

From: Kristina M. Brunner (Former Vice President/Treasurer)

To: The Wild Animal Orphanage Board of Directors and all Interested Parties

Subject: Response to the Wild Animal Orphanage Meeting held on 12/27/2005

Date: January 17, 2006

This memorandum is in response to the staff meeting called by Carol Asvestas and Ronald Asvestas on December 27, 2005. According to the document I received during the January 7, 2006 Emergency Board of Director's Meeting, the staff members who attended this meeting was: Mary and Michelle Reininger, Dr. Rachelle, Gaza, Terry and Mike Minshu, Brandon Prill, Norma Lagutchik, Melissa Asvestas, and Laura Mireles. **Attach 1** Mr. Sumner Matthes (now Vice President of the WAO Board of Directors as of January 7, 2006, 3:30pm) provided the material used in the December 27, 2005 Staff Meeting document. During the Emergency Board Meeting of January 7, 2006, I learned that Ms. Asvestas and Mr. Matthes communicated via e-mail to one another regarding the issues listed below. I was not courtesy copied in any of their correspondences regarding these issues.

Note: I was not aware that Laura Mireles was a staff member at the WAO as she is listed on the December 27, 2005 Staff Meeting document. It is a clear violation of the by-law currently used by the WAO for a Board Member to be a staff employee. Since Laura Mireles at that time was the Corresponding Secretary, I believe her participation in this meeting was a clear violation of the by-laws.

I believe the information I received from the Staff, Veterinarians and County records to be truthful and so I acted accordingly. The information contained herein is true and accurate to the best of my knowledge.

Opening Remarks

The following is my response to this December 27, 2005 Staff Meeting's brief synopsis and comments concerning Jake:

On December 10, 2005, I learned from Norma Lagutchik the monkeys have not received fresh fruit for about one (1) year. Ms. Lagutchik informed me that staff and volunteers were bringing in fruits and vegetables to feed the monkeys and were not compensated for the produce. She also said that, unfortunately, not all the monkeys were fed fresh fruits and vegetables since there were not enough of the produce to go around. Ms. Lagutchik also indicated that the Wild Animal Orphanage did not purchase Monkey Biscuits for the monkeys at the Leslie Road location. I asked Ms. Lagutchik if it was okay if I purchased fruits and vegetables and then give them out to the monkeys at the Leslie Road location. She said if I could get the produce, then it was fine with her. That day, I went to a local supermarket store and spoke with the produce assistant

manager. I explained the situation to her and she said she would be willing to help me out by giving me bananas at a quick sale price of \$1.00 per box. I purchased that day with my own money one large box of bananas. **Attach 2** The next day, December 11, 2005, I distributed the bananas to all the monkeys, including those monkeys in quarantine, with the help of Ms. Terry Minshu. Mr. Brandon Prill was on hand and expressed his appreciation to me for helping out the monkeys.

I spoke with Ms. Lagutchik on December 17, 2005, while she was treating the sick cats in clinic, to let her know I had two large containers filled with more bananas. I was also able to purchase oranges, apples, celery, and carrots due to the generosity of a donor. **Attach 3** When I explained the problem to the donor, she gave me \$100.00 to be used strictly for the purchase of fruits and vegetables. I figured this would provide the monkeys with produce for at least six weeks. Ms. Lagutchik was very happy that I was able to obtain fresh fruits and vegetables for the second week in a row. I asked her if she wanted to help me distribute the produce, but she said she was leaving after treating the cats and would not be able to stay much longer. On that particular day, I was also supervising ten juveniles from Juvenile Probation for the second week in a row. When the children left that day around 1:00pm, I got the produce out of my truck and asked Ms. Minshu if she wanted to help me pass out the fruits and vegetables once again. She said she needed to finish working in the Katrina/Rita cat area, so I proceeded to the animal quarantine area alone.

I have cleaned the tiger cages in quarantine for several months. I have always worn eye protection and a large hat to protect my face. At no time was I ever instructed by Dr. Rachelle Gaza or Mr. Prill to wear a protective lab coat and mouth mask. I have even been asked by Ms. Asvestas to observe the plumber while he worked on a broken water pipe in the quarantine area, and neither one of us were instructed to wear a mouth mask, lab coat and protective eye wear. Both Mr. Prill and I worked in the quarantine area, not wearing the complete bio-safety level 2 gear.

On December 17, 2005, I entered the quarantine area and saw that the monkey metal cages were completely covered up by very large boards. **Attach 4 Note:** These boards were put in place after I called Ms. Lagutchik at work during the week of December 5, 2005, early in the morning. The temperature in San Antonio from December 5 – 9, 2005 was 27 – 34 degrees (not including the wind chill factor). **Attach 5** I was very concerned on December 7, 2005 because the low temperature was 27 degrees and knowing that the monkeys had no heaters, no blankets, no hay, and no boxes, I was concerned that the monkeys would freeze to death. **Attach 6** I learned on December 10, 2005 that three monkeys died during that week. Prior to this, on December 3, 2005 I learned one monkey hung himself in quarantine on November 29, 2005. Mr. Prill explained to me that the monkey got his head caught on the sliding divider shelf and essentially “hung” himself. Ms. Lagutchik entered the monkey’s death in her “red” book, but she indicated the monkey was from University of Arizona, when in reality he was from the University of Virginia. Incidentally, another monkey died in quarantine on 11/30/2005. Ms. Lagutchik entered in her “red” book that the monkey was from the University of Virginia, but in reality the monkey was from the University of Arizona.

Attach 7 By the way, the low temperature on 11/29/05 was 31 degrees and on 11/30/2005 the low temperature was 36 degrees (not including the wind chill factor for both days). **Attach 8** Now, I discovered the entry errors when I contacted the University of Arizona and was told they shipped three monkeys to the WAO and none of them were named Bubba or Henry. I confirmed this information with both Mary and Michelle Reininger. They confirmed that Bubba and Henry were from the University of Virginia. I was told by both Ms. Lagutchik and Mr. Prill that if anyone asked about the health of the two dead monkeys from the University, he/she was to be told that the monkeys were doing fine. Both individuals told me these instructions came from Ms. Asvestas.

So, before I could feed the monkeys in quarantine on December 17, 2005, I had to pull back the boards from the remaining cages that contained a monkey. All the monkeys were shivering. The high temperature was 50 degrees on that day, and because the boards were in place the cages felt even colder. When I went to give Jake (endangered species – White Crown Mangabey) his fruits/veggies, I observed him shivering very, very hard. He was sitting on cold metal bars with a damp towel lying behind him. He did have a small pet carrier in the bottom of the enclosure, but it was covered in feces and urine. The carrier did not contain any towels or blankets. He was fed an orange slice earlier by someone else and Jake had a very difficult time holding the fruit. He whimpered when I approached him. My heart immediately went out to this animal. He needed help immediately. I went back to my truck and got out my camera and took pictures of the animals in quarantine. **Attach 9** Then I went into the WAO Office and approached Mr. Prill. I explained to him what I observed. He said he observed the same thing and was also concerned that if the temperature dropped down again that night, Jake might not survive. He told me he could do nothing without Mr. Asvestas or Ms. Asvestas' approval. Just then, Mr. Prill saw Mr. Asvestas entering the Office and said "Why don't you ask Ron?" Mr. Asvestas said "Ask me what." I explained to Mr. Asvestas what I observed and that is when he blew up at me. He screamed at me in front of the Office staff and Mr. Prill that he did not want to have anything to do with the animals. He said that he didn't want to get involved – that I would have to speak with Ms. Asvestas because he didn't want to get "in the middle." I reminded him that Ms. Asvestas left for Colorado earlier that day. He screamed at an office employee to get Ms. Asvestas on her cell phone. She did. I informed Ms. Asvestas of the situation. She said Jake was fine. That "shivering was his way of keeping warm" and I should not worry about him. I told her I was concerned that if the temperature dropped again that night, Jake might not survive. Ms. Asvestas stated the temperature never dropped below 40 degrees in the quarantine area and not to worry. I informed Ms. Asvestas that the weather was predicted to drop below freezing again and that the monkey needed help to stay warm. She said she would call Ms. Lagutchik on her cell phone and ask her to return if necessary. I thanked Ms. Asvestas and hung up the phone. I told Mr. Prill that Ms. Asvestas would call Ms. Lagutchik and ask her to return to help Jake. I tried to call Ms. Lagutchik to give her a heads-up and expect a call from Ms. Asvestas, but I was not able to get through. Turns out, Ms. Asvestas called Ms. Lagutchik right away and told her to return. Ms. Asvestas then called the Office and asked for Mr. Prill. After speaking to him for a few moments, I was told Ms. Asvestas wanted to speak to me. It is at this point Ms. Asvestas demanded to know why I was in quarantine. I told

