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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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AMERICAN SOCIETY FOR THE :  
PREVENTION OF CRUELTY TO :  
ANIMALS, et al., :  
Plaintiffs, :

V. : Case No. 03-2006 (EGS)

RINGLING BROS. AND BARNUM & :  
BAILEY CIRCUS, et al., :  
Defendants. :

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Washington, D.C.

Tuesday, July 19, 2005

Videotaped deposition of LISA WEISBERG, a witness herein, called for examination by counsel for Defendants in the above-entitled matter, pursuant to notice, the witness being duly sworn by MARY GRACE CASTLEBERRY, a Notary Public in and for the District of Columbia, taken at the offices of Covington & Burling, 1201 Pennsylvania Avenue, N.W., Washington, D.C., at 9:40 a.m., Tuesday, July 19, 2005, and the proceedings being taken down by Stenotype by MARY GRACE CASTLEBERRY, RPR, and transcribed under her direction.

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1 Bros.  
 2 Q. What other activities were covered in the  
 3 \$6,000 grant?  
 4 A. They were to reimburse Tom Rider for his  
 5 general living expenses to travel the country and  
 6 meet with the media.  
 7 Q. Did you have any direct -- did you provide  
 8 Mr. Rider with any direct payments or were all of  
 9 your -- that's my question. Did you provide him with  
 10 any direct payments?  
 11 A. Yes, in 2003, I believe.  
 12 Q. Did you provide that check request to us?  
 13 A. I believe I did.  
 14 MS. DALTON: I don't recall that, so Kim,  
 15 if we could perhaps discuss that. We didn't receive  
 16 any check request for Mr. Rider specifically.  
 17 THE WITNESS: Well, they weren't to  
 18 Mr. Rider, the check requests. We would either  
 19 advance money to him to purchase a Greyhound bus  
 20 ticket or to reimburse him for his daily living  
 21 expenses or I would prepay his hotel rooms. So there  
 22 was never any checks written to Mr. Rider.  
 23 BY MS. DALTON:  
 24 Q. So there aren't any documents that would  
 25 reflect any of those purchases or any of those

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1 monetary advances?  
 2 A. The hotel rooms were oftentimes put on my  
 3 American Express corporate card, and then some of the  
 4 other smaller items were reimbursed to him through  
 5 petty cash.  
 6 Q. And those were all in 2003?  
 7 A. Correct.  
 8 Q. Can you think of any other direct payments  
 9 or in-kind reimbursements to Mr. Rider for any of the  
 10 years besides 2003?  
 11 A. No.  
 12 Q. Returning to Exhibit 7. So if you could  
 13 tell me -- if you could go into more detail as to  
 14 what the \$6,000 grant was originally for.  
 15 A. Again, it was to reimburse Mr. Rider for  
 16 his Greyhound bus tickets, to travel the country,  
 17 basic day-to-day living expenses, food, lodging.  
 18 Q. And this was all provided through the  
 19 Wildlife Advocacy Project?  
 20 A. Correct.  
 21 Q. Did Mr. Rider know that the ASPCA was  
 22 providing this funding through the Wildlife Advocacy  
 23 Project?  
 24 A. I believe so.  
 25 Q. Did Mr. Rider, to your knowledge, receive

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1 any additional funds for his participation in this  
 2 project from other plaintiffs?  
 3 A. I can't answer that.  
 4 Q. You don't know?  
 5 A. I don't recall.  
 6 MS. DALTON: I would like to mark Exhibit  
 7 8.  
 8 (ASPCA Exhibit No. 8 was  
 9 marked for identification.)  
 10 BY MS. DALTON:  
 11 Q. And this is another check request  
 12 requested by you for the check made payable to Meyer  
 13 & Glitzenstein for, quote, "Tom Rider testimony at  
 14 Mass. legislative hearing on anticircus bill,"  
 15 correct?  
 16 A. Correct.  
 17 Q. And this was dated May 23rd, 2003,  
 18 correct?  
 19 A. Correct.  
 20 Q. Why did the ASPCA reimburse Mr. Rider for  
 21 this testimony?  
 22 A. That covered his transportation and hotel  
 23 costs to get to Massachusetts, to get to Boston to  
 24 testify at the hearing.  
 25 Q. Why did the ASPCA not reimburse Mr. Rider

