

EXHIBIT C

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:03-cv-2006
)	
FELD ENTERTAINMENT, INC,)	(EGS)
)	
Defendant.)	
)	
)	

DECLARATION OF LISA B. WEISBERG, ESQ.

Pursuant to 28 U.S.C. § 1746, I, Lisa B. Weisberg, declare as follows:

1. I was the Senior Vice President in charge of Government Affairs for the American Society for the Prevention of Cruelty to Animals (“ASPCA”). I am more than twenty-one years of age, and I make this declaration based upon my personal knowledge and information acquired or observed in my involvement on behalf of ASPCA overseeing the above-captioned case, *American Society for the Prevention of Cruelty to Animals, et al. v. Feld Entertainment, Inc.*, No. 1:03-cv-2006 (EGS) (the “ESA Litigation”).

2. I have a B.A. from Washington University in St. Louis and a J.D. from The University of Pittsburgh. After graduating from law school, I worked for the Eastern Paralyzed Veterans Association, first as a staff attorney and later as an associate advocacy director. I joined the ASPCA in 1988 as a staff attorney. After receiving several promotions, I worked in lobbying and legislative affairs and ultimately was appointed Senior Vice President in charge of the Government Affairs department. I am admitted to practice law in New York. I

have never been sanctioned by any court.

3. During my employment at the ASPCA, I was responsible for overseeing the ESA Litigation on behalf of the ASPCA. The ASPCA is a duly incorporated 501(c)(3) humane organization that works to rescue animals from abuse, advocate for humane laws, and share resources with shelters across the country.

4. I first met Tom Rider at a press event held in Washington, DC in 2000. In my initial meeting with Mr. Rider, and in my review of his media work, I found him to be very persuasive and sincere. Mr. Rider described his experiences as a barn man at the Ringling Brothers circus to me and detailed the beatings of the elephants that he had witnessed. He also recounted his attempts to complain to others at Ringling about the abuse of the elephants.

5. I had frequent interaction with Mr. Rider between 2001 and 2003 as he traveled around the country to share his experiences as a barn man at the circus with the media and others, and I continued to follow his public education activities thereafter. I was very impressed by Mr. Rider's media work. Based on my observations, he was a very effective spokesman for the elephants. He successfully worked to coordinate his travels with the ASPCA's Media Relations department so that he could effectively get meetings with media outlets and disseminate his message to the public. Indeed, I testified as to Mr. Rider's work with the ASPCA Media Relations department in my July 19, 2005 deposition in the ESA Litigation. Weisberg Dep. at 157:1-161:22. In my view, the media took to Mr. Rider because of his passion and his dedication to helping the elephants, which he called "his girls." Based on my interactions with Tom Rider, I believed that he genuinely wanted to improve the elephants' lives and that his media advocacy and participation in the ESA Litigation were driven by that desire.

6. During my involvement in the ESA Litigation, I spoke with Tom Rider by

telephone dozens of times to discuss how his meetings with the media went as well as his upcoming meetings. I also met him in person on a number of occasions. Based on my close interaction with Mr. Rider throughout the course of the litigation, I believed that he had a personal, emotional attachment to the Asian elephants at Ringling Bros and that it upset him to see them because of the way they were mistreated.

7. Mr. Rider expressed to me that he followed the circus not only for media coverage, but also to document the ongoing bullhooking activities at the Blue Unit and to see “his girls” to the extent possible. He was, in my view, visibly upset at this mistreatment. Based on these conversations, I believed that Mr. Rider desired to visit these elephants and that he knew it would be painful for him to do so based upon their mistreatment.

8. At various times during the ESA Litigation, the ASPCA directly and indirectly contributed funds to support Mr. Rider’s living and traveling expenses while he conducted his advocacy and media efforts related to the elephant mistreatment that he had observed at Ringling. These funds contributed to Mr. Rider’s meager lifestyle. He often travelled around the country by Greyhound bus (the most inexpensive way to travel) and even slept at the Greyhound station on many occasions (to avoid the expense of motel accommodations). His meals were often at fast-food restaurants. I believed that Mr. Rider had made significant sacrifices to follow the circus and speak out about the abuse he had witnessed because of his genuine love of the elephants.

9. The ASPCA never paid Mr. Rider to lie under oath, to say anything that was not true, or to engage in any other improper conduct.

10. As is clear from my July 19, 2005 deposition testimony as a representative of the ASPCA, I did not attempt to conceal the ASPCA’s payments to Mr. Rider. I truthfully

stated that the ASPCA spent money on “Tom Rider’s speaking with the media across the country.” Weisberg Dep. at 34:22-23.

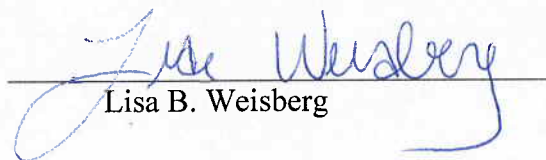
11. I also testified truthfully that Plaintiffs’ law firm, Meyer & Glitzenstein, had provided funding to Mr. Rider and then billed ASPCA for these funds, *id.* at 53:1-8, and that some funding for Mr. Rider came through the Wildlife Advocacy Project. *Id.* at 42-47, 56-57, 83-85, 87-91. I never intended to, and did not, withhold any information regarding the ASPCA’s funding of Mr. Rider.

12. In addition to my interaction with Mr. Rider, in my role at the ASPCA, I reviewed pleadings, filings, discovery responses, depositions, documents, reports, video footage, photographs, hearing and trial transcripts, and trial exhibits in the ESA Litigation, and I also attended some of the trial. At no time have I believed that the ESA Litigation was brought or continued for an improper purpose or to harass anyone. To the contrary, the ASPCA brought this case to help improve the lives of the Asian elephants by enforcing the ESA’s prohibition against the “take” of endangered species. In addition, my review of these materials is consistent with my belief formed upon my experience, observations and interaction with Mr. Rider that he had a personal and emotional attachment to the Asian elephants under the control of FEI, that he suffered injury as a result of the elephant mistreatment he observed when employed by FEI, that he genuinely wanted to improve the elephants’ lives, and that he desired to visit these elephants, but knew it was painful for him to do so knowing that they are mistreated. I believe that the ASPCA’s claims were well grounded in fact and the governing law.

13. In pursuing the ESA Litigation, the ASPCA believed it had a good faith basis for asserting Article III standing. The reason that the ASPCA did not separately present testimony about its Article III standing during the trial was to save trial time in light of the fact

that the ASPCA's basis for standing overlapped with that of API, and the ASPCA's understanding that it would not be necessary to prove its standing at trial if the Court concluded that another plaintiff (such as API) had standing.

I declare under penalty of perjury that the foregoing is true and correct.



Lisa B. Weisberg

Executed on June 8th, 2012.