

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

FELD ENTERTAINMENT, INC.	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 07- 1532 (EGS)
	:	
AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY ANIMALS, <u>et al.</u>	:	
	:	
Defendants.	:	
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**PLAINTIFF’S OPPOSITION TO DEFENDANTS’ MOTION TO TEMPORARILY STAY
ALL PROCEEDINGS**

EXHIBIT 12

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
AMERICAN SOCIETY FOR THE)	
PREVENTION OF CRUELTY TO)	
ANIMALS, <u>et al.</u> ,)	
)	Civ. No. 03-2006 (EGS)
Plaintiffs,)	
)	
v.)	
)	
RINGLING BROS. AND BARNUM)	
& BAILEY CIRCUS, <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

**PLAINTIFF TOM RIDER’S SUPPLEMENTAL RESPONSES
TO DEFENDANTS’ FIRST SET OF INTERROGATORIES**

DEFINITIONS AND OBJECTIONS

1. Mr. Rider hereby incorporates by reference the definitions and general and specific objections that he made in his Objections and Responses to Defendants’ First Set of Interrogatories to Plaintiff Tom Rider.

SUPPLEMENTAL RESPONSES

Interrogatory No. 1:

Describe each and every job or volunteer position you have held with defendants.

Supplemental Response to Interrogatory No. 1:

Mr. Rider has nothing to add to his original response to this Interrogatory.

Interrogatory No. 2:

Describe each and every job or volunteer position you have held since you completed high school (or, if you never completed high school, since your last year of schooling) that you did not describe in response to the previous interrogatory.

experience, including the employer that required you to take such training, if any.

Supplemental Response to Interrogatory No. 3:

Mr. Rider has nothing to add to his original response to this Interrogatory.

Interrogatory No. 4:

Describe every communication you have had regarding defendants with any and all animal advocates or animal advocacy groups prior to working for defendants, while working for defendants, or since leaving defendants' employment.

Supplemental Response to Interrogatory No. 4:

Mr. Rider objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information, and is not reasonably calculated to lead to the discovery of admissible evidence, and is being asked for the purpose of harassing him. Subject to and without waiving the foregoing or previous objections to these Interrogatories, Mr. Rider supplements his answer to this Interrogatory as follows:

During 2002-2003, I had regular conversations with Lisa Weisberg of the American Society for the Prevention of Cruelty to Animals (ASPCA) concerning my media and public education advocacy on behalf of captive elephants. Those conversations included which reporters I was meeting with in which city, the substance of my media interviews, discussions about which city I would go to next and which reporters to talk to, and any subsequent news coverage that was generated. I may also have had conversations with her concerning other advocacy work I was doing on behalf of elephants, such as testifying at hearings on various legislative proposals or speaking to grassroots groups. I also had conversations with other individuals in the ASPCA's media office, including Brigid Fitzgerald, Patricia Jones, and Robin Walker about these same matters during the same time period.

I also had conversations with D'Arcy Kemnitz of the Wildlife Advocacy Project between March 2001 and February 2002, and with Katherine Meyer of the Wildlife Advocacy Project between March 2001 and June 2004 about these same matters and other public education outreach I was doing on the issue of elephants in circuses with grassroots groups around the country.

In January 2006 I spoke to an animal rights group in Florida called "ARF" about the abuse and mistreatment of animals I witnessed when I worked at Ringling Bros., and I also attended a press conference with that group in Florida. In February 2005, I also talked to a group of people in Atlanta, Georgia about these same matters. During Memorial Day weekend in 2005 and 2006 I spoke with Virginia Wolfe and others of the Lehigh Valley Animal Rights group in Harrisburg, Pennsylvania. In October 2005 I spoke to a woman in Westminister, New York who asked me to speak to the City Council there about the abuse I saw when I worked at Ringling.

I also spoke to Karen Laski with a Hartford Connecticut group in May and October of 2005 and 2006, and some individuals at a rally that took place there, whose first names I know (Rob, Nancy, Sue), but I do not know their last names. I spoke to Senator Robert Hedlund in Boston, Massachusetts in October 2005, and did a radio talk show with him, and also attended a press conference with him during that time in Boston. In Manchester, New Hampshire, in October 2004, 2005, and 2006, I spoke to Linda Dionne of the New Hampshire Animal Rights group, and in October 2004 I was on a local television show with her concerning the mistreatment of animals in circuses. In October 2004 and 2005 I also attended demonstrations with animal advocates in Manchester New Hampshire. During October 4-6, 2006, I attended a conference held by a group called "EARS" in Hollenwald, Tennessee, and I spoke about this

lawsuit and the abuse of the elephants I saw when I worked at Ringling. At that same conference I saw Carol Buckley of The Elephant Sanctuary and I introduced myself and said hello to her.

