

EXHIBIT U

**MOTION FOR PARTIAL SUMMARY JUDGMENT BY
DEFENDANTS KATHERINE MEYER, ERIC GLITZENSTEIN, AND
MEYER GLITZENSTEIN & CRYSTAL**

Civ. No. 07-1532 (EGS/JMF)

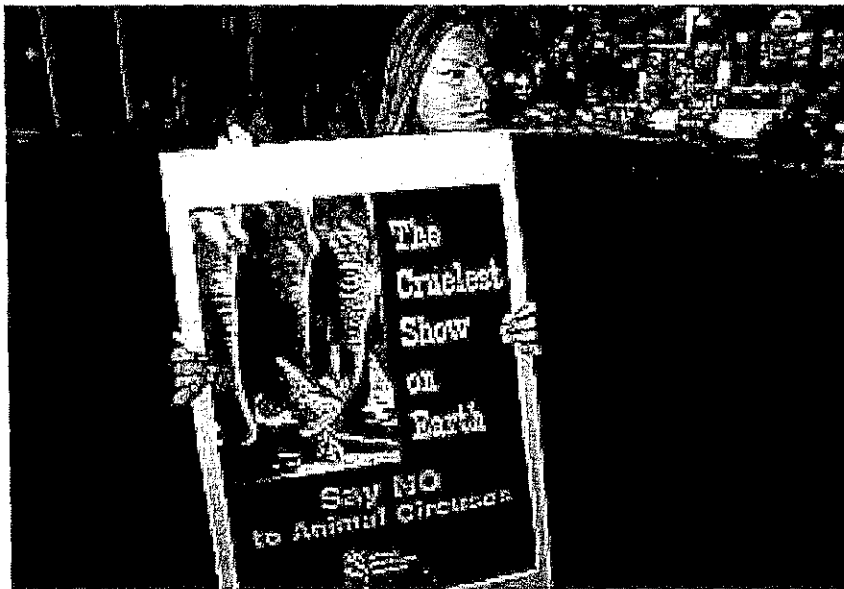


Photo by: JASON BEHNKEN

Protesters outside St. Pete Times Forum included Myra Ortiz, of Florida Voices for Animals, as the circus began its five-day run.

Ringling Bros. Applauded, Protested

By KATHY STEELE ksteele@tampatrib.com

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TAMPA - For the better part of a week, eager circus fans have been lining up for a close encounter with the Ringling Bros. stable of lions, alpacas, ponies and the circus's signature exotic - Asian elephants.

"I'm a 9-year-old in a 24-year-old body," said Clearwater resident Heather LoCoco, who stood near the front of the line with her companion from the Big Brothers Big Sisters program, Domenique, age 9.

"I've been driving everybody at work crazy talking about this," LoCoco said.

But nowadays, where circuses go, animal activists follow. So when Ringling Bros. and Barnum & Bailey Circus began its five-day run Wednesday at St. Pete Times Forum, a handful of protesters staged their own show.

One activist in a tiger costume used a bullhorn to blare an anticircus message to passing cars and patrons walking to the arena.

Next to that activist stood two people dressed as an elephant and draped in a sign that read "Save Me." A half dozen other protesters displayed posters billing the circus, "The Cruellest Show on Earth."

Three animal rights groups and a former Ringling "barn man" filed a federal lawsuit in July 2000 against Feld Entertainment and Ringling. It accuses the circus of abusing and mistreating its animals - including the Asian elephants.

Plaintiffs include The Fund for Animals, the Animal Welfare Institute, the American Society for Prevention of Cruelty to Animals and Tom Rider, who worked for Ringling for two years.

A trial date is at least a year away.

"I have never seen anybody beat the elephants. We have a zero-tolerance policy," said John Kirtland, head of animal training and care for Ringling. "Those allegations have been refuted. Our records show we provide the best animal care."

Cross-Country Protest

Rider, with no permanent address, travels across the country in a van protesting Ringling at every opportunity. The 53-year-old Illinois native said he has worked a variety of jobs, including a stint as a truck driver. He was introduced to elephants while working briefly for a Disney show.

From 1997 to 1999 he was a barn man for Ringling, watching after the elephants and cleaning their stalls. He said he witnessed repeated beatings of what he calls "his girls" with "bull hooks," curved steel points with short poles for handles.

Circuses say the hooks are used as gentle prods to guide the elephants. Kirtland said Ringling trains its elephants with praise and rewards.

But Rider asked, "Why do they carry a weapon if they say they use positive re-enforcement?"

Kirtland dismissed Rider's charges and said Rider never raised complaints while in Ringling's employ. Rider said he reported abuse of the elephants to other Ringling employees but was ignored.

"He's making a living parroting animal rights' rhetoric," Kirtland said.

Rider said he doesn't belong to any group and doesn't approve of what he calls the gimmicky and extreme tactics of activists. He said he doesn't receive money at this time from animal groups but does receive money from a private individual in California, whom he declined to name.

Rider said he stands by his accounts. He said he saw beatings inflicted on elephants in his care, including Doc, Angelica and Karen.

Allegations And Investigations

The lawsuit also cites the death of Kenny, a 3-year-old elephant that was not part of the touring circus unit in which Rider worked.

An investigation by the U.S. Department of Agriculture ended with a \$20,000 settlement.

The elephant died after performing two shows in Jacksonville in 1998. Animal activists accused Ringling of forcing the elephant to perform while ill.

Circus veterinarians said the elephant died from a gastrointestinal infection, cause unknown.

According to the settlement, Feld Entertainment, which owns Ringling Bros., agreed to give \$10,000 each to a research facility studying elephant diseases and an elephant sanctuary.

"It was not a fine. It was a settlement rather than a litigation," Kirtland said, adding that in 30 years, Ringling has never been found guilty of violating animal welfare laws.

USDA records show the circus has been investigated 16 times since 1990. In 11 cases, complaints of mistreatment or abuse were deemed unfounded.

Two cases involving the death of the 3-year-old elephant were combined and resulted in the settlement. In three other cases, warning letters were issued. One involved the death of a tiger in St. Petersburg in 1999. In that case, a distraught trainer shot the big cat in his cage after the animal had mauled the man's brother.