

EXHIBIT VV

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

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

WILDLIFE ADVOCACY PROJECT

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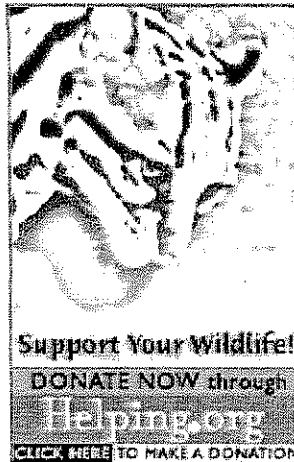
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The Wildlife Advocacy Project is a non-profit advocacy group founded by Katherine Meyer and Eric Glitzenstein of the Washington, DC public interest law firm, Meyer Glitzenstein & Crystal. We advocate the recognition and respect for the innate wild nature of all animals—whether in confinement or in the wild.

We assist grassroots activists in achieving long-term protection of wildlife and the environment, and in stopping the abuse and exploitation of animals held in captivity.



The Project provides resources, and strategic and substantive advice and expertise, to organizations. We can achieve greater protection for wildlife in the courts, legislatures and the regulatory agencies, when the public is educated and mobilized to fight against the degradation of wildlife.

The Wildlife Advocacy Project

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seeks to complement and supplement the efforts of grassroots activists. It uses the knowledge, experience, and expertise of its staff and Board members to help grassroots organizations pursue, support, and win long-lasting conservation benefits for animals and the planet.

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Current Activities

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Facts on Ringling Bros.' Treatment of Performance Elephants

About Asian Elephants

Asian Elephants, the only elephant species used by Ringling Bros., are endangered in the wild, due to poaching, hunting, and the destruction of their natural habitat. They are listed as "endangered" under the Endangered Species Act, which prohibits anyone from "killing," "harming," or "harassing" them.

Asian elephants are extremely intelligent and social animals. Adults weigh between 6,000-10,000 pounds, and live to be approximately 65 years old. In the wild, elephants form strong bonds with their family units — baby elephants are not usually weaned until they are about 4 years old or older, and stay with their mothers for many years to learn important social and survival skills. Females remain with their mothers and other members of their herds for their entire lives.

About Ringling Bros. and Barnum & Bailey Circus

Ringling Bros. Has two traveling circuses — the "Red" and "Blue" Units. It currently has about 10 elephants in its Blue Unit and about 14 elephants in its Red Unit, including several babies. It has dozens more elephants at its "Center for Elephant Conservation" outside Tampa, Florida — where it breeds elephants. Although Ringling Bros. touts this facility as "conserving" this endangered species for future generations, the Center is not reintroducing elephants into the wild, but is merely providing Ringling Bros. with a steady supply of

elephants for use in its circuses.

What is a "Bullhook"?

A "bullhook," or "ankus," is a 2-3 foot long club or stick with a sharp metal hook attached at the top. It is used repeatedly to beat, hit, and poke the animals, especially when they are young, to "train" and "break" them, and to make sure that they perform as required. Although elephants are thought to have strong hides, their skin is extremely sensitive, particularly behind the ears, on the trunk, and on the head — places where they are most often struck with the bullhook. The elephants' skin is so sensitive that they often throw dust or mud on their backs to protect their skin from sunburn. Once the animals have been hit repeatedly throughout their lives, just showing them the bullhook will often be enough to get them to act as required.

Recent Accounts of Ringling Bros.' Mistreatment of Elephants

February 1999: While conducting an unannounced inspection at the Ringling Bros.' "Center for Elephant Conservation" in Florida, inspectors for the U.S. Department of Agriculture, which has jurisdiction under the Animal Welfare Act over all animals used in entertainment, observed "large visible lesions" on the rear legs of two baby elephants, Doc and Angelica. These lesions were approximately 6 inches long and an inch wide. When the inspectors inquired about these wounds, they were informed by Ringling Bros. employees that they were caused by rope burns during the "routine" separation process from the babies' mothers. They were further informed that the babies, who were only 18 months old, had been forcibly torn away from their mothers a month earlier, with the use of ropes around each leg and a chain around their necks. After convening a panel of elephant experts, the USDA informed Ringling Bros. in May 1999 that this treatment violates the Animal Welfare Act's regulations and causes the animals "trauma, behavioral stress, physical harm and unnecessary discomfort."

December 1998: Two Ringling Bros.' employees, Glenn Ewell and James Strechon, quit Ringling Bros. In sworn testimony provided to the USDA and the U.S. Fish and Wildlife Service, they reported that elephants were left chained for most of the day, and that Ringling Bros.' handlers and trainers severely beat and hook elephants with bullhooks on the head, ears, ankles, and other parts of their bodies, and that they often draw blood. Both men also testified that they saw the baby "Benjamin" severely beaten many times. The men also reported that at least one particularly severe beating of an older elephant took place in front of a high-level Ringling Bros. manager, who did nothing to stop it.

March 2000: Tom Rider, who worked as a "barn man" for Ringling Bros. for 2-1/2 years, left the circus. In sworn testimony presented to the USDA and the Fish and Wildlife Service, Mr. Rider reported that the elephants were chained for as long as 23 hours a day, and that Ringling Bros. routinely beats and hits the elephants, including the babies, with bullhooks. Mr. Rider reported that, at one point, he counted more than a dozen bullhook wounds on each of two older elephants, "Zeena" and "Rebecca." Like Mr. Ewell and Mr. Strechon, Mr. Rider also witnessed particularly severe beatings of the baby Benjamin.

Recent Deaths of Baby Elephants.

January 1998: A baby elephant named "Kenny" died while traveling with the Ringling Bros. circus. Kenny, who was only 3-1/2 years old, was made to perform on the day he died, even though he was extremely ill. According to the USDA, Ringling Bros. violated the Animal Welfare Act by making him perform "after determining that the elephant was ill and needed to be examined by a veterinarian."

July 1999: Another baby, "Benjamin," who eyewitnesses say was repeatedly beaten by Ringling Bros. trainers, died while purportedly swimming in a pond. He was only 4 years old.

On the Federal Lawsuit Against Ringling Bros.

On June 8, 2000, the American Society for the Prevention of Cruelty to Animals, the Fund for Animals, the Animal Welfare Institute, and Tom Rider — a former Ringling Bros. elephant worker — brought a lawsuit against Ringling Bros.' mistreatment of Asian elephants. The case is pending. The plaintiffs are represented by the law firm Meyer & Glitzenstein (www.Meyerglitz.com).

"The greatness of a nation and its moral progress can be judged by the way its animals are treated." —
Mahatma Ghandi

"There's a sucker born every minute." — *P.T. Barnum, founder of Ringling Bros. and Barnum & Bailey Circus*

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