

VIA E-MAIL: [Robert M. Gibbens](#)  
[James Anthony](#)  
[Christopher Krhovjak](#)

July 27, 2007

USDA/APHIS

Office of the Attorney General  
Charitable Trusts Section

Dear Sirs:

RE: Wild Animal Orphanage – Pahrump and Henderson Animal Acquisitions – March 2005

Please accept this letter as an addendum to the original complaint letter previously submitted to your Office.

Additional information pertaining to the Animal Sanctuary of the United States (ASUS), f/k/a The San Antonio Wildlife Emergency Centre, d/b/a Wild Animal Orphanage (WAO); Primate Sanctuary of America (PSA); Chimp Aid; Cat Haven; Feral Cat Rehab Center; and Whisker's and Wag's Humane Society was recently brought to my attention. I believe this additional information warrants a continued investigation into the referenced charity for diversion of charitable trust funds from their intended purpose and/or gross mismanagement resulting in a significant financial loss or other substantial harm to the citizens of Texas. I also believe this additional information warrants an immediate investigation by the USDA/APHIS into transportation of 17 large animals from Nevada to Texas by the WAO during the period of March 1 – 6, 2005.

The following is a summary of events as told to me by witnesses present at the time of the occurrence:

**Event Dates:** February 28, 2005 and March 1, 2005

**Location:** Pahrump, Nevada

**Owners:** All Acting Animals (Board Members: Karl Mitchell; Sandy Allman (*died July 2007*); and Steven Benson

**Animals Involved:** 1 – black spotted leopard (Onyx); 1 – yellow spotted leopard (Cleopatra); 3-juvenile tigers (Obi; Taj; Raj) ; 2- adult tigers (Lucy and Tony); and 1-adult tiger (Sundance). **Total animals: 8 animals.**

**Individuals Present:** Sandy Allman (All Acting Animals); Carol Asvestas (WAO); Norma Lagutchik (WAO); Josphine Martell (International Fund for Animal Welfare (IFAW)); Chris Cutter (IFAW); Cindy Carroccio (Austin Zoo); Zuzana Kukol (REXANO); Nicole Asvestas (Carol Asvestas' daughter), and Steven Benson.

Amount donated by IFAW for the animal's new enclosure: \$75,000

**Veterinarian on Scene** – Dr. Gerald R. Henseler, Valley Veterinarian Services, Large Animal Medicine and Surgery Ambulatory Practice (Farm animals, horses, etc.) (775) 764-0331

### **Summary of Events:**

On July 6, 2007, I received an e-mail from Vernon Weir (ASA) advising me Zuzana Kukol would like to discuss the incident that took place on or about February 28 - March 1, 2005 at Pahrump, Nevada. Vernon passed on my e-mail address and Zuzana wrote me an e-mail concerning the Pahrump animals. Desiring further details, I gave Zuzana my home phone number and we discussed the situation on July 6, 2007. Zuzana said she was a close friend of Sandy's and Sandy shared a lot of information with Zuzana regarding the "disastrous" relocation of her animals to San Antonio, Texas.

Zuzana told me Sandy, a board member of the All Acting Animals, originally only wanted to place the older tigers, Tony, Lucy and maybe Sundance, at the WAO to lighten the burden at the current facilities, due to dwindling funds. Sandy contacted several organizations, including the WAO, and at that time the WAO was the only organization willing to take the animals. The other organizations she contacted did not have room available for the tigers and leopards. The WAO agreed to go to Pahrump in March 2005 since Ms. Asvestas and IFAW representatives planned to pick-up animals from Betty Honn's Animal Adoption Ltd in Henderson, Nevada. According to Sandy, it was agreed that this would be a quiet move – Sandy did not want camera crews on her property for fear they would scare the animals. According to Zuzana, Sandy was told by Ms. Asvestas the only camera on scene would be in possession by IFAW. IFAW wanted to film the animals as they were sedated and loaded onto the motor vehicle. The second motor vehicle would be used for the Betty Honn's animals.

Zuzana told me when Ms. Asvestas and IFAW representative entered the property they were initially complimentary of the care the All Acting animals received despite the dwindling resources. During the course of their conversation; Ms. Asvestas told Sandy all the exotic animals needed to be taken to the Wild Animal Orphanage. According to Zuzana, Sandy started to have serious reservations about giving Ms. Asvestas the animals – she started getting a "bad feeling" about Ms. Asvestas. Not long after meeting Ms. Asvestas, Sandy decided she would keep looking for a new home for the animals. Zuzana said, when Sandy told Ms. Asvestas she changed her mind, Ms. Asvestas threatened to call the media and report her as an animal abuser. According to Zuzana, Ms. Asvestas told Sandy she did not appreciate having to come all the way out to Pahrump for nothing and would not leave until she had the animals. Sandy told

Zuzana that Ms. Asvestas told her that if she did not relinquish the animals, she would contact media, federal and state agencies and report her for animal welfare abuse. According to Zuzana, Sandy did not want a media circus on her property and was clearly intimidated by Ms. Asvestas.

