

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

Plaintiffs,

v.

RINGLING BROS. AND BARNUM  
& BAILEY CIRCUS, et al.,

Defendants.

Civ. No. 03-2006 (EGS)

**PLAINTIFF AMERICAN SOCIETY FOR PREVENTION  
OF CRUELTY TO ANIMALS' RESPONSES AND  
OBJECTIONS TO DEFENDANTS' FIRST SET OF INTERROGATORIES**

Pursuant to Federal Rule of Civil Procedure 33 and the agreement of the parties, plaintiff American Society for the Prevention of Cruelty to Animals ("ASPCA") hereby offers the following objections and responses to Defendants' First Set of Interrogatories to the ASPCA.

**DEFINITIONS**

1. As used herein, "irrelevant" means not relevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence.

**GENERAL OBJECTIONS**

1. The ASPCA's general objections, as set forth herein, are to be considered continuing objections and responses to the specific Interrogatories that follow, even if not referred to in the objection and response to a specific Interrogatory. The ASPCA's

**DEFENDANT'S  
EXHIBIT**  
18-R  
ALL-STATE LEGAL SUPPLY CO

objections and responses given herein shall not be construed to waive or preclude any objections it may later assert.

2. The ASPCA objects to each Definition and Instruction and each Interrogatory to the extent that they are vague, ambiguous, overly broad, unduly burdensome, or seek irrelevant information.

3. The ASPCA objects to each Definition and Instruction and each Interrogatory to the extent that it seeks to impose obligations on the ASPCA beyond the requirements of the Federal Rules of Civil Procedure and any applicable local rules.

4. The ASPCA objects to each Definition and Instruction and each Interrogatory to the extent that it seeks information protected against disclosure by the attorney-client privilege, the work-product doctrine, or any other privilege, immunity, doctrine, or rule of confidentiality. The ASPCA further objects to each Definition and Instruction, and each Interrogatory, to the extent it seeks disclosure of information that would violate the privacy or other rights of individuals.

5. In responding to these Interrogatories, the ASPCA does not waive the foregoing objections or the specific objections that are set forth in the responses to particular requests. In addition, the ASPCA does not concede by responding that the information sought or produced is relevant to the subject matter of this action or is calculated to lead to the discovery of admissible evidence. The ASPCA expressly reserves the right to object to further discovery into the subject matter of these Interrogatories and the right to object to the introduction into evidence of any of the information provided in response to the Interrogatories.

6. Although the ASPCA has exercised due diligence in responding to the Interrogatories, the ASPCA reserves the right to amend or supplement its responses and objections to the Interrogatories if additional or different responsive information is discovered during discovery or otherwise hereafter.

7. Although the ASPCA has exercised due diligence in responding to the Interrogatories, without waiving the foregoing objections or the specific objections set forth in the responses to particular interrogatories, there may be instances in which the ASPCA used an incorrect name or other identifying information with respect to identifying individuals or animals involved in a particular incident that occurred, or it used an incorrect date to describe a particular incident that occurred.

#### **SPECIFIC OBJECTIONS TO DEFINITIONS**

1. The ASPCA objects to the definition of “describe” to the extent it seeks to impose discovery obligations exceeding those required by the applicable rules of civil procedure, and on the grounds that it is overly broad, unduly burdensome, oppressive, vexatious, and seeks irrelevant information.

2. The ASPCA objects to the definition of “identify” to the extent it seeks to impose discovery obligations on the ASPCA exceeding those required by the applicable rules of civil procedure, and on the grounds that it is overly broad, unduly burdensome, oppressive, vexatious, and seeks irrelevant information. In particular, where a business address is available for an individual identified, the ASPCA objects to the instruction to provide a home address on the grounds that it invades personal privacy rights and seeks overly broad and irrelevant information.

**RESPONSES AND SPECIFIC OBJECTIONS**

The ASPCA incorporates herein by reference its Definitions and General Objections with respect to each Interrogatory to which those objections apply, as though fully set forth therein, and no specific objection or response is intended or shall be construed to waive any of those objections. Subject to and without waiving those objections, the ASPCA answers defendants' Interrogatories as follows:

**Interrogatory No. 2:**

Identify each person within your organization who has any responsibility for, or authority over, your policy regarding the presentation of elephants in circuses.

