

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN SOCIETY FOR THE PREVENTION)	
OF CRUELTY TO ANIMALS, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	Civ. No. 03-2006 (EGS/JMF)
)	
FELD ENTERTAINMENT, INC.,)	
)	
Defendant.)	
)	

**PLAINTIFFS’ OBJECTIONS TO DEFENDANT’S
SECOND AND THIRD AMENDED EXHIBIT LISTS**

Pursuant to Federal Rule of Civil Procedure 26(a)(3)(B), plaintiffs hereby provide notice of the following evidentiary objections to the thirteen additional exhibits defendant proposes to use at trial from the material it subpoenaed from People for the Ethical Treatment of Animals. See Def.’s Second & Third Amended Ex. Lists (DE 375-2, DE 376-2). Plaintiffs reserve the right to make additional objections during trial pursuant to the procedures set forth in sections 12 (“Objections and Evidentiary Matters”) and 13 (“Objections at Trial”) of the Final Pretrial Order (DE 373), including any and all relevance objections.

DEFENDANT’S EXHIBIT	PLAINTIFFS’ OBJECTION(S)
280. Press Conference, 11/13/06, Legal 645F	Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803. Plaintiffs further object to the admission of this exhibit on completeness grounds. <u>See</u> Fed. R. Evid. 106.

281. Archelle #2 8/18/06, Legal 593	Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803.
282. Archele Hundley Tape 1, Legal 439	Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803.
283. Archele Hundley Tape 2, Legal 440K	Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803.
284. Chicago City Hall Elephant Ordinance (Main Camera Tape 1 of 4) 2/23/06, Legal 550	Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803. Plaintiffs also object to the admission of this exhibit because it is incomplete. <u>See</u> Fed. R. Evid. 106.
285. Archelle #3 8/18/06, Legal 590	Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803.
286. 8/5/06, Dallas, TX, Tape 5 PT 8/5/06, Show 1, 2, 3, Ringling Red Unit Legal 504E	Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803. Plaintiffs further object to the admission of this exhibit on completeness grounds. <u>See</u> Fed. R. Evid. 106.
287. Greenville, SC 2/3/06 Blue Unit Tape 8, Legal 69 E	Plaintiffs object to the admission of this exhibit because it is incomplete. <u>See</u> Fed. R. Evid. 106.
289. 10/3/06 21: Denver Co, Ringling Blue Unit, Tape # 1 PT, 10/3 unload/walk (Rob), Legal 43E	Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803. Plaintiffs further object to the admission of this exhibit on completeness grounds. <u>See</u> Fed. R. Evid. 106. If the Court decides not to exclude this exhibit despite plaintiffs' objections, it should ensure that the personal privacy information contained in this exhibit, including social security numbers and phone numbers, is redacted. <u>See</u> Pre-Trial Conference Tr. 6:11-15 (Oct. 14, 2008) ("Social

	<p>Security numbers, phone numbers, other personal information that should not be out there in the public domain, absolutely, we'll shield that."); <u>see also</u> Fed. R. Civ. P. 5.2(a) ("Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, . . . a party or nonparty making the filing may include only: [] the last four digits of the social-security number . . .").</p>
<p>290. 8/19/06 Lexington, KY, Ringling Red Unit Tape #5 PT, 8/19 Show 1 Show 2, Legal 406 A</p>	<p>Plaintiffs object to the admission of this exhibit on completeness grounds. <u>See</u> Fed. R. Evid. 106.</p>
<p>291. Legal 470 E</p>	<p>Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803.</p> <p>Plaintiffs further object to the admission of this exhibit on completeness grounds. <u>See</u> Fed. R. Evid. 106.</p>
<p>292. PETA Financial Report and Check Request Form, 8/9/07, P 000054</p>	<p>Plaintiffs object to the admission of this exhibit on the grounds that it is hearsay and does not fall within any of the hearsay exceptions. <u>See</u> Fed. R. Evid. 801, 802, 803.</p>

Respectfully submitted,

/s/ Delcianna J. Winders
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Dated: November 7, 2008

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