

EXHIBIT 5

**Plaintiffs' Reply in Support of Their Motion
to Compel Compliance with a Third Party
Subpoena Served on People for the Ethical
Treatment of Animals
Civ. No. 03-2006 (EGS/JMF)**

Richlin Consultants

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June 25, 1991

Chuck Smith
Ringling Brothers
8607 Westwood Center Drive
Vienna, Virginia 22182

Dear Mr. Smith,

Enclosed please find our invoice number 9220 which represents the billing for the undercover operative in place for the benefit of Ms. Florence Lambert. I have placed a reference of "C" on this invoice for clarification.

The individual is in place, in Phoenix, and information is being filtered to Ms. Lambert through our Operative.

I have also included the current invoice, number 9221, for the operative in California reference P.E.T.A./P.A.W.S., with a reference made of "A" on same for clarification.

This operative is currently in Phoenix, to cover the demonstration on behalf of Ms. Lambert and will then be reporting to Ms. Lambert in San Diego. The operative is also working with the activists in Phoenix and will report on same.

We also have plans for this operative to be invited out to the Black Beauty Ranch, in Texas - to spend time with Cleveland Amory and to obtain the necessary background information on him for further action.

The operative will be going to the Black Beauty Ranch, between the San Diego and Los Angeles Demonstrations.

I have covered both of these individuals in a detailed report under P.E.T.A./P.A.W.S., which I have also copied for both Mr. Bloom as well as Mr. Sowalsky, per your instructions.

For clarification, this letter is for your own personal information, and no copies of same are made. The only thing that is being copied as of this date, are reports on the Animal Rights Activists, with copies of those reports being sent to Mr. Bloom and Mr. Sowalsky, with the original being sent to your office, attention of Vera.

SMITH-PETA 0941

SMITH 98-17617
13-1959

PRODUCED PURSUANT TO PROTECTIVE
ORDER: CONFIDENTIAL, SUBJECT TO A CLAIM
OF PRIVILEGE

FAX: (703) 237-0005

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SMITH-PETA 0942

SMITH 98-17617
13-1960

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They plan to leaflet at the weekend shows in Phoenix on Saturday - June 29, Sunday - June 30, Saturday - July 6, and finally on Sunday - July 7, 1991.

The leader of this group, Debbie Zeller - is planning to have one major demonstration during one of the shows on the above dates, however the decision for same, will not be made until the Wednesday, PM meeting in Phoenix.

I have several demonstrators standing by this evening at the Arena in Phoenix, and if the demonstrators change their mind and have a demonstration, Putting People First will be ready.

The problem, which I need to discuss with both yourself and also Mr. Bloom, who I have left a message for is as follows.

Through our operative, we will be receiving inside information about any demonstration in Phoenix, for one of the days on the weekend. Since it is not a opening night - should we go ahead and plan a counter-demonstration or since the press will not be present - let them demonstrate and save our next demonstration for San Diego ?

An attorney, who is a member of the group, Stephanie Young is trying to research Putting People First, since we did quite a bit of damage to them in Tucson and which is the reason for the delay in their demonstrations in Phoenix.

I feel that this year, we can expect similar results in California, where the Animal Groups aren't going to quite know what to do about Putting People First. Hopefully we can disrupt the planned demonstrations, and also cause them to lose some of their members.

The second invoice for Putting People First is number 9223, which covers the weekly charges for Putting People First, plus the expenses of the seminar in Columbus, Ohio this past weekend.

I have placed the letter "B" on this invoice for clarification. The operative within Putting People First has spent the weekend in Columbus, with other leaders from Putting People First attending a network seminar, whereas we are brooding our contacts nationwide, for help in our campaign against the Animal Rights Activists.

The report is included in my weekly P.E.T.A./P.A.W.S. report, which has also been copied for Mr. Bloom and Mr. Sowalsky.

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In regards to the San Diego Demonstration, we are using our contacts within Putting People First to bring some of the members out to attend the demonstration.

I expect between 50 and 100 people to be present on Ms. Lamberts side of the demonstration since this is her home turf.

I am trying to get the New Zealand America Cup Keeweas to attend the demonstration supporting both Putting People First and also to show support for the Circus.

We are also trying to get some members of a Naval Ship in San Diego to come out also for the demonstration.

The downside of Putting People First, is that the actual membership of same, believes in the cause, but really doesn't want to get involved in demonstrations.

The other problem is, naturally I have been giving the demonstrators incentive to come out and demonstrate, using Putting People First as the group that is represented.

The upside - is that the Animal Rights Demonstrators, no longer have free range to demonstrate, are having trouble getting their leaflets into the customers hands and in fact are getting frustrated with the results of their demonstrations.

The press is also faced now with dealing with both sides of the issues, which is having a positive effect on the Show.

I have included a T-Shirt, which will be worn by the members of Putting People First at the San Diego Demonstration, which will match the bumper stickers we plan to place on the Activists cars - I am sure Ms. Lambert will enjoy seeing this.

REDACTED

In regards to the individual in Sacramento, after the Phoenix demonstration, ~~this date~~ we will be going to Sacramento and placing him under surveillance for the rest of the week into the weekend, at ~~which~~ time a detailed report will be provided and you can make a decision on how to proceed in the investigation.

SMITH 98-17617
13-1962

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Richard T. Froemming

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SMITH-PETA 0945

SMITH 98-17617
13-1963