

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

FELD ENTERTAINMENT, INC.,	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>Case No. 1:07-cv-15323</b>
v.	)	<b>(EGS/JMF)</b>
	)	
ANIMAL WELFARE INSTITUTE, <i>et al.</i> ,	)	
	)	
<b>Defendants.</b>	)	
	)	

**DEFENDANTS ANIMAL WELFARE INSTITUTE, THE FUND FOR ANIMALS, THE  
HUMANE SOCIETY OF THE UNITED STATES, BORN FREE USA, JONATHAN  
LOVVORN AND KIMBERLY OCKENE’S CONSENT MOTION FOR LEAVE TO  
AMEND THEIR ANSWERS TO BRING ADDITIONAL AFFIRMATIVE DEFENSES**

In accordance with the Court’s December 27, 2013 Minute Order, Defendants Animal Welfare Institute, The Fund for Animals, The Humane Society of the United States, Born Free USA, Jonathan Lovvorn and Kimberly Ockene (collectively, “Defendants”), by and through their undersigned counsel of record, respectfully submit this Consent Motion for Leave to Amend their Answers to Bring Additional Affirmative Defenses (“Consent Motion”).

The grounds for this Consent Motion are set forth in the accompanying Memorandum of Points and Authorities (the “Memorandum”) that is submitted herewith and Defendants’ Amended Answers are attached as Exhibits A through F to the Memorandum.

In accordance with Local Rule 7(m), counsel for Defendants have met and conferred in good faith with counsel for Feld Entertainment, Inc. (“Feld”) in an effort to resolve the issues presented by this Consent Motion. Feld has consented to the filing of this Consent Motion, but reserves its rights to object to the Affirmative Defenses and Amended Answers on their merits.

WHEREFORE, Defendants respectfully request that the Court grant this Consent Motion and permit them to amend their Answers to bring additional Affirmative Defenses. A proposed Order is attached.

**Date: February 28, 2014**

**Respectfully submitted,  
DEFENDANTS**

**By Counsel**

*/s/*

---

Bernard J. DiMuro, Esq. (D.C. Bar No. 393020)  
Nina J. Ginsberg, Esq. (D.C. Bar No. 251496)  
Stephen L. Neal, Jr., Esq. (D.C. Bar No. 441405)  
Andrea L. Moseley, Esq. (D.C. Bar No. 502504)  
M. Jarrad Wright, Esq. (D.C. Bar No. 493727)

**DiMURO GINSBERG, P.C.**

1101 King Street, Suite 610

Alexandria, Virginia 22314

Telephone: (703) 684-4333

Facsimile: (703) 548-3181

Emails: [bdimuro@dimuro.com](mailto:bdimuro@dimuro.com);

[nginsberg@dimuro.com](mailto:nginsberg@dimuro.com); [sneal@dimuro.com](mailto:sneal@dimuro.com);

[amosley@dimuro.com](mailto:amosley@dimuro.com); [mjwright@dimuro.com](mailto:mjwright@dimuro.com)

*Counsel for Defendant Animal Welfare Institute*

*/s/*

---

Roger E. Zuckerman, Esq. (D.C. Bar No. 134346)

Andrew Caridas, Esq. (D.C. Bar No. 1005512)

**ZUCKERMAN SPAEDER LLP**

1800 M Street, N.W., Suite 1000

Washington, D.C. 20036-1802

Telephone: (202) 778-1800

Facsimile: (202) 822-8106

Emails: [rzuckerman@zuckerman.com](mailto:rzuckerman@zuckerman.com);

[acaridas@zuckerman.com](mailto:acaridas@zuckerman.com)

and

*/s/*

---

Logan D. Smith, Esq. ((D.C. Bar No. 474314)

**ALEXANDER SMITH, LTD.**

3525 Del Mar Heights Road, #766  
Sand Diego, CA 92130  
Telephone: (858) 444-0480  
Email: [logan@alexandersmithlaw.com](mailto:logan@alexandersmithlaw.com)

*Counsel for Defendant The Fund for Animals, Inc.*

/s/

---

Christian J. Mixer, Esq. (D.C. Bar No. 352328)  
W. Brad Nes, Esq. (D.C. Bar No. 975502)  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 739-5779  
Facsimile: (202) 739-3001  
Emails: [cmixer@morganlewis.com](mailto:cmixer@morganlewis.com);  
[bnes@morganlewis.com](mailto:bnes@morganlewis.com)

*Counsel for Defendant The Humane Society of the  
United States*

/s/

---

David H. Dickieson, Esq. (D.C. Bar No. 321778)  
Robert J. Spagnoletti, Esq. (D.C. Bar No. 446462)  
**SCHERTLER & ONORATO, LLP**  
575 7<sup>th</sup> Street, N.W., Suite 300 South  
North Building, 9<sup>th</sup> Floor  
Washington, D.C. 20004  
Telephone: (202) 824-1222  
Facsimile: (202) 628-4177  
Emails: [ddickieson@schertlerlaw.com](mailto:ddickieson@schertlerlaw.com);  
[rspagnoletti@schertlerlaw.com](mailto:rspagnoletti@schertlerlaw.com)

*Counsel for Defendant Born Free USA*

/s/

---

Andrew B. Weismann, Esq. (D.C. Bar No. 245720)

Scott M. Livitnoff, Esq. (D.C. Bar No. 1005899)

**WILMER CUTLER PICKERING HALE & DORR LLP**

1875 Pennsylvania Avenue, NW

Washington, D.C. 20006

Telephone: (202) 663-6612

Facsimile: (202) 663-6363

Email: [andrew.weissman@wilmerhale.com](mailto:andrew.weissman@wilmerhale.com);

[scott.livitnoff@wilmerhale.com](mailto:scott.livitnoff@wilmerhale.com)

*Counsel for Defendants Jonathan Lovvorn and  
Kimberly Ockene*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28<sup>th</sup> day of February, 2014, I electronically filed the foregoing with Clerk of the Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

\_\_\_\_\_/s/  
Stephen L. Neal, Jr.