

PRE-TRIAL RIDER EVIDENCE RELIED UPON IN THE COURT'S 12/30/09 OPINION

NO.	TOPIC	PRE-TRIAL EVIDENCE AVAILABLE TO PLAINTIFFS AND COUNSEL	POST-TRIAL 12/30/09 MEMORANDUM OPINION
1	Rider's use of the bullhook.	<p>1999: Photographs of Rider using a bullhook. DX 32 (FELD 006359-360) (12-99) (produced by FEI on 6/07/05).</p> <p>2006: Rider states at deposition that, in 2005, he testified before the Connecticut legislature, where he stated that the Connecticut hearing was only the second time he had ever held a bullhook. Rider states that the first time he handled a bullhook was during a San Francisco television interview. Rider admits that he also had handled bullhooks while he was employed with FEI. Ex. 12, 2006 Rider Dep. at 224:16-228:12.</p>	<p>FOF 16 (“A person such as Mr. Rider who now professes to have such strong personal views against the use of the bullhook on elephants ... would not have handled a bullhook, much less used it on an elephant”).</p> <p>FOF 18 (“[D]uring a legislative hearing in Connecticut in 2005, Mr. Rider testified that the Connecticut hearing was only the second time in his life that he had ever held a bullhook, when in fact, he had held one on multiple occasions prior to 2005, some of which had been photographed.”).</p> <p><i>See also</i> FOF 17, 20; COL 4, 18.2.</p>
2	Rider alleged that he “stopped working in the circus community because he could no longer tolerate the way the elephants were treated by defendants.” No. 00-1641, DE 1 ¶ 33.	<p>2000: Rider states under oath that FEI was the second of three circuses for which he worked. Rider worked for Clyde Beatty (CB-CB), FEI, and then for a circus act in Europe with Raffo. All three circuses used the bullhook and chains. Ex. 11, PWC 184 (PAWS Statement) (3-25-00) at 5, 15, 35, 98-99, 108.</p> <p>2007: Rider states at deposition that he quit working in the circus community in February 2000, after he quit working for Raffo in Europe; Rider continued to work in the circus community for three months after he quit working for FEI. Ex. 13, 2007 Rider Dep. at 314:19-315:18.</p>	<p>FOF 20 (finding Rider’s allegation that he “stopped working in the ‘circus community’ because he could no longer tolerate the way that elephants were treated by FEI” not credible because Rider held three circus jobs and “[a]ll of the elephants that Mr. Rider worked with were managed with the bullhook and chains and Mr. Rider himself has used a bullhook with the elephants.”).</p> <p>COL 4 (“[W]hile he claims that he quit his job at FEI due to elephant abuse, he immediately took another job tending elephants for Mr. Raffo, one of the very persons whom Mr. Rider claimed had abused the FEI elephants as well as the three elephants from England ...”).</p> <p><i>See also</i> FOF 15; COL 18.2.</p>

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3	Rider was employed with FEI for two and a half years.	<p>2000: Rider states under oath that the use of the bullhook at FEI “caught [his] eye from the get-go,” and that he continued to work for FEI. Ex. 11, PWC 184 (PAWS Statement) (3-25-00) at 5, 10-12, 42.</p> <p>2006: Rider states at deposition that he observed alleged misuse of the bullhook during his first week at FEI but continued to work there for two and a half years. Ex. 12, 2006 Rider Dep. at 176:17-177:07.</p>	<p>FOF 3 (“The Court finds it unlikely that a person who claims he quit one job (CB-CB) due to elephant abuse would continue to work – for two and a half years – for a subsequent employer (FEI) that allegedly engaged in the same or similar mistreatment of elephants.”).</p> <p>See also COL 18.2.</p>
4	Rider left employment with FEI to work with Raffo in Europe.	<p>2000: Rider states under oath that Raffo was an elephant abuser and that he went to work with a European circus act where Raffo also was working. Ex. 11, PWC 184 (PAWS Statement) (3-25-00) at 15, 35, 42, 49, 51, 108.</p> <p>2006: Rider states at deposition that, in his view, Raffo treated the elephants at FEI inappropriately, but that he went to work with Raffo in Europe. Ex. 12, 2006 Rider Dep. at 181:11-182:15.</p> <p>2007: Rider states at deposition that he asked Raffo about the job in Europe. Rider claims that Raffo mistreated the elephants while they worked together on FEI’s Blue Unit; Rider claims that Raffo mistreated the elephants when they worked together in Europe. Ex. 13, 2007 Rider Dep. at 92:03-94:12 & 109:22-121:09.</p>	<p>FOF 15 (“Despite what he claims he witnessed about Mr. Raffo, Mr. Rider accepted employment to travel Mr. Raffo to Europe with these three elephants [<i>i.e.</i>, the Chipperfield elephants].”).</p> <p>FOF 17 (“This undermines Mr. Rider’s testimony that he opposed the use of the bullhook ‘from the get go’ in his job with FEI. If he really was staunchly opposed to the bullhook, it is unlikely that Mr. Rider would have agreed to accompany Mr. Raffo to Europe”).</p> <p>See also COL 4, 18.2.</p>