her I was feeding fresh fruits and vegetables to all the monkeys and that Ms. Lagutchik was aware I was doing this. Since I have helped out in quarantine for several months (May – December 2005), it did not occur to me that I was not welcome back there anymore. Ms. Asvestas started in on me about how I should not be back there without full quarantine gear. I told her I did wear eye protection and a hat to protect my face and she calmed down slightly. I told her it was not my health I was concerned about at that moment, but Jake's. I truly believed his life was at risk and I told her so. She said the monkeys were fine. No monkey has ever died from the cold. I brought to her attention the five monkey deaths within the last three weeks. She wanted to know who told me about their deaths. I reminded her I volunteer in quarantine every weekend, so I was aware of what happened to the animals. Ms. Asvestas told me the monkeys from the University of Virginia did not die from freezing to death. Ms. Asvestas told me the monkeys died two days after arrival due to a vasectomy complication. I told her that was impossible because I saw both monkeys on November 26, 2005 and then only one monkey on December 3, 2005. Ms. Asvestas, sounding flustered, said "I'm not going to argue with you about this." I also reminded her that the two older capuchin monkeys died and she said they died of natural causes. Ms. Asvestas said they were old and she wanted to know who told me they froze to death. Again, I told her that I saw the empty cages myself and no one told me anything other than to confirm that they died during the week of the freeze. Ms. Asvestas concluded the phone call by reminding me to wear quarantine clothing and I told her I would. I called Ms. Lagutchik on her cell phone again, and Ms. Lagutchik said she had turned her car around and was on her way back to the WAO.

While waiting for Ms. Lagutchik, Mr. Prill and I went out to the quarantine area to check on Jake. We both observed Jake shaking very hard. We both agreed that something must be done to help him. That is when one of the office employees came to the door and said Ms. Asvestas was on the phone again and wanted to know where Mr. Prill and I were. The office employee relayed a message from Ms. Asvestas that both Mr. Prill and I best not be in the quarantine area. The employee stated she would not tell Ms. Asvestas she found us in quarantine. Mr. Prill and I returned to the office just in time for Mr. Prill to receive another call from Ms. Asvestas. While Mr. Prill was on the phone, Ms. Lagutchik arrived at the WAO. Ms. Lagutchik briefly spoke with Ms. Asvestas and then we all proceeded to the quarantine area. We put on mouth masks, and protective eye wear and Ms. Lagutchik put on a lab coat and we all proceeded to Jake's enclosure. We pulled the filthy carrier out of his tiny metal cage and I proceeded to clean the carrier out with the water hose. Ms. Lagutchik pulled out the filthy wet material from the top portion of the cage so it could be thrown away. Ms. Asvestas called again and spoke with Ms. Lagutchik, trying to come up with viable solutions to properly house the monkey. After Ms. Lagutchik hung up the phone, Mr. Prill and I went outside to the back of the quarantine area to find a large animal carrier that we could place Jake in so he could be brought inside the facility. Ms. Asvestas said to place Jake in the carrier and then the carrier would be placed in another cage to keep Jake from escaping into the facility. While we were working, Ms. Lagutchik told me that Ms. Asvestas told her I was banned from the quarantine area. Ms. Lagutchik told me Ms. Asvestas did not want me to see the monkeys in quarantine again. Ms. Lagutchik told

Ms. Minshu and I that because Jake was coming into the facility, the contagious cat running around the inside of the building would have to be put down because the cat and monkey could not be in the same area together. Feeling sorry for the cat, Ms. Minshu volunteered to take the cat home. Ms. Asvestas called Ms. Lagutchik again, and I was present when they spoke. Apparently, the plan changed again. The monkey would remain outside, but his carrier would be placed back into the enclosure with fresh towels inside of it. Disgusted, I went back outside and resumed feeding the monkeys fruits and vegetables. When I passed Mr. Prill he asked what was going on now. I told him we did not need the extra cage after all because the monkey was staying outside. Feeling very frustrated over how the entire situation was handled, I told Mr. Prill to let me know when Jake died and his name is entered into the “red” book so I could update my records. I went to the capuchin monkey enclosures and immediately spotted a dead monkey right in front of the enclosure. There were no visual injuries and no obvious case of death. **Attach 10** I took pictures of the dead monkey. I went and got Ms. Minshu and showed her the dead monkey. She in turn spoke with Ms. Lagutchik. I continued feeding the monkeys the produce. When I got to Baby’s transporter, I found her shivering as well. She was living in a small animal transporter, with an old metal cage inside. The enclosure was filthy – for it contained old water logged dog food and feces. **Attach 11** Mr. Prill explained to me the previous weekend that the hose to wash out her enclosure did not function properly. Before I gave Baby her fruits and vegetables, I took pictures of her living conditions. While I was feeding Baby and the other monkeys in the back, Norma approached me. Both of us were wearing our quarantine gear while we were in this area. Ms. Lagutchik relayed her conversation she had with Ms. Asvestas. Fully expecting to be thrown off the property, I was surprised to learn from Ms. Lagutchik that Ms. Asvestas was concerned that I would go to the media regarding the condition of the quarantined animals. Ms. Lagutchik told me that Ms. Asvestas told her to “just do something about that monkey so Kristina won’t go to the media with this.” I was upset when I heard this because it showed to me Ms. Asvestas is more worried about me and what I might do rather than the health and welfare of the animals. Ms. Lagutchik also said that Ms. Asvestas wanted to know who told me about the dead monkeys in quarantine. Ms. Lagutchik said she told Ms. Asvestas that I am in quarantine each week and it did not take much to figure out the monkeys were dead. Ms. Lagutchik then told me she put clean towels in the carrier for Jake and locked him in the bottom portion of the cage. Both Ms. Lagutchik and I agreed that this was a terrible situation and something needed to be done, but we had no control over the situation. I asked Ms. Lagutchik if the WAO had any way of heating up the cages so all the monkeys could stay warm in quarantine and she told me she was not aware of any heaters. We both did not understand why an endangered species animal was placed in between Rhesus Macaque monkeys. It just did not make any sense to expose this monkey to a potential virus that Ms. Asvestas was worried that the workers might get. I then brought up the dead capuchin monkey and she said she knew about it since earlier this morning. At the time, Ms. Lagutchik said she was unable to pull the dead monkey out of the cage. Ms. Lagutchik left me to see what she could do now since the dead monkey was very visible to the public. When I joined Ms. Lagutchik at the capuchin enclosure I observed her trying to pull the dead monkey along the outer edge of the cage towards the door. Her daughter was with her and she asked me if I had an extra

pair of gloves. Ms. Lagutchik needed a pair of gloves to pick up the dead animal. I told Ms. Lagutchik that I would help her pull out the animal with my gloves that I was wearing. Ms. Lagutchik opened the enclosure door and I pulled out the dead monkey. There were no wounds visible anywhere on the monkey's body. As I stood up, both Ms. Lagutchik's daughter and I noticed the severely injured animal at the top of the enclosure. The wound looked horrible, and so we both gasped out loud. It was very obvious the animal was in extreme pain. Several monkeys surrounded the injured animal in attempts to protect it from us. I tried to take several pictures of the injured animal, but the other monkeys kept getting in the way, so I was only able to get two pictures of the injured monkey. **Attach 12** Ms. Lagutchik said there was nothing she could do to help the monkey and I predicted to her that the animal would die either that day or the following day. As it turned out, the monkey was found dead in the enclosure by the animal care technicians the next day. That brought the total of dead capuchin monkeys in the span of one or two days within the same enclosure to two (2).

