

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ANIMAL WELFARE INSTITUTE, <u>et al.</u>,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 03-2006 (EGS/JMF)
)	
FELD ENTERTAINMENT, INC.,)	
)	
Defendant.)	

**MEMORANDUM IN SUPPORT OF DEFENDANT FELD ENTERTAINMENT, INC.'S
MOTION TO JOIN THE HUMANE SOCIETY OF THE UNITED STATES
AS A PARTY PLAINTIFF AND NOTICE OF HEARING**

EX. 22



70 of 95 DOCUMENTS

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HEADLINE: 2004 Raised the 'Bar' for Animal Protection Victories in the Nation's Courts

DATELINE: WASHINGTON Dec. 30

BODY:

WASHINGTON, Dec. 30 /PRNewswire/ -- As 2004 comes to a close, animal advocates are celebrating a historic year for animals in the courts. The Humane Society of the United States (HSUS) and The Fund for Animals, which plan to merge on January 1st and launch a new Animal Protection Litigation section, have just published an in-depth article about this year's numerous legal victories for animals, available on The HSUS's web site at:

http://www.hsus.org/about_us/history/animals_win_big_in_the_courts_in_2004.html

Some of the groups' courtroom accomplishments this year include:

- * Open and Shut Cases Against Pro-Trapping Groups: An assault on laws banning the use of cruel traps, poisons, baiting, and hounding was stopped dead in its tracks by rulings in Washington state and California. Judges in both states ruled that the measures in place to protect wildlife and family pets were reasonable and sensible restrictions, and are entirely consistent with state and federal law.
- * Something To Crow About: The Oklahoma Supreme Court, without dissent, affirmed the constitutionality of the state's ban on cruel and barbaric cockfighting. Cockfighters had appealed the decision all the way to the U.S. Supreme Court, which declined to even consider their arguments.
- * Bear This In Mind: The Supreme Court of New Jersey issued a unanimous decision to cancel the state's bear hunt just four days before it was scheduled to begin. Relying on scientific and legal arguments previously presented to the state by The Fund for Animals and The HSUS, the Supreme Court overturned a lower court ruling directing the state to issue bear hunting permits, and prohibited bear hunting throughout the state.
- * Getting the Lions' Share: The Fund for Animals, The HSUS, and six other animal protection and conservation organizations reached a settlement with the federal government in a suit challenging the killing of mountain lions to "study" the impact of those killings on bighorn sheep in the Four Peaks Wilderness Area of the Tonto National

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Forest in southeastern Arizona. The settlement stops the killing of lions and ensures that the Forest Service will study the real threats to bighorn sheep, such as recreational hunting and off-road vehicle use.

- * A Whale of a Victory: The U.S. Court of Appeals for the Ninth District once again refused to modify its order prohibiting the Makah Indian tribe from hunting gray whales off the coast of Washington state, citing failure to comply with the National Environmental Policy Act and the Marine Mammal Protection Act. This is the third time that the court has said no to whale hunting.
- * Keeping Dolphins Safe: In August, The HSUS and several other groups won a major ruling from the federal district court in San Francisco, which blocked the U.S. Commerce Department's attempt to weaken the Dolphin Safe tuna labeling program. Finding the department's new rules unlawfully ignored scientific evidence showing that more dolphins would be killed under the rules, the judge issued an order prohibiting the use of Dolphin Safe labels on tuna products caught by setting nets on dolphins.

"As good as 2004 was for animals in the courts, 2005 promises to be even better," said Wayne Pacelle, president of The HSUS. "Our new Animal Protection Litigation section will boast seven full-time attorneys who will tackle new cases and seek justice for animals, will serve as a training ground for the next generation of animal lawyers and law students, and will lay the foundation for implementation of new strategies to help farm animals, wildlife, and companion animals in the courts."

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Web site: <http://www.fund.org/>

SOURCE The Fund for Animals

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