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1 directly for his work on this project?  
 2 A. At the time, we had no way of getting the  
 3 money to Mr. Rider because he was on the road and  
 4 Meyer & Glitzenstein was able to wire the money to  
 5 him.  
 6 Q. Did you consult with Mr. Rider about the  
 7 contents of his testimony?  
 8 A. Of the contents of his testimony?  
 9 Q. Yes, referred to in this exhibit.  
 10 A. No. Mr. Rider can speak firsthand about  
 11 his knowledge of what occurs at Ringling Bros.  
 12 Q. Did Mr. Rider know that the ASPCA was  
 13 providing this funding?  
 14 A. I believe so.  
 15 Q. Have any other payments from the ASPCA to  
 16 Meyer & Glitzenstein included funds that were  
 17 intended to go to Mr. Rider?  
 18 A. No.  
 19 MS. DALTON: I would like to mark Exhibit  
 20 9.  
 21 (ASPCA Exhibit No. 9 was  
 22 marked for identification.)  
 23 BY MS. DALTON:  
 24 Q. And this is an e-mail to Dr. Hawk from you  
 25 dated May 7th, 2001, correct?

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<p>1 A. Yes.</p> <p>2 Q. And what is the subject of this e-mail?</p> <p>3 A. It has to do with Tom Rider, who is the</p> <p>4 co-plaintiff on the suit, has just left the</p> <p>5 employment of PAWS and --</p> <p>6 Q. I was actually just asking you what the</p> <p>7 subject was.</p> <p>8 A. I'm sorry. Ringling Bros. lawsuit, Tom</p> <p>9 Rider.</p> <p>10 Q. And in the first sentence, you say that</p> <p>11 "Tom Rider, who is a co-plaintiff in the suit and a</p> <p>12 former Ringling elephant trainer, had just left the</p> <p>13 employ of Pat Derby's group," correct?</p> <p>14 A. Correct.</p> <p>15 Q. What is your basis for knowing that</p> <p>16 Mr. Rider was an elephant trainer at Ringling Bros.?</p> <p>17 A. He told me.</p> <p>18 Q. Why would Tom Rider have left PAWS?</p> <p>19 A. I can't answer that.</p> <p>20 Q. Might it be because PAWS dropped out of</p> <p>21 this lawsuit?</p> <p>22 A. I don't recall if that's the only reason.</p> <p>23 Q. What did you mean by stating that he,</p> <p>24 quote, "wanted to ensure he would not be taken off</p> <p>25 the suit"?</p>	<p>1 costs.</p> <p>2 Q. So you spoke with the two other</p> <p>3 plaintiffs, the AWI and the Fund For Animals,</p> <p>4 regarding this?</p> <p>5 A. Yes.</p> <p>6 Q. Did you decide to pay these expenses</p> <p>7 directly?</p> <p>8 A. Directly to Mr. Rider?</p> <p>9 Q. Yes.</p> <p>10 A. I believe at the time, because one of the</p> <p>11 difficulties was how to get the money to him because</p> <p>12 he was always on the road and didn't have a permanen</p> <p>13 home.</p> <p>14 Q. Yes, you said that, because one of the</p> <p>15 difficulties, so --</p> <p>16 A. So --</p> <p>17 Q. So you were paying him directly because he</p> <p>18 was out on the road?</p> <p>19 A. We were not paying him directly at the</p> <p>20 time.</p> <p>21 Q. Okay. So let's just clear -- because you</p> <p>22 answered yes. I think my question was a little</p> <p>23 convoluted. So did you pay him directly for these</p> <p>24 travel expenses?</p> <p>25 A. No, not at that time.</p>
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<p>1 A. I don't recall.</p> <p>2 Q. Did you speak with Mr. Rider about his</p> <p>3 decision to leave PAWS?</p> <p>4 A. No.</p> <p>5 Q. Did you speak to Mr. Rider before sending</p> <p>6 this e-mail to Dr. Hawk?</p> <p>7 A. I don't believe I spoke directly to him.</p> <p>8 Q. Who do you think you learned this</p> <p>9 information from?</p> <p>10 A. I believe I may have learned it from Nancy</p> <p>11 Blaney.</p> <p>12 Q. Why could Rider not be employed if he is</p> <p>13 to follow the circus?</p> <p>14 A. Because he's constantly on the road.</p> <p>15 Q. Did you ever consider hiring Mr. Rider at</p> <p>16 the ASPCA?</p> <p>17 A. No.</p> <p>18 Q. Did anybody ever suggest that you do so?</p> <p>19 A. No.</p> <p>20 Q. Did you ever discuss this arrangement with</p> <p>21 anybody from AWI?</p> <p>22 A. The arrangement being to --</p> <p>23 Q. Pay his travel expenses.</p> <p>24 A. Yes. We discussed how we could fund the</p> <p>25 costs for his travels and how we would divide the</p>	<p>1 Q. How did you pay him?</p> <p>2 A. The money was wired to wherever he was</p> <p>3 through Western Union by Meyer &amp; Glitzenstein and</p> <p>4 then we would be invoiced for it.</p> <p>5 Q. Why did you not wire the money directly</p> <p>6 yourself?</p> <p>7 A. I believe because Meyer &amp; Glitzenstein</p> <p>8 already had an account set up.</p> <p>9 Q. Did you send any additional e-mails</p> <p>10 requesting that this money be forwarded to Mr. Rider?</p> <p>11 A. Any additional e-mails to Dr. Hawk?</p> <p>12 Q. To anybody at the ASPCA regarding this</p> <p>13 money.</p> <p>14 A. I may have had correspondence with Nancy</p> <p>15 Blaney at the time.</p> <p>16 Q. But all documents that you still have in</p> <p>17 your custody have been produced?</p> <p>18 A. Correct.</p> <p>19 Q. Why is there no check request or invoice</p> <p>20 for this thousand dollar payment included in the</p> <p>21 document production that was provided to the</p> <p>22 defendants by the ASPCA?</p> <p>23 A. I believe it would have been part of a</p> <p>24 payment made to Meyer &amp; Glitzenstein.</p> <p>25 Q. If we could turn back to Exhibit 3, which</p>

