

Feld Entertainment, Inc.'s Responses and Counter Designations
FEI Exhibit 323A

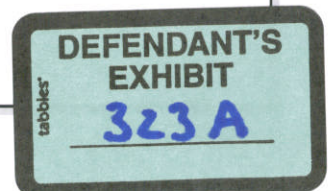
1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF COLUMBIA

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4 :
4 AMERICAN SOCIETY FOR THE :
5 PREVENTION OF CRUELTY TO :
5 ANIMALS, et al. :
6 :
6 Plaintiffs :
7 : Case No.
7 vs. : 03-2006 (EGS/JMF)
8 :
8 FELD ENTERTAINMENT, INC. :
9 :
9 Defendant :
10 :
10 -----x

11 Washington, D.C.
12 November 6, 2008

13 Videotaped Deposition of:

14 BRIAN FRENCH,
15 called for oral examination by counsel for
16 Plaintiffs, pursuant to notice, at the offices
17 of Meyer Glitzenstein & Crystal,
18 1601 Connecticut Avenue, N.W., Suite 700,
19 Washington, D.C., before Zev V. Feder, CSR, a
20 Notary Public in and for the District of
21 Columbia, beginning at 10:05 a.m., when were
22 present on behalf of the respective parties:



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On behalf of the Plaintiffs:

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

On behalf of Defendant Feld Entertainment,
Inc.:

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

and

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

Also Present:

David Voigtsberger, Videographer
Michelle Sinnott

+ + +

1 A. Sarasota, Florida.

2 Q. Can you be more specific?

3 A. 7481 Eleanor Circle, Sarasota,
4 Florida 34243.

5 Q. How long have you lived there?

6 A. Eight years.

7 Q. Where did you live before that?

8 A. In Myakka City, Florida.

9 Q. And you also sometimes go by the
10 name of, or have gone by the name of Brian
11 Cristiani. Is that correct?

12 A. Correct.

13 Q. How do you spell Cristiani?

14 A. C R I S T I A N I.

15 Q. And can you explain to me why you
16 have gone by both Brian Cristiani and Brian
17 French?

18 A. Cristiani is my mother's maiden
19 name and it is the family name from the
20 circus.

21 Q. When you say it is the family name
22 from the circus, what do you mean by that?

1 A. My mother's side of the family
2 goes back seven generations. So that's where
3 all my circus background comes from.

4 Q. So the Cristiani family is a
5 circus family. Is that correct?

6 A. Yes.

7 Q. And do you use both names
8 currently?

9 A. No. They just, when I perform
10 with elephants, they use Cristiani on
11 occasion.

12 Q. When you say they use Cristiani,
13 who are you talking about?

14 A. Different circuses.

15 Q. Would one of those circuses be the
16 Ringling Brothers Circus?

17 A. Yes.

18 Q. So when you are performing
19 sometimes, you go by Brian Cristiani. Is that
20 correct?

21 A. Yes.

22 Q. But when you are doing other

1 One is residing in Valdosta, Georgia.

2 Q. Which three have passed away?

3 A. Cary, Babe and Emma.

4 Q. And you said Shirley was residing
5 where?

6 A. Valdosta, Georgia.

7 Q. How do you spell that?

8 A. I am not sure.

9 Q. Then the next date that is on your
10 resume says 1994. It says Disney MGM Studios,
11 Cristiani elephants, Sarasota, Florida. Do
12 you see that?

13 A. Yes.

14 Q. And it says managed four female
15 Asian elephants in various behaviors in the
16 motion film the Jungle Book. Do you see that?

17 A. Yes.

18 Q. Can you tell me about that?

19 A. We were involved in the filming of
20 the Jungle Book movie. The actual filming
21 took place in Tennessee and South Carolina.

22 Q. And was it the same four elephants

1 that you have named?

2 A. Yes.

3 Q. How did it come about that you
4 were doing that work for Disney MGM Studios?

5 A. My mother booked the contract and
6 asked me to come assist her in filming.

7 Q. Prior to that time had the
8 Cristiani circus family done other work for
9 Disney?

10 A. Yes.

11 Q. Do you know what it was?

12 A. In the end of 1987 into '88 we
13 worked for Epcot Center in Orlando.

14 Q. What did you do at Epcot Center?

15 A. Performed with elephants, the same
16 elephants.

17 Q. Any other work for Disney prior to
18 working on the Jungle Book?

19 A. Two commercials. I couldn't name
20 the exact dates.

21 Q. Commercials that were shown where?

22 A. On TV. They were both for

1 Aladdin.

2 Q. Any other work that you can think
3 of --

4 A. No.

5 Q. -- for Disney?

6 A. No.

7 Q. Then it says 1994 to 1996.

8 Cristiani elephants, Sarasota
9 Florida. Elephant trainer. Managed four
10 female Asian elephants. Performed in various
11 circuses with elephants around the United
12 States.

