

2009CI12843

CS/PS

ANIMAL SANCTUARY OF THE
UNITED STATES DBA WILD
ANIMAL ORPHANAGE AND CAROL
ASVESTAS

§ IN THE DISTRICT COURT

37th

V.

§
§ JUDICIAL DISTRICT

R.G. GRIFFING DBA R.G. GRIFFING
PUBLICATIONS, SAN ANTONIO
LIGHTNING NEWSPAPER AND SAN
ANTONIO LIGHTNING.COM

§ BEXAR COUNTY, TEXAS

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, ANIMAL SANCTUARY OF THE UNITED STATES DBA WILD
ANIMAL ORPHANAGE, and CAROL ASVESTAS hereinafter called Plaintiffs complaining
of and about R.G. GRIFFING DBA R.G. GRIFFING PUBLICATIONS, SAN ANTONIO
LIGHTNING NEWSPAPER AND SAN ANTONIO LIGHTNING.COM, hereinafter called
Defendant, and for cause of action shows unto the Court the following:

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I.

Plaintiffs intend that discovery be conducted under Discovery Level 2.

II.

Defendant, R.G. GRIFFING DBA R.G. GRIFFING PUBLICATIONS, SAN ANTONIO
LIGHTNING NEWSPAPER AND SAN ANTONIO LIGHTNING.COM, may be served with
process at the following address:

III.

At all times mentioned, Defendant's newspaper was, and still is, doing business as a
publisher and disseminator of news and current events, and was and now is, publishing and
circulating a internet newspaper in San Antonio, Bexar County, Texas, known as San Antonio

Lightning. The newspaper has a circulation and is read by persons and citizens of the area in which it is published and circulated in the entire United States on the worldwide internet.

IV.

At all times mentioned, Defendant, R.G. GRIFFING, was, and still is, the president and publisher of defendant newspaper. Defendant, R.G. GRIFFING, is managing editor, and is a news reporter for the paper. Defendant was, at all times material, acting in the course and scope of his duties of defendant newspaper.

V.

On or about January 6, 2009, Defendant published on his internet website/ virtual newspaper an article entitled "The Lyin' Queen." Said article contained libelous statements regarding plaintiffs, ANIMAL SANCTUARY OF THE UNITED STATES DBA WILD ANIMAL ORPHANAGE, and CAROL ASVESTAS. A copy of the article is attached to as Exhibit "A" and incorporated herein. Further, on or about July 16, 2009, Defendant published on his internet website/virtual newspaper (2) two articles entitled "Vivi, the SA Tiger is Dead" and where is Vivi's Body?" both articles contained libelous statements regarding plaintiffs, ANIMAL SANCTUARY OF THE UNITED STATES DBA WILD ANIMAL ORPHANAGE, and CAROL ASVESTAS. A copy of the articles is attached to as Exhibit "B" and incorporated herein. On or about July 20, 2009, Defendant published on his internet website/virtual newspaper an article entitled "Tiger, Tiger Burning Dim." Said article contained libelous statements regarding plaintiffs, ANIMAL SANCTUARY OF THE UNITED STATES DBA WILD ANIMAL ORPHANAGE, and CAROL ASVESTAS. A copy of the article is attached to as Exhibit "C" and incorporated herein.

VI.

The libelous articles upon which this cause of action is based were seen and read by readers of the San Antonio Lightning on the day of circulation in the City of San Antonio, County of Bexar

and throughout the entire State of Texas and United States.

VII.

