

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

Washington, DC

1 UNITED DISTRICT COURT
2 FOR THE THE DISTRICT OF COLUMBIA
3 AMERICAN SOCIETY FOR THE)
4 PREVENTION OF CRUELTY TO)
5 ANIMALS, et al.) Case No.
6 Plaintiffs,) 1:03-cv-02006
7 -vs-) (EGS/JMF)
8 RINGLING BROS. AND BARNUM &)
9 BAILEY CIRCUS, et al.,)
10 Defendant.)

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Tuesday, July 25, 2006
Washington, D.C.

Video Deposition of TROY J. METZLER
called for examination by counsel for the
Plaintiff, pursuant to notice, held at the
offices of Meyer Glitzenstein & Crystal, 1601
Connecticut Avenue, N.W., Washington D.C.,
beginning at 9:35 a.m., before Karen N.
McConnell, CSR-RMR-CRR, a notary public in and
for the District of Columbia, when were present
on behalf of the respective parties:

1 APPEARANCES:

2 On behalf of the Plaintiffs:

3 KATHERINE A. MEYER, ESQ.

4 KIMBERLY OCKENE, ESQ.

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12 On behalf of the Defendants:

13 LISA ZEILER JOINER, ESQ.

14 MICHELLE C. PARDO, ESQ.

15 Fulbright & Jaworski

16 801 Pennsylvania Avenue, N.W.

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20 Also present: Tracy Silverman, Animal Welfare

21 Institute

22 Dustin Lavallee, Videographer

1 A. Yes.

2 Q. Can you explain what the winter
3 quarters means?

4 A. It's where they lay over and put a new
5 show together.

6 Q. And when does winter quarters take
7 place?

8 A. Oh, that depends every year.

9 Q. Approximately?

10 A. Normally around a little bit after
11 Thanksgiving.

12 Q. And how long does it last?

13 A. We normally open around January 1st or
14 2nd.

15 Q. And do all of the elephants who are
16 traveling with the Blue Unit during the year end
17 up at winter quarters at the end of that year?

18 A. Yes.

19 Q. Do any of them go from being on the
20 road to someplace else instead of winter
21 quarters?

22 A. I don't understand your question.

1 Q. How many elephants are you currently
2 traveling with?

3 A. Eight.

4 Q. That's the Blue Unit, right?

5 A. Yes.

6 Q. At the end of this year, late
7 November, after Thanksgiving, will all eight of
8 those elephants necessarily go to the winter
9 quarters?

10 A. More than likely, yes.

11 Q. Is there a possibility one or more of
12 the elephants may go somewhere else?

13 A. That's very hard to tell.

14 Q. Have you ever known elephants to go
15 from being on the road directly back to the CEC,
16 for example?

17 A. Yes.

18 Q. Under what circumstances would an
19 elephant go from being on the road to the CEC?

20 A. Retirement, for any reason that we
21 wouldn't have them on the road, health problems
22 if they had them.

1 Q. Okay. What if an elephant was having
2 difficulty doing the routines?

3 A. Then they would go to CEC.

4 Q. And would they get more training at
5 that point in time?

6 A. Not likely.

7 Q. What would happen to an elephant who
8 went to the CEC because she was having trouble
9 doing the routines?

10 A. She would hang out all day, just go
11 through their routine down there.

12 Q. So they would receive more rehearsals
13 of the routines?

14 A. No. Most of the adults down there
15 don't do anything but hang out, eat and sleep,
16 exercise, basic husbandry.

17 Q. When did you receive your first
18 promotion at Feld Entertainment?

19 A. I have never really received a
20 promotion.

21 Q. Has your job title changed at all?

22 A. Yes.

1 Q. But there was no written record of
2 this reprimand, is that correct?

3 A. No. It wasn't severe.

4 Q. And how long had that person worked
5 for the Blue Unit?

6 A. Approximately a year.

7 Q. And you don't remember the first or
8 last name of that person?

9 A. They come and go.

10 Q. It was a male, I assume?

11 A. Yes.

12 Q. Do you know where that person is now?

13 A. No.

14 Q. Have you ever known of anyone who
15 worked for Feld Entertainment being fired for
16 mistreating an elephant?

17 A. No.

18 Q. Have you ever known of anybody whose
19 contract was not renewed for mistreating an
20 elephant?

21 A. No.

22 Q. Okay. I'm going to ask you about some

1 elephants at Feld Entertainment and ask you some
2 questions about them.

