# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

| )<br>Case No: 03-2006 (EGS/JMF |
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DEFENDANT FELD ENTERTAINMENT, INC.'S MOTION FOR SUBSTITUTION OF PLAINTIFF TOM RIDER AND NOTICE OF HEARING

# **EXHIBIT 4**

## Simpson, John

From:

Peter T. Foley <foleypt@comcast.net>

Sent:

Tuesday, November 19, 2013 1:47 PM

To:

Simpson, John tgreed@lrfirm.net

Cc: Subject:

Re: Feld Entertainment, Inc. v. Animal Welfare Institute, et al., No. 07-1532-EGS/JMF

(D.D.C.).

### Attorney Simpson:

Due to the death of our client, Tom Rider, Attorney Reed and I no longer have authority to participate in this litigation. As a professional courtesy, however, we can confirm that we have no knowledge of the status of Mr. Rider's estate.

Peter T. Foley Foley Law Office P.O. Box 2753 Concord, NH 03302-2753 603-303-8176

From: "John Simpson" < john.simpson@nortonrosefulbright.com>
To: "tgreed@lrfirm.net" < tgreed@lrfirm.net">, foleypt@comcast.net

**Sent:** Thursday, November 14, 2013 2:40:38 PM

Subject: RE: Feld Entertainment, Inc. v. Animal Welfare Institute, et al., No. 07-1532-EGS/JMF (D.D.C.).

#### Counsel:

We reiterate our request for you to identify the administrator or executor of Mr. Rider's estate. If neither exists, please identify the person or persons who were the distributee(s) of Mr. Rider's unprobated estate. We request this information so that the proper substitution motion may be submitted under Fed. R. Civ. P. 25(a)(1). We would appreciate a response to this e-mail by close of business tomorrow, Friday, November 15, 2013 by either providing the information, or stating that you do not know it so that we may pursue other alternatives. Thank you.

John M. Simpson | Partner Fulbright & Jaworski LLP 801 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2623, United States Tel +1 202 662 4539 | Fax +1 202 662 4643 john.simpson@nortonrosefulbright.com

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From: Simpson, John

**Sent:** Friday, October 25, 2013 4:43 PM **To:** 'tgreed@lrfirm.net'; foleypt@comcast.net

Subject: Feld Entertainment, Inc. v. Animal Welfare Institute, et al., No. 07-1532-EGS/JMF (D.D.C.).

#### Dear Counsel:

In light of the notification of the passing of Mr. Rider, we formally request that you take steps to preserve any information that was in Mr. Rider's possession that relates to the above-captioned matter including maintaining access to all data that was under Mr. Rider's control including electronic mail, bank accounts and social media. We also request that you identify the executor or administrator of Mr. Rider's estate or who else may be handling Mr. Rider's affairs so that the proper substitution motion may be submitted under Fed. R. Civ. P. 25(a)(1). Thank you.

John M. Simpson | Partner Fulbright & Jaworski LLP 801 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2623, United States Tel +1 202 662 4539 | Fax +1 202 662 4643 john.simpson@nortonrosefulbright.com

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