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SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

MARY SEBEK and NANCY FARNAM,
Plaintiffs,
v.
CITY OF SEATTLE and DOES 1 through 10,
Defendants.

No.
COMPLAINT FOR INJUNCTIVE RELIEF

After unsuccessfully seeking to persuade the Woodland Park Zoo (the “Zoo”) to cease its cruel, inhumane, and unlawful treatment of elephants, Mary Sebek and Nancy Farnam (“Plaintiffs”) bring this action as taxpayers to compel the City of Seattle (the “City”) to cease its waste and unlawful use of City funds to support ongoing illegal conduct at the Zoo. As alleged in detail below, the Zoo is knowingly and recklessly inflicting unnecessary pain and suffering on its elephants in violation of state and local anti-cruelty laws. As a result of inadequate facilities, abusive management practices, longstanding intentional neglect, and breeding practices in callous disregard for elephants’ welfare, the Zoo’s elephants suffer from severe and chronic foot and joint injuries, unexplained physical trauma and bleeding, and sustained psychological harm. One elephant, only 6 years old, died as a result of the Zoo’s practices.

1 The Zoo continues to keep elephants, despite its inability to meet their basic needs, because it
2 believes that elephants, particularly baby elephants, are a marquee attraction that fosters ticket sales
3 and donations. As lead elephant keeper Pat Maluy stated, elephants are a big draw for the Zoo and
4 “[t]he bottom line is everything there.” But the very characteristics of elephants that make them
5 compelling attractions—their size, their intelligence, and their rich personalities—also make it
6 difficult and costly to keep them in captivity. To its discredit, and in violation of the law, the Zoo
7 has exploited its elephants and failed to provide them with adequate care. This failure causes the
8 elephants ongoing pain and suffering. Plaintiffs seek to halt the City’s financial support of the Zoo’s
9 ongoing unlawful cruelty.

10 I. JURISDICTION AND VENUE

11 1. This Court has personal jurisdiction over the City as it is a public corporation and
12 Plaintiffs’ injuries occurred as a result of its actions. RCW 4.08.120. This Court has subject matter
13 jurisdiction over requests for injunctive relief for violations of state law. RCW 7.40.010.

14 2. Venue is proper in King County, Washington because the City is located in King
15 County, and the City’s conduct giving rise to this action occurred in King County. RCW 4.12.010.

16 3. On June 8, 2010, Plaintiffs requested that the Seattle City Attorney, Peter S. Holmes,
17 take action to stop the waste of City funds and the ongoing illegal conduct at the Zoo. To date, the
18 City Attorney has taken no action.

19 4. On June 18, 2010, Plaintiffs requested that the Attorney General of the State of
20 Washington, Rob McKenna, take action to stop the waste of City funds and the ongoing illegal
21 conduct at the Zoo. To date, the Attorney General has taken no action.

22 II. PARTIES

23 5. Plaintiff Mary Sebek is a resident of the State of Washington, King County, and the
24 City of Seattle. Ms. Sebek pays taxes and fees to the City and King County, which are used in part to
25 fund the Zoo and its elephant exhibit.

1 16. The Zoo Society must care for all Zoo animals in accordance with federal, state, and
2 local laws and regulations. Zoo Agreement § 15.2. Any failure of the Zoo Society to do so
3 constitutes grounds for termination of the Zoo Agreement if such failure is not corrected within sixty
4 days of receiving notice from the City. Zoo Agreement § 25.1(a).

5 17. RCW 35.64.010(5) requires the City to oversee the Zoo Society “to ensure public
6 accountability” and to ensure that the Zoo Society performs in a manner consistent with the Zoo
7 Agreement.

8 18. The Zoo Agreement requires the Zoo Society to provide a formal annual report and to
9 present an annual plan to the superintendent of the City’s Department of Parks and Recreation (the
10 “Superintendent”), to provide monthly reports to the Superintendent, to provide quarterly
11 supplementary reports to the City’s Board of Park Commissioners, and to provide annual reports to
12 the City’s Parks and Green Spaces Levy Oversight Committee. Zoo Agreement §§ 20.1-20.2.3.

