

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FELD ENTERTAINMENT, INC.

Plaintiff,

v.

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

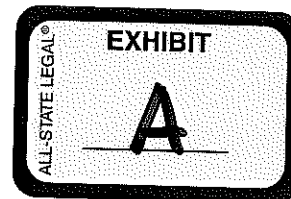
Defendants.

Case No. 07- 1532 (EGS)

PLAINTIFF FELD ENTERTAINMENT, INCORPORATED'S  
INITIAL DISCLOSURES

Pursuant to Fed. R. Civ. P 26(a)(1) and the Limited Discovery Order dated December 9, 2010, Plaintiff Feld Entertainment, Inc. provides the following Initial Disclosures. These Initial Disclosures are based on the allegations of the Complaint, Plaintiff's investigation to date, and the defenses indicated at this time. By making these disclosures, Plaintiff does not concede that the prospective testimony of any individual herein, any document or category of documents identified herein, or any other information herein is discoverable, non-privileged, or admissible.

Plaintiff's Initial Disclosures do not represent every document, tangible thing, or witness possibly relevant to this lawsuit, or potentially relevant as rebuttal of evidence that might be offered by Defendants or used for impeachment purposes. Descriptions of the subject matters of testimony included herein are based upon the information available currently and are subject to change based upon further discovery and investigation of the facts. Plaintiff's disclosures represent a good faith effort to identify information it reasonably believes is required by Rule



26(a)(1), and Plaintiff reserves the right to amend and/or supplement these disclosures as necessary during discovery and the remainder of the case.

**I. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION  
(Fed. R. Civ. P. 26(a)(1))**

Plaintiff identifies the following individuals as those who are likely to have discoverable information that Plaintiff may use to support its claims or defenses:

**A. Current Employees of Plaintiff<sup>1</sup>**

Kenneth Feld  
Feld Entertainment, Inc.  
8601 Westwood Center Drive  
Vienna, VA 22182  
(703) 448-4000

Subject of Testimony: Damages; the impact of *ASPCA et al. v. Feld Entertainment, Inc.* (03-2006-EGS and 00-1641 EGS) (hereinafter "ESA Action") on Feld Entertainment, Inc.

Jerome Sowalsky  
Feld Entertainment, Inc.  
8601 Westwood Center Drive  
Vienna, VA 22182  
(703) 448-4000

Subject of Testimony: Damages; statute of limitations issues.

Julie Alexa Strauss  
Feld Entertainment, Inc.  
8601 Westwood Center Drive  
Vienna, VA 22182  
(703) 448-4000

Subject of Testimony: Damages; statute of limitations issues.

Thomas Albert  
Feld Entertainment, Inc.  
8601 Westwood Center Drive  
Vienna, VA 22182  
(703) 448-4000

Subject of Testimony: Defendants' use of the ESA Action and Rider in the legislative process as a means to ban Asian elephants/tools used for free contact handling methods.

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<sup>1</sup> All current employees of Plaintiff should only be contacted through their counsel.

Gary Jacobson  
Feld Entertainment, Inc.  
8601 Westwood Center Drive  
Vienna, VA 22182  
(703) 448-4000

Subject of Testimony: Mr. Jacobson was copied on an e-mail that defendants' rely upon for their statute of limitations defense, and he may have facts pertinent to limitations issues.

Keith Senglaub  
Feld Entertainment, Inc.  
8601 Westwood Center Drive  
Vienna, VA 22182  
(703) 448-4000

Subject of Testimony: Legal fees and expenses paid to defend Plaintiff against the claims in the ESA Action.

Mary Lou Kelly  
Feld Entertainment, Inc.  
8601 Westwood Center Drive  
Vienna, VA 22182  
(703) 448-4000

Subject of Testimony: Ms. Kelly was copied on an e-mail that defendants' rely upon for the statute of limitations defense, and she may have facts pertinent to limitations issues.

**B. Former Employees of Plaintiff<sup>2</sup>**

Todd Willens  
238 Tenth Street NE  
Washington, DC 20002

Subject of Testimony: Mr. Willens was copied on an e-mail that defendants' rely upon for the statute of limitations defense, and he may have facts pertinent to limitations issues; Defendants' use of the ESA Action and Rider in the legislative process as a means to ban Asian elephants/tools used for free contact handling methods.

