

PLAINTIFFS' EXHIBIT P
To Plaintiffs' Opposition to Defendants' Motion
For Summary Judgment
Civ. No. 03-2006 (EGS/JMF)

Interrogatory No. 11:

State the date on which you first became aware that defendants allegedly harmed their elephants, as is alleged in the complaint, and describe each incident thereafter in which you contend that defendants harmed one or more of their elephants.

Objection and Response to Interrogatory No. 11:

Mr. Rider objects to this interrogatory on the ground that it is overly broad, unduly burdensome, and oppressive. Mr. Rider saw mistreatment of elephants almost every day that he worked at Ringling Bros., from June 3, 1997 to November 25, 1999. This included, but was not limited to, handlers and trainers hitting elephants with bull hooks and other instruments, beating elephants, and keeping the elephants chained for most of every day. These incidents are too numerous to describe in detail. In addition, Mr. Rider alleges that this kind of mistreatment occurs each day at Ringling Bros., and for that reason also, the incidents of harm are too numerous to list.

Nevertheless, subject to and without waiving the foregoing or general objections to these Interrogatories, Mr. Rider provides an answer to this Interrogatory below.

The first time I became aware that the elephants were being mistreated at Ringling Brothers was actually June 4, 1997, my first full day on the job, in Austin, Texas. I saw them starting to use the hook on the elephants in Austin, saw them poke and stab the elephants.

June 12-15, 1997, Lubbock, TX. We had a tornado coming and the elephants were acting up and so everybody grabbed their bull hooks, all the handlers, except me, started going after the elephants, started hooking them, and making them get their legs up.

June 19-22, 1997, Little Rock, ARK. In Little Rock they were doing a lot of hooking and hitting. In Little Rock, the elephants were taken off the train, put into a building, and chained up 24/7. The only time they were unchained was to do the show or rehearse.

June 24-25, 1997 Tulsa, OK. The whole time, the elephants were being hit, hooked, yelled at.

June 27-29, 1997, Oklahoma City, OK. Basically the same thing – hooking, poking, stabbing by the handlers. Whenever they came in to clean the elephants, they started hooking and hitting them.

July 3-6, 1997, Memphis, TN. I remember in Memphis nobody cared whether the fireworks were going off on the 4th of July and the elephants were getting all panicky and everybody that would walk up, would hit or yell at them.

July 8-9, 1997, Tupelo, Miss. We had a major thunderstorm move in. The tent was already down on load out. Graham Chipperfield decided to leave the elephants out there, with lightening striking all over the place. When we finally got ready to go to the train and load the elephants, we passed the cattle truck and the elephants in front took off running and Karen was in the front, and Karen took off and Graham hooked her under her leg so hard he almost tripped her trying to stop her from running. Again, everybody was hooking and poking and stabbing the elephants.

July 11, 1997, Jacksonville, MS. A lot of hooking and hitting of the elephants by Jeff Pettigrew, Franko, Sonny. I can't recall all the handlers, anybody that had a bull hook was doing the hitting and stabbing.

July 15-27, 1997, Houston, TX. We ended up putting the elephants downstairs all in a row chained up. The only time they went outside was to get water. Sometimes we watered them inside.

July 30 - August 10, 1997, Dallas, TX. There we had the elephants in a patio behind the parking deck on the bottom, first level. Again, there was a lot of hitting, stabbing, and poking of the elephants with bull hooks. Systematic daily abuse is what I call it.

August 15-17, 1997, Ft. Worth, TX. The elephants were inside the building the whole time. No exercise, chained up the whole time, except when the animals were rehearsing or performing. Again, every time the handlers come in to clean up the elephants, they hooked and hit the elephants.

August 21-24, 1997, New Orleans, LA. The elephants were inside the Superdome the whole time, and, again, there was a lot of hitting and stabbing the elephants with bull hooks.

August 29-31, 1997, Wichita, KS. Basically the elephants were inside the coliseum there, kept inside the whole time. A lot of hooking went on, whenever the handlers laid the elephants down, they hooked them.

Sept. 9-12, 1997, Milwaukee, WI. Again, the elephants were hooked and hit. I remember when the handlers came in to clean up the elephants, and they would always be hooking and hitting them.