13 19. Upon request, the Superintendent may inspect the Zoo Society’s records regarding the
14 veterinary management and treatment of the Zoo animals in order to ensure that the Zoo animals are
15 receiving proper care and treatment. Zoo Agreement § 20.4.2.

16 20. The Zoo is accredited by the Association of Zoos and Aquariums (the “AZA”) and
17 participates in the AZA’s captive animal breeding program.

18 **IV. THE ZOO’S ELEPHANTS**

19 21. At the heart of this lawsuit are five elephants, the victims of the Zoo Society’s illegal
20 and wrongful conduct.

21 22. Three elephants are currently housed at the Zoo: Bamboo, Watoto, and Chai. A
22 fourth elephant, Sri, is on loan to the St. Louis Zoo. The fifth elephant, Chai’s daughter Hansa, was
23 found dead in the Zoo’s elephant barn at the age of six years old.

24 23. Bamboo is an 8,800 pound, forty-three-year-old female Asian elephant. She was born
25 free in the jungles of Thailand, but was captured as an infant and has lived in captivity at the Zoo
26 since 1968.

1 24. Watoto is the Zoo’s only African elephant. She is forty years old, weighs 8,100
2 pounds, and stands over nine feet tall.

3 25. Chai is an 8,550 pound, thirty-one-year-old Asian elephant. Chai was born in the wild
4 in Thailand, but was captured and brought to the Zoo. She is known for her alert intelligence.

5 26. Sri, a female Asian elephant, was born in 1980 and captured in the wild. Sri is
6 currently on loan to the St. Louis Zoo for its breeding program.

7 27. As described more fully below, because of the Zoo’s practices, Hansa is dead, Sri has
8 endured the horror of carrying a full-term deceased fetus in her womb for over four years, and
9 Watoto, Bamboo, and Chai each suffer from serious foot and joint problems and show signs of
10 significant psychological trauma.

11 **V. ELEPHANTS IN THE WILD**

12 28. Human understanding of elephants has substantially improved over the past several
13 decades. Through field research and studies, far more is known today about elephant physiology and
14 psychology than just twenty years ago.

15 29. There are two living genera of elephants, referred to in lay terms as African elephants
16 and Asian elephants. African elephants are larger and live mainly in the open grasslands of the
17 savanna of sub-Saharan Africa. Asian elephants live mainly in hot jungle climates in India and
18 Southeast Asia.

19 30. Both African and Asian elephants are highly mobile animals and can cover fifteen to
20 twenty miles in a day while foraging for food and water. Many elephants, especially in Asia, follow
21 well-defined annual migratory routes, some hundreds of miles long. All elephants typically sleep
22 only four to six hours per night.

23 31. Elephants are highly intelligent animals with large, complex brains. They are capable
24 of teaching and learning from one another.

25 32. Elephants exhibit a wide range of emotions and awareness, including empathy—that
26 is, an understanding that other beings have minds of their own.

1 33. Female elephants are highly social and family-oriented animals. They live in family
2 groups that travel, forage, and socialize together. An elephant family is a matrilineal group
3 composed of a mother, her young, her grown daughters, and their young. The older females in the
4 family group take an active role in rearing newborn elephants and teach younger mothers how to care
5 for their calves.

6 34. Social bonds between elephants can last a lifetime. Female elephants remain with
7 their families throughout their lives, and when a family's matriarch dies, her position is taken by an
8 elder female member of the group.

9 35. Using a broad range of sounds, elephants communicate with one another at an
10 extraordinary range, up to several miles. Thus, they are aware of, and may communicate with, many
11 more elephants than those in their immediate vicinity. Distant elephants can identify specific
12 individuals by their communications, and adult female elephants recognize the vocalizations of as
13 many as 100 individual elephants.

14 36. Elephants engage in death rituals; they mourn and remember their dead. Elephants
15 have been observed engaging in ritualistic behaviors with the bodies of their deceased kin, including
16 standing vigil for days and covering the bodies with branches and dirt. Elephants have also been
17 observed guarding and aiding sick or dying family members.

