

Black, John - SOL

From: Samantha Berg <Ex 7(C) Privacy >
Sent: Wednesday, September 07, 2011 1:48 PM
To: Black, John - SOL
Subject: Re: conversation

Hi John,

Sure, I am available to answer any questions you have - just let me know when.

Thanks!
-Sam

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Samantha Berg, M.Ac, L.Ac, Dipl.Ac.
Licensed Acupuncturist

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Please visit our website:
<http://www.AlaskaAcupuncture.com>

From: "Black, John - SOL" <Black.John@DOL.GOV>
To: Samantha Berg <Ex 7(C) Privacy >
Cc: "Howard-Fishburne, Tremelle - ATL - SOL" <Howard-Fishburne.Tremelle@dol.gov>
Sent: Wednesday, September 7, 2011 10:10 AM
Subject: RE: conversation

Ms. Berg,

Thank you for your email. We won't be asking you to testify at hearing.

However, is it okay if we contact you next week if we have questions that we think you might be able to help us answer?

Thanks!
John

From: Samantha Berg [mailto:Ex 7(C) Privacy]
Sent: Wednesday, September 07, 2011 2:10 AM
To: Black, John - SOL
Subject: conversation

Hi John,

Ex 7(C) Privacy suggested that I speak with you re: being a rebuttal witness for the Andrew's statement.

I would definitely like to talk to you and I have a few questions about the process. Mainly, I am concerned that because I only worked at SWF for 3 1/2 years - and 1 year at Shamu stadium - that my testimony might not be credible compared to a guy who has 25 years of zoological experience.

On the plus side, I hold a B.S. in Animal Science from Cornell University , but I have a small amount of experience actually working in the field compared to Andrews.

Having said that, I fully agree with everything Jeff said re: Andrew's statement. It is full of lies that are easily discredited simply by reading the autopsy reports from Brancheau and Duke's deaths which you should easily be able to cite. This is what I sent to Jeff immediately after reading the report:

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OK, I just had a chance to skim the Jeff Andrews PDF document. Did he not read the autopsy report? How did Dawn's breast bone get broken and how did her arm get ripped off and how did her scalp come off if Tili was not being aggressive. Also, he's lying about no evidence of aggression toward Ex 7(C) Privacy - didn't someone have to retrieve pieces of his testicles from the bottom of the pool?

I will go over the document more thoroughly, but he is lying through his teeth and trying to use the angle of Dawn's closeness with friends and family and park animals as a smokescreen to tug on heart strings and cover up his lies.

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So my main questions are:

1. Would one of the other trainers be a better witness?
2. Would a joint written statement from all 4 ex-trainers provide more credibility than a personal statement from one of us alone?
3. My direct knowledge of SeaWorld's procedures for training their staff only extends to what was in place up until August of '93 - I question whether this qualifies me to speak to SeaWorld's current safety or training procedures.
4. If I did end up testifying, what sort of confidentiality am I bound to? I know that previous SeaWorld cases are still under gag orders. I'd want to know that if I chose to be a witness I can still speak freely about the case after the fact.
5. I have a busy acupuncture practice and I live in Alaska . This means I would have substantial travel costs as well as time away from my practice What kind of time commitment would it require if I agree to be a witness?

My cell phone number is Ex 7(C) Privacy The best time to get me tomorrow would be before I start work - about 7am my time which is 11am East Coast time. Or during my lunch hour which is 1pm Alaska time and 5pm East Coast time. My office number is 907-745-8688.

Looking forward to speaking with you ,
Sam

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