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October 17, 2016

VIA HAND-DELIVERY

Hon. George E. Schaefer, III, Clerk
Norfolk Circuit Court
150 St. Paul's Boulevard
Norfolk, VA 23510

Re: Wilber Zarate Llaven, et al. v. People for the Ethical Treatment of Animals, et al.
Case No.: CL15011874-00
Our File No.: 7403.002516

Dear Mr. Schaefer,

Enclosed please the following for filing in the above-referenced matter:

1. Individual Defendant Jennifer Woods' Answer and Affirmative Defenses;
2. Individual Defendant Victoria Carey's Answer and Affirmative Defenses; and
3. Defendant PETA's Answer and Affirmative Defenses;

Should you have any questions, please do not hesitate to contact me at the above listed direct dial number.

With kind regards, I am

Very truly yours,

POOLE BROOKE PLUMLEE PC

By


J. Bryan Plumlee

BY
CIRCUIT COURT CLERK
NORFOLK
D.C.
2016 OCT 17 PM 2:47
FILED

JBP/clh

Enclosures

cc: William H. Shewmake, Esq.
John "Jack" M. Robb, III, Esq.

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Hon. George E. Schaefer, III, Clerk
October 17, 2016
Page 2

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Alison R. Zizzo, Esq.

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF NORFOLK

WILBER ZARATE LLAVEN, *et al.*,

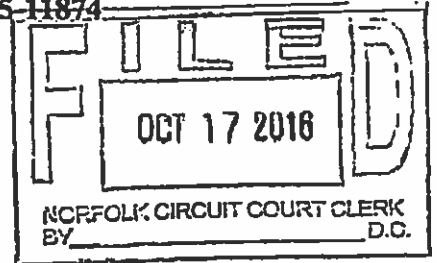
Plaintiffs,

v.

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, *et al.*,**

Defendants.

Case No. CL 15-11874



ANSWER AND AFFIRMATIVE DEFENSES

COMES NOW DEFENDANT JENNIFER WOODS, by counsel, and for her Answer and Affirmative Defenses states as follows:

1. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 1 of the Complaint and therefore denies the same and calls for strict proof thereof.

2. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 2 of the Complaint and therefore denies the same and calls for strict proof thereof.

3. Upon information and belief, PETA is a non-stock corporation organized under the laws of the Commonwealth of Virginia and has its principal place of business in the City of Norfolk, Virginia.

4. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 4 of the Complaint and therefore denies the same and calls for strict proof thereof.

5. Defendant Woods, upon information and belief, denies the allegations contained in Paragraph 5 of the Complaint and therefore denies the same and calls for strict proof thereof. Plaintiff Wilbur Zarate Llaven ("Mr. Zarate") complained to the police, supplied them with information and asked that felony warrants issue against the individual defendants under § 18.2-97 stating that each of the defendants did: "steal a dog belonging to Wilbur Zarate Llaven." (Mot for Sanctions Ex. 1.) In addition, Mr. Zarate testified during his deposition that the dog was licensed in his name and that all medical records for the dog listed the dog as being in his name. Dep. of Mr. Zarate, p. 58

6. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 6 of the Complaint and therefore denies the same and calls for strict proof thereof.

7. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 7 of the Complaint and therefore denies the same and calls for strict proof thereof.

8. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 8 of the Complaint and therefore denies the same and calls for strict proof thereof.

9. Defendant Woods, upon information and belief, denies the allegations contained in Paragraph 9 of the Complaint. Mr. Zarate testified during his deposition that the dog did not receive its three year booster vaccination and therefore did not receive her annual vaccination even though he was aware there was a problem at the trailer park where he resided with rabies from stray dogs. Dep. of Mr. Zarate, p. 59-60. He testified that the dog had not received a vaccination for one year prior to October 18, 2014. Dep. of Mr. Zarate, p. 165.

10. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 10 of the Complaint and therefore denies the same and calls for strict proof thereof.

11. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 11 of the Complaint and therefore denies the same and calls for strict proof thereof.

12. Defendant Woods, upon information and belief, denies the allegations contained in Paragraph 12 of the Complaint and states that Mr. Zarate testified that the trailer park was almost all Hispanic when he lived there and that he did not have direct knowledge of its ethnic makeup prior to living there. Dep. of Mr. Zarate, p. 148.

13. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 13 of the Complaint and therefore denies the same and calls for strict proof thereof.

14. Defendant Woods admits that, upon information and belief, in late July 2014 PETA received a complaint and request for assistance on behalf of neighbors of the Park in Parksley, Virginia regarding a pack of wild dogs that had been attacking livestock and children. (Mot. to Strike, Aff. of Daphna Nachminovitch, ¶ 8.) Defendant Woods, upon information and belief, admits that the owner and/or manager of the Park requested PETA to remove animals running at large in the Park. Defendant Woods is without sufficient information to admit or deny the remaining allegations contained in Paragraph 14 of the Complaint and therefore denies the same and calls for strict proof thereof.

15. Defendant Woods admits PETA advocates for the humane and ethical treatment of animals. Upon information and belief, Defendant Woods states that PETA is a charitable

organization organized pursuant to Section 501(c)(3) of the Internal Revenue Code and has been since its founding in 1980, which status has been continually verified by the IRS throughout the intervening nearly four decades. Defendant Woods denies PETA is “technically” a charitable organization.

16. Defendant Woods denies the allegations contained in Paragraph 16 of the Complaint as being wholly made up and false. PETA and its founder have widely published on the proper care of companion animals and widely disseminates on the proper care of companion animals. Defendant Woods further states that Mr. Zarate testified that the purpose of PETA was to give the best treatment to companion animals in direct contradiction to the allegations contained in Paragraph 16 of his Complaint. Dep. of Mr. Zarate, p. 152. Further, when asked if he knew whether PETA detests the concept of domestic animals and pets, Mr. Zarate testified, “I no have answer for this.” Dep. of Mr. Zarate, p. 154. Defendant Woods demands strict proof of the allegations in Paragraph 16 of the Complaint. Defendant Woods has worked at PETA for almost thirty years and knows that most PETA employees have companion animals, including many who bring them to their various places of employment and PETA always encourages them to treat their companion animals with the greatest of kindness.

17. Defendant Woods denies the allegations contained Paragraph 17 of the Complaint and further states that Mr. Zarate testified that the purpose of PETA was to give the best treatment to companion animals in direct contradiction to the allegations contained in Paragraph 17 of his Complaint. Dep. of Mr. Zarate, p. 152. Mr. Zarate testified during his deposition he had never before read PETA’s written materials regarding its philosophy as an organization and therefore lacked any basis for the assertions contained in the Complaint which was filed in his name. Dep. of Mr. Zarate, p. 153. Further, Mr. Zarate testified he relied on his lawyers to make

the allegations contained in Paragraph 17. Dep. of Mr. Zarate, p. 155. The allegations in Paragraph 17 are also wholly made up and false. Defendant Woods demands strict proof of the allegations in Paragraph 17 of the Complaint.

18. Defendant Woods denies the allegations contained in Paragraph 18 of the Complaint and further states that Mr. Zarate testified that the purpose of PETA was to give the best treatment to companion animals in direct contradiction to the allegations contained in Paragraph 18 of his Complaint. Dep. of Mr. Zarate, p. 152. The allegations in Paragraph 18 are also wholly made up and false. Defendant Woods demands strict proof of the allegations in Paragraph 18 of the Complaint.

19. Upon information and belief, Defendant Woods admits Exhibit A to the Complaint is a blog by a former employee of PETA. However, Defendant Woods denies the remaining allegations of Paragraph 19 of the Complaint and demands strict proof. Further, Mr. Zarate testified he does not know the person who wrote the blog and that his lawyers attached the blog to the Complaint. Dep. of Mr. Zarate, p. 156. He further testified that the former employee could have worked at PETA fifteen years or more before the filing of the Complaint and before PETA had a Community Animal Project. Dep. of Mr. Zarate, p. 157. Mr. Zarate testified he had never had any kind of communication with the blog author at any time. Dep. of Mr. Zarate, p. 185. Upon information and belief, the blog author is a prior employee of PETA who was terminated after a few months because her instability prevented her from performing her job. She was terminated over fifteen years ago when PETA did not have the current program involved in this case and has no reliable knowledge of the animal rights movement and/or PETA in the current times.

20. Defendant Woods admits upon information and belief that in late July 2014 PETA received a complaint and request for assistance on behalf of neighbors of the Park in Parksley, Virginia regarding a pack of wild dogs that had been attacking livestock and children. (Mot. to Strike, Aff. of Daphna Nachminovitch, ¶ 8.) Defendant Woods admits upon information and belief that PETA was requested by the owner and/or manager to pick up dogs running at large. Defendant Woods is without sufficient information to admit or deny the remaining allegations contained in Paragraph 14 of the Complaint and therefore denies the same and calls for strict proof thereof.

21. Defendants Woods denies the allegations as set forth in Paragraph 21 of the Complaint. She states, upon information and belief, that Defendant Carey was an independent contractor in the services performed for PETA and its Community Action Project at Dreamland II. Defendant Woods states that on October 18, 2014 she went with Defendant Carey at Defendant Carey's prior request to assist as a volunteer and not as a PETA employee. The efforts on October 18, 2014 were performed on Defendant Woods' own time for which she received no payment from PETA, nor was she requested by anyone at PETA to perform these services. Nor was Defendant Woods subject to instruction by anyone from PETA in performing the services, and the services performed on October 18, 2014 had absolutely nothing to do with her regular scope of employment in PETA's communications department.

