

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

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

**EXHIBIT 17**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE  
PREVENTION OF CRUELTY TO  
ANIMALS,

Plaintiff,

v.

FELD ENTERTAINMENT, INC.,

Defendant.

CA No. 03-2006

Washington, D.C.

May 22, 2008

4:04 p.m.

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TRANSCRIPT OF EMERGENCY MOTION  
BEFORE THE HONORABLE EMMET G. SULLIVAN  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Plaintiff:

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For the Defendant:

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Court Reporter:

JACQUELINE M. SULLIVAN, RPR  
Official Court Reporter  
U.S. Courthouse, Room 6820  
333 Constitution Avenue, NW  
Washington, D.C. 20001  
202-354-3187

Proceedings reported by machine shorthand, transcript produced  
by computer-aided transcription.

1 P R O C E E D I N G S

2 COURTROOM DEPUTY: Please remain seated and come to  
3 order.

4 Civil action 03-2006, American Society for the  
5 Prevention of Cruelty to Animals, et al versus Ringling Brothers  
6 and Barnum Bailey Circus, et al.

7 Will counsel please introduce yourselves for the  
8 record?

9 MS. MEYER: Catherine Meyer for the plaintiff.

10 MS. SANERIB: Tanya Sanerib for the plaintiff.

11 MS. JOINER: Lisa Joiner for Feld Entertainment.

12 MR. SIMPSON: John Simpson for Feld Entertainment.

13 MS. GASPER: George Gasper for Feld Entertainment.

14 THE COURT: Good afternoon. As you know, this is  
15 plaintiff's motion for preliminary injunctive relief, filed some  
16 seven years after this case was filed in this court. It appears  
17 to address one very precise issue, among many issues that  
18 plaintiff has raised and alluded to over the years. And it  
19 comes at a very curious time and I'm concerned about the timing  
20 of the filing of this and I have to ask plaintiff's counsel, Why  
21 now? Why is this Court being burdened with this request, this  
22 request at this stage of the proceedings when discovery is about  
23 to conclude in this case and this case should be in a posture  
24 for trial?

25 MS. MEYER: If I could address that, your Honor. The