In February 2005, I spoke to Senators Marion Price and Ernie Chambers in Omaha Nebraska and some local people when I testified in support of a bill that was pending there. In February 2005, I also spoke to RaeLeann Smith of PETA in Omaha Nebraska about legislation that was pending there, and she asked me if I would go to Chicago in March to speak to the City Council about another bill that was pending there. In March 2006 I went to Chicago and spoke to the City Council and I believe I spoke to Ms. Smith there as well. I also talked to Debbie Leahy of PETA by phone during the summer of 2006 to ask her if I could use some video footage that PETA had taken in Greenville, South Carolina, and she said no. I believe I also had a short conversation with Ms. Leahy in Chicago when I was there in March 2006, just to say hello.

In the summer of 2005, I spoke to Mike Markarian of the Fund for Animals in Denver Colorado in connection with a press conference that was held on the steps of City Hall about a bill that was pending there, and I had at least one conversation with him or someone on his staff about the logistics of getting to that press conference. In Denver I also spoke to the 15-year old girl who wrote the Denver Initiative, who also attended the press conference.

In the spring of 2006, I did a radio talk show in Las Vegas Nevada with a local animal advocate named Linda Faso. In December 2004, I spoke to Chris DeRose of The Last Chance for Animals in Los Angeles California and spoke at a press conference with him there about Ringling Bros.' mistreatment of the elephants. In August 2004, 2005, and 2006, I spoke to people who were demonstrating against the circus in San Diego, California, including Pat Cuvillo and Deniz Bolbo, and in August 2006 I also went with them to see the Ringling train

arrive in San Diego, and we talked about the fact that the elephants were on chains without any firehose around the chains and that the elephants were completely unsupervised by anyone.

I attended a press conference with the Animal Protection Institute on September 22, 2005 on the steps of the Capitol in Sacramento, California concerning a bill that was pending there, and I had a conversation with Nicole Paquette, Emily Claremont, Michelle Thew, and a woman named Zibby, all of whom worked for API, about the logistics of the press conference. I also spoke to Tracy Silverman of AWI who also attended the press conference and we talked about the press conference and what I witnessed when I worked at Ringling Bros.

On July 21, 2005, I spoke to Wayne Pacelle of the Humane Society of the United States (HSUS) at a benefit that was held near Los Angeles California to help rescue the Ringling Bros. elephants; I said hello to him and thanked him for coming to the benefit, and he thanked me for speaking out against the abuse and mistreatment of elephants. At the same event, I also talked to Gretchen Wyler and a woman named Sue who worked for HSUS, and told them of some of the things I witnessed when I worked at Ringling. At the same event I also said hello to Pat CuvIELLO and Deniz Bolbo. I also talked to Tracy Silverman of the Animal Welfare Institute at that event about my experiences at Ringling and about my travels around the country.

Sometime in September or October 2004 I spoke to a woman with the Rocky Mountain Animal Defense group in Boulder Colorado and I attended a demonstration against the circus there and was interviewed by a reporter for Fox Channel 4.

Since June, 2004, I have also had conversations with the various plaintiff organizations and our lawyers about legal strategies in this case, the evidence that plaintiffs may rely on, and the status of the litigation, all of which are protected by the attorney-client and attorney work

product privileges. I have also had conversations with some of the other plaintiffs about their legislative and media strategies for halting the abuse and mistreatment of circus elephants and educating the public about this issue. Additional details of such conversations are irrelevant and their disclosure would impose an undue burden on me and the other plaintiffs and infringe upon my and the other plaintiffs' First Amendment rights of association and expression. I have also had conversations with Katherine Meyer in her capacity as an official of the Wildlife Advocacy Project concerning my media and public education work for the Wildlife Advocacy Project, including which journalists, grass roots groups, or legislative bodies I am talking to or plan to talk to about these matters.

I have spoken to other groups and individuals around the country whose names I do not know about the mistreatment of the elephants that I saw at Ringling Bros. and sometimes about this lawsuit. More information about which groups I have spoken to can be found by going to the Yahoo search engine on the internet and typing in "tom rider elephants."

Interrogatory No. 5:

Describe every communication you have had regarding defendants with any members of the press or at any lectures, conferences, or seminars.

Supplemental Response to Interrogatory No. 5:

Mr. Rider objects to this Interrogatory on the ground that it is overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and being asked for the purpose of harassing and intimidating him. Mr. Rider further objects to this Interrogatory on the ground that it invades his right to privacy, and freedom of association. Subject to and without waiving the foregoing or general objections to these Interrogatories, Mr.