22. Defendant Woods denies the allegations contained in Paragraph 22 of the Complaint. Defendant Woods had never been there prior to October 18, 2014. The remaining allegations in Paragraph 22 are denied and Defendant Woods demands strict proof thereof.

23. Defendant Woods denies the allegations contained in Paragraph 23 of the Complaint. Defendant Woods never told anyone at the Park that they would find good homes for the dogs they captured.

24. In response to the allegations contained in Paragraph 24 of the Complaint, Defendant Woods admits upon information and belief that PETA did in fact vaccinate, spay and neuter for no charge some of the residents' pets upon request. Defendant Woods denies that she told residents that PETA would be glad to provide vaccinations for the residents' pets and to have them spayed and neutered.

25. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraphs 25 through 30 of the Complaint and therefore denies the same and calls for strict proof thereof.

26. Defendant Woods denies the allegations contained in Paragraph 31 of the Complaint. On October 18, 2014 when she went to Dreamland II, Defendant Woods was in a large van with a PETA logo on the side. Defendants Woods and Carey were there for several hours and never did anything surreptitiously. Defendants Woods and Carey spoke with several people in the Park, including at least two families who understood that Woods and Carey were there to provide services to the animals of the residents and to pick up dogs that were running at large without identification and to trap feral cats.

27. Defendant Woods denies the allegations contained in Paragraph 32 of the Complaint.

28. Defendant Woods denies the allegations contained in Paragraph 33 of the Complaint. There was no plan to steal pets and no one ever discussed, mentioned or suggested to Defendant Woods that she should steal any pets from the Park on her visit of October 18, 2014, nor did Defendants Woods and/or Carey do so.

29. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraphs 34 through 39 of the Complaint and therefore denies the same and calls for strict proof thereof.

30. In response to the allegations contained in Paragraph 40 of the Complaint, Defendant Woods denies any knowledge of any dog belonging to Wilber's niece and that she and/or Defendant Carey stole any dog that belonged to the niece or to anyone else on October 18, 2014. As to the remaining allegations of Paragraph 40, Defendant Woods demands strict proof.

31. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 41 of the Complaint and therefore denies the same and calls for strict proof thereof.

32. Defendant Woods denies individual Defendants Carey and Woods were acting as PETA representatives on October 18, 2014 as set forth in Paragraph 42 of the Complaint. Defendant Woods admits that she does not recall seeing any security cameras on that day.

33. Defendant Woods denies the allegations contained in Paragraph 43 of the Complaint. Defendant Woods admits that two children came and helped her give fresh water to dogs in the neighborhood and to clean out a chicken coop. The children also watched a cat trap for a feral cat. Defendant Woods gave the children \$10 for helping her.

34. Defendant Woods denies the allegations contained in Paragraph 44 of the Complaint as to the children. The rest of the allegations are admitted.

35. Defendant Woods admits that individual Defendant Carey went on the porch of the trailer and picked up a dog that was running loose without identification. Individual Defendants Carey and Woods drove off with the dog, but Defendant Woods denies the remaining allegations contained in Paragraph 45 of the Complaint. Defendant Woods specifically denies that she had anything to do with being a "lookout".

36. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 46 through 53 of the Complaint and therefore denies the same and calls for strict proof thereof.

37. Paragraph 54 seeks a legal conclusion to which a response is not required.

38. As to the allegations in Paragraph 55 of the Complaint, Defendant Woods admits upon information and belief that Defendant Carey did not have the permission of Mr. Zarate or his family to pick up the dog that was running loose without identification, but that the owner of the trailer park had requested that dogs running loose without identification be picked up and that picking up the dog that is the subject of the case was lawful.

39. Paragraph 56 seeks a legal conclusion to which a response is not required and therefore Defendant Woods denies the same.

40. Paragraph 57 seeks a legal conclusion to which a response is not required.

41. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 58 of the Complaint and therefore denies the same and calls for strict proof thereof.

42. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraphs 59 through 61 of the Complaint and therefore denies the same and calls for strict proof thereof.

43. Paragraph 62 seeks a legal conclusion to which a response is not required. Defendant Woods is without sufficient information to admit or deny the allegations and therefore denies the same and calls for strict proof thereof. However, Defendant Woods denies that there was anything to cover up.

44. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 63 of the Complaint and therefore denies the same and calls for strict proof thereof.

45. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraph 64 of the Complaint and therefore denies the same and calls for strict proof thereof.

46. Defendant Woods denies the allegations contained in Paragraph 65 of the Complaint.

47. Defendant Woods is without sufficient information to admit or deny the allegations contained in Paragraphs 66 through 67 of the Complaint and therefore denies the same and calls for strict proof thereof.

48. Defendant Woods denies the allegations contained in Paragraph 68 of the Complaint.

49. Defendant Woods denies the allegations contained in Paragraph 69 of the Complaint. No one at PETA ever discussed taking the dog or any other dog from the Park with Defendant Woods nor gave any direction or suggestion as to what services Defendant Woods would provide on October 18, 2014.

50. In response to the allegations contained in Paragraph 70 of the Complaint, Defendant Woods restates her responses to Paragraphs 1 through 69 of the Complaint.

51. Defendant Woods denies the allegations contained in Paragraph 71 of the Complaint.

52. Defendant Woods denies the allegations contained in Paragraph 72 of the Complaint.

53. Defendant Woods denies the allegations contained in Paragraph 73 of the Complaint.

54. In response to the allegations contained in Paragraph 74 of the Complaint, Defendant Woods restates her responses to Paragraphs 1 through 73 of the Complaint.

55. Defendant Woods denies the allegations contained in Paragraph 75 of the Complaint.

56. In response to the allegations contained in Paragraph 76 of the Complaint, Defendant Woods restates its responses to Paragraphs 1 through 75 of the Complaint.

57. Defendant Woods denies the allegations contained in Paragraph 77 of the Complaint.

58. In response to the allegations contained in Paragraphs 78 and 79 of the Complaint, Defendant Woods states that these allegations pertaining to Plaintiffs' claim for intentional infliction of emotional distress were dismissed by the Court pursuant to its Order of June 14, 2016. Defendant Woods nonetheless denies the allegations of Paragraph 79 of the Complaint.

AFFIRMATIVE DEFENSES

59. Defendant Woods further asserts that she will rely on any and all properly provable affirmative defenses to this action, including but not limited to the affirmative defenses listed below.

60. Plaintiffs' claims are barred because Plaintiffs were contributorily negligent in that they did not keep the subject dog restrained and did not keep proper identification or marking of ownership on the their dog which resulted in the dog being removed at the time Ms. Carey was removing other animals in the vicinity of Dreamland II trailer park.

61. Plaintiffs' claims are barred because Plaintiffs assumed the risk in that they did not keep the subject dog restrained and did not keep proper identification or marking of ownership on the their dog which resulted in the dog being picked up at the time Ms. Carey was picking up other animals running loose without identification in the vicinity of Dreamland II trailer park. Further, Plaintiffs were aware Ms. Carey was picking up animals running loose without identification in the vicinity of Dreamland II trailer park.

62. Defendant Woods reasserts all the defenses raised in defendants' Demurrers and Pleas in Bar by incorporating them as affirmative defenses.

63. Defendant Woods incorporates by reference any and all defenses not adverse to herself asserted by other defendants.

64. Defendant Woods expressly requires a response to a new matter under Rule 3:11 of the Rules of the Virginia Supreme Court that Plaintiffs had no basis in fact and had no knowledge to assert many of the allegations contained in the Complaint and in particular the following paragraphs of the Complaint for which the Plaintiffs' attorneys independently and without prior authorization from the Plaintiffs created and filed on behalf of the Plaintiffs:

16. ... the public is generally unaware that under the leadership of its founder and chief executive officer, Ingrid Newkirk, PETA detests the concept of domestic animals and pets, and considers pet ownership to be a form of involuntary bondage.

17. Under PETA's philosophy, it is better to kill lost or stray pets than to find them suitable homes.

18. PETA operates a purported animal shelter in Norfolk, Virginia. However, PETA does not use the facility as a true animal shelter. The facility is a front for a slaughter house that kills cats and dogs.

19. Attached as Exhibit A is a blog report from a former employee of PETA outlining some of the unethical lengths to which PETA routinely goes to deceive the public concerning its philosophy and its killing of companion animals.

32. PETA believed that given the soci-economic status of the residents, PETA could take the pets and kill them without any repercussion to PETA.

62. In an effort to cover up what they did, PETA falsified and altered documents which they submitted to governmental authorities, which are required to be submitted by law.

68. The actions of the defendants set forth herein were part of an established pattern of PETA, which through its authorized employees, agents, and representatives, routinely kill companion animals in violation of law, regulation and decency.

69. Carey and Wood's actions were authorized, ratified and condoned by PETA's executive management.


65. Defendant Woods reserves the right to amend to add new defenses at any time up to and including trial.

66. Defendant Woods reserves the right to amend this Answer at any time up to and including trial.

WHEREFORE, Defendant Woods prays that this Court dismiss this action and grant any and all other further relief as is appropriate under all the circumstances.