**Objection and Response to Interrogatory No. 2:**

The ASPCA objects to this Interrogatory on the grounds that the terms “responsibility,” “authority,” and “policy” are vague and ambiguous. Subject to and without waiving this objection or plaintiffs’ general objections to these Interrogatories, ASPCA states that its policy regarding the presentation of elephants in circuses is as follows:

The ASPCA is opposed to the inherent stress and cruelty to animals used in circus acts. The ASPCA does not believe it is possible to maintain wild and domestic animals on the road for a full circus season without inflicting abuse on the animals. The ASPCA does not believe it is possible to train elephants, big cats, bears and other wild animals to perform circus acts without abuse. While animals continue to be used legally, we will strive to reduce stress and cruelty in all cases.

This Policy is included among the documents produced by the ASPCA in response to defendants’ document production requests at A-00131.

Ed Sayers, President ((212) - 876-7700 (ext. 4603)); Dr. Stephen Zawistowski, Senior Vice President, National Program Office ((212) - 876-7700 (ext. 4401)), Lisa B. Weisberg, Esq., Senior Vice President, Government Affairs and Public Policy, and Senior Policy Advisor ((212) - 876-7700 (ext. 4552)), are the persons within the ASPCA who have responsibility for this policy. The ASPCA’s address is: 424 East 92<sup>nd</sup> Street, New York, New York 10128.

**Interrogatory No. 21:**

Identify each resource you have expended from 1997 to the present in "advocating better treatment for animals held in captivity, including animals used for entertainment purposes" as alleged in the complaint, including the amount and purpose of each expenditure.

**Objection and Response to Interrogatory No. 21:**

The ASPCA objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, and oppressive and calls for confidential proprietary financial information. Subject to and without waiving this objection and the general objections to these Interrogatories, the ASPCA responds as follows:

1997: (see attached Form 990)

10% of salaries, benefits, and support expenses of Government Affairs New York and DC Offices: \$265,000 + \$220,000 = \$48,000

Communications ( <i>Animal Watch</i> @ \$3,000/page)	\$ 4,500
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Total for 1997:	\$52,500
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1998: (see attached Form 990)

10% of salaries, benefits, and support expenses of Government Affairs New York and DC Offices: \$100,000 + \$100,000 = \$20,000

Supporting expenses (5% of \$567,000)	\$28,000
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California circus ad (see letter of 6/29/98 to Alan Berger)	\$ 1,000
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Humane Law Enforcement investigations (8/4/98; 8/31/98)	\$ 500
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Communications ( <i>Animal Watch</i> articles @ \$ 3,000/page)	\$4500
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Total for 1998: \$54,000

1999: (see attached Form 990)

10% of salary and benefits of Gov't Affairs  
NY and DC staff

\$ 165,000 + \$150,000 = \$30,000

10% of supporting expenses \$220,000 = \$22,000

Humane Law Enforcement investigations  
(3/23; 3/24; 3/29) \$ 750

Communications (*Animal Watch* articles  
@ \$3,000/page) \$ 4500

Total for 1999: \$57,250

2000:

10% of salary and benefits of Gov't Affairs NY, DC staff;  
5% Midwest staff

\$248,288 + \$152,563 + \$75,000 = \$47,235

10% of supporting expenses \$ 4,000

Communications (*Animal Watch* articles  
@ \$3,000/page) \$ 4500

Total for 2000: \$55,735

2001:

10% of salary and benefits of Gov't Affairs NY, DC staff;  
5% Midwest staff

\$276,000 + \$238,000 + \$73,000 = \$55,000

10% of supporting expenses \$ 11,000

July 9, 2001 payment to Jungle Friends  
Sanctuary (building cages for  
rescued monkeys) \$ 2,500

October 13, 2001 payment to Mindy's  
Memory Primate Sanctuary  
(capital improvements; monkey house, cages) \$ 2500

Payment to Meyer & Glitzenstein  
re Ringling lawsuit \$ 9,000

GREY2K USA (greyhound racing efforts) \$ 8,000

Humane Law Enforcement investigations  
(4/2) \$ 250

Media Relations (15% of staff time) \$ 45,000

Communications (*Animal Watch* articles  
@ \$3,000/page) \$ 4500

Total for 2001: \$137,750

2002:

