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.,)
Defendant.)

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

EXHIBIT 5

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Current Activities:

Ringling Brothers Circus Mistreatment of Asian Elephants

> Watch Circus Video Ringling Brothers Trial USDA Fines Ringling Brothers

Legislation To End Use Of Animals In Traveling Circuses

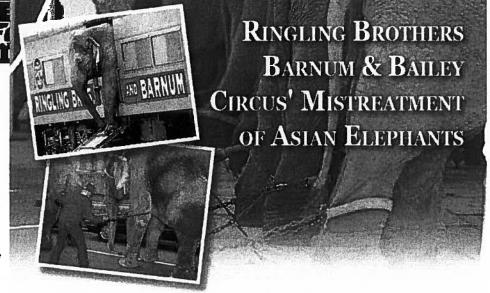
Mother Jones Magazine Article About Ringling Brothers

Wildlife Advocacy Project Comments on Ringling Brothers Permit

Manatee Conservation

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Bat Conservation



In recent years, several former employees of Ringling Brothers Barnum and Bailey Circus have been shedding light on the way elephants are mistreated under the Big Top – the animals are "broken," "trained," and "disciplined" with sharp metal bull hooks, and kept on chains for most of their lives. Other members of the public have captured the mistreatment on videotape, as the circus arrives in their cities and towns.

These accounts of mistreatment and abuse have spurred people throughout the country to speak up on behalf of the elephants. One prominent spokesmen has been Tom Rider, who worked for the circus for two and a half years from 1997 to 1999. The Wildlife Advocacy Project supports these efforts to educate the public about how circus elephants are really treated and to dispel the myths perpetuated by these extremely profitable circuses. If you want to make a tax deductible contribution to our public education campaign on this issue, click donate now.

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<u>Click here</u> to see live footage of Ringling Brothers' mistreatment of elephants on You Tube (or click on video player below). To learn more about elephants, the Ringling Brothers and Barnum & Bailey Circus, and efforts to protect elephants from abuse <u>keep reading</u>. See also <u>www.meyerglitz.com</u> for information about a lawsuit brought against Ringling Brothers under the Endangered Species Act).

See also Animal Protection Institute and The Animal Welfare Institute

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... More on Ringling Brothers and Circus Elephants:

http://www.wildlifeadvocacy.org/current/circus/index.php

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About Asian Elephants

Asian Elephants, the elephant species most often used by circuses, are endangered in the wild, due to poaching, hunting, and the destruction of their natural habitat. They are listed as "endangered" under the Endangered Species Act, which prohibits anyone from "killing," "harming," or "harassing" them. To learn more <u>click here.</u>

About Ringling Brothers and Barnum & Bailey Circus

Dubbed the "Cruelest Show on Earth" by many animal advocates, Ringling Brothers has three traveling circuses: the "Red" and "Blue" Units, and the "Gold Unit" or "Hometown Edition." It also has both a breeding and retirement facility for the elephants it uses in it's circus. To learn more click here.

Tools of the Circus Trade

The cruel way in which circus elephants are broken, trained, disciplined, and transported are all indicative of a life of misery in the circus. To learn more <u>click here</u>.

Elephant Mistreatment At Ringling Brothers

As described by several former Ringling Brothers employees, there is a culture of abuse at the circus that includes the constant use of bull hooks and other weapons on the elephants, and routine chaining while the elephants are transported throughout the country to perform. The animals perform between 48-50 weeks each year, with up to 3 performances a day. They are chained in box cars while traveling from town to town, chained all night long, and chained for most of the day. The mistreatment occurs with both adult and baby elephants. To learn more click here.

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Baby Elephants Are Also Mistreated

From the time they are born at Ringling Brothers' breeding facility, the baby elephants are torn away from their mothers, trained with bull hooks to perform tricks in the circus, and kept on chains. The U.S. Department of Agriculture has concluded that Ringling Brothers' routine "separation" of baby elephants from their mothers — using ropes around their legs to forcibly remove the nursing babies from their mothers — causes the young elephants "trauma, behavorial stress, physical harm, and unnecessary discomfort." In recent years, at least four baby elephants have died prematurely while under Ringling Brothers' care. To learn more click here.

Circus Myths

Circuses with animals are still around today because of several myths they perpetuate to convince the public that this is a harmless "all-American" activity. To learn more <u>click</u> here.

What you can do

While the infamous founder of Ringling Brothers circus, P.T. Barnum, boasted that "there's a sucker born every minute," it is up to the public to learn the truth about what goes on behind the Big Top. To learn more <u>click here</u>.

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A builhook, or ankus, is made of wood, metal, or other substantial material. It is approximately 2 to 3 feet tong, and at one end is a sharp steel hook and poker. It is used to pote, prod. strike, and hit animats to "rain" therm—at for a few programment of those programment. moments of human amusement



In addition we have <u>Binchino's own Internativation documents</u>; that discuss the mistreatment of the elephents. For example, Ringling's animal behaviorist reported "an elephent diripping blood all over the arrene Boor during the show from being hooked." in an internative small, a Ringling valerinary assistant reported that fallow this morning's baths, at least 4 of the elephants came in with multiple abscisions and lacerations from the hooks." After the release of this information to the public. Ringling moved to prohibit the release of any additional information to the public provided via discovery.

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> Chaining is one of the most common methods used to confine elephants in methods used to contine elephants in capitally it services presents an elephants movements, eliminating its ability to lie down, walk, or socialitie with other sightants. The seventy of tines restrictions can result in neurotic psychological behavior, physical tinuri; and even the death of captive elephants.



Newly obtained evidence based on the

In addition, former Ringting employees testifyed about the mistreatment they with essed while working for the circus. s^{ij} of which corroborates the

In addition to Bom Free USA the plaintiffs in the lawsuit ere the American Society for the Pravention of Cruelly to Animals, the Animal Yealare Institute, the Fund for Animals, and Tom Rider, a former Ringling

The tawault was head before the Honorable Emmet J. Sulfivan in federal district court in the District of Columbia and handled by Meyer Gittzenstein & Crystal, one of the country's preemment environmental law

Next: Trial Transcripts »

You Can Help

Please donate to the Elephant Defense Fund and help us co fight. With your support, we will do everything we can to end the mistreatment of elephants in circules and traveling shows.