Respectfully submitted,

JENNIFER WOODS

By:  for Philip Hirschkop, Esq.
Counsel

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Counsel for Victoria J. Carey and Jennifer L. Woods

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of October, 2016, a true copy of the foregoing *Answer and Affirmative Defenses* was furnished via e-mail and United States Mail, first-class postage prepaid to the following:

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Counsel for People for the Ethical Treatment of Animals, Inc.

A handwritten signature in black ink, appearing to read "J. B. Plumlee", is written over a solid horizontal line.

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF NORFOLK

WILBER ZARATE LLAVEN, et al.,

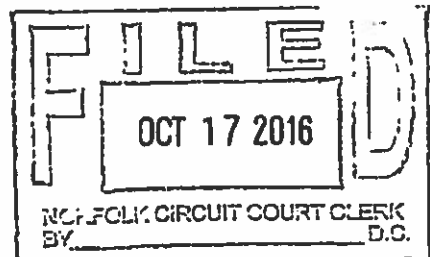
Plaintiffs,

v.

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, et al.,**

Defendants.

Case No. CL 15-11874



ANSWER AND AFFIRMATIVE DEFENSES

COMES NOW DEFENDANT VICTORIA CAREY, by counsel, and for her Answer and Affirmative Defenses states as follows:

1. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 1 of the Complaint and therefore denies the same and calls for strict proof thereof.
2. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 2 of the Complaint and therefore denies the same and calls for strict proof thereof.
3. Upon information and belief, PETA is a non-stock corporation organized under the laws of the Commonwealth of Virginia and has its principal place of business in the City of Norfolk, Virginia.
4. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 4 of the Complaint and therefore denies the same and calls for strict proof thereof.

5. Defendant Carey, upon information and belief, denies the allegations contained in Paragraph 5 of the Complaint and therefore denies the same and calls for strict proof thereof. Plaintiff Wilbur Zarate Llaven ("Mr. Zarate") complained to the police, supplied them with information and asked that felony warrants issue against the individual defendants under § 18.2-97 stating that each of the defendants did: "steal a dog belonging to Wilbur Zarate Llaven." (Mot for Sanctions Ex. 1.) In addition, Mr. Zarate testified during his deposition that the dog was licensed in his name and that all medical records for the dog listed the dog as being in his name. Dep. of Mr. Zarate, p. 58

6. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 6 of the Complaint and therefore denies the same and calls for strict proof thereof.

7. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 7 of the Complaint and therefore denies the same and calls for strict proof thereof.

8. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 8 of the Complaint and therefore denies the same and calls for strict proof thereof.

9. Defendant Carey, upon information and belief, denies the allegations contained in Paragraph 9 of the Complaint. Mr. Zarate testified during his deposition that 'the dog did not receive its three year booster vaccination and therefore did not receive her annual vaccination even though he was aware there was a problem at the trailer park where he resided with rabies from stray dogs. Dep. of Mr. Zarate, p. 59-60. He testified that the dog had not received a vaccination for one year prior to October 18, 2014. Dep. of Mr. Zarate, p. 165.

10. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 10 of the Complaint and therefore denies the same and calls for strict proof thereof.

11. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 11 of the Complaint and therefore denies the same and calls for strict proof thereof.

12. Defendant Carey, upon information and belief, denies the allegations contained in Paragraph 12 of the Complaint and states that Mr. Zarate testified that the trailer park was almost all Hispanic when he lived there and that he did not have direct knowledge of its ethnic makeup prior to living there. Dep. of Mr. Zarate, p. 148.

13. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 13 of the Complaint and therefore denies the same and calls for strict proof thereof.

14. Defendant Carey admits, upon information and belief, that in late July 2014 PETA received a complaint and request for assistance on behalf of neighbors of the Park in Parksley, Virginia regarding a pack of wild dogs that had been attacking livestock and children. (Mot. to Strike, Aff. of Daphna Nachminovitch, ¶ 8.) Defendant Carey admits, upon information and belief, that the owner and/or manager of the Park requested PETA to remove animals running at large in the Park. Defendant Carey is without sufficient information to admit or deny the remaining allegations contained in Paragraph 14 of the Complaint and therefore denies the same and calls for strict proof thereof.

15. Defendant Carey admits PETA advocates for the humane and ethical treatment of animals. Upon information and belief, Defendant Carey states that PETA is a charitable

organization organized pursuant to Section 501(c)(3) of the Internal Revenue Code and has been since its founding in 1980, which status has been continually verified by the IRS throughout the intervening nearly four decades. Defendant Carey denies PETA is “technically” a charitable organization.

16. Defendant Carey denies the allegations contained in Paragraph 16 of the Complaint as being wholly made up and false. PETA and its founder has widely published on the proper care of companion animals and widely disseminates on the proper care of companion animals. Defendant Carey further states that Mr. Zarate testified that the purpose of PETA was to give the best treatment to companion animals in direct contradiction to the allegations contained in Paragraph 16 of his Complaint. Dep. of Mr. Zarate, p. 152. Further, when asked if he knew whether PETA detests the concept of domestic animals and pets, Mr. Zarate testified, “I no have answer for this.” Dep. of Mr. Zarate, p. 154. Defendant Carey demands strict proof of the allegations in Paragraph 16 of the Complaint. Defendant Carey previously worked at the Foundation to Support Animal Protect for twelve and one-half years, also had performed contract work for PETA for one year (from October 2013 to October 2014), and knows that most PETA employees have companion animals, including many who bring them to their various places of employment and they are always encouraged to treat their companion animals and everyone else's companion animals with the greatest of kindness.

17. Defendant Carey denies the allegations contained Paragraph 17 of the Complaint and further states that Mr. Zarate testified that the purpose of PETA was to give the best treatment to companion animals in direct contradiction to the allegations contained in Paragraph 17 of his Complaint. Dep. of Mr. Zarate, p. 152. Mr. Zarate testified during his deposition he had never before read PETA's written materials regarding its philosophy as an organization and

therefore lacked any basis for the assertions contained in the Complaint which was filed in his name. Dep. of Mr. Zarate, p. 153. Further, Mr. Zarate testified he relied on his lawyers to make the allegations contained in Paragraph 17. Dep. of Mr. Zarate, p. 155. The allegations in Paragraph 17 are also wholly made up and false. Defendant Carey demands strict proof of the allegations in Paragraph 17 of the Complaint.

18. Defendant Carey denies the allegations contained in Paragraph 18 of the Complaint and further states that Mr. Zarate testified that the purpose of PETA was to give the best treatment to companion animals in direct contradiction to the allegations contained in Paragraph 18 of his Complaint. Dep. of Mr. Zarate, p. 152. The allegations in Paragraph 18 are also wholly made up and false. Defendant Carey demands strict proof of the allegations in Paragraph 18 of the Complaint.

19. Upon information and belief, Defendant Carey admits Exhibit A to the Complaint is a blog by a former employee of PETA. However, Defendant Carey denies the remaining allegations of Paragraph 19 of the Complaint and demands strict proof. Further, Mr. Zarate testified he does not know the person who wrote the blog and that his lawyers attached the blog to the Complaint. Dep. of Mr. Zarate, p. 156. He further testified that the former employee could have worked at PETA fifteen years or more before the filing of the Complaint and before PETA had a Community Animal Project. Dep. of Mr. Zarate, p. 157. Mr. Zarate testified he had never had any kind of communication with the blog author at any time. Dep. of Mr. Zarate, p. 185. Upon information and belief, the blog author is a prior employee of PETA who was terminated after a few months because her instability prevented her from performing her job.

She was terminated over fifteen years ago when PETA did not have the current program involved in this case and has no reliable knowledge of the animal rights movement and/or PETA in the current times.

20. With regard to Paragraph 20 of the Complaint, Defendant Carey admits, upon information and belief, that in late July 2014 PETA received a complaint and request for assistance on behalf of neighbors of the Park in Parksley, Virginia regarding a pack of wild dogs that had been attacking livestock and children. (Mot. to Strike, Aff. of Daphna Nachminovitch, ¶ 8.) Defendant Carey admits that she was requested by the owner and/or manager to pick up dogs running at large. Defendant Carey is without sufficient information to admit or deny the remaining allegations contained in Paragraph 20 of the Complaint and therefore denies the same and calls for strict proof thereof.

21. Defendant Carey denies the allegations as set forth in Paragraph 21 of the Complaint. She states that she had a contract with PETA which listed her as independent consultant; she was paid by the hour for services performed; PETA did not take any taxes or deductions from her payments; she was given a Form 1099 for the payments made to her; she set her own hours; she decided, consistent with PETA's schedule, which days she would go to the Park to perform services; she solely decided what services would be performed on any given day, such as providing food, clipping nails, bathing and/or treating animals of residents, picking up dogs that were running at large, trapping feral cats, providing dog houses and leashes to residents, selecting dogs to be spayed/neutered and returning them at the request of residents, etc.; and she solicited the volunteer at PETA to assist her on October 18, 2014.

22. Defendant Carey denies the allegations contained in Paragraph 22 of the Complaint as stated.

23. Defendant Carey denies the allegations contained in Paragraph 23 of the Complaint.

24. With regard to Paragraph 24 of the Complaint, Defendant Carey admits that PETA did in fact vaccinate, spay and neuter for no charge some of the residents' pets upon request.