Zuzana told me Sandy called her later that evening very scared and confused. Apparently, she had no way of contacting Mr. Mitchell and she was afraid of the media coming onto the property. She was also afraid of Ms. Asvestas because of the way she conducted herself on the property. Zuzana told me Sandy was easily intimidated by threatening people. Zuzana said the more Sandy attempted to stick to the original agreement, the more insistent Ms. Asvestas became in wanting all the animals on the property.

According to Zuzana, under pressure from Ms. Asvestas, Sandy agreed to place the leopards and tigers at the Wild Animal Orphanage and asked no media be present during the loading of the animals onto the one vehicle. Sandy was not aware that on February 28, 2005, the Wild Animal Orphanage already sent out an immediate press release to the Pahrump and Las Vegas media regarding the animal acquisitions and was expecting a large media turnout on March 1, 2005. **(See Document #1, Picture 1, and E-mail #1)**

While touring the property, Sandy stopped in front of the orange/yellow-spotted leopard enclosure. While petting the leopard, Ms. Asvestas made a startling sound, causing the leopard to react. Sandy, paying attention to Ms. Asvestas, did not react fast enough to avoid having her finger tip bitten off by the leopard.

Later in San Antonio, Ms. Asvestas told me while Sandy was getting a towel from the bathroom, she started laughing and joking with Cindy Carroccio and others. Ms. Asvestas took several photos of the finger tip on the ground before it was picked up and placed in a cup. When Ms. Asvestas returned to San Antonio, she showed me the photos and regaled the story to me, laughing and joking about the entire incident. Ms. Asvestas told me the finger incident was perfect timing and the media loved the story. It was “icing on the cake.”

According to Zuzana, Sandy told her she was forced to sign the animal release form moments after the tip of her finger was bitten off and she preparing to leave for the hospital. Sandy told Zuzana that she was scared and under a lot of pressure to sign the animal release form before she went to the hospital—Ms. Asvestas apparently told Sandy that she would contact the media immediately and report the finger accident if she did not sign the form right away. Sandy, under duress and in pain, signed the form. Needless to say, while Sandy was in the hospital, Ms. Asvestas notified the media of the finger incident anyway, as the incident was published in the local paper.

Sandy called Zuzana and asked if she would be present on the day the WAO took custody of the All Acting animals. Zuzana agreed and when she showed up that afternoon, she discovered the animals were already in the process of being sedated by

Ms. Asvestas. Ms. Asvestas yelled at a law enforcement officer to remove her from the property because she believed she was trespassing. According to Zuzana, she explained to the officer she was not trespassing, but was on the property because Sandy requested her presence—to make sure the WAO did not take any of the domestic animals. Ms. Asvestas was insistent that Zuzana be removed from the property until a third party on the scene; Mr. Steven Benson, confirmed Sandy did indeed want Zuzana on the property as a witness. According to Zuzana and Steven, Ms. Asvestas was not happy that Zuzana was allowed to remain on the property, taking pictures of the animals as they were sedated and loaded onto the vehicle.

Zuzana was able to video tape Ms. Asvestas tranquilizing the animals with her camera. Dr. Henseler, DVM, told me Ms. Asvestas used his drugs, not her own when tranquilizing the animals. Dr. Henseler told me he was not familiar with darting tigers and leopards, so Ms. Asvestas prepared the darts. Zuzana said Ms. Asvestas tried to tranquilize one particular black-spotted leopard, Onyx, but had trouble doing so because she kept missing the animal (Dr. Henseler can be seen watching Ms. Asvestas trying to dart the animals several feet behind her). The leopard hit the walls numerous times in fear trying to get away from the darts and Ms. Asvestas. I asked the veterinarian if it was his professional opinion Ms. Asvestas seemed proficient at using the tranquilizer gun and he said yes, to the best of his remembrance, she seemed proficient. According to Steven, Norma Lagutchik was the person that tranquilized Sundance, the tiger. Steven said, like Carol Asvestas, Ms. Lagutchik had trouble sedating the tiger, and like the leopard, was hit by a tranquilizing dart more than once. Steven said Dr. Henseler just stood around and observed Ms. Asvestas and Ms. Lagutchik's actions. Steve said the veterinarian did not provide any instruction or assistance to the WAO staff in sedation and handling of the animals. The tiger was terrified with all the media and other personnel grouped around his enclosure. According Steven Benson, Ms. Lagutchik collected the used and unused darts and placed them in WAO bags prior to their departure. **(See Video #1, #2, #3, and #4)**