At the end of the day, before I left the sanctuary, I was told by one of the office employees Ms. Asvestas was on the phone and wanted to speak with me again. Ms. Asvestas was very pleasant when she asked me if I could work in the cat area on Saturdays, so I could supervisor the volunteers, thereby allowing the cat animal care technicians some time off. Apparently, the animal care technicians were working long hours, seven (7) days a week. I said that was fine and before I hung up the phone, Ms. Asvestas reminded me that she still had my Christmas present and wanted to give it to me soon. I told Ms. Lagutchik about our conversation and she said Ms. Asvestas would probably continue to "suck up to me" because of what I saw today and how unhappy I was with the outcome.

This was not the first instance I caught Ms. Asvestas misspeaking about the condition of animals at the WAO. In summer of 2005, I asked Mr. Prill what happened to Rex, the baby lion. Earlier, when I gave a tour, I noticed his name was not on the tour guide cards. Mr. Prill said I needed to ask Ms. Asvestas. So I went inside and asked Ms. Asvestas what happened to little Rex. She looked me dead in the eye and said he was fine and was located in the enclosure with the other young lions. I told her Rex's name was not on the tour guide cards and she said that it must be an oversight for he was fine. I took the cards to the lion enclosure and matched up the names and cats – Rex was missing from both the cards and the enclosure. I met up with Mr. Prill and asked him outright – "Rex is dead, isn't he?" Mr. Prill told me that he was not allowed to discuss Rex, but he did concede that Rex had passed away. Later on, I called Mary and Michelle Reininger and asked when Rex died. I was told Rex died a long time ago. He was found in the enclosure being dragged around by a tiger cub.

On December 23, 2005, I asked Mary and Michelle Reininger why Carol lied to me regarding Rex's death. I was told that Ms. Asvestas did not want "Gloria" Frasher to know that Rex was dead. So I asked what Ms. Asvestas would do if Gloria showed up and wanted to see Rex. I was told by the Reingers that Ms. Asvestas would try to pass Leo off as Rex.

Ms. Lagutchik also told me of an incident that concerned me greatly. Ms. Lagutchik was scratched by a cougar (sometime in Oct/Nov 2005). She did not make a report of the incident on the day of her injury. When Ms. Lagutchik sought medical treatment, a health report was issued by the attending physician and the WAO was required to quarantine the cougar that scratched her. Since no record was made at the time of injury, Ms. Lagutchik was unable to identify the cougar that scratched her. Therefore, Ms. Asvestas directed Ms. Lagutchik to place a transporter with food, at one of the enclosure's openings, in the hopes of capturing a cougar with claws. Ms. Lagutchik told me that the cougar in the transporter was not the animal that scratched her and she felt guilty for quarantining an innocent animal for a long period of time. I was shocked to learn that an innocent animal was forced to live in a small transporter for several months because it was unlucky enough to enter the transporter for food. Ms. Lagutchik said she felt guilty about what she did, so she fed the cougar extra food each day. The cougar was supposed to be released back into the general cougar population at the start of the year (2006). This incident was well known among the animal care technicians. The Reiningers and I discussed the unfortunate incident on December 23, 2005. Their comments include surprise that the first cougar entering the transporter had claws. Since many of the cougars were declawed, the Reiningers believed that more than one attempt would had to been made in order to capture a clawed cougar.

Based on the falsehoods told to me by Ms. Asvestas and a clear lack of concern by the Asvestas for the monkeys and other animals, I knew it was time to conduct an independent investigation regarding animal care and treatment. As the Vice President/Treasurer I made appointments with both veterinarians to learn more about the care and euthanasia they provide the animals at the WAO. This in turn, led me to review County Clerk and District Clerk files. I spoke with Ms. Lagutchik in person and on the phone for several days in a row, phone calls lasting for more than one hour in duration. I also spoke with Mary and Michelle Reininger at length on the phone and in person. Based on my findings I felt it imperative that the Board of Directors were made aware of the on-going problems. I will address these findings as I responded to the points made in Ms. Asvestas meeting notes of December 27, 2005.

1. The Wild Animal Orphanage has gone steadily down hill in the past year.

According to conversations held with Ms. Mary and Michelle Reininger, Norma Lagutchik, and Brandon Prill, I was told the WAO has gone down hill over the last year. The Leslie Road facility has only one animal care technician, along with the in-house veterinarian. The office manager splits her time between assisting the sick cats, assisting the staff take care of the exotic wild animals, and working in the office. The animal care technician also doubles as a tour guide. It is very difficult for the animal care takers to take time off because there is no one who can fill in for them during their absence. When the Reiningers went on vacation for over a week, the in-house veterinarian had to travel to the Talley Road location and take care of the tigers, bears, infected and non-infected chimps, baboons, lions, and various kinds of monkeys by herself. It has always been the WAO's policy that no one feeds or cares for animals by her self in case of unexpected problems or emergencies. The in-house veterinarian

does not have the time to observe and look over the animals at both locations because she is too busy cleaning enclosures and feeding the animals with Mr. Prill. The WAO also hired at least three individuals to care for the Katrina/Rita cats. I am not sure if they all work full-time or if some work on a part-time basis.

If it was not for the children from Juvenile Probation, the Leslie Road property would be overgrown with weeds and high grass. A lack of Adult Community Service workers at the Leslie Road property meant general maintenance was not kept up. On weekends, I had to fix the barrier fences myself because there were no community service workers around to help out with landscaping and general repairs.

Unhealthy dietary changes were made; animals were kept in small quarantine cages for long periods of time; and very little construction took place at either location to build new larger natural habitats for the animals in quarantine. All of these items were to be discussed at the Emergency Board Meeting on January 7, 2006, but unfortunately the Board Officers did not wish to discuss all the items on that date with me present.

2: Can't afford to buy cat litter, so we are using sand.

On November 19, 2005, after supervising Juvenile Probationers from 10:00am – 1:00pm, I was told by Ms. Minshu that Ms. Asvestas was planning on picking up over 100 cats within the next two weeks. Supplies were desperately needed. The cats needed litter boxes, litter, towels, and food.

On November 21, 2005, I started an emergency Hurricane Cat Relief drive at work and delivered a truck load of supplies on November 23, 2005. **Attach 13** We delivered over 100 towels, litter, food, toys, and litter boxes. I was told more supplies were needed. On December 3, 2005, I delivered another truck load of supplies, to include, litter, food and more cat litter boxes. **Attach 14** On December 10, 2005, I brought in over 100 pounds of cat litter donated by one family. Each time, I was told the WAO needed more food and litter because the animals were going thru both rather quickly. I was led to believe there was not enough money to buy food and litter and donations for the cats did not cover all the bills.

On December 10, 2005, Ms. Asvestas asked me to help write letters to companies that sell cat litter because the WAO was very low and needed donations. I told Ms. Asvestas I had a few companies in mind, but they probably would not donate funds or supplies until after January 2006. I asked her if this was a critical situation and she said no and immediately dropped the conversation and walked away from me. So, I asked Ms. Minshu how low the cat litter was and she said if they did not get cat litter soon, she did not know what they would use instead.

On December 17, 2005, Ms. Minshu used the last of the cat litter. I asked Ms. Minshu what she planned to use in place of cat litter. She said the large mound of sand out front from the local garden supply was what she was instructed to use. The sand was wet and cold. Before I left for the day, I stopped in to see how the sand was working out

and was told by Ms. Minshu the sand was a disaster. The cats were kicking it out of the box, making a horrible mess and since the sand was not absorbent, the urine was pooling in the sand box.

I spoke with Ms. Lagutchik about the litter fiasco and she agreed the sand was not working out. I learned from Ms. Lagutchik that Ms. Asvestas just received \$20k from PetSmart and we could not understand why Ms. Asvestas did not use the money to buy proper litter for the cats. With \$20k, good quality scoop-able litter could be purchased to reduce litter waste and litter dust. I told Ms. Lagutchik the money was probably diverted somewhere. Ms. Lagutchik agreed with me.

On January 7, 2006, before the start of the Emergency Board Meeting I dropped off another supply of cat litter, food, pooper scoopers, and towels to the now quarantined cat area. I asked the volunteer, Mary Ann Nowland, how many cats were left and she said as of that day, because they just finished counting the cats, there were only 197 left. I asked her if the WAO is still using sand and she said yes. She said they had no cat litter available. She was very excited I brought in two bags and one large container of cat litter, donated again by generous Bexar County employees, and took the supplies out of my truck right away.