3 You have worked with Angelica, is that
4 correct?

5 A. Yes.

6 Q. And forgive me if I have asked you
7 this before, but who was responsible for
8 training Angelica to do her tricks in the
9 circus?

10 A. Gary Jacobson.

11 Q. And Angelica is currently with the
12 Gold Unit, is that correct?

13 A. Yes.

14 Q. What about Ari? Are you familiar with
15 that animal?

16 A. Ari. I'm familiar with her name, yes.

17 Q. Do you know which unit she is with?

18 A. She is at the CEC.

19 Q. Do you know how old she is?

20 A. She would be going on 4, I want to
21 say.

22 Q. Do you know her -- who her parents

1 are?

2 A. I can't recall.

3 Q. Do you know what she is doing at the

4 CEC?

5 A. Hanging out.

6 Q. Is she being trained to perform in the

7 circus?

8 A. She is pretty much already trained.

9 Q. And who is responsible for training
10 her?

11 A. Gary Jacobson.

12 Q. All right. Have you been responsible
13 for giving Ari any training at all?

14 A. No, she came and visited for a little
15 bit, but that was it.

16 Q. When was that?

17 A. Winter quarters.

18 Q. Of 2005? Last winter quarters?

19 A. 2004.

20 Q. According to my record, Ari was born
21 in April of 2005.

22 A. Okay, then.

1 Q. Does that make sense to you?

2 A. It could. I don't recall their birth
3 dates.

4 Q. Does that refresh your recollection
5 with respect to when you may have seen her at
6 winter quarters?

7 A. Yes. They just came for a week. One
8 second here, let me get my years. I'm not good
9 with my years.

10 Q. All right.

11 A. We are in 2006, right?

12 MS. JOINER: Yes.

13 THE WITNESS: Okay, that -- no, Ari
14 has not been on the road. I'm sorry. That was
15 Asha and Rudy.

16 BY MS. MEYER:

17 Q. I was just going to ask you about
18 Asha?

19 A. That's where I'm going wrong here.

20 Q. Let's finish Ari then. Have you dealt
21 with Ari at all?

22 A. I just hugged her and kissed her when

1 I saw her when she was born.

2 Q. And she is at the CEC?

3 A. Yes.

4 Q. And as far as you know, is she being
5 trained to go out on the road?

6 A. I don't know if he started that yet.

7 Q. And he would be Gary Jacobson?

8 A. Yes.

9 Q. And what about Asha? Are you familiar
10 with Asha?

11 A. Yes.

12 Q. And do you know how old she is?

13 A. She is almost -- she is going on 4.

14 Q. And where is she?

15 A. The CEC.

16 Q. And what is she doing at the CEC?

17 A. Hanging out.

18 Q. Is she being trained to perform?

19 A. No, she is already trained.

20 Q. And she was trained by whom?

21 A. All of the youngsters were trained by
22 Gary Jacobson.

1 Q. Okay. But she hasn't been out on the
2 road yet?

3 A. She came out for a little bit, yes.

4 Q. She is the one you were speaking about
5 earlier who came to winter quarters?

6 A. Yes.

7 Q. And you think that was winter quarters
8 of '04?

9 A. Yes.

10 Q. And Bonnie we have already talked
11 about. She is on the Blue Unit, correct?

12 A. Yes.

13 Q. What about Doc? Are you familiar with
14 Doc?

15 A. Yes.

16 Q. Does he have some nicknames?

17 A. Fish.

18 Q. Fish. And where is Doc?

19 A. CEC.

20 Q. And what is he doing on the CEC?

21 A. The boy thing.

22 Q. What does that mean?

1 A. He is in with some of the girls,
2 hanging out.

3 Q. Is he being bred?

4 A. No.

5 Q. Would you know if he were being bred?

6 A. Well, they would start early
7 practicing. I mean, they start mounting at 2
8 years old, even younger, males and females.