14 (Pages 50 to 53)

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1 is the larger exhibit. It's the interrogatory  
 2 responses from your organization. If you could turn  
 3 to page 33 of that for me, which is interrogatory  
 4 number 22.  
 5 This interrogatory asks for each  
 6 expenditure from 1997 to the present of, quote,  
 7 "financial and other resources made while pursuing  
 8 alternate sources of information about defendants'  
 9 actions and treatment as alleged in the complaint,"  
 10 correct?  
 11 A. Correct.  
 12 Q. And the response to this request details a  
 13 number of different expenditures, correct?  
 14 A. Correct.  
 15 Q. First, in 2000, it talks about the ASPCA  
 16 spending about 5 percent of its time and benefits of  
 17 the head of its D.C. office as well as 5 percent of  
 18 the overhead of that office gathering information  
 19 from other organizations about Ringling Bros.'  
 20 treatment of Asian elephants, correct?  
 21 A. Correct.  
 22 Q. Do you know what information was gathered?  
 23 A. Not specifically.  
 24 Q. Generally?  
 25 A. Generally, information that other groups

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1 had about Ringling Bros.' treatment and use of the  
 2 bullhook and the chaining and the forcible removal of  
 3 the babies.  
 4 Q. And from what groups was this information  
 5 gathered?  
 6 A. I believe it included PAWS, Performing  
 7 Animal Welfare Society. I'm trying to remember the  
 8 name. There was an elephant -- I don't recall the  
 9 exact name, Elephant Alliance. It was a group  
 10 located in California. I was not in charge of  
 11 gathering that information, so I can't be more  
 12 specific than that.  
 13 Q. Who was in charge of gathering this  
 14 information?  
 15 A. Nancy Blaney.  
 16 Q. And it says that gathering this  
 17 information culminated in the ASPCA's decision to  
 18 become co-plaintiffs' in this action?  
 19 A. Correct.  
 20 Q. And that refers to the decision-making  
 21 process that we discussed earlier?  
 22 A. Correct.  
 23 Q. Do you know who was responsible for  
 24 issuing invitations to be plaintiffs in this case?  
 25 A. I believe it was PAWS.

