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EXHIBIT 58
Doctor calls Roy's survival 'all but miraculous'

By MIKE WEATHERFORD
REVIEW-JOURNAL

The wounds inflicted upon superstar magician Roy Horn were so severe that his survival borders on the miraculous, his neurosurgeon said Tuesday.

Horn has been listed in critical condition at University Medical Center since Friday night, when he was attacked by a white tiger during a performance at The Mirage.

In a news conference Tuesday, Dr. Derek Duke confirmed that since Sunday afternoon, Horn has been "communicating with us and is responding nicely."

The neurosurgeon said the prognosis was not good when Horn, who suffered severe blood loss from a bite wound to the left side of his neck, arrived at the hospital late on his 59th birthday.

"Mr. Horn's injury was extremely severe, and it is all but miraculous that he is alive at this time," Duke said Tuesday.

Duke, who said some media outlets have inaccurately reported that Horn was in a drug-induced coma, cautioned that the entertainer still faces a long road to recovery.

"While we are quite pleased with his progress, Mr. Horn is in critical condition, and it will be quite some time before the extent of his recovery is known," Duke said.

The Review-Journal reported Tuesday that a hospital source said Horn had suffered paralysis on his left side.

During the Tuesday news conference, Bernie Yuman, the longtime personal manager for Siegfried & Roy, was asked whether Horn had suffered paralysis.

"There is no long-term prognosis," Yuman replied.

MGM Mirage spokesman Alan Feldman added that Horn has been able to interact and respond to
questions.

He was injured about 45 minutes into the show when the 7-year-old tiger, Montecore, refused his command to lie down. The tiger locked its jaws on Horn's arm, and when Horn hit the animal with a microphone, it lunged at him, clamping his jaws on Horn's neck.

Horn suffered severe blood loss Friday night and during surgery he had to be resuscitated. He then suffered a stroke and had to undergo another surgery Saturday morning.

Show producers confirmed Monday that the stage show, which opened in February 1990, has closed permanently after 5,750 performances.

On Tuesday, Yuman reiterated that there are no plans to destroy Montecore.

"His future is bright," Yuman said. "A tiger is a tiger. We understand."

Horn's stage partner, Siegfried Fischbacher, is scheduled to make his first public appearance at 6 p.m. today on CNN's "Larry King Live."

The Associated Press reported that Fischbacher told a German newspaper Tuesday that Horn was able to raise his hand in a 'V' for victory sign.

"He's the strongest person in the world. We'll get through this together," Fischbacher told the Bild daily. "I'm sure he'll recover completely. He's over the worst."

Fischbacher said he has spent the past few days crying and praying for his longtime friend. He also said he felt for the tiger, who "reacted instinctively and was completely confused because Roy slipped."

Fischbacher said Roy noticed something was off with the tiger, so he departed from the routine and moved between the tiger and the audience. It was then that Roy stumbled, Fischbacher said.

"I'm not mad at the tiger because he didn't act out of badness," Fischbacher told Bild. He added the tiger is still "part of the family."

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service is investigating the attack.

Feldman noted that Siegfried & Roy, who have performed in Las Vegas for more than three decades, had not had an attack during almost 30,000 performances involving exotic animals.

There were no physical barriers separating audience members from the animals that performed during the act.

Asked why that was the case, Feldman said, "Professional handlers work with their animals to develop a relationship with trust and understanding. Through a vast amount of work, they know how to properly care for the animals when in a public setting."

A steel mesh curtain was part of the show, but it was intended for a moment when numerous animals are on the stage together, Feldman said. That curtain had not fallen when Horn was attacked and cast members tried to free him from the tiger's jaws.
A carpenter sprayed the tiger with a fire extinguisher, causing the animal to free Horn. The fire extinguisher method was part of the show's emergency procedures, Feldman said, though not all cast members were aware of that.

"You're going to get different answers from the cast members because many of them don't know," Feldman said. "The simple fact is, this is a prescribed safety measure. It doesn't mean every single person backstage would have known that."

Officials said there are few hard-and-fast rules designed to protect the audience in the event a tiger or other dangerous animal went berserk during a live show, though experts said such an incident is highly unlikely.

Federal regulations state: "During public exhibition, any animal must be handled so there is minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the animal and the general viewing public so as to assure the safety of animals and the public."

USDA spokesman Darby Holladay said on-site inspectors are the ones who define "sufficient."

"And, obviously, they met the requirement for sufficient," he said of Siegfried & Roy's show. "They've had no non-compliant inspections in four years."

He said beyond those regulations in the Animal Welfare Act, the Agriculture Department has no authority over the show.

Other than worker safety issues, neither the state nor the county has authority to regulate safety, either, officials said.

"That's one area we are exploring, obviously, with the state and the feds," said Clark County Manager Thom Reilly. "We're just looking at the display of animals in any shows, the barriers. That's an issue that probably should garner more scrutiny."

Reilly said there are no hard-and-fast plans for the county to begin regulating animal acts on the Strip, noting that Siegfried & Roy performed for decades without an audience member being harmed.

Still, he said, Friday night's attack "does beg that question: There isn't any kind of barrier to protect the audience."

He noted that animal experts have said a tiger's inclination is to adhere to its training and, in the case of chaos, run to its cage, which is apparently what Montecore did after mauling Horn.

That point was echoed by Tropicana illusionist Rick Thomas, who uses tigers in his show. He said fears of a tiger leaving the stage to run into the audience are unfounded.

"Tigers are extremely territorial and habitual," he said. Under duress, "they only go to comfortable territory, like back to their cage."

Part of the process for breaking in a show is to make sure the animals never get accustomed to the theater space beyond their stage and backstage surroundings, he said.

"They don't go into foreign territory," he said. "The audience is the last place where they would want to
be. The cat wants nothing to do with that."

Review-Journal writer Frank Curreri contributed to this report.

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