

State of Maryland }
Washington County }

Affidavit of Frank Hagan

I, Frank Hagan, of full age, do hereby solemnly swear to the truth of the following.

1. I am currently 35 years of age. Following High School I was in the Marine Corp. being honorably discharged in 1991. I worked as an Investigator for the State of Maryland from approximately 1991 until 1993. From March of 1993 until July 2004, I worked primarily for Ringling Bros. I left once in or around 1994 to work for MCI for a little over a year, and again in the later 1990s for a telemarketing position, after which I returned to the circus in March of 2000.
2. My first position at Ringling was as a transport driver for the big cats. I later was assigned to floor crew and rigging. I also worked in the back-stage props department. My final position was as a lion handler.
3. A lion handler's job is to care for the lions, including feeding and watering them, cleaning their cages, providing them with clean straw or saw dust for bedding, and generally being the animals' primary caretaker. The job includes caring for the lions while they are in transport on trains as well as when the circus is at its performance location.

4. Jason Peters is the head lion trainer and Jarak is the head lion handler. Jeff Steele is the Ringling Bros. General Manager. Gene Petis is the train master of the Ringling train. Jeff is married to Gene's daughter. John Griggs is the Operations Manager.
5. I was the lion handler for 14 lions, along with Jarak. The lions are transported in cages that measure by 4-feet wide by 6-feet high by 20-feet long with four to five lions per cage.
6. I was personally present and witnessed the events that follow. I have tried to be as accurate as possible on the dates and times that events happened but they should be considered reasonably approximate.
7. On July 12, 2004, the Ringling train left Phoenix, Arizona at about 10 or 11:00 a.m. I checked the lions at approximately 8:30 a.m., again at 3:30 p.m. when the train made its first stop, and at 10:00 p.m. The animals all seemed fine.
8. The next day, July 13th, I checked the lions at 8:30 a.m. The lions were panting. I watered down the animals and the train moved on. I think the temperature was over 100 degrees at this point.
9. Jarak and I kept going in between the trains to determine how hot it was outside. We were in the Mohave desert and the temperature was rising. At

around 9:30 a.m. I called Gene Petis on the radio and advised him that we needed to make another stop to water down the lions. Petis said we couldn't stop because we were behind schedule.

10. After I called Petis, Jarak made the second call. Jarak said words to the effect "Gene it's getting hot out here and we need to water these lions."

Gene repeated that we could not stop because we were behind schedule.

11. Jarak then tried to contact the General Manager, Jeff Steele, to see if he would stop the train so that the lions could be watered. First he called him on the radio and then went directly to his train car. There was no answer to either attempt to reach Steele.

12. The train finally stopped at 2:45 p.m. We were still in Arizona. The animals had been in transit since 8:30 a.m. in the desert heat without being watered down. Jarak and I went to water down the lions and immediately saw that Clyde, a two year old male, was not moving, barely breathing, and his tongue was hanging out of his mouth. Clyde was completely unresponsive. Jarak said to me that something was seriously wrong. Clyde breathed his last breathe within moments of our arrival.

13. We tried calling Jeff Steele and Gene Petis, neither of whom responded.

We called Jason Peters and told him what had happened since he was the

trainer. We eventually reached John Griggs and asked him to come to the lions' car.

14. John Griggs arrived and saw that Clyde was dead. John called Ringling's veterinary technician, Debbie Fahrenbruck, and reported Clyde's death.

7/15. A ~~Fresno~~ area veterinarian, Ellen Weiner, D.V.M., called John Griggs back and advised him that we should move Clyde's body to the meat truck. It took eight men to move Clyde including some railway workers from Burlington Northern Santa Fe railroad. John told us to shut up and not say a word about what had happened to Clyde.

16. After Clyde's body was moved to the meat truck, the train started up again. At this point it was later than 5:00 p.m.

17. We arrived in Barstow, California that evening and the train stopped so that we could water down the animals. The lions were still panting but cooler.