25. Defendant Carey denies the allegations contained in Paragraphs 25 through 28 of the Complaint.

26. Defendant Carey denies that she made any representation to Mr. Zarate including any representation that PETA would provide Maya with vaccinations, but admits the allegation in Paragraph 29 of the Complaint that PETA did not provide Maya with her vaccinations.

27. Defendant Carey denies the allegations in Paragraph 30 of the Complaint as stated.

28. Defendant Carey denies the allegations contained in Paragraph 31 of the Complaint. On October 18, 2014 when she went to Dreamland II, Defendant Carey was in a large van with a PETA logo on the side. Defendants Woods and Carey were there for several hours and never did anything surreptitiously. Defendants Woods and Carey spoke with several people in the Park, including at least two families who understood that Woods and Carey were there to provide services to the animals of the residents and to pick up dogs that were running at large without identification and to trap feral cats.

29. Defendant Carey denies the allegations contained in Paragraph 32 of the Complaint.

30. Defendant Carey denies the allegations contained in Paragraph 33 of the Complaint. There was no plan to steal pets and no one ever discussed, mentioned or suggested to Defendant Carey that she should steal any pets from the Park on her visit of October 18, 2014 or any other time, nor did Defendants Woods and/or Carey do so.

31. Defendant Carey, upon information and belief, denies the allegations contained in Paragraphs 34 through 36 of the Complaint.

32. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraphs 37 through 39 of the Complaint and therefore denies the same and calls for strict proof thereof.

33. Defendant Carey, upon information and belief, denies the allegations contained in Paragraph 40 of the Complaint and demands strict proof thereof.

34. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 41 of the Complaint and therefore denies the same and calls for strict proof thereof.

35. Defendant Carey denies individual Defendants Carey and Woods were acting as PETA's representatives on October 18, 2014 as set forth in Paragraph 42 of the Complaint. Defendant Carey admits that she does not recall seeing any security cameras on that day.

36. Defendant Carey denies the allegations contained in Paragraph 43 of the Complaint. Defendant Carey admits that two children came and helped Defendant Woods give fresh water to dogs in the neighborhood and to clean out a chicken coop. The children also watched a cat trap for a feral cat.

37. Defendant Carey denies the allegations contained in Paragraph 44 of the Complaint as to the children. The rest of the allegations are admitted.

38. Defendant Carey admits that she went on the porch of the trailer and picked up the dog that was running loose without identification. Individual Defendants Carey and Woods drove off with the dog, but Defendant Carey denies the remaining allegations contained in Paragraph 45 of the Complaint.

39. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 46 and 47 of the Complaint as stated and therefore denies the same and calls for strict proof thereof.

40. Defendant Carey denies the allegations in Paragraphs 48 through 52 of the Complaint as stated. Defendant Carey admits that she returned a call to someone who identified herself as a neighbor, but the rest of the allegations as stated are denied.

41. Defendant Carey admits, as to Paragraph 53, that at the time she received the call the dog had already been euthanized.

42. Paragraph 54 seeks a legal conclusion to which a response is not required.

43. As to the allegations in Paragraph 55 of the Complaint, Defendant Carey admits that, acting as an independent contractor, she lawfully picked up the dog that was running loose without identification. Defendant Carey states that she did not have the permission of Mr. Zarate or his family, but that she did not need their permission to lawfully do so and that the owner of the Park had requested that dogs running loose without identification be picked up.

44. Paragraph 56 seeks a legal conclusion to which a response is not required and therefore Defendant Carey denies the same.

45. Paragraph 57 seeks a legal conclusion to which a response is not required.

46. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 58 of the Complaint and therefore denies the same and calls for strict proof thereof.

47. Defendant Carey denies the allegations contained in Paragraph 59 of the Complaint.

48. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraphs 60 through 61 of the Complaint and therefore denies the same and calls for strict proof thereof.

49. Paragraph 62 seeks a legal conclusion to which a response is not required. Defendant Carey otherwise denies the allegations as stated and denies there was anything to cover up or any effort to do so.

50. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 63 of the Complaint and therefore denies the same and calls for strict proof thereof.

51. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraph 64 of the Complaint and therefore denies the same and calls for strict proof thereof.

52. Defendant Carey denies the allegations contained in Paragraph 65 of the Complaint.

53. Defendant Carey is without sufficient information to admit or deny the allegations contained in Paragraphs 66 through 67 of the Complaint and therefore denies the same and calls for strict proof thereof.

54. Defendant Carey denies the allegations contained in Paragraph 68 of the Complaint.

55. Defendant Carey denies the allegations contained in Paragraph 69 of the Complaint. No one at PETA ever discussed taking the dog from the Park with Defendant Carey nor gave any direction or suggestion to remove anyone's pets or companion animals. No one at PETA ever suggested or directed what specific services Defendant Carey would provide on October 18, 2014 or that she should even go to the Park on that date.

56. In response to the allegations contained in Paragraph 70 of the Complaint, Defendant Carey restates her responses to Paragraphs 1 through 69 of the Complaint.

57. Defendant Carey denies the allegations contained in Paragraph 71 of the Complaint.

58. Defendant Carey denies the allegations contained in Paragraph 72 of the Complaint.

59. Defendant Carey denies the allegations contained in Paragraph 73 of the Complaint.

60. In response to the allegations contained in Paragraph 74 of the Complaint, Defendant Carey restates her responses to Paragraphs 1 through 73 of the Complaint.

61. Defendant Carey denies the allegations contained in Paragraph 75 of the Complaint.

62. In response to the allegations contained in Paragraph 76 of the Complaint, Defendant Carey restates her responses to Paragraphs 1 through 75 of the Complaint.

63. Defendant Carey denies the allegations contained in Paragraph 77 of the Complaint.

64. In response to the allegations contained in Paragraphs 78 and 79 of the Complaint, Defendant Carey states that these allegations pertaining to Plaintiffs' claim for intentional infliction of emotional distress were dismissed by the Court pursuant to its Order of June 14, 2016. Nonetheless, Defendant Carey denies the allegations contained in Paragraph 79 of the Complaint.

AFFIRMATIVE DEFENSES

65. Defendant Carey further asserts that she will rely on any and all properly provable affirmative defenses to this action, including but not limited to the affirmative defenses listed below.

66. Plaintiffs' claims are barred because Plaintiffs were contributorily negligent in that they did not keep the subject dog restrained and did not keep proper identification or marking of ownership on the their dog which resulted in the dog being removed at the time Defendant Carey was removing other animals in the vicinity of Dreamland II trailer park.

67. Plaintiffs' claims are barred because Plaintiffs assumed the risk in that they did not keep the subject dog restrained and did not keep proper identification or marking of ownership on the their dog which resulted in the dog being removed at the time Defendant Carey was removing other animals running loose without identification in the vicinity of Dreamland II trailer park. Further, Plaintiffs were aware Defendant Carey was picking up animals running loose without identification in the vicinity of Dreamland II trailer park.

68. Defendant Carey reasserts all the defenses raised in defendants' Demurrers and Pleas in Bar by incorporating them as affirmative defenses.

69. Defendant Carey incorporates by reference any and all defenses not adverse to herself asserted by other defendants.

70. Defendant Carey expressly requires a response to a new matter under Rule 3:11 of the Rules of the Virginia Supreme Court that Plaintiffs had no basis in fact and had no knowledge to assert many of the allegations contained in the Complaint and in particular the following paragraphs of the Complaint for which the Plaintiffs' attorneys independently and without prior authorization from the Plaintiffs created and filed on behalf of the Plaintiffs:

16. ... the public is generally unaware that under the leadership of its founder and chief executive officer, Ingrid Newkirk, PETA detests the concept of domestic animals and pets, and considers pet ownership to be a form of involuntary bondage.

17. Under PETA's philosophy, it is better to kill lost or stray pets than to find them suitable homes.

18. PETA operates a purported animal shelter in Norfolk, Virginia. However, PETA does not use the facility as a true animal shelter. The facility is a front for a slaughter house that kills cats and dogs.

19. Attached as Exhibit A is a blog report from a former employee of PETA outlining some of the unethical lengths to which PETA routinely goes to deceive the public concerning its philosophy and its killing of companion animals.

32. PETA believed that given the soci-economic status of the residents, PETA could take the pets and kill them without any repercussion to PETA.

62. In an effort to cover up what they did, PETA falsified and altered documents which they submitted to governmental authorities, which are required to be submitted by law.

68. The actions of the defendants set forth herein were part of an established pattern of PETA, which through its authorized employees, agents, and representatives, routinely kill companion animals in violation of law, regulation and decency.

69. Carey and Wood's actions were authorized, ratified and condoned by PETA's executive management.

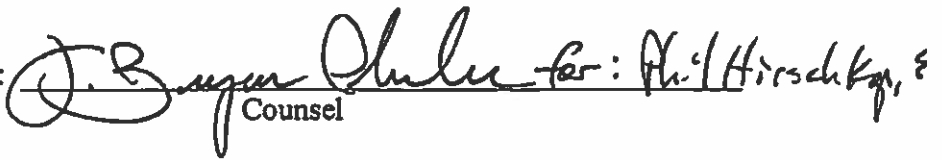
71. Defendant Carey reserves the right to amend to add new defenses at any time up to and including trial.

