



UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

----- X

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

Plaintiffs, : Civ. No.

v. : 03-02006

RINGLING BROTHERS AND BARNUM & BAILEY : (EGS)  
CIRCUS, et al., :

Defendants. :

----- X

Washington, D.C.

Thursday, October 12, 2006

Videotaped deposition of TOM E. RIDER, called  
for examination by counsel for the Plaintiffs in the  
above-entitled matter, pursuant to notice, the witness  
being duly sworn by CARLA L. ANDREWS, a Notary Public  
in and for the District of Columbia, taken at the  
offices of Meyer, Glitzenstein & Crystal at 1601  
Connecticut Avenue, Northwest, Suite 700, Washington,  
D.C. 20009-1056, at 9:27 a.m., Thursday, October 12,  
2006, and the proceedings being taken down by Stenotype  
by CARLA L. ANDREWS and transcribed under her  
direction.

1 APPEARANCES:  
2 On behalf of the Plaintiffs:  
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11  
12 On behalf of the Defendants:  
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14 MICHELLE C. PARDO, ESQ.  
15 Fulbright & Jaworski, L.L.P.  
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18 (202) 662-0200  
19  
20 ALSO PRESENT:  
21 ALICIA CLARK  
22 ELLEN HEBERT, Videographer

1 EXHIBITS(Continued)  
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3 TOM E. RIDER PLAINTIFFS  
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1 P-R-O-C-E-E-D-I-N-G-S  
2 THE VIDEOGRAPHER: This is the video  
3 deposition of Tom Rider taken by counsel for the  
4 plaintiff in the matter of American Society for the  
5 Prevention of Cruelty to Animals, et al. versus  
6 Ringling Brothers and Barnum & Bailey Circus, et al.,  
7 in the United States District Court for the District of  
8 Columbia, Civil Action No. 03-02006 (EGS) held in the  
9 offices of Meyer, Glitzenstein & Crystal at 1601  
10 Connecticut Avenue, Northwest, Suite 700, Washington,  
11 D.C. on this date, Thursday, October 12, 2006, at the  
12 time indicated on the video screen 9:27 a.m.  
13 My name is Ellen Hebert. I am the legal  
14 video specialist. The court reporter is Carla  
15 Andrews. We are employed by Alderson Reporting.  
16 Counsel will now introduce themselves and the party  
17 they represent after which the court reporter will  
18 administer the oath.  
19 MS. MEYER: Kathy Meyer, representing the  
20 plaintiffs.  
21 MS. OCKENE: Kimberly Ockane, representing  
22 the plaintiffs.

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<p>1 Q Were they all Asians?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Who were your supervisors?</p> <p>4 A Graham Chipperfield. He was in charge of the</p> <p>5 elephants. And of course Jeff Steele, unit manager.</p> <p>6 Q And what other responsibilities did you have?</p> <p>7 A In general it was cleaning up and working</p> <p>8 around the elephants, whatever they wanted me to do</p> <p>9 around the elephants.</p> <p>10 Q Okay. Was that true for your entire time</p> <p>11 there?</p> <p>12 A Well, when I was barn man, my</p> <p>13 responsibilities were to take care of the elephants,</p> <p>14 clean up after them.</p> <p>15 Q When did you become the barn man?</p> <p>16 A In Dallas, Texas. It would have been</p> <p>17 approximately a month or so after I started. I</p> <p>18 started -- I became the barn man in Dallas. That's</p> <p>19 where I actually took over the barn.</p> <p>20 Q That was 1997?</p> <p>21 A Yes, yes.</p> <p>22 Q And do you remember the names of the</p>	<p>1 BY MS. MEYER:</p> <p>2 Q Did you -- while you were barn man for the</p> <p>3 circus, did you have an opportunity to observe the way</p> <p>4 the elephants were handled by others?</p> <p>5 A Yes, I did.</p> <p>6 Q What kind of employees did you have an</p> <p>7 opportunity to observe?</p> <p>8 A What kind of employees?</p> <p>9 Q What category of employees did you have an</p> <p>10 opportunity to observe working with the elephants?</p> <p>11 A Handlers, elephant handlers.</p> <p>12 Q Okay. And what is an elephant handler?</p> <p>13 A A person who basically works around the</p> <p>14 elephants and moves the elephants from one location</p> <p>15 another or is in general working along the elephant</p> <p>16 crew.</p> <p>17 Q And are there also individuals who actually</p> <p>18 perform with the elephants?</p> <p>19 A Yes, there is.</p> <p>20 Q And what are those individuals called?</p> <p>21 A Performers.</p> <p>22 Q And they also handlers?</p>
Page 11	Page 13
<p>1 elephants that you worked with?</p> <p>2 A Yes.</p> <p>3 Q Can you tell me what they were?</p> <p>4 A Meena, Lechme, Kamala, Susan, Lutze, Rebecca</p> <p>5 Jewel, Sophie, Karen, Minnie, Mysore, Nicole and Roma.</p> <p>6 But Roma was not there too long.</p> <p>7 Q Did you work with any baby elephants?</p> <p>8 A Not in the beginning. I never personally</p> <p>9 worked with the babies in the beginning.</p> <p>10 Q Did you -- during the time that you were barn</p> <p>11 man, were there ever any baby elephants in the Blue</p> <p>12 Unit?</p> <p>13 A Yes, there was.</p> <p>14 Q Who were those elephants?</p> <p>15 A Benjamin and Shirley.</p> <p>16 Q Do you know how old Benjamin and Shirley</p> <p>17 were?</p> <p>18 A Approximately four years old.</p> <p>19 Q And I assume Benjamin is a male and Shirley</p> <p>20 is a female; is that correct?</p> <p>21 A Yes.</p> <p>22 MR. SIMPSON: Object to the leading.</p>	<p>1 A Yes.</p> <p>2 Q And did you travel on the road with the Blue</p> <p>3 Unit?</p> <p>4 A Yes, I did.</p> <p>5 Q Did you travel on the road the entire time</p> <p>6 you were there?</p> <p>7 A Yes, I did.</p> <p>8 Q Can you tell me how much time you spent on</p> <p>9 the road for each year that you worked for Ringling</p> <p>10 Brothers?</p> <p>11 A Well, you are basically on the road 365 days</p> <p>12 a year because you live on the train, so. But you</p> <p>13 don't travel all 365 days.</p> <p>14 Q So for 1997 that would have been from, I</p> <p>15 think you said June?</p> <p>16 A Yes.</p> <p>17 Q Of '97 to the end of December?</p> <p>18 A Yes. Well, we went to Winter Quarters around</p> <p>19 November. I came in on the end of the Areana Tour.</p> <p>20 Q I am sorry. The end of?</p> <p>21 A The end of the Areana Tour.</p> <p>22 Q How are you spelling that?</p>

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1 each elephant. They were taken to certain elephants,  
 2 examined, moved on very quick, very fast.  
 3 MR. SIMPSON: Objection. Move to strike as  
 4 non-responsive and also because of the hearsay.  
 5 BY MS. MEYER:  
 6 Q When was the Las Vegas incident that you just  
 7 mentioned?  
 8 A It would have been '99.  
 9 Q And when you said --  
 10 A Excuse me. '98, sorry.  
 11 Q And when you said they were taken to the  
 12 elephant, what did you mean by that?  
 13 A Any inspections that were done were  
 14 accompanied by usually Dave Kaiser and Jeff Steele and  
 15 of course Randy Peterson. And in one inspection in  
 16 Florida, there was Richard Fremming and somebody else  
 17 from Corporate. I want to say -- because I didn't know  
 18 Corporate. I think his name was George something. I  
 19 am not sure on that. He was -- him and Richard  
 20 Fremming were kind of together, you know, inspecting --  
 21 you know, I am sorry I don't know the other gentleman's  
 22 name. But we see him all the time. I can describe him

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1 whenever they call us and say, hey, we are coming for  
 2 an inspection.  
 3 MR. SIMPSON: Objection. Move to strike as  
 4 hearsay.  
 5 BY MS. MEYER:  
 6 Q What is your basis for knowing that that's  
 7 how an inspection would come about?  
 8 A We were told by Randy Peterson that there was  
 9 an inspection coming.  
 10 MR. SIMPSON: Objection. Move to strike as  
 11 hearsay.  
 12 BY MS. MEYER:  
 13 Q And was that true with respect to all the  
 14 inspections that you observed when you were at Ringling  
 15 Brothers?  
 16 MR. SIMPSON: Objection. Leading the  
 17 witness.  
 18 THE WITNESS: Yes.  
 19 BY MS. MEYER:  
 20 Q You mentioned earlier that another elephant  
 21 died when you were working at Ringling Brothers. Who  
 22 was that elephant?