9 Q. Would you know if he is being bred
10 right now at the CEC?

11 A. No.

12 Q. You would not know?

13 A. No.

14 Q. Who would know that?

15 A. The people at the CEC.

16 Q. Would Gary Jacobson know?

17 A. Yes.

18 Q. Did Doc ever tour with the Blue Unit
19 since you have been working with Feld
20 Entertainment?

21 A. Yes.

22 Q. When was that?

1 A. 2002.

2 Q. How long was he with the Blue Unit?

3 A. Approximately a year.

4 Q. And then why was he taken off the Blue
5 Unit?

6 A. Testosterone. Too many cute females
7 on the show.

8 Q. And why did that make him not suitable
9 for the Blue Unit? I mean, could you explain
10 that more?

11 A. Males --

12 Q. I mean, I know what testosterone is,
13 but why does that make him have to leave the
14 show?

15 A. Because they become full of
16 testosterone, which makes them -- their goal in
17 life is to have the herd for themselves, so they
18 start getting pushy with the females and so
19 forth. So it was easier to deal with not having
20 the youngsters shove on each other.

21 Q. Not having the youngsters --

22 A. Shove on each other. He was starting

1 to be too rough with the other females, like
2 they would --

3 Q. Who made the decision to take him off
4 the Blue Unit?

5 A. All of us collectively.

6 Q. Who do you mean by all of us?

7 A. The same as I mentioned before. Gary,
8 Mr. Feld, Jim Andacht, at that time, I'm sorry,
9 Richard Froemming and myself and the general
10 manager, Jeff Steele.

11 Q. Okay. So you were consulted about the
12 decision to take Doc off the Blue Unit in 2002?

13 A. Yes.

14 Q. Do you know who Doc's mother is?

15 A. I don't recall.

16 Q. Do you know if Doc's mother was
17 traveling with the Blue Unit when Doc was
18 traveling with the Blue Unit?

19 A. She was not.

20 Q. What about Gunther? Are you familiar
21 with Gunther?

22 A. Yes.

1 Q. Has he traveled with the Blue Unit?

2 A. No.

3 Q. Has Doc stayed at the CEC since he was
4 taken off the Blue Unit?

5 A. He has went out on occasion.

6 Q. He went out on occasion?

7 A. Yes.

8 Q. When did he go back out?

9 A. I don't recall.

10 Q. Did he go out to the Blue Unit?

11 A. No.

12 Q. Where did he go?

13 A. Gold.

14 Q. But he is not currently with the Gold
15 Unit?

16 A. No.

17 Q. And do you know under what
18 circumstances he left the Gold Unit?

19 A. No.

20 Q. Okay. And you said Gunther did not
21 travel with the Blue Unit?

22 A. No, he visited along with Asha.

1 Q. During that same visit, winter
2 quarters?

3 A. Yes.

4 Q. And do you know if Gunther is being
5 bred?

6 A. He is too young.

7 Q. And how old is Gunther?

8 A. About four, maybe going on five. I
9 don't recall.

10 Q. And how about Irvin? Are you familiar
11 with Irvin?

12 A. Yes.

13 Q. How old is he?

14 A. He should be going on 2.

15 Q. And where is he?

16 A. At the center.

17 Q. Is he being trained to perform as far
18 as you know?

19 A. I don't know.

20 Q. How about Gunther? Is he being
21 trained to perform?

22 A. He is already trained.

1 Q. And did Gary Jacobson train him as
2 well?

3 A. Yes, Gary broke all of the babies.

4 Q. And Juliet? You're obviously familiar
5 with her. She is on the Blue Unit. I think you
6 have told us about her.

7 A. Yes.

8 Q. What about a baby named Mable? Are
9 you familiar with that name?

10 A. Yes.

11 Q. Who is that?

12 A. She was just born.

13 Q. When was she born?

14 A. I don't recall the date.

15 Q. Is she the one that was born in April
16 of '06?

17 A. Yes.

18 Q. But does she also go by the name of
19 Burma?

20 A. Not that I know.

21 Q. Or is that a different animal?

22 A. Not that I know of.

1 Q. Are you familiar with an animal named
2 Burma?

3 A. No. Maybe she's -- it could be that
4 her mother is from Burma. I can't speculate.

5 Q. Yeah.

6 A. I'm not sure.

7 Q. Do you know who Mable's mother is?

8 A. Shirley.

9 Q. What about Osgood? Are you familiar
10 with Osgood?

11 A. Yes.

12 Q. Has Osgood ever performed on the Blue
13 Unit?

14 A. He came and visited.

15 Q. When did he visit?

16 A. 2003.

17 Q. And how old was he at the time?

18 A. He would have been about 4.

19 Q. And when you say he visited, where did
20 he visit?

21 A. In Miami and then in winter quarters.

22 Q. What is the purpose of the young

1 elephants coming to visit at winter quarters?