10% of salary and benefits of Gov't Affairs NY, Midwest  
and CA Midwest staff

\$323,000 +116,000 = \$43,000

10% of supporting expenses \$ 8,000

Florida pig gestation crate initiative \$25,000

WSPA circus ad campaign in Boston \$ 6,000

Florida greyhound ad (Tallahassee  
Democrat) \$ 1,000

Florida lobbying on greyhound bills  
(GREY2K) \$ 4,000

Meyer & Glitzenstein \$10,151  
Humane Law Enforcement investigations  
(3/21) \$ 250

Media Relations  
- 10% of staff time \$ 30,000  
- Production of video news release



and dubs of tapes about lawsuit	\$ 6,000
- faxing press releases	\$ 5,000
- PR Newswire posting press release	\$ 4,000
- Tapes of Ringling Bros' news stories	\$ 2,000
- Misc. expenses (long distance calls, faxing, fedex)	\$ 5,000
Communications ( <i>Animal Watch</i> articles @ \$3,000/page)	\$ 4500
Total for 2002:	\$153,901

2003:

10% of salary and benefits of Gov't Affairs NY, Midwest and CA Midwest staff

\$415,000 + \$170,000 = \$58,500

10% of supporting expenses \$ 8,000

Meyer & Glitzenstein (Ringling law suit) \$16,268

The Victory Group (greyhound lobbying efforts in MA) \$ 15,000

Dave Hatch (professional signature gathering for Denver ballot Initiative to ban exotic animal acts) \$ 1,000

Humane Law Enforcement inspections (7/17) \$ 250

Media Relations (5% of staff time) \$ 15,000

Communications (*Animal Watch* articles @ \$3,000/page) \$ 4500

Total for 2003: \$118,518

2004:

10% of salary and benefits of Gov't Affairs NY, Midwest, CA staff \$30,000

10% of supporting expenses	\$ 4,000
Meyer & Glitzenstein	\$ 5,000
Media Relations (5% pf staff time to date)	\$15,000
Total for 2004 to date:	\$54,000
Total Resources Expended 1997 to the present:	\$683,654

**Interrogatory No. 22:**

Identify each expenditure from 1997 to the present of “financial and other resources” made while “pursuing alternative sources of information about defendants’ actions and treatment of elephants” as alleged in the complaint.

**Objection and Response to Interrogatory No. 22:**

The ASPCA objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, and calls for confidential financial information. Subject to and without waiving these and the general objections to these Interrogatories, the ASPCA states the following:

In 2000, the ASPCA spent about 5% of the time and benefits of the head of its D.C. Office, Nancy Blaney, as well as 5% of the overhead for that office gathering information from other organizations about Ringling Bros.’ treatment of Asian elephants, culminating in the ASPCA’s decision to become co-plaintiffs in this action: approximately \$13,000.

In 2001, the ASPCA gave The Wildlife Advocacy Project a grant for \$7,400 for public education about Ringling Bros.’s mistreatment of Asian elephants.

In 2002, the ASPCA spent a percentage of the salary and benefits for Lisa Weisberg – approximately \$12,000; plus \$ 7,568 for Freedom of Information Act litigation to obtain

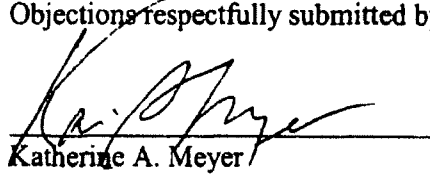
documents from the USDA concerning Ringling Bros.' treatment of Asian elephants, and \$ 18,186 for public education expenses, for a total of \$37,754.

In 2003, the ASPCA spent a percentage of Ms. Weisberg's salary and benefits – approximately \$ 14,000; plus \$10,227.11 for Freedom of Information Act litigation, follow-up an the compilation of the USDA Report, for a total of \$24,227.11.

In 2004, to date, the ASPCA spent a percentage of Ms. Weisberg's salary and benefits – approximately \$ 1,000; plus \$ 419.69 for Freedom of Information Act litigation follow-up to obtain documents from the USDA concerning Ringling Bros.'s treatment of Asian elephants, for a total of \$1,419.69.

Total for expenditures to pursue alternate sources of information: \$83,800.80

Objections respectfully submitted by:

A handwritten signature in black ink, appearing to read "K. Meyer", is written over a horizontal line.

