

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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FELD ENTERTAINMENT, INC.)	
)	
	Plaintiff,)	
v.)	
)	Civ. No. 07-1532 (EGS)
AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, et al.,)	
	Defendants.)	
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ANSWER OF JONATHAN R. LOVVORN TO FIRST AMENDED COMPLAINT

Jonathan R. Lovvorn (“Defendant”) hereby answers the separately numbered paragraphs of the First Amended Complaint by Feld Entertainment (“Plaintiff”), in his personal capacity as a defendant, as follows:

1. Paragraph 1 purports to be a description of the claim, to which no response is required, but to the extent a response is required, Defendant admits the filing of claims and the naming of defendants, as to which the Amended Complaint is the best evidence, denies the existence of “FFA/HSUS,” and otherwise denies the allegations.

2. Defendant admits the existence of the Complaint in *ASPCA v. Feld*, No. 03-2006, and that it is the best evidence of its contents, denies the allegations of paragraph 2 as to him, denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations as to others, and denies them on that basis.

3. Defendant admits the existence of the Complaint in *ASPCA v. Feld*, No. 03-2006, and that it is the best evidence of its contents, denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 3, and denies them on that basis.

4. Defendant denies the allegations in paragraph 4 as to him, denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 4 as to others, and denies them on that basis.

5. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 5, and denies them on that basis.

6. Defendant denies the existence of “FFA/HSUS,” admits that he was aware of some funding provided to Mr. Rider but denies the allegations in paragraph 6 as to him in all other respects, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 6 as to others, and denies them on that basis.

7. Defendant denies the allegations in paragraph 7 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 7 as to others, and denies them on that basis.

8. Defendant admits that there was a trial in *ASPCA v. Feld*, No. 03-2006, after which the Court issued a memorandum opinion, that the memorandum opinion is the best evidence of its contents, and otherwise denies the allegations in paragraph 8.

9. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 9, and denies them on that basis.

10. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 10, and denies them on that basis.

11. Defendant denies the existence of “FFA/HSUS,” denies the allegations of paragraph 11 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 11 as to others, and denies them on that basis.

12. Defendant admits that “defendants did not seek a preliminary injunction when they brought the ESA action in 2000,” but denies the remaining allegations in paragraph 12 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 12 as to others, and denies them on that basis.

13. Denied.

14. Denied.

15. Denied.

16. Denied.

17. Defendant denies the allegations of paragraph 17 as to him, denies the existence of any entity “FFA/HSUS,” admits that funding was provided to Mr. Rider by one or more of the organizations identified in paragraph 17, admits that Mr. Rider gave testimony before various forums regarding the mistreatment of elephants, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 17 as to others, and denies them on that basis.

18. Defendant admits that ASPCA, AWI, API, FFA and Rider were plaintiffs and FEI was a defendant in *ASPCA v. Feld*, denies the existence of “FFA/HSUS,” and denies the remaining allegations in paragraph 18.

19. Defendant denies the existence of “FFA/HSUS,” admits that Mr. Rider received and accepted funding from ASPCA, AWI, FFA, API, and WAP, denies that funding from FFA continued “through at least the trial of the ESA action in February-March 2009,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 19, and denies them on that basis.

20. Defendant denies the existence of “FFA/HSUS,” admits that Mr. Rider received and accepted funding from ASPCA, AWI, FFA, API, and WAP, denies that funding from FFA

continued “through at least the trial of the ESA action in February-March 2009,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 20, and denies them on that basis.

21. Defendant denies the existence of “FFA/HSUS,” admits that Mr. Rider received funds and property, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 21, and denies them on that basis.

22. Paragraph 22 purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

23. Paragraph 23 purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

24. Defendant denies the allegations in the first two sentences of Paragraph 24 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of those allegations as to others, and denies them on that basis. The remaining allegations in Paragraph 24 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

25. As to the allegations in the first sentence of Paragraph 25, Defendant denies the existence of “FFA/HSUS,” admits that funding was provided to Rider by ASPCA, AWI, FFA, API and WAP, and otherwise denies the allegations. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the second sentence and denies them on that basis, except that he denies any allegation that FFA provided funding to Rider after 2004, or to WAP after 2007. The remaining allegations in paragraph 25 are various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

26. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the other factual allegations in Paragraph 26, and

denies them on that basis. The remaining allegations purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

27. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first two sentences of paragraph 27, and denies them on that basis. Defendant admits the existence of the Court’s memorandum opinion in *ASPCA v. Feld*, which is the best evidence of its contents, and as to all other allegations in the third sentence, lacks sufficient knowledge or information to form a belief as to the truth of the allegations and denies them on that basis. The fourth sentence purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

28. Defendant denies the allegations of paragraph 28 as to him, denies the existence of “FFA/HSUS,” and as to all other allegations in paragraph 28 lacks sufficient knowledge or information to form a belief as to the truth of the allegations, and denies them on that basis.