Defendant was negligent in publishing the article complained of in this petition. Defendant knew or should have known in the exercise of ordinary care that the article was false and injurious to plaintiffs. The articles printed, published, and circulated by Defendant's internet newspaper, as set forth above, of and concerning Plaintiffs, were purely fictional and untrue. Defendant failed to investigate the truth of the facts published concerning Plaintiffs, ANIMAL SANCTUARY OF THE UNITED STATES DBA WILD ANIMAL ORPHANAGE, and CAROL ASVESTAS, and failed to make any reasonable inquiry and was grossly negligent in such failure to inquire into the truth of the facts so published concerning Plaintiffs, ANIMAL SANCTUARY OF THE UNITED STATES DBA WILD ANIMAL ORPHANAGE, and CAROL ASVESTAS. The falsity of the above-described articles would have been disclosed to Defendant had Defendant made any proper or reasonable inquiry concerning the facts published. The articles were printed, published, and circulated by defendant with such reckless disregard and carelessness as to their truth or falsity as to indicate and utter disregard of the rights of Plaintiffs, and the consequences of defendant's actions, maliciously, negligently, and inexcusably exposing Plaintiffs to public hatred, contempt, and ridicule, and impeaching Plaintiffs' honesty, integrity, virtue, and reputation and have caused Plaintiffs substantial injury and damage including, but not limited to, the fact that as a direct and proximate result of Defendant's acts, Plaintiffs, ANIMAL SANCTUARY OF THE UNITED STATES DBA WILD ANIMAL ORPHANAGE, and CAROL ASVESTAS has seen charitable contributions decline.

VIII

Furthermore, Defendant published the article either knowing that it was false, or with heedless and reckless disregard for whether it was false and without any factual basis for the article.

Publication of libel on its face with such reckless disregard for the truth or falsity of the statements made constitutes actual malice on the part of the Defendant newspaper, Defendant president and publisher, Defendant managing editor, and Defendant news reporter, R.G. GRIFFING DBA R.G. GRIFFING PUBLICATIONS, SAN ANTONIO LIGHTNING NEWSPAPER AND SAN ANTONIO LIGHTNING.COM.

IX.

As a direct and proximate result of Defendant's false and libelous statements, Plaintiffs, CAROL ASVESTAS, has endured shame, embarrassment, humiliation, and mental pain and anguish. Additionally, Plaintiffs is and will in the future be seriously injured in her good name and reputation in the community and exposed to the hatred, contempt, and ridicule of the general public, as well as of her friends and relatives. The publishing of the article complained of constitutes libel on its face, and such article is libelous and actionable, pursuant to Section 73.001 of the Civil Practice and Remedies Code. Plaintiffs, ANIMAL SANCTUARY OF THE UNITED STATES DBA WILD ANIMAL ORPHANAGE, and CAROL ASVESTAS, therefore, claims general damages in a sum in excess of the minimum jurisdictional limits of the Court.

X.

As a proximate result of the libelous material disseminated by the Defendant, Plaintiffs have suffered damages in a sum in excess of the minimum jurisdictional limits of the Court.

XI.

Defendant's publication of the libelous article complained of in this petition was done with an entire want of care and was done with conscious indifference to the rights and welfare of Plaintiffs. Plaintiffs, ANIMAL SANCTUARY OF THE UNITED STATES DBA WILD ANIMAL ORPHANAGE, and CAROL ASVESTAS, therefore, are entitled to recover exemplary

damages. Accordingly, Plaintiffs sue for exemplary damages in a sum in excess of the minimum jurisdictional limits of the Court.

WHEREFORE, Plaintiffs request that defendants be cited to appear and answer, and that on final trial Plaintiffs have:

1. Actual damages in a sum in excess of the minimum jurisdictional limits of the court.
2. Damages, as set forth in this petition, in a sum in excess of the minimum jurisdictional limits of the court.
3. Prejudgment interest as provided by law.
4. Exemplary damages in a sum in excess of the minimum jurisdictional limits of the court.
5. Postjudgment interest as provided by law.
6. Cost of suit.
7. Such other and further relief to which Plaintiffs may be justly entitled.