Katherine A. Meyer  
(D.C. Bar No. 244301)  
Eric R. Glitzenstein  
(D.C. Bar No. 358287)  
Kimberly D. Ockene  
(D.C. Bar No. 461191)

Meyer & Glitzenstein  
1601 Connecticut Ave., N.W.  
Suite 700  
Washington, D.C. 20009  
(202) 588-5206

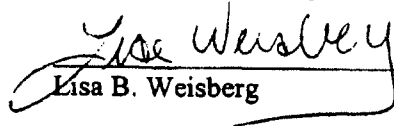
Date: June 9, 2004

**VERIFICATION**


CITY OF NEW YORK                     )  
  )  
STATE OF NEW YORK                    )

LISA B. WEISBERG, being duly sworn, says:

I am employed by the American Society for the Prevention of Cruelty to Animals ("ASPCA") as the Senior Vice President, Government Affairs and Public Policy, and Senior Policy Advisory. The ASPCA is a plaintiff in this case. I have read the foregoing objections and responses to Defendants' First Set of Interrogatories to Plaintiff ASPCA and know the contents thereof; and, upon information and belief, said Objections and Responses are true and correct.

  
\_\_\_\_\_  
Lisa B. Weisberg

Sworn to before me this  
\_\_\_\_ day of June, 2004

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

CORI A. Menkin  
Notary Public, State of New York  
No. 02ME6070020  
Qualified in Westchester County  
Commission Expires February 19, 2016

\_\_\_\_\_

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

Plaintiffs,

v.

RINGLING BROS. AND BARNUM  
& BAILEY CIRCUS, et al.,

Defendants.

Civ. No. 03-2006 (EGS)

**PLAINTIFF AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO  
ANIMALS' SUPPLEMENTAL RESPONSES AND OBJECTIONS TO  
DEFENDANTS' INTERROGATORIES**

Pursuant to Federal Rule of Civil Procedure 33 and the agreement of the parties, plaintiff American Society for the Prevention of Cruelty to Animals ("ASPCA") hereby offers the following supplemental objections and responses to Defendants' First Set of Interrogatories to Plaintiffs American Society for the Prevention of Cruelty to Animals, Animal Welfare Institute, and Fund for Animals.

**DEFINITION**

1. As used herein, "irrelevant" means not relevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence.

**GENERAL OBJECTIONS**

1. ASPCA hereby incorporates by reference both the general and specific objections that it made to Defendants' First Set of Interrogatories, as well as its objections to defendants' definitions of "describe" and "identify."

2. ASPCA further objects to each Definition and Instruction, and each Interrogatory, to the extent it seeks disclosure of information that would violate any of the First Amendment rights of organizations or their members.

**RESPONSES AND SPECIFIC OBJECTIONS**

ASPCA incorporates herein by reference its Definitions and General Objections with respect to each Interrogatory to which those definitions and objections apply, as though fully set forth therein, and no specific objection or response is intended or shall be construed to waive any of those objections. Subject to and without waiving those objections, ASPCA supplements its answers to defendants' Interrogatories as follows:

**Interrogatory No. 2:** Identify each person within your organization who has any responsibility for, or authority over, your policy regarding the presentation of elephants in circuses.

**Supplemental Response to Interrogatory No. 2:**

Subject to and without waiving ASPCA's previous objections to this Interrogatory, ASPCA supplements its answer by stating that Dr. Stephen Zawistowski, who is now Executive Vice President of National Programs for ASPCA, continues to have responsibility for this policy.



**Interrogatory No. 21:** Identify each resource you have expended from 1997 to the present in “advocating better treatment for animals held in captivity, including animals used for entertainment purposes” as alleged in the complaint, including the amount and purpose of each expenditure.

**Supplemental Response to Interrogatory No. 21:**

Subject to and without waiving its previous objections to this Interrogatory, ASPCA estimates that since 2004 it has spent approximately \$7,700 on staff time sending action alerts to ASPCA’s members, writing Letters to the Editor to educate the public, writing advocacy letters to various officials, and supporting research on elephants and the conditions under which they are maintained in captivity, in order to improve the conditions under which animals, including elephants used for entertainment purposes, are held in captivity.

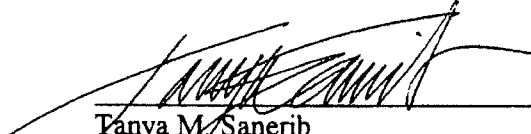
**Interrogatory No. 22:** Identify each expenditure from 1997 to the present of “financial and other resources” made while “pursuing alternative sources of information about defendants’ actions and treatment of elephants” as alleged in the complaint.