Cassie Folk  
RAI  
401 North Main St  
Winston-Salem, NC 27102  
(336) 741-7354

Subject(s) of Testimony: Ms. Folk was copied on an e-mail that defendants' rely upon for the statute of limitations defense, and she may have facts pertinent to limitations issues.

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<sup>2</sup> Where available, Plaintiff has supplied last know addresses/phone numbers of its former employees.

Catherine Ort Mabry  
3421 Highwood Drive, SE  
Washington, DC 20020

Subject(s) of Testimony: Ms. Mabry was copied on an e-mail that defendants' rely upon for the statute of limitations defense, and she may have facts pertinent to limitations issues.

**C. Other Individuals / Organizations**

***Current and Former ASPCA Employees/Officers<sup>3</sup>***

Lisa Weisberg  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, Wildlife Advocacy Project ("WAP"), or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Larry Hawk  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to

<sup>3</sup> Plaintiff has yet to discover whether the listed individuals have current or former affiliations with the listed organizations and their respective updated contact information.

stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Edward Sayres  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Steve Eudene  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Karen Colangelo  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of

his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Patricia Jones  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject of Testimony: Payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Bridget Fitzgerald  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Nancy Blaney  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Pat Socola (phonetic)  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Dale Riedel  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to

stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Linda Rosenblatt  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Robin Walker  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Authorization and approval for ASPCA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Corporate Representative, ASPCA  
ASPCA  
424 East 92nd Street  
New York, NY 10128-6804  
(212) 876-7700

Subject(s) of Testimony: Fundraising and donations/giving; grant process and procedures, accounting/finance knowledge and processing of payments/financial support



to Tom Rider and WAP; monitoring of sums of money paid to Tom Rider and documentation of expenses and other expenditures regarding same; use of ESA Action for fundraising, legislative activities, media and/or publicity, document retention and/or destruction policies and practices; evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; IRS Form 990 and proper handling of grants and related matters for federal income tax purposes; creation and maintenance of ASPCA website(s).

***Current and Former AWI Employees/Officers***

Tracy Silverman  
Animal Welfare Institute  
900 Pennsylvania Avenue S.E.  
Washington, DC 20013  
(202) 337-2332

Subject(s) of Testimony: Authorization and approval for AWI to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Cathy Liss  
Animal Welfare Institute  
900 Pennsylvania Avenue S.E.  
Washington, DC 20013  
(202) 337-2332

Subject(s) of Testimony: Authorization and approval for AWI to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Jill Umphlett  
Animal Welfare Institute  
900 Pennsylvania Avenue S.E.  
Washington, DC 20013  
(202) 337-2332

Subject(s) of Testimony: Payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Susan Tomiak Millward  
Animal Welfare Institute  
900 Pennsylvania Avenue S.E.  
Washington, DC 20013  
202-337-2332

Subject(s) of Testimony: Payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Shirley Avnet  
Animal Welfare Institute  
900 Pennsylvania Avenue S.E.  
Washington, DC 20013  
202-337-2332

Subject(s) of Testimony: Payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Regina Terlau  
Animal Welfare Institute  
900 Pennsylvania Avenue S.E.  
Washington, DC 20013  
202-337-2332

Subject(s) of Testimony: Payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action

counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Christine Stevens  
Animal Welfare Institute  
900 Pennsylvania Avenue S.E.  
Washington, DC 20013  
202-337-2332

Subject of Testimony: Authorization and approval for AWI to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Corporate Representative, AWI  
Animal Welfare Institute  
900 Pennsylvania Avenue S.E.  
Washington, DC 20013  
202-337-2332

Subject(s) of Testimony: Fundraising and donations/giving; grant process and procedures, accounting/finance knowledge and processing of payments/financial support to Tom Rider and WAP; monitoring of sums of money paid to Tom Rider and documentation of expenses and other expenditures regarding same; use of ESA Action for fundraising, legislative activities, and/or media/publicity, document retention and/or destruction policies and practices; evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; IRS Form 990 and proper handling of grants and related matters for federal income tax purposes; creation and maintenance of AWI website(s).