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5	<p>Rider alleged that he had a “personal and emotional attachment to the [FEI] elephants, whom he refer[ed] to as his ‘girls.’” No. 00-1641, DE 1 ¶ 32.</p>	<p>2000: Rider states under oath that his “three girls” were the Chipperfield (English) elephants. Ex. 11, PWC 184 (PAWS Statement) (3-25-00) at 108.</p> <p>2002: Rider states at a lecture that he continued to work for FEI for two and a half years due to his attachment to the Chipperfield elephants (Kamala, Lechame, Meena). Ex. 19, Carbondale lecture (9-16-02) (TR 00203) (produced by plaintiffs on 3-02-07), at 4:55:17-4:55:58. See DE 445 at 2.</p> <p>2007: Rider states at deposition that he was “really attached to” the Chipperfield elephants. Ex. 13, 2007 Rider Dep. at 90:20-91:11.</p>	<p>FOF 63 (“Mr. Rider’s testimony indicates that if he had any sort of attachment to elephants, it was to the three Chipperfield elephants ... On cross-examination, Mr. Rider admitted that the reason he went to Europe in late 1999 with Daniel Raffo was so that Mr. Rider could be with the ‘three elephants that I was really attached to,’ <i>i.e.</i>, the three Chipperfield elephants.”).</p> <p>COL 8 (“Mr. Rider’s assertions of an attachment to the seven elephants at issue are undermined further by his admissions that the elephants he was really attached to were the Chipperfield elephants.”)</p> <p>See <i>also</i> FOF 15.</p>
6	<p>Rider alleged that he “would very much like” to “visit” or “work” with the FEI elephants in a “sanctuary or other place where they were no longer mistreated.” No. 00-1641, DE 1 ¶ 34.</p>	<p>2002: Rider states at a lecture that he is aware that FEI donated former Blue Unit elephant Rebecca to a sanctuary. Ex. 19, Carbondale lecture (9-16-02) (TR 00203) (produced by plaintiffs on 3-02-07), at 4:52:47-4:53:00. See DE 445 at 2.</p> <p>2006: Rider states at deposition that he is aware that Rebecca is living at the PAWS sanctuary; Rebecca “doesn’t need [him] to go see her” because she is “on a sanctuary”; “as far as [he] know[s]” he is welcome to visit her at PAWS. Ex. 12, 2006 Rider Dep. at 298:05-15.</p> <p>2007: Rider states at deposition that he is aware that Minnie and Rebecca are at the PAWS sanctuary; he has not visited them; and, he has not applied for a job there. Ex. 13, 2007 Rider Dep. at 193:02-15 & 388:08-389:04.</p>	<p>FOF 67 (“FEI donated Minnie and Rebecca to PAWS in 2002, and Mr. Rider was aware of that fact in 2002. ... Mr. Rider is not precluded from visiting Rebecca at PAWS. Mr. Rider has not sought any position with PAWS or otherwise that would permit him to work with Rebecca again. The Court finds that Mr. Rider’s failure to visit these elephants even once in nearly seven years . undermines and contradicts the allegations in his Complaint that he has a strong emotional and personal attachment to these animals and that he would like to visit and work with them again if they were out of the circus.”).</p> <p>See <i>also</i> FOF 60, 62; COL 6, 18.1, 18.3.</p>