Note: According to an internal document, which Ms. Asvestas has in her possession, the WAO received a substantial amount of funds from various charitable organizations for the health and well-being of the Hurricane Katrina and Rita cats.

During the January 7, 2006 Emergency Board Meeting, Ms. Asvestas stated the WAO had \$155,000 on hand.

3. Cats being brought in from New Orleans are sick and dying.

I was told by both Ms. Lagutchik and the veterinarians from the Guilbeau Station Animal Hospital that the second batch of cats from Louisiana was infected with a highly contagious virus (feline respiratory complex) and that 50% - 75% of the cats would die. Ms. Lagutchik was very upset with the situation because the second batch of cats was not properly quarantined from the first batch of cats. All the cats were mixed in together, so all the cats became exposed to the virus. Ms. Lagutchik indicated to me she confronted Ms. Asvestas regarding the poor way this rescue was handled and at how many cats were dying or had to be put to sleep. Ms. Minshu was also very upset with the number of cats dying or had to be put to sleep and was trying very hard to keep the cats alive. I was told late November that the WAO would take in about 280 - 300 cats. On January 7, 2006 at 1:45pm, I learned from Ms. Nowland, volunteer, only 197 cats remained alive. When I asked Ms. Asvestas during the Emergency Board meeting how many cats survived, she said just a little over 200 cats survived. She was caught off guard when I said only 197 cats were still alive. Ms. Asvestas demanded to know where I got my information. I told Ms. Asvestas and the rest of the Board I asked Ms. Nowland working in the cat area before I came into the meeting.

According to the December 27, 2005 meeting notes and the January Newsletter appeal, the WAO took in 350 cats. If only 197 are still alive, then I believe the mortality rate is approximately **44%**.

I did not learn that the cats were highly contagious until I witnessed a cat die in its cage. It died a horrible death. I was told by Ms. Lagutchik and Ms. Minshu that Ms. Asvestas did not want anyone to know how sick the cats really were because it would paint a poor light on the WAO. I became very concerned because Ms. Lagutchik, Dr. Gaza, and Mr. Prill fed and cleaned up after the big cats and worked around the domestic cats. I was also concerned that volunteers and Adult Community Service Workers might not be fully cognitive of how dangerous this virus was to their own cats at home.

On December 20, 2005, I spoke with the Guilbeau Station Animal Hospital veterinarians, Dr. Lambert and Dr. Henry regarding the sick cats. Both veterinarians advised Ms. Lagutchik that Ms. Asvestas should not bring in new cats to the WAO facility due to the highly infection virus. On December 10, 2005, Ms. Lagutchik advised me she informed Ms. Asvestas of the veterinarians' recommendation. I asked her if she thought Ms. Asvestas would bring in more cats despite the veterinarians' advice, and she said Ms. Asvestas indicated she might return with cats again at the end of the month "if she had to." I asked Ms. Lagutchik what she meant by "if she had to" and Ms. Lagutchik believed it meant she would probably return with more cats despite the veterinarian's warning. The Guilbeau Station Animal Hospital veterinarians were also concerned volunteers were working in the cat room and the exotic animal care technicians were also working in the cat room. The veterinarians were concerned the virus might be passed on to the other big cats. The veterinarians were not pleased to learn children from Juvenile Probation were allowed to work around the infected and possibly non-infected cats. They both recommended that only dedicated domesticated cat staff worked around the infected cats. I told them I planned to propose this to the Emergency Board Meeting. I asked both veterinarians if they would be available to attend this meeting as Advisors so they could advise the Board Officers of the situation and help make recommendations. I also asked if they could go out and visit the WAO since they have not been out there since the spring. They agreed to visit the WAO to make sure the remaining animals were in good health. I spoke with Ms. Lagutchik regarding my recommended proposal of allowing only dedicated domestic cat workers handle the cats and the WAO hire two additional animal care technicians. Ms. Lagutchik wanted me to recommend that the WAO hire two veterinarian technicians, so well trained staff would be on hand to care for the sick cats. This would in turn would free Ms. Lagutchik from nursing sick cats and return her to her normal duties dealing with the non-domesticated animals and office matters.

When I called to confirm whether or not the veterinarians from Guilbeau Station Animal Hospital could make the Emergency Board Meeting, I learned both veterinarians did visit the WAO on December 30, 2005. **Attach 15** We briefly discussed their findings. The veterinarians said they found the quarantine to be adequate for a short time. They were surprised to learn the tigers were housed in quarantine since May 2005 and the

monkeys since August 2005. I was surprised to learn there was a small amount of fruits and vegetables in the freezer, so I asked if this was a no-notice inspection, or did they make an appointment. I was told they made an appointment, so Ms. Asvestas was aware of their visit in advance. The veterinarian also indicated Ms. Asvestas gave them a personal invitation to attend the Emergency Board Meeting on January 9, 2006. I informed them the appointment was not on Monday, but on Saturday, January 7, 2005. I was told a least one veterinarian would be at the meeting.

- 4. Big cats have only been fed chicken for the past year.**
- 5. Liger is not well because having only chicken to eat.**
- 6. Lion (Jambo) is losing weight.**

I never made the statement that the big cats were fed only chicken over the past year. I did notice that chicken legs were fed to the tigers and other large cats for three weekends in a row which prompted me to ask Ms. Lagutchik what happened to the Hereford meat. Ms. Lagutchik said the company that made Hereford decided it was not cost effective to make this type of meat and discontinued the Hereford product. The WAO looked around to find other sources of Hereford but the cost was 2 – 3 times more than what they were used to paying in the past. I was told by both Ms. Lagutchik and Reiningers that ground up chicken meat rolls would be given out to the tigers instead of a beef product. I was concerned that feeding only chicken to the big cats would cause renal failure in the future. I asked the Reiningers on December 23, 2005, what would happen to the big cats if fed chicken only for a long period of time. They both agreed the cats' health would suffer. The older cats would probably develop renal failure and have to be put down. The younger tigers at Talley Road would probably do better because of their age, but the older tigers at Leslie Road were at risk. Dr. Ehrlund, veterinarian from the Heritage Animal Hospital, also agreed that the tigers would develop renal failure if the animals were fed chicken for long periods of time. I noticed Beast (Liger) and Jambo (Lion) looked thinner in December than what they looked in early October 2005. I was told by Ms. Lagutchik that Beast had trouble digesting chicken bones. He would eat the chicken pieces, and then throw up the entire meal. I was told by the Reiningers that Jambo does not favor chicken and would probably not eat the meat. They figured Jinx ate Jambo's food because she happened to like chicken. Ms. Lagutchik told me she was concerned Ms. Asvestas might walk around the trail and notice how thin Beast and Jambo were looking and tell her to make an appointment with the veterinarian to have the animals put down. Ms. Lagutchik stated she always worried when Ms. Asvestas walked around the property because if she saw an animal that looked old or thin, she would tell Ms. Lagutchik that it "looked renal" and that the animal needed to be euthanized. Ms. Lagutchik agreed that Beast and Jambo looked thin and told me she gave the cats beef when it was available. Unfortunately, there was not enough beef to feed the cats for each feeding, so they had to be fed chicken.

Note: At I was provided a folder by Ms. Asvestas, which contained copies of meat receipts at the January 7, 2006, Emergency Board Meeting: **Attach 16**

Shipped Date	Description	Quantity Ordered
1/7/05	30# Puppy Mix Tubes	6810
1/21/05	30# Puppy Mix Tubes	10,470
2/3/05	30# Puppy Mix Tubes	7140
3/4/05	30# Puppy Mix Tubes	8250
3/17/05	30# Puppy Mix Tubes	6090
4/1/05	30# Puppy Mix Tubes	10,800
4/14/05	30# Puppy Mix Tubes	10,080
4/28/05	#30 Puppy Mix Tubes	8670
5/12/05	#30 Puppy Mix Tubes	10740
5/27/05	#30 Puppy Mix Tubes	3330
6/10/05	#30 Puppy Mix Tubes	5550
6/24/05	#30 Puppy Mix Tubes	10150
7/8/05	#30 Puppy Mix Tubes	8100
7/23/05	#30 Puppy Mix Tubes	8490
8/5/05	#30 Puppy Mix Tubes	5430
8/18/05	#30 Puppy Mix Tubes	8580
9/2/05	#30 Puppy Mix Tubes	8820
9/17/05	#30 Puppy Mix Tubes	9750
October 2005	None	None
Inv Date 11/21/05 Delivery date ?	Human Grade Whole Chicken including bone (Ground) and frozen Packaged in 50lb bags and palletized.	14 pallets including 60 bags each totaling 42,000lbs
December 2005	None	None

7. No fruit for bears and monkeys, animals being fed Krispy Crème donuts.

8. No Monkey chow to feed primates.

In response to #7, please refer to the opening comments; and: On December 16, 2005, I bought \$15.67 worth of carrots, Romaine lettuce, apples, and oranges for the monkeys at Leslie Road. I prepared the fruits/vegetables for the animals prior to arriving at the WAO on December 17, 2005.