***Current and Former Meyer, Glitzenstein & Crystal and/or Wildlife Advocacy Project  
Employees/Officers/Directors***

Katherine Meyer  
Meyer Glitzenstein & Crystal ("MGC")  
1601 Connecticut Avenue N.W.  
Suite 700

Washington, D.C. 20009  
(202) 588-5206

Subject(s) of Testimony: Decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; information regarding ESA Action plaintiffs who were dismissed from the case and reasons related thereto; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of MGC and WAP.; decision to use WAP to fund Tom Rider; decision to use and use of "grants" to pay Tom Rider; WAP as the alter ego of MGC; WAP corporate structure and activities; MGC structure; MGC and WAP grant procedures; Form 990 and proper handling of grants and related matters for federal income tax purposes; creation, maintenance and alteration of WAP website.

Eric Glitzenstein  
Meyer Glitzenstein & Crystal  
1601 Connecticut Avenue N.W.  
Suite 700  
Washington, D.C. 20009  
(202) 588-5206

Subject(s) of Testimony: Decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; information regarding ESA Action plaintiffs who were dismissed from the case and reasons related thereto; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of MGC and WAP.; decision to use WAP to fund Tom Rider; decision to use and use of "grants" to pay Tom Rider; WAP as the alter ego of MGC; WAP corporate structure and activities; MGC structure; MGC and WAP grant procedures; Form 990 and proper handling of grants and related matters for federal income tax purposes; creation, maintenance and alteration of WAP website.

Howard Crystal  
Meyer Glitzenstein & Crystal  
1601 Connecticut Avenue N.W.  
Suite 700  
Washington, D.C. 20009  
(202) 588-5206

Subject(s) of Testimony: Decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; information regarding ESA Action plaintiffs who were dismissed from the case and reasons related thereto; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of MGC; decision to use WAP to fund Tom Rider; decision to use and use of "grants" to pay Tom Rider; WAP as the alter ego of MGC; MGC structure; MGC grant procedures; Form 990 and proper handling of grants and related matters for federal income tax purposes.

Tanya Sanerib  
Crag Law Center  
917 SW Oak  
Suite 417  
Portland, OR 97205  
(503) 525-2722

Subject(s) of Testimony: Decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; information regarding ESA Action plaintiffs who were dismissed from the case and reasons related thereto; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of MGC; decision to use WAP to fund Tom Rider; decision to use and use of "grants" to pay Tom Rider; WAP as the alter ego of MGC; MGC structure; MGC grant procedures; Form 990 and proper handling of grants and related matters for federal income tax purposes.

Delcianna Winders  
PETA Foundation  
1536 16<sup>th</sup> Street N.W.  
Washington, DC 20036  
(202) 309-4697

Subject(s) of Testimony: Decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; information regarding ESA Action plaintiffs who were dismissed from the case and reasons related thereto; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of MGC; decision to use WAP to fund Tom Rider; decision to use and use of "grants" to pay Tom Rider; WAP as the alter ego of MGC; MGC structure; MGC grant procedures; Form 990 and proper handling of grants and related matters for federal income tax purposes.

Bessie Smith  
Meyer Glitzenstein & Crystal  
1601 Connecticut Avenue N.W.  
Suite 700  
Washington, D.C. 20009  
(202) 588-5206

Subject(s) of Testimony: Payments/financial support to Tom Rider; communications with Tom Rider; recordkeeping for MGC and WAP.

Leslie Mink  
Meyer Glitzenstein & Crystal  
1601 Connecticut Avenue N.W.  
Suite 700  
Washington, D.C. 20009  
(202) 588-5206

Subject(s) of Testimony: Payments/financial support to Tom Rider; communications with Tom Rider; recordkeeping for MGC and WAP; Form 1099s for MGC and WAP.

