

EXHIBIT D

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

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

From: OrtMabry, Catherine
Sent: Saturday, May 20, 2000 12:28 PM
To: Stevens, Eric; Froemming, Richard; Galvin, Joan; Huey, Rodney; Pflughaupt, Barbara; Picard, Lisa; Strauss, Julie
Subject: FW: Peoria Journal Star

Note that Tom will be put forward as a witness next month.

-----Original Message-----

From: Wilbee, Joanna
Sent: Saturday, May 20, 2000 10:35 AM
To: OrtMabry, Catherine
Subject: Peoria Journal Star

Here's what ran on Saturday

Circus elephants abused

5/20/2000

By **ELAINE HOPKINS <mailto:ehopkins@pjstar.com>**
of the Journal Star

Peoria native will trumpet pachyderm problem in hearings

PEORIA - A Peoria-area native hopes to tell Congress next month about the abuse of elephants he says he has seen at circuses.

He claims they are routinely beaten with bullhooks and kept chained most of the time.

"Elephants are very sensitive and have almost the same feelings as humans," said Tom Rider, 49. "When you strike an elephant and hear it whining, it's no different from hitting a little kid."

Rider has become a volunteer for the Performing Animal Welfare Society, a California-based group that wants elephants banned from circuses.

He decided to speak out about his experiences working with elephants for the Ringling Bros. and Barnum & Bailey Circus and for other elephant handlers.

In June, he said, he expects to testify before a congressional committee on elephant abuse. The Captive Elephant Accident Prevention Act would ban elephants in traveling shows and also ban elephant rides.

The Ringling Bros. show opens in Peoria on Wednesday at the Civic Center.

Catherine Ort-Mabry, director of corporate communications for Feld Entertainment, the producers of Ringling Bros., said Rider is being used by the activist group and isn't telling the truth.

"We were surprised by these allegations. He never complained to his supervisor. We have ways to make anonymous comments because ultimately the care and treatment of animals is paramount. We want to know if something is amiss," she said.

"The types of allegations (Rider is making) would describe systemic abuse. If it existed, it would have been documented during 36 federal and state inspections that took place during his tenure with us," she said. "He could have taken his story to federal officials and didn't."

In a telephone interview, Rider, who grew up in Washington and lived and worked in Peoria, said he worked at various jobs throughout the United States before becoming a barn handler for elephants.

He worked for Ringling Bros. for 2½ years before quitting in November because of the alleged abuse. He then worked with elephants in Europe until March.

As a barn manager with Ringling Bros., he fed and cleaned up after the elephants eight hours daily. The elephant abuse varied depending on which men were in charge, he said. "It's a power thing."

His complaints to a supervisor about the beatings were ignored, or rationalized as "discipline," he said.

In one incident, he said, an elephant was so bloody that someone sprayed a product on the elephant's skin to turn the blood into a charcoal color. "It's a pretty good disguise."

Elephants would be beaten on the back of their heels and around their ears, he said.

"Some have deep scarring from years of being hooked behind the ears." The scars can be visible to a person close enough to see them, he said.

Government inspections are announced in advance, he said, and they are cursory.

Kitty Yanko of the Peoria Humane Society was among those who protested the circus last year in Peoria.

"Even if there are no beatings, even if we can't substantiate outright abuse," the constant traveling, "chained in small areas" is abusive to elephants, she said.

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