**Supplemental Objections and Response to Interrogatory No. 22:**

Subject to and without waiving its previous objections to this Interrogatory, ASPCA states that it has spent approximately \$12,110.00 on legal fees and costs pursuing information

from the United States Department of Agriculture concerning defendants' actions and treatment of elephants.

Objections respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Tanya M. Sanerib', is written over a horizontal line.

Tanya M. Sanerib  
(D.C. Bar No. 473506)  
Katherine A. Meyer  
(D.C. Bar No. 244301)

Meyer Glitzenstein & Crystal  
1601 Connecticut Ave., N.W., Suite 700  
Washington, D.C. 20009  
(202) 588-5206

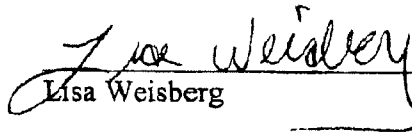
Dated: January 31, 2007

**VERIFICATION**

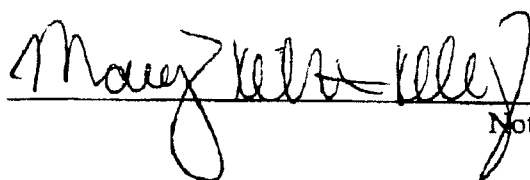
CITY OF NEW YORK                    )  
  )  
STATE OF NEWYORK                    )

LISA WEISBERG, being duly sworn, say:

I am employed as the Senior Vice President, Government Affairs and Public Policy, and Senior Policy Advisor for the American Society for the Prevention of Cruelty to Animals. The American Society for the Prevention of Cruelty to Animals is a plaintiff in this case. I have read the foregoing supplemental objections and responses to Defendants' Interrogatories to Plaintiffs American Society for the Prevention of Cruelty to Animals, Fund for Animals, and Animal Welfare Institute and know the contents thereof. Upon information and belief, said Objections and Responses are true and correct.

  
\_\_\_\_\_  
Lisa Weisberg

Sworn to before me this  
31<sup>st</sup> day of January, 2007

  
\_\_\_\_\_  
Notary Public

MARY KRISTEN KELLY  
Notary Public, State of New York  
No. 07KE6117001  
Qualified in New York County  
Commission Expires October 12, 2008

My Commission Expires:

October 12, 2008



**UNITED STATES DISTRICT COURT  
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AMERICAN SOCIETY FOR THE  
PREVENTION OF CRUELTY TO  
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**v.**

RINGLING BROS. AND BARNUM  
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**Defendants.**

Civ. No. 03-2006 (EGS/JMF)

**PLAINTIFF AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO  
ANIMALS' SUPPLEMENTAL RESPONSES AND OBJECTIONS TO  
DEFENDANTS' INTERROGATORIES**

Pursuant to Federal Rule of Civil Procedure 33 and the August 23 and September 24, 2007 Orders of the Court, plaintiff the American Society for the Prevention of Cruelty to Animals ("ASPCA") hereby offers the following supplemental or amended responses to Defendants' First Set of Interrogatories to Plaintiffs American Society for the Prevention of Cruelty to Animals, Animal Welfare Institute, and Fund for Animals. The ASPCA hereby incorporates by reference the definitions and the general and specific objections that it made in its original and January 31, 2007 responses to Defendants' First Set of Interrogatories.

**Interrogatory No. 21:** Identify each resource you have expended from 1997 to the present in “advocating better treatment for animals held in captivity, including animals used for entertainment purposes” as alleged in the complaint, including the amount and purpose of each expenditure.

**Supplemental Response to Interrogatory No. 21:**

The ASPCA supplements and amends its original response to this Interrogatory by providing the following supplemental and amended information.

To the best of the ASPCA’s knowledge, the amount of funding it has provided for Tom Rider’s media and public education efforts on behalf of elephants in the circus is included herein. All of the funds that the ASPCA provided to Mr. Rider were for living expenses in connection with his important advocacy efforts as he traveled throughout the country on behalf of the elephants, including travel, lodging, phone, internet access, food, and other general expenses while he was on the road. The total amount of these funds was approximately \$26,453.00, over the course of three years (2001, 2002, 2003). This does not include ASPCA staff time and other

organizational expenses that were expended in connection with Mr. Rider's advocacy work. See, e.g., Plaintiff ASPCA's Responses and Objections to Defendants' First Set of Interrogatories at 31-33.