D'Arcy Kemnitz  
National LGBT Bar Association  
1301 K Street, N.W., Suite 1100 East Tower  
Washington, DC 20005  
(202) 637-7661

Subject(s) of Testimony: Decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; use of ESA Action and Rider for fundraising,

legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; decision to use WAP to fund Tom Rider; decision to use and use of "grants" to pay Tom Rider; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of WAP; WAP as the alter ego of MGC; MGC's and WAP's operations and activities.

D.J. Schubert  
Wildlife Advocacy Project  
1601 Connecticut Avenue N.W.  
Suite 700  
Washington, D.C. 20009  
(202) 518-3700

Subject(s) of Testimony: WAP's corporate structure and activities, decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; decision to use WAP to fund Tom Rider; decision to use and use of "grants" to pay Tom Rider; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of WAP; WAP as the alter ego of MGC.

Patti Thompson  
Wildlife Advocacy Project  
1601 Connecticut Avenue N.W.  
Suite 700  
Washington, D.C. 20009  
(202) 518-3700

Subject(s) of Testimony: WAP's corporate structure and activities, decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; decision to use WAP to fund Tom Rider; decision to use and use of "grants" to pay Tom Rider; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of WAP; WAP as the alter ego of MGC.

WAP, Current and Former Board Members from 1/2000 to the present.  
Wildlife Advocacy Project  
1601 Connecticut Avenue N.W.  
Suite 700  
Washington, D.C. 20009  
(202) 518-3700

Subject(s) of Testimony: WAP's corporate structure and activities, decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; decision to use WAP to fund Tom Rider; decision to use and use of "grants" to pay Tom Rider; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of WAP; WAP as the alter ego of MGC; IRS Form 990 and proper handling of grants and related matters for federal income tax purposes; creation and maintenance and alternation of WAP website(s).

***Current and Former Animal Protection Institute /Born Free USA United with API Employees and/or Officers***

Nicole Paquette  
Humane Society of the United States  
2100 L St., NW  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: Authorization and approval for API to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices; relationship between API and Born Free.

Michelle Thew  
BUAV  
16a Crane Grove  
London  
N7 8NN



+44 (0) 207 700 4888

Subject(s) of Testimony: Authorization and approval for API to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Gary Pike  
Born Free USA United with API  
1122 S Street  
Sacramento, CA 95814  
(916) 447-3085

Subject(s) of Testimony: Authorization and approval for API to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Emily Clairemont  
Born Free USA United with API  
1122 S Street  
Sacramento, CA 95814  
(916) 447-3085

Subject(s) of Testimony: Authorization and approval for API to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and

recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Sandy Haynes  
Born Free USA United with API  
1122 S Street  
Sacramento, CA 95814  
(916) 447-3085

Subject(s) of Testimony: Payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Elizabeth Wilder  
Born Free USA United with API  
1122 S Street  
Sacramento, CA 95814  
(916) 447-3085

Subject(s) of Testimony: Authorization and approval for API to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Breege Tomkinson  
Born Free USA United with API  
1122 S Street  
Sacramento, CA 95814  
(916) 447-3085

Subject(s) of Testimony: Payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider;

Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices.

Corporate Representative, API  
Born Free USA United with API  
1122 S Street  
Sacramento, CA 95814  
(916) 447-3085

Subject(s) of Testimony: Fundraising and donations/giving; grant process and procedures, accounting/finance knowledge and processing of payments/financial support to Tom Rider and WAP; monitoring of sums of money paid to Tom Rider and documentation of expenses and other expenditures regarding same; use of ESA Action for fundraising, legislative activities, media and/or publicity, document retention and/or destruction policies and practices; evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; IRS Form 990 and proper handling of grants and related matters for federal income tax purposes; creation and maintenance of API and Born Free United with API website(s).

***Current and Former Humane Society of the United States ("HSUS")/ Fund for Animals ("FFA") Employees and Officers***

Kimberly Ockene  
Humane Society of the United States  
2100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: Decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; HSUS's payments/financial support to Rider; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; WAP as the alter ego of MGC; WAP corporate structure and activities; MGC structure; MGC and WAP grant procedures; document retention and/or destruction policies and practices of HSUS and MGC.