18 **VI. THE ZOO'S PRACTICES CAUSE PAIN AND SUFFERING**
19 **AND VIOLATE STATE AND LOCAL ANTI-CRUELTY LAWS**

20 37. The Zoo's elephants have experienced, and continue to experience, substantial pain
21 and suffering as a result of the Zoo's conduct.

22 ***Injuries to Feet and Joints***

23 38. Because of the Zoo's facilities and practices, Bamboo, Watoto, and Chai have
24 sustained significant injuries to their feet and joints, causing them ongoing pain and suffering.

25 39. Elephants' feet are crucial to their daily health and welfare. Elephants' feet have thick
26 pads on the bottom that, in nature, protect their feet from the rough surface of the savanna or jungle
27 floor.

1 40. Elephants' feet have evolved for extensive walking. Elephants' footpads and nails
2 grow constantly, and are kept clean and healthy only through regular walking.

3 41. The Zoo acquired Bamboo, Watoto, and Chai more than thirty years ago. For much of
4 their lives, they were kept in a small leaking barn originally constructed in 1922, and were restricted
5 to an area that did not permit them to engage in normal foraging and walking behavior. Their
6 prolonged confinement to this grossly inadequate space has contributed to their current condition and
7 their continued pain and suffering.

8 42. In 1989, the Zoo opened a new elephant exhibit, which featured a new barn and a
9 larger outdoor space. But these limited changes failed to make the Zoo's elephant exhibit adequate to
10 meet the physical and psychological needs of the Zoo's elephants.

11 43. The portion of the Zoo's elephant exhibit that is accessible to the elephants comprises
12 less than one acre.

13 44. The Zoo's elephant exhibit is too small to allow the Zoo's elephants to roam or to
14 engage in their natural foraging behavior.

15 45. The surface of the outdoor portion of the Zoo's elephant exhibit is hard-packed sand
16 and dirt.

17 46. The hard-packed sand and dirt in the outdoor portion of the Zoo's elephant exhibit is
18 harmful to the sensitive feet of the Zoo's elephants.

19 47. The barn in the Zoo's elephant exhibit is slightly more than 223 square yards, which is
20 less than the size of a tennis court.

21 48. The floor of the barn in the Zoo's elephant exhibit is concrete with a thin rubber
22 surface.

23 49. The surface of the barn in the Zoo's elephant exhibit is inherently harmful to the
24 sensitive feet of the Zoo's elephants.

25 50. Because of the Zoo's practices and the cold and rainy conditions at the Zoo, the Zoo's
26 elephants spend much of their time in the elephant barn. Zoo keepers commonly lock the elephants
27 indoors for long periods and entire nights during the winter months. Because the zoo keepers usually

1 leave at 5:00 p.m. and do not return to work until 7:00 a.m., if there is a chance that the temperature
2 will drop below 40°F at any point in the night, the zoo keepers will lock the elephants indoors. Even
3 when not locked indoors, climate and other factors often cause the elephants to remain indoors for
4 long periods of time in the evening.

5 51. The opportunity for the Zoo's elephants to engage in at least minimal walking
6 behavior is diminished because of the Zoo's practice of separating Watoto and Bamboo by, at
7 virtually all times, confining one or the other to the elephant barn or the shower stall in the barn, or
8 by placing them in separate small yards in the outside enclosure.

9 52. Confinement to the shower stall is especially damaging to the elephants' feet and
10 joints. The stall is so small that an elephant can barely turn around, much less walk normally. The
11 floor is not level, but instead slants downward toward a drain. And the space is so limited that at
12 times the elephant in the stall is forced to stand in excrement. These conditions exacerbate the
13 damage to the elephants' feet.

14 53. As a result of their confinement and the inadequate facilities at the Zoo, the Zoo's
15 elephants suffer from foot and joint problems. These problems range from relatively minor cracks in
16 their nails to crippling and chronic osteoarthritis, abscesses, and infections that cause significant pain
17 and require medication and surgical intervention.

