

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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AMERICAN SOCIETY FOR THE :

PREVENTION OF CRUELTY TO :

ANIMALS, et al. :

:

Plaintiffs :

: Case No.

vs. : 03-2006(EGS/JMF)

:

FELD ENTERTAINMENT, INC. :

:

Defendant :

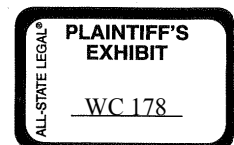
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Washington, D.C.
November 14, 2008

Videotaped Deposition of:

GEOFFREY PETTIGREW,
called for oral examination by counsel for
Plaintiffs, pursuant to notice, at the offices
of Meyer Glitzenstein & Crystal,
1601 Connecticut Avenue, N.W., Suite 700,
Washington, D.C., before Zev V. Feder, CSR, a
Notary Public in and for the District of
Columbia, beginning at 10:07 a.m., when were
present on behalf of the respective parties:



1
2 On behalf of the Plaintiffs:

3 BY: KATHERINE ANNE MEYER, ESQ.
3 Meyer Glitzenstein & Crystal
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4 Suite 700
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5 (202)588-5206
6

6 On behalf of Defendant Feld Entertainment,
7 Inc.:

8 BY: LISA ZEILER JOINER, ESQ.
8 BY: MICHELLE C. PARDO, ESQ.
9 Fulbright & Jaworski, LLP,
9 801 Pennsylvania Avenue, N.W.
10 Washington, D.C. 20004
10 (202)662-0200
11

11 and
12

12 BY: JULIE ALEXA STRAUSS, ESQ.
13 Feld Entertainment, Inc.
13 8607 Westwood Center Drive
14 Vienna, Virginia 22182
14 (703)448-4065
15

16 Also Present:

17 David Voigtsberger, Videographer
17 Mary Bortscheller
18

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C O N T E N T S

WITNESS: GEOFFREY PETTIGREW

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EXHIBITS

None.

1 A. Yes.

2 Q. Were your duties as the union
3 representative between 1997 and 2004 any
4 different than the duties as the union
5 representative that you described earlier?

6 A. No.

7 Q. Who was your supervisor at the
8 Blue Unit between 1995 and 2004?

9 A. Randy Peterson.

10 Q. Anyone else?

11 A. Brian Cristiani. Troy Metzler.

12 Q. Anyone else?

13 A. No, ma'am.

14 Q. When was Randy Peterson your
15 supervisor? During what time period?

16 A. 1995 to '98.

17 Q. And what was his title during that
18 time period?

19 A. Elephant -- actually, animal
20 superintendent.

21 Q. So would he have been the
22 supervisor for anyone else who was working on

1 the elephant crew during 1995 to 1998?

2 A. He oversaw all of the employees of
3 the elephant crew at that time.

4 Q. So he would have been the
5 supervisor for any employees who worked on the
6 crew at that time?

7 A. Yes.

8 Q. When was Brian Cristiani your
9 supervisor?

10 A. From '99 up to -- I can't remember
11 when he left. Actually, I don't remember when
12 he left. But after he left, Troy Metzler took
13 over from him.

14 No, excuse me. Alex Vargas took
15 over from Brian Cristiani. I had totally
16 forgotten about Alex. But Alex Vargas'
17 position was not just elephant superintendent.
18 He was actually animal superintendent. He
19 oversaw the whole animal department.

20 Q. Let's back up a moment, please. I
21 thought you said Randy Peterson was the animal
22 superintendent between 1995 and 1998. Is that

1 A. No, I don't. If I saw the
2 packaging I could tell you.

3 Q. Then when did you get the job at
4 Williston?

5 A. In March of '06.

6 Q. Who actually hired you to go work
7 at Williston?

8 A. Harry Locker.

9 Q. What was Mr. Locker's job title at
10 that time?

11 A. General manager of the facility.

12 Q. Had you known Mr. Locker before he
13 hired you to go to Williston in March of '06?

14 A. No, ma'am.

15 Q. You never met him before?

16 A. I had met him previously.

17 Q. When had you met him before?

18 A. It would have to be 2003. My wife
19 at the time, he was taking care of my wife's
20 horse at the time at the facility, and we went
21 down to see the horse on a break from the
22 show. When we were in Orlando,

