

**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)**

**DEFENDANT’S WITNESS AND EXHIBIT LIST FOR TUESDAY, MARCH 10, 2009**

Defendant hereby provides notice of the following list of witnesses who are likely to testify on Tuesday, March 10, 2009 and the exhibits defendant intends to introduce that same date. Given the back log in witness and exhibits previously identified, defendant may call any witnesses or enter any exhibits listed for March 3, 4, 5, or 9, 2009, in addition to the witness listed below. Defendant reserves the right to rely upon any exhibit already admitted into evidence.

**I. BRIAN FRENCH**

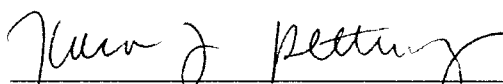
<b>EXHIBIT #</b>	<b>Description</b>	<b>Evidentiary Basis</b>
PWC 130	Ringling Brother’s [sic] Elephants Chained in Boxcars, March 2000 (PL 08970)	Admitted into evidence during plaintiffs’ case-in-chief
PWC 118	Photographs taken during Court Ordered Inspections of The Center for Elephant Conservation (11/29/07) and the Blue Unit in Auburn Hill, MI (11/13/07)  (pg. 7)	Admitted into evidence during plaintiffs’ case-in-chief

<b>EXHIBIT #</b>	<b>Description</b>	<b>Evidentiary Basis</b>
PWC 143	<p>Video footage of the Rule 34 Inspection of the Blue Unit in Auburn Hill, Michigan (11/13/07)</p> <p><b>Timestamp:</b></p> <p>4:50-6:00</p> <p>18:12-18:32</p> <p>18:43-18:46</p> <p>20:56-22:56</p> <p>25:10-30:00</p> <p>35:07-35:36</p> <p>38:08-41:57</p> <p>42:06-50:45</p> <p>48:11-48:29</p> <p>49:34-49:49</p> <p>50:51-51:04</p> <p>52:05-55:57</p> <p>1:30:03-135:03</p> <p>1:43:07-1:47:18</p> <p>2:09:09-2:13:09</p> <p>2:22:03-2:23:47</p> <p>2:30:03-2:36:04</p> <p>3:03:06-3:07:06</p> <p>3:24:06-3:28:06</p> <p>4:15:45-4:17:00</p>	Admitted into evidence during plaintiffs' case-in-chief

<b>EXHIBIT #</b>	<b>Description</b>	<b>Evidentiary Basis</b>
	4:22:59-4:23:29 4:28:20-4:28:42 4:38:01-4:38:54	
DX 28	Karen & Nicole Video Footage (11/13/07) (FEI 45267) <b>Timestamp:</b> 3:50-5:00 56:30-1:02:55	No objection by plaintiffs

Dated this 5th day of March, 2009.

Respectfully submitted,



John M. Simpson (D.C. Bar #256412)  
 Joseph T. Small, Jr. (D.C. Bar #926519)  
 Lisa Zeiler Joiner (D.C. Bar #465210)  
 Lance L. Shea (D.C. Bar #475951)  
 Michelle C. Pardo (D.C. Bar #456004)  
 Kara L. Petteway (D.C. Bar #975541)

FULBRIGHT & JAWORSKI L.L.P.  
 801 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20004  
 Telephone: (202) 662-0200  
 Facsimile: (202) 662-4643

Counsel for Defendant Feld Entertainment, Inc.