

EXHIBIT 11

To Plaintiffs' Motion For Sanctions For
Spoliation and Discovery Violations
Civ. No. 03-2006 (EGS/JMF)

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June 6, 2008

VIA HAND DELIVERY

Sara B. Podger, Esq.
Chambers of Hon. John M. Facciola
E. Barrett Prettyman U.S. Courthouse # 2333
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Re: ASPCA, et al. v. Feld Entertainment, Inc.: Court-Ordered *In Camera* Submission

Dear Ms. Podger:

Pursuant to Judge Facciola's Minute Order dated June 3, 2008, Feld Entertainment, Inc. ("FEI") is submitting for *in camera* review all of the documents subject to plaintiffs' February 15, 2008 Motion to Compel. Specifically, FEI is submitting all of the documents identified in the Revised Attachment to plaintiffs' Reply brief. See Plaintiffs' Reply (3/17/08) at 4 n.4 ("Plaintiffs have also amended the Attachment so that it now contains a complete list of each document that remains at issue ...").

Plaintiffs' Revised Attachment includes several documents that were not identified in the Original Attachment to their Motion. The Bates Numbers for these documents are: FEI 32301, 45997-99, 46001-04, 46005-09, 46011-12, 46014-17, 52157, 52158-59, 52161-63, 52170-71, and 52194-96. FEI objects to the belated identification of these documents and does not believe they were properly raised in the Motion. See FEI's Notice of Objection (3/28/08). FEI has nonetheless enclosed all such documents herein pursuant to the Minute Order.

FEI has not, however, enclosed copies of the approximately twenty-seven documents that plaintiffs originally identified in their Motion but later withdrew in their Reply after FEI explained that there was no dispute regarding such documents. The Bates Numbers for these documents include: FEI 3304-06, 11094, 16556, 16891, 21928-32, 22442, 22444, 22446-48, 29480-81, 31832, 31835, 32302, 38210, 39996-98, 41149, 42366-68, 42391, 42446-48, 44364, 44444, 44480-83, 45978-79, 48172, 48434, 51885, Feld 29027-28, and Feld 30202. If this omission is incorrect, please advise us.

For the Court's convenience, the enclosed documents are assembled (in redacted and original form) in the order identified in plaintiffs' Revised Attachment. FEI has highlighted in blue the portions of the original documents that were redacted. Please note, however, that one of

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the documents identified in plaintiffs' Revised Attachment (FEI 42474-78) was inadvertently produced to plaintiffs out of page order. The proper order of that document (as reflected herein) should be FEI 42474, 42478, 42477, 42476, then 42475. This document was produced in redacted form to plaintiffs' counsel. We are submitting the unredacted pages 42474, 42476 and 42478 for *in camera* review. Defense counsel had the originals reflected by pages 42475 and 42477, but is unable to locate them at this time. These documents were removed by counsel from production for the same reasons the other redactions were made because they did not relate to FEI's elephants, i.e. primarily other animals.

Please let us know if the Court would like any additional information.

Sincerely,



Lisa Zeiler Joiner

cc: Katherine Meyer, Esq. (w/out encl.) (via facsimile and first-class mail)