

PLAINTIFFS' EXHIBIT BB

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

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

Plaintiffs,

v.

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

Defendants.

Case No. 03-2006 (EGS)
JUDGE: Emmet G. Sullivan

**DEFENDANTS' OBJECTIONS AND RESPONSES TO PLAINTIFFS'
FIRST SET OF REQUESTS FOR ADMISSION, INTERROGATORIES,
AND REQUESTS FOR DOCUMENTS**

Defendants Feld Entertainment, Inc. ("Feld") and Ringling Bros. and Barnum & Bailey Circus ("Ringling") hereby respond to the First Set of Requests for Admission, Interrogatories, and Requests for Documents served March 30, 2004 by plaintiffs American Society for the Prevention of Cruelty to Animals ("ASPCA"), the Animal Welfare Institute ("AWI"), the Fund for Animals ("FFA"), and Tom Rider.

GENERAL RESPONSES

The following general responses are made with respect to plaintiffs' request for admission, document requests, and interrogatories:

1. Defendants are conducting a reasonable search for documents responsive to the document requests as stated herein. Subject to the general and specific objections that follow, such documents will be made available upon request for inspection and copying at the offices of Covington & Burling in Washington, D.C. or at such other place on which the parties may agree, subject to agreement as to payment of duplication costs (including, in the case of computer tapes,

5. Defendants object to Definition No. 8 ("identify") on the grounds that the definition is overbroad and unduly burdensome in its request for the identity of every person who may have participated in, witnessed, or overheard a conversation.

6. Defendants object to Definition No. 11 ("Ringling") on the grounds that it is vague, ambiguous, overbroad, and unduly burdensome, particularly in its inclusion of all "independent contractors, agents, attorneys, and consultants."

**SPECIFIC RESPONSES AND ADDITIONAL OBJECTIONS TO
PLAINTIFFS' REQUEST FOR ADMISSION**

1. Admit that none of the elephants produced by Ringling at its Center for Elephant Conservation ("CEC"), and elsewhere, have been placed in the wild in Asia.

Response: Defendants object to this request on the grounds that it is vague and ambiguous, particularly in its use of the terms "wild" and "produced." Defendants further object that this request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence and is overbroad and unduly burdensome because it is vague in scope and unbounded in time.

Subject to and without waiving these general and specific objections, defendants admit that no elephant born at the CEC since January 1, 1996, has been released into the Asian wilderness.

**SPECIFIC RESPONSES AND ADDITIONAL OBJECTIONS TO PLAINTIFFS'
INTERROGATORIES**

1. Identify each person whom Ringling expects to call as a fact witness in any hearing or trial in this action. For each person, provide the subject matter upon which the witness is expected to testify, the basis for such testimony, all documents and records upon which that person may rely for such testimony, describe the discoverable information that each of the persons who are listed on Defendants' Initial Disclosures under the category "Individuals Likely to Have Discoverable Information" (Fed. R. Civ. P. 26(a)(1)(A)) may have, and identify all records that any such persons may have that in any way relate to such discoverable information.

Response: Defendants object to this interrogatory on the grounds of the General

Objections.