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1 with gray hair, but.  
 2 MR. SIMPSON: Objection. Move to strike as  
 3 non-responsive.  
 4 BY MS. MEYER:  
 5 Q And with respect to the USDA inspections that  
 6 you observed, did you see the inspectors physically  
 7 examine each of the elephants?  
 8 MR. SIMPSON: Objection. Leading the  
 9 witness.  
 10 THE WITNESS: No.  
 11 BY MS. MEYER:  
 12 Q Did they look behind the ears of the  
 13 elephants?  
 14 MR. SIMPSON: Objection. Leading the  
 15 witness.  
 16 THE WITNESS: No.  
 17 BY MS. MEYER:  
 18 Q Do you know -- other than the Las Vegas  
 19 incident that you already described, do you know the  
 20 circumstances under which the USDA would come to  
 21 Ringling Brothers for an inspection?  
 22 A I don't know the exact circumstances but

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1 A Kenny.  
 2 Q Was that an elephant that was on the Blue  
 3 Unit?  
 4 A No.  
 5 Q Do you have any personal knowledge about the  
 6 circumstances of Kenny's death?  
 7 A Yes.  
 8 Q You have personal knowledge?  
 9 A After -- well, not while I was at Ringling,  
 10 no.  
 11 Q And do you know how old Kenny was when he  
 12 died?  
 13 A Approximately four, maybe five -- young.  
 14 Q Can you tell us the circumstances of your  
 15 leaving the circus?  
 16 A About six months before I left Ringling, the  
 17 English elephants were going to be taken over to Europe  
 18 or going back to Europe with some of the tigers. I  
 19 went to Randy and said, You know, I am tired of this.  
 20 The abuse that goes on and the hitting of the animals.  
 21 I want to leave. I am going. I said, I want to go to  
 22 Europe. I want to go with them. So it took until

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1 Kansas City in '99 until I got the word that, yes, I  
 2 was going to Europe. At that time of course we waited  
 3 until Winter Quarters. And I told them, I said,  
 4 good-bye. It was amicably. You know, I had -- I was  
 5 just -- I needed to get away from all the -- you know,  
 6 my complaining didn't help so I needed to get away.  
 7 And that was my choice. I wanted to go to Europe with  
 8 those English elephants.  
 9 Q And when was that?  
 10 A That would have been in -- well, the Kansas  
 11 City would have been in '99 and then Winter Quarters of  
 12 '99, November.  
 13 Q And how long did you stay with the English  
 14 elephants in Europe?  
 15 A November till I believe it was March --  
 16 November to March, not -- three or four months.  
 17 Q And what were the circumstances of your  
 18 leaving that job?  
 19 A Well, the day before I left, I saw two Bengal  
 20 tigers that were shot because Richard Chipperfield  
 21 didn't want to feed them anymore.  
 22 MR. SIMPSON: Objection.

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1 THE WITNESS: They had a veterinarian come in  
 2 and give them a shot with whatever they use to put them  
 3 down. He was going to put three down but one was  
 4 purchased. The other two were put down. I could not  
 5 take the years of abuse that I saw. And to see that  
 6 was a turning point. The next day I went to my English  
 7 elephants -- they are not mine. But I went to Kamala,  
 8 Lechme, and Meena and I just -- that was it. I left  
 9 late at night. And it was my promise that this is it.  
 10 I am going to put a stop to the abuse of those  
 11 elephants. And I left and went over to -- and came  
 12 back to the United States, come back. I was actually  
 13 in New York City.  
 14 BY MS. MEYER:  
 15 Q All right.  
 16 MR. SIMPSON: Objection. Move to strike the  
 17 answer as non-responsive. Contains hearsay, lack of  
 18 foundation.  
 19 BY MS. MEYER:  
 20 Q And when did you leave the Chipperfield  
 21 Circus, the date?  
 22 A In March. The exact date, I would have to --

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1 it was in March.  
 2 Q March of which year?  
 3 A 90 -- no, March of 2000.  
 4 Q Have you had an opportunity to be around the  
 5 Ringling Brothers elephants since you left your  
 6 employment there?  
 7 A Yes.  
 8 Q How many times have you had that opportunity?  
 9 A Numerous. Over six and a half years,  
 10 probably 40, 50 times I have seen the elephants.  
 11 Q And what were the circumstances of your being  
 12 able to see the elephants?  
 13 A Observing them from outside of the fenced  
 14 area that they were in. If the side walls were up and  
 15 you could see in. If not, when they did their walks  
 16 into the arenas or getting ready for loadouts, walking  
 17 around San Diego I had -- I was able to view the  
 18 elephants for a long period of time, approximately an  
 19 hour and a half.  
 20 Q Which cities were you able to observe the  
 21 elephants in?  
 22 A Manchester, New Hampshire; Madison,

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1 Wisconsin; Los Angeles, California; San Diego,  
 2 California; San Francisco, California; Oakland; San  
 3 Jose; Reno, Vegas; Phoenix; Chicago; New York;  
 4 Washington, D.C. The list goes on. St. Louis,  
 5 Missouri.  
 6 Q Okay. And during those times, did you  
 7 observe the elephants on chains?  
 8 A Yes.  
 9 Q And were the chains the same kind of chains  
 10 that you observed the elephants on when you worked at  
 11 the circus?  
 12 MR. SIMPSON: Objection. Leading.  
 13 THE WITNESS: Yes, same type of chain.  
 14 BY MS. MEYER:  
 15 Q And during those times that you have seen the  
 16 elephants since you left the circus, have you observed  
 17 handlers using bull hooks on elephants?  
 18 A Yes.  
 19 Q What have you observed?  
 20 A Yes.  
 21 Q I have observed striking elephants on the  
 22 legs, hooking them when they are doing walks, hooking

28 (Pages 106 to 109)

<p style="text-align: right;">Page 122</p> <p>1 two years?</p> <p>2 A No.</p> <p>3 Q Do you know any reason why you might go to</p> <p>4 jail in the next two years?</p> <p>5 A No.</p> <p>6 Q Do you lack the financial means to be a trial</p> <p>7 witness in this case?</p> <p>8 A No.</p> <p>9 Q Do you refuse to accept a subpoena if one of</p> <p>10 the plaintiff organizations gave you one for trial?</p> <p>11 A Would I -- no, I would not refuse a summons</p> <p>12 or subpoena.</p> <p>13 MR. SIMPSON: Just to clear up an objection I</p> <p>14 made when we started this. I got confused between</p> <p>15 Plaintiff's Exhibit 4 and Exhibit 1. I thought one was</p> <p>16 the interrogatory. It was not. I am sorry. I didn't</p> <p>17 mean to make the objection to that document. I meant</p> <p>18 to make the objection to number four, which is the</p> <p>19 answers to the interrogatories. So I withdraw the</p> <p>20 objection to number one, and I make the objection to</p> <p>21 number four just so the record is clear.</p> <p>22 Let's mark this as Defendant's Exhibit 1.</p>	<p style="text-align: right;">Page 124</p> <p>1 block seven that you were paid by that organization</p> <p>2 \$33,600 in non-employee compensation during 2005?</p> <p>3 A Yes.</p> <p>4 Q Do you have any reason to dispute that</p> <p>5 number?</p> <p>6 A No.</p> <p>7 Q If you could turn to the next document on top</p> <p>8 of it for 2004.</p> <p>9 A Okay.</p> <p>10 Q It states that in block seven that -- and I</p> <p>11 will use WAP for brevity. When I say Wildlife Advocacy</p> <p>12 Project, I mean, WAP, same thing.</p> <p>13 A Sure.</p> <p>14 Q Is it true, sir, WAP paid you \$23,940 in</p> <p>15 2004?</p> <p>16 A I was -- that would total the grant, I guess.</p> <p>17 Q Do you recall receiving this document in 2004</p> <p>18 before 2004?</p> <p>19 A Yes.</p> <p>20 Q If you could look at the one on top of that</p> <p>21 for 2003. I direct your attention, sir, to block</p> <p>22 seven. Is it true that WAP paid you \$7,336 in 2003?</p>
<p style="text-align: right;">Page 123</p> <p>1 (Defendant's Exhibit No. 1, marked for</p> <p>2 identification.)</p> <p>3 BY MR. SIMPSON:</p> <p>4 Q Mr. Rider, let me show you what we have</p> <p>5 marked for identification as Defendant's Exhibit 1,</p> <p>6 which are a series of IRS forms 1099 for the years</p> <p>7 2002, 2003, '04 and '05, Bates numbered 398 through, it</p> <p>8 looks like, 401, although it looks like it might have</p> <p>9 been gotten cut off. And for the record, these</p> <p>10 documents were produced in discovery by an entity</p> <p>11 called the Wildlife Advocacy Project.</p> <p>12 Sir, have you had a chance to examine this</p> <p>13 document or these pages? Would you please do so?</p> <p>14 A Okay.</p> <p>15 Q If you could turn to the last page first, the</p> <p>16 form for 2005.</p> <p>17 A Okay.</p> <p>18 Q Do you recall receiving a document from the</p> <p>19 Wildlife Advocacy Project for 2005 that looks like</p> <p>20 this?</p> <p>21 A Yes.</p> <p>22 Q All right. Is it true, sir, when it says in</p>	<p style="text-align: right;">Page 125</p> <p>1 A That was the amount of the grants, yes.</p> <p>2 Q And did you receive a copy of this 2000 -- of</p> <p>3 this 1099 from WAP?</p> <p>4 A Yes.</p> <p>5 Q And for the final one, sir, on top block</p> <p>6 seven, is it correct that WAP paid you \$7,773.34 in</p> <p>7 2002?</p> <p>8 A Yes, that would be the amount of the grant.</p> <p>9 Q And did you, in fact, receive this 1099 from</p> <p>10 WAP for this year?</p> <p>11 A For 2002, yes.</p> <p>12 Q All right. Did you declare these amounts</p> <p>13 reflected on these 1099's on your federal income tax</p> <p>14 return?</p> <p>15 A No.</p> <p>16 Q You did not?</p> <p>17 A No.</p> <p>18 Q For any of the years in question?</p> <p>19 A No. That's income tax.</p> <p>20 Q So just so we are clear, you did not declare</p> <p>21 the money listed on the 1099 for 2005 on your federal</p> <p>22 income tax return?</p>

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1 A No.  
 2 Q For that year?  
 3 A No.  
 4 Q And you didn't declare the money that was  
 5 listed in 2004 1099 on your federal tax return for that  
 6 year; is that correct?  
 7 A Right. That's income tax return, right?  
 8 Yeah.  
 9 Q And you didn't declare the money listed on  
 10 the 1099 for 2003 on your tax return for that year; is  
 11 that true?  
 12 A True.  
 13 Q And you didn't declare the money listed on  
 14 the 1099 for 2002 on your tax return; is that correct?  
 15 A Yeah.  
 16 Q Do you have copies of your federal tax  
 17 returns?  
 18 A No. I didn't file a federal tax return --  
 19 non-income.  
 20 Q So I am clear on this, sir, for the year 2005  
 21 did you file a tax return with the Internal Revenue  
 22 Service?