72. Defendant Carey reserves the right to amend this Answer at any time up to and including trial.

WHEREFORE, Defendant Carey prays that this Court dismiss this action and grant any and all other further relief as is appropriate under all the circumstances.

Respectfully submitted,

VICTORIA CAREY

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Counsel

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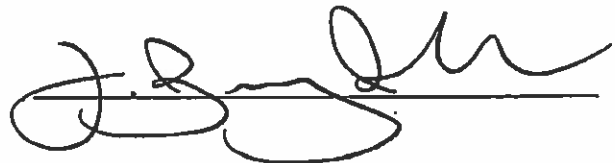
CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of October, 2016, a true copy of the foregoing *Answer and Affirmative Defenses* was furnished via e-mail and United States Mail, first-class postage prepaid, to the following:

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A handwritten signature in black ink, appearing to read "J. Bryan Plumlee", written over a horizontal line.

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF NORFOLK

WILBER ZARATE LLAVEN, et al.,

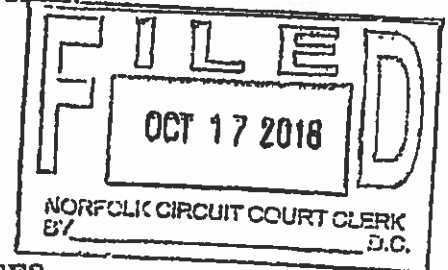
Plaintiffs,

v.

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, et al.,**

Defendants.

Case No. CL 15-11874



ANSWER AND AFFIRMATIVE DEFENSES

COMES NOW PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS, INC. ("PETA"), by counsel, and for its Answer and Affirmative Defenses states as follows:

1. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 1 of the Complaint and therefore denies the same and calls for strict proof thereof.

2. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 2 of the Complaint and therefore denies the same and calls for strict proof thereof.

3. PETA is a non-stock corporation organized under the laws of the Commonwealth of Virginia and has its principal place of business in the City of Norfolk, Virginia, and is an animal protection charity pursuant to IRS Code Section 501(c)(3).

4. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 4 of the Complaint and therefore denies the same and calls for strict proof thereof.

5. Defendant PETA denies the allegations contained in Paragraph 5 of the Complaint and calls for strict proof thereof. Further, Plaintiff Wilbur Zarate Llaven ("Mr. Zarate") complained to the police, supplied them with information and asked that felony warrants issue against the individual defendants under § 18.2-97 stating that each of the defendants did: "steal a dog belonging to Wilbur Zarate Llaven." (Mot for Sanctions Ex. 1.) In addition, Mr. Zarate testified during his deposition that the dog was licensed in his name and that all medical records for the dog listed the dog as being in his name. Dep. of Mr. Zarate, p. 58

6. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 6 of the Complaint and therefore denies the same and calls for strict proof thereof.

7. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 7 of the Complaint and therefore denies the same and calls for strict proof thereof.

8. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 8 of the Complaint and therefore denies the same and calls for strict proof thereof.

9. Defendant PETA denies the allegations contained in Paragraph 9 of the Complaint. Mr. Zarate testified during his deposition that the dog did not receive her three year booster vaccination and therefore did not receive her annual vaccination in violation of Virginia law even though he was aware there was a problem at the trailer park where he resided with rabies and attacks on other animals from stray dogs. Dep. of Mr. Zarate, p. 59-60. He testified that dog had not received a vaccination for one year prior to October 18, 2014. Dep. of Mr. Zarate, p. 165.

10. Defendant PETA admits that Mr. Zarate and his family moved into a trailer park known as Dreamland II ("Dreamland" or "the Park"), located in Accomack County, Virginia but PETA is without sufficient information to admit or deny the remaining allegations contained in Paragraph 10 of the Complaint and therefore denies the same and calls for strict proof thereof.

11. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 11 of the Complaint and therefore denies the same and calls for strict proof thereof.

12. Defendant PETA denies the allegations contained in Paragraph 12 of the Complaint and states that Mr. Zarate testified that the trailer park was almost all Hispanic when he lived there and that he did not have direct knowledge of its ethnic makeup prior to living there. Dep. of Mr. Zarate, p. 148.

13. Defendant PETA denies the allegations contained in Paragraph 13 and states that Mr. Zarate testified at his deposition that he did not know if the alleged prior Haitian residents had left their dogs in the trailer park. Dep. of Mr. Zarate p. 149.

14. Defendant PETA admits that in late July 2014 it received a complaint and request for assistance on behalf of neighbors of Dreamland in Parksley, Virginia regarding a pack of wild dogs that had been attacking livestock, children, and pets. (Mot. to Strike, Aff. of Daphna Nachminovitch, ¶ 8.) Defendant PETA admits that the owner and/or manager of the Park requested PETA to remove animals running at large in the Park. Defendant PETA is without sufficient information to admit or deny the remaining allegations contained in Paragraph 14 of the Complaint and therefore denies the same and calls for strict proof thereof.

15. Defendant PETA admits it advocates for the humane and ethical treatment of animals and is a charitable organization organized pursuant to Section 501(c)(3) of the Internal

Revenue Code and has been since its founding in 1980, which status has been continually verified by the IRS throughout the intervening nearly four decades. PETA denies it is “technically” a charitable organization. There is nothing “technical” about it.

16. Defendant PETA denies the allegations contained in Paragraph 16 of the Complaint as being wholly made up and false. PETA and its founder have widely published on the proper care of companion animals and widely disseminates on the proper care of companion animals. PETA further states that Mr. Zarate testified that the purpose of PETA was to give the best treatment to companion animals in direct contradiction to the allegations contained in Paragraph 16 of his Complaint. Dep. of Mr. Zarate, p. 152. Further, when asked if he knew whether PETA detests the concept of domestic animals and pets, Mr. Zarate testified, “I no have answer for this.” Dep. of Mr. Zarate, p. 154. PETA demands strict proof of the allegations in Paragraph 16 of the Complaint.

17. Defendant PETA denies the allegations contained Paragraph 17 of the Complaint and further states that Mr. Zarate testified that the purpose of PETA was to give the best treatment to companion animals in direct contradiction to the allegations contained in Paragraph 17 of his Complaint. Dep. of Mr. Zarate, p. 152. Mr. Zarate testified during his deposition he had never before read PETA’s written materials regarding its philosophy as an organization and therefore lacked any basis for the assertions contained in the Complaint which was filed in his name. Dep. of Mr. Zarate, p. 153. Further, Mr. Zarate testified he relied on his lawyers to make the allegations contained in Paragraph 17. Dep. of Mr. Zarate, p. 155. The allegations in Paragraph 17 are also wholly made up and false. PETA demands strict proof of the allegations in Paragraph 17 of the Complaint.

18. Defendant PETA denies the allegations contained in Paragraph 18 of the Complaint and further states that Mr. Zarate testified that the purpose of PETA was to give the best treatment to companion animals in direct contradiction to the allegations contained in Paragraph 18 of his Complaint. Dep. of Mr. Zarate, p. 152. The allegations in Paragraph 18 are also wholly made up and false. PETA demands strict proof of the allegations in Paragraph 18 of the Complaint. Additionally, as a shelter licensed by the Commonwealth of Virginia, PETA is fully authorized and inspected annually by VDACS. PETA's shelter provides services to many communities where animals are otherwise rejected because of their status or condition. Everything PETA does is fully reported to VDACS and consistent with the law, and provides a valuable service to the public. PETA fully reported the incident regarding Maya to VDACS as well as all corrections made by PETA to guard against such an incident occurring again. A copy of the report to VDACS was an exhibit at Mr. Zarate's deposition and is attached hereto and incorporated herein. This is the only blemish on PETA's record with VDACS in the many years it has operated a shelter.

In further response to Paragraphs 16, 17 and 18 of the Complaint, PETA states that it supports and encourages people to adopt and care for companion animals and such support takes many forms as part of PETA's charitable animal protection programs. For example, as part of its animal shelter operation in Norfolk, Virginia, PETA offers animals for public adoption from any of the approximately 30 communities throughout southeastern Virginia to which PETA provides assistance annually, placing many companion animals in loving homes each year, transfers other adoptable animals to other shelters with high foot traffic to increase chances at adoption, and regularly counsels and assists people on how to successfully address their animals' medical and behavioral problems so they are able to keep the animals in their homes rather than surrender

them to PETA or another shelter. PETA also operates four mobile clinics throughout southeast Virginia providing no-cost or low-cost spay and neuter services in an effort to curtail the overpopulation crisis and encourage people to adopt companion animals from shelters rather than breeding more unwanted animals. Since beginning this service in 2001, PETA has spayed or neutered more than 133,000 animals. PETA also offers free custom-made dog houses for outside dogs, providing them shelter from the elements, and free straw bedding for dog houses to provide warmth during the colder months. PETA founder and President Ingrid E. Newkirk has written several books offering tips for successful guardianship of companion animals, which are for sale to the general public, including *"Let's Have a Dog Party!: 20 Tailwagging Celebrations to Share with Your Best Friend"* (Adams Media, 2007) and *250 Things You can Do to Make Your Cat Adore You* (Touchstone, 1998), the latter also having an abridged audiobook version read by Ms. Newkirk (*Love That Cat!*, Lantern Books 2002). These books are easily searchable by Ms. Newkirk's name on sites such as amazon.com. Additionally, PETA's positions regarding companion animals -- across a range of issues including caring for them, ending the homeless crisis in which six to eight million companion animals enter shelters every year, spaying and neutering, protecting animals who are abused in the commercial pet trade, and more -- can be found at <http://www.peta.org/issues/companion-animal-issues/>. Articles on properly caring for companion animals, including dogs, cats, rabbits and more, can be found at <http://www.peta.org/living/companion-animals/>. PETA regularly issues advertisements, including public service announcements, encouraging the general public to adopt companion animals from shelters, many of which feature celebrities. Many such ads are available at http://www.peta.org/media/psa/type/print/?category_name=companion-animals, http://www.peta.org/media/psa/type/outdoee/?category_name=companion-animals,