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1 Q. Next, in 2001, we see an expenditure to  
 2 the Wildlife Advocacy Project for a grant of \$7,400  
 3 for public education about Ringling Bros.'  
 4 mistreatment of Asian elephants, correct?  
 5 A. Correct.  
 6 Q. And the Wildlife Advocacy Project is the  
 7 group that we discussed that is associated with the  
 8 law firm of Meyer & Glitzenstein, correct?  
 9 A. Correct.  
 10 Q. What did this, quote, public education,  
 11 end quote, project entail?  
 12 A. That was funding Tom Rider to travel  
 13 around the country and meet with the various media  
 14 outlets, as well as testifying at public hearings in  
 15 support of legislation to ban wild and exotic  
 16 animals.  
 17 Q. Why did the ASPCA not include as part of  
 18 its responses to defendants' document requests, any  
 19 check requests or any documents relating to this  
 20 payment?  
 21 A. We did.  
 22 Q. And can you refer me to that document?  
 23 According to my review of those documents, the only  
 24 check requests we received were from 2002 and 2003.  
 25 A. One was the \$6,000 check request, which

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1 I'm not finding --  
 2 Q. We actually did not receive the \$6,000  
 3 check request. We received the check request for a  
 4 supplement to the \$6,000 check request.  
 5 A. Okay. It may have been -- I believe it  
 6 was billed from Meyer & Glitzenstein as part of their  
 7 general invoice. I don't recall.  
 8 Q. Who decided to spend the \$7,400 for public  
 9 education through the Wildlife Advocacy Project at  
 10 the ASPCA?  
 11 A. I was involved in that decision. I  
 12 believe Nancy Blaney was involved in that decision  
 13 and I believe Dr. Hawk needed to sign off on that  
 14 check request.  
 15 Q. Next, from 2002 to 2004, you list  
 16 expenditures that relate to a percentage of your  
 17 salary and benefits plus an expenditure for a lawsuit  
 18 filed under the Freedom of Information Act to obtain  
 19 documents related to Ringling Bros., correct?  
 20 A. Correct.  
 21 Q. How did you determine what portion of your  
 22 salary to allocate to this response?  
 23 A. It was an approximation.  
 24 Q. What part of your job entailed, quote,  
 25 pursuing alternative sources of information about

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1 A. They would send out press releases  
 2 regarding the lawsuit and speak to various reporters  
 3 who inquired about it.  
 4 Q. Did any of those funds go to support  
 5 Mr. Rider's media efforts?  
 6 A. I don't believe so.  
 7 Q. And again, you list the Animal Watch  
 8 articles and I'm assuming that that calculation is  
 9 the same for prior years and it represents a page and  
 10 a half approximately?  
 11 A. Correct.  
 12 Q. In 2002, you again have the 10 percent of  
 13 salary and benefits for government affairs in New  
 14 York. You do not have D.C. listed. Why is that?  
 15 A. We closed our D.C. office right after  
 16 9/11.  
 17 Q. And you say Midwest and California Midwest  
 18 staff.  
 19 A. Correct.  
 20 Q. Is the Midwest office the same office as  
 21 in Illinois?  
 22 A. Correct.  
 23 Q. And what is your California Midwest staff?  
 24 A. Oh, I'm sorry. That was a typo.  
 25 California staff is one person in the San Luis Obispo