Jonathan Lovvorn  
The Humane Society of the United States/FFA  
2100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: Authorization and approval for FFA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; FFA and HSUS's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of HSUS and FFA; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger; fundraiser(s) related to ESA Action.

Michael Markarian  
Humane Society of the United States /FFA  
2100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: Authorization and approval for FFA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; FFA and HSUS's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of HSUS and FFA; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger; fundraiser(s) related to ESA Action.

Wayne Pacelle  
Humane Society of the United States  
2100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: HSUS's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of HSUS; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger; FFA/HSUS document retention and/or destruction policies and procedures; fundraiser(s) related to ESA Action.

Marian Probst  
Fund for Animals  
200 West 57<sup>th</sup> Street  
New York, NY 10019

Subject(s) of Testimony: Authorization and approval for FFA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; FFA's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of FFA; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger.

Christine Wolf  
Fund for Animals  
200 West 57<sup>th</sup> Street  
New York, NY 10019

Subject(s) of Testimony: Authorization and approval for FFA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; FFA's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and

documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of FFA; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger.

Ethan Eddy  
Humane Society of the United States  
2100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: Authorization and approval for FFA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; FFA and HSUS's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of HSUS and FFA; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger; fundraiser(s) related to ESA Action.

Heidi Prescott  
Humane Society of the United States  
2100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: Authorization and approval for FFA to join ESA Action as a plaintiff; decision to use/evaluation of Tom Rider as an ESA plaintiff and credibility of his claims and testimony; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action; use of ESA Action and Rider for fundraising, legislative activities, media and/or publicity; FFA and HSUS's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of HSUS and FFA; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger; fundraiser(s) related to ESA Action.

Roger Kindler  
Humane Society of the United States  
100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: HSUS's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of HSUS; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger; FFA/HSUS document retention and/or destruction policies and procedures; fundraiser(s) related to ESA Action.

Mary Kathryn Berge  
Humane Society of the United States  
100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: HSUS's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of HSUS; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger; FFA/HSUS document retention and/or destruction policies and procedures; fundraiser(s) related to ESA Action.

Richard Farinato  
Humane Society of the United States  
100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: HSUS's payments/financial or other support to Tom Rider, WAP, or to any ESA plaintiff or witness, and the coordination of such support with ESA Action counsel and co-plaintiffs; monitoring of sums paid to Rider, WAP and/or ESA Action witnesses and documentation of expenses and other expenditures regarding same; grant practices and procedures and recordkeeping of same; communications with Rider; Rider's "media" work; decision to stop funding Rider, WAP, and/or other ESA witnesses; document retention and/or destruction policies and practices of HSUS; FFA and HSUS merger; FFA and HSUS corporate structure(s) post-merger; FFA/HSUS

document retention and/or destruction policies and procedures; fundraiser(s) related to ESA Action.

Corporate Representative(s), HSUS  
Humane Society of the United States  
100 L St., N.W.  
Washington, D.C. 20037  
(202) 452-1100

Subject(s) of Testimony: Fundraising and donations/giving; grant process and procedures, accounting/finance knowledge and processing of payments/financial support to Tom Rider and WAP; use of ESA Action for ESA Plaintiffs' fundraising, legislative activities, media and/or publicity; document retention and/or destruction policies and practices; relationship between FFA and HSUS; use/evaluation of Tom Rider as an ESA Plaintiff and credibility of his claims and testimony; monitoring of sums paid to Tom Rider and documentation of expenses and other expenditures regarding same; IRS Form 990 and proper handling of grants and related matters for federal income tax purposes; creation and maintenance of HSUS website(s).

Corporate Representative(s), FFA  
Fund for Animals  
200 West 57<sup>th</sup> Street  
New York, NY 10019

Subject(s) of Testimony: Fundraising and Donations/Giving; Grant processes, Accounting/finance knowledge and processing of payments/financial support to Tom Rider and/or WAP, use of ESA Action for fundraising, legislative activities, media and/or publicity, document retention and/or destruction policies and practices; relationship between FFA and HSUS; use/evaluation of Tom Rider as an ESA Plaintiff and credibility of his claims and testimony; monitoring of sums paid to Tom Rider and documentation of expenses and other expenditures regarding same; IRS Form 990 and proper handling of grants and related matters for federal income tax purposes; creation and maintenance of FFA website(s).