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1 A No, sir.  
 2 Q Did you file a tax return for the year 2004  
 3 with the Internal Revenue Service?  
 4 A An income tax return? No.  
 5 Q Did you file a tax return with the IRS for  
 6 2003?  
 7 A No, sir.  
 8 Q Did you file one for 2002 with the IRS?  
 9 A No, sir.  
 10 Q When was the last time you filed one with the  
 11 IRS?  
 12 A That would have been with -- 19 -- that would  
 13 have 90 -- for the year '98, I was at Ringling Brothers  
 14 and the year before that and I believe the year before  
 15 that.  
 16 Q Are you planning to file a tax return for  
 17 2006?  
 18 A If I have income.  
 19 Q Take the year, for example, 2006, sir. And  
 20 when you received money from WAP, isn't it true that  
 21 you were paid by WAP in the form of a check for \$500  
 22 roughly every two weeks?

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1 A A grant was issued in the amount of \$500,  
 2 yes.  
 3 Q You call it a grant, but it was a check; is  
 4 that correct, a check?  
 5 A Oh, it was a check, yes.  
 6 Q And you took that check and cashed it?  
 7 A Yes.  
 8 Q And when you got that check, it was delivered  
 9 to you usually in the mail; is that correct?  
 10 A No.  
 11 Q How was it generally delivered to you?  
 12 A Usually FedEx.  
 13 Q Federal Express?  
 14 A Federal Express.  
 15 Q When that Federal Express package was  
 16 delivered to you, it would come with a cover letter,  
 17 would it not?  
 18 A Yes, sir.  
 19 Q That cover letter was usually from the  
 20 Wildlife Advocacy Project, was it not?  
 21 A Yes, sir.  
 22 Q And it was usually signed by Eric

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1 Glitzenstein, was it not?  
 2 A Majority of the time, yes.  
 3 Q And he, to the best of your knowledge, is the  
 4 president of WAP, is he not -- excuse me -- WAP?  
 5 A At that time I assume I guess he is. That, I  
 6 wouldn't know. I don't know who the president of the  
 7 organization is.  
 8 Q But he would write you letters on WAP  
 9 letterhead?  
 10 A So I expect he is the president. I mean,  
 11 that's assumption.  
 12 Q Okay. You assume that?  
 13 A I assume he is.  
 14 Q And Mr. Glitzenstein is also your lawyer in  
 15 this case, is he not?  
 16 A I believe that Kathy Meyer is my lawyer.  
 17 Q So do you know whether Mr. Glitzenstein  
 18 represents you in this case or not?  
 19 A Well, the law firm of Meyer and Glitzenstein  
 20 represents me. My attorney is Kathy and Kim.  
 21 Q You have more than one attorney. But my  
 22 question, sir, is does Eric Glitzenstein to your

33 (Pages 126 to 129)



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1 Western Union money gram; is that correct?  
 2 A There was times when it was sent in Western  
 3 Union.  
 4 (Defendant's Exhibit No. 3, marked for  
 5 identification.)  
 6 BY MR. SIMPSON:  
 7 Q Let me show you, sir, what we have marked as  
 8 Defendant's No. 3. This is Exhibit No. 3 for  
 9 identification, which is a document produced by WAP in  
 10 this case entitled the Wildlife Advocacy Project custom  
 11 transaction detail report, all transactions. Have you  
 12 ever seen this before?  
 13 A No, sir.  
 14 Q It indicates in here -- you can just glance  
 15 through it -- numerous entries indicating a payment to  
 16 Tom Rider for media expenses?  
 17 A Yes, sir.  
 18 Q Did you understand what media expenses means?  
 19 A Yes, sir.  
 20 Q What does media expense mean?  
 21 A Any and all expenses that I incur on the road  
 22 in the process of my public appearances on behalf of

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1 the elephants.  
 2 Q And so what would those expenses be, sir?  
 3 A Any and everything that it takes to live in a  
 4 Volkswagen van.  
 5 Q So that would be your food?  
 6 A It would be food, gas, laundry, oil, gas for  
 7 my generator, you know, very little entertainment. I  
 8 don't -- that's any and all expenses that I incur on  
 9 the road.  
 10 Q Does it include your clothing?  
 11 A Yes, sir. If I needed my clothes washed or I  
 12 needed a new shirt or something because one was getting  
 13 raggedy.  
 14 Q Did WAP buy your shirt that you are wearing  
 15 today?  
 16 A I bought it with -- for the purpose of the  
 17 doing media.  
 18 Q So the shirt that you are wearing today is  
 19 one of your media expenses?  
 20 A Yes, sir.  
 21 Q Is the tie?  
 22 A No, no. The tie was a gift.

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1 Q How about the suit you are wearing? Is that  
 2 one of your media expenses?  
 3 A I believe this was a gift, too.  
 4 Q Do you have a job?  
 5 A No, sir.  
 6 Q Do you collect unemployment compensation?  
 7 A No, sir.  
 8 Q Do you collect food stamps?  
 9 A No, sir.  
 10 Q Aid for Families with Dependent Children?  
 11 A No, sir.  
 12 Q Do you have any other source of income as we  
 13 now speak other than what you get in financial  
 14 assistance from the WAP?  
 15 A No, sir.  
 16 Q How much are they going to pay you this year,  
 17 do you know?  
 18 A I don't know what the grants will be this  
 19 year.  
 20 Q Do you have any estimate about how much you  
 21 have been paid from January 1, 2006 till today?  
 22 A No, sir, I don't. I could probably figure it

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1 out. It has been basically the same this year.  
 2 Q So you expect it could be as much as \$33,600?  
 3 A If that's what the grant comes to. That's --  
 4 sometimes you have other expenses like I could break  
 5 down in my van.  
 6 Q Now, have you ever had an expense that you  
 7 have incurred, a media expense, for example, that you  
 8 have not paid for with your media expense money from  
 9 WAP but that someone else has paid on our behalf with a  
 10 credit card?  
 11 A From my media? Beginning of the question  
 12 when -- has anybody paid?  
 13 Q Let me re-ask it. It's a bad question.  
 14 There are certain things you go out and buy with the  
 15 money you get from WAP, correct?  
 16 A Yes.  
 17 Q Food, clothing, correct, gasoline for your  
 18 van, other things that you actually buy yourself,  
 19 correct?  
 20 A For whatever it takes me to live.  
 21 Q Now, are there things that WAP provides to  
 22 you that you don't pay for but somebody else let's you

35 (Pages 134 to 137)

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1 A That's -- yes, but it was a known fact when  
2 they come back you chain them up, so everybody chained  
3 up. So directions from Randy Peterson when they come  
4 back in, we chain them up.  
5 Q You had been instructed in general terms to  
6 do it at this point in time?  
7 A Right.  
8 Q It wasn't Tom Rider making the decisions?  
9 A Oh, absolutely not.  
10 Q You never made a decision to take a chain off  
11 or put one on the elephant on your own, did you?  
12 A In the event that a chain would come off, I  
13 would put it back on, yes.  
14 Q If you saw it come off?  
15 A Yeah, like Meena. If she broke her chain or  
16 something, yeah, I would have to fix it.  
17 Q But you didn't get up and decide, well, it  
18 would be a good idea to unchain them, so I am just  
19 going to do it?  
20 A No.  
21 Q You have never had any training on how to use  
22 a bull hook, have you?

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1 A No.  
2 Q You are not a veterinarian?  
3 A No.  
4 Q And you are not a veterinarian technician,  
5 you?  
6 A No.  
7 Q Never had any training in veterinary  
8 medicine?  
9 A No.  
10 Q Never had any training in the procedures for  
11 a veterinarian technician, have you?  
12 A No.  
13 Q Have you ever had any training in animal  
14 behavior?  
15 A No, other than looking at them for eight  
16 hours a day.  
17 Q No formal training in elephant psychology?  
18 A No.  
19 Q Now, before you went to work for Ringling  
20 Brothers, it's true, is it not, sir, that you worked  
21 for a company called Clyde Beatty Cole Brothers?  
22 A Yes, sir.