Sept. 12-14, 1997, Moline, IL. The elephants were outside in a tent, chained up 24 hours a day. The only time when they were unchained was to do a show or maybe rehearse. The handlers hooked and hit the elephants all the time.

Sept 17-21, 1997, Kansas City, MO. The elephants were kept inside the building, with no exercise, chained up the whole time, except when they were performing or rehearsing. There again, the elephants were hooked and hit all the time.

Sept. 24-28, 1997, Indianapolis, IN. The elephants were chained up the whole time, never got out for exercise except when they went in to the arena to rehearse or do a show. Again, the handlers hooked and hit the elephants whenever they cleaned them.

Oct. 1-5, 1997, Detroit, MI. We were inside, and the elephant Susan got sick. I requested the veterinarian Gary West and Graham Chipperfield to come back to the unit. They came back, they stood about 20 feet away and looked at her, said she looked fine, probably had a stomach ache and walked off. That is not taking care of an elephant to me, but that is what they did. Also, there was hooking and hitting by Jeff Pettigrew.

Oct. 8-19, 1997, Boston, MA. The elephants were inside the whole time and did not get any exercise. They were chained up for most of the day and getting poked and hit.

Oct. 22-26, 1997, Pittsburgh, PA. Alex Vargas came back and the elephants were not doing the public walk right and so Vargas and the other handlers got them inside, closed the curtain, and started hitting the elephants, and the elephants were screaming.

Oct. 29- Nov. 2, 1997, Buffalo, NY. Again, hooking and hitting all the time. Hooking them getting them on the train, hooking them getting them off.

Nov. 5-9, 1997, St. Louis, MO. The elephants were hooked and hit when they were being cleaned.

Winter Quarters, 1997, Tampa, FL. Elephants were hit with bull hooks during rehearsals.

Jan. 15-18, 1998, Orlando, FL. Randy Peterson took over with the elephants, and, if he thought an elephant was out of line, he hit it. He called this "disciplining" the elephant.

Jan. 21-25, 1998, Birmingham, AL. It was the same - the elephants were hooked and hit.

Jan. 28 - Feb. 1, 1998, Asheville, NC. We didn't unload them when we got there, instead we waited until next morning and we had 8 inches of snow. We had to walk the elephants in the snow. Getting them off the train, the elephants were repeatedly hooked to make them move faster in the snow.

Feb. 3-8, 1998, Knoxville, TN. Again, hooking and hitting of the elephants - very very hard to watch.

Feb 11-15, 1998, Greensboro, NC. Randy Peterson hit and hooked the elephants.

Feb 18-22, 1998, Richmond, VA. We were inside. This is where Zina and Rebecca were being laid down by Andy Weller and Jeff Pettigrew, who beat them severely. When they were done, I had to go get the wonder dust and had to cover up about 30 hook wounds on Zina, and 20 on Rebecca. Kenneth Feld showed up that night when the elephants were screaming, and he did not pay any attention to it.

Feb. 25 - March 1, 1998, Knoxville, VA. The elephants were inside the whole time, on chains, and got no exercise.

March 10-15, 1998, East Rutherford, NJ. The elephants were inside the whole time. The elephants were chained up under the brand new overhang and the elephants kept reaching up and pulling it down with their trunks. I said we have to move them, but we were told instead just to hit the elephants and smack them on their trunks to make them stop pulling down the overhang. Randy Peterson beat the elephants Minnie and Kamala with a bull hook.

March 17-23, 1998, Uniondale, NY. This is the first time we had an animal open house. We had to go in and cover the chains and make sure they stayed covered with straw and hay, so that the public, when they came back to see the animals, wouldn't see them chained up. It would look better covered with hay. Again as soon as the people were gone, the elephants got hooked and hit.

March 27 - April 13, 1998, New York City, NY. On the 5th floor of Madison Square Garden chained up 24 hours a day. The elephants were hooked, hit, smacked around up there. The elephants got no exercise, couldn't go outside, couldn't do anything.

April 15-26, 1998, Philadelphia, PA. Adam Hill was hired to take care of the barn. He started making bull hooks for everybody and made sure they were sharp as needles. Adam Hill did a lot of hitting and hooking of the elephants.

April 29 - May 29, 1998, Providence, RI. Again we were inside, and the elephants were chained and got no exercise. The elephants were brought off the train, hooked, they were hooked and hit when they were getting cleaned up.

