

**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’S OPPOSITION TO DEFENDANTS’ EMERGENCY MOTION FOR
LEAVE TO FILE MOTION TO DISMISS IN EXCESS OF PAGE LIMIT**

EXHIBIT 1

Simpson, John

From: Simpson, John
Sent: Friday, November 19, 2010 9:40 AM
To: 'Steel, Laura N.'
Cc: Braga, Stephen; Warin, Kathleen H.; bvangelder@morganlewis.com; bnes@morganlewis.com; bdimuro@dimuro.com; sneal@dimuro.com; druzumna@pbwt.com; pwtomlinson@pbwt.com; hclarke@pbwt.com; Smith, Richard; Pardo, Michelle
Subject: RE: Feld Entertainment, Inc. v. ASPCA, et al., No. 07-1532-EGS (D.D.C.)

Feld Entertainment, Inc. does not consent to the relief sought, either for the 85-page brief or the "supplemental briefs," however many may end up being filed.

John M. Simpson, Partner

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From: Steel, Laura N. [<mailto:Laura.Steel@wilsonelser.com>]
Sent: Thursday, November 18, 2010 6:50 PM
To: Simpson, John
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Subject: RE: Feld Entertainment, Inc. v. ASPCA, et al., No. 07-1532-EGS (D.D.C.)

At this juncture, I have not heard back from all of the groups, but do not expect that the number of individual 10-page briefs would likely exceed 3 or perhaps 4 in number. If plaintiff's consent is contingent on a particular number of separate briefs being filed, which I gather is the case from your email, would you give consent contingent upon no more than 4 supplemental briefs being filed?

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Subject: RE: Feld Entertainment, Inc. v. ASPCA, et al., No. 07-1532-EGS (D.D.C.)

I need to know how many supplemental briefs there are going to be.

John M. Simpson, Partner

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11/19/2010

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John,
The defendants intend to file a Motion for Leave to file a Motion to Dismiss In Excess of Page Limits. We will be asking the Court to permit the defendants, collectively, to file one motion to dismiss and memorandum not to exceed 85 pages in length, and certain of the defendants may file supplemental briefs of no more than 10 pages each. On our side, we would consent to allowing plaintiff to file opposition(s) with a corresponding number of pages.

Please let me know if FEI consents and I look forward to hearing from you regarding the above.

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