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1 Q And that was circus; is that correct?  
2 A Yes, sir.  
3 Q And they had elephants in that circus; is  
4 that right?  
5 A Yes, sir.  
6 Q And they had an elephant named Pete, correct?  
7 A Yes, sir.  
8 Q And you worked for them for, what, roughly  
9 three months?  
10 A I said 42 cities so, yeah, three months.  
11 Q And the people in that circus mistreated that  
12 elephant, did they not?  
13 A Yes.  
14 Q And you quit as a result of that; is that  
15 correct?  
16 A Yes, sir.  
17 Q And then went to work for Ringling Brothers;  
18 is that right?  
19 A Yes, sir.  
20 Q And on the first day of your job at Ringling  
21 Brothers, you observed elephant mistreatment; is that  
22 correct?

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1 A No, not the first day.  
2 Q Well, within the first week?  
3 A Yes. I started seeing stuff happening. Use  
4 of the bull hook improperly.  
5 Q And you worked for Ringling Brothers for two  
6 and a half years; is that right?  
7 A Yes, sir.  
8 Q And you quit your job at Ringling Brothers  
9 because of your objection to the way the company  
10 treated its elephants; is that correct?  
11 A Yes, sir.  
12 Q And during the time you were at Ringling  
13 Brothers, you observed the manner in which a man named  
14 Graham Chipperfield treated elephants; is that correct?  
15 A Yes, sir.  
16 Q Graham Chipperfield had three elephants on  
17 the Ringling show; is that right?  
18 A Yes, sir.  
19 Q Meena. Is that one of them?  
20 A Yes.  
21 Q Lechme. That's the other one.  
22 A Lechme.

45 (Pages 174 to 177)

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1 Q And Kamala?  
 2 A Kamala, yes.  
 3 Q Kamala?  
 4 A Yeah.  
 5 Q And Mr. Chipperfield used the bull hook on  
 6 those of three elephants, did he not?  
 7 A Yes.  
 8 Q And you observed him doing that?  
 9 A Yes.  
 10 Q And you observed him doing it in a way that  
 11 upset you; is that correct?  
 12 A On one occasion.  
 13 Q All right. He stuck her in the chin; isn't  
 14 that right?  
 15 A Yes, sir.  
 16 Q Made her mount?  
 17 A They were on a tub, go up in the air. You  
 18 can call that a mount. Standing, getting up, yes.  
 19 Q All right. It was in Winter Quarters; was it  
 20 not?  
 21 A Yes.  
 22 Q You didn't like what you saw, did you?

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1 Q And at the end of your employment with  
 2 Ringling Brothers, you left because you were -- I think  
 3 we have already asked it -- upset about the way they  
 4 treated elephants; is that correct?  
 5 A Yes.  
 6 Q And then you went to work in Europe with the  
 7 Chipperfield act; is that correct?  
 8 A No.  
 9 Q What's incorrect about that?  
 10 A I was not working for Chipperfield.  
 11 Chipperfield had -- I was not working for Chipperfield.  
 12 Q All right.  
 13 A Okay.  
 14 Q Let me back up. During your tenure at  
 15 Ringling Brothers, one of the people who handled the  
 16 elephants who was associated with the Chipperfields was  
 17 a man named Daniel Raffo; is that correct?  
 18 A Yes.  
 19 Q R-a-f-f-o, correct?  
 20 A Yes. I believe that's how you spell it.  
 21 Q And Mr. Raffo was a person you observed using  
 22 a bull hook on the elephants; is that correct?

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1 A Not on that occasion, no.  
 2 Q And this was Graham Chipperfield; is that  
 3 correct?  
 4 A Yeah, Graham.  
 5 Q And there was also a Richard Chipperfield; is  
 6 that true?  
 7 A Yes.  
 8 Q He was with the show at the same time?  
 9 A Not at the time of the incident with Graham,  
 10 no.  
 11 Q He was not in any way associated with the  
 12 Ringling Brothers show while you were there?  
 13 A Yes.  
 14 Q This was Richard Chipperfield, Jr., correct?  
 15 A Right.  
 16 Q The son of Richard Chipperfield also known as  
 17 Dicky Chipperfield?  
 18 A Yes.  
 19 Q Graham Chipperfield being Dicky  
 20 Chipperfield's stepson; is that correct?  
 21 A I don't really know his relationship with his  
 22 father. If it is his father, I am not sure.

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1 A He had a bull hook but really not much at  
 2 Ringling Brothers. He was mostly a performer. He has  
 3 used a bull hook on the elephants, yes.  
 4 Q And you saw him do it, too?  
 5 A Oh, yes.  
 6 Q At Ringling Brothers?  
 7 A Yes.  
 8 Q And you saw him do it in a way that you  
 9 didn't agree with; isn't that correct?  
 10 A Yes.  
 11 Q Now, when you left Ringling Brothers and went  
 12 to Europe, you worked in a situation in which you were  
 13 associated with Mr. Raffo; isn't that correct?  
 14 A Yes, sir.  
 15 Q And Mr. Raffo was an elephant handler in  
 16 your -- well, let me put it this way. When you went to  
 17 Europe, what was your job?  
 18 A Well, what we are going to say a barn man  
 19 taking care of the elephants.  
 20 Q And you were a barn man for who?  
 21 A Daniel Raffo.  
 22 Q And the three elephants that Daniel Raffo had

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1 and you were the barn man for were the same three  
 2 elephants that were in the Ringling Brothers circus; is  
 3 that correct?  
 4 A Yes.  
 5 Q And Mr. Raffo had treated these same  
 6 elephants in your mind inappropriately when he had been  
 7 with Ringling Brothers; isn't that true?  
 8 A Somewhat.  
 9 Q Well, I mean, is it true or not?  
 10 A Yes, it is true he didn't treat them with the  
 11 proper technique or whatever you want to say, yes.  
 12 Q And you went to work for him. Was it in  
 13 Europe or in England?  
 14 A It was in Europe. Yeah, it was never in  
 15 England, no. It is not allowed to come to England.  
 16 Q So in Europe. In what countries?  
 17 A France and Germany.  
 18 Q Did you go to Spain?  
 19 A Yes, but that was not with the circus, no,  
 20 not with the circus.  
 21 Q And this was a circus or an act in a circus  
 22 that you worked for?

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1 A His wife.  
 2 Q Did you use the bull hook on these three  
 3 elephants?  
 4 A I never -- I had a bull hook because he  
 5 required me to get one. It was about two and a half --  
 6 about this long made out of Balsa wood.  
 7 Q Balsa wood?  
 8 A Balsa wood.  
 9 Q You are sure about Balsa wood?  
 10 A Well, it was very, very light.  
 11 Q Well, you are exaggerating a little bit,  
 12 aren't you?  
 13 A No. I am saying it was Balsa wood, yeah.  
 14 Q Do you want to stand by Balsa wood? That's  
 15 what they make those little gliders out of. Are you  
 16 saying it is Balsa wood?  
 17 A A light wood similar to Balsa wood, but it's  
 18 very, very lightweight wood. It wasn't -- I can't -- I  
 19 don't know if they make Balsa wood that big, but it was  
 20 not an axe handle.  
 21 Q Now, did you ever use this hook that you just  
 22 described on an elephant when you were with this French

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1 A Act in a circus.  
 2 Q Which circus was it in?  
 3 A It was a French circus. Give me a second.  
 4 Circus -- International Circus -- International  
 5 Festival Circus in Massey, Paris. The circus itself I  
 6 can't recall. It was a French name. I can't recall  
 7 it. You know, in other words, he was invited there for  
 8 the show.  
 9 Q And when you were with this French circus,  
 10 Mr. Raffo mistreated these elephants with the bull  
 11 hook, did he not?  
 12 A Not really.  
 13 Q So he treated them in a way that you found  
 14 appropriate.  
 15 A No. He just wasn't -- it wasn't appropriate  
 16 at all the way he was treating the elephants, but he  
 17 did less with the elephants. I was putting in lots of  
 18 hours with the elephants. He would only take them in  
 19 during the show or so. Other than that, he really  
 20 didn't hang around the elephants.  
 21 Q But were there other people working for this  
 22 circus who did use the bull hook on these elephants?

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1 circus?  
 2 A To move it from one location to another, it  
 3 was usually verbal commands. The only time -- Raffo  
 4 made me hook an elephant under the trunk because he  
 5 was trying to do the jump or something. I was  
 6 instructed over there that if I didn't I would be  
 7 terminated.  
 8 Q If you didn't do what?  
 9 A Use a bull hook.  
 10 Q But you went ahead and did it?  
 11 A Honestly, no, I did not put it in the skin of  
 12 that elephant because I wouldn't do it.  
 13 Q Well, let's make sure we understand what you  
 14 just said. I thought you testified that you stuck the  
 15 elephant underneath the trunk with the bull hook; is  
 16 that correct?  
 17 A Daniel Raffo wanted me to put the bull hook  
 18 under his trunk because he was trying to get Kamala to  
 19 stand still so me and he could do the teeter board.  
 20 And teeter board is like a seesaw. And I -- he wanted  
 21 me to put the bull hook under her chin and -- I mean,  
 22 under her trunk and keep her so she wouldn't move. I

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1 it is to use a dull one? Do you know of any reason why  
 2 that would be the case?  
 3 A That you have to use a sharp bull hook?  
 4 Q Versus a dull one.  
 5 A I know of no reason to use a sharp bull hook  
 6 on an elephant.  
 7 Q Now, when you were at the French circus at  
 8 some point you came to the decision that you were going  
 9 to leave that job?  
 10 A No.  
 11 Q How did it come to pass that you left that  
 12 job?  
 13 A We went to Germany after France, so I left in  
 14 Germany.  
 15 Q So you went with the elephant act that you  
 16 were with to Germany?  
 17 A Yes.  
 18 Q And there came a point in time that you quit  
 19 that job; is that correct?  
 20 A Yes.  
 21 Q Because of the way they were treating the  
 22 elephants; isn't that right?