Respectfully submitted

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By: 

ERIC R. TURTON
State Bar No. 20345400
Attorney for Plaintiffs

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SAL POLITICAL SNITCH

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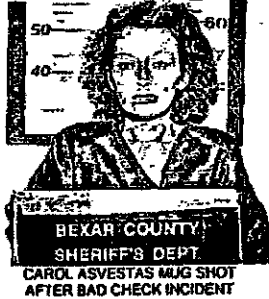
OBITS

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WELCOME TO ANIMAL AUSCHWITZ

The Lyin' Queen, A Sequel

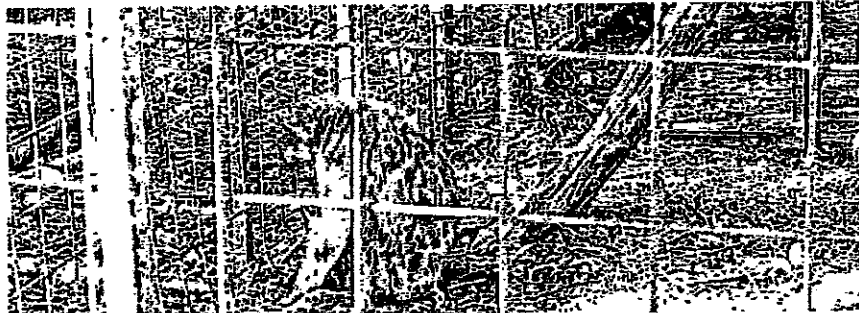
Embarrassed PETA Bails;
More Animals Vanishing
Monkeys Equal Money

SAL POLITICAL SNITCH SERIES
PART ONE - Copyright 1-8-2009

More animals are missing, more money is unaccounted for, and State and Federal authorities continue to probe the activities of Carol Asvestas of Animal Sanctuary of the United States, dba The SA area Wild Animal Orphanage (WAO).

The latest scandal involves the radical animal group PETA, which claimed a major victory by "saving" six rhesus macaques sold to New York University (NYU) for invasive brain experiments.

Those animals, and \$40,000, were instead sent to Carol Asvestas of the Bexar County based WAO.



WAO Monkey Enclosure

Asvestas has been at the center of a growing firestorm, in which sources and others involved or aware of bad practices at the "sanctuary" say animals are routinely neglected, poorly fed and generally abused.

PETA (People For The Ethical Treatment Of Animals) used the monkeys for publicity sake, and trumpeted the "victory" when the animals headed to the WAO. They NEVER followed up.

(Click here for PETA website.)

The local and national media simply assumed that the animal compound was legit, and embraced Asvestas as a saint.

Far from it.

It appears she has been bilking concerned animal lovers across the nation of donation money and trust and the animals as well.

Uncounted and unaccounted for beasts — pigs, dogs, exotic cats and other wildlife — have vanished at an alarming rate. Mass graves have been reported on land controlled by Asvestas as well.

From PETA's own web site:

When PETA learned that six monkeys at New York's Lehman College who

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were slated for retirement at a sanctuary were instead sold to New York University (NYU) for invasive brain experiments, PETA contacted both Lehman and NYU and mobilized its members with an online action alert. After hearing from thousands of concerned people, NYU announced that it was sending the monkeys to a sanctuary. Wanda, Holly, Jada, Sophie, Samantha, and Lilly are now living together in a group at the sanctuary and will soon be introduced to the other monkeys at the facility. Kathy Guillermo, Director Laboratory Investigations Department

PETA was quick, when informed of this series, to distance itself from WAO.

In a prepared statement a spokesperson said:

PETA had nothing to do with choosing a sanctuary for these monkeys. Lehman sold them to NYU for use in invasive brain experiments. Lehman had previously promised that the monkeys would be placed in sanctuary so PETA approached both Lehman and NYU and asked them to abide by the experimental protocol and retire the monkeys. NYU chose the sanctuary without consulting PETA. PETA did not contribute money. We don't know how much NYU/Lehman provided.

Then they made their email getaway.

More to follow.

