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The Humane Society of the United States

Celebrating animals, confronting cruelty

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Charity Navigator has become aware of the following information in connection with this charity:

- On May 15, 2014, Feld Entertainment ended its long running legal dispute with the Humane Society of the United States, the Animal Welfare Institute, the Fund for Animals and other non-profit animal rights groups who had accused the Ringling Brothers and Barnum & Bailey Circus of abusing its world famous elephants, in violation of the Endangered Species Act ("ESA").
- The Fund for Animals and the Humane Society the United States, which merged in 2005 but operate separately, issued [this statement](#) in which they said: "Although The HSUS was never a plaintiff in the case against Ringling, we believe it was prudent for the parties to settle, because this court would never address the core claims of elephant abuse, and there would be significant cost to continuing to litigate. We expect that a substantial portion, if not all, of the settlement costs to The HSUS and The Fund for Animals will be covered by insurance, and in the end, that no donor dollars from The HSUS will go to Feld."
- As described in [this February 20, 2014 decision](#): "The plaintiffs in the ESA action premised their case on the testimony of the late Tom Rider, who testified that he observed the mistreatment of the elephants when he worked for the circus. [The judge], however found that Rider was not credible and that he was essentially a paid plaintiff witness whose sole source of income throughout the litigation was provided by the animal advocacy organizations, which were his co-plaintiffs in the ESA action. [The judge] therefore concluded that Rider lacked standing and entered judgment for Feld, the defendant." Feld then [sued the plaintiffs](#) in the ESA case as well as their attorneys, arguing that the ESA plaintiffs' payments to Rider during the litigation violated the RICO Act. After Feld's RICO case [survived a motion to dismiss](#), and the animal rights groups were ordered to disclose the names of certain donors [in discovery](#), the defendants agreed

to pay Feld \$15.75 million to settle Feld's [claim for attorneys fees](#) in the ESA case and the pending claims in the RICO action. Media coverage of the \$15.75 million settlement, in which none of the parties admitted liability, can be found [here](#), [here](#) and [here](#) and Feld's statement on the settlement is available [here](#).

- On July 7, 2014, the Washington Examiner reported that on May 15, 2014 "when the [voluntary] settlement...' between Feld Entertainment and several non-profit animal rights groups "...was announced, officials at the Humane Society of the U.S. and the Fund for Animals, which were responsible for paying the \$15.7 million, defiantly claimed their insurance companies, not their donors, would pay the money to Feld." The article goes on to note that "what the animal rights groups failed to disclose to the public was that they'd been told four years before that their insurance companies would not provide coverage." The article also states that "today, the groups are suing their insurers." In response, " Wayne Pacelle, the Humane Society's president and CEO, shrugged off the insurance companies' refusal to cover the settlement, saying in an interview, 'denial of coverage is a standard posture within the industry.' Pacelle... said they have a 'commitment' from one carrier 'to cover the bulk of what our responsibility is.' He said he hopes there can be settlements with the other two insurance carriers." For more information, please see [The Washington Examiner article](#).

Charity Navigator, as an impartial evaluator of publicly reported financial information, takes no position on allegations made or issues raised by third parties, nor does Charity Navigator seek to confirm or verify the accuracy of allegations made or the merits of issues raised by third parties that may be referred to in the Donor Advisory. However, Charity Navigator has determined that the nature of this/these issue(s) warrants making this information available so that donors may determine for themselves whether such information is relevant to their decision whether to contribute to this organization. (See [How we decide to post a Donor Advisory](#)).

<http://tinyurl.com/ounnbj7>

NOTE: Charity Navigator has since removed the Donor Advisory. However, once the Advisory has been lifted, a record of it will remain in the charity's 'Historical' section of its profile page so that donors have an opportunity to learn about issues the charity previously faced and, if available, how it resolved those issues.