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1 A I quit that job because they killed two  
 2 Bengal tigers, and I didn't like being forced to use a  
 3 bull hook. To even carry one in my hands I did not  
 4 like that.  
 5 Q If I could turn your attention to page six of  
 6 these interrogatory answers. In the carry-over  
 7 paragraph, the fourth line from the bottom, the  
 8 sentence states, I quit because of the way Raffo and  
 9 others who worked for the Chipperfields continued to  
 10 mistreat the elephants. Is that a true statement?  
 11 A Sure.  
 12 Q Now, you didn't say anything in here about  
 13 shooting the tigers, did you?  
 14 A No, because this is about elephants.  
 15 Q Well, the question was why -- the statement  
 16 was why you quit. So that's an incomplete --  
 17 A Right, because of his -- I would quit because  
 18 of his treatment of elephants.  
 19 Q And because he shot two tigers?  
 20 A I am going to call that the straw that broke  
 21 the camel's back.  
 22 Q But the elephant treatment was clearly one of

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1 the reasons; is that right?  
 2 A The elephant treatment, yes.  
 3 Q And was there anything really different about  
 4 the elephant treatment you observed Raffo do when he  
 5 was the Chipperfields than he did when you saw him at  
 6 Ringling Brothers?  
 7 A Yes.  
 8 Q And in what way was it different?  
 9 A Leaving them in a dark tent chained up hours  
 10 upon hours upon hours and very little heat on some  
 11 occasions.  
 12 Q So is it your testimony that the chaining by  
 13 Raffo with the Chipperfield elephants in Europe was  
 14 longer than it was with Ringling Brother?  
 15 A No, same.  
 16 Q Same amount of chaining.  
 17 A Yeah, just --  
 18 Q That was his use of the -- excuse me. I am  
 19 sorry. I cut you off. I didn't mean to.  
 20 A Well, it is a little bit different between  
 21 there and Ringling Brothers because you have got three  
 22 shows, and there is other things that go on that at

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1 Ringling that didn't go on in that circus. So, yes,  
 2 when I say the same amount of time, if there was a  
 3 show, the big elephants came up and went and did the  
 4 show and came back to the chains.  
 5 Q So they were chained in Europe the same  
 6 amount of time they were chained at Ringling?  
 7 A Basically.  
 8 Q Was Raffo's use of bull hook in your opinion  
 9 different than the way he used it at Ringling Brothers?  
 10 A I really didn't observe him in the ring that  
 11 much over there. I would say, like I said, he was --  
 12 once you unchained the elephants, he took them in.  
 13 What he did in the show, I was too busy cleaning up the  
 14 pens or getting the tigers ready to go in.  
 15 Q So when you -- when was it that you left this  
 16 job in Europe?  
 17 A Well, it was a Sunday in March in 2000. I  
 18 know it was a Sunday night. The exact date, I am  
 19 sorry, I would have to get a calendar. But I know it  
 20 was a Sunday.  
 21 Q So sometime in March of 2000, correct?  
 22 A March or the end of February. It could have

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1 been the end of February. Let's make it from one of  
 2 the Sundays, either in February or the first part of  
 3 March.  
 4 Q And you came back to the United States; is  
 5 that correct? You were in Germany at the time?  
 6 A Eventually, yes. I was in Germany at the  
 7 time.  
 8 Q Where did you go from Germany?  
 9 A I went over to England to the -- to London.  
 10 Q How long did you spend in England?  
 11 A About eight, ten days, something like.  
 12 Q That's the point in time in which you  
 13 communicated with a newspaper called the Daily Mirror;  
 14 is that correct?  
 15 A Yes, sir.  
 16 Q Told them about what you had seen with the  
 17 elephants in Europe?  
 18 A Yes, sir.  
 19 Q And that was the first time, is it not, that  
 20 you had gone to anyone outside any of these circuses  
 21 with what you had seen?  
 22 A Yes, sir.

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1 Q Up until that point, you had not made any  
 2 complaints outside any of these circuses to the United  
 3 States Department of Agriculture; is that correct?  
 4 A Yes, sir.  
 5 Q In fact, up until the point at which you left  
 6 the Chipperfields in Europe, you had not made your  
 7 concerns about the Ringling elephants known to Kenneth  
 8 Feld; is that right?  
 9 A You mean me telling Kenneth Feld?  
 10 Q Yeah, you, Tom Rider.  
 11 A Oh, no, uh-uh.  
 12 Q You never did?  
 13 A No. He's like a CEO. How do you get to  
 14 Kenneth Feld?  
 15 Q Well, maybe walk up and talk to him.  
 16 A The only time I ever met Ken Feld was when he  
 17 handed me his garbage bag.  
 18 Q Well, he was present, was he not, sir, in the  
 19 Richmond incident that you described involving Zina and  
 20 Rebecca; is that true?  
 21 A The was at the arena.  
 22 Q He was at the arena. And you were at the

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1 arena; is that correct?  
 2 A Yes, sir.  
 3 Q You could have walked up and told him what  
 4 you thought the problem with the treatment of the  
 5 elephant was if you wanted to, couldn't you?  
 6 A No, sir.  
 7 Q What kept you from doing that?  
 8 A Getting fired from Ringling Brothers.  
 9 Q So you were concerned he would fire you?  
 10 A Absolutely, because Randy Peterson and Pat  
 11 Harned came up to me one day and said, If you don't  
 12 quit complaining about these elephants, we are going to  
 13 have you fired. And in Greensboro, North Carolina  
 14 Randy threatened my job, the same thing. So, no, I was  
 15 very scared to go to Kenneth Feld.  
 16 Q And you kept complaining, though, about the  
 17 elephants after Greensboro, did you not?  
 18 A Yes, sir.  
 19 Q Basically everyday?  
 20 A Yeah, basically.  
 21 Q To anyone who would listen, correct?  
 22 A Yes.

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1 Q And you were never fired by Feld  
 2 Entertainment, were you?  
 3 A I was threatened and it was mainly we argued  
 4 on the train.  
 5 Q All right. But the question was, you were  
 6 never fired by Feld Entertainment?  
 7 A No, I was never fired from Feld  
 8 Entertainment.  
 9 Q You quit your job voluntarily?  
 10 A Yes, sir.  
 11 Q And at the time you quit your job, there was  
 12 nothing to keep you from going to Kenneth Feld and  
 13 telling them how they were treating the elephants; is  
 14 that true?  
 15 A Rephrase that.  
 16 Q At the time you quit your job, there was  
 17 nothing that kept you from going to Kenneth Feld and  
 18 telling him how the elephants were being treated,  
 19 correct?  
 20 A At the time I quit my job?  
 21 Q Yes, sir.  
 22 A No, I could not go to Kenneth Feld and tell

51 (Pages 198 to 201)

Page 202

1 him.  
 2 Q What kept you from doing that?  
 3 A Because I was going to Europe with those  
 4 three elephants. And Kenneth Feld is untouchable  
 5 basically.  
 6 Q What kept you from writing him a letter?  
 7 A I don't know the man. I don't know him.  
 8 Q There was nothing that kept you from writing  
 9 a letter, was it?  
 10 A Yes. He was very good friends with Dicky  
 11 Chipperfield, so that could have prevented me from  
 12 working and getting fired in England.  
 13 Q The Chipperfields might have fired you as a  
 14 result. Is that your testimony?  
 15 A That's what I am going to say, yes, because  
 16 Mr. Chipperfield and Mr. Feld, I guess, are pretty good  
 17 friends. And it is not my position that I should have  
 18 to go anyone further than my supervisor at Ringling.  
 19 When I tell Randy Peterson, that should be it.  
 20 Q There was nothing that kept you when you quit  
 21 your job at Ringling Brothers from going to the USDA  
 22 over this, either, was there?

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1 A Yes.  
 2 Q What?  
 3 A I was on a boat going to Europe.  
 4 Q You still could have written them a letter,  
 5 couldn't you? They don't get mail in England?  
 6 A Who would I write to? The USDA? I don't  
 7 know who I would write to.  
 8 Q You ultimately made a complaint to the USDA;  
 9 is that correct?  
 10 A Oh yes, sir.  
 11 MS. MEYER: Can we take a break at some point  
 12 like a 10-minute break? We have been going for --  
 13 MR. SIMPSON: This is fine.  
 14 THE VIDEOGRAPHER: Going off the record. The  
 15 time is 1433:06.  
 16 (A recess was held.)  
 17 THE VIDEOGRAPHER: Going back on the record.  
 18 The time is 1447:54.  
 19 BY MR. SIMPSON:  
 20 Q Mr. Rider, did there come a time, sir, when  
 21 you went to work for an organization called the  
 22 Performing Animal Welfare Society or PAWS, P-A-W-S?

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1 A I never worked for them.  
 2 Q Was there a point in time when you had any  
 3 relationship at all with PAWS?  
 4 A Yes.  
 5 Q What was the nature of that relationship?  
 6 A Equal interest in elephants.  
 7 Q And what was the time period in which you had  
 8 the relationship that you just described? Do you  
 9 remember that?  
 10 A Approximately three days after I returned to  
 11 the United States up until May of 2001. So it would be  
 12 from 2000 to 2001. Approximately 14 to 15 months.  
 13 Q During that time period that you just  
 14 described, did PAWS pay you any money?  
 15 A Not -- I was given a grant each week for my  
 16 food.  
 17 Q Who gave you the grant?  
 18 A PAWS.  
 19 Q How much was the grant each week?  
 20 A It was \$50.  
 21 Q Did PAWS provide you with any other benefit  
 22 during that time frame that you described?

