

IN THE 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)  
JUDGE: Emmet G. Sullivan

**DECLARATION OF KAYLEEN M. JONES**

Kayleen M. Jones, being duly sworn, declares as follows:

1. I am a Senior Legal Assistant for Feld Entertainment, Inc. ("Feld"). In that capacity, I am responsible for all of Ringling Bros.' immigration issues, providing support for federal, state, and local animal permit applications, various contractual issues, legal research, and other assorted legal matters. I make this declaration out of personal knowledge acquired in the course of my duties at Feld and in support of defendants' opposition to plaintiffs' motion to compel responses to discovery requests.

2. I understand that, as part of their discovery requests in this case, plaintiffs have asked for information regarding the location of each elephant owned by Feld, by year. As part of my responsibilities at Feld, I have been gathering this information dating back to January 1996. I have also been gathering information about the circumstances under which Feld acquired its elephants. It is my understanding that the information I compile will be produced to plaintiffs.

### **Efforts to Determine Elephants' Locations Since 1996**

3. I have reviewed information about more than 80 elephants in an effort to compile information responsive to plaintiffs' request.

4. Feld has not maintained, in the ordinary course of its business, historical data that tracks each elephant's individual movements. Therefore, I have had to consult various documents in an effort to reconstruct each elephant's movement.

5. In an effort to pinpoint each elephant's location, I have reviewed a number of documents, including inspection reports, animal censuses, medical records, CITES documents issued by the Department of the Interior, Captive Bred Wildlife annual reports, and internal transfer forms. These references allow me to determine the location of the elephant that is mentioned as of the date of the document.

6. I have also interviewed a number of people at Feld who are likely to have knowledge about the elephants' locations over time, in an effort to supplement the information that is in the documents referenced in paragraph 5 above.

7. I have been working on this project since December 2004. To date, I have spent more than 160 hours gathering information, and I have conducted interviews with at least 12 different Feld employees. My estimate of the time I have spent does not account for the time spent by other people whom I have interviewed or who have helped me locate and interpret appropriate records.

8. I have nearly completed my information gathering, and I am compiling and finalizing the information to turn over to plaintiffs.

**Efforts To Determine The Circumstances Under Which Feld Acquired Its Elephants**

9. In the course of reviewing the documents referenced in paragraph 5 above, I have also attempted to identify the circumstances under which Feld acquired each elephant.

10. To further this effort, I have also reviewed the North American Regional Studbook Update published by the American Zoological Association. I have observed that, on occasion, the information in the Studbook and Feld's information do not agree.

**Burdens of Collecting Information From 1994-1996**

11. The information that I have gathered to date is for the elephants that were in Feld's ownership from 1996 to the present. I have not attempted to recreate this information for 1994 and 1995.

12. Compiling the information for 1994 and 1995 would require me to gather information about both the movements of elephants we have already identified and the movements and circumstances of acquisition for elephants not previously identified. Based on my work so far, I estimate that compiling this information would require an additional 40 hours at a minimum.

Pursuant to 28 U.S.C. § 1746, I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.



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Kayleen M. Jones

February 15, 2005