Thinking that the monkeys and bears at the Talley Road location would benefit from fresh fruits/vegetable, I decided to contact the Reiningers. I spoke with the Reininger's on the phone during the week of December 19th, 2005 and asked if they could use some fruits and vegetables at the Talley Road location. I was told that, with the exception of the chimpanzees and some monkeys, the majority of the monkeys and the bears had not eaten fruits or vegetables in about a year. Both animal care technicians told me they purchased fruits for the chimpanzees out of their own salary, but did not have enough funds to purchase produce for all the monkeys and bears. I told the ladies

I would have a large supply of fruits/vegetables available for pickup on December 23, 2005. We meet on December 23, 2005, discussed the problems at the WAO, and before they left, I gave them 2 large boxes of bananas, 1 bag of grapefruits (donation from work), 4 – 3lb bag of apples, 2 – 4lb bag of oranges; and 4 large celery packages. They were excited about giving out the produce to the animals the next day. **Attach 17**

I observed Krispy Crème doughnuts in the animal enclosures on more than one occasion. The first time I saw the doughnuts, I was providing relief for the animal care technician by temporarily taking over tours (November 2005). He was helping the in-house veterinarian take care of the Hurricane rescued cats. The doughnut incident stood out in my mind because the individuals on the tour asked about all the doughnuts. At a loss for words, I told the tour the doughnuts must have been a treat. The following weekend I noticed more doughnuts. This prompted me to ask what was up with all the doughnuts. I was told it was all they had to give out to the animals. I mentioned that the bear did not seem particularly fond of the Krispy Crèmes. The next time I came out, I did not see any more doughnuts, but I did see a lot of empty boxes in the trash bins. I spoke to Ms. Lagutchik about the doughnuts and she said when she found out about Krispy Crèmes, she immediately discontinued giving them out to the animals. She agreed that the doughnuts had no nutritious value for the animals – instead they will be fed mainly white bread and dog food (when available).

On December 23, 2005, I spoke to the Reiningers regarding the purchase and use of monkey biscuits. Since I have not seen monkey biscuits at the Leslie Road location for about a year, I asked the ladies what they fed the chimpanzees, monkeys, and bears. I was told the WAO purchased monkey biscuits for the chimpanzees only. The monkeys were fed primarily week old bread and dog food. I have never seen dry fruit or nuts at the Leslie location. Last year, HEB donated quite a bit of fruits and vegetables to the WAO. I observed the animal care technicians giving the produce out to the animals every weekend. Now I understand the animals will only get nutritious fruits and vegetables as “treats.” Knowing the WAO rarely purchases treats, I take this to mean the chimpanzees, monkeys, and bears will rarely get fresh produce.

9. Treasurer was not allowed to see the books.

When I was voted onto the Board of Directors as Treasurer, I asked if I should review the incoming receipts, incoming donations, expenditures, etc. I was told by Ms. Asvestas I did not have to worry about going through all the stuff because she kept accurate records and she has a CPA that reviews all the material. I was hesitant to accept the position at first, because I had heard rumors the last Treasurer wanted to take over the books, and Ms. Asvestas said no. It was my understanding at the time; the former Treasurer gave up her position because she was denied complete access. To be honest, I was told a couple years ago the Board of Directors had very little influence over the sanctuary. Mr. and Ms. Asvestas ran the entire organization, and since the WAO seemed to be running smoothly, I did not question her financial work until I discovered serious problems. I did receive a copy of the 2003 990 (Return of Organization Exempt Form from Income Tax) dated August 2, 2004, along with the

other Board Members present during the March 19, 2005 Board Meeting. I spoke to the Reiningers several times in 2005 regarding my concerns about the Treasurer position and my desire to find someone else to fill this officer position. I told the Reiningers I was uncomfortable with the way the finances were handled and that at the next scheduled board meeting I was going to announce that I wanted to give up the Treasurer position because I did not feel that one person should hold two officer positions. Both ladies agreed this was a diplomatic way of handling my concern.

I disagree that I had access to Mr. and Ms. Asvestas' computers. I was told on more than one occasion that I had to ask Ms. Asvestas or Mr. Asvestas before I could just use their computers by office employees. I was not told that Mr. Asvestas posted receipts on the computer until December 10, 2005. Also, the Office was in a constant state of upheaval. There were papers and receipts everywhere. I never was told the receipts were kept "under the window in boxes." It was not my style to start going through their boxes without permission since I have been told not to do so in the past.

On December 23, 2005, I learned from the Reiningers that their mother was the former Treasurer. The ladies confirmed that she did quit the Treasurer position when Ms. Asvestas refused to turn the books over to her.

Normally, I came into the WAO on Sundays when both Mr. Asvestas and Ms. Asvestas were out of the office. I found the office environment to be extremely hostile when they worked in the same location together. I tried to stay outside as much as possible due to the fighting and yelling that was constantly going on when they were together. If I had to be there on a Saturday, working with the Juveniles, I would supervise the children and after the children left I immediately helped the animal care technicians. Just this last year (2005), I have noticed Mr. Asvestas drinking beer on the WAO property several times as he walks from his private property to the WAO office. Juvenile probationers and I have pulled numerous beer cans from the foliage leading from the private property gate to the office. This behavior made me feel uncomfortable, so I decided to stay away from the office as much as possible. I had very little interaction with Ms. Asvestas or Mr. Asvestas – the only time we communicated was when they needed something from me. I believe the statement that Heather Noe heard Ms. Asvestas offer me the records to be a false statement.

10. Carol is putting off board meeting.

Ms. Asvestas did not speak to me regarding a board meeting to be held during the last week of December. The first time I ever heard this statement was in an e-mail she sent to the Board Members concerning my announcement for an Emergency Board Meeting on January 7, 2006. **Attach 18**

According to June 28, 2004 Board of Directors Meeting, we voted to have three board meetings per year. **Attach 19** We did not have a Board Meeting in October 2004 because Ms. Asvestas was too busy. We did have a Board Meeting in March 2005, and we planned to meet again July 2005. In July 2005, I reminded Ms. Asvestas that we

needed to meet again as a Board. She said she had a lot of things going on at the moment, so it would have to wait. I reminded Ms. Asvestas again in September that we were overdue, and she said she would get back to me. I did not remind Ms. Asvestas again until November, but by then she was tied up with the Hurricane Relief efforts and she told me it would have to wait until the next year when things finally settled down. Ms. Asvestas may have kept in constant touch with Mr. Matthes, but according to Ms. Maxfield, Ms. Asvestas rarely contacted her unless it dealt with an indigenous wild animal issue. When I contacted Ms. Maxfield regarding the Emergency Board Meeting, she said she knew nothing about the arrival of the Hurricane Rita/Katrina cats and the problems with the cats' contagious virus.

11. Ron and Carol do not have driver's licenses.

I am very surprised the staff acknowledged this statement as true on the December 27, 2005 Staff Meeting document. We have all seen Ms. Asvestas drive a SUV and Mr. Asvestas driving a truck and a motorcycle. I am not completely sure, but I believe Mr. Asvestas may have received a ticket sometime in the fall 2005 and another ticket in early December 2005 for driving without a license/insurance. I wanted to discuss this situation at the Emergency Board meeting, but unfortunately, the other board members did not want to discuss the issue on January 7, 2006. I was concerned that any unlicensed or uninsured driver operating a WAO vehicle could be a serious liability to the WAO if ticketed for traffic violations or if involved in an accident.