2 A. Socialization.

3 Q. Is part of the purpose to see if they
4 are ready to go out on the road?

5 A. Yeah. And just give them a look at
6 what is out there. And with Juliet and Bonnie
7 and Kelly, that is a good start for them.

8 Q. And when they come for a visit to
9 winter quarters, are they rehearsed to see how
10 they would do in a performance?

11 A. We will practice and exercise and do
12 your normal daily husbandry with all of them.

13 Q. So are the young elephants who are
14 being trained by Gary Jacobson down at the CEC
15 specifically being trained to perform the tricks
16 that you need to be done in the Blue Unit?

17 A. They learn all of the basics. From
18 there, we would pick who would be more agile to
19 do things different than the others.

20 Q. And is that kind of -- strike that.

21 Is the time that you make that
22 decision with the newer elephants at winter

1 quarters?

2 A. No, that -- those decisions are made
3 down at the CEC. I mean, you could tell who is
4 -- who is more agile than others.

5 Q. All right. So Osgood has never been
6 on the road with the circus, as far as you know?

7 A. He came out for those couple of weeks.

8 Q. But has he been on the road performing
9 is my question?

10 A. No.

11 Q. Just came to that winter quarters?

12 A. Yeah. Went to Miami with us.

13 Q. When you say went to Miami, to do
14 what?

15 A. We open in Miami after winter
16 quarters.

17 Q. Oh, so he did --

18 A. So on our way back up, he went back to
19 the site.

20 Q. Was he involved in the performance in
21 Miami that year?

22 A. No.

1 Q. What year was that? You said 2003, is
2 that correct?

3 A. Yes.

4 Q. All right. And how long did Osgood's
5 visit last from start to finish?

6 A. About two to three weeks.

7 Q. All right. And do you know how old he
8 was at the time?

9 A. He would have been about 3. I don't
10 recall when he was born.

11 Q. Do you know who Osgood's mother is?

12 A. I want to say Emma.

13 Q. And did Emma accompany him when he
14 came to visit the Blue Unit?

15 A. No.

16 Q. What about P.T.? Are you familiar
17 with P.T.?

18 A. Yes.

19 Q. Okay. What -- is that P.T. Barnum?
20 Is that elephant named after P.T. Barnum?

21 A. Yes.

22 Q. And how old is P.T.?

1 A. I don't recall when he was born. He
2 is a little over three, I want to say.

3 Q. Okay. And has he ever traveled with
4 the Blue Unit?

5 A. No.

6 Q. How do you know him?

7 A. From winter quarters.

8 Q. So he has also visited winter
9 quarters?

10 A. He didn't come visit the Blue show,
11 no. When the Red show was there, he went to
12 visit there.

13 Q. Okay. When was that?

14 A. It would have been 2005.

15 Q. All right. Hasn't traveled with the
16 Red show?

17 A. I don't recall. No, he has not
18 traveled.

19 Q. He hasn't been on the road yet?

20 A. No. Just for visits.

21 Q. Is he being trained to perform in the
22 circus?

1 A. He is pretty much trained.

2 Q. And, again, he was trained by Gary
3 Jacobson?

4 A. Yes.

5 Q. At what age do the young elephants
6 usually go on the road to actually perform in
7 the circus?

8 A. It varies from elephant to elephant.

9 Q. What is the youngest that you are
10 aware of?

11 A. In my career?

12 Q. No, since you have been employed by
13 Feld Entertainment.

14 A. 2-and-a-half to 3 years old.

15 Q. And who was that?

16 A. That would have been Asha and Rudy.

17 Q. Asha?

18 A. Yes.

19 Q. And who was the other one?

20 A. Rudy.

21 Q. All right. What about Romeo? Are you
22 familiar with Romeo?

1 A. Oh, yes.

2 Q. And he has been on the Blue Unit?

3 A. Yes.

4 Q. When was he on the Blue Unit?

5 A. He was there when I first started in
6 2000. He is one of the five.

7 Q. And how long was he on the Blue Unit?