May 5-6, 1998, Springfield, MA. We were only there a couple days, and there was constant chaining, hitting, hooking of the elephants.

May 8-10, 1998, Worcester, MA. Again, the elephants were inside the whole time, chained, and there was lots of hooking and hitting.

May 12 - 14, 1998, New Haven, CT. Harned got mad and beat Benjamin. Karen, the big elephant, started rattling her chain. Harned went over and started beating Karen, making her raise her leg, lay up, get down, lay up get down for 23 minutes.

May 15-17, 1998, Hartford, CT. Again, lots of poking and hitting of the elephants: Benjamin

was getting hit all the time, and Shirley was also getting smacked around. The big elephants got hit too.

May 23-25, 1998, Hershey, PA. The elephants were outside. We had to keep one side of the tent closed so the public in the park could not see the handlers hit the elephants.

May 28-31, 1998, Albany, NY. Again, lots of hooking and hitting. The handlers were always walking out, making sure the government didn't come around.

June 2-3, 1998, Syracuse, NY. Again the elephants were hit and hooked.

June 5-7, 1998, Rochester, NY. Same thing, the elephants were hit and hooked

June 11-14, 1998, Washington, KY. Again, there was hooking and hitting of the elephants on the walk going to and from the train, cleaning them up at night, constant hooking and hitting.

June 18-21, 1998, Lubbock, TX. I remember Tony Rodriquez smacking an elephant, I remember Randy Peterson coming out there and doing the same thing, hooking and hitting, giving them commands. Sometimes they hit them and then gave them the commands.

July 1-15, 1998, Phoenix, AZ. The elephants were down inside, they were hit and hooked.

July 8 -12, 1998, Fresno, CA. We were outside in Fresno. It was a 100 degrees. Very hot. There was lots of hitting and hooking of the elephants on and off the train.

July 22-26, 1998, Los Angeles, CA. LA is a 3.5 mile walk from the train, hooking them the whole time, doing it cautiously because we were on the street, but as soon as we got them inside and the walls were up and with the big bushes you couldn't see back behind there, and it was just hook and hit them, until the celebrities showed up on opening night, then everybody was on their best behavior.

Aug. 6-9, 1998, Englewood, CA. We were out in the parking lot. Again there was hooking and hitting of the elephants on the walk. They kept the elephants in the parking lot. We had a little recreation area, although they were not in there very much. It was too rough on the elephants because they had to walk into the arena and they were being hooked while the handlers warmed them up, every night when they'd warm them up before the show, in every single town, they would always hook them, hit them behind the leg to make them go faster.

Aug. 12-16, 1998, San Diego, CA. There was a lot of hooking and hitting of the elephants on the train, off the train.

August, 1998, Anaheim, CA. Pat Harned and Randy Peterson hit the elephant Lechme with a bull hook.

Aug. 25-30, 1998, San Jose, CA. All the hitting took place inside the tent with the walls down, so the public wouldn't see it. Elephants were struck with bull hooks behind their ears.

Sept. 2-7, 1998, San Francisco, CA. Adam Hill and Robby Costillo were checking for blood behind the elephants from hook wounds because they knew there were cameras around. I was standing right there and Adam pointed to blood behind the ear of an elephants and he went to raise the trunk and smacked the elephant on the trunk, while Robby stabbed the elephants under the chin to make them raise their trunks up.

Sept. 9-13, 1998, Sacramento, CA. Sacramento they had a 3.5 mile walk in. The elephants came off the train and were hooked all the way for 3.5 miles, the handlers were always hooking them.

Sept. 17-20, 1998, Seattle, WA. It was cold. The elephants were in a little bitty barn, right under the space heater, no room to move around, no exercise at all, chained up for long periods of time. So far the elephants have been chained pretty well 24/7 except when they were ever taken into the arena to perform, or if there was rehearsal. They were always chained up over 20 hours a day. Again, lots of hooking and hitting.

Sept. 22-23, 1998, Spokane, WA. Again, hooking and hitting on the train, hooking all the way up to the ring. Hooking them when they went into the show warm up before the show.

Sept. 25-27, 1998, Portland, OR. Hooking and hitting often on the train, and during warm up.

