UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO)))
ANIMALS, et al.,))
Plaintiffs,) Case No.: 03-2006 (EGS/JMF)
v.	
FELD ENTERTAINMENT, INC.,	j
Defendant.)

MEMORANDUM IN SUPPORT OF DEFENDANT'S
MOTION FOR ENTITLEMENT TO ATTORNEYS' FEES

EXHIBIT 11

1 ORIGINAL 1 2 ASPCA v. FELD RE: 3 4 Transcription of DVD/Audio Recording of a Videotaped Statement of TOM RIDER, taken March 5 6 25, 2000. 7 8 Present: 9 Sharon Simms, Esq. 10 Mark Douglas Bradford, Videographer and Notary Public 11 12 13 14 15 16 17 18 19 20 21 **EXHIBIT** 22 WC 184 FEDER REPORTING COMPANY

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of things did you see?

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- I will say, just starting at the Α. beginning -- actually, you know, I would say in Austin, my first week there, you know, I was so new, I really wasn't catching a lot of it. I saw -- the thing that bothered me, the first thing I noticed of (unintelligible) was when they do the walk, warming (unintelligible) before they go into the show. They would hit him on the back of the -- their back heels to make them move faster. And it would sometimes be one, and sometimes they would double up like a baseball bat and hit them on the back of the heels when they are trying to move them. This I've seen right from the beginning. I saw that. That sticks in my mind.
- Q. Would you consider that a regular practice?
 - A. Yes. On a daily basis.
- Q. And it was by everyone -- would you ever see a supervisor do that?

A. Graham -- (unintelligible) -Graham Thomas Chipperfield was the one that
was doing the act. Usually those three were
in the dressing room, wouldn't come out, would
already be exercising them. At that time
there was really no one in the tent that was
of any kind of authority other than a Sonny
which is Robert Ridley. Last name. I am sure
it is Robert Ridley. We call him Sonny. He
would have been the one. He has been there
for 30 some years.

In that period of time there
wasn't anybody really in charge until Graham
and them came back to the tent. There was
Daniel Roffo, Alex Vargas and Graham Thomas
Chipperfield. But when they are in the
dressing room they will come in in the last
few minutes. At that point I was already
doing something else, infants in Austin. We
will start with the first town. I would be
doing something else. That's what caught my
eye from the get-go, was hitting them on the

heels, because I thought it would have to hurt. It would hurt a human if you did it. Break you to ground. And you would see the girls kind of miss a step when they do it, too. They hit them, they kind of jerked a little. So --

- Q. Excuse me. What were they hitting them with?
 - A. The bull hooks.

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- Q. Which part of the bull hook?
- A. The handle part, but, you know, there was times, you know, sometimes they wouldn't bother to turn it over so they could actually hit them with the hook park. They try not to. It could break the hook. They tried to hit them with the handle part.
- Q. And you said that this is -- you would -- I just want to make sure I understand. You consider this a regular practice? You saw this on a daily basis?
- A. I saw that every time there was a performance.

Richard Chipperfield happened and Randy

Peterson came along. At that time, yes, I

believe, when we counted, there were 69 people
in two years. I was number 69.

We were running a score card on me.

- Q. Was it your impression, then, that nearly everybody or a vast majority or a large number of the 69 people did engage in that behavior? Or was it only a few people?
- A. It was a majority of the 69 but I would have to sit down with a list of the 69 to figure out who was handling, because we had some that basically were there for maybe one or two days, three days, or a week. All they did was help me in the barn at the time. It is usually you are there five, six, seven days and Randy would be saying do the hook.

One thing that I pride myself on, from day one when I got my job from Graham, I said, "Graham," I said, "Do I need a hook?"

He said, "Do you think you need one?" I said,

"No." I, from that point, never had a hook at Ringling Brothers. I was the only one. And I was very well noted for not having a hook.

And being very outspoken about it, too. I did yell at them quite a bit.

I would say that at one point, I don't know, in my two and-a-half year tenure there, they came up and they were saying something about they wanted -- Randy wanted to get rid of me. It was in Greensboro,

North Carolina. And Randy said, "I'm going to get you out of the circus completely." And I said, "Well, I would be careful because I got 16 rolls of film of abuse." So I was kind of noted -- I never had the 16 rolls of film but it was nice. It put a little bit of scare in at the time. They thought, maybe he does.

And for some reason I was never bothered again.

I was asked the day before I left to go to Europe, did I have that film, by one of the girls, Jamie, that works on the --

January. I was in Europe at the time and Andrea, well Daniel Roffo's wife, Andrea, said her sister is still on the unit. Said Pat and his wife quit. Pat went up to, he said, Lexington with Frito-Lay. I just talked to my daughter today. She is going to check that for me.

