UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO

ANIMALS, et al.,

:

Plaintiffs,

:

v. : Case No. 03-2006 (EGS/JMF)

:

FELD ENTERTAINMENT, INC.

:

Defendant.

:

DEFENDANT'S NOTICE OF FILING CORRECTED POST-TRIAL SUBMISSIONS $\underline{\textbf{AND ERRATA}}$

In the process of preparing electronically linked copies of its Post-Trial Brief (DE 536) (4/24/09) and Proposed Findings of Fact and Conclusions of Law (DE 535) (4/24/09), as required by paragraph 23 of the Court's Final Pre-Trial Order (DE 373) (10/15/08)), Defendant Feld Entertainment, Inc. ("FEI") discovered typographical errors in those documents. A list of errata, attached hereto as Exhibit 1, explains the errors.

The electronically linked copies of FEI's Post-Trial Brief and Proposed Findings of Fact and Conclusions of Law, which are being provided to the Court and plaintiffs today, June 9, 2009, were prepared using the versions of those documents filed with the Court on April 24, 2009. The electronic copies, therefore, do not correct the errata in the text, but do link to the corrected citations.

FEI is preparing electronically linked copies of its Response to Plaintiffs' Post-Trial Brief (DE 341) (5/15/09) and its Objections to Plaintiffs' Proposed Findings of Fact and Conclusions of Law (DE 540) (5/15/09), and will provide the same as soon as possible.

60181948.1

Dated this 9th day of June, 2009.

Respectfully submitted,

John M. Simpson (D.C. Bar #2564/2)

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.

60181948.1