Sept. 30 - Oct. 4, 1998, Salt Lake City, UT. They had a parade, and they hooked the elephants and hit them.

Oct. 7-18, 1998, Denver, CO. This is when Dateline came. They got the whole animal crew together in a circle and Jeff Steele told us that Dateline was going to be there for the next three days, and he didn't want anybody hitting elephants on camera and getting caught on tape. However, every time there wasn't a camera present, the elephants were getting hooked and hit.

Oct. 23 - Nov. 1, 1998, Cleveland, OH. We were inside, and it was cold. Again, there was lots of hooking and hitting on and off the train, getting the elephants to the arena, hooking them before the show, on their way in, repeatedly. After we left Cleveland, it was cold on the train because there were no heaters, and I decided to shove hay in between the doors to keep the snow out because it was too cold for the elephants.

Nov. 4-15, 1998, Rosemont, IL. Randy Peterson got mad at his wife, this is just one of the times he did this, he got mad at her and come out and started beating the elephant Nicole. It happened another time in Winter Quarters, he beat Nicole because he was mad at his wife. A lot of these guys that would come in, they'd be mad about something and take it out on the elephants.

Nov. 17-29, 1998, Chicago, IL. There was a lot of hooking and hitting of the elephants.

Dec. 3-6, 1998, Huntsville, AL. There was lots of hooking and hitting of the elephants coming off the train, hooking and hitting all around. Very bad. Adam Hill hit Karen and Sophie with a bull hook.

Winter Quarters, 1998, Tampa, FL. It was very rough on the elephants. They did get to go outside a little bit in pens, but usually they were brought back in quickly. When I got to work at about 3:30, they were in the pens, until about 5:00, and then they were back in, chained up the rest of the time. They may have got 15 hours chained and maybe 9 hours out of the chain during this time. But this is the only time when they are not on the road performing.

Dec. 26, 1998 -Jan 3, 1999, Miami, FL. There was a train derailment, and quite a bit of hooking and hitting of the elephants to get them into the arena. A guy named Scott hit elephants with a bull hook.

Jan. 7-10, 1999, Sunrise, FL. They started putting up fences because the animal rights groups were complaining about the elephants being chained all the time. So we might put two or three of the elephants outside, for the public to see, but the rest of them would stay inside chained up. Very rarely would the elephants all get outside together. Again, there was daily hooking and hitting of the elephants.

Jan 14-18, 1999, Jacksonville, FL. Again the elephants were getting hit.

Jan. 21-24, 1999, North Charleston, SC. Again, a lot of hooking and hitting going on all the time.

Jan. 28-31, 1999, Macomb, GA. Each and every day of the week these elephants were getting hit. If they didn't do something right, they got hooked and hit.

Feb. 2-3, 1999, Augusta, GA. Again, lots of hooking and hitting.

Feb. 5-7, 1999, Columbia, SC. More hooking and hitting.

Feb. 10-14, 1999, Raleigh, NC. There was a lot of hooking and hitting, but the handlers were very cautious and always looking over their heads first, because the USDA has an office there.

Feb. 17-21, 1999, Charlotte, NC. We had to walk the elephants from the train to get them to the building, and, again, there was a lot of hooking and hitting; a lot of hooking and hitting of the elephants getting them off the train and during the walk.

Feb. 25-28, 1999, Fayetteville, NC. The elephants were in a tent out back. They were hooked and hit all the time.

March 3-7, 1999, Cincinnati, OH. Again, the elephants were hooked as they came off the train, and as they were walked down and put in tents; Randy Peterson hit the elephant Nicole on the

head with a bull hook.

March 10-21, 1999, Baltimore, MD. That was kind of a rough time in Baltimore because it's a small arena and the elephants were hit repeatedly.

March 24-28, 1999, Washington, DC. As soon as we got the elephants inside, it was constant hooking and hitting inside the arena. Pat Harned beat Benjamin.

March 30-13, 1999, Washington, DC at the Armory. The Armory is where we got five new employees from Puerto Rico. The first thing they were told was to get a bull hook, go see Adam Hill, he'll make you a bull hook, charge you about \$150-200 for a bull hook, made of stainless steel, sharp as can be.

April 16-18, 1999, Landover, MD. Again, there was a lot of hitting and hooking of the elephants.