***Current/Former Performing Animal Welfare Society ("PAWS") Employees and/or Officers/Directors***

Pat Derby  
Performing Animal Welfare Society  
P.O. Box 849  
Galt, CA 95632  
(209) 745-2606

Subject(s) of Testimony: Reason for Tom Rider's separation from employment at PAWS; decision to use/evaluation of Tom Rider as an ESA Plaintiff, selection process for identifying, dropping and/or retaining plaintiffs in ESA action.



Ed Stewart  
Performing Animal Welfare Society  
P.O. Box 849  
Galt, CA 95632  
(209) 745-2606

Subject(s) of Testimony: Reason for Tom Rider's separation from employment at PAWS; decision to use/evaluation of Tom Rider as an ESA Plaintiff; selection process for identifying, dropping and/or retaining plaintiffs in ESA action.

Performing Animal Welfare Society (PAWS)  
P.O. Box 849  
Galt, CA 95632  
(209) 745-2606

Subject(s) of Testimony: Reason for Tom Rider's separation from employment at PAWS; decision to use/evaluation of Tom Rider as an ESA Plaintiff; selection process for identifying, dropping and/or retaining plaintiffs in ESA action; referral of Tom Rider to MGC, other ESA Plaintiffs or other animal advocates; document retention and/or destruction policies and practices.

***Other Individuals / Organizations***

Tom Rider  
600 East Holland St.  
Washington, IL 61571  
(309) 444-3782

Subject(s) of Testimony: Payments/financial support from ESA Plaintiffs, WAP and other individuals; "media" work on behalf of ESA plaintiffs; application for grant(s) from MGC, WAP or ESA Plaintiffs; preservation of documents; current occupation.

Glenn Ewell  
584-6530 Road  
Montrose, CO 81401

Subject(s) of Testimony: Payments/financial support from ESA Plaintiffs or other funding to participate in ESA Action.

James Stehcon  
2235 W. Burnside Street, #412  
Portland, OR 97210

Subject(s) of Testimony: Payments/financial support from ESA Plaintiffs or other funding to participate in ESA Action.

People for the Ethical Treatment of Animals, Corporate Representative(s)  
501 Front St.  
Norfolk, VA 23510  
(757) 622-7382

Subject(s) of Testimony: Payments/financial support to ESA Action plaintiffs, witnesses or WAP; communications with ESA Plaintiffs regarding Tom Rider; communications with any person at MGC or WAP related to ESA Action; coordination and communication with ESA plaintiffs or counsel regarding legislative matters involving Rider to ban performing elephants or free contact tools.

Sharon Simms  
Dept Public Health  
MS 0506  
PO Box 997377  
Sacramento, CA 95899  
(916) 440-7818

Subject(s) of Testimony: Evaluation of Tom Rider as an ESA Plaintiff; payments/financial support to Tom Rider; selection process for identifying, dropping and/or retaining ESA Action plaintiffs; selection process for identifying defendant in ESA Action.

Betsy Swart  
African Elephant Conservation Trust/Amboseli Trust for Elephants  
10 State Street  
Newburyport, MA 01950  
(978) 352-2589

Subject of Testimony: Communications with Tom Rider; payments/financial support to Tom Rider.

Patrick CuvIELLO  
P.O. Box 2834  
Redwood City, CA 94064  
(650) 369-5533

Subject of Testimony: Communications with Tom Rider; payments/financial support to Tom Rider.

Daniel P. Phillips  
Skadden, Arps, Slate, Meager & Flom LLP  
1440 New York Avenue N.W.  
Washington, DC 20005  
(202) 371-7283

Subject(s) of Testimony: Tom Rider's tax issues.

Corporate Representative(s), In Defense of Animals  
3010 Kerner Blvd.  
San Rafael, CA 94901  
(415) 448-0048

Subject(s) of Testimony: Payments/financial support to Tom Rider/WAP or other ESA witnesses.