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1 A Housing.  
 2 Q Where was the housing located?  
 3 A I believe it was the Royal Delta Inn in Galt,  
 4 California.  
 5 Q Did PAWS provide you any other benefit?  
 6 A No.  
 7 Q During that time frame, March 2000 to May of  
 8 2001, did you have any other source of income?  
 9 A No.  
 10 Q Did you have any other employment during that  
 11 time frame?  
 12 A No. I was not employed during that time  
 13 (Defendant's Exhibit No. 10, marked for  
 14 identification.)  
 15 BY MR. SIMPSON:  
 16 Q Let me show you, sir, what we have marked as  
 17 Defendant's Exhibit 10, which was produced in this case  
 18 as TR 0001. It is a letter, dated May 14, 2001,  
 19 apparently from Tom Rider to Pat Derby. Do you  
 20 recognize this, sir?  
 21 A Yes, sir.  
 22 Q Is it your signature?

52 (Pages 202 to 205)

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<p>1 Q With no one else being present?</p> <p>2 A Oh, no, no. By myself, no.</p> <p>3 Q By yourself?</p> <p>4 A By myself, no.</p> <p>5 Q Is foot up the only situation in which you</p> <p>6 gave a command to an elephant with no one else around?</p> <p>7 A No. Move over, back, foot up, trunk up.</p> <p>8 Q And this was while you were cleaning up</p> <p>9 around them?</p> <p>10 A Yes, sir.</p> <p>11 Q One more question and we need to change the</p> <p>12 tape. And when you were giving these commands, were</p> <p>13 the elephants chained up?</p> <p>14 A Yes, sir.</p> <p>15 Q Did you ever give those commands in a</p> <p>16 situation when the elephants were not chained?</p> <p>17 A Yes, sir.</p> <p>18 Q When would that be?</p> <p>19 A Be cleaning in a pen or something when they</p> <p>20 are not chained and I had to tell them to get over or</p> <p>21 raise a foot if they were standing on the dunk.</p> <p>22 Q Without anyone else being around?</p>	<p>1 A One.</p> <p>2 Q Which one?</p> <p>3 A John Wiedenhofer.</p> <p>4 Q And what did he do that was inappropriate?</p> <p>5 A Just overly aggressively hooking.</p> <p>6 Q In what way?</p> <p>7 A In pulling real hard against an elephant's</p> <p>8 leg or -- one or two times. And particularly Dallas.</p> <p>9 I show him smack one on the leg.</p> <p>10 Q Did the elephant scream?</p> <p>11 A Yes.</p> <p>12 Q Did she bleed?</p> <p>13 A No.</p> <p>14 Q Which elephant was it?</p> <p>15 A Rebecca.</p> <p>16 Q Now, do you recall a time when you testified</p> <p>17 before the Connecticut State Senate in 2005?</p> <p>18 A Yes, sir, in Hartford, yes, sir.</p> <p>19 Q Did you recall telling the Connecticut --</p> <p>20 well, did you recall saying on that occasion that that</p> <p>21 particular time was only the second time in your entire</p> <p>22 life that you had had a bull hook in your hand; is that</p>
Page 223	Page 225
<p>1 A Yeah.</p> <p>2 MR. SIMPSON: All right. Change the tape.</p> <p>3 THE VIDEOGRAPHER: This marks the end of tape</p> <p>4 three of the videotaped deposition of Tom Rider. Going</p> <p>5 off the record. The time is 1509:03.</p> <p>6 (A brief recess was held.)</p> <p>7 THE VIDEOGRAPHER: This marks the beginning</p> <p>8 of tape four of the deposition of Tom Rider. Going</p> <p>9 back on the record. The time is 1510:48.</p> <p>10 BY MR. SIMPSON:</p> <p>11 Q Sir, did you ever use a bull hook on a</p> <p>12 Ringling Brothers elephant?</p> <p>13 A No, sir.</p> <p>14 Q Is it your testimony, sir, that while you</p> <p>15 were with Ringling Brothers that the other barn men had</p> <p>16 bull hooks?</p> <p>17 A Yes, sir.</p> <p>18 Q And that they used them on the elephants?</p> <p>19 A On occasion.</p> <p>20 Q Are the barn men included in the people that</p> <p>21 you observed using the bull hooks inappropriately at</p> <p>22 Ringling Brothers?</p>	<p>1 correct?</p> <p>2 A Other than moving one that, you know,</p> <p>3 somebody laid down somewhere and hanging it up, yes.</p> <p>4 Q Well, what was the other time that you had</p> <p>5 one in your hand other than the -- let me back up. At</p> <p>6 the Connecticut Senate, you had a bull hook, correct?</p> <p>7 A Uh-huh.</p> <p>8 Q And you demonstrated it to them, correct?</p> <p>9 A Yes, sir.</p> <p>10 Q Where did you get that bull hook?</p> <p>11 A I don't recall. I believe I got it from --</p> <p>12 actually, I don't know where it came from. It was</p> <p>13 there. I don't know the person -- a lady named Nancy</p> <p>14 had it. I don't recall where she got it. I have no</p> <p>15 clue.</p> <p>16 Q So you didn't bring that bull hook with you</p> <p>17 to that hearing; is that right?</p> <p>18 A No.</p> <p>19 Q And as far as you know, you don't know</p> <p>20 whether that came from Ringling Brothers or some place</p> <p>21 else, correct?</p> <p>22 A I would have no idea of that.</p>



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1 Q Other than at the Connecticut hearing where  
2 you had the bull hook in your hand, what was the other  
3 occasion in which you held a bull hook in your hand?  
4 A San Francisco, California.  
5 Q And when was that?  
6 A At Ringling or after Ringling?  
7 Q I am asking you about the -- you said to the  
8 Senate --  
9 A Yeah.  
10 Q -- right?  
11 A Right.  
12 Q That was only the second time in your life  
13 when you had one of these in your hand.  
14 A Right.  
15 Q What was the other time?  
16 A It would have been in San Francisco on an  
17 interview --  
18 Q And when was that?  
19 A -- at a TV station. Oh, I -- that would maybe  
20 two, two and a half, three years ago -- two and a half.  
21 Q This was after you left Ringling Brothers,  
22 correct?

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1 A Yes.  
2 Q Now, since you left Ringling Brothers, have  
3 you ever held in your hand any of the bull hooks that  
4 are currently being used at Ringling Brothers?  
5 A No.  
6 Q You described in your earlier testimony when  
7 you were asked to give the dimensions of the bull hook,  
8 and you said it weighed two pounds. Now, is that the  
9 one you are talking about at the Connecticut State  
10 Senate or in San Francisco?  
11 A No. I am talking about the ones that were at  
12 Ringling.  
13 Q And you know how much they weigh because you  
14 picked one up?  
15 A Well, I moved them off the ground. You know,  
16 if somebody leaves one too close to an elephant, I have  
17 to move it.  
18 Q So you actually have picked it up more than  
19 twice; is that right?  
20 A Well, yes.  
21 Q So how many more times have you picked it up  
22 other than the two times in the Connecticut State

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1 Senate and San Francisco?  
2 A Okay. At Ringling?  
3 Q Anywhere.  
4 A It would have been numerous that I have had  
5 to move them because they lay them down and they hook  
6 them up in the tent, and the elephants have tried to  
7 grab them. So, sure, I have moved bull hooks around,  
8 but I have never held one to use on an elephant.  
9 Q All right. You moved them around everyday?  
10 A Sometimes; sometimes not. That depends on  
11 the situation. If somebody lays their bull hook down,  
12 I would have to move it so it wouldn't get destroyed.  
13 Q Is there a difference in your -- you use the  
14 term hit in your testimony and the term beat in your  
15 testimony. Is there a difference between those two  
16 terms in your mind?  
17 A In my mind, no.  
18 Q You used the term smack. Is there a  
19 difference between that and hit and beat?  
20 A Yes.  
21 Q How is smack different than hitting and  
22 beating?

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1 A In the sense -- okay. This is going to be my  
2 opinion. A smack, you take a bull hook, smack them on  
3 their ear. A hit, you hit them on the trunk. A  
4 beating is when you take it and you hit them right on  
5 the head with both hands.  
6 Q So as you just demonstrated that, beating is  
7 with two hands, correct?  
8 A Yeah.  
9 Q Hitting is with two hands?  
10 A Hitting could be with two or one.  
11 Q That's optional. Two or one?  
12 A Uh-huh.  
13 Q And smack is just with one?  
14 A No, it could be two.  
15 Q It could be two hands on occasion?  
16 A Sure.  
17 Q When you described the situation involving  
18 Karen in Hartford -- New Haven, Connecticut -- was that  
19 a beating or a hitting or was it both?  
20 A Combination of all. But overall, outright  
21 physical abuse on an elephant.  
22 Q That's what you observed?