Zuzana said she was stunned at the lack of professionalism displayed by the WAO personnel when animals were tranquilized. She said the animals were left alone in the sun without any shade for protection. According to Zuzana, what happened next was even more disturbing: Ms. Asvestas stood nearby and allowed local law enforcement officers to pose next to the tranquilized animals with their weapons drawn, posing as big game hunters. One officer made a comment that “people pay a lot of money to do this kind of thing.” Any reasonable person would object to this type of activity during the course of a supposed “animal rescue” and condone it as unethical behavior. **(See Video #5)**

Ms. Asvestas told the Pahrump Valley Times, “After getting the tigers and leopards from All Acting Animals some much needed veterinary care, I greatly look forward to releasing them in to spacious, naturalistic enclosures.” Zuzana said she was told by Ms. Asvestas the animals would be well cared for by their “in-house” veterinarian. The WAO never had an in-house veterinarian to administer the general anesthetic substances which Ms. Asvestas purchased, stored, and used at the WAO. Ms.

Asvestas asked Ms. Rachelle Favour to falsely represent herself as the WAO's "In-house Veterinarian" in brochures and on the WAO's web pages in order to purchase the controlled substances from local veterinarians. The Texas State Board of Veterinary Medical Examiners requested Rachel Favor to voluntarily comply with the requirements of Section 801.251, License Required, of the Veterinary Licensing Act (Chapter 800, Occupations Code). The WAO immediately removed her name as the "In-house Veterinarian" and reclassified her as an "Animal Care Technician," thereby complying with the Texas State Board of Veterinary Medical Examiner's letter. **(See Document #2)**

On March 1, 2005, WAO personnel loaded six large transporters (one tiger per transporter), one small wire cage and one medium dog crate containing the leopards into the "Humane Train" vehicle. According to Zuzana, she overheard the WAO and IFAW group made plans to enjoy an expensive steak dinner at the Pahrump Nugget Hotel that evening. **(See Picture #2, #3, #4, #5, #6, and #7)**

I believe the sedated animals may not have received the proper care, as required by law. Unless the WAO unloaded the animals every 4 hours in the desert, there is no way the staff could properly check on all the sedated animals. The animals were stacked so closely together in the vehicles, providing food and water to the animals would have been out of the question unless the animals were unloaded from the vehicle.

End of Zuzana Kukol's account.

**Event Date:** March 2, 2005

**Location:** Henderson, Nevada

**Owner:** Betty Honn (deceased) and Teresa Johns; Animals Adoption Ltd (a non-profit corporation)

**Animals Involved:** Sabu (African male lion); Zeus (African male lion); Kimba (African lioness); Tony-T (male tiger); Sha-Nay-Nay (female tiger); Roxi (female wolf); Alpha (male wolf); Old Man (male wolf); and Wee-Water also known as Wader (female wolf).  
**Total: 9 animals**

**Witness:** Scott Voit, Carol Asvestas (WAO); Norma Lagutchik (WAO)  
Ms. Johns said there were other people present, but she did not know their names.

Amount IFAW Representatives said would be given to WAO for the animals' new enclosures (according to Ms. Asvestas - 2 cats per ½ acre): approximately \$200,000

**Veterinarian on Scene** – Dr. Gerald R. Henseler, D.V.M.

I called Teresa Johns on July 19, 2007 and July 24, 2007, to learn more about the sedation and relocation procedures of her animals from Henderson, Nevada to San Antonio, Texas. According to Teresa, the Pahrump animals' were taken to her property on March 1, 2007, and left in the vehicle over night. The travel time from Pahrump to Henderson is approximately one hour.

Teresa told me she was originally told by Ms. Asvestas the Pahrump animals would be transported first and the vehicles would return to Henderson to pick up her animals at a later time. Teresa was shocked to learn all the animals instead were to be transported all at one time and expressed concern on whether or not there was sufficient room in the vehicles for all the transporters.

Teresa told me she had trouble seeing into the vehicle containing the Pahrump animals, but was able to see the black-spotted leopard, Onyx, nearest the door. According to Teresa, the animal looked heavy sedation. The WAO staff removed the black-spotted leopard from the vehicle so they could observe him. The leopard was given a small amount of water. The leopard was returned to the vehicle at a later time. According to Teresa, the WAO staff left the animals on the Honn's property overnight – no WAO staff remained behind to observe the condition of the animals. Teresa said Norma asked one of her employees to periodically check on the animals and call her by cell phone if her presence was needed.

On March 2, 2005, Teresa said she became distraught with the way the animals were being handled and the lack of professionalism displayed when conducting sedation and loading of her animals. In retrospect, Teresa wondered if the WAO staff was approved by the USDA in animal handling and transport.