April 22-25, 1999, Charleston, WV. There was hooking getting the elephants off the train, hooking inside the arena, hooking when the elephants went into the show, beating them behind the legs.

April, 1999, Chattanooga, TN. Handlers beat elephants named Sophie and Karen; Nicole was also severely beaten.

May 5-8, 1999, Tulsa, OK. The elephants were hooked getting off the train, hooked on the walk, hooked when they got to the arena.

May 12-16, 1999, San Antonio, TX. Adam was beating the elephants.

May 26-30, 1999, Ft. Wayne, IN. Again the elephants were hooked and hit on the walk. It was pouring down rain. The handlers were smacking the elephants to make them go faster.

June 2-6, 1999, Columbus, OH. Again there was hooking and hitting of the elephants on the train, hitting them before they go into the show, hooking whenever they didn't do something right.

June 9-13, 1999, Toledo, OH. Again hooking and hitting of the elephants on the train, hooking when they got off the train.

June 23-27, 1999, Ottawa, Ontario, Canada. Five elephants started fighting and broke down the fence. The next thing I knew, Adam came running, grabbed his bull hook, ran in and started hitting every elephant. Pat Harned grabbed his bull hook, ran in and did the same. Randy Peterson joined in and hit the elephants: all three of them were hooking, hitting and yanking on those elephants, smacking them to get them back in that pen.

July 2-11, 1999, Toronto, Ontario, Canada. The elephants were hit and hooked.

July 16-25, 1999, Houston, TX. There was a lot of hitting and hooking of the elephants. The babies were outside, and the big ones inside, this was unfortunately coming to the end of Benjamin's life. Benjamin was beat and hooked by Pat Harned, and somewhere between Houston and Dallas Benjamin met his fate. Harned beat Benjamin the whole time he was with him.

Aug. 11-15, 1999, Ft. Worth, TX. Again, there was lots of hooking and hitting of the elephants.

Aug. 18-22, 1999, Colorado Spring, CO. Again, the elephants were hooked and hit.

Aug. 26-29, 1999, Wichita, KS. Again, lots of hooking and hitting, hooking and hitting.

Sept. 2-5, 1999, Moline, IL. The elephants were hooked and hit on the train and before the show.

Sept. 8-27, 1999, Kansas City, MO. Same thing in Kansas City - lots of hooking and hitting of elephants with bull hooks.

Sept. 15-19, 1999, Indianapolis, IN. Again, the elephants were hit and hooked; the handlers would close the flaps so the public couldn't see them hit the elephants.

Sept. 22-25, 1999, Grand Rapids, MI. The elephants were hooked and hit. Randy Peterson was going all out beating these elephants.

Sept. 30-Oct. 3, 1999, Buffalo, NY. Same thing: lots of hooking and hitting of elephants.

Oct. 7-10, 1999, Detroit, MA. There was more hooking and hitting of the elephants.

Oct. 15-24, 1999, Boston, MA. James, who came up from the Ringling breeding farm in Florida, was hitting an elephant. There were five baby elephants there, and I saw Gary Jacobson and Dave Whaley hitting and hooking the baby elephants.

Oct. 27-31, 1999, Pittsburgh, PA. Again, there was lots of hooking and hitting.

While I worked with Ringling, in each and every one of those towns, elephants were hurt, hit, stabbed. They would get hit when they wouldn't move fast enough, when they were warming up for the show, they'd be hit and abused.

Since I first became aware that defendants harm their elephants, I have become aware of additional incidents when Ringling employees harmed one or more of their elephants. These

incidents include the following:

Cow Palace
Daly City, CA
2000

Troy Metzler hit elephants with bull hooks
Dave Whaley hooked elephants with a bull hook, hit elephants on legs; Dave Whaley used a leatherman/knife to clip a baby elephant on her side; Elephants were chained most of the time

San Jose, CA
2000

Handlers hit elephants, including babies, with bull hooks under their chins; Brian Christiani jabbed elephants with a bull hook

Tulsa, OK
January 5, 2001

Sonny hooked an elephant; Sara Houcke jabbed an elephant with a bull hook

San Jose, CA
2001

Handlers hit elephants with bull hooks

Daly City, CA
Aug./ Sept. 2001

Handlers, including Rick Bogar, hit elephants with bull hooks; Mark Gebel used a bull hook on elephants

Pittsburgh, PA.
Nov. 1, 2001

Handlers Troy Metzler and Sonny hit elephants with bull hooks.