1 Ms. Zerbini ever interact with the elephants
2 that are owned by Feld Entertainment?

3 A. No.

4 Q. Can you tell me the names of the
5 elephants that are owned by Ms. Zerbini?

6 A. No, I can't.

7 Q. Can you tell me any of their
8 names?

9 A. I don't know any of them.

10 Q. Can you tell me the names of the
11 elephants at Williston that are owned by Feld
12 Entertainment?

13 A. Siam, Cora, Putzi, Sabu.

14 Q. Sabu, S A B U?

15 A. Yes. And Prince.

16 Q. Any others?

17 A. No.

18 Q. Siam is a female. Is that
19 correct?

20 A. Yes. The first three are females.
21 The other last two are males.

22 Q. So Siam is a female. Cora is a

1 female. And Putzi is a female. Correct?

2 A. Yes, ma'am.

3 Q. And Sabu is a male?

4 A. Yes.

5 Q. And Prince is a male?

6 A. Yes, ma'am.

7 Q. Is this the same Siam that you
8 worked with when you were touring with the
9 circus?

10 A. Yes.

11 Q. Is this the same Cora that you
12 worked with when you were touring with the
13 circus?

14 A. Yes.

15 Q. And is this the same Putzi that
16 you were working with when you were touring
17 with the circus?

18 A. Yes.

19 Q. So you have known these three
20 elephants for quite some time. Is that
21 correct?

22 A. Yes, ma'am.

1 Q. I think earlier you referred to
2 Williston as a retirement facility. Can you
3 tell me what you mean by that?

4 A. When elephants reach a certain age
5 we retire them to the facility to live out the
6 rest of their lives and receive all the vet
7 care they need at their older age.

8 Q. When you say we, do you mean Feld
9 Entertainment?

10 A. Yes.

11 Q. What is that age for female
12 elephants?

13 A. I would say the late 50s, early
14 60s.

15 Q. What is that age for male
16 elephants?

17 A. The same.

18 Q. Do you know how old Siam is?

19 A. Not precisely but she is probably
20 in her mid to late 50s.

21 Q. How about Cora? Do you know how
22 old she is?

1 A. I am pretty sure about that, too,
2 also.

3 Q. What about Putzi? How old is she?

4 A. In around the same age as Siam.

5 Q. What about Sabu? How old is he?

6 A. I am not sure. I don't know how
7 old Sabu is.

8 Q. But you think he is in the late
9 50s, early 60s?

10 A. No, he is not.

11 Q. Do you have any idea how old he
12 is?

13 A. No, ma'am, I don't.

14 Q. But he has been retired. Is that
15 correct?

16 A. Yes, ma'am.

17 Q. If I told you that, according to
18 the records we received from Feld
19 Entertainment, Sabu is about 26 years old,
20 would that surprise you?

21 A. That's probably pretty accurate.

22 Q. So why would he be retired if he

1 is only 26 years old.

2 A. I don't know.

3 Q. Sabu being there doesn't quite fit
4 with how you describe the facility as being a
5 retirement --

6 A. I --

7 Q. Let me finish my question, please.

8 Sabu doesn't quite fit with how you described

9 the facility as being a retirement facility.

10 Is that correct?

11 A. Yes, ma'am.

12 Q. What about Prince? How old is he?

13 A. I don't know how old Prince is.

14 Q. If I told you, according to the
15 records we received, Prince is about 21 years
16 old, does that --

17 A. That's probably so.

18 Q. -- is that consistent with what
19 you know?

20 A. Probably so.

21 Q. So Prince is also not in his late
22 50s or early 60s. Is that correct?

1 A. Right.

2 Q. Do you know why Prince and Sabu
3 are at Williston?

4 A. No, I don't.

5 Q. Did you ever ask anybody about
6 that?

7 A. No.

8 Q. Did you have any conversations
9 with anyone at all about why Sabu and Prince
10 are at Williston?

11 A. No, ma'am.

12 Q. What are they doing there?

13 A. Living. They are living there.
14 That's where they live.

15 Q. Do they live together?

16 A. No, ma'am.

17 Q. They live separately?

18 A. Yes, ma'am.

19 Q. How is Sabu maintained at
20 Williston?

21 A. Hands off.

22 Q. What kind of housing does Sabu

1 area. Is that correct?