Teresa said when Zeus was being loaded into the transport cage, he walked right in. When the drop gate closed behind him he "freaked." He hit his nose so hard he blooded it. Kimba, the lioness, observed Zeus' reaction to the transport cage's drop gate, and became anxious of the transport cage. Kimba had to be sedated since she would not willingly go into the transport cage. According to Scott, a witness on the scene, he remembered to the best of his knowledge, the lioness was darted more than once. Teresa said after she witnessed the WAO's techniques, immediately contacted her attending veterinarian. Her veterinarian, hearing Teresa's concerns told her she did not want anything to do with this move and refused to oversee the sedation and handling of the Henderson animals. The veterinarian did not want to be held responsible for any improper actions made on the part of the WAO.

I asked Teresa if the animals were sedated for transportation. She said yes, only two animals were sedated to her knowledge—Kimba and Sabu. Teresa was very upset by the way the WAO staff treated the animals and was unable to watch sedation and loading of the animals onto the one WAO vehicle. When I asked what she observed, Teresa conveyed to me that the WAO staff did not seem to know what they were doing when sedating the animals. She called the entire affair a "disaster." Instead of calming the animals, it seemed the WAO staff did not know what they were doing, causing the

animals to panic and act out. Teresa said she was so distraught she could not watch what was happening to her animals and she left the area. I asked Teresa if there were any IFAW personnel on the property and Teresa said she did not remember seeing anyone from IFAW or wearing IFAW tee-shirts.

I asked Teresa if the media was present and she said yes, there were media cameras outside her gate, but she refused to allow them onto her property. Before the animals were loaded onto the vehicle, Ms. Asvestas was giving interviews. Teresa told me that the media was confusing the two entities (Pahrump and Henderson), intertwining the facts surrounding the animals' situation.

End of Teresa's John account.

On July 26, 2007, I spoke with Dr. Henseler, D.V.M. again, and he told me he charged the WAO \$60 per hour and he recalled he charged the WAO for the Pahrump visit \$600.00. He told me he was not an expert in exotic animal sedation, so he observed Ms. Asvestas mix the drugs and fill the darts. Either Ms. Asvestas or Ms. Lagutchik sedated the animals. He said he completed health certificates for each animal, however, he mentioned the certificates did not list the animals' names, rather just the animals' species and gender. I asked him if any animal seemed to be having any difficulties after sedation and he said they seemed to be recovering from sedation okay to him. I asked him if he knew whether or not the animals departed that day for San Antonio, and he said he did not know. I asked him if he knew whether or not any animal was supposed to go to another location other San Antonio, and he said he thought they were all going to San Antonio and if they went somewhere else, then he was not told.

The trucks transporting the animals left from Henderson, Nevada for San Antonio (departure date unknown from Nevada). Assuming the trucks avoided congested roads, the trip should have taken between 18.5 – 20 hours. Since there was no attending veterinarian on the trip and the WAO claimed to hire outside contract employees to transport animals over long distances, I seriously doubt the animals were checked upon regularly by the drivers or was given food or portable water at least every 12 hours during the trip. In order to properly view, feed, and water the animals, the animal cages would have to been removed from the vehicles. Since the vehicles were tightly packed with animals, there was no room left to store food or portable water on board the vehicle for the tigers, lions, wolves, and leopards.

I spoke with Ms. Asvestas in San Antonio on or about March 4, 2005 and she confirmed the animals were still en route to the WAO. I told her I planned to be at the WAO to take pictures and I wanted to bring a friend of mine, a candidate running for City Council, to observe the animals unloading. She said that was fine – Ms. Asvestas mentioned that her husband wasn't thrilled about the city council candidate being present, but she did not mind at all.

According the Pahrump photographs, the sedated animals were placed in the transporters with clean, dry hay. When the same animals were unloaded on March 6,

2005 (see date stamp on photographs), the floor boards were wet and a small amount of hay was mainly around the edges of the transporters. I looked in both vehicles and saw a little hay on the floors – mainly around the exit doors. When the animals disembarked from the vehicle transporter, they looked very scared and upset with all the media crews surrounding the vehicles. I was present, taking pictures of the animals for Ms. Asvestas, behind the media crews. I noticed there were three empty transporting cages located in the WAO's tour's waiting area where media and visiting guests was allowed to mingle and photograph the animals (Note: The animals appeared to be stressed by all the people moving in and around the transporters – in some cases, several individuals posed in front of the animals.) These cages appeared to have been recently washed down. In retrospect, I believe there were three animals transported in these empty cages: Kimba, a female lion from Animals Adoption Ltd; Alpha, male wolf from Animals Adoption Ltd; and a male tiger, named Tony-T from Animals Adoption Ltd. I believe the animals were either very sick or may not have survived the trip to San Antonio. I did not see these animals disembark; the pictures I took did not include these animals; and the media footage taken did not include any of them—I did not see Kimba, Tony-T, or Alpha housed at either Talley or Leslie Road at a later date. **(See Photographs #8, #9, #10, and #11)**

