

EXHIBIT J

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN SOCIETY FOR THE PREVENTION)	
OF CRUELTY TO ANIMALS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	
)	Civ. No. 03-2006 (EGS)
)	
FELD ENTERTAINMENT, INC.)	
)	
Defendant.)	

DECLARATION OF TANYA SANERIB

I, Tanya Marie Sanerib, hereby declare as follows:

1. I am a resident of Portland, Oregon. I am currently a staff attorney at a non-profit environmental law firm, the Crag Law Center, where I have worked for the past three years. I also serve on the Board of Directors of the Gifford Pinchot Task Force, a local forest protection organization.

2. Prior to obtaining my current position, I worked at Meyer Glitzenstein & Crystal (MG&C) for approximately six and a half years. I was hired to work at the firm as a legal fellow in September of 2002. This was my first job out of law school. I was promoted to the position of Associate about a year later and I became a non-equity Partner in 2007.

3. Prior to joining MG&C, I graduated from Lewis & Clark Law School in Portland, Oregon in 2002 with an Environmental and Natural Resource Certificate and Juris Doctorate. While in law school, I won the Pace Environmental Moot Competition in 2002 and was a finalist in 2001, and I volunteered for several local non-profit environmental organizations. I received a Natural Resources Leadership Award in 2002, a Natural Resources Scholarship from 1999 to

2001, and was inducted into the Cornelius Honor Society in 2002. As part of the law school's environmental clinic, the Pacific Environmental Advocacy Center, I was certified to appear in District Court in the Western District of Washington to present two arguments in the summary judgment hearing in an Endangered Species Act case that was later decided by the Ninth Circuit Court of Appeals: *Gifford Pinchot Task Force v. U.S. FWS*, 378 F.3d 1059 (9th Cir. 2004).

4. I am a member of the Oregon and D.C. bars, the Ninth Circuit and D.C. Circuit Courts of Appeals, and the United States Supreme Court. I have never been sanctioned by any court or bar, and I have not had another attorney serve me with a notice of intent to seek Rule 11 sanctions against me.

5. I provide this declaration based on my personal knowledge and on my own behalf. This declaration is submitted in opposition to defendants' motion for attorneys' fees and without authorization or intent to waive any privilege held by any employer or client. I have shared this finalized declaration with individual counsel for each plaintiff and each counsel has advised that its client has determined that nothing in this declaration waives the attorney-client privilege and consents to the filing of this declaration.

6. I worked on a wide range of cases and matters while employed by MG&C. During my first few years at the firm, I worked on two lawsuits regarding efforts to import Asian and African elephants into the United States from India and the Kingdom of Swaziland. I attended a meeting of the parties to the Convention on International Trade in Endangered Species of Flora and Fauna in Thailand. I also worked on lawsuits seeking further review of the impacts of seismic exploration outside a national park in Utah and of hunting bears in New Jersey and Maryland. I pursued lawsuits under the Freedom of Information Act and aided with numerous legal issues including lawsuits pertaining to Canada lynx, the No Surprises Rule, Atlantic salmon, and bison.

7. During this time, I am sure I met Tom Rider at some point in the hallway or in an office at MG&C. I cannot recall exactly when I first met Mr. Rider.

8. Working at MG&C, I was familiar with the lawsuit brought on behalf of Mr. Rider and others alleging that defendant was “taking” Asian elephants in violation of the federal Endangered Species Act (hereafter “ESA take case”). I learned about the case from conversations at the firm. Both the notice letter for the lawsuit and the complaint were filed before I joined the law firm in 2002.

9. I did not come to know Mr. Rider’s story until several years later, in 2004, when I was asked to help interview and work with potential expert witnesses for the lawsuit. Through my experience litigating the two elephant importation cases, I had learned about the biology and physiology of elephants, which was helpful in working with the experts necessary for the ESA take case, and I had become knowledgeable about numerous scientific papers pertaining to elephant behavior, training, medical care, and other topics. My work in this respect primarily entailed reviewing evidence from the ESA take case, compiling information to share with our expert witnesses, and reading scientific papers. I watched many hours of video footage and poured through documents produced in discovery that spanned many years. All of this information supported Mr. Rider’s eye-witness accounts of what he had seen. After reviewing this information, I had no reason to doubt his accounts, his feelings for the elephants, or the harm being caused to these animals.