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1 A Because it was the only time that -- Jeff  
 2 Steele was only mentioned during my last -- in other  
 3 words, it was a birthday party. And the next morning I  
 4 spoke to Jeff Steele and explained to him what happened  
 5 about the night before and at that time. I wouldn't  
 6 say it wasn't a written complaint. But at that time, I  
 7 said that because of what was happening to the  
 8 elephants is what happened that night.  
 9 Q And this was your birthday in what year?  
 10 A '99.  
 11 Q So right before you left?  
 12 A Uh-huh.  
 13 Q You left on November 5?  
 14 A I thought it was a little later, because I  
 15 think it was later than the fifth. It may have been,  
 16 because what happened is we -- I only have to go by  
 17 when Thanksgiving was that year because we celebrated  
 18 on the ship. So I could back up a week. You are  
 19 right, excuse me. Because I was still at Ringling for  
 20 a couple of weeks, so it could have been the fifth.  
 21 Chipperfield -- we were building a truck so we did not  
 22 leave right away. So, yes, it could have been the

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1 fifth. I am sorry.  
 2 Q Just so I am clear, was the conversation you  
 3 had with Steele on your birthday about elephant  
 4 treatment a complaint about it or not?  
 5 MS. MEYER: Object. I don't think he  
 6 testified he had the conversation on his birthday.  
 7 THE WITNESS: The next day it was not a  
 8 complaint.  
 9 BY MR. SIMPSON:  
 10 Q Sorry. The next day?  
 11 A It was not a complaint. It was -- I was  
 12 explaining to him what happened the night before was  
 13 dealing with the abuse of the elephants by an  
 14 individual there.  
 15 Q Now, that conversation is the same one you  
 16 mentioned in your direct testimony, correct?  
 17 A Yes.  
 18 Q So when you answered this interrogatory, you  
 19 didn't believe it qualified as a complaint, and that's  
 20 why you didn't list it?  
 21 A No, because I don't call that a complaint.  
 22 That was just explaining my situation of what happened

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1 the night before. Now, a complaint is when I --  
 2 Q Now, when you were with Ringling Brothers,  
 3 you had occasions in which you were able to interact  
 4 with a veterinarian named Gary West; is that right?  
 5 A He was the veterinarian at part time while I  
 6 was there. But to interact, about only one time.  
 7 Q That was in Detroit, wasn't it?  
 8 A Yeah.  
 9 Q With Susan?  
 10 A Yeah.  
 11 Q In that situation when he came to look at  
 12 Susan, did you make any complaints to him about how the  
 13 elephants were being treated?  
 14 A No. At that time I was more concerned  
 15 about -- why would I complain to a vet? But mine was  
 16 concerned about Susan's well being at that time.  
 17 Q But just so I am clear. You didn't make any  
 18 complaints about elephant treatment to Dr. West?  
 19 A No, I didn't.  
 20 Q You had occasion, did you not, to interact  
 21 with a veterinarian named William Lindsey; is that  
 22 true?

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1 A He was the veterinarian at the time.  
 2 Interact, no, I did not. We weren't buddy-buddy.  
 3 Interact means he was the veterinarian and I saw him  
 4 there.  
 5 Q Right. But you had a conversation with  
 6 Dr. Lindsey about Benjamin, did you not?  
 7 A I don't believe I had a single conversation,  
 8 but there was a few of us sitting there talking about  
 9 Benjamin.  
 10 Q But he was there, wasn't he?  
 11 A He might have been there.  
 12 Q And in that situation -- well, were there  
 13 occasions when you were on the Blue Unit when  
 14 Doc Lindsey was there and you could have talked to him  
 15 if you wanted to?  
 16 A Possibly, but I wouldn't have went to him for  
 17 a complaint.  
 18 Q That was my next question. You never brought  
 19 any complaints about elephant treatment to  
 20 Dr. Lindsey's attention, correct?  
 21 A No.  
 22 Q You indicated that Mr. Fromming or Fremming

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1 was in Ottawa when the elephant fight broke out, right?  
 2 A Yes, sir.  
 3 Q He was also in Cincinnati, was he not, when  
 4 you witnessed an incident with Peterson and Nicole,  
 5 correct?  
 6 A Yes, sir.  
 7 Q Did you complain to Mr. Fremming about  
 8 elephant treatment?  
 9 A No, sir.  
 10 Q And he was the vice president of the  
 11 corporation, was he not?  
 12 A As far as I know.  
 13 Q That was your understanding?  
 14 A That was the understanding, yes.  
 15 Q And in Cincinnati, Fremming was accompanied  
 16 by a gentleman named John Jensen; is that right?  
 17 A Yes. That's the gentleman I am talking about  
 18 with the gray hair John Jensen, yes, sir.  
 19 Q He was also to your understanding a corporate  
 20 vice president, correct?  
 21 A I guess, my understanding.  
 22 Q You never made any complaints to John Jensen

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1 Q Did you feel like he -- that your life was in  
 2 danger?  
 3 A At that time, yes.  
 4 Q Did that feeling go away at some point?  
 5 A Yes, yes.  
 6 Q When?  
 7 A Probably after the next day when I saw Geoff  
 8 again.  
 9 Q Well, you continued to work for the company,  
 10 notwithstanding this threat; is that correct?  
 11 A Oh, yes, sir.  
 12 Q Was there a situation in which you told Randy  
 13 Peterson that you had 16 rolls of elephant film  
 14 abuse -- 16 rolls of elephant abuse film?  
 15 A Yeah.  
 16 Q That was untrue; is that correct?  
 17 A Yes, sir.  
 18 Q And that was in response to another threat to  
 19 your job; is that right?  
 20 A From Randy, yes.  
 21 Q From Randy?  
 22 A Yeah.

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1 about elephant mistreatment, did you?  
 2 A No, sir. He was corporate.  
 3 Q Now, was there a time when Geoff Pettigrew  
 4 threatened your life?  
 5 A Yes, sir.  
 6 Q It was in Asheville, North Carolina?  
 7 A Yes, sir.  
 8 Q And it was because of your complaining about  
 9 the elephants?  
 10 A Yes, sir.  
 11 Q About their treatment?  
 12 A Right.  
 13 Q Did you take that to the police?  
 14 A No. Yeah, I didn't take it to the police,  
 15 no.  
 16 Q Did you regard it as a serious threat?  
 17 A At that time, yes. That night I did, yes.  
 18 Q Did you report it to your supervisor?  
 19 A They were all standing there anyhow. I  
 20 didn't have to report much.  
 21 Q Did you report it to the union?  
 22 A Not that I recall, no.

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1 Q And after that you were not fired, were you?  
 2 A No, sir, I was not fired.  
 3 (Defendant's Exhibit No. 14, marked for  
 4 identification.)  
 5 BY MR. SIMPSON:  
 6 Q Let me show you, sir, what we have marked as  
 7 Defendant's Exhibit 14, which is a document labelled  
 8 Feld 0004832.  
 9 A Yes.  
 10 Q Do you recognize this document, sir?  
 11 A I do.  
 12 Q Is that your signature above the word --  
 13 A That my signature.  
 14 Q Just a minute. Above the word Tom Rider?  
 15 A Yes, sir.  
 16 Q Do you recall receiving this document on or  
 17 about December 2, 1998?  
 18 A Yes, I recall receiving it.  
 19 Q Were you, in fact, intentionally absent from  
 20 work for an assigned day?  
 21 A I have no idea on this, no. Let me think for  
 22 a second here. I want to figure this out. December

67 (Pages 262 to 265)

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1 '98. May I look at the route card? I cannot recall  
 2 being intentionally absent from work. I don't recall.  
 3 It would have to have been Chicago, and I just don't  
 4 recall it.  
 5 Q All right.  
 6 A I don't recall the incident without the  
 7 memo.  
 8 (Defendant's Exhibit No. 15, marked for  
 9 identification.)  
 10 BY MR. SIMPSON:  
 11 Q Let me show you, sir, what we have marked,  
 12 sir, as Defendant's Exhibit 15 for identification,  
 13 which is Feld 0004831, a similar document, dated  
 14 July 18, 1999. Do you recognize your signature as the  
 15 one above Tom Rider, employee?  
 16 A Yes, sir.  
 17 Q Do you recall receiving this document on or  
 18 about July 18, '99?  
 19 A Yes, sir.  
 20 Q It states you are being warned for  
 21 insubordinate behavior toward your supervisor?  
 22 A Yes, sir.

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1 home for two or three days or something like that. I  
 2 don't recall that.  
 3 Q So you just received the paper and that was  
 4 the end of it?  
 5 A Yeah. It was a basically an incident that  
 6 happened that was covered just to let everybody know.  
 7 (Defendant's Exhibit No. 16, marked for  
 8 identification.)  
 9 BY MR. SIMPSON:  
 10 Q Let me show you, sir, what we have marked at  
 11 Defendant's Exhibit 16, which is a document Feld  
 12 0004830, dated October 30, 1999. Do you recognize the  
 13 Tom Rider signature that of yours?  
 14 A Yes, sir.  
 15 Q Do you recall receiving this document on or  
 16 about October 30, '99?  
 17 A Yes, sir.  
 18 Q And here the warning is for drunken and  
 19 disorderly behavior?  
 20 A Yes, sir.  
 21 Q What do you recall about the facts at that  
 22 time that caused this to happen?