Even though Ms. Asvestas told the media she received two leopards, one female yellow spotted leopard, named Cleopatra, did not come to San Antonio; instead she traveled to the Austin Zoo and is no longer alive today. The male black-spotted leopard (Onyx) supposedly went to the WAO; however, the media and I were not allowed to view the animal and I never saw him at the Leslie or Talley Road properties. At Pahrump, an individual from the media crew reported to Steven one of the sedated animals had seizures as it was loaded onto the vehicle. Unfortunately, Steven did not learn of the problem until after the vehicle left the property. When the animals arrived at the WAO, the local media asked where the leopards were located. Ms. Asvestas replied the leopards were resting at her house because they were upset from the move. Ms. Asvestas told everyone, the leopards, once rested, would be moved to Talley Road to live with other black-spotted leopards. Ms. Asvestas never told the media that one of the leopards was taken to the Austin Zoo. When I mentioned to Ms. Asvestas I planned to go to the house to look in on the leopards, Ms. Asvestas emphatically replied “no, you are not to go to the house. You need to stay here.” Ms. Asvestas made it very clear I was not to leave the WAO property to check on the health and welfare of the two leopards on her personal property.

The only two black-spotted leopards I saw at Talley Road, May 15, 2005, were Maverick and Mindy. Since the missing leopard, Onyx, was not housed at either Leslie Road or Talley Road, I have no idea whether or not the missing leopard survived the trip from Nevada and may still be alive today.

After the media left, Ms. Asvestas told me, while taking pictures of the newly acquired animals, she planned to euthanize several of them, because in her opinion, they did not look well and required medical care. Ms. Asvestas said to me, “I plan to put that one down, and that one down, and that one down.” Ms. Asvestas told me the reason why

she took pictures (of the animals she planned to kill) was so she can use their photographs in future WAO literature, showing the conditions of animals as they arrive at the WAO. This incident shocked me because Ms. Asvestas told the media, on camera, that several animals required medical treatment and therefore the WAO needed donations from the public to offset the cost of the treatments. I have no idea how many animals, in total, Ms. Asvestas euthanized. I was told by Ms. Asvestas she planned to euthanize Roxi (wolf with tumor) and Zeus (lion with small tumor on right side) immediately. I asked Teresa Johns if any of her animals were diagnosed with cancer and she told me the lion had the mole-like growth for years on his side and was fine. The wolf did have a tumor, but it was apparently benign and needed to be removed. Teresa said Ms. Asvestas told her the animals would be well-cared for and the wolf's tumor treated. **(See Photographs #12 and #13)**

According to the March 19, 2005 Board of Directors Meeting Minutes, Ms. Asvestas claimed (#8 Past and Current Rescues) "2 wolves and 1 lion arrived with cancer tumors and one tiger arrived with bone infection from the Henderson property." (Note: She made no mention of all lions, tigers, and wolves she acquired from Henderson). "Five tigers and two leopards arrived in poor condition" from the Pahrump property." (Note: One leopard went to the Austin Zoo) "Request for \$115,000 made to IFAW to cover the on-site veterinarian and transportation costs for both rescues." According to the same report (#9 Animal Enclosures), the "wolves are enjoying the new wolves enclosure located at Talley ~ including the rescued Nevada wolves." "Construction is underway for three new enclosures at Talley: Remaining New Jersey tigers; Missouri cats; and the Nevada cats." According to Ms. Mary and Michelle Reininger, the only completed enclosures at Talley Road during calendar year 2005, were the leopard/jaguar and wolves enclosures (as verified in item #9). According to the Additions and Losses (Talley) Report prepared on September 18, 2006, by Mary Reininger, 13 wolf dogs were killed from March 2005 – December 2005 by existing wolf packs. Two wolves were shot when caught escaping during the period of January – March 2006. A reasonable person may conclude the WAO has no experience in establishing a stable wolf pack. Newly arrived wolf dogs are thrust into an existing wolf pack – if they live, they join up with the new pack. Unfortunately, not all of the new wolf dogs survived and were attacked and killed by the existing pack. There is absolutely no way the WAO staff, Mary and Michelle Reininger, could not have known what was happening to the wolf dogs – especially since so many of the animals died within a one-year period.

According to the 2005 Donor (\$1,000 or more), Ms. Asvestas indicated she received \$75,000 from IFAW to build the leopard/tiger enclosures. The only new enclosures that were built that year at Talley Road were for the wolves and the surviving two black-spotted leopards and one jaguar. According to the Talley Road – Additions and Losses report, Maverick and Mindy (leopards) and Freckles (jaguar) were moved from Leslie Road to Talley Road during the period of March 15 – April 23, 2005. Unfortunately, the other two black-spotted leopards, Zion and Pharoah, did not make it to Talley Road with Maverick and Mindy. I have reason to believe that at the time of sedation; only two of the four leopards survived the process. Also, there was no mention of the black spotted

leopard, Onyx, transferring from Leslie Road to Talley Road in the Additions and Losses Report.