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7	<p>Rider alleged that he was refraining from visiting the FEI elephants. No. 00-1641, DE 1 ¶ 34.</p>	<p>2003: Rider alleges that “[b]ecause of his close personal relationship with the elephants, [he] nevertheless still makes efforts to see the animals ...” No. 03-2006, DE 1 ¶ 23.</p> <p>2004: Rider states in an interrogatory response that he observed the FEI elephants on numerous occasions since leaving employment with FEI in 1999. DX 16 at 33-34 (2004 Interrogatory Objections and Responses) (objections signed by Ms. Meyer).</p>	<p>FOF 61 (“In pleadings and other filings this Court and the Court of Appeals ... Mr. Rider represented that he would like again to visit or observe the Blue Unit elephants ..., but was refraining from doing so in order to avoid subjecting himself to further aesthetic injury. The evidence demonstrates, however, that contrary to his claims, from March 2000 through June 2004, Mr. Rider had seen or observed [the FEI] elephants on numerous occasions – approximately ten (10) or fifteen (15) times per year since 1999.”).</p> <p><i>See also</i> FOF 60; COL 6, 11, 18.4.</p>
8	<p>Rider alleged that he “[kn]ew] all of the elephants he worked with by name.” No. 00-1641, DE 1 ¶ 30.</p> <p>2006: At deposition, when asked to identify the elephants to which he was attached, Rider omits Zina. Ex. 12, 2006 Rider Dep. at 10:22-11:06.</p> <p>2007: At deposition, Rider struggles to remember the names of the Blue Unit elephants. Ex. 13, 2007 Rider Dep. at 270:14-271:09.</p>	<p>2004: Rider fails to include Meena in response to an interrogatory requesting him to identify the extent and nature of his contact with each of the FEI elephants with whom he worked. DX 16 at 32 (2004 Interrogatory Responses and Objections) (objections signed by Ms. Meyer).</p>	<p>FOF 70 (“[W]hen asked in an interrogatory to list the elephants he had worked with at FEI, Mr. Rider omitted Meena The Court finds it unlikely that such an omission would occur were there actually a strong attachment, particularly since there is no evidence that Mr. Rider lacked ample time and opportunity to answer this interrogatory.”).</p> <p>FOF 72 (“Mr. Rider’s assertion of a personal and emotional attachment to the elephant Zina is not credible because Mr. Rider omitted that elephants when asked by his lawyer in his 2006 deposition to name the elephant with which he had a personal and emotional attachment. Mr. Rider similarly struggled to recall the names of the Blue Unit elephants in his 2007 deposition.”).</p> <p><i>See also</i> FOF 60; COL 9, 18.1.</p>

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9	<p>During and immediately after his employment with FEI, Rider did not complain about alleged elephant mistreatment to his supervisors, corporate officials and veterinarians; the USDA and state and local authorities; and, the media.</p>	<p>2004: When asked to describe every time that he complained about elephant abuse while employed by FEI, Rider omits any complaint to the USDA, state or local authorities, and the media. DX 16 at 30-32 (2004 Interrogatory Responses and Objections) (objections signed by Ms. Meyer).</p> <p>2006: Rider states at deposition that the first time that he complained about elephant abuse outside of the circuses where he worked was to the Daily Mirror in 2000; at the time he talked with the Daily Mirror, he had not complained to the USDA. Rider further states that, while employed with FEI, he did not complain about alleged elephant abuse to veterinarians or corporate executives, including Kenneth Feld. Ex. 12, 2006 Rider Dep. at 198:08-202:12 & 261:18-263:02.</p> <p>2007: Rider states at deposition that he did not complain about alleged elephant abuse to veterinarians or his supervisors. Ex. 13, 2007 Rider Dep. at 762:15-766:09.</p>	<p>FOF 4 (“[D]uring the entire time Mr. rider worked for FEI, he did not complain to anyone in management about the mistreatment.”).</p> <p>FOF 5 (“During the entire time in which Mr. Rider worked for FEI, he did not complain to any veterinarians about the alleged elephant mistreatment.”).</p> <p>FOF 6 (“During the entire time in which Mr. Rider worked for FEI, he did not complain to USDA officials or state and local animal control authorities about the alleged elephant mistreatment.”).</p> <p>FOF 7 (“During the entire time in which Mr. Rider worked for FEI, there is no evidence that he complained to the media about the alleged elephant mistreatment.”).</p> <p>FOF 14 (“After Mr. Rider left his employment with FEI in November 1999, he did not complain to the USDA or to any other animal control authority about the treatment of FEI’s elephants.”).</p> <p>COL 5 (Rider “did not begin to make complaints about how FEI treated its elephants until after he began accepting money from animal activists . . .”).</p> <p><i>See also</i> FOF 8-9, 20; COL 4, 18.2.</p>

