IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, et al.

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Plaintiffs,

Case No. 03-2006 (EGS)

JUDGE: Emmet G. Sullivan

RINGLING BROS. AND BARNUM & BAILEY CIRCUS, et al.

V.

:

Defendants.

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DECLARATION OF BRUCE READ

Bruce Read, being duly sworn, declares as follows:

- 1. I am Vice President of Animal Stewardship for Feld
 Entertainment, Inc. ("Feld"). I make this declaration out of personal knowledge acquired
 in the course of my more than 30 years working in the field of zoology and captive
 management of exotic animals, as well as my duties at Feld and in support of defendants'
 opposition to plaintiffs' motion to compel responses to discovery requests and
 defendants' motion for a protective order.
- 2. I understand that plaintiffs have requested all medical records for all Asian elephants in Feld's possession since 1996.
- 3. When an elephant appears ill, a veterinarian and/or staff will often note a list of "rule-outs" possible causes of the observed symptoms that the veterinarian needs to eliminate as the cause and other relevant observations. This information is often used as the foundation for a decision tree and is a key part of the diagnostic process.

Such notes also provide an invaluable tool for reviewing and improving current and future diagnostic techniques.

- 4. Many of the documents that plaintiffs have requested form the basis of research papers and articles that I and other of defendants' employees and consultants are preparing, including an article on elephant gestation, parturition (birth), and mother-infant bonding, as well as studies of elephant physiology. The publication of such articles and studies will be of great value to me and to my professional colleagues.
- 5. Preserving the confidentiality of the data in these records is vital to my ability to publish these articles. If the data is released prior to publication, then the study's value will be greatly diminished because it will be perceived as a preliminary study with a small data set, rather than a broad-based foundation study, *i.e.*, a study that covers new scientific areas based on previously unavailable data.
- 6. Publication of a foundation study will secure Feld's position as a leader in scientific research for the captive management and biology of the Asian elephant and will aid Feld's stature in the captive breeding community as a serious scientific institution. This will further Feld's full participation in the captive breeding community.

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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.

Bruce Read

February 15, 2005