

TOTAL P. 03



United States  
Department of  
Agriculture

July 15, 1998

Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

4700 River Road  
Riverdale, MD 20737

Mr. Harris J. Weinstein  
Ms. Jeannie Perron  
Covington & Burling  
1201 Pennsylvania Avenue, NW.  
P.O. Box 7566  
Washington, D.C. 20044-7566

Dear Mr. Weinstein and Ms. Perron:

Subject: In re Feld Entertainment, Inc., dba Ringling Bros. & Barnum & Bailey  
Circus, AWA Docket No. 98-20

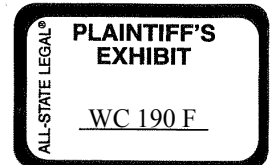
I am writing to allay your concerns expressed at numerous meetings with our attorneys about the media reports surrounding the death on January 24, 1998, of the juvenile Asian elephant known as "Kenny" and the complaint filed by the United States Department of Agriculture (USDA) in AWA Docket No. 98-20.

As you are aware, certain media reports stated incorrectly that USDA had charged Ringling Bros. and Barnum & Bailey Circus (Ringling Bros.) with a violation of the Animal Welfare Act that resulted in the death of "Kenny." Contrary to the published reports, the complaint filed in AWA Docket No. 98-20 did not allege that Ringling Bros. was responsible for or that its actions contributed to the death of "Kenny." Also, Ringling Bros. has never been adjudged to have violated the AWA or the Regulations and Standards issued thereunder.

I hope this letter addresses your concerns.

Sincerely,

W. Ron DeHaven  
Acting Deputy Administrator  
Animal Care



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FELD 0023232



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The purpose of this letter is to confirm discussions with our attorneys regarding the scope and effect of the consent decision which resolves AWA Docket No. 98-20.

The Animal Welfare Act is administered by the United States Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). No other agency of the government is involved in the enforcement of the regulations and standards issued under the Act.

It is the intent of APHIS that the consent decision would subsume and resolve any and all allegations against your client, including those which could have been included in the complaint or an amended complaint, arising in connection with any event, act, or matter occurring on or prior to this date.

I appreciate your cooperation in the resolution of this matter.

Sincerely,

W. Ron DeHaven  
Acting Deputy Administrator  
Animal Care



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