29. Defendant denies the allegations of paragraph 29 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 29 as to others, and denies them on that basis.

30. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of all other allegations in paragraph 30, and denies them on that basis.

31. Defendant denies the existence of “FFA/HSUS” and lacks sufficient knowledge or information to form a belief as to the truth of all other allegations in the first two sentences of paragraph 31, and denies them on that basis. The third sentence purports to state conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

32. Denied.

33. Admitted.

34. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 34, and denies them on that basis.

35. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 35, and denies them on that basis.

36. Defendant admits: (i) that The Fund for Animals (“FFA”) and the Humane Society of the United States (“HSUS”) are non-profit organizations, but denies that any entity “FFA/HSUS” exists; (ii) that HSUS is the largest animal protection organization in the United States; (iii) the allegations in the fourth sentence of paragraph 36; (iv) that HSUS filed a Form 990 for calendar year 2008 and that document is the best evidence of its contents; (v) the allegations in the fifth sentence of paragraph 36, except he denies that “FFA/HSUS” exists as an entity; (vi) that Michael Markarian is the President of FFA; and (vii) employees of HSUS have appeared as counsel in the ESA action, and denies the allegations of paragraph 36 in all other respects.

37. Defendant admits that Mr. Rider worked for FEI, but lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 37, and denies them on that basis.

38. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 38, and denies them on that basis.

39. Defendant admits the allegations in paragraph 39, except the characterization of the legal status of Meyer & Glitzenstein or Meyer, Glitzenstein & Crystal, because they are conclusions of law to which no response is required, but if a response is required, he lacks sufficient knowledge or information to form a belief as to the truth of those characterizations and denies them on that basis.

40. Admitted.

41. Admitted

42. Defendant admits the first and second sentence of paragraph 42, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 42, and denies them on that basis.

43. Defendant admits the first sentence of paragraph 43, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 43, and denies them on that basis.

44. Defendant admits: (i) the allegations in the first and fifth sentences of paragraph 44; (ii) that he is employed by HSUS, which is located at 2100 L Street, N.W., Washington, D.C. 20037; (iii) that he was an employee of Meyer & Glitzenstein between 1997 and 2004; (iv) that he entered his appearance as one of the counsel for the plaintiff in the 2003 ESA action on September 26, 2003; (v) that he was aware of certain funds given to Mr. Rider, and participated in discussions with clients and co-counsel in which some funding was discussed; and (vi) that as an employee of HSUS, he prepared six check routing requests on behalf of FFA for grants to WAP totaling \$11,500, that each such check routing request required approval by an FFA officer, that the check routing requests were sent to the accounting department for payment and mailing, and that he signed cover letters to accompany the issued checks which set forth as a condition of the FFA grants that the funds were required to be used “to assist with media outreach and other press-related efforts in support of the pending case concerning Ringling Brothers Circus.” In all other respects, Defendant denies the allegations of paragraph 44.

45. Defendant admits: (i) the allegations in the first and fifth sentences of paragraph 45; (ii) that Ms. Ockene was employed by Meyer & Glitzenstein; (iii) that Ms. Ockene is employed by HSUS; and (iv) that at some points in time, Ms. Ockene was counsel of record for plaintiff in the

ESA action as an employee of Meyer & Glitzenstein or as an employee of HSUS. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 42, and denies them on that basis.

46. Defendant denies the existence of “FFA/HSUS.” Paragraph 46 alleges legal conclusions as to which no response is required, but to the extent a response is required, Defendant is unable to determine from the Amended Complaint specific actions alleged as to him, and denies the allegations in paragraph 46 as to him on that basis, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 46 as to others, and denies them on that basis.

47. Paragraph 47 purports to be a description of the claim, to which no response is required, but to the extent a response is required, Defendant admits the filing of claims, as to which the Amended Complaint is the best evidence, and otherwise denies the allegations.

48. Denied.

49. Admitted.

50. Paragraph 50 purports to characterize various pleadings and rulings of the Court. Defendant admits the existence of the pleadings and rulings and that they are the best evidence of their contents, and denies the existence of “FFA/HSUS.”

51. Defendant admits the first sentence of paragraph 51. Defendant denies the existence of “FFA/HSUS,” admits that complaints and briefs were filed and that they are the best evidence of their contents, admits that there was a trial of the ESA action and a memorandum opinion issued by the Court which is the best evidence of its contents, denies the remaining allegations of paragraph 51 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 51 as to others, and denies them on that basis.

52. Defendant denies the existence of “FFA/HSUS,” admits that there was a trial of the ESA action in which a large amount of evidence was given and a memorandum opinion was issued by the court, all of which is the best evidence of its contents. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 52, and denies them on that basis.

53. Defendant denies the allegations in paragraph 53 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations as to others, and denies them on that basis.