Rider supplements his answer to this Interrogatory as follows:

In 2004 I talked to reporters for NBC in Tampa Florida, and the Telemundo station in Miami, Florida. In 2005 I talked to reporters for Channel 2 in Orlando, Florida; CNN in Atlanta, Georgia and Channel 5 NBC in Atlanta; in Norfolk, Virginia I spoke to reporters for NBC and Fox news; in Washington, D.C. I spoke to a reporter for National Geographic Online; in Hartford, Connecticut, I spoke to reporters for Fox and NBC news; in Boston Massachusetts I spoke to a reporter for the Boston Herald and also did a radio talk show with Senator Robert Hedlund; in Los Angeles, California I spoke to reporters with NBC, Fox, CBS, Telemundo, KCAL 9, LA Times, and two radio programs (I don't know their names); in San Diego, California I talked to reporters for Fox TV; in Oakland, California I talked to Leslie Griffith of Channel 2; in Hartford, Connecticut I spoke to a reporter at the Boston Herald, and also spoke to a state senator about the abuse I witnessed at Ringling; in Manchester, New Hampshire I was on a public TV show for PBS; in Hartford, Connecticut I spoke to reporters for NBC and Fox; in Bridgeport Connecticut I was interviewed by a local college paper and also spoke on a radio show.

In November 2006, I spoke to Jennifer Santiago at CBS in Miami Florida, and during that same time I also spoke to Sally Shulze at Channel 2 in Orlando, Florida; I spoke to a reporter at CNN in Atlanta, Georgia; In Norfolk, Va. I spoke to reporters for ABC and NBC; in Omaha, Nebraska, I spoke to a state senator and reporters for Omaha Fox TV; in Chicago, Illinois I spoke to the City Council and to a reporter for ABC Channel 7; in Boston, Massachusetts I spoke at a press conference with Senator Hedlund; in Hartford, Connecticut I spoke to a reporter for Fox TV; in Harrisburg, Pennsylvania I spoke to a reporter for a local paper called The Patriot and a

reporter for NBC; in Lincoln, Nebraska I spoke to a reporter for Fox TV; in Las Vegas, Nevada I spoke to a journalist with National Public Radio; in San Diego, California I spoke to a reporter for Fox TV; in Oakland, California I spoke to Leslie Griffith with Channel 2; in Omaha, Nebraska I spoke to a reporter for Fox TV; in Bridgeport, Connecticut I spoke to a reporter for Fox TV; in Chicago, Illinois, I spoke to a reporter for Channel 7; in Pittsburgh, Pennsylvania I spoke to a reporter for ABC channel 4; in Miami, Florida I spoke to Jennifer Santiago with CBS; in Orlando, Florida I spoke to a reporter for Channel 2.

With respect to all of these conversations, I discussed the treatment of the elephants that I witnessed when I worked at Ringling Bros., as I have previously described in great detail in response to these Interrogatories. I also hereby incorporate my supplemental answer to Interrogatory No. 4. Additional information concerning communications I have had with the press and others can be found by going to the Yahoo search engine on the internet and typing in "tom rider elephants."

Interrogatory No. 6:

State whether you have ever been arrested for, charged with, or convicted of a crime. If you have been arrested for, charged with, or convicted of a crime, for each arrest, charge, or conviction, describe the incident for which you were arrested, charged, or convicted and provide the jurisdiction of the arrest, charge, or conviction, and/or plea; the offense(s) for which you were arrested and/or charged; the offense(s) to which you pled guilty or of which you were convicted; the disposition of any other charges against you; the sentence, incarceration, or other form of punishment imposed on you; and the date of each arrest, conviction, plea, punishment, incarceration, or other disposition.

Supplemental Response to Interrogatory No. 6:

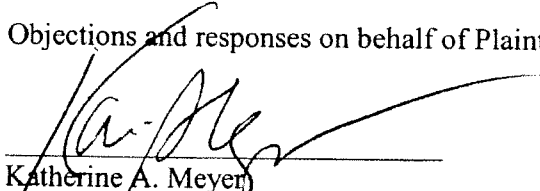
Mr. Rider has nothing to add to his original response to this Interrogatory.

each person identified in the initial disclosures.

Supplemental Response to Interrogatory No. 25:

This information was provided by plaintiffs with their initial disclosures. The subject and substance of the testimony that I will be giving is provided in the answers to the above Interrogatories.

Objections and responses on behalf of Plaintiff by:



Katherine A. Meyer
(D.C. Bar No. 244301)
Tanya M. Sanerib
(D.C. Bar No. 473506)
Howard M. Crystal
(D.C. Bar No. 446189)

Meyer Glitzenstein & Crystal
1601 Connecticut Ave., N.W.
Suite 700
Washington, D.C. 20009
(202) 588-5206


Dated: January 31, 2007

VERIFICATION

CITY OF CHARLESTON)
)
)
)
 STATE OF South Carolina)

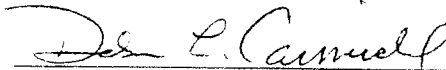
TOM RIDER, being duly sworn, says:

I am a plaintiff in this case. I have read the foregoing supplemental responses to Defendants' First Set of Interrogatories to Plaintiff Tom Rider and know the contents thereof, and, upon information and belief, said supplemental responses are true and correct.


TOM RIDER

Sworn to before me this

30th Day of January, 2007


DEBRA L. CARMICHAEL Notary Public
for State of South Carolina

My Commission Expires February 9, 2016