18. The train went straight from Barstow, California to Fresno, arriving in the early morning of July 14th. Dr. Weiner was there awaiting our arrival with a rental truck packed with ice. Dr. Weiner backed up the rental truck as close as possible to the meat truck so that Clyde's body could be moved. Jeff Steele, appearing for the first time since Clyde had died, ordered one of the circus trucks to position itself so as to obstruct the view of Clyde's body being transferred from the train to the ice-packed rental truck.

19. Jason Peters arrived while Clyde was being transferred to Dr. Weiner's truck. I could hear Jason urging Dr. Weiner to perform an autopsy on Clyde. Jason was certain that Clyde had died because the lions had spent over six hours in desert heat without being watered.
20. The next day, July 15th, the Vice President of Ringling, Mr. Jim Andock arrived with several legal people. Each of us with information on what had happened the day Clyde died was interviewed by Feld Entertainment lawyers. My interview lasted for possibly an hour to an hour and one-half. I was told by the lawyer not to talk to anyone about what had happened.
21. Ringling flew in staff to quickly install a misting system in the lions' boxcar before the U.S.D.A. inspectors arrived.
22. On Friday, July 16th, I saw Dr. Weiner and asked her about the results of Clyde's autopsy. She told me that the results were "inconclusive" but said "you know what happened."
23. That same day, two people from the U.S.D.A. came to inspect. They were only there for less than an hour. Before the U.S.D.A. inspectors could see the meat truck where Clyde's body had been transported, Jarak and I were ordered to power wash the car. Clyde's blood and hair were stuck to the floor of the meat truck which is what we washed out. Ringling's lawyers

kept those of us with knowledge of the lion's death away from the U.S.D.A. and instructed us not to speak to the inspectors.

24. After the circus was finished in Fresno, it went to Los Angeles. Between the time Clyde died and the circus performing in Los Angeles, Jeff Steele approached me twice and told me to keep my "fucking mouth shut" about the Clyde incident.

25. On July 21st there was situation when the electrical power went off for several minutes during a circus intermission. Steele called me into his office and said that it was my fault that the power had gone off and that I was to "get off [his] fucking show." I tried to explain to Steele how the power disconnection had happened, but he wasn't interest.

26. I made an effort the following day to try and explain to Jeff what had happened, but he threw me out along with my 9-year-old daughter. We were left in LA with nothing and had to take a bus back to the east coast where I am currently in the process of looking for a job.

27. Apart from what happened to Clyde, I witnessed other disturbing incidents at Ringling Bros. The elephant trainer, Troy Metzler, is aggressive with using the bullhook on the elephants, including the babies, to make them do what he wants. His nickname with the circus is "Captain Hook" because he constantly hooks the elephants with a bullhook. Troy recently fired an

employee named Joe who complained to Troy that he was getting out of hand with hurting the elephants. A baby elephant named Sara is currently being trained on the road by Troy.

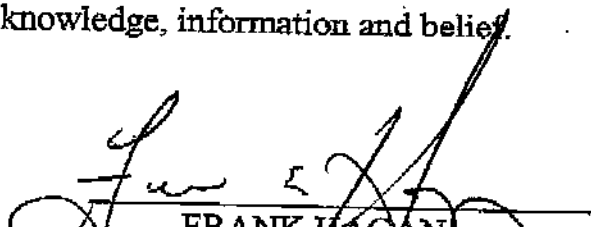
28. Two of the younger elephants, Kelly Ann and Angelica have, at times, been temporarily taken off the shows because they both suffer from foot infections.

29. The misters in the elephants' boxcars were broken for a long period of time while I was there.

30. Another incident I witnessed relates to a young Alpaca named Felix. While in Phoenix, Felix was suddenly bumping into things evidencing some kind of medical problem but veterinary care was not immediately provided.

There are no veterinarians who travel with the circus. Felix went blind the next day. Another Alpaca, Jasper, was never treated for leg problems. Both Alpacas were taken off the show.

I solemnly affirm under the penalties of perjury that the statements made above are true to the best of my knowledge, information and belief.


FRANK HAGAN