54. Defendant admits the first sentence of paragraph 54 and that the decisions of parties with respect to the ESA action are best evidenced by the public record. Defendant denies the existence of “FFA/HSUS,” denies the remaining allegations in paragraph 54 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 54 as to others, and denies them on that basis.

55. Admitted, except as to the characterization of “FFA/HSUS” as an entity, which is denied.

56. Defendant admits that Complaint No. 03-2006 was not identical to Complaint No. 00-1641, denies the allegations in paragraph 56 in all other respects as to him, and lacks sufficient information or knowledge to form a belief as to the truth of the remaining allegations as to others, and denies them on that basis.

57. Defendant admits the existence of the Complaint in *ASPCA v. Feld*, and that it is the best evidence of its contents, and otherwise denies the allegations in paragraph 57.

58. Admitted.

59. Defendant admits that the Court issued a memorandum opinion in *ASPCA v. Feld* No. 03-2006 which is the best evidence of its contents, and otherwise denies the allegations in paragraph 59.

60. Defendant denies the existence of “FFA/HSUS,” denies the allegations in paragraph 60 as to him, and otherwise lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 60, and denies them on that basis.

61. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 19, and otherwise lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 61, and denies them on that basis.

62. Defendant admits that at some point in time Mr. Rider received funds from MGC, which were reimbursed by the clients, denies the existence of “FFA/HSUS,” and otherwise lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 62, and denies them on that basis.

63. Defendant denies the existence of “FFA/HSUS,” and otherwise lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 63, and denies them on that basis.

64. Paragraph 64 purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

65. Paragraph 65 purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

66. Paragraph 66 makes no allegations of fact, and thus no response is required, but to the extent a response is required, the allegations are denied.

67. Defendant admits that Mr. Rider received funds from MGC, WAP ASPCA, AWI, and FFA, denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph

44 regarding grants to WAP from FFA, and denies the allegations in the fifth and sixth sentence that FFA gave funding to Rider “though at least the trial” and “remained constant.” Defendant lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 67, and denies them on that basis.

68. Defendant admits that MGC gave funds to Mr. Rider, denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 68, and denies them on that basis.

69. Defendant admits that Mr. Rider received funds from MGC, WAP ASPCA, AWI, and FFA, denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 69, and denies them on that basis.

70. Defendant admits that Mr. Rider received funds from MGC, WAP, AWI and FFA, denies the existence of “FFA/HSUS,” denies that FFA paid Mr. Rider “at least \$88,220,” denies that FFA provided funding to WAP or Mr. Rider “through at least the trial,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 70, and denies them on that basis.

71. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 71, and denies them on that basis.

72. Defendant admits that MGC provided funds to Mr. Rider, admits that Meyer & Glitzenstein, Ms. Meyer, and Mr. Glitzenstein were counsel for plaintiffs in the ESA action at the time those funds were provided to Mr. Rider, denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 72, and denies them on that basis.

73. Defendant admits that MGC provided funds to Mr. Rider, denies the existence of “FFA/HSUS, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 73, and denies them on that basis.

74. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 74, and denies them on that basis.

75. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 75, and denies them on that basis.

76. Defendant denies the existence of “FFA/HSUS,” admits the existence of the email referred to in paragraph 76 which is the best evidence of its contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 76, and denies them on that basis.

77. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 77, and denies them on that basis. The remaining allegations in paragraph 77 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

78. Paragraph 78 purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

79. Paragraph 79 purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

80. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 80, and denies them on that basis. The second sentence purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

81. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 81, and denies them on that basis.

82. Defendant admits that WAP provided funding to Rider, denies the existence of “FFA/HSUS,” denies that FFA provided funding to WAP “intended to go to Rider” “through at least the trial of the ESA Action,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 82, and denies them on that basis.

83. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 83, and denies them on that basis.

84. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 84, and denies them on that basis.

85. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 85, and denies them on that basis.

86. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 86, and denies them on that basis.

87. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 87, and denies them on that basis.

88. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 88, and denies them on that basis.

89. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 89, and denies them on that basis.

90. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 90, and denies them on that basis.

91. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 91, and denies them on that basis.

92. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 92, and denies them on that basis.

93. Defendant admits that WAP used donor funds to provide funds to Mr. Rider, denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 93, and denies them on that basis.

94. Defendant admits that WAP provided funds to Mr. Rider, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 94, and denies them on that basis.

95. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 95, and denies them on that basis.

96. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 96, and denies them on that basis.

97. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 97, and denies them on that basis.

98. Defendant denies the existence of “FFA/HSUS,” denies the allegation that FFA provided funding to Mr. Rider or WAP “though at least the trial,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining factual allegations in paragraph 98, and

denies them on that basis. To the extent the allegations in the first and second sentence purport to state various conclusions of law, no response is required, but to the extent a response is required, the allegations are denied.

99. Defendant denies the existence of “FFA/HSUS.” The remainder of Paragraph 99 purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

100. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 100, and denies them on that basis. To the extent the allegations in the fourth sentence purport to state a conclusion of law, no response is required, but to the extent a response is required, the allegations are denied.

101. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 101, and denies them on that basis.

102. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 102, and denies them on that basis.

103. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 103, and denies them on that basis.

104. Defendant denies the allegations in paragraph 104 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 104 as to others, and denies them on that basis.

105. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, admits that the funds paid to Mr. Rider were used to pay his basic living expenses, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 105, and denies them on that basis.

106. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 106, and denies them on that basis.

107. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 107, and denies them on that basis.

108. Denied.

109. To the extent the allegations in paragraph 109 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 109, and denies them on that basis.

110. To the extent the allegations in paragraph 110 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 110, and denies them on that basis.

111. To the extent the allegations in paragraph 111 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other

respects, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 111, and denies them on that basis.

112. Defendant admits that WAP provided funds to Mr. Rider, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 112, and denies them on that basis.

113. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 113, and denies them on that basis.

114. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 114, and denies them on that basis.

115. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 115, and denies them on that basis.

116. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 116, and denies them on that basis.

117. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 117, and denies them on that basis.

118. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 118, and denies them on that basis.

119. Defendant denies the existence of “FFA/HSUS,” admits the existence of the Court’s memorandum opinion in *ASPCA v. Feld*, which is the best evidence of its contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 119, and denies them on that basis.

120. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 120, and denies them on that basis.

121. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 121, and denies them on that basis.

122. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 122, and denies them on that basis.

123. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 123, and denies them on that basis.

124. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 124, and denies them on that basis.

125. As to the first sentence of paragraph 125, Defendant denies the allegations as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

126. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 126, and denies them on that basis. As to the second sentence of paragraph 126, Defendant denies the allegations as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations as to others, and denies them on that basis. The allegations in the third sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

127. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 127, and denies them on that basis.

128. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 128, and denies them on that basis.

129. To the extent the allegations in the first sentence of paragraph 129 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects as to the first sentence of paragraph 129, Defendant denies the allegations as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

130. To the extent the allegations in the first sentence of paragraph 130 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 130, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, as to which no response is required, but to the extent a response is required, the allegations are denied.

131. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 131, and denies them on that basis.

132. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 132, and denies them on that basis.

133. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 133, and denies them on that basis.

134. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 134, and denies them on that basis.

135. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 135, and denies them on that basis.

136. Defendant denies the allegations in paragraph 136 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 136 as to others, and denies them on that basis.

137. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 137, and denies them on that basis.

138. Defendant denies the allegations of the first sentence of paragraph 138 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 138 as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

139. Defendant denies the allegations of the first sentence of paragraph 139 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 139 as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

140. Defendant denies the allegations of the first sentence of paragraph 140 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 140 as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

141. To the extent the allegations in paragraph 141 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant denies the allegations in paragraph 141 as to him, and lacks sufficient

knowledge or information to form a belief as to the truth of the allegations in paragraph 141 as to others, and denies them on that basis.

142. To the extent the allegations in paragraph 142 state various conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 142, and denies them on that basis.

143. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 143, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

144. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 144, and denies them on that basis.

145. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 145, and denies them on that basis.

146. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 146, and denies them on that basis.

147. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 147, and denies them on that basis.

148. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 148, and denies them on that basis.

149. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 149, and denies them on that basis.

150. Defendant denies the allegations of the first sentence of paragraph 150 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 150 as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

151. To the extent the allegations in the first sentence of paragraph 151 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant denies the allegations of the first sentence of paragraph 151 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 151 as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

152. To the extent the allegations in the first sentence of paragraph 152 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant denies the allegations of the first sentence of paragraph 152 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 152 as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

153. To the extent the allegations in paragraph 153 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant denies the allegations of paragraph 153 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 153 as to others, and denies them on that basis.

154. To the extent the allegations in paragraph 153 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 154, and denies them on that basis.

155. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 155, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

156. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 156, and denies them on that basis.

157. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 157, and denies them on that basis.

158. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 158, and denies them on that basis.

159. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 159, and denies them on that basis.

160. Defendant denies the existence of “FFA/HSUS.” The first sentence of paragraph 160 states a legal conclusion, to which no response is required, but to the extent a response is required, the allegation is denied. Defendant refers to and incorporates his response to

paragraph 44 regarding grants to WAP by FFA, and otherwise denies the remaining allegations in paragraph 160.

161. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 161, and denies them on that basis.

162. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP by FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 162, and denies them on that basis.

163. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP by FFA, denies the allegations in the first sentence of paragraph 163 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in the first sentence of paragraph 163, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

164. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP by FFA, denies the allegations in the first sentence of paragraph 164 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in the first sentence of paragraph 164, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

165. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP by FFA, denies the allegations in the first sentence of paragraph 165 as to him, and lacks sufficient knowledge or information to form a belief

as to the truth of the remaining allegations in the first sentence of paragraph 165, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

166. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP by FFA, denies the allegations in paragraph 166 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 163, and denies them on that basis.