2 A. Yes, ma'am.

3 Q. If he wanted to go from the night
4 house into the holding pen area, could he do
5 that during the night, too?

6 A. No, ma'am.

7 Q. And what kind of flooring does the
8 night pen area have?

9 A. It is a concrete floor.

10 Q. Could you tell me how Prince is
11 housed at Williston?

12 A. Pretty much the same setup as
13 Sabu.

14 Q. So Prince has his own night house.
15 Is that correct?

16 A. Yes, ma'am.

17 Q. He does not share that with any
18 other elephants. Correct?

19 A. No, ma'am.

20 Q. It also has concrete flooring?

21 A. Yes, ma'am.

22 Q. And it is about the same size as

1 the night house used by Sabu?

2 A. Yes, ma'am.

3 Q. And it also has a night pen area?

4 A. Yes, ma'am.

5 Q. And it also has concrete flooring?

6 A. Has concrete flooring, yes.

7 Q. And is the night pen area about
8 the same size as the night pen area that is
9 available to Sabu?

10 A. Yes, ma'am.

11 Q. Does Prince also have access
12 during the day to a holding area?

13 A. Yes, ma'am.

14 Q. And is that of the same basic
15 description as the one that you described for
16 Sabu?

17 A. Yes, ma'am.

18 Q. Does Prince also spend -- go into
19 the night house area at around 5:00 or
20 6:00 each night?

21 A. Yes, ma'am.

22 Q. Does he stay there until 8:00

1 o'clock the next morning?

2 A. Yes, ma'am.

3 Q. Does Prince then stay in the
4 holding pen area from 8:00 o'clock in the
5 morning until he goes back into the night
6 house each night?

7 A. Yes, ma'am.

8 Q. Do you know how long Sabu has been
9 at Williston?

10 A. No, ma'am, I don't.

11 Q. Was Sabu at Williston when you got
12 there?

13 A. Yes, ma'am.

14 Q. And he is still there. Is that
15 correct?

16 A. Yes, ma'am.

17 Q. Was Prince at Williston when you
18 got there?

19 A. Yes, ma'am.

20 Q. And he is still there, too.

21 A. Yes, ma'am.

22 Q. Have either Sabu or Prince left

1 Williston at all since you have been there?

2 A. No, ma'am.

3 Q. As far as you know, have either
4 Sabu or Prince been used in any breeding
5 activities since you have been there?

6 A. No, they have not.

7 Q. You know that? You know that they
8 have not?

9 A. Yes.

10 Q. What about Siam? How is she
11 housed at Williston?

12 A. Siam is housed in the main barn
13 area in a pen that is separated by another set
14 of ballards on a gate. And she is not
15 chained. She has free access to run around
16 this pen area.

17 Q. Is she with other elephants in
18 this pen area?

19 A. She is by herself but she has
20 access to touching other elephants.

21 Q. Access to touching them how?

22 A. With her trunk.

1 Q. But are they on the other side of
2 the --

3 A. Yes.

4 Q. -- the enclosure?

5 A. Uh-huh.

6 Q. Is that main barn area enclosed?

7 A. Yes. It is a barn, itself.

8 Q. It is a barn?

9 A. It is a barn, itself.

10 Q. So within the barn she is also
11 within a separate enclosure. Is that correct?

12 A. Uh-huh. Right.

13 Q. And that's what you are describing
14 as an enclosure that is also surrounded by --

15 A. Ballards.

16 Q. Ballards?

17 A. Yes.

18 Q. Thank you.

19 Are the ballards the same as the
20 ones you described with respect to Sabu?

21 A. No. These ballards are at a
22 heighth level of maybe six to seven feet and

1 run horizontally, not vertically, all around
2 the holding area for the elephants. And each
3 section of the barn is sectioned off with
4 gates, swinging gates that are the same steel
5 ballards, for individual pens for these
6 elephants.

