

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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

Plaintiffs,

v.

FELD ENTERTAINMENT, INC.

Defendant.

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Case No. 03-2006 (EGS/JMF)

**DEFENDANT'S NOTICE OF FILING CORRECTED POST-TRIAL SUBMISSIONS
AND ERRATA**

EXHIBIT 1

ERRATA**I. DEFENDANT'S RESPONSE TO PLAINTIFFS' POST-TRIAL BRIEF**

HARD COPY PAGE NO.	PDF PAGE NO.	ORIGINAL	CORRECT	REASON
1	2	2-26-09 at 81:5-7 (Glitzenstein)	2-26-09 p.m. at 81:5-7 (Glitzenstein)	Typographical error
2	3	2-26-09 at 87:16-25 (Glitzenstein)	2-26-09 p.m. at 87:16-25 (Glitzenstein)	Typographical error
2	3	3-18-09 at 15:21-16:21 (Meyer)	2-18-09 a.m. at 15:21-16:21 (Meyer)	Typographical error
2	3	2-19-09 at 22:18-23:8 (Kinzley)	2-19-09 a.m. at 22:18-23:8 (Kinzley)	Typographical error
2	3	Cmplt. ¶ 2 (<i>enjoin</i> FEI's continuing ESA violations); ¶ 3 (<i>enjoin</i> FEI's transporting, harming, harassing and taking of its elephants); ¶ 4 (<i>enjoin</i> FEI from beating, wounding, injuring and chaining its elephants "unless and until it obtains" a permit); ¶ 5 (forfeiture of FEI's elephants)	Cmplt. at 21 ¶ 2 (<i>enjoin</i> FEI's continuing ESA violations); ¶ 3 (<i>enjoin</i> FEI's transporting, harming, harassing and taking of its elephants); ¶ 4 (<i>enjoin</i> FEI from beating, wounding, injuring and chaining its elephants "unless and until it obtains" a permit); ¶ 5 (forfeiture of FEI's elephants)	Typographical error
6-7	7-8	Order & Op. at 7-5 (DE 172)	Order & Op. at 5-7 (DE 172 & 173)	Typographical error
15	16	<i>ASPCA v. Ringling Bros.</i> , 502 F.Supp.2d 103, 122 (D.D.C. 2007)	<i>ASPCA v. Ringling Bros.</i> , 502 F. Supp. 2d 103, 112 (D.D.C. 2007)	Typographical error

II DEFENDANT'S OBJECTIONS TO PLAINTIFFS' PROPOSED FINDINGS OF FACT

HARD COPY AND PDF PAGE NO.	OBJECTION TO PFOF NO.	ORIGINAL	CORRECT	REASON
16	13, Endnote 2	2-12-09 a.m. at 21:12-20, 22:04-23:19, 26:12-22 (Rider)	2-17-09 p.m. at 21:12-20, 22:04-23:19, 26:12-22 (Rider)	Typographical error
16	13, Endnote 2	PWC 94A (PL 178974 (1:49:52-1:50:35))	PWC 94A at 214 (FEI 0024178)	Typographical error
29	21	DX 32	DX 32 at 2	Typographical error
31	22	DX 32	DX 32 at 2	Typographical error
40	30	PWC 184 at 108:7-8	PWC 184 at 109:7-11	Typographical error
41	30	DX 32	DX 32 at 2	Typographical error
42	30	DX 32	DX 32 at 2	Typographical error
42	30	<i>Id.</i> at 102:10	<i>Id.</i> at 102:10-105:11	Typographical error
43	33	<i>Id.</i> at 7:19-24	<i>Id.</i> at 8:11-18	Typographical error
46	37	DFO ¶ 76	DFOF ¶ 76	Typographical error
52	44	DFOF ¶ 111	DFOF ¶ 110	Typographical error
42	44	PWC 94A; DFOF ¶ 111	PWC 94A; DFOF ¶ 101	Typographical error