Mr. Asvestas is listed on the WAO Website (Key Staff) as the Director of Construction. *This question bears asking: How can he be the Director of Construction and manage two construction sites without a valid driver's license and proof of insurance?*

The Emergency Board Meeting Agenda was to address the WAO list of vehicles since the Asvestas do not have licenses or insurance to operate the sanctuary's vehicles. I asked Ms. Lagutchik if the staff or community service workers were allowed to use the SUVs or trucks purchased by the WAO to run business errands (Home Depot, Lowe's, Bank, etc) and she said no. Everyone had to use their own vehicles. The August 29, 2005 Form 990 (Return of Organization Exempt Form Income Tax) lists several vehicles on Schedule 3, to include:

Vehicle	Year
Plymouth Voyager	Not listed
Ford Pickup	1991
Lincoln	1988
Ford Pickup	1978
Land Vehicles	Not listed
Dodge Pickup	1982
Dodge Van	Not listed
Ford Explorer	1998
Ford Step Van	1984
Dodge Pickup	1995

Ford Aerostat Van	1994
Ford F150	Not listed
Toyota Four Runner	Not listed
Ford F250	Not listed
Ford F350	Not listed

The Emergency Board Meeting was to discuss the location of all these vehicles, purpose of these vehicles; who drove these vehicles; and did the driver(s) driving these vehicles possess a valid driver's license and had proof of automobile insurance. Again, I was not able to express my concerns because the other board members did not want to cover this topic on January 7, 2006.

Also, over the 10+ years, I observed Adult Community Service Workers and Staff employees running WAO and personal business (coffee, cigarettes, milk, etc) for Ms. Asvestas, using their own personal vehicles and gas. I have never seen the Adult Community Service Workers reimbursed for mileage or gas. While I worked for the WAO for several months, I was required to use my own vehicle to run personal errands for Ms. Asvestas. My personal vehicle was even hit by another car when returning from one such errand for Ms. Asvestas. I was never reimbursed for gas and/or mileage, so I was not surprised to learn that the staff and Community Service workers were still not reimbursed for gas and/or mileage. The Emergency Board Meeting was to address this situation, but unfortunately, the Board Members did not want to discuss the issue on January 7, 2006.

12.Children are using cars purchased with WAO funds to go to school.

Actually, the concern I elevated to Mr. Matthes was the Asvestas children using vehicles purchased by the WAO exclusively for their own personal use. According to Ms. Lagutchik and the Reininger, and office staff personnel, it is common knowledge that Ms. Melissa Asvestas exclusively drives a SUV purchased by the WAO and Mr. Aaron Asvestas drives one of the new trucks acquired recently for his own personal use. I observed a Sandra Day O'Connor High School parking permit on one of the trucks on December 10, 2005. Since Mr. Aaron Asvestas is the only child attending high school, a reasonable person may assume that Mr. Aaron Asvestas placed the sticker on the vehicle so he could park the truck at the high school during the day while he was in school.

13.Ron says he wants nothing to do with the hands on care of the animals.

On December 18, 2005, Mr. Asvestas was listed on the key staff as *Director of Animal Care and Director of Construction*. Attach 20 Prior to December 17, 2005, Mr. Asvestas was involved in various aspects of animal care. However, on December 17, 2005, Mr. Asvestas made it very clear to me and the staff personnel that he did not want to have

anything to do with the animals any more by blowing up and screaming at me that he did not want to get involved with helping Jake.

I noticed on January 10, 2006, the WAO website listed Mr. Asvestas' position as Director of Construction only. **Attach 21**

14. Carol got house to get away from Ron.

Ms. Asvestas did speak to me regarding the use of the house for: grant writing, fundraising, data entry and printing materials for the WAO. It sounded like a good idea at the time, until Ms. Asvestas said she needed bedroom furniture because she might want to stay in the "office" over night.

Ms. Asvestas told me the main rooms of the house were furnished by a donor. The donor paid for a bedroom set; couch/love seat/coffee table; washer/dryer; refrigerator; table and chairs; and a hutch. The donor's money was not used for office furniture, equipment, or supplies. **Attach 22** I learned during the Emergency Board Meeting held on January 7, 2006 that the rental property was paid for by a grant. Ms. Asvestas was evasive about the grant approval authority, so I do not know how much money was awarded towards this property and by whom. I did learn the lease expense was \$1,100 per month.

I became concerned when I heard that the rental property would be used for big donors coming into San Antonio. I was told by Ms. Asvestas in December that these donors, needing a place to stay, would reside at this location. It was my understanding that the property was to be used as strictly a second office location and not as a "hotel."

Ms. Asvestas stated during the Emergency Board Meeting on January 7, 2006 that all the Board of Director Officers voted on the issue of the rental property and the board approved the motion. There is no signed record that the Board of Directors voted on this issue. I was advised of the property and furniture after the fact and I did not see any paperwork regarding the rental agreement, the grant, or the donor's contribution to furnish the rental property.

15. Carol lied about a lion or tiger (I can't remember which), that was already dead and she was still sending out please for help and sending out T-shirts.

My actual concern was in regards to Bubba, the white tiger, and Princess, another tiger, living in quarantine since early spring. **Attach 23** Ms. Lagutchik told me on December 17, 2005 that Ms. Asvestas planned on euthanizing Princess and Bubba because they could not be integrated together. Ms. Lagutchik also informed me that Ms. Asvestas spoke to the veterinarians at the Guilbeau Station Animal Hospital about euthanizing a large adult male lion, named Sabu, located near the small group of juvenile lions. **Attach 24** On December 20, 2005, I met with the Guilbeau Station Hospital veterinarians and I

verified this statement. Ms. Asvestas did mention to them that a large male lion would need to be euthanized soon but they didn't know for sure why. I asked Ms. Lagutchik if Sabu was injured or ill and if it was for those reason he needed to be euthanized. Ms. Lagutchik said no, Ms. Asvestas wanted to euthanize him because he looked old and could not be integrated with the other young lions.

On December 3, 2005, I learned that T-shirts depicting Bubba were being produced and mailed out to donors that submitted a donation of \$25.00 or more to help cover the costs of Bubba's hip surgery. I was even given a Bubba T-shirt to wear when I came out to volunteer at the WAO. I spoke with Dr. Ehrlund on December 23, 2005 regarding Bubba. She said she observed the tiger sometime in September or October 2005 (Dr. Ehrlund was not sure when without checking her records) for approximately 45 minutes and determined that his hip problem would be permanent. She did not believe surgery would correct his problem. Dr. Ehrlund indicated to me that Bubba could live a long and healthy life despite his hip problem. I asked if she had any future plans to visit Baba and she said not at that time, but if Ms. Asvestas called for an on-site appointment she would be more than happy to see Bubba again. I asked Dr. Ehrlund if Ms. Asvestas consulted with her in regards to a euthanasia procedure for a large male lion. Dr. Ehrlund said she knew nothing of the proposed euthanasia.

I spoke with Ms. Lagutchik, asking her to stall Ms. Asvestas from having the lion and two tigers euthanized. She said she would stall by not scheduling an appointment with the veterinarian until after the emergency board meetings. We agreed I needed time to speak with the Board Officers regarding the euthanasia process at the WAO.

16. Received \$5,000 with 2 cats that came from Illinois (or some other state). Did not have any facilities built to house them and had one cat put down because they had no place to put it.

I have absolutely no knowledge where this statement originated. Since someone made this statement to Mr. Matthes, I believe it should be looked into immediately to determine if there was any wrong doing.

In regards to the statement made by Ms. Asvestas in the Staff Meeting document, dated 12/27/05: "The only reasons animals are euthanized are as stipulated in our policies and procedures. These were set in place by a majority vote by the board," I reviewed the last two Board Meeting Minutes which I participated (June 28, 2004 and March 19, 2005), and no where did the Board discuss the euthanasia policy, let alone voted on the policy and procedure. The only policy and procedures I could find regarding euthanasia was in connection to ACE (Animal Centers of Excellence). **Attach 25**

17. Veterinarians indicate that animals are being put down to sleep that could have been saved.

I agree that Dr. Lambert and Dr. Henry have not euthanized animals that were not terminally ill, injured, or a potential risk to the safety of the animal care technicians.

