

EXHIBIT 2

Plaintiffs' Motion for Clarification of
Court's Order Concerning the Close of Fact
Discovery and Supporting Memorandum
Civ. No. 03-2006 (EGS/JMF)

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March 21, 2008

VIA ELECTRONIC & REGULAR MAIL

Dominic C. MacKenzie, Esq.
Holland & Knight
50 North Laura Street
Suite 3900
Jacksonville, FL 32202

Re: ASPCA, et al. v. Feld Entertainment, Inc., Civ. Action No. 03-cv-2006 (D.D.C.)

Dear Mr. MacKenzie:

I am writing on behalf of my client, Feld Entertainment, Inc. ("FEI"), the defendant in the above-captioned case ("Litigation"). By court order, all fact discovery in the Litigation closed on January 30, 2008. Initially, the Court ordered all discovery, fact and expert, to close on December 31, 2007 due to the extended nature of this case. See Order at 11 (8/23/07). The Court then extended the fact discovery cutoff for one month to January 30, 2007. See Order at ¶ 5 (12/18/07). (A courtesy copies of these orders setting the fact discovery cutoff are enclosed for you.) This is likewise reflected in plaintiffs' January 25, 2008 cover letter to CSX: "The return date in the subpoena is January 30, 2008 because that is the date set by the Court for the end of fact discovery."

The January 30, 2008 fact discovery deadline in the Litigation stands without exception, and plaintiffs have not sought relief to alter that deadline. (Nor do we believe that the Court would be inclined to do so at this late juncture.) Accordingly, FEI objects to any fact discovery that plaintiffs seek to take at this time from CSX Transportation Corporation or any other third party as a violation of the Court's discovery cutoff. Please call me should you have any questions.

Sincerely,



Lisa Zeiler Joiner

Encs.

MAR 25 2008