7 Q. So each of the three female
8 elephants, Siam, Cora and Putzi, have a
9 separate enclosure within the main barn area.
10 Is that correct?

11 A. Yes.

12 Q. But they are all in the same main
13 barn area?

14 A. Uh-huh.

15 Q. Is that true with respect to the
16 nighttime and the daytime?

17 A. Yes, ma'am.

18 Q. Are any of the three elephants
19 ever put in the same enclosure together?

20 A. In the barns, no. When we have
21 them out in the holding pens outside, Cora and
22 Putzi are with each other. Siam is by

1 herself.

2 Q. Let's do Siam first. How long
3 does Siam stay in the main barn area each day?

4 A. From between 5:00 and 6:00 at
5 night until 8:00 o'clock in the morning.

6 Q. What kind of flooring does the
7 main barn area have?

8 A. Concrete.

9 Q. And is she on chains at all?

10 A. No.

11 Q. What happens at 8:00 o'clock in
12 the morning?

13 A. We come in, water them, feed them
14 mash concentrate, which also consists of
15 whatever veterinarianian medicine they need, walk
16 them out to the holding pen areas, and let
17 them be elephants out there, until 5:00 or
18 6:00 o'clock.

19 Q. So Siam goes into the holding pen
20 area at about 8:00 o'clock in the morning
21 until about 5:00 or 6:00 at night?

22 A. Right.

1 Q. And then she goes back into the
2 barn area. Is that correct?

3 A. Yes, ma'am.

4 Q. What kind of flooring does the
5 holding pen area have?

6 A. Sand and dirt.

7 Q. During the time that Siam is in
8 the holding pen area each day, is she by
9 herself?

10 A. Yes.

11 Q. And has that been true since you
12 started working at Williston?

13 A. Yes, ma'am.

14 Q. And has the basic regime that you
15 described with respect to Sabu and Prince also
16 been true since you started working at
17 Williston?

18 A. Yes, ma'am.

19 Q. Tell me about Cora. She is also
20 in a separate enclosure within the main barn
21 area from about 5:00 or 6:00 at night until
22 8:00 o'clock the next morning. Is that

1 correct?

2 A. Yes, ma'am.

3 Q. Within her enclosure, there are no
4 other elephants within her separate enclosure
5 in the barn area. Correct?

6 A. Yes.

7 Q. And then at 8:00 o'clock in the
8 morning she goes out into the holding pen
9 area. Is that correct?

10 A. Yes, ma'am.

11 Q. How big is the holding pen area?

12 A. We have three different, four
13 different pen areas. The areas that are
14 behind the barn area are 25 by 25 feet. The
15 large holding area is at least 75 by 75.

16 Q. When you said earlier that Siam
17 goes into the holding pen area at about 8:00
18 o'clock in the morning, which holding pen area
19 is she going into?

20 A. As you walk into the barn, it will
21 be to the left of the entrance to the barn,
22 all the way down to the very end of the

1 horizontal ballards. And she would be there.

2 Q. Is that the large holding pen area
3 that you described or the small one?

4 A. I am sorry, you are talking about
5 outside. My mistake. I thought you meant
6 with the barn.

7 Q. Let the record be clear. I am
8 talking about when she goes in at 8:00 o'clock
9 in the morning to the holding pen area, Siam,
10 which holding pen area does she go into?

11 A. What we do is we move the
12 elephants into different holding pens every
13 day. So we rotate them so every day they are
14 not in the same holding pen. Like I said, the
15 three that are behind our barn area are 25 by
16 25 feet. The one in front is 75 by 75. Each
17 elephant has access to that holding pen every
18 third day. So they are rotated around to the
19 different holding pens.

20 Q. So every third day Siam has access
21 to the large holding pen area. Is that
22 correct?

1 A. Yes, ma'am.

2 Q. But even when she is in the large
3 holding pen area, she is by herself. Is that
4 correct?

5 A. Yes, ma'am.

6 Q. Cora, when she is released into a
7 holding pen area at 8:00 o'clock in the
8 morning, she goes into one of the three
9 holding pen areas. Is that correct?