70	60	DFOF ¶ 106-108	DFOF ¶ 107-109	Typographical error
70	60	<i>Cf.</i> DFOF ¶ 85, 87, 88-99	<i>Cf.</i> DFOF ¶ 85, 87, 89-99	Typographical error
73	62	PWC 197E	PWC 197	Typographical error
74	62	DX 209 at 44-25	DX 209 at 44-45	Typographical error
75	62	DFO ¶ 73-99	DFOF ¶ 73-99	Typographical error
75	62	DFO ¶ 106-108	DFOF ¶ 107-109	Typographical error
76	62	DOF ¶ 107	DFOF ¶ 107	Typographical error
92	90	3-4-09 p.m. at 43:19-21, 44:22-23, 45:15-25 (K. Johnson)	3-4-09 p.m. at 43:19-21, 44:22-23, 45:15-46:8 (K. Johnson)	Typographical error
97	96	2-23-09 p.m. (5:00) at 52:11-55:11 (Buckley)	2-23-09 p.m. (2:00) at 52:11-55:11 (Buckley)	Typographical error
104	107	<i>Id.</i> at 83:16-17	2-4-09 p.m. at 83:16-17 (Poole).	Typographical error
114	117	DX 308A (Jacobson Dep. at 28:9-1) at 28:9-1	DX 308A (Jacobson Dep. at 28:9-15)	Typographical error
120	118	3-3-09 at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-02 (Jacobson)	3-3-09 p.m. at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-05 (Jacobson)	Typographical error
123	119	3-3-09 at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-02 (Jacobson)	3-3-09 p.m. at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-05 (Jacobson)	Typographical error

127	120	3-3-09 at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-02 (Jacobson)	3-3-09 p.m. at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-05 (Jacobson)	Typographical error
130	121	3-3-09 at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-02 (Jacobson)	3-3-09 p.m. at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-05 (Jacobson)	Typographical error
134	122	3-3-09 at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-02 (Jacobson)	3-3-09 p.m. at 45:14-19 (Feld); 2-9-09 a.m. at 23:01-05 (Jacobson)	Typographical error
142	135	3-3-09 p.m. at 6:10-14 (Feld)	3-3-09 p.m. at 38:18-39:1 (Feld)	Typographical error
144	136, Endnote 12	PWC 11 & 12; <i>see also</i> DX 34	PWC 11 & 12; <i>see also</i> DX 345	Typographical error
149	139	<i>See, e.g.</i> , DFOF ¶¶ 61, 94 107, 112, 314-15; 319, 321-327	<i>See, e.g.</i> , DFOF ¶¶ 51-136, 314-215, 323-325, 327	Typographical error
151	140	PWC 94A (PL 178974 (1:49:52-1:50:35))	PWC 94 at 214 (FEI 0024178)	Typographical error
157	144	DX 125 ¶ 5	DX 124 ¶ 5	Typographical error
159	145	<i>Id.</i> at 115:9-25, 116:6-12, DX 59 at 36	<i>Id.</i> at 115:9-25, 117:6-12, DX 59 at 36	Typographical error
160	146	2-5-09 p.m. at 6:14-15 (Coleman)	3-5-09 p.m. at 6:14-15 (Coleman)	Typographical error
165	151	DFOF ¶ 330 & 337	DFOF ¶ 330 & 357	Typographical error
165	151	reapsms	reasons	Typographical error