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10	<p>Rider stated under oath that he had "not received any [] compensation" from animal advocates or animal advocacy organizations for "services rendered."</p>	<p>2000-2004: PAWS, ASPCA, AWI and FFA make payments to Rider totaling more than \$50,000 directly and/or through MGC and WAP. DX 48A (undisputed payment chart) and the trial exhibits cited therein.</p> <p>2004: Rider states in an interrogatory response that he has "not received any [] compensation" from animal advocates or animal advocacy organizations for services rendered. DX 16 at 39 (2004 Interrogatory Objections and Responses) (objections signed by Ms. Meyer).</p> <p>2007: Rider files tax returns; Rider claims to be running a "business" that provides the "service" of an "advocate." Rider reports income from the organizational plaintiffs, MGC and WAP as income or wages. DX 60 (TR 00546-00611) (produced by plaintiffs on 9/24/07).</p>	<p>FOF 55 ("Rider was not forthcoming about the payments that he had received from the organizational plaintiffs and their (and his) counsel. ... This statement was false. By June 9, 2004, the date that Mr. Rider provided this sworn answer, he had received more than \$50,000.00 from PAWS, MGC, ASPCA, FFA and WAP.")</p> <p>FOF 56 ("The Court is not persuaded by Mr. Rider's <i>post hoc</i> effort to explain this false interrogatory answer. That Mr. Rider did not regard the payments as 'compensation' because he believed he was performing a 'public service,' is irrelevant and contradicted by Mr. Rider's own federal income tax returns ... [T]he Court finds no excuse for this false response.")</p> <p><i>See also</i> FOF 1, 21-54, 57-59; COL 5, 19.</p>
11	<p>Rider alleged that he had a "personal and emotional attachment to the [FEI] elephants," including Karen. No. 00-1641, DE 1 ¶ 32.</p>	<p>2006: Rider makes a videotape of Karen in which he refers to her as a "bitch." DX 30B (8-06) (TR 00201) (produced by plaintiffs on 3-02-07).</p> <p>2007: At deposition, Rider states that Karen was known as a "killer" elephant; Rider would not be surprised if he made a video of Karen and referred to her as a "bitch"; Rider claims that the term "bitch" is a term of endearment. Ex. 13, 2007 Rider Dep. at 275:17-276:10 & 278:17-280:02.</p>	<p>FOF 73 ("Mr. Rider's assertion of a personal and emotional attachment to the elephant Karen is not credible. Mr. Rider made a videotape in which he referred to Karen derogatorily as a 'bitch.' ... It is clear to the Court from Mr. Rider's tone on the video that he was not using the term 'bitch' as an endearment. Mr. Rider has also characterized Karen as a 'killer elephant' who would have killed or seriously injured him had she the opportunity to do so, and that she 'hated' him. These are not the terms in which one typically describes a relationship of close personal or emotional attachment.")</p> <p><i>See also</i> FOF 60; COL 9, 18.1, 18.4.</p>

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12	<p>The reason Rider received "write-ups" while employed with FEI.</p>	<p>1998-1999: Rider receives written warnings for work rule violations. DX 40-42 (FELD 0004830-4832) (produced by FEI on 2-10-05).</p> <p>2006: Rider testifies to a Nebraska legislative committee that he received write ups because he complained about elephant abuse. PWC 94A (PL 08779-780) (1-25-06) at 259-260 (produced by plaintiffs on 7-11-06).</p> <p>2006: Rider states at deposition that he received written reprimands for work rule violations. Ex. 12, 2006 Rider Dep. at 265:06-271:07.</p>	<p>FOF 10 ("Mr. Rider testified that he appeared before a committee of the Nebraska legislature in 2006 and told the committee that he had received written reprimands ("written up") by FEI three times for complaining about animal abuse. Mr. Rider continues to insist that this is true, despite having also testified that his write ups at FEI were for work rule violations. The Court finds that the evidence does not support Mr. Rider's allegation that he was written up because he was complaining about mistreatment of the elephants.").</p> <p><i>See also</i> FOF 11.</p>
13	<p>Rider alleged that he "stopped working in the circus community because he could no longer tolerate the way the elephants were treated by the defendants." No. 00-1641, DE 1 ¶ 33.</p>	<p>2006: Rider admits at deposition that he left FEI voluntarily and "amicably" at the end of the Blue Unit show tour. Ex. 12, 2006 Rider Dep. at 105:14-106:08.</p> <p>2007: Rider states at deposition that on the day that he quit, he had a conversation with Jeff Steele. Rider did not bring up animal abuse. Ex. 13, 2007 Rider Dep. at 98:16-99:17.</p>	<p>FOF 13 ("[Rider] now claims that [he left employment with FEI] because he could not bear to witness further mistreatment of the Blue Unit elephants. The Court does not find Mr. Rider to be credible on this point. Rider spoke with the Blue Unit Manager, Jeff Steele, on the day he left FEI, but Mr. Rider did not raise any issue with respect to elephant treatment with Mr. Steele. Mr. Rider departed his employment with FEI voluntarily at the end of the Blue Unit tour in November 1999.").</p> <p><i>See also</i> FOF 9; COL 4, 18.2.</p>