Corporate Representative(s), Last Chance for Animals  
8033 Sunset Blvd. #835  
Los Angeles, CA 90046  
(310) 271-6096

Subject(s) of Testimony: Payments/financial support to Tom Rider/WAP or other ESA witnesses.

Corporate Representative, Animal Defenders, International  
6100 Wilshire Boulevard, Suite 1150  
Los Angeles, CA 90048  
(323) 935-2234

Subject(s) of Testimony: Payments/financial support to Tom Rider/WAP or other ESA witnesses.

**II. DOCUMENTS WHICH PLAINTIFF MAY USE TO SUPPORT ITS CLAIMS OR DEFENSES**

**A. Documents from Contempt Hearing in *ASPCA, et al. v. Feld Entertainment, Inc.*, 03-2006 (EGS)<sup>4</sup>**

Defendant's Exhibits from Contempt Hearing in *ASPCA v. Feld Entertainment, Inc.*, 03-2006 (EGS/JMF) 2/26/08; 3/6/08; 5/30/08 (hereinafter "Contempt Hearing") (Exhibit Nos. 1-93)

Plaintiffs' Exhibits from Contempt Hearing (Exhibit Nos. A – S)

All transcripts from Contempt Hearing

**B. Documents Appearing on Feld Entertainment's Trial Exhibit List (Referenced by Exhibit Number) in *ASPCA, et al. v. Feld Entertainment, Inc.*, 03-2006 (EGS)<sup>5</sup>**

Def. Exhibit 18R (ASPCA Interrogatory Responses)

Def. Exhibit 31 (Letter from Kathi Travers)

Def. Exhibit 33 (Transcript and Video of Tom Rider Statement Under Oath to PAWS) (3/25/00) (PL 07068)

Def. Exhibit 34 (Tom Rider Statement Under Oath to Congress)

Def. Exhibit 35 (Tom Rider USDA Affidavit)

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<sup>4</sup> The documents identified herein should be in the possession, custody or control of the ESA Plaintiffs and/or their counsel.

<sup>5</sup> The documents identified herein should be in the possession, custody or control of the ESA Plaintiffs and/or their counsel.

- Def. Exhibit 48A (Summary-Payments to or for Tom Rider)
- Def. Exhibit 51 (Checks from WAP to Tom Rider)
- Def. Exhibit 52 (Tom Rider's Receipts)
- Def. Exhibit 53 (Letter from Glitzenstein to Rider)
- Def. Exhibit 54 (IRS Forms 1099 Issued to Tom Rider by WAP)
- Def. Exhibit 55 (IRS Forms 1099 Issued to Tom Rider by MGC)
- Def. Exhibit 56 (IRS Form 1099 Issued to Tom Rider by PAWS)
- Def. Exhibit 57 (IRS Wage and Income Transcript for PAWS)
- Def. Exhibit 62 (Original invitation)
- Def. Exhibit 66 (API letters to WAP)
- Def. Exhibit 67 (HSUS Letters to WAP)
- Def. Exhibit 68 (FFA/HSUS Asset Acquisition Agreement)
- Def. Exhibit 70 (Notice of Intent to Sue Letters)
- Def. Exhibits 119-123 (Documents regarding Frank Hagan)
- Def. Exhibits 124-126 (Affidavits and Declaration of Archele Hundley)
- Def. Exhibit 186 (Notice of Intent to Sue letters from Hundley and Toms)
- Def. Exhibit 195 (PETA chart of payments to Rider, Hundley and Toms)
- Def. Exhibit 196 (Records Concerning Payments to or for Frank Hagan (Produced by PETA))
- Def. Exhibit 207 (Documents relating to Glenn "Doc" Ewell)
- Def. Exhibit 209 (Documents Produced by Plaintiffs on 8/11/08)
- Def. Exhibits 281-83; 285 (Archele Hundley videotapes)
- Def. Exhibit 292 (PETA Financial Report and Check Request Form)

**C. Other Documents<sup>6</sup>**

12/21/08 Letter from K. Meyer and C. Romanzo (MGC) to M. Dunn and C. Reed re: Complaint Against Ringling Brothers for Abusing and Mistreating Elephants and Request for Immediate Investigation And Seizure and Protection of Several Elephants By The Department of Agriculture.