A few of the surviving Nevada tigers lived behind the office building in small quarantine cages from March 6, 2005 until the quarantine area closed in 2006. On my last day, December 17, 2005, I saw Tony and Lucy living in the quarantine cages. Sundance, the Pahrump tiger, died shortly after he arrived at the WAO. In my opinion, he died a very slow painful death. He had trouble eating the chicken provided and there was a lot of diarrhea in his enclosure. The diarrhea was so bad it burned the concrete. I asked if a veterinarian was treating Sundance, the tiger, and was evasively told by Brandon Prill (WAO animal caretaker) he was sure Sundance was being treated by a veterinarian. On the third or fourth weekend after his arrival, I noticed his cage was empty and there was a lot of diarrhea burned into the concrete of his cage. Prior to his death, Sundance appeared scared and often would not come out from under his concrete cover and so he chose to urinate and defecate in this space. On weekends, I had difficulty cleaning the mess out of his enclosure because I did not want to upset him further by getting him wet. I was greatly saddened by his loss. The following weekend, Princess was moved into the now vacant cage. Today, the quarantine area at Leslie Road no longer exists and I have no idea what happened to Tony and Lucy.

The best I have been able to ascertain the condition of some of the Nevada animals was from the Talley Road – Loss and Addition Report. According to the report, 9 wolf hybrids and 3 wolves were transferred from Leslie Road to Talley Road during the period of March 5 – March 14, 2005. The same report indicated 5 wolf hybrids, including a “NV” wolf was killed by a wolf pack. During the period of March 15 – April 23, 2005, 2 wolf hybrids labeled “1.1 – from Teresa’s Honn’s place in NV” were transferred from Leslie Road to Talley Road along with one tiger named Shanaynay. August 24 – September 18, 2006 reports a tiger named Obi “will be moved to Talley Road this week – August 21<sup>st</sup>.” **(See document #3)**

#### **For USDA/APHIS:**

Even though I was not present to witness the events that took place in Nevada, and while the animals were in transit, I find the statements made by witnesses of the events to be compelling and very disturbing, especially since I was a board member at the time these alleged violations took place. Since the WAO was cited previously by the USDA/APHIS in October 17, 2003 (case number TX04057-AC), for failure to provide Veterinary Care to a tiger, I must insist your organization conduct an immediate investigation into this situation. I believe there is evidence to support the allegations (i.e. receipts, on-site veterinarian bills in Nevada, lodging receipts, meal receipts, contract drivers’ wages, gas receipts, meat receipts, animal transportation logs, animal health certificates, San Antonio veterinarian care receipts, current photos of the surviving animals, necropsy reports, animal disposal records, etc.) to assist you in your investigation. Pursuant to the Animal Welfare Act, I believe the WAO is in violation of 9 C.F.R. §:

1. Subpart D – **Section 2.40** Attending Veterinarian and adequate veterinary care (dealers and exhibitors) (b)(4)(5) - leaving the animals unattended after sedation; on-site veterinarian was not experienced in exotic wild animal sedation and was therefore unable to assist in sedation and handling.
2. Part 3– Subpart F – **Section 3.138** Primary conveyances (a) and (d) – Failure to ensure the safety and comfort of the live animals contained in the vehicle at all times since the enclosures were packed into the vehicles. In the event of an emergency, the handlers would have had difficulty removing animals from the vehicle.
3. Part 3–Subpart F – **Section 3.140** Care in transit (a) – Since the animal cages were packed so closely, it would be difficult for the driver to visually observe the live animals every 4 hours to determine whether or not they were in physical distress and required veterinary care.
4. Part 3–Subpart F – **Section 3.139** Food and water requirements (a), (b), (c), (d), and (e) - The drivers were required to provide portable water to all live animals every 12 hours after such transportation was initiated. Each live animal required food in each 24-hour period. A sufficient amount of food and portable water should have accompanied the live animals. Written instructions concerning the food and water requirements of such animal should have been affixed to the outside of the enclosures.
5. Part 3–Subpart F – **Section 3.142** Handling. (b) – Care should have been exercised to avoid handling of the primary enclosure in such a manner that may cause physical or emotional trauma to the live animal (see photos and videos, and media tape).
6. Part 3–Subpart F **3.137** Primary enclosures used to transport live animals (a)(3), (c), (d), and (f). – The openings of such enclosures should have been easily accessible at all times for emergency removal of the live animals. Primary enclosures should have been large enough to ensure each animal contained therein has sufficient space to turn about freely and to make normal postural adjustments. Primary enclosures used to transport live animals should have had solid bottoms to prevent leakage in shipment. Documents accompanying the shipment should have been attached in an easily accessible manner to the outside of the primary enclosure.

