

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

**Plaintiffs,**

v.

FELD ENTERTAINMENT, INC.,

**Defendant.**

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Case No. 03-2006 (EGS/JMF)

**EXHIBIT 2**

James M. Andacht

Washington, DC

January 30, 2008

Page 1

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF COLUMBIA

3 ----- x

4 AMERICAN SOCIETY FOR THE :  
5 PREVENTION OF CRUELTY TO :  
6 ANIMALS, et al., :

7 Plaintiffs, :

8 v. : Civ No. 03-2006  
9 : (EGS/JMF)

10 RINGLING BROTHERS AND BARNUM :  
11 & BAILEY CIRCUS, et al., :

12 Defendant. :

13 ----- x

14 Washington, D.C.

15 Tuesday, January 30, 2008

16 Video Deposition of

17 JAMES M. ANDACHT, called for examination by  
18 counsel for Plaintiffs, pursuant to notice, at the  
19 Law Offices of Meyer Glitzenstein & Crystal, 1601  
20 Connecticut Avenue, N.W., Washington, D.C.,  
21 commencing at 10:07 a.m., before Barbara A. Huber,  
22 Notary Public in and for the District of Columbia,  
when were present on behalf of the respective  
parties:

James M. Andacht

Washington, DC

January 30, 2008

Page 217

1 concerns about the treatment of the animals at the  
2 circus with you directly?

3 A Seeing it on this e-mail right here.

4 Q Other than this e-mail?

5 A I don't remember.

6 Q You don't remember having any  
7 conversations with her about concerns about the  
8 treatment of the animals?

9 A No.

10 Q All right. Do you remember receiving  
11 this e-mail?

12 A No.

13 Q All right. This is an e-mail from  
14 Dr. Case to you and Mark Gaipo; is that correct?

15 A Yes.

16 Q And it's copied to Dr. Lindsay, correct?

17 A Yes.

18 Q And it's dated July 26th, 2004.

19 And the last paragraph of the e-mail,  
20 before the part that was redacted, states quote,  
21 It has also been brought to my attention by more  
22 than one person that the elephants are not

James M. Andacht

Washington, DC

January 30, 2008

Page 218

1 receiving enough water -- and then she has an  
2 internal quote -- So as to minimize the amount  
3 they urinate -- end of internal quote.

4 Do you see that?

5 A Yes.

6 Q And then a couple lines down she has,  
7 Perhaps this is worth investigating.

8 Do you see that?

9 A Yes.

10 Q All right. Do you know what, if any,  
11 action was taken in response to Dr. Case's e-mail  
12 to you about the fact that it had been brought to  
13 her attention by more than one person that the  
14 elephants were not receiving enough water so as to  
15 minimize the amount they urinate?

16 A No, I don't know what action was taken.

17 Q Okay. Do you remember taking any action  
18 at all in response to this e-mail?

19 A No, I do not.

20 Q Do you remember whether any  
21 investigation of this matter was conducted by the  
22 company?

James M. Andacht

Washington, DC

January 30, 2008

Page 219

1 A No, I do not.

2 Q Okay. If an investigation had occurred,  
3 would there be some documentation of that  
4 investigation?

5 A I don't know.

6 Q When she refers to Sacha in that last  
7 paragraph, is she referring to Sasha Houche?

8 A I assume she is.

9 Q Okay. Was there anybody else named  
10 Sacha working for the circus during this time  
11 period, that you know of?

12 A I'm not aware of.

13 Q Okay. There wasn't anyone else with  
14 responsibility for the elephants at the circus  
15 during this time period whose first name was  
16 Sacha, was there?

17 A No.

18 Q Okay. Do you regard Dr. Case's concern  
19 about depriving the elephants of water so as to  
20 minimize the amount they urinate to be a serious  
21 concern?

22 A If I thought it was true, yes.