

**USDA-APHIS**

USDA, APHIS,  
INVESTIGATIVE &  
ENFORCEMENT SERVICES

Diane Ward  
California and Nevada

## Memorandum

To: Alan Christian, IES Director, MD  
From: Diane Ward, IES, Investigator  
cc: Dan Hutchings, CO- no attachments  
Frank Keyser, WV- no attachments  
Date: 11/24/00  
Subject: CA00136-AC, Ringling Brothers

This is a request for a subpoena to compel testimony from [ ] under the AWA. b6 b7C b7D

As you are aware, I have been involved in an investigation into allegations of elephant abuse and exhibiting elephants infected with TB by Ringling Brothers Circus.

The investigation has been very frustrating in that Feld Entertainment has not been cooperative with allowing the USDA to review medical records on the elephants, and that key witnesses will not cooperate due to court settlements with Feld Entertainment that prevent them from discussing any circus issues with anyone.

One such witness that I requested to be interviewed was [ ] b6 b7C b7D

[ ] There is documentation showing that [ ] had discussed the issue of TB in the performing elephants with several individuals. b6 b7C b7D

Frank Keyser, IES, has talked with [ ] attorney who has indicated that [ ] would be willing to talk with us if he was subpoenaed to compel testimony. b6 b7C b7D

Apparently at one time [ ] had documentation pertaining to TB infection in the elephants. b6 b7C b7D

[ ] I would like [ ] interviewed as to what documentation exists pertaining to TB in the elephants, which elephants were supposedly infected, what was his knowledge of hiring a Veterinarian or Physician to test the elephants and cover up their findings of TB, and who has knowledge about the infection in the elephants (Feld, trainers, employees, etc.). b6 b7C b7D

Please be aware of the following facts in making a decision about this request: [ ] b6 b7C b7D

[ ] so what ever information he has is 3 to 4 years old. The USDA had jurisdiction in diseased animals being exhibited in 1997, but the Policy Statement for the Control of TB in Elephants was not in force until 1998. Even if the information is

Christian

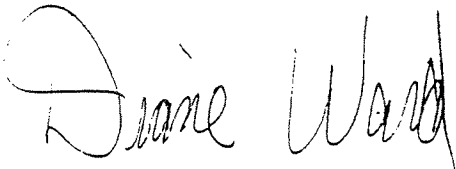
page #2

old, I would think that if Ringling Brothers Circus knowingly exhibited TB infected animals at any time we would want to pursue action.

For your information, I am providing you a complete copy of my request for additional information to Frank Keyser dated 8/29/00; a copy of Frank Keyser's investigative report dated 10/30/00 (report only, with a copy of pages 43 and 44 of            against Feld which is her testimony as to what            said about the elephants with TB); and a complete copy of a Memorandum from Frank Keyser dated 11/3/00, documenting his conversation with            torney. <sup>b6 b7c b7D</sup>

<sup>b6 b7c b7D</sup>  
If the subpoena is issued, it can be served to            through his attorney <sup>b6 b7c b7D</sup>  
<sup>b6 b7c b7D</sup>            I would request that Frank Keyser conduct the interview, since he is the person who has been involved in this portion of this investigation in the IES Eastern Region.

If you need any further information pertaining to this request, please advise.



Diane Ward