167. Paragraph 167 purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

168. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 168, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

169. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 169, and denies them on that basis.

170. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 170, and denies them on that basis.

171. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 171, and denies them on that basis.

172. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 172, and denies them on that basis.

173. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 173, and denies them on that basis.

174. To the extent the allegations in the first sentence of paragraph 174 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant denies the allegations of the first sentence of paragraph 174 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 174 as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

175. To the extent the allegations in the first sentence of paragraph 175 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant denies the allegations of the first sentence of paragraph 175 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 175 as to others, and denies them on that basis. The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

176. To the extent the allegations in the first sentence of paragraph 176 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant denies the allegations in paragraph 176 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 176 as to others, and denies them on that basis.

177. To the extent the allegations in paragraph 177 state various conclusions of law, no response is required, but to the extent a response is required, the allegations are denied.

178. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first sentence of paragraph 178, and denies them on that basis.

The allegations in the second sentence purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

179. Defendant denies the existence of “FFA/HSUS,” admits that a fundraiser was held in July 2005, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 179, and denies them on that basis.

180. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 180, and denies them on that basis.

181. Defendant denies the existence of “FFA/HSUS,” and otherwise lacks sufficient knowledge or information to form a belief as to the truth of the factual allegations in the first sentence of paragraph 181. The remaining allegations in paragraph 181 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

182. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 182, and denies them on that basis.

183. To the extent the allegations in paragraph 183 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 183, and denies them on that basis.

184. Defendant admits that Mr. Rider has provided testimony and statements in various forums and documents concerning his experience working with the Asian elephants at the Ringling Bros. Circus. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 184, and denies them on that basis.

185. Defendant denies the existence of “FFA/HSUS,” admits that there were interrogatory responses in the ESA action which are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 185, and denies them on that basis.

186. Defendant denies the existence of “FFA/HSUS,” admits the existence of statements by Mr. Rider which are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 186, and denies them on that basis.

187. Defendant admits the existence of statements by Mr. Rider which are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 187, and denies them on that basis.

188. Defendant denies the existence of “FFA/HSUS,” admits the existence of statements by Mr. Rider which are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 188, and denies them on that basis.

189. Defendant denies the existence of “FFA/HSUS,” admits the existence of statements by Mr. Rider which are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 189, and denies them on that basis.

190. Defendant admits that Mr. Rider appeared as a witness at trial and that the trial record is the best evidence of his testimony, admits the existence of a memorandum opinion by the Court in *ASPCA v. Feld*, which is the best evidence of its contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 190, and denies them on that basis.

191. The allegations in paragraph 191 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

192. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 192, and denies them on that basis.

193. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 193, and denies them on that basis.

194. Defendant admits the existence of a motion to compel and a WAP website, each of which is the best evidence of its contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 194, and denies them on that basis.

195. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 195, and denies them on that basis.

196. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 196, and denies them on that basis.

197. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in the first two sentences of paragraph 197, and denies them on that basis. The third sentence purports to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

198. Defendant admits that the disclosure of substantial amounts of information about funding of Mr. Rider occurred before August 23, 2007, but otherwise lacks sufficient

knowledge or information to form a belief as to the truth of the allegations in paragraph 198, and denies them on that basis.

199. Defendant admits that AWI responded to interrogatories in the ESA action and that those responses are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 199, and denies them on that basis.

200. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 200, and denies them on that basis.

201. Defendant admits that FEI issued interrogatories and that AWI responded to interrogatories in the ESA action, and that those documents are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 201, and denies them on that basis.

202. Defendant admits that FEI issued interrogatories and that AWI responded to interrogatories in the ESA action, and that those documents are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 202, and denies them on that basis.

203. Defendant admits that FEI issued interrogatories and that AWI responded to interrogatories in the ESA action, and that those documents are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 203, and denies them on that basis.

204. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 204, and denies them on that basis.

205. The allegations in paragraph 205 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

206. Defendant admits the existence of an AWI 30(b)(6) deposition and that the record of that deposition is the best evidence of its contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 206, and denies them on that basis.

207. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 207, and denies them on that basis.

208. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 208, and denies them on that basis.

209. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 209, and denies them on that basis.

210. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 210, and denies them on that basis.

211. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 211, and denies them on that basis.

212. Defendant denies the existence of “FFA/HSUS,” admits the existence of an ASPCA 30(b)(6) deposition and that the record of that deposition is the best evidence of its

contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 212, and denies them on that basis.

213. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 213, and denies them on that basis.

214. To the extent the allegations in paragraph 214 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant denies the allegations in paragraph 214 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 214, and denies them on that basis.

215. To the extent the allegations in paragraph 215 state conclusions of law, no response is required, but to the extent a response is required, the allegations are denied. In all other respects, Defendant denies the allegations in paragraph 214 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 215, and denies them on that basis.