<http://www.peta.org/media/psa/type/radio/>,and

http://www.peta.org/media/psa/type/other/?category_name=companion-animals. Additionally, PETA regularly issues press releases regarding companion animals, including warnings directed to localities that are expecting inclement weather, such as wildfires or flooding, that implore fleeing residents to make arrangements for the benefit of their companion animals if the animals cannot accompany their owners. PETA's press releases are available at <http://www.peta.org/media/news-releases/>. A cursory review of PETA's website quickly reveals such information. Furthermore, most PETA employees share their homes with at least one companion animal each and, in accordance with policy, many employees bring their companion animals to PETA's offices every work day. Three companion cats live inside PETA's Norfolk headquarters and have been featured on peta.org and in various editions of PETA's annual Rescued Calendar, which is distributed to employees and members. These cats were rescued from overburdened animal shelters in Louisiana during the BP oil spill. More about them is available at <http://www.peta.org/blog/national-cat-day-sam-simon-center/>. In prior years, several other companion cats lived out their lives at PETA's Norfolk headquarters after having been rescued from abusive situations.

19. Defendant PETA admits Exhibit A to the Complaint is a blog by a former employee of PETA. However, PETA denies the remaining allegations of Paragraph 19 of the Complaint and demands strict proof. Further, Mr. Zarate testified he does not know the person who wrote the blog and that his lawyers attached the blog to the Complaint. Dep. of Mr. Zarate, p. 156. He further testified that the former employee could have worked at PETA fifteen years or more before the filing of the Complaint and before PETA had a Community Animal Project. Dep. of Mr. Zarate, p. 157. Mr. Zarate testified he had never had any kind of communication

with her at any time. Dep. of Mr. Zarate, p. 185. The blog author is a prior employee of PETA who was terminated after a few months because her poor performance prevented her from performing her job. She was terminated over fifteen years ago when PETA did not have the current program involved in this case and has no reliable knowledge of the animal rights movement and/or PETA in the current times.

20. Defendant PETA admits that in late July 2014 it received a complaint and request for assistance on behalf of neighbors of Dreamland in Parksley, Virginia regarding a pack of wild dogs that had been attacking livestock, children and pets. (Mot. to Strike, Aff. of Daphna Nachminovitch, ¶ 8.) Defendant PETA admits that it was requested by the owner and/or manager to pick up dogs running at large. Defendant PETA is without sufficient information to admit or deny the remaining allegations contained in Paragraph 20 of the Complaint and therefore denies the same and calls for strict proof thereof.

21. Defendant PETA denies the allegations contained in Paragraph 21 of the Complaint. Defendant Carey was acting as an independent contractor for PETA to the Community Animal Project. (Mot. to Strike, Aff. of Daphna Nachminovitch, ¶6.) Defendant Woods was asked by Ms. Carey to go with her as a volunteer on October 18, 2014. (Mot. to Strike, Aff. of Jennifer Woods, ¶4.) Mr. Zarate testified he had no knowledge regarding the status of Ms. Carey or Ms. Woods as "agents" for PETA. Dep. of Mr. Zarate, p. 157. With regard to Ms. Carey, she was an independent contractor with a contract that designated her as an independent contractor; explicitly stated she was not an employee and could not hold herself out as an employee; she would be paid by the hour for work performed; there would be no withholding of income taxes or other government levies and Ms. Carey would be responsible for any such taxes. Consistent with PETA's schedule, Ms. Carey set her own hours and what days

she would perform services under the contract. In going to the Park on October 18, 2014, no one at PETA knew of Wilber Zarate Llaven's relationship to a dog named Maya; no one at PETA knew what specific services would be provided by Ms. Carey (e.g., whether she would pick up cats or dogs, or treat animals) on that day; no one at PETA had ever discussed with her Mr. Zarate or the dog Maya, and no one had ever directed or suggested she should remove anyone's pets. As to Ms. Woods, she was solicited by Ms. Carey to go that day as a volunteer. Ms. Woods was not paid by PETA for her time that day and the services performed that day had nothing to do with Ms. Woods' normal duties in the Communications Department at PETA.

22. Defendant PETA denies the allegations contained in Paragraph 22 of the Complaint. Mr. Zarate testified that prior to October 18, 2014 he could not point to any occasion when Ms. Woods was on the property – his property or Dreamland. Dep. of Mr. Zarate, p. 159. Mr. Zarate testified he had no knowledge Ms. Woods had come to the trailer park before October 18, 2014 and that no one ever told him that Ms. Woods was in that trailer park prior to October 18, 2014. Dep. of Mr. Zarate, p. 160. Defendant PETA admits that defendant Carey had been to the Park several times and, as Mr. Zarate testified at deposition, provided valuable help to his family, his neighbors and others in the Park, which was appreciated by all these persons. PETA denies Defendant Woods had ever been there before October 18, 2014. The rest of the allegations as stated are denied and PETA demands strict proof thereof.

23. Defendant PETA denies the allegations contained in Paragraph 23 of the Complaint.

24. Defendant PETA admits that it did in fact vaccinate, spay and neuter for no charge some of the residents' pets upon request. Defendant PETA denies that Defendant Woods told residents that PETA would be glad to provide vaccinations for the residents' pets and to

have them spayed and neutered. While Defendant Carey never spoke with Mr. Zarate, she did agree with some other residents to have their animals vaccinated and/or spayed or neutered.

25. Defendant PETA denies the allegations contained in Paragraph 25 of the Complaint. Mr. Zarate could not identify anyone at PETA who ever saw his daughter playing with Maya. He never spoke with Ms. Carey and could not identify any time she was at his trailer. When asked what day PETA was there and who was there for PETA he testified, "I don't know. I don't see that." Dep. of Mr. Zarate, p. 163.

26. Defendant PETA denies the allegations contained in Paragraph 26 of the Complaint. Mr. Zarate testified repeatedly in his deposition that he had never spoken with anyone from PETA and that he had never spoken with Ms. Carey. The allegation as stated in the Complaint is false.

27. Defendant PETA denies the allegations contained in Paragraph 27 of the Complaint. Mr. Zarate testified repeatedly in his deposition that he had never spoken with anyone from PETA and that he had never spoken with Ms. Carey. The allegation as stated in the Complaint is false.

28. Defendant PETA denies the allegations contained in Paragraph 28 of the Complaint. Mr. Zarate testified repeatedly in his deposition that he had never spoken with anyone from PETA and that he had never spoken with Ms. Carey. The allegation as stated in the Complaint is false.

29. Defendant PETA denies the allegations contained in Paragraph 29 of the Complaint. PETA did not make representations to the Plaintiff that it would vaccinate Maya and therefore Mr. Zarate did not wait for PETA to provide Maya with an annual vaccination. The assertions made in Paragraphs 27-29 of the Complaint that PETA had agreed to vaccinate Maya

is a fabrication from start to finish. Mr. Zarate could not support these allegations during the course of his deposition and admitted at deposition that he had only seen the Complaint one week prior to his deposition in July 2016. Dep. of Mr. Zarate, p. 146.

30. Defendant PETA denies the allegations contained in Paragraph 30 of the Complaint.

31. Defendant PETA denies the allegations contained in Paragraph 31 of the Complaint. Mr. Zarate testified that the only fact he had related to this allegation was that PETA took a dog belonging to his neighbor but that the neighbor had signed the form authorizing the pick-up. Dep. of Mr. Zarate, p. 165. Additionally, nothing PETA or the individual defendants did was surreptitious. The Park management had notified the residents that PETA would be picking up animals running loose. Defendant Carey had been at the Park several times over a two month period with a van plainly marked with the PETA logo, had provided services to numerous residents, including providing food, toys, leashes, dog houses, and animal treatments (including for fleas and ticks, nail clipping and bathing). Defendant Carey had transported animals to be spayed or neutered to and from Norfolk and had passed out her business cards to the residents. She was well known in the community and, as Mr. Zarate admitted at deposition, was liked by the neighbors and by the Zarate family. On October 18, 2014, the Individual Defendants were in a van with a PETA logo, they provided services to one family before going to the Zarate trailer, and even after leaving the Zarate trailer they talked with several persons and were in the community providing services for another hour within two blocks of the Zarate trailer.

32. Defendant PETA denies the allegations contained in Paragraph 32 of the Complaint.

33. Defendant PETA denies the allegations contained in Paragraph 33 of the Complaint. Further, Mr. Zarate admitted there was no way for PETA to have known his pet would have been left outside and therefore no way for PETA to create a “plan to steal pets in the Park for the purpose of killing them.” (Complaint ¶33.) See Deposition of Mr. Zarate, p. 167. Mr. Zarate agreed that before she arrived at the trailer park there was no way for Ms. Carey to know he was going to leave his dog running loose, and she came there to trap cats at his request.