171	157	PWC 115B	PWC 115	Typographical error
176	163	tusts	tusks	Typographical error
176	163	2-23-09 a.m. at 53:23:23-54:6 (Buckley)	2-23-09 a.m. at 53:23-54:6 (Buckley)	Typographical error
179	165	DFOF ¶ 237	DFOF ¶ 327	Typographical error
195	175, Endnote 19	<i>Id.</i> at 199:11-200:5	PWC 175 at 199:11-200:5	Typographical error
195	175, Endnote 19	2-5-09 a.m. at 57:1-58:25 (CuvIELlo)	2-9-09 a.m. at 57:1-58:25 (CuvIELlo)	Typographical error
196	176	<i>Id.</i> at 43:43:11-18	<i>Id.</i> at 43:11-18	Typographical error
198	176	DX 320A at 172:22-174:14 (Jacobson Dep.) (10-24-07)	DX 320A at 172:22-174:14, 173:18-174:14 (Jacobson Dep.) (10-24-07)	Typographical error
199	179	Thid	This	Typographical error
200	179	PWC 168B at 7:18-8:2, 9:22-25, 35:12-37:12, 47:1-48:11	2-23-09 p.m. (5:15) at 63:21-64:4, 65:11-67:10, 67:16-69:3; PWC 168B at 9:22-25;	Typographical error
200	179	2-5-09 a.m. at 31:13-23 (CuvIELlo)	2-9-09 a.m. at 31:13-23 (CuvIELlo)	Typographical error
202	181	DX 322A at 101:8-13	PWC 177A at 101:8-13	Typographical error
203	181	DCOL 20	DFOF 21	Typographical error

204	182	PWC 71	PWC 81	Typographical error
206	185	3-3-09 at 58:3-10 (Feld)	3-3-09 p.m. at 58:3-10 (Feld)	Typographical error
210	189, Endnote 22	2-12-09 at 51:15-52:2, 54:22-57:4, 59:23-60:21 (Rider)	2-12-09 a.m. at 51:15-52:2, 54:22-57:4, 59:23-60:21 (Rider)	Typographical error
211	190	D¶¶ 51-126	DFOF ¶ 51-136	Typographical error
213	193	3-13-09 5:45 p.m. at 24:8-11 (Metzler)	3-12-09 p.m. (5:45) at 24:8-11 (Metzler)	Typographical error
214	194	DCOL 46	DFOF 36	Typographical error
222	206	This is clear from Ms. Kinzley's testimony quoted in DFOF ¶ 206	This is clear from Ms. Kinzley's testimony quoted in Endnote 23	Typographical error
235	215	DX 1834	DX 183A	Typographical error
241	219	Argues against the plaintiffs' position in DFOF ¶ 219	Argues against the plaintiffs' position in PFOF ¶ 219	Typographical error
244	223	PWC 177 at 246:19-247:3	PWC 177A at 246:19-247:3	Typographical error
246	226	3-10-09 a.m. at 30:21-31:11 (Sinnott)	2-10-09 a.m. at 30:21-31:11 (Sinnott)	Typographical error
246	226	3-10-09 a.m. at 35:1-15 (Sinnott)	2-10-09 a.m. at 35:1-15 (Sinnott)	Typographical error
247	226	3-10-09 a.m. at 50:5-12 (Sinnott)	2-10-09 a.m. at 50:5-12 (Sinnott)	Typographical error

256-257	236	2-5-09 a.m. at 13:7-13 (CuvIELlo)	2-9-09 a.m. at 13:7-13 (CuvIELlo)	Typographical error
264	241	DFOF ¶ 299	DFOF ¶ 250	Typographical error
265	241, Endnote 31	3-12-a.m. at 25:20-26:25 (French)	3-12-09 a.m. at 25:20-26:25 (French)	Typographical error
267	243	32-5-09 p.m. at 55:18-56:6 (Jacobson)	3-5-09 p.m. at 55:18-56:6 (Jacobson)	Typographical error
270	248	2-12-09 a.m. at 37:5-7 (French) <i>Id.</i> at 37:8-14	3-12-09 a.m. at 37:5-7 (French) <i>Id.</i> at 37:8-14	Typographical error
271	248	2-12-09 a.m. at 32:24-33:3 (French)	3-12-09 a.m. at 32:24-33:3 (French)	Typographical error
272	250	DFOF ¶ 224; DX 2	DFOF ¶ 224; DX 2 at 74	Typographical error
273	250	<i>Id.</i> at 62:6-18	3-5-09 p.m. at 62:6-18 (Jacobson)	Typographical error
282	266	<i>See</i> PWC 175 at 87:10-15 (Pettigrew Dep.)	<i>See</i> PWC 178 at 87:10-15 (Pettigrew Dep.)	Typographical error
289	269	2-4-09 a.m. at 59:6-61:21	2-4-09 p.m. at 59:6-61:21	Typographical error
290	269	<i>Id.</i> at 60:15-61:4	2-4-09 p.m. at 60:15-61:4 (Poole)	Typographical error
290	269	expoert	expert	Typographical error
402	377	<i>Id.</i> at 41:12-19	2-5-09 p.m. at 41:12-19 (Hundley)	Typographical error