10 A. One of the four. Along with
11 Putzi.

12 Q. Cora and Putzi stay together
13 during the day. Is that correct?

14 A. Yes, ma'am.

15 Q. And is that true every day?

16 A. Yes, ma'am.

17 Q. Why do they stay together?

18 A. Cora and Putzi have bonded as a
19 friendship over the years. They have always
20 been with each other. So we keep them
21 together as friends.

22 Q. So Cora and Putzi also have access

1 to the large holding pen area that you
2 described every third day. Is that correct?

3 A. Yes, ma'am.

4 Q. Otherwise, on the other days, are
5 Cora and Putzi in one of the smaller 25 by 25
6 holding pens together?

7 A. Yes, ma'am.

8 Q. Since you have been at Williston
9 have any of the three female elephants, Siam,
10 Cora and Putzi, left Williston for any reason?

11 A. No, ma'am.

12 Q. How many times a day are the
13 elephants provided water in Williston?

14 A. They have access to water all the
15 time. When they are in the holding pens. And
16 then we also water them once in the morning
17 and once in the evening when we are bathing
18 them.

19 Q. How about when they are in the
20 barns? Do they have access to water?

21 A. No, ma'am.

22 Q. Do any of the five elephants that

1 benefits based on your employment with Feld
2 Entertainment?

3 A. Yes.

4 Q. Do you get any other benefits in
5 connection with your job with Feld
6 Entertainment?

7 A. No, ma'am.

8 Q. Do you have any dealings at all
9 with the CEC?

10 A. No, ma'am.

11 Q. Are you kept informed at all about
12 what is going on at the CEC?

13 A. No, ma'am.

14 Q. Do you know Tom Rider?

15 A. Yes, ma'am.

16 Q. When did you meet him?

17 A. (Pause). '86, '87, '88.

18 Q. Could it have been in the '90s?

19 A. That's right. Excuse me. I'm
20 sorry.

21 Q. That's all right.

22 A. '96, '97, '98. I'm sorry.

1 Q. That's all right.

2 How did you meet him?

3 A. Mr. Rider applied for a position
4 for work at the Ringling show and they brought
5 him out to work with us with the elephants.

6 Q. What was his job?

7 A. He started out as just a laborer
8 but, at the end of his work there, he was
9 working as a barn man, which curtails him
10 taking care of the barn while people are there
11 and not there. Which means he is cleaning up
12 behind the elephants, he is feeding the
13 elephants.

14 Q. Did he spend a lot of time with
15 the elephants in that capacity?

16 A. As the barn man?

17 Q. Yes.

18 A. On his eight hour shift, yes, he
19 did.

20 Q. So you worked with Mr. Rider in
21 1997? Is that correct?

22 A. Yes, ma'am.

1 Q. Did you also work with him in
2 1998?

3 A. Yes, ma'am.

4 Q. And did you work with him in 1999?

5 A. No.

6 Q. Not at all?

7 A. No.

8 Q. Do you know who Mr. Rider's
9 supervisor -- I am sorry, let's start with
10 this.

11 A. Actually, yes, I did work with him
12 in '99. I got my dates wrong. Yes, I did.

13 Q. Let's start over.

14 A. '98, '99 I did work with him.

15 Q. Just so the record is clear, so
16 you worked with Mr. Rider in 1997. Is that
17 correct?

18 A. Right.

19 Q. And you worked with him in 1998.
20 Is that correct?

21 A. Yes, ma'am.

22 Q. And you worked with him for some

1 period of time in 1999.

2 A. Right.

3 Q. And when you worked with him, that
4 was on the blue unit. Correct?

5 A. Yes, ma'am.

6 Q. Do you know who Mr. Rider's
7 supervisor was on the Blue Unit when you
8 worked with him between 1997 and 1999?

9 A. Randy Peterson.

10 Q. Did you ever have any
11 conversations with Mr. Rider?

12 A. Mostly pertaining to work.

13 Q. Do you remember any of those
14 conversations?

15 A. Not really. Not at all.

16 Q. Do you remember the circumstances
17 under which Mr. Rider left the Blue Unit?

18 A. He had an opportunity to go with
19 Daniel Raffo over to Europe with another
20 person and he took the opportunity and went.

21 Q. And were there some elephants
22 involved in that trip to Europe, as well?