Beginning in June of 2001, the ASPCA provided funds for Mr. Rider's media and outreach work through reimbursements to the law firm Meyer & Glitzenstein. The firm provided funds to Mr. Rider and then billed the ASPCA for those costs. In 2001 this amounted to approximately \$3,565.00, which is reflected in Meyer & Glitzenstein invoices being produced by the ASPCA. See A 1203-1213.<sup>1</sup>

In December 2001, the ASPCA provided a \$6,000.00 grant to the Wildlife Advocacy Project for that organization's advocacy work on behalf of elephants in captivity, and understood that these funds would be used for Mr. Rider's media and public education advocacy. See A 1221.<sup>2</sup>

In 2002, the ASPCA provided approximately \$1,144.00 for Mr. Rider's media and public education advocacy through reimbursements to Meyer & Glitzenstein. These funds are reflected in documents being produced by the ASPCA. See A 1214-A 1217. In 2002 the ASPCA also paid some of Mr. Rider's expenses directly, including: wireless phone charges (approximately

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<sup>1</sup> The phrase "Shared Expense" in an invoice, see, e.g., A 1203, means that the expense was shared equally among the three plaintiff organizations. The phrase "special expense" in an invoice, see, e.g., A 1210, means that the specified expenses were billed only to the ASPCA.

<sup>2</sup> In its original interrogatory responses and at Ms. Weisberg's July 2005 deposition, the ASPCA stated that it had given the Wildlife Advocacy Project a grant in 2001 in the amount of \$7,400.00. See Plaintiff ASPCA's Responses and Objections to Defendants' First Set of Interrogatories at 33; Transcript of July 19, 2005 Deposition at 56. In conducting further investigations on this matter, the ASPCA has determined that the total amount of the grant in 2001 was \$6,000, and the additional \$1,400 that the ASPCA previously referred to was in fact an in kind donation of office furniture to the Wildlife Advocacy Project, and was not related to Mr. Rider's media and public education work.

\$4,310.00), see A 1223-1230; internet access charges (approximately \$263.40), and lodging expenses (approximately \$2,000.00), see A 1240-1248. The ASPCA also paid bus fare for Mr. Rider directly on one occasion. See id. at A 1240. In 2002 the ASPCA also provided Mr. Rider with a total of \$5,660.00 in funds for his travel and living expenses while on the road. This amount is reflected in the ASPCA's general accounting ledger. See A 1222, at 1229-30.<sup>3</sup>

In 2002, the ASPCA also gave Mr. Rider a used laptop computer so that he could access the internet to stay abreast of developments concerning the issue of elephants in captivity, and to facilitate his efforts to locate and contact media outlets and reporters. As indicated in the accompanying declaration of Lisa Weisberg, the ASPCA could not locate any documentation for the cost of that computer, but the ASPCA estimates that it was worth no more than \$500.00. The ASPCA also gave Mr. Rider a cell phone to use while traveling on the road performing media and public education advocacy. The ASPCA was also unable to locate any records documenting the cost of this phone, but it was probably worth no more than \$200.00.

In 2003, the ASPCA provided approximately \$1,045.00 for Mr. Rider's media and public education advocacy through reimbursements to Meyer & Glitzenstein. These funds are reflected in documents being produced by the ASPCA. See A 1218-1220. The ASPCA also continued to pay for Mr. Rider's wireless phone charges, internet access, and some lodging expenses. The

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<sup>3</sup> The ASPCA originally gave Mr. Rider \$5,000.00 in traveler's checks in May 2002, see A 1222, at 1230, which was subsequently reduced by \$1,200.00, see id., for a total disbursement in traveler's checks of \$3,800.00.

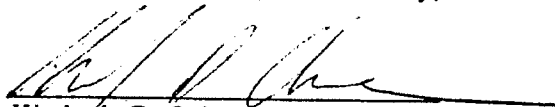
approximate amount of those expenditures in 2003 were \$1,246.00, see A1233-1239, \$219.00, see A1231-1232, and \$1,000 respectively.<sup>4</sup>

**Interrogatory No. 22:** Identify each expenditure from 1997 to the present of “financial and other resources” made while “pursuing alternative sources of information about defendants’ actions and treatment of elephants” as alleged in the complaint.

**Supplemental Objections and Response to Interrogatory No. 22:**

Subject to and without waiving its previous objections to this Interrogatory, ASPCA states that it has spent approximately \$13,800.00 on legal fees and costs pursuing information from the United States Department of Agriculture concerning defendant’s actions and treatment of elephants.