Tulsa, OK
2000

Robert Ridely ("Sonny") got a bull hook stuck in elephant's mouth

Oakland, CA
Aug. 18, 2002

Troy Metzler hit elephants with bull hooks;
A baby elephant named Doc was chained and exhibiting stereotypic behavior

Daly City, CA
Aug. 25, 2002

Jeff Pettigrew stuck a bull hook in an elephant's mouth and twisted it

San Jose, CA
Aug. 25, 2002

Troy Metzler used a bull hook in the mouth of an elephant, and

hooked a baby elephant named Doc

Oakland, CA
2000

Sonny and Brian Christiani hit elephants with bull hooks

San Jose, CA
August 21, 2002

Jeff Pettigrew jabbed elephants with bull hook

September 3, 2002

Troy Metzler hit elephants with a bull hook, and grabbed the trunk of an elephant with a bull hook

Daly City, CA
Aug. 26, 2002

A handler hit the baby elephant Angelica under the chin with a bull hook

San Jose, CA
Aug. 24, 2004

A handler jabbed an elephant's foot with a bull hook; a handler grabbed an elephant with a bull hook

San Jose, CA
2001

Handlers jabbed and hit elephants with bull hooks

Daly City, CA
2001

Rick Bogar hit an elephant with a bull hook

Sacramento, CA
1999

Roy Wells jabbed an elephant with bull hook

Daly City, CA
1999

A handler hooked an elephant on the ear

San Jose, CA
1998

Sonny jabbed an elephant with a bull hook

Atlanta, GA.
Feb. 21, 2002

Handlers grabbed elephants behind their ears with bull hooks

Daly City, CA
2001

Handler Bogar used a bull hook on an elephant

San Jose, CA
Aug. 25, 2002

Handlers hooked elephants in their mouths

Sacramento, CA
Sept., 2002

A handler hooked a baby elephant on its trunk and jabbed it under

its chin

Oakland, CA
Aug. 21, 2003

Handlers used bull hooks on elephants; a handler stepped on the trunk of an elephant and hit an elephant with bull hook

San Jose, CA
Sept. 5, 2003

A handler hooked and jabbed elephants; Bogar hit an elephant on its trunk with a bull hook; Sasha Houke used a bull hook on elephants

Daly City, CA
Sept., 2003

Alex Petrov jabbed an elephant with a bull hook

Reno, Nevada
Sept., 2003

Handlers pulled and jabbed elephants with bull hooks

Additional incidents of which I am aware include:

Incidents of beatings, hitting of elephants with bull hooks and other instruments, and prolonged chaining were also witnessed by Kelly Tansy, when he worked for Ringling: 1829 West Gardner, Spokane, WA 99201 (509) 327-5988.

Madison Square Garden, NY

Spring, 1984 or 1985 - In the evening, a New York City police officer, Joe Pentangelo, witnessed the beating of a chained elephant with a shovel for 5-10 minutes. Mr. Pentangelo currently works for the ASPCA, 424 92nd Street, New York, New York 10128-6804 (212) 876-7700

Mexico, 1998 - During the off-loading of the elephants, Gunther Gebel-Williams struck two baby elephants in the face with a whip, witnessed by Ed Stewart of the Performing Animal Welfare Society, P.O. Box 849, Galt, CA 95632 (209-745-1809), and Betsy Swart, 10 State Street, Newburyport, MA 01950 (978)-352-2589.

Mexico, 1998 - During a performance, Gunther Gebel-Williams struck elephants - witnessed by Ed Stewart of the Performing Animal Welfare Society, P.O. Box 849, Galt, CA 95632 (209-745-1809), and Betsy Swart, 10 State Street, Newburyport, MA 01950 (978)-352-2589.

Auburn Hills, MI

October, 2002 - A Ringling handler struck an elephant with a metal rod behind her front leg, witnesses by Doreen Rudnick, 6832 Fredmoor Street, Troy, MI 48098

In further response to this Interrogatory, I hereby incorporate by reference the specific incidents set forth in my sworn affidavit that I provided to the United States Department of Agriculture on July 20, 2000 which I am providing to defendants in response to their document production requests. I also hereby incorporate by reference all of the information that is contained in the report prepared by the co-plaintiffs, the ASPCA, the Fund for Animals, and the Animal Welfare Institute, entitled: "Government Sanctioned Abuse: How the United States Department of Agriculture Allows Ringling Brothers Circus to Systematically Mistreat Elephants" (September 2003). That document is also being produced by plaintiffs in response to defendants' document production requests.