434	413	<i>Id.</i> at 77:10-16 <i>Id.</i> at 77:17-19 <i>Id.</i> at 78:11-79:3	2-11-09 a.m. at 77:10-16 (Clubb) <i>Id.</i> at 77:17-19 <i>Id.</i> at 78:11-79:3	Typographical error
435	413	<i>Id.</i> at 9:11-16:16 <i>Id.</i> at 17:23-18:3	2-11-09 p.m. at 9:11-16:16 (Clubb) <i>Id.</i> at 17:23-18:3	Typographical error
441	420	<i>id.</i> at 14:23-14:25 <i>Id.</i> at 14:3-7 <i>Id.</i> at 13:13-14:2 <i>Id.</i> at 15:11-14 <i>Id.</i> at 17:6-8 <i>id.</i> at 19:17-9 <i>Id.</i> at 19:23-25 <i>Id.</i> at 20:3-17 <i>Id.</i> at 20:18-21:5 <i>Id.</i> 9:1-12	2-10-09 p.m. at 14:23-14:25 (Hart) <i>Id.</i> at 14:3-7 <i>Id.</i> at 13:13-14:2 <i>Id.</i> at 15:11-14 <i>Id.</i> at 17:6-8 <i>id.</i> at 19:17-9 <i>Id.</i> at 19:23-25 <i>Id.</i> at 20:3-17 <i>Id.</i> at 20:18-21:5 <i>Id.</i> at 9:1-12	Typographical error
442	420	<i>Id.</i> at 84:25-85:25	2-10-09 a.m. at 84:25-85:24 (Hart)	Typographical error

447	426	<i>Id.</i> at 58:3-5 <i>Id.</i> at 55:19-56:11 <i>Id.</i> at 57:24-58:2 <i>Id.</i> at 56:12-57:17	2-18-09 am. at 58:3-5 (Laule) <i>Id.</i> at 55:19-56:11 <i>Id.</i> at 57:24-58:2 <i>Id.</i> at 56:12-57:17	Typographical error
454	430	<i>Compare</i> 3-13-09 a.m. at 48:25-49:10 (voir dire of Schmitt by Glitzenstein) <i>with</i> 2-12-09 a.m. at 91:2-91:18 (direct examination of Rider by Meyer)	<i>Compare</i> 3-16-09 p.m. (2:45) at 48:25-49:10 (examination of Schmitt by Glitzenstein) <i>with</i> 2-12-09 a.m. at 91:2-91:18 (direct examination of Rider by Meyer)	Typographical error

III. OBJECTIONS TO PLAINTIFFS' CONCLUSIONS OF LAW

HARD COPY AND PDF PAGE NO.	OBJECTION TO PCOL NO.	ORIGINAL	CORRECT	REASON
7	2	2-12-09 p.m. at 53:23-25 (Paquette)	2-19-09 p.m. at 53:23-25 (Paquette)	Typographical error
42	34	469 F.3d at 113	468 F.3d at 133	Typographical error
53	46	PWC 142A-E & 143A-F	PWC 142A-E, PWC 143A-E, PWC 143G	Typographical error
60	52	2-10-09 p.m. at 80:25-81:6 (Paquette)	2-19-09 p.m. at 80:25-81:6 (Paquette)	Typographical error
123	106	DX 311A & 347A at 20:1-21:5 (Houcke Dep.)	DX 347A at 20:1-21:5 (Houcke Dep.)	Typographical error