216. The allegations in paragraph 216 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

217. Defendant denies the existence of “FFA/HSUS,” admits the existence of an FFA 30(b)(6) deposition and that the record of that deposition is the best evidence of its contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 217, and denies them on that basis.

218. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 218, and denies them on that basis.

219. Defendant denies the existence of “FFA/HSUS,” refers to and incorporates his response to paragraph 44 regarding grants to WAP from FFA, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 219, and denies them on that basis.

220. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 220, and denies them on that basis.

221. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 220, and denies them on that basis.

222. Defendant denies the existence of “FFA/HSUS,” and the remaining allegations in paragraph 222 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

223. Defendant admits that Mr. Rider responded to interrogatories in the ESA action which are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 223, and denies them on that basis.

224. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 224, and denies them on that basis.

225. Defendant admits that FEI issued interrogatories and that Mr. Rider responded to interrogatories in the ESA action, and that those documents are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 225, and denies them on that basis.

226. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 226, and denies them on that basis.

227. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 227, and denies them on that basis.

228. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 228, and denies them on that basis.

229. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 229, and denies them on that basis.

230. The allegations in paragraph 230 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

231. Defendant denies the existence of “FFA/HSUS,” admits there was a show cause hearing as alleged in the first sentence of paragraph 231 and that that the record of the hearing is the best evidence of what occurred, admits that Mr. Rider was a named plaintiff and did not appear at the hearing, denies that anyone asked Defendant to accept a subpoena for Mr. Rider from FEI, denies that he ever “procured” Mr. Rider’s absence from the hearing, spoke to Rider about the hearing, or told him not to attend, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 231, and denies them on that basis.

232. Defendant denies the existence of “FFA/HSUS,” denies that FFA was providing any funding to Mr. Rider or WAP in February and March of 2008, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 232, and denies them on that basis.

233. The allegations in paragraph 233 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied. Defendant denies that FFA was providing any funding to Rider or WAP in February and March of 2008, and that FFA made payments to “corruptly. . . influence Rider to absent himself from the hearing.”

234. The allegations in paragraph 234 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

235. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 235, and denies them on that basis.

236. Defendant denies the allegations in paragraph 236 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations as to others in paragraph 236, and denies them on that basis.

237. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 237, and denies them on that basis.

238. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 238, and denies them on that basis.

239. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 239, and denies them on that basis.

240. Defendant denies the existence of “FFA/HSUS,” and the allegations in paragraph 240 otherwise purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

241. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 241 and denies them on that basis.

242. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 242, and denies them on that basis.

243. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 243, and denies them on that basis.

244. Defendant denies the existence of “FFA/HSUS,” admits that some of the plaintiffs in *ASPCA v. Feld* prepared a report concerning FEI’s treatment of elephants, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 244, and denies them on that basis.

245. Defendant denies the allegations in paragraph 245 as to him, denies that FFA provided funding to Mr. Rider or WAP after 2007, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 245, and denies them on that basis.

246. Defendant denies the allegations in paragraph 246 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 246 as to others, and denies them on that basis.

247. Defendant denies the allegations in paragraph 247 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 247 as to others, and denies them on that basis.

248. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 248, and denies them on that basis.

249. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 249, and denies them on that basis.

250. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 250, and denies them on that basis.

251. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 251, and denies them on that basis.

252. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 252, and denies them on that basis.

253. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 253, and denies them on that basis.

254. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 254, and denies them on that basis.

255. Defendant admits that, while employed at Meyer & Glitzenstein between 1997 and 2004, he represented PETA in unrelated litigation, including in an action that resulted in the U.S. Fish and Wildlife Service's rescue of seven abused polar bears and their placement at various zoos in the United States, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 255, and denies them on that basis.

256. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 256, and denies them on that basis.

257. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 257, and denies them on that basis.

258. Admitted.

259. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 259, and denies them on that basis.

260. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 260, and denies them on that basis.

261. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 261, and denies them on that basis.

262. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 262, and denies them on that basis.

263. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 263, and denies them on that basis.

264. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 264, and denies them on that basis.

265. Defendant refers to and incorporates his response to paragraph 255, and otherwise lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 265, and denies them on that basis.

266. Defendant admits the first and second sentences of paragraph 266, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 266, and denies them on that basis.

267. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 267, and denies them on that basis.

268. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 268, and denies them on that basis.

269. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 269, and denies them on that basis.

270. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 270, and denies them on that basis.

271. Defendant denies the allegations in paragraph 271 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 271 as to others, and denies them on that basis.

272. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 272, and denies them on that basis.

273. Defendant denies the allegations in paragraph 273 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 273 as to others, and denies them on that basis.

274. Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 274, and denies them on that basis.

275. Paragraph 275 realleges and incorporates previous paragraphs, and thus no response is required. To the extent a response is required, the allegations are denied.