8 A. Five months.

9 Q. And how old was he at the time?

10 A. He would have been -- I don't recall
11 then. He is two months younger than Juliet.

12 Q. Well, actually, I think he was born in
13 '93, so he would have been about 6 when you
14 started working there?

15 A. Yeah.

16 Q. And do you know who Romeo's mother is?

17 A. I don't recall.

18 Q. Is it Alana? Does that strike a bell?

19 A. Alana.

20 Q. Alana?

21 A. Yes.

22 Q. And was Alana on the Blue Unit at the

1 same time that Romeo was?

2 A. When they were younger, yes.

3 Q. When you were working with Romeo?

4 A. No.

5 Q. Okay. Now, what about Rudy? Are you
6 familiar with Rudy?

7 A. Yes.

8 Q. Okay. And how old is Rudy?

9 A. I just answered all this. She would
10 be going on 4.

11 Q. Okay. And you said she went on the
12 road when she was fairly young, is that correct?

13 A. In 2004.

14 Q. And where did she perform?

15 A. On the Red show.

16 Q. Under Alex Vargas?

17 A. Or Pat Harned.

18 Q. Does Pat Harned work at the CEC?

19 A. Yes.

20 Q. What does he do there?

21 A. He assists Gary.

22 Q. Is he responsible for training any of

1 the elephants?

2 A. He assists Gary with everything.

3 Q. How long has he been assisting Gary at
4 the CEC?

5 A. I think he has been with the company
6 about eight years now. I'm not sure.

7 Q. And how long was Rudy traveling with
8 the Red show?

9 A. I don't recall.

10 Q. Do you have any idea?

11 A. No.

12 Q. Do you know who Rudy's mother is?

13 A. Sally.

14 Q. Was Sally traveling with the Red show
15 when Rudy was traveling with the Red show?

16 A. No.

17 Q. And you mentioned Sara before. She is
18 on the Blue Unit?

19 A. Yes.

20 Q. Correct? I think we have covered her.
21 And Shirley, are you familiar with Shirley?

22 A. Yes.

1 Q. And Shirley was on the Blue Unit for
2 some period of time, is that correct?

3 A. Yes.

4 Q. When was she on the Blue Unit?

5 A. In 2000.

6 Q. Just for a year?

7 A. I don't recall how long she was out
8 there before I came.

9 Q. So she was already on the Blue Unit
10 when you started working on the Blue Unit?

11 A. Yes, along with the other four.

12 Q. And when did she leave the Blue Unit?

13 A. About the same time Romeo did.

14 Q. Which was when?

15 A. Which was about five months into the
16 tour.

17 Q. And under what circumstances did she
18 leave the Blue Unit?

19 A. She just didn't agree with the
20 life-style.

21 Q. What do you mean by that?

22 A. Just didn't agree with the life-style.

1 She didn't get used to the train. She didn't
2 get -- you know, she just didn't get used to the
3 social life out there.

4 Q. Did she have difficulty performing her
5 routine?

6 A. No, not at all.

7 Q. And you may have answered this
8 already, but do you know who Shirley's mother
9 is?

10 A. No. I think it's Mala, but I'm not
11 sure.

12 Q. Was Mala traveling with the Blue Unit
13 when Shirley was traveling with the Blue Unit?

14 A. No.

15 Q. Now I want to ask you about a few
16 individuals and ask you if you have ever worked
17 with these individuals or know who they are.
18 And then once I'm done with that, I think we can
19 take a break for lunch.

20 A. I'm starting to rumble.

21 Q. This won't take long. Ready? Are you
22 familiar with a man named Mac McDonald?

1 A. Yes.

2 Q. Who is that?

3 A. He is an elephant trainer.

4 Q. Have you met him?

5 A. No.

6 Q. How are you familiar with him?

7 A. Just through the business.

8 Q. Do you know where -- do you know

9 whether he has ever worked with any of the Feld

10 Entertainment elephants?

11 A. Not that I know of.

12 Q. Okay. Do you know whether he has ever

13 had any responsibility for training of any of

14 the Feld Entertainment animals?