34. Defendant PETA denies the allegations contained in Paragraph 34 of the Complaint. According to the video produced by Mr. Zarate, on October 18, 2014 when he and his family drove away at approximately 11:00 AM to return almost ten hours later, the dog was left sitting in a dirt parking area alongside the road without any identification. Upon information and belief, the dog was routinely allowed to run at large.

35. Defendant PETA denies the allegations contained in Paragraph 35 of the Complaint.

36. Defendant PETA denies the allegations contained in Paragraph 36 of the Complaint. Mr. Zarate testified the lot was not leased under his name but under the name of his parents. Dep. of Mr. Zarate, p. 169. Mr. Zarate also testified that his mother had purchased the trailer which was titled in her name and for which she paid taxes. The allegations in Paragraph 36 are false and directly contrary to Mr. Zarate's deposition testimony.

37. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 37 of the Complaint and therefore denies the same and calls for strict proof thereof.

38. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 38 of the Complaint and therefore denies the same and calls for strict proof thereof.

39. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 39 of the Complaint and therefore denies the same and calls for strict proof thereof.

40. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 40 pertaining to communications between Mr. Zarate and his niece and denies this allegation and calls for strict proof thereof. Defendant PETA denies the remaining allegations of Paragraph 40.

41. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 41 of the Complaint and therefore denies the same and calls for strict proof thereof.

42. Defendant PETA denies individual Defendants Carey and Woods were acting as it representatives on October 18, 2014. Defendant PETA is without sufficient information to admit or deny the remaining allegations contained in Paragraph 42 of the Complaint and therefore denies the same and calls for strict proof thereof.

43. Defendant PETA denies the allegations contained in Paragraph 43 of the Complaint.

44. Defendant PETA denies the allegations contained in Paragraph 44 of the Complaint.

45. Defendant PETA admits that individual Defendant Carey went on the porch of the trailer to pick up the dog. Individual Defendants Carey and Woods drove off with the dog, but PETA denies the remaining allegations contained in Paragraph 45 of the Complaint.

46. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 46 of the Complaint and therefore denies the same and calls for strict proof thereof.

47. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 47 of the Complaint and therefore denies the same and calls for strict proof thereof.

48. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 48 of the Complaint and therefore denies the same and calls for strict proof thereof. Upon information and belief, there was a phone call between Defendant Carey and a relative of Wilber Zarate.

49. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 49 of the Complaint and therefore denies the same and calls for strict proof thereof.

50. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 50 of the Complaint and therefore denies the same and calls for strict proof thereof.

51. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 51 of the Complaint and therefore denies the same and calls for strict proof thereof.

52. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 52 of the Complaint and therefore denies the same and calls for strict proof thereof.

53. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 53 of the Complaint and therefore denies the same and calls for strict proof thereof. Defendant PETA admits that Maya was euthanized on October 18, 2014.

54. Paragraph 54 seeks a misstated legal conclusion to which a response is not required.

55. Defendant PETA admits that Ms. Carey acting as an independent contractor picked up Maya without permission from Mr. Zarate or his family, but at the request of the owner of the Park to pick up dogs running loose without identification.

56. Paragraph 56 seeks a legal conclusion to which a response is not required and therefore Defendant PETA denies the same.

57. Paragraph 57 seeks a legal conclusion to which a response is not required.

58. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 58 of the Complaint and therefore denies the same and calls for strict proof thereof.

59. Defendant PETA admits that Daphna Nachminovitch and a Spanish speaking person from PETA went to the trailer owned by Mr. Zarate's mother where the extended Zarate family was living on October 21, 2014 to inform the Zarate family about what had occurred, to apologize for the loss of the dog, and to somehow make amends and appropriate reparations. Defendant PETA denies that Ms. Carey was present (Mot. to Strike, Aff. of Daphna

Nachminovitch, ¶27.) Further, Mr. Zarate admitted at deposition that Defendant Carey was not present. Defendant PETA further denies that Mr. Zarate owned the "house."

60. Defendant PETA admits the allegations contained in Paragraph 60 of the Complaint.

61. Defendant PETA denies the allegations contained in Paragraph 61 of the Complaint.

62. Paragraph 62 seeks a legal conclusion to which a response is not required. PETA denies there was any effort to "cover up" and that any documents were falsified.

63. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 63 of the Complaint and therefore denies the same and calls for strict proof thereof.

64. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 64 of the Complaint and therefore denies the same and calls for strict proof thereof.

65. Defendant PETA denies the allegations contained in Paragraph 65 of the Complaint. Further, during his deposition, Mr. Zarate testified he had no independent knowledge of any intent on the part of PETA and that he did not know of anyone at PETA who told Ms. Carey that she had to go to Mr. Zarate's house and steal his dog. Dep. of Mr. Zarate, p. 173. Plaintiff Wilber Zarate admitted that Ms. Carey had provided dog houses, had spayed/neutered animals, treated animals, picked up animals running at large, and that he and his neighbors were happy with her services prior to October 18, 2014. He further admitted that on October 18, 2014, Ms. Carey picked up a dog that had been running at large in the street and which had no identification, no collar and, it turns out, had no legally required vaccinations, and

that had gone on the porch attached to the Zarate trailer, and admitted the allegations of willful, wanton and reckless conduct was solely based on that one act.

66. Defendant PETA is without sufficient information to admit or deny the allegations contained in Paragraph 66 of the Complaint and therefore denies the same and calls for strict proof thereof.

67. Defendant PETA denies the allegations contained in Paragraph 67 of the Complaint. Mr. Zarate in his deposition testified that within one month the family replaced Maya with another dog. Dep. of Mr. Zarate, pp. 66-67. He further testified the purpose of getting the new dog was to replace Maya. Dep. of Mr. Zarate, p. 67. Even after getting the first dog at no cost, Mr. Zarate admitted that within several weeks after that, he purchased a second dog for \$175.

68. Defendant PETA denies the allegations contained in Paragraph 68 of the Complaint. Further, Mr. Zarate had no knowledge or information upon which to base this allegation. The allegations in Paragraph 68 are totally contrary to PETA's website, publications and policies on companion animals. See also PETA's Answer to Paragraph 18 of the Complaint, *supra*, which is adopted herein.

69. Defendant PETA denies the allegations contained in Paragraph 69 of the Complaint. Further, Mr. Zarate had no knowledge or information upon which to base this allegation and he stated the only basis for the allegation was that "they" were from PETA. Dep. of Mr. Zarate, p. 173. Mr. Zarate acknowledged that when informed about Maya, PETA immediately suspended Ms. Carey's services and ultimately terminated her services, and acknowledged a report that PETA wrote to the State Veterinarian which amended PETA's policies to prevent a similar occurrence in the future (see attached). Mr. Zarate had no

information that anyone at PETA had directed or authorized Ms. Carey's actions on October 18, 2014. See also PETA's Answer to Paragraph 18 of the Complaint, which is adopted herein.

70. In response to the allegations contained in Paragraph 70 of the Complaint Defendant PETA restates its responses to Paragraphs 1 through 69 of the Complaint.

71. Defendant PETA denies the allegations contained in Paragraph 71 of the Complaint.

72. Defendant PETA denies the allegations contained in Paragraph 72 of the Complaint.

73. Defendant PETA denies the allegations contained in Paragraph 73 of the Complaint.

74. In response to the allegations contained in Paragraph 74 of the Complaint Defendant PETA restates its responses to Paragraphs 1 through 73 of the Complaint.

75. Defendant PETA denies the allegations contained in Paragraph 75 of the Complaint.

76. In response to the allegations contained in Paragraph 76 of the Complaint, Defendant PETA restates its responses to Paragraphs 1 through 75 of the Complaint.

77. Defendant PETA denies the allegations contained in Paragraph 77 of the Complaint.

78. In response to the allegations contained in Paragraph 78 of the Complaint, Defendant PETA restates its responses to Paragraphs 1 through 77 of the Complaint.

79. Defendant PETA denies the allegations contained in Paragraph 79 of the Complaint.

AFFIRMATIVE DEFENSES

80. Defendant PETA further asserts that it will rely on any and all properly provable affirmative defenses to this action, including but not limited to the affirmative defenses listed below.

81. Plaintiffs' claims are barred because Plaintiffs were contributorily negligent in that they did not keep the subject dog restrained in violation of law and contrary to the Park's directives and did not keep proper identification or marking of ownership on the their dog which resulted in the dog being removed at the time Ms. Carey was removing other animals in the vicinity of Dreamland II trailer park.

82. Plaintiffs' claims are barred because Plaintiffs assumed the risk in that they did not keep the subject pet restrained and did not keep proper identification or marking of ownership on the their pet which resulted in the pet being removed at the time Ms. Carey was removing other animals in the vicinity of Dreamland II trailer park. Further, Plaintiffs were aware Ms. Carey was removing animals in the vicinity of Dreamland II trailer park.

83. PETA asserts that the claims of the plaintiffs against PETA and the other defendants herein are probably barred by charitable immunity under common law and the Code of Virginia based on how the claims develop when truthful allegations are properly plead and placed before the Court.

84. Defendant PETA reasserts all the defenses raised in defendants' Demurrers and Pleas in Bar by incorporating them as affirmative defenses.