But he quit over it because Gary
Jacobson and Randy were treating him like you
know what. And he was -- he got upset and
quit, walked off the show because of the way
he was getting treated.

I think the only -- my feeling, strictly my feeling on it, from what I could see when I was there, when Pat came back in Boston it was very tense because Gary Jacobson was constantly there with his wife. They had the four baby elephants, Romeo, Juliette and Shirley, and two that I still can't remember. And you could see it was pretty tense right then from the get-go. Pat wasn't the same person that left. He came back and he was

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hooking. If I started naming names, I can do that. But all your, quote, handlers were the ones, they were constantly hooking. From day one, you had Jeff Pettigrew and Randy Peterson when he came. You had Daniel Roffo hook 'em. You had Alex Vargas hook 'em. You had Graham hooking them.

And this started from day one. On a daily basis when they were walking them, hitting them on the back of the heels or hooking them to make them go faster. It would be like if they were going to say, "Move up," it would be, "Move up" as they were hooking and be giving the command. Instead of give them the command, wait for the elephant to respond, they would, "Move up, move up," hooking as they are saying it. The elephant is going, "Ow," had no time to think. They really weren't giving the elephant. That was on a daily basis.

(Unintelligible) every other day. But every town, there is not a town on here

all the time. When they are walking, usually once they get on the walk, and you get up a pace, there is not too much hooking unless one of them slows down and he gets on the back of the ankle. Most of your hooking is when you first take off on the walk, like, come on, go, you know. Especially with Daniel Roffo, he would hook them very hard. He was always walking -- Mini was always in the front. I know that you can go up to any one of those elephants on a daily basis right now and feel the scars and scabs behind them from where they had been hooked so much.

Nicole is no longer -- she is at the farm, quote. She was the one that Randy used to (unintelligible) get into and hook her. I know she was developing arthritis from it. Her leg was getting awful bad, have infected and swelled up. They said, well, they took her to the farm. I don't know what happened to her after that. I would like to know because that is Kenneth Feld's daughter's

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miniature horses because of the pavement.

They can break a leg if they hit the wrong step. We got onto him about that there and we started walking a little slower.

Other than that, the daily stuff, for the menu that year, we were just constantly seeing more and more figuring out who, at that point, it came to me, who was hook happier than the other person. Who was doing a lot of -- the beating at that time, it was Jeff Pettigrew, some of your older guys there, Sonny and (unintelligible) quote, acts, the presenters. (unintelligible), Alex. Alex wasn't too bad. He would have his days. He was probably one of the very few supervisor types that I seen. He is still with -- he is with the tent show now. He is one of the very few that I have seen that didn't really like using the hook too much. He would get kind of upset at Roffo and a few others when they overused the hook. That became quite a big -that was a very big thing on an everyday basis

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Because when it comes up, like my instance, when many of the elephants wouldn't come out of the containers on the trip, they tied the one, that is when they first told me about -- I said, "Why do you do that?" He says, "Well, you got to do that to train them ' to lay down, or train them to do anything. You have got to tie a rope on them to do it." And I said, "So that's how they are trained." He says, "Yeah, that's how they do it at the farm." And that's one of the reasons the farm is not open to the general public. Because they can just block and tackle them. They can do anything they want. If they want to make them stand up, they can tie them and hoist them up in block and tackle and make them stand up.

That's a pretty well known fact in the circus community. The general public doesn't know'it. That's their training.

Q. It is your understanding that's the method that is used by Jacobson, by Pat,

by --

- A. It is used by Gary Jacobson, Pat, by Randy. It would be used by any circus that is training their animals. It is even used in Europe. It is like this is how you train an elephant. You tie them up and you make them do it until they do it. If they don't get it the first time, you hit them.
- Q. You have mentioned that the baby elephants you are talking about -- I just wanted to have you sort of give me a general description, kind of summarize how it was that you saw them, their experience of their being kept, as opposed to the adult elephants.
- A. Well, the only difference between the way the babies were kept and the adults is that their chains were smaller. They are on a picket line. The chains weren't quite as big. I rarely ever saw Benjamin off the chain.

 Shirley was but he always would keep Benjamin chained up because Benjamin was -- he would get a little frisky with Shirley. He would

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hated Graham. So as soon as Graham was gone, it was I get to pick on the English. That's one of the reasons I -- when I left, I went to take care of, you know, with all the abuse I seen at Ringling, when I went over to Europe; I was hoping, hey, I've got my three girls away from them. You know. Mini has got cuts behind her ear that are 3 inches deep from what Ringling did to her. And I think Mr. Feld ought to see that. I've got pictures coming of those. MS. SIMMS: Well, I think we are about wrapped it up for this session. you very much. THE WITNESS: This session. You are welcome. MS. SIMMS: Thank you very much for the statement. (Proceedings concluded.)