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1 Q What was that about?  
 2 A Okay. I was on the train and we were up by  
 3 Karen. There was Adam Hill and Tommy Henry and  
 4 myself. And we were doing feed-out at a water stop.  
 5 And I took -- and I was just doing my normal feed-out.  
 6 And I threw a bag of corn up to Karen, who I was  
 7 unaware had not been watered yet. Adam Hill grabbed  
 8 me, turned me around, and threw me back against  
 9 Sophie. And that's when I put my hands in the air and  
 10 said, Tommy Henry, did you see that? Adam Hill went to  
 11 Jeff Steele and they wrote me up for insubordination to  
 12 a supervisor because I fed the elephant corn before he  
 13 was watered.  
 14 Q Now, what was the insubordination -- the  
 15 feeding of the corn or the throwing of your hands up?  
 16 A The feeding of the corn. I put my hands up  
 17 to present -- I wasn't fighting with the gentleman.  
 18 Q Was any adverse action taken against you as a  
 19 result of this warning?  
 20 A I don't believe so, no. I am going to say no  
 21 because I don't recall -- no, no, I don't recall any  
 22 kind of like pay deduction or any of that stuff or sent

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1 A Okay. That day we were -- well, back up  
 2 because we were in Boston. This gentleman named James  
 3 had me -- we were out and he was -- I was in back of  
 4 him trying to clean. And he was aggressively hitting  
 5 and hooking an elephant way more than -- I mean -- and  
 6 Dave Brown came around the corner and saw him doing  
 7 this. Dave Brown is the assistant unit manager. This  
 8 was just when he came on. He had only been there a  
 9 week or so. He comes shooting in front of the  
 10 elephants yelling at James. And I had -- the elephants  
 11 started back towards me in a brick wall. I came out of  
 12 there, came around, saw it was Dave Brown, and I just  
 13 backed off because I wasn't go to yell at the  
 14 supervisor. That evening, my birthday, October 27, I,  
 15 along with all of the animal crew, were on the train  
 16 having my birthday party and getting intoxicated.  
 17 Later on that night, we started again arguing  
 18 about why did you do this and what is he doing coming  
 19 up there. And I started a chant going "F" Dave. Out  
 20 of respect, I won't use the "F" word. And this chant  
 21 went on. We were all chanting it for a little bit.  
 22 Obviously the next morning I get called in -- this is

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1 to Jeff Steele. And I told them what happened. I  
2 didn't file a complaint. I told Jeff Steele what  
3 happened. And he said, Well, we are going to write you  
4 up for drunken disorderly.

5 And at that time Geoff Pettigrew, who is the  
6 union steward at the time for the union, came in and  
7 said, Geoff, you write him; you have got to write me  
8 up. We were all there partying, and we were all  
9 chanting. It ended up just, look, guys, let's just  
10 sign, let it go. I am leaving here in a few days.  
11 Let's just sign it. I was a bad boy for saying that.  
12 And I apologized to Dave and signed it. I was  
13 disorderly. Yeah, I signed it.

14 Q Was there any adverse employment action taken  
15 against you as a result of this other than receipt of  
16 this paper?

17 A Yes, sir, three days off of work. I am sorry  
18 to laugh, but they gave me three days off work without  
19 pay at the end of the season. I wasn't complaining too  
20 much about that.

21 Q And I take it that this incident that you  
22 described was on the train after hours; is that right?

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1 A No.

2 Q Did you witness the death of Kenny, the  
3 elephant?

4 A No.

5 Q Since you left Ringling Brothers in 1999,  
6 have you made any efforts to contact Sophie, the  
7 elephant?

8 MS. MEYER: I am going to object to that  
9 question on the grounds that it is vague.

10 BY MR. SIMPSON:

11 Q Well, there was an elephant on the Blue Unit  
12 that you worked for named Sophie, correct?

13 A Uh-huh.

14 Q Have you made any efforts since you left the  
15 company to contact Sophie, the elephant?

16 MS. MEYER: When you say contact.

17 BY MR. SIMPSON:

18 Q Go see.

19 A Not her on her own. I went to see the  
20 elephants.

21 Q The question was as to Sophie.

22 A Of Sophie. Yes, in San Diego. I said when

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1 A Oh, yes.

2 Q Off duty?

3 A Sure, yeah.

4 Q You didn't drink when you were around the  
5 elephants, did you?

6 A No, absolutely not. Elephants don't tolerate  
7 alcohol.

8 MS. MEYER: Can we actually take a break for  
9 a few minutes.

10 MR. SIMPSON: Sure, sure.

11 THE VIDEOGRAPHER: Going off the record. The  
12 time is 1602:04.

13 (A recess was held.)

14 THE VIDEOGRAPHER: Going back on the record.  
15 The time is 1608:51.

16 BY MR. SIMPSON:

17 Q Mr. Rider, were you present when Benjamin  
18 died?

19 A I worked for Ringling Brothers at the time  
20 Benjamin died.

21 Q Were you present when he died? Let me say.  
22 Did you witness his death?

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1 the train was parked on the sidewalk, I was saying,  
2 Sophie. And she didn't answer. I believe she was  
3 there in front, but I am not sure about it. But that  
4 would be the only time I can say that I actually said  
5 Sophie.

6 Q Have you made any effort -- well, when you  
7 worked on the Blue Unit, there was an elephant named  
8 Rebecca; is that correct?

9 A Yes.

10 Q Have you made any effort since you left the  
11 company to find out where Rebecca is and visit her?

12 A Yes, I know where Rebecca is. But, no, I did  
13 not go there because she was in a sanctuary.

14 Q Now, when you were on the Blue Unit, you  
15 indicated, I think, that there was an elephant named  
16 Minnie; is that right?

17 A Yes.

18 Q And there was also an elephant named Meena?

19 A Yes.

20 Q And the Minnie elephant was owned by Ringling  
21 Brothers, correct?

22 A To my knowledge, yes.

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1 Congress about the Ringling Brothers, did you include  
2 every single incident of mistreatment that you  
3 experienced at Ringling Brothers?

4 A No, ma'am.

5 Q And you mentioned in response to a question  
6 from Mr. Simpson an elephant named Rebecca. Why  
7 haven't you gone to see Rebecca?

8 A Rebecca is on a sanctuary and doesn't need me  
9 to go see her. She is living her life in a sanctuary  
10 as far as I know.

11 Q Whose sanctuary is it?

12 A I believe it is PAWS in California.

13 Q And are you welcome to come to PAWS?

14 A As far as I know. I have never been told not  
15 to come to PAWS.

16 Q Did you leave PAWS under good terms with Pat  
17 Derby and Ed Stewart?

18 A No, I wasn't mad at them personally. I was  
19 mad at them settling the lawsuit. So is that a yes  
20 or a no? I was not -- I wasn't taking it out on them  
21 personally. I was mad because they settled the  
22 lawsuit.

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1 Q Were they mad at you?

2 A No, not that I know of, not that I am aware  
3 of. It was nothing like that.

4 Q And you said in response to a question from  
5 Mr. Simpson that you once saw Dr. Lindsey take blood  
6 from the back of the ear of an elephant. Can you tell  
7 us where on the ear you saw Dr. Lindsey take the blood?

8 A On the back of elephants' ears, there's a lot  
9 of veins. So it would have been approximately right  
10 in -- there is a big vein on the back of an elephant  
11 that goes up, and that's where he was taking it from in  
12 that vein.

13 THE VIDEOGRAPHER: Excuse me. This marks the  
14 end of tape four of the deposition of Tom Rider. Going  
15 off the record. The time is 17 and 50 seconds.

16 (A brief recess was held.)

17 THE VIDEOGRAPHER: This marks the beginning  
18 of tape five of the deposition of Tom Rider. Going  
19 back on the record. The time is 1702:55.

20 BY MS. MEYER:

21 Q In response to a question from Mr. Simpson  
22 about the period time in which you were in a motor home

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1 at PAWS, I believe he asked you if there were any  
2 elephants at PAWS during that time, and you stated no;  
3 is that correct?

4 A Yes, there were no elephants at the sanctuary  
5 park 2000. But, yes, PAWS had elephants down in Galt.  
6 Sorry, I should have made that clear.

7 MS. MEYER: I have no further questions.

8 FURTHER EXAMINATION BY COUNSEL FOR THE DEFENDANT  
9 BY MR. SIMPSON:

10 Q Just a couple of things, Mr. Rider. Let me  
11 show you a transcript -- that same transcript of your  
12 video statement that you gave to Ms. Simms in Galt,  
13 California in 2000. I direct your attention to page  
14 64.

15 MS. MEYER: Okay. I am going to object to  
16 this question on the grounds that it doesn't seem to  
17 have anything to do with my redirect.

18 MR. SIMPSON: It might if you let me finish  
19 it.

20 MS. MEYER: Okay.

21 BY MR. SIMPSON:

22 Q And I direct your attention to line 17 where

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1 you state, Beating, hookings, hitting on the head.  
2 When I say beating, I am talking about both hands on  
3 the hook and severely beat them three or four times on  
4 the head, not just thumping them one time. Well, that  
5 was their discipline. That's their quote, discipline  
6 for the elephants is smack them on the head.

7 Did I read that correctly, sir?

8 A Yes.

9 Q And you were under oath when you made that  
10 statement?

11 A Yes.

12 Q These memoranda that you testified were  
13 attached to these warnings that have been marked as  
14 exhibits in this case, do you recall that testimony you  
15 just gave Ms. Meyer?

16 A The memorandums attached to the write-ups.

17 Q Yes.

18 A Yes.

19 Q You indicated that those described the  
20 circumstances in which you I received the write-ups,  
21 correct?

22 A Those explained the circumstances for the

76 (Pages 298 to 301)