

# EXHIBIT 11

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**Hand-Delivered**

Michael Dunn, Assistant Secretary for Marketing  
and Regulatory Affairs  
1400 Independence Ave., S.W.  
Washington, D.C. 20250

**Re: Complaint Against Ringling Brothers For Abusing  
And Mistreating Elephants And Request For  
Immediate Investigation And Seizure And Protection  
Of The Elephants**

Dear Mr. Dunn:

On behalf of Performing Animal Welfare Society ("PAWS"), and its officers, Pat Derby and Ed Stewart, we write to bring to your attention yet another eye-witness to the routine beating and other mistreatment of elephants by Ringling Brothers. Mr. Tom Rider, who was an elephant handler for the Ringling Brothers' "Blue Unit" for 2 1/2 years until very recently, has disclosed that Ringling Brothers' trainers and handlers routinely hit and beat elephants, including baby elephants, with bull hooks to make them walk at a certain pace and to perform in the circus. By letter to you dated December 21, 1998, we presented you with sworn deposition testimony from two other Ringling Brothers' employees, Glenn Ewell and James Stehcon, who reported the same kind of treatment toward the Ringling Brothers' elephants.

Mr. Rider has also revealed that it is "well known" in the circus community that Ringling Brothers uses ropes to tie the elephants down in order to "train them" and that if they do not do as they are instructed, they are hit with a bull hook. This report is completely consistent with the recent USDA report that PAWS obtained that revealed that Ringling Brothers had inflicted severe rope burns on two of its baby elephants during the routine "separation" process that it uses at its "conservation" facility



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in Florida.

Mr. Rider has identified several handlers and trainers by name who he personally witnessed repeatedly beat the elephants in the Blue Unit, including the babies. Mr. Rider also traveled with the elephants on tour, and said that they live on cramped stock cars, are chained for more than 23 hours a day, and exposed to extreme temperatures, and left to stand in their own waste for hours at a time.

Mr. Rider, also has first-hand knowledge of atrocious beatings received -- repeatedly -- by the baby elephant, Benjamin, who Mr. Ewell and Mr. Stechcon also reported was the constant recipient of beatings by Ringling handlers. Benjamin is also the baby elephant who mysteriously died last year while supposedly "frolicking" in a pond. Mr. Rider has information concerning the true circumstances under which the baby elephant died.

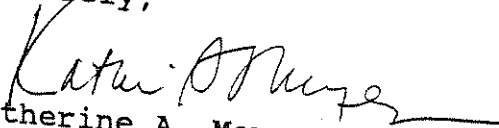
Sadly, Mr. Rider also reports that although he was present during many USDA inspections of Ringling Brothers, none of the inspectors ever examined an elephant. Mr. Rider reports that if the inspectors did examine them, they could not help but see numerous wounds from repeated beatings with bull hooks. In fact, Mr. Rider reports that at one point, he counted more than 2 dozen bull hook wounds on two of the elephants, Zeena and Rebecca.

Like Mr. Ewell and Mr. Stechcon before him, Mr. Rider also reported that one of Ringling Brothers' elephants, Karen, is extremely dangerous, and that, as a result of years of being beaten, she is extremely aggressive. In fact, Mr. Rider reports that at one point on the tour, Karen was beaten, mercilessly, for 23 minutes by one handler, while several Ringling Brothers' employees watched. Mr. Rider has stated that Karen -- who is used in the "pre-show adventure" where she is paraded around dozens of children -- could easily kill someone if the trainer lost control of her for even an instant.

In light of this new evidence, PAWS once again calls on the USDA to conduct a thorough investigation of these matters. As you well know, all of this conduct violates the Animal Welfare Act and the agency's regulations governing the care and treatment of animals used in exhibitions, including the provisions that state that "[p]hysical abuse shall not be used to train, work, or otherwise handle animals," that "[h]andling of all animals shall be done . . . in a manner that does not cause trauma . . . and behavioral stress, physical harm, or unnecessary discomfort," and that "[y]oung animals shall not be exposed to rough or excessive public handling . . . which would be detrimental to their health or well-being." 9 C.F.R. § 2.131(a), (b) (emphasis supplied).

PAWS stands ready and willing to assist the agency in an immediate investigation, and in providing refuge for these magnificent animals. Please contact either me or Pat Derby of PAWS (209) 745-2606 to discuss this Complaint further. Mr. Rider is currently in California and would be available for questioning by the USDA.

Sincerely,

  
Katherine A. Meyer