

AFFIDAVIT

I, [REDACTED] on oath, do hereby depose and say the following:

1) I have owned horses for 36 years and grew up in the 4-H horse club program.

2) I formerly worked for the MSPCA shelter in [REDACTED] Massachusetts under the direction of [REDACTED]

3) I have known [REDACTED] for several years as he is a former client of the law firm I work for.

4) I have had occasion to visit Mr. [REDACTED] horses on East Road in [REDACTED], New York a number of times since the summer of 1990 and am familiar with what the horses used to look like. In the past, Mr. [REDACTED] has invited me to stop by anytime to see the animals.

5) I know that Mr. [REDACTED] purchased two of the horses, a grey curly-haired Appaloosa gelding and a red Appaloosa mare, from [REDACTED] of [REDACTED], Massachusetts, several months ago. I also know that he purchased the palamino, [REDACTED], from [REDACTED] in the Fall of 19[REDACTED].

6) I spoke with [REDACTED] of [REDACTED] New York on Monday, April 1, 19[REDACTED] and was told by her that she had five starving horses in her backyard who had been there since the Thursday before. She described the horses to me and she described the man who picked them up late Monday. The description fit [REDACTED] and his horses.

7) I went up to Mr. [REDACTED] barn on Monday, April 1, 19[REDACTED] to see if the horses were alright. Mr. [REDACTED] was not home. I went into the unlocked barn and looked at each horse. Two of the horses, the grey curly-haired Appaloosa and the red Appaloosa mare, are badly malnourished - you can count their ribs and they have lost a great deal of muscle tissue from lack of food and water. The other horses are also malnourished and have lost about 300 to 400 pounds each since I last saw them in February of 19[REDACTED]. The horses are so weak that some of them can barely stand up. The horses' feet are all badly overgrown. In my experience as a horsewoman, these horses need both veterinary attention and blacksmith work as soon as possible.

8) There was absolutely no hay, grain, or water in any of the horses stalls or anywhere in the barn. The horse manure in the barn is up to my knees.

9) I bought 10 bales of hay on Monday, April 1, 1990, and brought it over to Mr. [REDACTED]. I threw the bales under the gate because the gate was chained on both sides. I have herniated discs in my back and could not carry the hay up the hill to the barn but brought it over in the hopes that Mr. [REDACTED] would feed it to the horses. I do not know if the horses ever got the hay I brought over.

10) It is my sincere belief, based upon my years of experience as a horse owner and my work in an animal shelter and veterinary office, that Mr. [REDACTED] horses need immediate assistance if they are to survive. Two of the horses will probably die if they go more than another 48 hours without food or water. The other horses will be irreparably harmed if they are not rescued soon.

11) I am willing to testify to any of the above facts in a court of law.

I swear that the above statement is true to the best of my knowledge and belief. I am aware that false statements are punishable as a Class A misdemeanor.

Subscribed and sworn to under the pains and penalties of perjury this 4th day of April, 1990.

[REDACTED]
[REDACTED]
[REDACTED], MA [REDACTED]

COMMONWEALTH OF MASSACHUSETTS

Then personally appeared the above named [REDACTED] and acknowledged the foregoing affidavit to be her free act and deed, before me

[REDACTED]
Notary Public

My commission expires:

6-27-1991