15 A. Not that I know of.

16 Q. What about Bucky Steel?

17 A. I know Bucky.

18 Q. Who is he?

19 A. Elephant trainer.

20 Q. Where do you know him from?

21 A. The business.

22 Q. Where did you meet him? Did -- have

1 summer we have bottled water that is supplied to
2 us with the pull-up drinkable thing that they
3 suck out of. We are drinking a coke. They put
4 their noses up. You hold the nose. You pour
5 some coke because they like coke, not too much,
6 because there is too much sugar. Water. They
7 use their trunks for everything.

8 It is not necessary to teach them that
9 because it's not a behavior. We play with their
10 trunks all the time and their ears and their
11 toes and their tails, everything. And you take
12 the saline and put it in their nose, which is
13 just sterile water, and hold their nose. It's
14 not a problem.

15 Q. So no training is required for the
16 elephants to go through that process, is that
17 correct?

18 MS. JOINER: Objection, form.

19 THE WITNESS: It's not necessary.
20 It's not something that needs to be taught.
21 Playing with their trunks is not something you
22 teach them, something we get them comfortable

1 with.

2 BY MS. MEYER:

3 Q. So you are equating the process by
4 which a trunk wash is administered to an
5 elephant with an elephant playing with its
6 trunk?

7 A. Sure. They have to be comfortable
8 with everything that you do with them. Now, if
9 you never played with their trunks, then you
10 might have to teach them that it's okay to touch
11 their trunk.

12 Q. Do you know what a bullhook is?

13 A. Yes.

14 Q. It's also called an ankus, isn't it?

15 A. Ankus, guide, stick.

16 Q. It is called a stick? A bullhook?

17 A. That's what we call it on occasion.

18 Q. If you were going to order a bullhook
19 from a manufacturer, what would you call if you
20 were ordering it?

21 A. Well, I don't think there is anyone
22 that manufactures, per se. There's a few

1 private people out there that make them.

2 Q. Well, if you were going to -- if Feld
3 Entertainment was going to purchase a bullhook
4 from someone who makes a bullhook and had to
5 order a bullhook from someone, how -- what would
6 it call the thing it was ordering?

7 A. Bullhook, ankus, stick, guide.

8 Q. They could put in an order for a stick
9 and get a bullhook back?

10 A. Well, there is basically not a company
11 that makes them. Private owners, private
12 people, make them by hand.

13 Q. But your testimony is if Feld
14 Entertainment wanted to order some bullhooks, it
15 could put in an order to someone who makes them
16 by calling them a stick?

17 A. You could, yes.

18 Q. You could say, I would like 40 sticks
19 and get back bullhooks?

20 A. Yes.

21 Q. Who -- have you ever known that to
22 happen?

1 A. I do most of the ordering.

2 Q. And you call them sticks when you
3 order them?

4 A. You can call them whatever you like.
5 We call them sticks, guides. I have heard them
6 call many things.

7 Q. Who do you order them from?

8 A. That varies from person to person.

9 Q. Well, you say do you the ordering.

10 A. I do.

11 Q. Who do you do the ordering from?

12 A. Charlie Gray.

13 Q. Do you order them from anyone else
14 besides Charlie Gray?

15 A. I never have.

16 Q. How long have you been ordering them
17 from Charlie Gray since you have been employed
18 by Feld Entertainment?

19 A. I have been getting hooks from Charlie
20 Gray for the last 20 years.

21 MS. MEYER: I would like to have these
22 three pages of this document I'm handing you

1 marked as Exhibit 2.

2 (Metzler Deposition Exhibit Number 2 was
3 marked for identification and attached to
4 the transcript.)

5 MS. MEYER: I will give you a copy.

6 BY MS. MEYER:

7 Q. Okay. And what I have handed you
8 that's been marked as Exhibit 2, are a three
9 pieces of paper that we actually received from
10 Feld Entertainment in discovery in this case, as
11 you can tell by the Bates stamp on the bottom of
12 the document.