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14	The reason Rider quit working for Raffa in Europe.	<p>2004: In his interrogatory responses, Rider claims that he quit working for Raffa in Europe because of the treatment of the elephants. DX 16 at 6 (2004 Interrogatory Responses and Objections) (objections signed by Ms. Meyer).</p> <p>2006: At deposition, Rider states that he quit working for Raffa in Europe because of the alleged improper euthanization of two tigers and because he was forced to use a bullhook. Ex. 12, 2006 Rider Dep. at 194:18-196:02.</p>	<p>FOF 19 (“Mr. Rider left his employment with Mr. Raffa in March 2000. Mr. Rider offered more than one account for why he left this job.”).</p> <p><i>See also</i> FOF 20.</p>
15	Rider’s source of income.	<p>2006: Rider states at deposition that he has no job and that the funds he receives from WAP are his only source of compensation. Ex. 12, 2006 Rider Dep. at 136:04-15.</p>	<p>FOF 21 (“At no point in the period after March 2000 has Mr. Rider held a job or had any source of income or financial support other than the money and other financial benefits that Mr. Rider has received from animal advocacy organizations or others sympathetic to such groups.”).</p> <p><i>See also</i> FOF 1, FOF 22-59; COL 5, 19.</p>
16	Rider’s tax returns.	<p>2006: Rider states at deposition that he has not filed tax returns since 1999. Ex. 12, 2006 Rider Dep. at 125:12-127:18.</p> <p>2007: Rider files tax returns; Rider claims to be running a “business” that provides the “service” of an “advocate.” Rider reports income from the organizational plaintiffs, MGC, and WAP as income or wages. DX 60 (TR 00546-00611) (produced by plaintiffs on 9-24-07).</p>	<p>FOF 58 (“During the period from 2001 through 2006, Mr. Rider did not declare any of the money that had been paid to him by the organizational plaintiffs, WAP or MGC as income or any tax return filed with the federal or any state government. Mr. Rider did not file such tax returns until April 2007, after the subject had been raised in his October 2006 deposition and other filings in this case.”).</p> <p><i>See also</i> FOF 1, FOF 21-57, 59; COL 5, 19.</p>

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17	Whether Rider spent any additional time with the FEI elephants.	2007: Rider states at deposition that he did not spend much, if any, time before his 3:30 p.m. shift began with the elephants. Ex. 13, 2007 Rider Dep. at 593:21-594:08.	FOF 12 (“[T]here is no evidence that Mr. Rider spent any additional time with or paid additional attention to the elephants beyond the minimum requirements of his job.”).
18	Rider’s attachment to the Red Unit elephants.	2007: Rider states at deposition that his attachment to the FEI Red Unit elephants is as strong and as intense as his attachment to the Blue Unit elephants, even though he never worked with them. Ex. 13, 2007 Rider Dep. at 351:18-352:17.	FOF 71 (“Mr. Rider’s testimony that he is just as attached to the elephants that he never worked with as he is to the elephants he worked with for two and a half years significantly undermines his credibility with respect to his claimed close personal and emotional attachment to the Blue Unit elephants.”). <i>See also</i> FOF 60; COL 18.1.
19	Rider’s visit to Sophie at the Niabi Zoo.	2006: Rider states at deposition that he has not visited former FEI elephant Sophie. Ex. 12, 2006 Rider Dep. at 272:11-273:05. 2007: Rider states at deposition that he went to visit Sophie for approximately one hour. Ex. 13, 2007 Rider Dep. at 377:05-22.	FOF 62 (“On the one occasion that he visited one of his ‘girls’ outside of the circus, it appears to have had more to do with litigation posturing than with a genuine personal attachment.”). FOF 66 (“At the time of his first deposition on October 12, 2006, Mr. Rider had not visited Sophie. After his October 2006 deposition (in which he was questioned about whether he had visited Sophie), Mr. Rider visited Sophie once as part of the ‘media work’ he was purportedly engaged in. ... Mr. Rider has not sought any position with the Niabi Zoo or otherwise that would permit him to work with Sophie again. ... The Court finds that Mr. Rider’s visit of Sophie was not the result of a personal attachment to Sophie.”). <i>See also</i> FOF 60; COL 7, 18.1, 18.3.