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1 area.  
 2 Q. And who is that person?  
 3 A. Jill Buckley.  
 4 Q. And what are Ms. Buckley's  
 5 responsibilities?  
 6 A. She is responsible for lobbying on animal  
 7 protection legislation on the West Coast.  
 8 Q. In the state of California?  
 9 A. California is included.  
 10 Q. And what other states?  
 11 A. Arizona, Washington, Oregon. I'm trying  
 12 to think what other states she has. I think she has  
 13 the Dakotas and Idaho, to the best of my knowledge.  
 14 Q. And what in particular did she work on  
 15 that made you include her salary and benefits in this  
 16 calculation?  
 17 A. There were various bills pending in her  
 18 states having to do with prohibiting wild and exotic  
 19 animals being used for entertainment.  
 20 Q. And the next entry I want to talk to you  
 21 about is the next Meyer & Glitzenstein payment of  
 22 \$10,151. And does that include any payment that you  
 23 knew was going to Mr. Rider?  
 24 A. It may have.  
 25 Q. And might it have included payments that

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1 were going to the Wildlife Advocacy Project?  
 2 A. It may have.  
 3 Q. And would it have included the payment of  
 4 \$5,180 listed in Exhibit 4 and the payment of \$526  
 5 included in Exhibit 7?  
 6 A. I believe so.  
 7 Q. Next you listed a humane law enforcement  
 8 investigation for \$250.  
 9 A. Correct.  
 10 Q. And what in particular does that refer to?  
 11 A. I believe that was another inspection that  
 12 our humane law enforcement agents made of Ringling  
 13 Bros. elephants when they were at Madison Square  
 14 Garden.  
 15 Q. And your media relations expenses are  
 16 broken down a little bit further.  
 17 A. Correct.  
 18 Q. So what in particular is the video news  
 19 release that you refer to?  
 20 A. That was a production of Tom Rider  
 21 speaking about his experience working for Ringling  
 22 Bros. and what he eyewitnessed as well as the  
 23 lawsuit.  
 24 Q. And again, you have the Animal Watch  
 25 articles which again I'm going to assume, unless you

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1 say differently, is the approximately one and a half  
 2 pages.  
 3 A. Correct.  
 4 Q. Moving on to 2003, you have the same  
 5 benefits for New York, the Midwest and the California  
 6 staff.  
 7 A. Correct.  
 8 Q. And 10 percent of supporting expenses is  
 9 the legislative alerts?  
 10 A. Correct.  
 11 Q. And Meyer & Glitzenstein again for the  
 12 Ringling lawsuit?  
 13 A. Correct.  
 14 Q. In addition to the invoices you provided  
 15 to us that I've marked as Exhibit 5, Exhibit 6 and  
 16 Exhibit 8, can you think of any other expenses  
 17 included in that \$16,000 that may have gone to Tom  
 18 Rider?  
 19 A. No.  
 20 Q. Or other expenses that may have gone to  
 21 the Wildlife Advocacy Project?  
 22 A. No.  
 23 Q. And again, you've listed a humane law  
 24 enforcement inspection from 7/17. Is that another  
 25 inspection of Ringling Bros. Circus?

20 (Pages 74 to 77)

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1 A. I don't believe it was the Ringling Bros.  
 2 Circus. It could have been the Clyde Beatty circus.  
 3 Q. Media relations you've listed at 5 percent  
 4 of staff time.  
 5 A. Correct.  
 6 Q. And what types of activities would that  
 7 have entailed?  
 8 A. I believe that was their work on  
 9 publicizing the enforcement report and any  
 10 developments related to the lawsuit.  
 11 Q. When you say enforcement report, that's  
 12 the report we discussed earlier, correct?  
 13 A. Correct.  
 14 Q. And Animal Watch articles, again, I'm  
 15 going to assume are those --  
 16 A. Correct.  
 17 Q. -- approximately one and a half pages. In  
 18 2004, you have the same salary and benefits which I'm  
 19 assuming is the same calculation method.  
 20 A. Correct.  
 21 Q. Along with your 10 percent of legislative  
 22 alerts that are listed as supporting expenses.  
 23 A. Correct.  
 24 Q. And next you have \$5,000 to Meyer &  
 25 Glitzenstein?