13 And the first item is an invoice from
14 Charlie Gray, Cambridge, Ontario. It's dated
15 May 14th, 2002. And it says, customer, Ringling
16 Bros. and Barnum & Bailey Circus, 8607 Westwood
17 Center Drive, Vienna, Virginia, zip code 22182.
18 Has a phone number there. And it says,
19 description of what is being ordered pursuant to
20 this invoice, 40 bullhooks. Do you see that,
21 Mr. Metzler?

22 A. I sure do.

1 Q. Do you see that each bullhook cost
2 \$300, for the total of \$12,000?

3 A. I sure do.

4 Q. You don't see the item that's being
5 ordered called a stick, do you?

6 A. No.

7 Q. It's not being called a guide, is it?

8 A. But I'm sure I could put that on there
9 and that's what I get.

10 Q. I want to ask you about this document
11 right now, this item that's being ordered from
12 Mr. Gray?

13 A. Yes.

14 Q. 40 bullhooks. That's what it says,
15 correct?

16 A. Yes, it does.

17 Q. And then the next page, which we will
18 call Exhibit 2, page 2, is a document that's
19 titled Feld Entertainment, Inc., and
20 Subsidiaries, Sells-Floto, Inc. And it says
21 payment requisition. Date of request, 6-10.
22 Date needed 6-14-02. Do you see that?

1 A. Yes.

2 Q. Okay. And you see that their request
3 is the amount that is requested is \$12,000. Do
4 you see that?

5 A. Yes, I do.

6 Q. And the vendor name is Charlie Gray.

7 A. Mm-hmm.

8 Q. And the purpose of the request
9 requisition, it says, 40 bullhooks. Do you see
10 that?

11 A. Yes, I do.

12 Q. Okay. It doesn't say sticks, does it?

13 A. No, it does not.

14 Q. Doesn't say guides, does it?

15 A. No.

16 Q. It says bullhooks?

17 A. Yes, it does.

18 Q. Okay. And then the next page which we
19 will call Exhibit 2, page 3, is a copy of a
20 check that was written by Feld Entertainment to
21 the order of Charles Gray, African Lion Safari
22 Cambridge, Ontario. Do you see that?

1 A. Yes, I do.

2 Q. And that check is dated June 13, 2002.

3 Do you see that?

4 A. Yes, I do.

5 Q. And it's for the amount of \$12,000.

6 Do you see that?

7 A. Yes, I do.

8 Q. And do you see that in the description
9 of what the check has been issued for, it says
10 40 bullhooks?

11 A. Yes, I do.

12 Q. And it doesn't say sticks, does it?

13 A. No, it doesn't.

14 Q. And it doesn't say guides?

15 A. Nor did I say it would be a stick on
16 there.

17 Q. I'm just trying to get clear as to
18 what this tool we are talking about is called.

19 A. Yes.

20 Q. It's called a bullhook, right?

21 A. You can call it a number of things.
22 There's a number of things to call it.

1 Q. Well, when they are ordered, according
2 to the only documents we receive from the
3 defendants in response to our questions about
4 this, they are referred to as solely bullhooks?

5 A. At this time, yes.

6 MS. JOINER: Object to form.

7 Argumentative.

8 BY MS. MEYER:

9 Q. Okay. And you said Charlie Gray is
10 the only source from which you obtain bullhooks,
11 is that correct?

12 A. Myself, personally, yes.

13 Q. Okay. And do you currently own a
14 bullhook?

15 A. Yes, I do.

16 Q. How many do you own?

17 A. I don't recall.

18 Q. Approximately how many do you own?

19 A. I don't recall.

20 Q. Hundreds?

21 A. 20.

22 Q. You currently own about 20 bullhooks?

1 A. (Witness nodding head.) I have the
2 first one I made.

3 Q. When did you make one?

4 A. Some were given as gifts.

5 Q. Okay. And some that you received from
6 Charlie Gray?

7 A. Yes, and other people, also.

8 Q. Who else did you receive them from?

9 A. I don't recall. There's a number of
10 people out there that make them.

11 Q. Okay. You said you made one, at least
12 one?

13 A. Yes, I did.

14 Q. How many of the 20 or so bullhooks
15 that you own did you actually make?

16 A. Approximately three.

17 Q. And which bullhooks do you currently
18 use in your duties on the Blue Unit?

19 A. I have three bullhooks that I use.

20 Q. And how -- describe all three
21 bullhooks.

22 A. The rest are in storage.