



witnesses took to evade service of the subpoena (which in Mr. Rider's case was ultimately successful). Exhibit 2 also includes service-of-process costs for document subpoenas.

4. Attached hereto as Exhibit 3 are true and correct copies of invoices from various court reporters for the transcription of deposition testimony. These depositions all were either noticed by the prevailing party (FEI), or were used in this case during briefing, at an evidentiary hearing and/or at trial or both. These invoices accurately reflect the actual costs incurred by FEI for transcription of the depositions referenced in these invoices.

5. Attached hereto as Exhibit 4 are true and correct copies of invoices from the court reporters who transcribed the following proceedings in this case: (i) evidentiary hearings held in February, March and May 2008; (ii) a hearing regarding plaintiffs' motion for preliminary injunction held in May 2008; (iii) pretrial hearings and conferences held in 2008; and (iv) bench trial held in February, March and July 2009. These transcripts were used in this case during briefing in the district court and/or are necessary for an appeal. These invoices accurately reflect actual costs incurred by FEI for transcription of trial testimony, evidentiary hearing testimony and hearings.

6. Attached hereto as Exhibit 5 are true and correct copies of vendor invoices for fees and disbursements for printing. These costs were actually incurred by FEI pursuant to paragraph 8 of the July 24, 2008 Pre-Trial Order in obtaining and providing electronic and color copies of trial exhibits.

7. Attached hereto as Exhibit 6 are true and correct copies of checks and other records reflecting fees and mileage paid to witnesses called at trial, at an evidentiary hearing or at a deposition in the above-captioned case. These documents accurately reflect witness fees and mileage charges incurred by FEI.

8. Attached hereto as Exhibit 7, and organized by witness, are true and correct copies of invoices and other records reflecting travel costs incurred by certain witnesses to appear for trial or for their depositions in the above-captioned case. These documents accurately reflect the actual travel costs incurred by FEI with respect to these witnesses. Also included within Exhibit 7 hereto, and also organized by witness, are true and correct copies of invoices and other records reflecting subsistence costs incurred by certain witnesses to appear for trial or for their depositions in the above-captioned case. These documents accurately reflect either the actual or the statutory allowable subsistence costs with respect to these witnesses that were incurred by FEI.

9. Attached hereto as Exhibit 8 are true and correct copies of pertinent portions of Fulbright records for the above-captioned matter showing the actual copying costs incurred by FEI for exhibits filed with the clerk, during summary judgment and with certain other defense motions and briefs; the cost of copying paper trial exhibits incurred pursuant to paragraph 8 of the Court's October 15, 2008 Pre-Trial Order; electronic copies of impeachment exhibits; and the cost of copying the paper evidentiary exhibits incurred pursuant to the Court's February 12, 2008 Minute Order. These documents accurately reflect the actual costs incurred by FEI for copying the documents described in this paragraph.

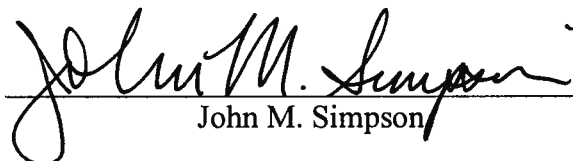
10. Attached hereto as Exhibit 9 are true and correct copies of vendor invoices for copying costs actually incurred in the above-captioned matter. Actual copying costs incurred by FEI for documents relating to the above-captioned matter are in excess of \$300.00.

11. Attached hereto as Exhibit 10 are true and correct copies of invoices from certain interpreters who were retained to provide interpreter services with respect to two (2) deposition

witnesses and one (1) trial witness. These documents accurately reflect the actual cost incurred by FEI for these interpreter services.

12. Attached hereto as Exhibit 11 are a true and correct copies of invoices and other documents reflecting certain other costs incurred by FEI pursuant to Court order in this case: (i) the cost of providing electronic linking to the evidentiary trial record in the post-trial brief and other post-trial submissions of FEI pursuant to paragraph 23 of the October 15, 2008 Pre-Trial Order; (ii) the video-taping of the elephant inspection conducted at Auburn Hills, Michigan, in accordance with paragraph 4 of the September 25, 2007 Inspection Order; and (iii) the video-taping of the elephant inspection conducted at the Center for Elephant Conservation in Florida, in accordance with paragraph 4 of the September 25, 2007 Inspection Order. These documents accurately reflect the costs that were incurred by FEI with respect to the services provided by these vendors.

13. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on February 19, 2010.

  
John M. Simpson