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1 A. Correct.  
 2 Q. To your knowledge, were any of those  
 3 payments intended to end up with Mr. Rider?  
 4 A. No.  
 5 Q. Were any of those payments intended to end  
 6 up with the Wildlife Advocacy Project?  
 7 A. No.  
 8 Q. And media relations, it says approximately  
 9 5 percent of staff time. And what efforts were those  
 10 made -- what efforts did those include?  
 11 A. They included any kind of support with the  
 12 media in discussing the lawsuit.  
 13 Q. Was there a reason why the ASPCA did not  
 14 provide any funding either directly or indirectly to  
 15 Mr. Rider following 2003?  
 16 A. We had other budgetary needs and we felt  
 17 that, for the most part, Mr. Rider had, in previous  
 18 years, done a very good job in working with the media  
 19 to discuss the issue.  
 20 Q. Did you feel as though Mr. Rider had other  
 21 financial support for his efforts?  
 22 A. I do not recall.  
 23 Q. Do you know if the other plaintiffs in  
 24 this lawsuit were still providing Mr. Rider with  
 25 funding following 2003?

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1 A. They may have.  
 2 Q. Did you have any discussions with any of  
 3 the other plaintiffs regarding continuing funding  
 4 past 2003?  
 5 A. Yes.  
 6 Q. And what were those discussions?  
 7 MS. OCKENE: I'm going to object just to  
 8 the extent that it calls for attorney-client  
 9 communications and instruct you not to answer, just  
 10 to the extent it would include such conversations.  
 11 BY MS. DALTON:  
 12 Q. You can continue, with that instruction.  
 13 So if there were any conversations that you had that  
 14 did not involve anybody from Meyer & Glitzenstein,  
 15 please let me know what those are.  
 16 A. I'm sorry, I'm not supposed to answer  
 17 that, correct?  
 18 MS. OCKENE: To the extent that you had  
 19 discussions that didn't involve us, your lawyers, you  
 20 can answer the question. Maybe you want to repeat --  
 21 BY MS. DALTON:  
 22 Q. My question is, did you have any  
 23 communications with any of your co-plaintiffs  
 24 regarding whether or not to provide Mr. Rider with  
 25 any continuing funding past 2003?

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1 A. Yes. Both with the Fund For Animals and  
 2 AWI and recognizing the good work that Mr. Rider was  
 3 doing and the ASPCA's inability to continue funding  
 4 his expenses to continue that work due to other  
 5 budgetary needs.  
 6 Q. As a result of ASPCA's inability to  
 7 continue funding those expenses, did the Fund For  
 8 Animals continue to provide Mr. Rider with continuing  
 9 funding past 2003?  
 10 A. I believe they funded some of those  
 11 expenses.  
 12 Q. Were you told of those expenses or their  
 13 funding of those expenses during this conversation?  
 14 A. There was a discussion about what those  
 15 expenses typically would amount to and whether they  
 16 could fund them as well.  
 17 Q. And what about the Animal Welfare  
 18 Institute. Did they continue funding Mr. Rider  
 19 following this conversation?  
 20 A. I believe they funded him in part.  
 21 Q. So following 2003, to the best of your  
 22 knowledge, while ASPCA was not providing any funding  
 23 to Mr. Rider, the AWI and the Fund For Animals were?  
 24 A. That's correct.  
 25 Q. Do you know if this funding was being