Exhibits to Feld Entertainment, Inc.'s Opposition to ESA Plaintiffs' Rule 11 Motion 03-CV-2006-EGS, Docket Nos. 166-170.

IRS Tax Lien Against Tom E. Rider, P.O. Box 73, Inglis, FL 34449-0073 (9/27/07), available at (<http://oncore.levyclerk.com/oncoreweb/showdetails.aspx?id=386650&m=4&pi=0&ref=search>)

Deposition transcripts of all of the ESA organizational Plaintiffs, and deposition exhibits to same.

Deposition transcripts of Tom Rider taken in connection with the ESA litigation, and all deposition exhibits to the same.

Deposition transcript of WAP, taken in connection with the ESA Action, and deposition exhibits to the same.

Deposition transcripts of Frank Hagan, Robert Tom, Margaret Tom and Archele Hundley, taken in connection with the ESA Action, and deposition exhibits to the same.

Deposition transcripts of ESA deponents Ed Stewart and Betsy Swart and deposition exhibits.

All impeachment material referred to in Notices of Exhibits Identified or Marked by Defendant filed during the course of the trial of the ESA Action.

Documents evidencing Feld Entertainment, Inc.'s payment of legal fees and expenses incurred in connection with its defense of the ESA Action.

All pleadings in *ASPCA et al. v. Feld Entertainment, Inc.* (03-2006-EGS and 00-1641 EGS)

All pleadings and briefs in the D.C. Circuit appeal of the ESA Action (10-7007 and 10-7021)

All court orders in *ASPCA et al. v. Feld Entertainment, Inc.* (03-2006-EGS and 00-1641 EGS)

All briefings and correspondence related to Rider payments

All pleadings, orders and transcripts in *Feld Entertainment, Inc. v. People for the Ethical Treatment of Animals*, 2:2008-mc-00004 (E.D. Va. -- Norfolk)

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<sup>6</sup> The documents identified herein should be in the possession, custody or control of the ESA Plaintiffs and/or their counsel.

Plaintiff reserves the right to introduce any and all pleadings (together with exhibits) submitted in this case. Plaintiff further reserves the right to introduce any exhibit(s) that may be necessary for impeachment or rebuttal purposes.

### **III. COMPUTATION OF DAMAGES**

Plaintiff seeks recovery of attorney fees, expenses, and costs incurred in defending itself in the ESA Action. The approximate total of this from 7/1/2000 through 12/31/09 is \$20,103,702.99. The approximate total of attorneys fees, expenses, and costs incurred in defending the ESA Action and its appeal from 12/31/09 to the present will be supplemented accordingly. As required by Fed. R. Civ. P. (a)(1)(A)(iii), Plaintiff will make available for inspection and copying the documents relating to computation of these damages, unless privileged or otherwise protected from disclosure, at a date and time mutually agreed upon by the parties.

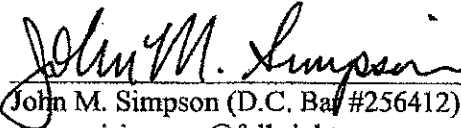
### **IV. APPLICABLE INSURANCE POLICIES**

Not applicable to Plaintiff.

Pursuant to Rule 26(g)(1) of the Federal Rules of Civil Procedure, the undersigned certifies that, to the best of his knowledge and belief, formed after reasonable inquiry, the disclosure is complete and correct.

Dated: January 28, 2011

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that on this 28<sup>th</sup> day of January, 2011, a true and correct copy of the foregoing Plaintiff's Initial Disclosures was sent via electronic mail to the following:

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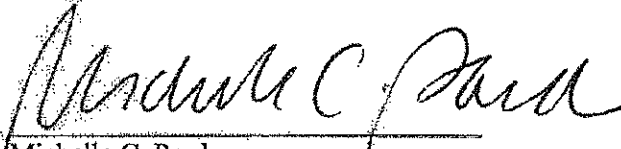
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