18 54. Bamboo and Watoto both suffer from osteoarthritis, a degenerative and painful joint
19 disease. Osteoarthritis is caused by standing on hard surfaces, lack of movement, and excess weight.

20 55. Bamboo and Chai suffer from foot abscesses, which are pockets of fluid and pus that
21 often develop above the nails of the foot or underneath the foot and are very painful. Abscesses are
22 caused by standing on hard surfaces, lack of movement, excessive moisture (such as that caused by
23 standing in excrement), and excess weight.

24 56. Treatment of abscesses is painful and includes carving the abscesses from the
25 elephant's foot. Once an abscess is carved from a foot, the foot never entirely heals.

26 57. Chai suffers not only from foot abscesses, but also from foot infections and foot
27 lesions. During 2008, she was treated for these ailments more than eighty times.

1 58. Bamboo and Chai suffer from footpad and nail cracks, which are caused and
2 exacerbated by standing on hard surfaces, stereotypic rocking, and excess weight. Chai was treated
3 for footpad cracks on at least sixteen occasions in the course of only two months in 2008. Bamboo
4 suffered a footpad crack in September 2008 that lasted for months.

5 59. Bamboo, Chai, and Watoto’s foot and joint injuries have been caused and exacerbated
6 by the hard surfaces of the Zoo’s elephant exhibit, the limited size of the exhibit, and the Zoo’s
7 failure to implement sufficient remedial action that might alleviate or reduce the extent of the
8 elephants’ injuries and the pain and suffering they endure.

9 60. All of the aforementioned injuries have caused and continue to cause substantial
10 physical pain and suffering to Bamboo, Chai, and Watoto. Further, Bamboo, Chai, and Watoto suffer
11 severe psychological harm as a result of the physical pain and injury inflicted upon them. These
12 injuries, and the resulting pain and suffering of the elephants, are the direct result of the Zoo’s
13 indifference towards and conscious disregard of the elephants’ welfare, and the Zoo’s historical and
14 ongoing failure to comply with state and local anti-cruelty laws.

15 61. The Zoo’s response to complaints filed by advocacy groups concerned about the lack
16 of space for the elephants has been denial. Zoo Deputy Director Bruce Bohmke claimed in 2006 that
17 “it’s like spending a day at the spa for these elephants every single day.”

18 ***Abusive Breeding Practices and Elephant Endotheliotropic Herpes Virus***

19 62. The Zoo believes that elephants drive ticket sales and donations. The Zoo views baby
20 elephants as an even greater prize. Attendance at the Zoo doubled after Hansa was born, and she was
21 named pursuant to a naming contest that received nearly 16,000 entries. In that contest, Zoo
22 employees proposed the name “Casha-Cow.”

23 63. The Zoo treats female elephants as breeding factories despite the fact that its breeding
24 program led to the death of Hansa and exposed Chai and Sri to pain and suffering from both physical
25 abuse and ongoing health problems.

1 64. The Zoo has attempted to artificially inseminate Chai more than fifty-seven times. It
2 has never worked. She has suffered multiple miscarriages. These miscarriages have caused Chai to
3 suffer both physical and psychological pain.

4 65. As part of its ongoing practice of attempting to breed Chai, the Zoo shipped her to the
5 Dickerson Park Zoo in Springfield, Missouri to be mated with a bull elephant. While at the
6 Dickerson Park Zoo, she was beaten by zoo keepers. The conditions at Dickerson Park Zoo,
7 including the beatings administered to Chai, resulted in a \$5,000 fine against that zoo imposed by the
8 United States Department of Agriculture.

9 66. Chai's only live birth was Hansa, who was conceived while Chai was at the Dickerson
10 Park Zoo.

11 67. As a result of the Zoo's callous disregard for the health needs of its elephants, the Zoo
12 proved to be an inhospitable and ultimately fatal environment for Hansa.