According to Kevin G. Rogers, DVM's sworn statement to the USDA/APHIS, November 20, 1996 (Case Number TX96195-AW), Dr. Larry Ehlund told him that "Carol Asvestas loses 5-6 animals for every 100 large cats she sedates at her facility." I contend this number may be significantly higher, for I am sure she does not tell her veterinarians the true number of animals she has lost due to improper sedation techniques and post animal care. It is my opinion based on the accounts of the witness from Pahrump and Henderson, Nevada and from what I witnessed; the transported animals should have had a veterinarian monitoring the animals in transit due to the anticipated 18+ hour total travel time. It is my opinion, Onyx, a black-spotted leopard from Pahrump; Kimba, a female lion from Animals Adoption Ltd; Alpha, male wolf from Animals Adoption Ltd; and a male tiger, named Tony-T from Animals Adoption Ltd, may not have survived the trip

to San Antonio due to improper sedation procedures and lack of post-medical care during transit.

Also, the Wild Animal Orphanage no longer has the proper amount of animal caretakers caring for the animals at Leslie and Talley Road. As of July 21, 2007, I noticed Brandon Prill is no longer listed on the Key Staff web page and Norma Lagutchik is listed as “on call.” During my last conversation with Norma, December 19, 2005, I asked Norma under what circumstances would she leave the WAO? She told me she would leave the WAO if Ms. Asvestas decided to kill Bubba, Princess, or Sabu. Norma told me she only stayed at the WAO to save the animals – for Norma believed she could control Ms. Asvestas and keep her from killing them needlessly. I told Norma, she couldn’t save the monkeys from freezing, so how did she expect to save the big cats? Norma was adamant about staying for the animals. I told her I expected her to keep her word and do everything she could to protect Bubba, Princess, and Sabu. That was the last time I spoke with Norma Lagutchik. Rachelle Farvour’s (animal care technician) name was removed from the WAO web page in 2006. That means Terry Minschew and Mike Dereadt, each with about one year exotic animal care technician experience, are caring for the Leslie Road animals and Mary and Michelle Reininger are caring for the Talley Road animals. Even though Misty Brown (Bookkeeper/Data Entry), Melissa Asvestas (Mail Room Manager), and Tina MacIntyre (Mail Room Attendant) are listed as animal care technicians on the WAO web page, they primarily work in the office and rarely have any interaction with the animals. I believe the title “animal care technician” was added to their names in an attempt to show the public they have more animal caretakers on staff than they really do. **(See Web Page Copy #1)**

This puts the animals’ health and care at risk. With only four people caring for such a diverse group of 700+ animals, between two properties, the risk of a public catastrophic incident goes up exponentially.

**For the Texas Office of Attorney General:**

I submit this complaint to your Office so an immediate investigation into the IFAW donations (grants) received by the WAO can be examined for alleged misappropriation of funds and deceptive trade practices. According to two witnesses, from two separate locations, the relocated animals were to live in large spacious natural enclosures funded by IFAW. The previous owners said they would never have relocated the animals to the WAO if they knew their animals would be euthanized upon arrival in San Antonio or placed in small cages, presumably to live out their lives, until a larger enclosure “opened up” due to the death or relocation of its former occupant(s). According to IFAW’s 990 (from July 1, 2004 to June 30, 2005), the WAO received \$112,394. The Board of Directors Meeting Minutes dated March 19, 2005, stated the WAO requested \$115,000 from IFAW “to cover the on-site veterinarian and transportation costs for both rescues.” According to Dr. Henseler, DVM, the cost of the “on-site veterinarian” was \$600.00 for the two-days he observed Ms. Asvestas sedate the exotic wild animals. The remaining cost was for food, lodging and entertainment for the WAO and Austin Zoo staff. Since the WAO owns the animal transportation vehicles, the WAO only had to pay for fuel and

contract drivers. The total cost should not have cost over \$100,000. Sadly, it appears no money was given, by IFAW, to the WAO, for the cost of the animals' enclosures. According to IFAW's 990 (from July 1, 2005 – June 30, 2006), the WAO received a payment of \$65,000 and \$2,506, presumably for the Hurricane relief efforts. According to the 2005 Donations \$1,000.00 or more list given to me by Ms. Asvestas on January 7, 2006, the total amount donated by IFAW in 2005 to the WAO totaled \$120,000 (\$75,000 for the completed leopard & tiger area; \$45,000 for Katrina Rescue). Since there seems to be a discrepancy between the two non-profit organizations' 990s, I have e-mailed IFAW for a breakdown of the WAO's received donations/grants made by IFAW and are currently awaiting their response.