85. Defendant PETA incorporates by reference any and all defenses not adverse to PETA asserted by other defendants.

86. Defendant PETA expressly requires a response to a new matter under Rule 3:11 of the Rules of the Virginia Supreme Court that Plaintiffs had no basis in fact and had no knowledge to assert many of the allegations contained in the Complaint and in particular the following paragraphs of the Complaint for which the Plaintiffs' attorneys independently and without prior authorization from the Plaintiffs created and filed on behalf of the Plaintiffs:

16. ... the public is generally unaware that under the leadership of its founder and chief executive officer, Ingrid Newkirk, PETA detests the concept of domestic animals and pets, and considers pet ownership to be a form of involuntary bondage.

17. Under PETA's philosophy, it is better to kill lost or stray pets than to find them suitable homes.

18. PETA operates a purported animal shelter in Norfolk, Virginia. However, PETA does not use the facility as a true animal shelter. The facility is a front for a slaughter house that kills cats and dogs.

19. Attached as Exhibit A is a blog report from a former employee of PETA outlining some of the unethical lengths to which PETA routinely goes to deceive the public concerning its philosophy and its killing of companion animals.

32. PETA believed that given the soci-economic status of the residents, PETA could take the pets and kill them without any repercussion to PETA.

62. In an effort to cover up what they did, PETA falsified and altered documents which they submitted to governmental authorities, which are required to be submitted by law.

68. The actions of the defendants set forth herein were part of an established pattern of PETA, which through its authorized employees, agents, and representatives, routinely kill companion animals in violation of law, regulation and decency.

69. Carey and Wood's actions were authorized, ratified and condoned by PETA's executive management.

85. Defendant PETA reserves the right to amend to add new defenses at any time up to and including trial.

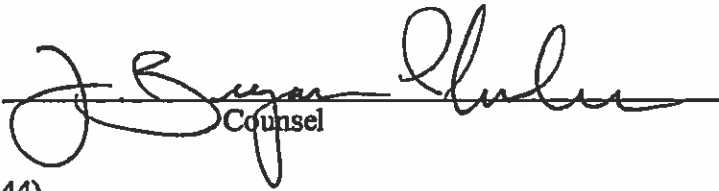
87. Defendant PETA reserves the right to amend this Answer at any time up to and including trial.

WHEREFORE, Defendant PETA prays that this Court dismiss this action and grant any and all other further relief as is appropriate under all the circumstances.

Respectfully submitted,

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS

By:


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CERTIFICATE OF SERVICE


I hereby certify that on this 17th day of October, 2016, a true copy of the foregoing *Answer and Affirmative Defenses* was furnished via e-mail and United States Mail, first-class postage prepaid to the following:

William H. Shewmake, Esq. (VSB #25429)
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Counsel for Victoria J. Carey and Jennifer L. Woods

A handwritten signature in black ink, appearing to read "J. B. Mook", written over a horizontal line.



February 27, 2015

Carolynn Bissett, DVM, MPH, DACVPM
Acting Program Manager and Emergency Coordination Officer
Office of Animal Care and Emergency Response
Division of Animal and Food Industry Services
Virginia Department of Agriculture and Consumer Services (VDACS)
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Norfolk, VA 23510
757-622-PETA

Oakland
550 Crown Ave.
Oakland, CA 94610
510-763-PETA

Website: peta.org
PETA.org

Re: Case Number 1401

Dear Dr. Bissett:

Please consider this the official response by People for the Ethical Treatment of Animals (PETA) to the January 9, 2015, Notice of Violation and Penalty Assessment received from your office on January 22. Accordingly, the following items are included herein:

1. A certified check in the amount of \$500
2. PETA's new "Animal Disposition Assessment Form," which should serve, along with the contents of this letter, as PETA's corrective action plan to aid in and add to existing protocols seeking to reinforce proper animal identification and to ensure that animals are held for the mandated holding period.
3. The signed Consent Resolution

As you know, PETA deeply regrets the incident that prompted this violation. The department supervisor learned of the incident on October 20, 2014, and immediately launched an investigation into the surrounding circumstances. She acted immediately to investigate and address the internal protocol violations, visit the dog's owners to apologize personally for the tragic error, and put in place measures to prevent such a truly unfortunate incident from ever occurring again. Specifically, we took the following actions:

- We immediately suspended—and subsequently terminated—the contract with the individual who picked up the dog.
- We launched an internal investigation.
- The department supervisor, Daphna Nachminovitch, and a Spanish-speaking PETA representative visited the dog's owners and other family members at the Dreamland 2 Mobile Home Park in Parksley on October 21 to inform them that a tragic mistake had been made and to offer our condolences and apologize in person.
- We conducted a thorough review of existing forms and protocols.
- We immediately implemented a new protocol that requires staff to call a supervisor for consultation and approval before accepting any unscheduled animal surrenders in the field.

Address
P.O. Box 1163
Richmond, VA 23218
757-622-PETA
peta.org



DATE: 7-20-16
CASE: Llaven vs. PETA et al
DEPONENT: Llaven
EXHIBIT #: 5 VR #: 3870-2
TOTAL PGS: 2 REPORTER: Ashley

- Ms. Nachminovitch met with all animal shelter and field staff to conduct a thorough review of existing protocols and of the additional preventive measures implemented as well as to reaffirm that any violation of protocol is cause for dismissal.

We also immediately began using the enclosed form, which adds a triple-verification system to ensure the accurate identity, evaluation, owner surrender, and other circumstances of PETA's taking possession of an animal as well as ensuring compliance with the requisite holding period before disposition. The form must be filled out by a person other than the person who picked up the animal and is in addition to existing paperwork.

By way of background, PETA visited the Parksley (Accomack County) area at the request of a farmer who lives near Dreamland 2 Mobile Home Park. Local citizens had repeatedly called the local animal control agency and even appeared before the county board of supervisors as far back as November of 2013 to beg for help in dealing with packs of abandoned dogs, some in obviously bad condition. The dogs had threatened residents and attacked children. They had also attacked other animals and injured cats, maimed and mutilated cattle, and torn apart raccoons, and they were giving birth to litter after litter of feral, sickly puppies under trailers in the park. The county had apparently been called by multiple parties on multiple dates for many months, but the problem persisted, and so PETA was called upon to help.

PETA is dedicated to reducing animal overpopulation, homelessness and needless euthanasia in the Commonwealth. In 2014 alone, we spent more than \$1,000,000 on companion-animal services in Virginia. In addition to our public service announcements (many of which star popular celebrities) that educate people about adopting from shelters versus buying purpose-bred animals, spaying and neutering, responsible care of animal companions, keeping dogs indoors and never chaining them (as that can lead to illness or injury that goes unnoticed as well as other forms of neglect), and more, PETA also accomplished all of the following last year:

- Found permanent adoptive homes for more than 160 dogs, cats, horses, rabbits, and other animals and transferred more than 300 other adoptable animals to other shelters
- Facilitated lifesaving outcomes for more than 1,500 animals belonging to indigent families who needed help with medical services: Free of charge, PETA's veterinary staff repaired prolapsed organs, treated life-threatening uterine infections, removed tumors and ruptured growths, performed drainage surgery for hematomas and infected wounds, and treated ear, skin, and upper respiratory infections
- Accepted hundreds of animals who were brought to PETA's shelter by their loving but sometimes destitute guardians, who were anxious or even desperate to alleviate their animal companions' suffering via euthanasia, a compassionate service provided by PETA that most other shelters do not provide (Many of these citizens were referred to PETA by other local animal

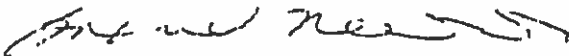
shelters—some of which have policies rejecting euthanasia candidates—law-enforcement agencies, and even veterinary clinics.)

- Accepted 249 feral cats from Portsmouth citizens who were referred to PETA by the Portsmouth Police Department via an answering-machine outgoing message that says: "If you have a complaint about nuisance feral cats, you can call PETA at 622-7382," which was implemented following a policy change at the Portsmouth Humane Society (PHS)—see the *Virginian-Pilot* article dated October 11, 2013, "Portsmouth Animal Shelter Fires Director, Bans Feral Cats," which quoted then-president of the PHS board of directors Rebecca Barclay as saying that PHS was never equipped to handle and never should have accepted feral cats "[b]ecause feral cats are unadoptable."
- Reunited 21 lost animals with their owners
- Added a third state-of-the-art surgical unit to our fleet of mobile spay/neuter clinics, which traveled more than 26,000 miles to assist animals in more than 90 cities, from Emporia to Suffolk to Gloucester to Danville (where we sterilized 120 animals in just two days for the Danville Area Humane Society)
- Held a spay-a-thon during which our veterinarians sterilized more than 400 animals in just over 24 hours
- Sterilized 10,950 dogs and cats, including 851 pit bulls and 584 feral cats, all at no or low cost to the public, and celebrated our 110,000th sterilization surgery since the service began
- Transported more than 600 dogs and cats to and from our clinics free of charge for people who had no transportation

More information about PETA's animal-sheltering work can be seen in this video: <https://www.youtube.com/watch?v=U3ANgrU51o&x-yl-is=1422579428>.

We appreciate VDACS' thorough review of this regrettable incident and of our work over the years. Thank you.

Yours truly,



Ingrid E. Newkirk
President, PETA