- Developing -

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WAO WATCH

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SAL EXCLUSIVE

Tiger, Tiger Burning Dim

Up To 4 More Big Cats Dead At Animal Orphanage;
Brings Death Toll Since February To At Least 13;
Federal Authorities Investigating

SAL Political Snitch Copyright 7-20-2009

Federal authorities are now investigating the high number of animal deaths at the Wild Animal Orphanage (WAO), the San Antonio Lightning has learned.

Sources tell SAL officials are getting concerned about the deaths of at least 13 exotic big cats, all within a year's time.

The revelation came following the death of tiger cub Vivi in early July. (See previous stories below.)

The story is developing rapidly. More, as it becomes available.

Previous Stories Below.



MORE QUESTIONS

Where Is Vivi's Body? Cause Of Death Kept Secret

Dead Bengal Tiger Never Made It To State Autopsy Lab
SAL Political Snitch

Where is Vivi's Body?

State officials have confirmed the SAL report Thursday on the death of the locally celebrated and much beloved SA Bengal Tiger cub, Vivi, who died sometime in early July. (See previous stories below.)

However, mystery still surrounds the death and officials at the Wild Animal Orphanage (WAO) are remaining tight-lipped about the circumstances.

Dr Malcomb "Gayne" Fearneyhough, associate director of the Texas Veterinary Medical Diagnostic Laboratory, confirmed the tiger's death in a phone conversation with the Lightning. He also said only a tissue sample was provided for necroscopy.

He is prohibited, by law, from divulging the results, he said. That information must come from the "provider," which in this case means the sphynx-silent WAO.

So how did Vivi die?

Where is the body?

These questions are relevant because of the many WAO animals that have disappeared, or died, or both.

As to the body, it is well known that tiger pelts can bring big money on the blackmarket. According to a BBC report in 2005 "A tiger can sell for around \$1,500

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(£800), but broken into body parts, the value can soar to \$50,000 (£26,500)."

We are not saying that scenario played a part in the disappearance of Vivi's body. We are also not saying that it DIDN'T.

More to follow.

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[If you have input or comments, Email the Editor - Click Here](#)

* * *

Previous Stories Below

EXCLUSIVE

Vivi, The SA Tiger, Is Dead

Latest In Strange Deaths At The SA Wild Animal Orphanage

RG Griffing, SAL Staff, Copyright 7-16-2009

The 80-pound Bengal tiger, known as Vivi, and donated to the San Antonio Wild Animal Orphanage (WAO) in February, has died, the Lightning has learned exclusively.

UPDATE: The Texas Veterinary Medical Diagnostic Lab officially confirmed the death of the Bengal Tiger, reported by the Lightning on Thursday...The big cat's body never showed up for an autopsy...Cause of death and the whereabouts of the tiger's body remain mysteries. ...Friday at noon we will have a new update...It will be an eye opener and a heartbreaker....developing.

Vivi arrived in San Antonio in late February of this year.

On Friday, July 10th, sources reported the tiger's "body needed to be chilled" prior to transport to Texas Veterinary Medical Diagnostic Lab (TVMDL) in College Station for autopsy.

However, an insider at WAO earlier this week confirmed at least one caller to the SA facility asking about the cub had been told the tiger would be seen on the regular tour.

The caller was told by a WAO staffer "the baby tiger is not on this property. I think she's on the other (separate WAO) property, but I'm not sure. I was instructed to tell anyone asking about the baby tiger to talk to my boss (Carol Asvestas)..."

Asvestas, director of WAO, was unavailable for comment to the Lightning.

The cause of Vivi's death is unknown. Several other big cats have died under unusual circumstances at the facility. Among them were eight cougars, one liger (lion-tiger mix), and now the tiger cub; all since February 2009.

Questions about the operation of the nonprofit, and the mysterious disappearances and deaths of animals at the orphanage have surfaced in the last few years, have largely gone answered. ([Click for archives.](#))

More to follow. ([Click here to save the planet.](#))

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WAO WATCH

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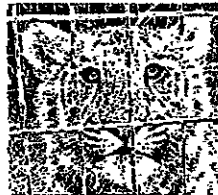
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