Upon Ms. Asvestas' return from her Nevada trip, I was approached by Ms. Asvestas to be a "co-signer" on the WAO's maxed out credit card. Ms. Asvestas told me she wanted to increase the card's limit from \$5,000 to \$10,000 (I didn't even know the WAO had a credit card that was maxed out) and she needed me, as Vice President and Treasurer, to apply my personal credit history towards the maxed out credit card, so the credit card company could extend the card's credit limit. When I asked why, Ms. Asvestas told me that she did not want to have to keep track of receipts and such while on "animal rescues." Fortunately, I did not comply with her request, for Ms. Linda Howard, former board advisor, told me the following year, Ms. Asvestas, her daughter, Nicole Asvestas, and Norma Lagutchik spent a lot of money "partying" in Nevada. When I asked how they paid for the WAO's extracurricular activities, I was told by Linda Howard Ms. Asvestas used Norma Lagutchik's credit card and then Ms. Asvestas reimbursed Norma Lagutchik using WAO's funds, calling it a "travel reimbursement." According to Linda Howard, Norma Lagutchik did not like using her credit card all the time when Ms. Asvestas wanted to party at Karaoke bars while on "rescue trips." Apparently, Ms. Asvestas thought she could get me to extend the WAO's credit card limit and therefore she would not have to use either Norma Lagutchik's or one of the Asvestas' daughters' credit cards again while on "rescue" trips. According to the WAO's June 17, 2006 Wild Animal Orphanage Meeting Minutes, item 13 states "WAO needs a credit card for travel expenses and other items as the need arises. This will also expedite meat purchases won't have to wait for a check to clear. Sumner Matthes agreed to take care of securing a credit card for WAO."

I thank you all for taking this case seriously. I pray the general public and the WAO animals will be protected from continued alleged misappropriation of funds and/or Deceptive Trade Practices and inadequate animal care and treatment of the animals located at Talley and Leslie Road properties. I also pray Ms. Asvestas will no longer be able to prepare sedation darts or sedate any more animals due to her horrible tract record of sedating and post-medical treatment of sedated animals. I believe Ms. Asvestas should be denied the opportunity to transport animals unless a qualified veterinarian travels in transit with the animals at all times.

The Texas Office of Attorney General/Charitable Trust should have a copy of the Pahrump, Nevada – March 2005 media tape, as it was part of the subpoenaed contents provided to the Office last year. If the USDA/APHIS would like a copy of the tape,

please let me know and I will send a copy of the tape to your Office. I will forward pictures and videos of the Nevada animal acquisitions via separate e-mails, as these may be large files. The pictures and videos will support the allegations made herein.

Please do not hesitate to contact me with any questions or concerns at (210) 647-1789. I would appreciate an acknowledgement of this complaint letter. Thank you for your time and attention to this matter.

Very Kind Regards,

Kristina M. Brunner

Attachments Sent Via Email:

**E-mail Group #1**

<u><i>Item</i></u>	<u><i>Description</i></u>
Document #1	ASUS Nevada Media Release 2.28.05
Picture #1	WAOmediaCircus
E-mail #1	E-mail from Zuzana to Cindy Carroccio
Video #1	Ms. Asvestas Sedating Leopard MOV05751.MPG (4.13 MB)
Video #2	Norma Lagutchik Sedating Scared Tiger MOV05736.MPG (3.01)
Video #3	Tiger Being Removed from Enclosure by Crowd MOV05746.MPG (2.46)

**E-mail Group #2**

<u><i>Item</i></u>	<u><i>Description</i></u>
Video #4	Dart Table MOV05766.MPG (1.50)
Video #5	Officer Posing with Sedated Tiger MOV05745.MPG (3.58)
Document #2	TX Vet Board Letter

**Email Group #3**

<u><i>Item</i></u>	<u><i>Description</i></u>
Photo #2	Sedated Leopard in Wire Cage with Media Present DSC05761.JPG
Photo #3	Leopard in Dog Crate

	DSC05760.JPG
Photo #4	Two Large Dart Holes in Leopard DSC05763.JPG
Photo #5	Sedate Tiger in Vehicle DSC05726.JPG
Photo #6	Sedated Tigers in Vehicle DSC05729.JPG
Photo #7	Sedated Tiger in Vehicle DSC057240.JPG

#### E-mail Group #4

<u>Item</u>	<u>Description</u>
Photo #8	Lion Unload – Note wet cage floor Bonnie Spring, Pahrump SA Arrival 045
Photo #9	Three Empty Cages Behind Lion Cage Bonnie Spring, Pahrump SA Arrival 049
Photo #10	Scared Tiger Arrives in SA Bonnie Spring, Pahrump SA Arrival 55
Photo #11	Group Photo of Animals and People Mingling - Bonnie Spring, Pahrump SA Arrival 069

#### E-mail Group #5

<u>Item</u>	<u>Description</u>
Photo #12	Zeus with Tumor Bonnie Spring, Pahrump SA Arrival 087
Photo #13	Roxi with Tumor Bonnie Spring, Pahrump SA Arrival 081
Document #3	Add and Loss Pages 1-6 – 091806
Web Page Copy #1	WAO Current Staff as of 7-25-07