



I, Antonia Rogers, declare as follows:

1. To as a witness, I could and would testify competently thereto under oath.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

2. I am employed by the Quadruped Legal Defense Fund (QLDF) as its Director of Roadside Zoo Investigations. In that capacity, I oversee QLDF's campaigns on behalf of animals in zoos.

3. To achieve QLDF's mission, QLDF pursues several programs, including public education and advertising, cruelty investigations, research, animal rescue, special events, celebrity involvement, protest campaigns, and advocates for animal-welfare legislation.

4. Jim's Lion and Tiger Cub Petting's ("JLTCP") ongoing and years-long Endangered Species Act ("ESA") violations and public mistreatment of federally protected animals has frustrated, and continues to frustrate, QLDF's mission and programs by requiring it to focus its resources to monitor and document its improper and illegal treatment of protected species. Injuries to QLDF's mission and programs are compounded because QLDF is also required to continue to divert resources to counteract the public misperceptions caused by JLTCP, which portrays itself as a "sanctuary" that rescues unwanted and abandoned animals. Its unlawful practices create the public misconception that the care the animals receive there is consistent with good animal welfare and the ESA.

5. By violating the ESA and holding itself out as a sanctuary, Defendant impairs QLDF's core businesses of ensuring proper care of the animals it has vowed to protect from neglect, abuse and cruelty, and educating the public that that it should not tolerate abusive, neglectful, or cruel treatment of animals. For example, the documents produced at QLDF-JLTCP010003-128 consist of true and correct copies of reviews and comments posted by members of the public. JLTCP has led these individuals to believe that the animals there have been rescued, have no other place to go, and are well cared for by it. The fact that it is violating the ESA, falsely portraying itself as a sanctuary, and continuing to maintain protected animals in egregious and unlawful conditions without legal sanction suggests to the public that the conditions there cannot be injuring these animals and significantly disrupting their natural behavioral patterns, thus creating an incorrect public impression that such treatment is consistent with the ESA and good animal welfare.

6. To identify and counteract JLTCP's unlawful "take" of the animals at issue in this action, and to counteract the severe impediment to QLDF's core business functions, such as its education programs, created by the public impression that its practices are consistent with the ESA and animal welfare and that it is a refuge for abandoned and unwanted animals, QLDF has had to undertake new and previously-unplanned actions, diverting substantial monetary and staff time resources from other programs in furtherance of its overall mission. These new and previously-unplanned efforts include, but are not limited to, submitting complaints about JLTCP to government agencies, including the U.S. Department of Agriculture ("USDA") urging them to investigate, conduct additional inspections of, and penalize JLTCP through issuing citations, fines, and revoking its exhibitor's license; drafting multiple posts for the QLDF.org blog; running advertisements; reviewing and responding to complaints from the public about QLDF; compiling

and publishing information on QLDF's website about JLTCP's history of animal-welfare abuses; and distributing press releases on its Animal Welfare Act ("AWA") violations and a USDA enforcement action. The above is collectively produced at QLDF-JLTCP0012300-490

7. To counteract JLTCP's unlawful conduct and the public impression that its practices are consistent with the ESA and animal welfare, and the resulting impediments to QLDF's animal protection and education functions, QLDF has expended, and continues to expend, considerable staff time tracking and gathering JLTCP's USDA inspection reports; monitoring its social media pages and website; and submitting multiple public records requests related to the facility and review and analyze numerous responsive documents. This does not include staff time expended on and costs incurred in developing and prosecuting the current litigation.

8. JLTCP's conduct and public mischaracterization has forced QLDF, beginning well before the complaint in this case was filed, to divert resources to JLTCP from its other educational and investigatory efforts, research, funding of animal rescues, special events, celebrity involvement, protest campaigns, and other types of efforts that form the basis of QLDF's day-to-day mission to counteract unlawful actions by other roadside zoos and animal abusers and the public misperceptions they cause.

9. JLTCP's unlawful actions also frustrate QLDF's mission to advocate for other animals including, for example, other animals held in other roadside zoos, by addressing the manner in which those animals are commonly and, in many instances, lawfully used. Instead, QLDF diverts substantial monetary and staff time resources toward addressing JLTCP's atypical and egregious abuse of federally-protected animals.

10. Prior to the commencement of this litigation, QLDF also expended considerable staff time arranging for sixteen staff and activists to visit and document the conditions at JLTCP on seventeen occasions. Other than the individuals who attended QLDF's court-ordered site inspection of JLTCP, QLDF has not sent any staff or activists to visit JLTCP since the commencement of this litigation.

11. So long as JLTCP's misconduct continues, QLDF will inevitably see its core mission of animal protection and public education impeded as JLTCP continues to unlawfully mistreat protected species and as members of the public are misled into thinking that it is providing an essential refuge for unwanted animals that provides care consistent with good animal welfare and the ESA.

12. If JLTCP were ordered to relocate the surviving lion and tigers to reputable sanctuaries, QLDF will not have to continue to divert resources to counteract Defendants' unlawful acts or the misimpression created by Defendants.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.