UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ANIMAL WELFARE INSTITUTE, et al.,)
Plaintiffs,)
v.) Case No: 03-2006 (EGS/JMF)
FELD ENTERTAINMENT, INC.,)
Defendant.))

DEFENDANT FELD ENTERTAINMENT, INC.'S PETITION FOR ATTORNEYS' AND EXPERT WITNESS FEES

FEE PETITION EXHIBIT 3

(Pet., Ex. 3)





Press Releases

For Immediate Release: 10/28/05

API Joins Groundbreaking Lawsuit Against Ringling Bros. for Violation of Endangered Species Act

Sacramento, CA — The Animal Protection Institute (API) today joins the American Society for the Prevention of Cruelty to Animals, Fund for Animals and Animal Welfare Institute in a lawsuit brought under the Endangered Species Act (ESA) against Ringling Bros. and Barnum & Bailey Circus (Ringling Bros.) and its parent company, Feld Entertainment, regarding their mistreatment of Asian elephants. The groups are joined in the lawsuit by former Ringling Bros. employee Tom Rider.*

The ESA prohibits any acts that would "harm, wound, injure, harass, or kill" wild or captive endangered Asian elephants. The lawsuit alleges that some Ringling Bros.' practices violate the ESA, including: 1) the forceful use of bullhooks to control elephants, 2) the chaining of elephants for most of the day and night, and 3) the forcible removal of unweaned elephants from their mothers.

"We have seen shocking evidence that demonstrates the routine abuse circus elephants endure," says **Michelle Thew**, API's Chief Executive Officer. "API has witnessed some of these practices firsthand and joined the lawsuit to ensure that Ringling Bros. is no longer allowed to blatantly abuse these spectacular endangered animals."

Evidence collected includes video footage, photographs, eyewitness accounts, and reports from the U.S. Department of Agriculture (USDA).

Ringling Bros. contends the circus benefits the endangered Asian elephant by "conserving" it. Since opening in 1995, Ringling's Center for Elephant Conservation breeding program has produced 18 calves, none of which have been reintroduced to the wild.

API and fellow plaintiffs are asking the court to prohibit Ringling's use of Asian elephants; or alternatively, allow Ringling to use Asian elephants but only without engaging in acts that may harm, wound, injure, harass or kill, or require Ringling to seek permission from the U.S. Fish and Wildlife Service to engage in practices that may harm, wound, injure, harass or kill Asian elephants.

*The lawsuit is before the Honorable Emmet J. Sullivan in federal district court in the District of Columbia and is being handled on behalf of the nonprofit groups and Tom Rider by Meyer Glitzenstein & Crystal, one of the country's preeminent environmental law firms.

API is a national nonprofit animal advocacy organization working to end animal cruelty and exploitation through legislation, litigation, and public education. For more information, visit www.MoreBeautifulWild.com.

DVD b-roll and still photos are available for media use. To request a press kit email <u>press@api4animals.org</u> or phone 916-447-3085 x205.

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