10. There are two things I remember the most about Mr. Rider. The first is how what he said was later supported by the information – the documents, medical records, and video footage – that was produced in the case. While I did not work directly with Mr. Rider, I was familiar with his prior statements under oath and the information he had conveyed to other

attorneys in the case who were working directly with the plaintiffs and fact witnesses. I recall reviewing information produced in discovery and finding records that I would bring to Ms. Meyer, and she would often note that Mr. Rider had made the same point. The second thing I remember is Mr. Rider helping explain the evidence and daily operations of the circus. He was helpful to the experts in explaining what was occurring in the video footage.

11. I had principle responsibility for negotiating the terms of and implementing the court-ordered inspections of the elephants that occurred in this case. One of the main reasons that we did not allow Mr. Rider to attend the inspections was that our behaviorists were concerned that Mr. Rider's presence could affect and influence the elephants' behavior. Our experts explained that elephants have keen memories and remember people with whom they interacted years or even decades earlier. While these elephants were circus elephants, who are accustomed to strangers, introducing someone familiar into the inspection team could lead to behavioral changes. We were also concerned that Mr. Rider's presence would be used as an excuse for the elephants' behavior by the lawyers for the defendant.

12. While my primary role in the case was working with the expert witnesses, I did assist other attorneys on the case with reviewing information produced in discovery and with some fact discovery work during the winter of 2006-2007 and thereafter, to assist in preparing for pre-trial proceedings and trial.

13. As part of my fact discovery work, I aided in interviewing four other Ringling Brothers employees who left the circus and decided to speak publicly about what they witnessed while employed by the circus. These individuals were Mr. and Mrs. Tom, Ms. Hundley, and Mr. Ramos. The accounts of these individuals about how the animals were treated, and the elephants

in particular, corroborated what Mr. Rider said, including how difficult it was to view the mistreatment of the elephants.

14. While Ms. Ockene was out on maternity leave, I also aided the Animal Protection Institute (API) in responding to defendant's initial discovery requests after API was allowed to join the lawsuit. In helping API prepare these responses, I did not have any intention of misleading defendant or the Court as to any funding provided to Mr. Rider for his media work. Nor did I learn of anything that led me to believe that any of my colleagues had a different intent. The initial disclosures supported my and the other attorneys' good faith basis for believing that API had standing as an organization to pursue the ESA take claims.

15. Since my primary focus was on working with expert witnesses for the ESA take case, I did not often interact with Mr. Rider or the other plaintiffs in the case. I was not responsible for helping the plaintiffs respond to defendant's initial discovery responses and was only involved in the deposition of the representative from API, since I had worked with API on its initial disclosures.

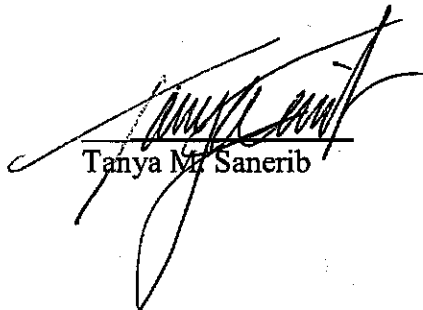
16. I was ultimately part of the trial team and questioned several expert and fact witnesses at trial. However, during the course of time that I was involved with the case, I was not involved with the media work being done on the case or the treatment of the elephants, or decisions about how to fund that work. I am, of course, aware of many details about the media and public education efforts and the funding for those efforts because the defendant raised these issues in the ESA take case in briefing, at an evidentiary hearing, and during the trial for the ESA take case. However, I never had any reason to believe that any of my colleagues or any of the plaintiffs were paying Mr. Rider to lie about his standing or anything else. In my experience, I never had any reason to doubt Mr. Rider or how the elephants were treated. I never attempted to

delay or make more complicated the proceedings in the ESA take case. To the contrary, I dedicated many long hours to working as efficiently as possible to get the case into a posture where it could be resolved by the Court.

17. I hold the lawyers at MG&C in the highest respect. They were excellent mentors and I learned immensely from them. To my mind, they worked tirelessly to provide the highest quality legal services for their clients within the bounds of their ethical and legal duties in each of the legal matters that they handled.

18. I have no doubt that Mr. Rider cared deeply about the elephants in the circus. In my experience working with elephant experts from several different fields, over many years, and through several different legal matters, it is clear that there is something about elephants that grabs a hold of the human psyche and prompts an immediate bond and a lasting desire to assist these animals. Elephants are incredibly intelligent and compassionate animals and it is my belief that seeing these characteristics reflected in another animal evokes a human desire to aid them and care for them whether as a veterinarian, field scientist, behaviorist, caretaker, or simply a barn man.

Pursuant to 28 U.S.C. § 1746, I swear that the foregoing is true and accurate to the best of my knowledge.



Tanya M. Sanerib

Dated: June 8, 2012