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**Feld Entertainment, Inc. Trial Update:  
Case Filed by Animal Special Interest Groups Delayed until February 2009**

(October 31, 2008 - VIENNA, VA) - A lawsuit filed by animal special interest groups on the treatment of circus elephants that was scheduled to begin Oct. 27 in federal district court in Washington D.C., has been postponed until Feb. 3, 2009, after attorneys for the animal groups requested that the trial be rescheduled.

The case, *ASPCA, et al. v. Feld Entertainment, Inc.*, had been brought by four animal special interest groups and a former employee against Feld Entertainment, Inc., the parent company of *Ringling Bros. and Barnum & Bailey*®.

“Feld Entertainment was fully prepared to conduct a vigorous defense in this case,” said Michelle Pardo, of Fulbright & Jaworski L.L.P., which is representing Feld Entertainment in the case. “However, after having eight years to get ready, the animal special interest groups are not prepared to try this case on its merits at this time. Instead, plaintiffs requested that the Court re-schedule the trial. While the animal special interest groups were eager to try their case in the media last week through their publicity exploits, based on these events, it is obvious their case is not ready for prime time.”

Feld Entertainment remains confident that the evidence will show that its elephants are healthy, alert, and thriving in its care. It also is prepared to refute the meritless allegations spread by those who do not own or know how to care for an elephant.

For more information on the case, go to <http://www.ringlingbrostrialinfo.com>

**Background of Case**

The original complaint was filed in July, 2000. The case was dismissed in 2001, but was reinstated in 2003 after an appeal. The appeals court ruled that if Tom Rider, a former barn man, could prove that he was “aesthetically injured” by *Ringling Bros.*’ treatment of the elephants, the case could proceed. Whether such an “injury” to Rider actually exists and can be remedied will be a major issue in the trial. So will the financial support that Rider receives from his co-plaintiffs – a fact that was unknown to the appeals court in 2003.

In an important ruling in August, 2007, the U.S. District Court narrowed the scope of the case to only six of the 52 *Ringling Bros.* elephants. The judge granted partial summary judgment to *Ringling Bros.* and ruled that none of the Asian elephants of *Ringling Bros.* that were born in the United States were subject to the claims of the animal groups under the Endangered Species Act.

*Ringling Bros.* has filed a separate lawsuit against the animal groups under the Racketeer Influenced and Corrupt Organizations Act (RICO) and Conspiracy Counterclaim. That litigation is on hold and will proceed separately following completion of the current case.

*Ringling Bros.* Fulbright & Jaworski L.L.P. defense team is led by John M. Simpson and includes Lisa Joiner, Lance Shea, Kara Petteway and Pardo.

### **About Feld Entertainment**

Feld Entertainment, Inc. is the worldwide leader in producing and presenting live family entertainment that lifts the human spirit and creates indelible memories, with 25 million people in attendance at its shows each year. Feld Entertainment's productions have appeared in more than 55 countries and on six continents to date and include *Disney On Ice*, *Disney Live!*, *Feld Motor Sports*, and *Ringling Bros. and Barnum & Bailey*<sup>®</sup>.

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