

because it does not reflect any additional amounts of funding provided by the organizational plaintiffs to or for plaintiff Tom Rider.¹

The Court has also ordered plaintiffs to show cause why certain previously redacted information contained within documents labeled A 01222-01230, and A 01232-01239 should not be produced. In particular, the Court has ordered plaintiffs to show cause why all line items within A 01222-01230 identified as “AT&T Wireless to #51” and “00AATT13” should not be produced, and why all line items within A 01231-01239 relating to an Earthlink account should not be produced. Plaintiffs are today producing all of this information to defendant to avoid burdening the Court with any further dispute concerning these materials. Plaintiffs previously withheld this material because they believed that it duplicated other line items in the documents and/or would create confusion over the actual amounts of funding provided to or for Mr. Rider.²

¹ The Court also ordered plaintiffs to “turn over the invoice referenced in [IC-203], if it is within plaintiffs’ possession.” DE 325 at 10. The referenced “enclosed corrected invoice” has previously been produced to defendant and is labeled F 04493.

² In particular, with respect to the line items in A 01222-01230 identified as “AT&T Wireless to #51” and “00AATT13,” with one exception each of the previously redacted line items duplicates another line item that has already been produced and thus provides no additional information concerning funding provided to Tom Rider. For example, the previously redacted line item on A 01223 that reads “06 06/30/02 AP-R4113 00ATT13 AT&T Wireless 238.70,” is duplicative of a previously produced entry on A 01230. The same is true for all of the other previously redacted similar line items with the exception of the line item on A 01226 that reads “4 04/30/02 AP-R4025 00ATT13 AT&T Wireless 28.21.” It appears that this single item, reflecting a charge of \$28.21, was overlooked by the ASPCA when it previously produced this document.

With respect to the document labeled A 01231-01239, there are two line items related to an Earthlink account that were previously redacted. The first one, at A 01231, reflects a charge of \$31.79. Because this amount differs from the \$21.95 monthly charge for Mr. Rider’s Earthlink account reflected in all of the other Earthlink line items, it is not clear that this item relates to Mr. Rider at all. The second previously redacted line item, contained at A 01234, appears to be a duplicative entry of the entry listed just prior to it on the same page, and thus was not produced earlier.

Respectfully submitted,

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