Objections respectfully submitted by,



Kimberly D. Ockene  
(D.C. Bar No. 461191)  
Katherine A. Meyer  
(D.C. Bar No. 244301)

Meyer Glitzenstein & Crystal  
1601 Connecticut Ave., N.W., Suite 700  
Washington, D.C. 20009  
(202) 588-5206

Dated: September 26, 2007

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<sup>4</sup> Because, as indicated in the accompanying declaration of Lisa Weisberg, the ASPCA has not yet obtained the credit card invoices that would document the 2003 lodging charges, the lodging charges represent a rough approximation based on the lodging charges from 2002, and Ms. Weisberg’s recollection that the ASPCA only paid Mr. Rider’s lodging expenses directly through May of 2003. When the ASPCA obtains the 2003 credit card invoices, it will supplement or amend this response.



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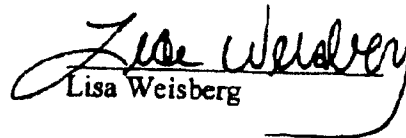
VERIFICATION

I, LISA WEISBERG, declare as follows:

1. I am employed as the Senior Vice President, Government Affairs and Public Policy, and Senior Policy Advisor for the American Society for the Prevention of Cruelty to Animals ("ASPCA"). The ASPCA is a plaintiff in this case.


2. I have read the foregoing supplemental objections and responses to defendant's Interrogatories and know the contents thereof. Upon information and belief, said Objections and Responses are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing statements are true and correct to the best of my knowledge.

  
Lisa Weisberg

Dated: September 26, 2007



  
MARCY ALTMAN  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01AL6132373  
QUALIFIED IN NEW YORK COUNTY  
MY COMMISSION EXPIRES AUG. 22, 2009

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE	)	
PREVENTION OF CRUELTY TO	)	
ANIMALS, <u>et al.</u> ,	)	
	)	
Plaintiffs,	)	Civ. No. 03-2006 (EGS/JMF)
	)	
v.	)	
	)	
RINGLING BROS. AND BARNUM	)	
& BAILEY CIRCUS, <u>et al.</u> ,	)	
	)	
Defendants.	)	

**PLAINTIFF AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO  
ANIMALS' SUPPLEMENTAL RESPONSES AND OBJECTIONS TO  
DEFENDANTS' INTERROGATORIES**

Pursuant to Federal Rule of Civil Procedure 33 and the August 23, 2007 Order of the Court (Docket No. 178), plaintiff the American Society for the Prevention of Cruelty to Animals ("ASPCA") hereby offers the following supplemental response to Defendants' First Set of Interrogatories to Plaintiffs American Society for the Prevention of Cruelty to Animals, Animal Welfare Institute, and Fund for Animals. The ASPCA hereby incorporates by reference the definitions and objections that it made in its June 2004, January 31, 2007, and September 26, 2007 responses to Defendants' First Set of Interrogatories.

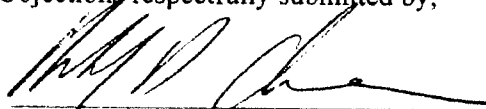
**Interrogatory No. 21:** Identify each resource you have expended from 1997 to the present in “advocating better treatment for animals held in captivity, including animals used for entertainment purposes” as alleged in the complaint, including the amount and purpose of each expenditure.

**Supplemental Response to Interrogatory No. 21:**

The ASPCA supplements and amends its September 26, 2007 response to this Interrogatory by providing the following supplemental and amended information.

In 2003, the ASPCA paid by credit card (American Express) for \$91.50 in lodging expenses for Mr. Rider. This amount is reflected in A 01249, which is being produced along with this Response. This amount amends the \$1,000 that the ASPCA previously estimated that it had spent on Mr. Rider’s lodging expenses in 2003. See Sept. 26, 2007 Supplemental Response to Interrogatory No. 21. That estimate was provided before the ASPCA was able to obtain the records that would reflect the actual amount, which it now has done. Accordingly, the total approximate amount that the ASPCA provided for Mr. Rider’s media and public education advocacy from 2001-2003 is \$25,544.50, rather than the \$26,453.00 amount indicated in the ASPCA’s September 26, 2007 Supplemental Response to this Interrogatory.