276. The allegations in paragraph 276 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

277. Defendant denies that he was part of an “associated-in-fact enterprise” with other defendants. The remaining allegations in paragraph 277 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

278. Denied.

279. Denied.

280. Denied.

281. Denied.

282. Denied.

283. The allegations in paragraph 283 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied. Defendant specifically denies any allegation that he engaged in unlawful conduct of any type.

284. The allegations in paragraph 284 purport to state a conclusion of law, to which no response is required, but to the extent a response is required, the allegations are denied.

285. The allegations in paragraph 285 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied. Defendant specifically denies any allegation that he engaged in unlawful conduct of any type.

286. The allegations in paragraph 286 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied. Defendant specifically denies any allegation that he engaged in unlawful conduct of any type.

287. The allegations in paragraph 287 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied. Defendant specifically denies any allegation that he engaged in unlawful conduct of any type.

288. The allegations in paragraph 288 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

289. Paragraph 289 realleges and incorporates previous paragraphs, and thus no response is required. To the extent a response is required, the allegations are denied.

290. Denied.

291. Denied.

292. Denied.

293. Denied.

294. Denied.

295. Denied.

296. Denied.

297. Denied.

298. Denied.

299. Denied.

300. Denied.

301. Denied.

302. Paragraph 302 realleges and incorporates previous paragraphs, and thus no response is required. To the extent a response is required, the allegations are denied.

303. Defendant denies the existence of “FFA/HSUS,” and otherwise admits the allegations in paragraph 303.

304. Defendant admits there was a trial in the ESA action following which the Court issued a memorandum opinion, which is the best evidence of its contents, and otherwise denies the allegations in paragraph 304.

305. Defendant denies the allegations of paragraph 305 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 305 as to others, and denies them on that basis.

306. In the absence of the identification of any specific communications in paragraph 306, Defendant denies the allegations in paragraph 306 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 306 as to others, and denies them on that basis.

307. Defendant denies the existence of “FFA/HSUS,” denies the allegations in paragraph 307 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 307 as to others, and denies them on that basis.

308. Defendant denies the existence of “FFA/HSUS,” admits that one or more of the named organizations held a fundraising event in July 2005, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 308, and denies them on that basis.

309. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 309, and denies them on that basis.

310. Denied.

311. Defendant denies the allegations in paragraph 311 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 311 as to others, and denies them on that basis.

312. Defendant denies the allegations in paragraph 312 as to him, denies the existence of “FFA/HSUS,” admits that Mr. Rider gave statements to public bodies and the records of those statements are the best evidence of their contents, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 312, and denies them on that basis.

313. Denied.

314. Defendant admits that plaintiffs in the ESA action did not seek a preliminary injunction in 2000, and denies all remaining allegations in paragraph 314.

315. Denied.

316. Denied.

317. Defendant denies the allegations in paragraph 317 as to him, denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 317 as to others, and denies them on that basis.

318. Defendant denies the allegations in paragraph 318 as to him, denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 318 as to others, and denies them on that basis.

319. Defendant denies the allegations in paragraph 319 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 319 as to others, and denies them on that basis.

320. Defendant denies the allegations in paragraph 320 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 320 as to others, and denies them on that basis.

321. Paragraph 321 appears to be a statement of relief FEI seeks, and as such requires no response, but to the extent a response is required, the allegation is denied.

322. Paragraph 322 appears to be a statement of relief FEI seeks, and as such requires no response, but to the extent a response is required, the allegation is denied.

323. Paragraph 323 realleges and incorporates previous paragraphs, and thus no response is required. To the extent a response is required, the allegations are denied.

324. Defendant admits the existence of a memorandum opinion and entry of judgment by the Court in *ASPCA v. Feld*, which is the best evidence of their respective contents, and otherwise denies the allegations in paragraph 324.

325. Denied.

326. Denied.

327. Defendant denies the allegations in paragraph 327 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 327 as to others, and denies them on that basis.

328. Defendant admits the existence of a memorandum opinion and entry of judgment by the Court in *ASPCA v. Feld*, which is the best evidence of their respective contents, and otherwise denies the allegations in paragraph 328.

329. Defendant denies the allegations in paragraph 329 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 329 as to others, and denies them on that basis.

330. Defendant denies the allegations in paragraph 330 as to him, and lacks sufficient knowledge or information to form a belief as to the truth of the allegations in paragraph 330 as to others, and denies them on that basis.

331. The allegations in paragraph 331 purport to state various conclusions of law, to which no response is required, but to the extent a response is required, the allegations are denied.

332. Denied.

333. Paragraph 333 is a prayer for relief, to which no response is required, but to the extent a response is required the allegations are denied.

334. Paragraph 334 realleges and incorporates previous paragraphs, and thus no response is required. To the extent a response is required, the allegations are denied.

335. Defendant admits that WAP was not a party to the ESA action, and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 335, and denies them on that basis

336. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 336, and denies them on that basis.

