Plaintiffs respectfully request that you



schedule a meeting with the parties as soon as possible concerning this matter, so that it can be resolved as expeditiously as possible and any relevant information gathered during the compelled inspections can be incorporated into Plaintiffs' experts' reports. I am sending a copy of this letter to counsel for Defendant and would be happy to confer with them concerning a mutually agreeable date for a meeting with you, once we know your availability. We very much appreciate your attention to this matter.

Sincerely,



Tanya Sanerib  
Counsel for Plaintiffs

CC:

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