Objections respectfully submitted by,



Kimberly D. Ockene  
(D.C. Bar No. 461191)  
Katherine A. Meyer  
(D.C. Bar No. 244301)

Meyer Glitzenstein & Crystal  
1601 Connecticut Ave., N.W., Suite 700  
Washington, D.C. 20009  
(202) 588-5206

Dated: October 26, 2007

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

Plaintiffs,

v.

RINGLING BROS. AND BARNUM  
& BAILEY CIRCUS, et al.,

Defendants.

Civ. No. 03-2006 (EGS/JMF)

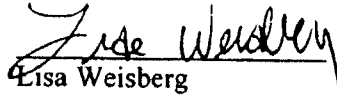
VERIFICATION

I, LISA WEISBERG, declare as follows:


1. I am employed as the Senior Vice President, Government Affairs and Public Policy, and Senior Policy Advisor for the American Society for the Prevention of Cruelty to Animals ("ASPCA"). The ASPCA is a plaintiff in this case.

2. I have read the foregoing supplemental objections and response to defendant's Interrogatories and know the contents thereof. Upon information and belief, said Objections and Response are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing statements are true and correct to the best of my knowledge.

  
Lisa Weisberg

Dated: October 1, 2007

  
MARCY ALTMAN  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01AL6132373  
QUALIFIED IN NEW YORK COUNTY  
MY COMMISSION EXPIRES AUG. 22, 2009

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

Plaintiffs,

v.

RINGLING BROS. AND BARNUM  
& BAILEY CIRCUS, et al.,

Defendants.

Civ. No. 03-2006 (EGS)

PLAINTIFF AMERICAN SOCIETY FOR THE PREVENTION OF  
CRUELTY TO ANIMALS' FOURTH  
SUPPLEMENTAL RESPONSES AND OBJECTIONS TO  
DEFENDANTS' FIRST SET OF INTERROGATORIES

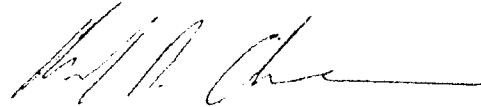
Pursuant to Federal Rule of Civil Procedure 33, plaintiff American Society for the Prevention of Cruelty to Animals hereby offers the following supplemental responses to Defendants' First Set of Interrogatories. ASPCA hereby incorporates by reference the definitions and the general and specific objections that it made in its previous responses to Defendants' First Set of Interrogatories to Plaintiffs American Society for the Prevention of Cruelty to Animals, Animal Welfare Institute, and Fund for Animals.

**Interrogatory No. 21:** Identify each resource you have expended from 1997 to the present in “advocating better treatment for animals held in captivity, including animals used for entertainment purposes” as alleged in the complaint, including the amount and purpose of each expenditure.

**Objection and Response to Interrogatory No. 21:**

Subject to and without waiving its previous objections to this Interrogatory, ASPCA estimates that in 2007 approximately \$500 was spent on advocating for the better treatment of animals in captivity. Additional information concerning funding that ASPCA has provided either directly or indirectly to support Tom Rider's media and public education campaign on behalf of elephants in circuses was provided in ASPCA's September 2007 supplemental interrogatory responses. Since those responses were submitted, ASPCA has provided no additional funds for Mr. Rider's media and public education campaign.

Objections respectfully submitted by,



Kimberly D. Ockene  
(D.C. Bar No. 461191)  
Katherine A. Meyer  
(D.C. Bar No. 244301)

Meyer Glitzenstein & Crystal  
1601 Connecticut Ave., N.W., Suite 700  
Washington, D.C. 20009  
(202) 588-5206

Dated: January 30, 2008

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

Plaintiffs,

v.

RINGLING BROS. AND BARNUM  
& BAILEY CIRCUS, et al.,

Defendants.

Civ. No. 03-2006 (EGS/JMF)

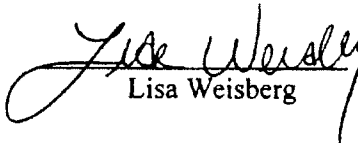
VERIFICATION

I, LISA WEISBERG, declare as follows:

1. I am employed as the Senior Vice President, Government Affairs and Public Policy, and Senior Policy Advisor for the American Society for the Prevention of Cruelty to Animals ("ASPCA"). The ASPCA is a plaintiff in this case.

2. I have read the foregoing supplemental objections and responses to defendant's Interrogatories and know the contents thereof. Upon information and belief, said Objections and Responses are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing statements are true and correct to the best of my knowledge.

  
Lisa Weisberg

Dated: January 30, 2008