13 Do you see that?

14 A. Yes.

15 Q. Can you describe your duties
16 during that time frame?

17 A. Took care of and managed the four
18 Asian elephants. Provided husbandry and daily
19 care. Performed with them in various
20 behaviors in circus performances.

21 Q. Was it the same four elephants you
22 have named?

1 Q. And how old were you then?

2 A. Five and six.

3 Q. Did the Monte Carlo show continue
4 after 1980?

5 A. I am unsure. I don't remember.

6 Q. Did your parents leave the Monte
7 Carlo show at some point?

8 A. Yes.

9 Q. When did they leave it?

10 A. When we finished the tour in
11 Japan.

12 Q. Why did they leave?

13 A. That was -- their contract had
14 finished.

15 Q. Have you ever worked with
16 elephants in the Carson and Barnes Circus?

17 A. No.

18 Q. How about the Clyde Beatty-Cole
19 Brothers Circus?

20 A. No.

21 Q. Did the Cristiani Family ever give
22 elephant rides?

1 superintendent of animals?

2 A. When I left, yes.

3 Q. When you left.

4 When was the next time that you
5 did any work with elephants?

6 A. In Swaziland, Africa.

7 Q. And what were the circumstances of
8 you doing work with elephants in Swaziland,
9 Africa?

10 A. I was consulting for the Tampa Zoo
11 on their import of elephants from Africa.

12 Q. And the Tampa Zoo is Lowry Park
13 Zoo. Is that correct?

14 A. Correct.

15 Q. And when did you get that job with
16 Lowry Park Zoo?

17 A. The consulting position was in
18 March, I believe.

19 Q. That would have been March of
20 2002? No, I'm sorry, March of 2003?

21 A. March of 2003, yes.

22 Q. How did you get that job?

1 You are not sure how?

2 A. Yes.

3 Q. Are you familiar with any of the
4 police officers in the San Jose area back in
5 the 2000, 2002 time frame when you worked on
6 the Blue Unit?

7 A. Yes, Sergeant Williams. I didn't
8 know her first name.

9 Q. Who is Sergeant Williams?

10 A. She was a sergeant with the police
11 force who carried the kill weapon for the
12 walks back and forth to the building.

13 Q. Who owns the elephant Luke that
14 you testified about previously?

15 A. Patricia Zerbini.

16 Q. Who owns the elephant Roxy that
17 you testified previously?

18 A. Patricia Zerbini.

19 Q. And who owns the elephant Bunny
20 that you testified previously?

21 A. Patricia Zerbini.

22 Q. When you explained earlier that

1 you were working at Williston with those
2 elephants, which portion of Williston were you
3 working on? The Zerbini portion or the Feld
4 portion?

5 A. The Zerbini portion.

6 Q. When you left the Lowry Park Zoo
7 in November of 2005 you mentioned that you
8 disagreed with management over the management
9 style that was being used.

10 A. Yes.

11 Q. Why did Lowry Park Zoo want to use
12 protected contact?

13 A. They felt that the way elephants
14 should be worked that anybody could go in and
15 work with them at any time regardless of their
16 training.

17 Q. And regardless of the person's
18 skill level?

19 A. Yes.

20 Q. Had they previously had elephants
21 at that zoo?

22 A. I believe so.

1 A. Yes.

2 Q. So how did you move her into
3 the --

4 A. Some of it was free contact and
5 some of it was command from outside the pen,
6 depending on what we were doing. She wasn't
7 trained in protected contact yet.

8 Q. Did you happen to notice the time
9 stamp on Exhibit 2 when we were watching it?

10 A. No.

11 MS. JOINER: Can I get you to put
12 that back in? I believe it was May of '98 but
13 I don't think I wrote it down.

14 MS. MEYER: That's true.

15 MS. JOINER: Is that right?

16 MS. MEYER: Yes.

17 BY MS. JOINER:

18 Q. In Exhibit 2 the time stamp that
19 was on there from the footage we were looking
20 at said May of 1998. Were you still working
21 on the Red Unit at that time?

22 A. No.