However, Dr. Ehrlund said to me on December 23, 2005 that she has euthanized animals that were “questionable.” When the veterinarian and I discussed possible reasons for euthanasia, I said that I thought it was wrong to euthanize an animal just because the type of food the animal required was expensive. Dr. Ehrlund said that if the food was too expensive, the WAO should not be expected to deal with the added expense because it took away monies to help the remaining animals. When I pointed out the WAO should budget for these types of expenditures and be prepared to care for the animal for the remainder of its life, she agreed with me.

In the Staff Meeting: December 27, 2005 document, Ms. Asvestas indicated “**all staff members make the final decision before euthanasia takes place.**” According to the Patricia T. Williams vs. Carol Asvestas (Case #2003CI003399) civil case deposition made on September 22, 2005, Ms. Asvestas provided the following information to three officers of the court regarding the WAO euthanasia policy/procedure:

Patricia T. Williams
Vs
Carol Asvestas

Case #: 2003CI03399
(Animal Euthanasia)
Page 54 -55

Examination by McCormick (Plaintiff’s Attorney) on September 22, 2004

Attorney: Do you have a requirement to put any of the animals to sleep after a certain point or anything of that sort?

Asvestas: Board policy if an animal is suffering and cannot lead a quality of life, then it’s euthanized but it has to be under the guidance of three different vet – in other words, I have to get three different veterinarians to recommend that.

Attorney: I see. You have – so for every animal you euthanize you have to get a statement?

Asvestas: Yeah. We don’t euthanize very many. We also have – the other – second policy is that if the animal is overly aggressive, that if it may hurt somebody, one of the animal care staff, then that one can be euthanized too. And we’ve only had to do that twice.

Attorney: And you have a – you have to have three veterinary –

Asvestas: The entire board has to agree plus our key veterinarians have to recommend it. I don’t make that decision.

Attorney: Now, if you have an aggressive animal you say you have to have the entire board vote and a recommendation of a veterinarian?

Asvestas: I pick up the phone. I tell them what's going on. They say okay. I pick up the phone to both veterinarians. They check out the animal. They will euthanize it, one of them will, after both have agreed on it.

Attorney: So if its overly aggressive you have two vets just –

Asvestas: Yes.

Attorney: -- that make the recommendation?

Asvestas: Make that decision, yeah.

Attorney: And if it's – if it's suffering you have three vets that make the recommendation?

Asvestas: Yeah.

Attorney: Right? Okay.

Asvestas: It depends because – simply because the aggressive animals are usually tigers, and I have vets that also deal with dogs and cats that we have come in.

(I copied the entire statement from the civil lawsuit case by hand and then retyped it. If anyone has any questions regarding the validity of the transcription, please refer to the file located in the District Clerk's Recording Office.)

Since voted onto the Board in 2003, I was **never consulted** regarding any animal euthanasia. Several animals have been euthanized from (2003 – 2005). As Vice President, I should have been made aware of any animal euthanasia by the WAO Director, but unfortunately the sad news was left to staff to inform me of the procedure once I noticed the animal was missing from its enclosure. Dr. Ehrlund told me on December 23, 2005 that when Ms. Asvestas wants to euthanize an animal, the veterinarian comes out and puts the animal down. Dr. Lambert and Dr. Henry indicated that just because Ms. Asvestas wants an animal euthanized, the veterinarians do not automatically comply with her wishes. Both veterinarians (Dr. Henry & Dr. Lambert) indicated they will only euthanize an animal if it is suffering from a terminal illness, seriously injured, or a threat to the animal care technicians.

Ms. Lagutchik indicated to me on several occasions that she has very little influence over Ms. Asvestas regarding euthanasia decisions. Ms. Lagutchik said that Ms. Asvestas makes **all** the decisions regarding animal euthanasia and staff members are **not** consulted regarding euthanasia procedures.

18. a. Primates were in 29 degree weather, no heat, no blankets, etc.

See Opening remarks for response.

18. b. An endangered primate not being properly cared for

See Opening remarks for response. Also, when I spoke with the Reiningers during the week of December 19th, 2005, there were no plans to build a special enclosure just for Jake or for any of the other monkeys residing in the quarantine area. If, as a result of the Emergency Board Meeting, separate enclosures are being built at the Talley Road location for the remaining five monkeys currently living in quarantine, to include Jake, then the Emergency Board Meeting did have one positive result. According to Ms. Asvestas' statement in the December 27, 2005 document, Jake's new enclosure is currently under construction and waiting to be finished. Jake and hopefully the other quarantined monkeys will finally move out to Talley Road upon completion of the enclosure(s) after living for a long period of time in small metal cages.

18. c. One primate hung itself.

See Opening remarks for response.

18. d. Other primates have died and left out in open for the public to see.

See Opening remarks regarding the dead monkey and Item 17 (Euthanasia procedures) for response.

19. Mary and Michelle indicated they would quit except for their concern of the welfare of the animals.

The Reiningers did indicate, along with Ms. Lagutchik, Ms. Minshu, and Mr. Prill, that they all remain for the animals' sake. They are very concerned with the well being of the animals and want to make sure they receive the best treatment possible.

It is my personal opinion that if anyone agreed with the above statement during the "staff meeting," the end result probably would have been an immediate termination.

20. Carol cannot run the WAO if she is always on the road

Ms. Asvestas indicated in the December 27, 2005 staff meeting document, she was gone for approximately 7 days and back for 3-4 days over a three month period in New Orleans. According to the second Hurricane Katrina/Rita newsletter appeal (January 2006), Ms. Asvestas was gone from the WAO for 80 days due to domestic animal rescue in New Orleans and other locations relating to the hurricane relief efforts. According to my mathematical calculations, Ms. Asvestas must have traveled away from the WAO from mid-September thru December 2005 approximately seven (8) times. **Attach 26**

While I concur that the staff is capable of caring for the animals, the animal care technicians have no authorization to respond to emergency animal situations without

contacting Ms. Asvestas on the phone first (see Opening Remarks). This includes the in-house veterinarian.

21. Kristina said staff never use bio-safety level procedures.

See opening remarks for response. Also, I never said staff never uses bio-safety level procedures throughout the entire WAO. On December 23, 2005, the Reiningers indicated that the Asvestas called a staff meeting regarding the use of bio-safety equipment after the December 17, 2005 incident. I hypothesized that the staff meeting was probably called as the result of the incident and the ladies agreed.

Response to the Additional Notes:

(1) I do not recall ever signing a volunteer form for the WAO. I would very much like a copy of the form mailed to my attorney for my records as soon as possible. If I do not receive the form, then I will assume none exists.

(2) From **December 19 – December 24, 2005**, I took medicine for anxiety. Ms. Lagutchik and the Reiningers were aware that I took medicine for anxiety as the result of the conversations I had with Ms. Lagutchik, Mr. Prill, Ms. Minshu, the Reiningers, and Mr./ Ms. Asvestas. The information I learned from the directors, staff and the veterinarians was extremely distressing. I believed I was fighting against time to save the monkeys from a projected freeze storm and the euthanasia of one lion and two tigers. Since I did not return to the WAO until the January 7, 2006, for the Emergency Board Meeting, **it was none of the Asvestas' business** to know what type of medicine I was taking to relieve anxiety. Therefore, I **did not**, at any time, violate the sanctuary's policies or procedures.

CONCLUSION:

According to the December 27, 2005 Meeting Notes, Ms. Asvestas advised the staff they "will meet with board members and advisory board members on a personal invite from Carol on January 6, 2005 at 1pm. Kristina is not invited."

I was asked to wait outside the office for approximately 10 minutes while Ms. Asvestas, Mr. Asvestas, Karen Maxfield, Laura Mireles, Sumner Matthes, and the Wild Animal Orphanage staff concluded a 1:00pm board meeting, in which they discussed the upcoming Emergency Board Meeting in private. As mentioned above, I was specifically **not** invited to this board meeting. There were no advisory board members in attendance to the 1:00pm board meeting. During this closed session, Ronald Asvestas "polled" Carol Asvestas, Karen Maxfield, Laura Mireles, and Sumner Matthes to limit the Board of Director meeting to Officers and Ronald Asvestas only. Mr. Asvestas invited me into

the WAO Office at 2:00pm and informed me that invited Staff and Advisors would not be allowed to attend this meeting based on the recent approval of the Board of Directors. Despite my strong objection to this last minute change, I elected to continue with the meeting. Two additional WAO personnel, to include the daughter of Ms. Asvestas (Melissa Asvestas) and an individual I did not recognize, both not Board Officers, were told to stay in the room by Mr. and Ms. Asvestas to answer telephones. Towards the end of the meeting, I stated that since Mr. Asvestas was not a Board Officer he needed to leave the room. Finally, after a heated conversation, Mr. Asvestas left the room.