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20	Rider's attendance at the Court-ordered inspections.	2007: Rider states at deposition that he knew about the Court-ordered inspections of the Blue Unit and CEC before they took place, but that he did not attend them. Ex. 13, 2007 Rider Dep. at 335:21-338:08 & 398:06-399:01.	FOF 68 ("That Mr. Rider would forego the opportunity to spend this time with Karen and Nicole dramatically undermines his credibility with respect to his professed attachment to these elephants.") FOF 69 (same regarding Jewel, Lutz, Mysore, Susan and Zina). <i>See also</i> FOF 60; COL 8.
21	Rider's observation of mistreatment of the FEI elephants since December 1, 1999.	2007: Rider states at deposition that he has not seen mistreatment of six of the Blue Unit elephants since December 1, 1999 (Jewell, Lutz, Mysore, Nicole, Susan, Zina). Rider states that, since December 1, 1999, he saw one incident where Karen was hooked in the mouth for two or three seconds, but he did not know if she bled. Ex. 13, 2007 Rider Dep. at 399:02-402:01.	COL 11 ("Mr. Rider [] admits that, from December 1, 1999 through the present time, he has not observed any mistreatment of the Asian elephants Jewel, Lutz, Mysore, Nicole, Susan or Zina. The evidence offered by Mr. Rider to support the alleged mistreatment of the Asian elephant Karen during this time period was inconclusive and insufficient to support his claims.".) <i>See also</i> FOF 77-83; COL 18.4.

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22	The reason why Rider quit working for CB-CB.	<p>1997: Rider's FEI employment application listed his reason for leaving CB-CB as "to work for Ringling" and indicated that he heard about FEI through Kenneth Feld. DX 38 (FELD 0004826-827) (produced by FEI on 2-10-05).</p> <p>2004: Rider states in an interrogatory response that he quit working for CB-CB due to the treatment of the elephant Pete. DX 16 at 6 (2004 Interrogatory Responses and Objections) (objections signed by Ms. Meyer).</p> <p>2006: Rider states at deposition that he quit working for CB-CB due to the treatment of the elephant Pete. Ex. 12, 2006 Rider Dep. at 176:06-176:19.</p> <p>2007: At deposition, Rider initially states that he left CB-CB due to the alleged mistreatment of Pete in White Plains, New York. When showed his employment application, Rider states that he decided to quit CB-CB following a conversation with Kenneth Feld in Woodbridge, Virginia. Ex. 13, 2007 Rider Dep. at 77:16-81:10 & 87:09-89:10.</p>	<p>FOF 2 ("Mr. Rider testified that he quit [CB-CB] due to the mistreatment of an elephant named 'Pete.' This testimony is not credible. Mr. Rider admitted on cross-examination that his decision to leave CB-CB was sparked by an alleged conversation with Kenneth Feld, thus admitting that he had decided to seek employment with FEI <i>before</i> the alleged incident involving Pete.").</p> <p><i>See also</i> FOF 20.</p>
23	The purpose of the Rider payments.	<p>2007: Rider states at deposition that if the lawsuit were over tomorrow, he would not expect to get further payments from WAP. Ex. 13, 2007 Rider Dep. at 487:09-488:03.</p>	<p>FOF 51 ("The Court finds that the payments that Mr. Rider has received are directly linked to the litigation: Mr. Rider testified that he has no expectation of further payments from either the organizational plaintiffs or WAP once the litigation has been concluded, assuming the plaintiffs prevail.").</p> <p><i>See also</i> FOF 1, 53, 59; COL 5, 19.</p>

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<i>FOF's relying on Rider evidence that was available pre-trial to plaintiffs and their counsel</i>	1-63, 66-73, 77-83		
<i>COL's relying on Rider evidence that was available pre-trial to plaintiffs and their counsel</i>	4-9, 11, 18.1-18.4, 19		