Interrogatory No. 12:

Describe each and every incident which you did not identify in response to the previous interrogatory in which you contend that defendants have "taken" an elephant within the meaning of the Endangered Species Act.

Objections and Response to Interrogatory No. 12:

Mr. Rider hereby incorporates the same objections and response that he made with respect to Interrogatory No. 11. In addition, Ringling "takes" both the adult and baby elephants when it removes baby elephants from their mothers and separates other elephants from their family members.

Interrogatory No. 13:

State the date on which you first became aware of any alleged injuries that you claim were suffered by any of defendants' juvenile elephants as a result of defendants' practices regarding separation of juvenile elephants from their mothers and describe each incident thereafter in which you contend that one of defendants' juvenile elephants was injured as a result of its separation from its mother.

there for the elephants, I cleaned up behind them, I tried my best to make sure they were as comfortable as possible in the surroundings of being in chains. It was a relationship where I felt safe around them. I didn't feel threatened because I felt that if anybody is going to be threatened, it's the people that do harm to the elephants, not me. I watched the elephants rock back and forth – that's stereotypic behavior – day in and day out, and that's all from mistreatment and being confined all the time. The elephants also rubbed their chains, trying to get their chains off, Karen always took her chain off, she didn't want to be chained up. She wanted to walk, go out and walk around and have fun. The elephants' behavior suffered. I see it all the time. I see them not wanting to do things, not wanting to walk down the street sometimes. That kind of behavior is a result of the mistreatment. I also saw and heard elephants scream when they were beaten, and I saw the adults become extremely agitated when babies were hit, they would become restless, move around, and make distressed sounds. I also saw baby elephants who looked like they were crying when they were punished and hit. I saw baby elephants hit and punished for playing together, and I saw adults hit with bull hooks simply because they tried to engage in playful behavior with other elephants. All of this behavior that I witnessed, and continue to witness when I see Ringling elephants, makes it hard for me to enjoy seeing these animals.

Interrogatory No. 19:

Describe each incident in which you contend that one of defendants' elephants has been "chained" for "long periods of time, up to 20 hours a day, and longer when the elephants are traveling," including the name of the elephant allegedly involved.

Objection and Response to Interrogatory No. 19:

Mr. Rider objects to this Interrogatory on the ground that it is overly broad, unduly burdensome, and oppressive. Mr. Rider saw elephants chained for "long periods of time, up to

20 hours a day," virtually every day that he worked at Ringling Bros., from June 3, 1997 to November 25, 1999. It is impossible for him to describe each such incident. Mr. Rider also contends that Ringling continues to chain its elephants for "long periods of time, up to 20 hours a day or longer." Accordingly, it is impossible for him to describe each such incident, because this occurs on a daily basis. Nevertheless, subject to and without waiving the foregoing or general objections to these Interrogatories, Mr. Rider provides the following additional answer to this Interrogatory:

Each and every elephant I named in the previous response to Interrogatory No. 18, as well as those elephants who I have forgotten to name, but who traveled with the Blue Unit from June 3, 1997 to November 25, 1999, was chained for long periods of time, up to 20 hours a day, and longer when the elephants were traveling. It is much easier to describe the only times that they were not chained: when they went in for rehearsal during the daytime, once in a while if we had a pen set up, and when they perform. If we had a pen set up, they may let them out there for a few hours, but other than that, they would be brought back and chained. If the elephants are in the tents or in a building for 14 days, then they are in chains for 14 days. For example, when Ringling performs at Madison Square Garden, the elephants are chained up on the 5th floor the whole time. They are always chained at night, they are chained when they are eating, and they are chained when they are on the train.

Because this is standard practice for Ringling, I contend that all of the elephants currently in the Red Unit and the Blue Unit are chained this way, day and night. In addition, there are incidents of chained elephants depicted in the videotapes that plaintiffs are producing, and there are additional descriptions of elephants being chained that are reflected in other documents that