Ms. Asvestas stated in the December 27, 2005 document that the "Emergency board meeting will be held at 2:00pm. Staff will be on-site and available should there be any questions for them. They will not attend the meeting." Needless to say, I did not learn of this change until 2:00pm on January 7, 2006. I was under the impression from Ms. Asvestas' e-mail dated Friday, December 30, 2005 at 11:36am, staff and advisors were welcome to attend the Emergency Board Meeting. **Attach 27** At 2:00pm I learned that staff and advisors were not welcome to attend this meeting. The only advisor that came to the WAO was Dr. William Henry, and he was asked to remain outside with me until Mr. Asvestas was ready to grant me access into the WAO office. Mr. Asvestas looked very surprised to see Dr. Henry, and he quickly conferred behind closed doors with the other board officers. When Mr. Asvestas returned, I explained I called and confirmed the appointment with Dr. Henry's Office and was told by Ms. Asvestas in an e-mail that he was welcome to attend the meeting. Mr. Asvestas told Dr. Henry to remain outside for the entire meeting, which concluded at 3:15pm. At the start of the 2:00pm meeting, I specifically asked if the board members held a meeting prior to my arrival and was told several times there was no board meeting prior to my arrival. This contradicts what was distributed and signed by each employee on December 27, 2005 (Staff Meeting document).

The December 27, 200 meeting document continued: "The board will meet for a regular board meeting after the emergency board meeting." At 3:15pm, when the meeting ended, I was told by Ms. Melissa Asvestas, (daughter of Ms. Asvestas), I was no longer welcome at the WAO and I should leave immediately. Ms. Asvestas and Mr. Asvestas were extremely hostile towards me at the conclusion of the meeting. Mr. Asvestas said to me, on my way out of the office, in a rather ugly tone that I "needed to get help." I was not asked if I planned to stay for the regular board meeting scheduled after the Emergency Board Meeting. Clearly, I was not welcome to stay for the regular board meeting, so I left.

The December 27, 2005 meeting document concluded with this paragraph: "Staff members are not to discuss any of these matters with Kristina. Any problems that may arise because of Kristina's allegations are to be directed to Ron, Carol, or a board member other than Kristina Brunner. The staff member that attended this meeting witnessed and verified the answers; addressing each area of concern that Kristina brought forward in the list above. All agree that they are not true. All have read and signed an individual copy of this statement." The form required a printed name, signature, date, and was witnessed.

On January 10, 2006, the Asvestas sent, by Mission Courier, to my place of employment, a letter dated January 7, 2006 at 3:30pm, indicating I was no longer a member of the board or a volunteer at the WAO. **Attach 28** The Board held a meeting at 3:30pm and the first order of business was my resignation (I resigned during the Emergency Board Meeting to take effect January 14, 2006, so I would have enough time to prepare and distribute the Board Meeting Minutes). The letter indicated that I was relieved of my Board Officer duties effective January 7, 2006 at 4:30pm because I did not follow "corporate procedures." During the January 7, 2006 Emergency Board Meeting, Ms. Asvestas referred to the corporate procedures as the corporate by-laws. I am not aware of any other "corporate procedures," other than the By-laws of the San Antonio Wildlife Emergency Center (1983), nor have I signed anything to the affect. In my capacity as Vice President/Treasurer, I was never advised that I could not talk to staff members or the veterinarians regarding animal care procedures and the by-laws did not address this issue either. I believe this action was taken in retaliation to the information I wanted to present the Board of Directors. It is my opinion that the Board already decided to terminate my officer positions prior to the start of the Emergency Board meeting. Ms. Asvestas stated during the January 7, 2006 Emergency Board Meeting that since I held, at that time, two positions, and this was a mistake, Mr. Matthes would have to fill the Vice President position. That very same day Mr. Matthes was elected by the WAO Board of Directors as Vice President.

On January 13, 2006, I received at my place of employment (again) another envelope. This letter was from an attorney, Brian A. Hamner, requesting I return the 2005 Donations letter within 7 calendar days or face legal action. **Attach 29** The attorney included this paragraph: "It is not uncommon for defendants in the aforementioned cause(s) of action to pay money damages and attorney fees. Again, it is imperative that the list in your possession be returned to the WAO or sent to my office **within (7) calendar days from your receipt of this correspondence.** My client is taking this matter very seriously; I trust you will do the same." At the start of the Emergency Board Meeting, I was presented three folders. The three red folders were labeled: Kristina Brunner, Meat receipts, and Lockhille receipts. **Attach 16, 30 and 31** The Kristina Brunner folder contained several documents including 2005 Donations of \$1, 000.00 or more list. I did not review this list until Monday, January 9, 2006. I believe Ms. Asvestas purposely placed this document in the red folder titled Kristina Brunner and elected to harass me at work, by demanding I return the letter by way of her new attorney or drop it off at WAO, both at my expense.

Mr. Hamner made a false statement in the January 13, 2006 letter, by accusing me of contacting "other animal related agencies with unsubstantiated allegations about the WAO." I did not call any outside agency regarding the problems I witnessed at the WAO. I wanted to handle these issues in-house, with the hopes of quietly fixing the problems, which I believed to be very visible to the public. Ms. Asvestas accused me of contacting the Texas Parks and Wildlife during the Emergency Board Meeting (January 7, 2006). She too, made a false and unsubstantiated statement.

Base on my conversations with the staff; my observations; my experience at the Emergency Board Meeting (January 7, 2006); and now letters sent to my workplace, I believe there are serious problems that plague the WAO Board of Directors and they need to addressed immediately.

Attach 32 and 33 – Emergency Board Meeting Notes and Board Meeting Minutes for January 7, 2006.

ATTACHMENT LIST

	Subject	Description
1.	Staff Meeting: December 27, 2005	Staff Meeting Called by the Asvestas – WAO Staff Members Attended
2.	HEB Receipt	\$1.00 quick sale of bananas
3.	HEB Receipt	\$15.67 worth of fruits and vegetables
4.	Picture	Boarded up quarantine monkey cages
5.	Internet SA Weather History	December 2005 temperatures
6.	Picture	Monkey cage w/no hay, box, or towels
7.	Photocopy of “Red” Book	Animal deaths listed
8.	Internet SA Weather History	November 2005
9.	Picture	Jake – White Crown Mangabey
10.	Picture	Dead Capuchin Monkey
11.	Picture	“Baby” – Baboon’s quarters
12.	Picture	Wounded Capuchin Monkey
13.	Flier	Hurricane Relief flier for Bexar County
14.	Pictures of Hurricane Relief Supplies	Thank you letter to donors
15.	Veterinarian Letter	Guilbeau Station Animal Hospital visit
16.	Meat Receipts	January – November 2005
17.	HEB Receipt (2)	\$17.59 worth of fruits and vegetables
18.	E-mail copy	FM: Ms Asvestas – Board Meeting
19.	Board Meeting Minutes	Dated June 28, 2004
20.	WAO Website Listing of Staff	Ron Asvestas – December 2005
21.	WAO Website Listing of Staff	Ron Asvestas – January 2006
22.	Assets 2005	Rental Property Furniture
23.	Picture	Bubba and Princess – the Tigers
24.	Picture	Sabu the Lion
25.	ACE Policy/Procedure	Euthanasia
26.	Newsletter	2 nd Appeal for Hurricane Cats – January 2006
27.	E-mail copy	Ms. Asvestas authorizes guests and advisors
28.	Letter from WAO Board Members	Removing Ms. Brunner from BOD
29.	Letter for WAO Attorney	Demand Return of the 2005 Donor List
30.	Red Folder	Contents of Kristina Brunner folder
31.	Red Folder	Contents of Lockhille Receipts folder
32.	Staff Meeting Notes	Items to be discussed at the Emergency Board Meeting
33.	Emergency Board Mtg Minutes	Minutes from the January 7, 2006 mgt

