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January 13, 2005

By Facsimile and First Class Mail

Eugene Gulland
Covington & Burling
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20004

Re: ASPCA v. Ringling Bros. and Barnum & Bailey Circus, et al.
Civ. No. 03-2006

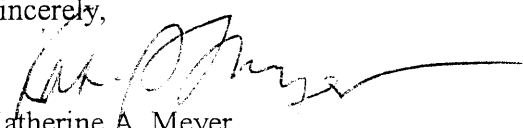
Dear Mr. Gulland:

At the status conference in this case on January 11, 2005, you told Judge Sullivan that defendants have certain "employment" records concerning plaintiff Tom Rider. However, no such employment records have been provided to plaintiffs, despite the fact that they fall squarely within the discovery requests served on defendants on March 30, 2004. Nor does defendants' privilege log list any such employment records. Accordingly, we request that you immediately provide us with copies of all such records.

You also mentioned that there were "other" records concerning Mr. Rider that you regard as privileged. However, no such records are listed on defendants' privilege log. Accordingly, we request that you immediately supplement that log to include all such records.

We fail to understand the basis for defendants' flagrant violation of the rules of discovery in this case. All records that fall within plaintiffs' discovery requests, as well as within the scope of Rule 26(b) – which certainly include all those concerning Mr. Rider – must either be provided to plaintiffs or identified on defendants' privilege log.

Sincerely,


Katherine A. Meyer



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