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The Wao Files, Part III: Asvestas vs. Asvestas

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UPDATE: Carol has two lawyers/lawsuit filed, but no hearing set yet.

Ever since Carol and Ron Asvestas were first suspended, then terminated, by the board of the Wild Animal Orphanage in late September amid accusations of animal neglect and misuse of donated funds, it seemed WAO was (finally?) on its way to a much needed recovery.

Staff members were smiling at each other, the *Current* was able to freely go through documentation previously held secret by Carol Asvestas and her attorney, Eric Turton, and even R.G. Griffing (editor of the *San Antonio Lightning*, and Carol and Ron Asvesta's Public Enemy # 1) used headlines like "Bless the Beasts" to commend WAO's fresh start and to publicize the sanctuary's need for new donors.

It was too good to be true.

"There's going to be some big news tomorrow [Oct. 16]," Ron Asvestas told the *Current*, before referring our questions to his and Carol's new attorney, Tammy Click.

"I don't know [what's going to happen tomorrow]," said Nicole García, the daughter of Carol and Ron and the person whom WAO's board chose to take over the reigns of WAO after the late-September shake-up. "I don't know. Maybe they're going to sue me tomorrow. I have no idea. Who knows?"

When contacted by the *Current*, Click said in an email that "I would like to fax you a document that should answer any questions."

Click works in the same building as Eric Turton, who on October 15 told the *Current* "I no longer represent WAO but I still represent Carol Asvestas." When the *Current* asked Click whether she and Turton represented Carol Asvestas, but she was the only one representing *both* Carol and Ron Asvestas, Click said in an email that "I am not partners or associated with Mr. Turton. We work independently. I have my own law practice." Turton told the *Current* he's representing Carol in her defamation lawsuit against the *San Antonio Lightning*, and Click represents both Asvestas in the new case: a lawsuit against the three-member WAO board (Sumner Matthes, Karen Maxfield, and Michelle Cryer), Nicole Asvestas-García (WAO's CEO) and WAO itself.

The main points in the Asvestas' claim is that they were wrongfully terminated because WAO by-laws state that there should be five board members, not three, as posted on WAO's website on October 1. They also demand "immediate" payment of \$264,764 for

“reimbursements, salaries and vacation pay,” and “the return of 7+ acres, upon payment of \$20,000 plus interest” and the return of “personal items” still at WAO’s office.

Based on information taken from emails and recollection, Nicole García (who wasn't present at the meeting) said that, on September 28, there were five members when it was voted to place Ron Asvestas on a 90-day leave of absence, no pay, until further investigation was done.

"At that point, my mom quit," García said, adding that on the 30th of September the two other board members resigned. "Then on October 1, with all the things that took place [Carol and Ron Asvestas allegedly taking computers and files from WAO, most of which was taken back by WAO], they were officially terminated."

The fact that there were five members at the first vote was confirmed to the *Current* by Sumner Matthes, vice president of the board. Texas law indicates that a corporation must have a minimum of three directors.

“Everybody, the employees and the board of directors at the orphanage, seemed to be very upbeat at this point,” said Matthes, when the *Current* informed him of the lawsuit. “I would hate to see some lawsuit destroy what we have accomplished in the last two weeks.”

“Fine,” said Nicole García upon hearing the news. “Here we are. I’m ready. This is not about me, or them, it’s about the animals. When [the lawsuit] is addressed to us, we’ll handle it.”

At 11:15 am on October 16, Nicole and the WAO board still hadn't been served. According to Rene Charles, who answered the line at the 57th Judicial District court, "the case has been filed but there is no hearing set yet."

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