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<p>1 since 1996?</p> <p>2 A. PETA was opposed to some of the</p> <p>3 legislation we were working on and so they would</p> <p>4 contact us expressing their disapproval.</p> <p>5 Q. Have you collaborated on any projects</p> <p>6 since 1996?</p> <p>7 A. No.</p> <p>8 Q. So other than PETA contacting you to</p> <p>9 oppose certain legislation you were working on,</p> <p>10 you've had no contact -- when I say you, I mean the</p> <p>11 ASPCA entity has not had any contact?</p> <p>12 A. Let me amend that. They contacted us, I</p> <p>13 believe it was sometime last year, to write a letter</p> <p>14 to the Manhattan district attorney to pursue and</p> <p>15 prosecute some researchers at Columbia University in</p> <p>16 their lack of humane care and a violation of the</p> <p>17 state cruelty law with their use of baboons in some</p> <p>18 research project.</p> <p>19 Q. And what was the ASPCA's response?</p> <p>20 A. We reviewed their complaint and we decided</p> <p>21 to issue a letter to the Manhattan DA urging him to</p> <p>22 look into the matter. And we felt that based on the</p> <p>23 information we were given, that there were reasonable</p> <p>24 grounds that they violated the state anticruelty</p> <p>25 statute.</p>	<p>1 incident, I've heard about it, but I'm not that</p> <p>2 familiar with the charges or what happened.</p> <p>3 Q. Has ASPCA ever complained to Feld</p> <p>4 Entertainment directly about the care of animals at</p> <p>5 Ringling Bros.?</p> <p>6 A. Not that I'm aware of.</p> <p>7 MS. OCKENE: You're talking about other</p> <p>8 than the notice letters in this case?</p> <p>9 MS. DALTON: Yes.</p> <p>10 THE WITNESS: Not that I'm aware of.</p> <p>11 BY MS. DALTON:</p> <p>12 Q. Since 1996, has ASPCA had any</p> <p>13 communications with anybody working for Feld?</p> <p>14 A. No.</p> <p>15 Q. We've talked about Tom Rider, so I just</p> <p>16 want to confirm that ASPCA has not had any contact</p> <p>17 with any other former Ringling employee since 1996?</p> <p>18 A. As far as I know, we have not.</p> <p>19 MS. DALTON: I would like to mark Exhibit</p> <p>20 23.</p> <p>21 (ASPCA Exhibit No. 23 was</p> <p>22 marked for identification.)</p> <p>23 BY MS. DALTON:</p> <p>24 Q. This is a fund-raiser for a July 21st,</p> <p>25 2005 fund-raiser, correct?</p>
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<p>1 Q. So other than the letter regarding the</p> <p>2 Columbia University researchers and their sporadic</p> <p>3 or I don't know how often they write to you in</p> <p>4 opposition to -- I'm just lumping their letters in</p> <p>5 opposition to your positions as one kind of type of</p> <p>6 contact.</p> <p>7 A. Right.</p> <p>8 Q. And the second contact being the Columbia</p> <p>9 University letter. Can you recall any other</p> <p>10 contacts?</p> <p>11 A. Yes. The other contact was they were very</p> <p>12 critical of our relationship with Iams pet food</p> <p>13 company. And one of our senior vice presidents</p> <p>14 sitting on an advisory board regarding Iams' work</p> <p>15 with dogs and nutritional research that was being</p> <p>16 done.</p> <p>17 Q. Can you think of anything else?</p> <p>18 A. No.</p> <p>19 Q. Does the ASPCA have a position on PETA's</p> <p>20 euthanization of animals?</p> <p>21 A. I'm not aware of that. That's a recent</p> <p>22 incident and I don't know if we do or not.</p> <p>23 Q. Are you aware of the recent arrest of two</p> <p>24 PETA employees for animal cruelty?</p> <p>25 A. If you're referring to this euthanasia</p>	<p>1 A. Correct.</p> <p>2 Q. And this benefit is in part hosted by the</p> <p>3 ASPCA, correct?</p> <p>4 A. Correct.</p> <p>5 Q. Who from the ASPCA helped coordinate this</p> <p>6 event, or I should say helping to coordinate this</p> <p>7 event as it's in the future?</p> <p>8 A. Jo Sullivan who is our senior vice</p> <p>9 president for development.</p> <p>10 Q. Anybody else from ASPCA involved in</p> <p>11 coordinating this event?</p> <p>12 A. Our public relations firm has been</p> <p>13 assisting.</p> <p>14 Q. And which firm is that?</p> <p>15 A. GF Schwartz &amp; Company.</p> <p>16 Q. Anybody else in house?</p> <p>17 A. I assisted a little bit.</p> <p>18 Q. So besides you and Joe, anybody else you</p> <p>19 can think of?</p> <p>20 A. No.</p> <p>21 Q. Whose idea was it to hold this event?</p> <p>22 A. I think it was really the three plaintiffs</p> <p>23 so that we can continue to support Tom Rider in his</p> <p>24 outreach to the public and the media.</p> <p>25 Q. When did ASPCA decide to co-host this</p>

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