337. Defendant denies the existence of “FFA/HSUS,” and lacks sufficient knowledge or information to form a belief as to the truth of the remaining allegations in paragraph 337, and denies them on that basis.

338. Denied, except to admit that the Court ruled that API did not have standing.

339. Denied.

340. The allegations in paragraph 340 purport to state a conclusion of law, to which no response is required, but to the extent a response is required, the allegations are denied.

341. Denied.

342. Denied.

343. Denied.

344. Paragraph 344 is a prayer for relief, to which no response is required, but to the extent a response is required the allegations are denied.

345. Plaintiff’s claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied.

346. Plaintiff’s claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied.

347. Plaintiff’s claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied.

348. Plaintiff’s claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied. Defendant specifically denies that he ever had any claim to attorneys’ fees in any of the legal actions at issue, or had any agreement with Mr. Rider or any other person or organization concerning such a claim.

349. Plaintiff’s claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied.

350. Plaintiff's claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied..

351. Plaintiff's claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied.

352. Plaintiff's claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied.

353. Plaintiff's claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied.

354. Plaintiff's claim for champerty was dismissed by the Court and therefore no response is required, but to the extent a response is required, the allegations are denied.

AFFIRMATIVE DEFENSES

As affirmative defenses, Defendant avers as follows:

First Affirmative Defense

The Amended Complaint fails to state any claim upon which relief may be granted.

Second Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by the applicable statutes of limitations.

Third Affirmative Defense

Plaintiff's claims must be dismissed pursuant to the Noerr-Pennington Doctrine.

Fourth Affirmative Defense

Plaintiff's claims must be dismissed because they infringe upon the First Amendment rights of the defendants.

Fifth Affirmative Defense

Plaintiff lacks Article III standing to pursue the claims stated.

Sixth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by doctrines of estoppel, waiver, laches, unclean hands, *in pari delicto*, and/or assumption of risk.

Seventh Affirmative Defense

The relief sought by plaintiff is so egregiously excessive and inequitable that it would violate the Due Process Clause of the Fifth and Fourteenth Amendments of the United States Constitution.

Eighth Affirmative Defense

In all aspects of his participation in the ESA action, Defendant acted in good faith in accordance Rule 1.3(a) of the D.C. Bar Rules of Professional Conduct to represent his clients zealously and diligently within the bounds of the law.

Ninth Affirmative Defense

Defendant has no vicarious liability as a partner of any other defendant or of any law firm because (i) Defendant has never been a general partner in any law firm, (ii) any unlawful acts by a partner of any such firm were unauthorized by the partnership, and (iii) any unlawful acts by a partner of any such firms were made without Defendant's actual or apparent consent, authorization, knowledge or ratification.

Tenth Affirmative Defense

Plaintiff failed to mitigate damages.

Eleventh Affirmative Defense

Plaintiff's alleged injuries or damages, if any, were proximately caused by the plaintiff's contributory negligence.

Twelfth Affirmative Defense

Plaintiff's alleged injuries or damages, if any, were proximately caused by the superseding and/or intervening acts of others without the consent, authorization, knowledge, or ratification of Defendant.

Thirteenth Affirmative Defense

Plaintiff's claims are barred because they are compulsory counterclaims pursuant to Fed. R. Civ. 13(a) that were required to be brought, if at all, in the ESA Action.

Fourteenth Affirmative Defense

Plaintiff's maintenance claim fails because it is not recognized in this jurisdiction, defendant did not fund any part of the litigation at issue, and Defendant had and has a strong interest in advancing the humane treatment of performing animals.

Fifteenth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by the doctrine of *res judicata* and/or collateral estoppel.

Sixteenth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by the District of Columbia Anti-SLAPP Act, D.C. Code § 16-5501 *et seq.*

Seventeenth Affirmative Defense

Defendant is entitled to a reduction in damages equal to any amounts obtained by Plaintiff pursuant to recoveries, awards, reimbursements, or indemnities for the same alleged injuries or damages, plus the value of any other benefit or payment conferred on Plaintiff from any source that had the effect of reducing Plaintiff's loss.

Eighteenth Affirmative Defense

Defendant incorporates by reference herein affirmative defenses raised by other defendants.

Nineteenth Affirmative Defense

Defendant intends to rely upon any and all other defenses that might become available during the course of this litigation and reserves the right to supplement these Affirmative Defenses based upon discovery in this matter.

JURY TRIAL DEMAND

Defendant demands a trial by jury.

PRAYER FOR RELIEF

Wherefore, Defendant requests that this Court:

- (1) Dismiss this action with prejudice;
- (2) Award Defendant's costs, attorneys' fees, and other appropriate sanctions under 28 U.S.C. § 1927, and any other applicable provision of law; and
- (3) Award such further relief as the Court deems proper.

Respectfully submitted,

/s/ Andrew B. Weissman

Andrew B. Weissman

D.C. Bar No. 245720

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Dated: August 9, 2012