13 68. In June 2002, when Hansa was less than two years old, she was beaten with a bullhook
14 for eating dirt, causing her to run away screaming in front of Zoo visitors. A bullhook is a stick with
15 a sharp steel hook on one end that is used to puncture and prod sensitive areas on the elephant's body
16 in order to coerce elephant behavior through fear and submission. Zoo Deputy Director Bruce
17 Bohmke defended the beating of Hansa as "appropriate."

18 69. Hansa's habit of eating dirt was likely the result of a deficient diet or of psychological
19 distress. Mr. Bohmke asserted, however, that Hansa ate dirt in order to gain attention. Hansa's
20 keepers at the Zoo simply beat her until she stopped.

21 70. In 2007, Hansa died from an elephant endotheliotropic herpes virus ("EEHV" or
22 "herpes"). EEHV has killed nearly forty percent of the Asian elephants born since 1998 in zoos in
23 North America accredited by the AZA. The end stages of fatal herpes are excruciating, and Hansa's
24 last days were marked by terrible pain and suffering, including uncontrolled gastric bleeding.

25 71. Hansa was exposed to the virus all through her short life. Bamboo, Chai, and Watoto
26 all likely have herpes. Including Hansa, five elephants conceived at the Dickerson Park Zoo are
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1 known to have contracted the disease, and four have died. Hansa was exposed to the virus upon her
2 birth in Seattle. The strain of herpes that killed Hansa is identical to the strain carried by Watoto.

3 72. Despite the possibility that herpes can be transmitted between elephants, and the fact
4 that young elephants are especially prone to die from the disease, the Zoo continues breeding in
5 callous disregard of these concerns. Instead of abandoning or changing its cruel breeding practices
6 after Hansa died from the herpes virus, the Zoo has continued its breeding practices, with Mr.
7 Bohmke blithely observing that “if you have one death, that doesn’t make it more likely that you will
8 have another.”

9 73. The Zoo loaned another of its elephants, Sri, to the St. Louis Zoo for its breeding
10 program. The St. Louis Zoo successfully impregnated Sri, but her full-term fetus died in utero. Sri
11 has been carrying the deceased, slowly mummifying fetus in her birth canal for more than four years.

12 74. The Zoo’s failure at breeding its elephants exemplifies the fact that elephants have
13 tremendous problems reproducing in captivity. Even on the rare occasions when they conceive,
14 captive female elephants are more likely than wild elephants to suffer from miscarriages, and one
15 quarter of babies born alive die within the first year. Captive elephants similarly suffer a higher rate
16 of pathologies of the reproductive system, including ovarian cysts, abnormal estrus cycles, and
17 reproductive tract abnormalities.

18 ***Psychological Harm***

19 75. Elephants’ mental and emotional states must be carefully considered and protected in
20 the captive environment. As intelligent, social animals, elephants must be given a range of sensory
21 experiences, socialization opportunities, and simulated natural activities. The Zoo, however,
22 consciously disregards this undisputed need.

23 76. The Zoo’s practices, described throughout this Complaint, combined with the Zoo’s
24 limited space, have caused the elephants severe psychological trauma. Because the Zoo’s Seattle
25 location is unsuitable for elephants, they are confined in an enclosed barn most of the time, which
26 causes stress related to their sensory deprivation and inability to exercise. Even their outdoor exhibit
27

1 is wholly inadequate for their needs. It is too small to allow the elephants to engage in anything even
2 remotely resembling or simulating their natural foraging and walking behaviors.

3 77. The ill-effects of the Zoo's inadequate facilities are compounded by the Zoo's practice
4 of keeping Bamboo and Watoto separated. This means that at all times, one elephant at the Zoo is
5 solitary—a wholly unnatural state for a female elephant.

6 78. Bamboo is especially inquisitive and has learned how to open doors, unscrew bolts,
7 and dismantle locks. During Bamboo's early years, she was described as sweet-natured, lively, and
8 very cooperative. After thirty years of confinement, beatings, and mistreatment at the Zoo, however,
9 Bamboo has become aggressive and uncooperative. Zoo management now considers her a "difficult"
10 elephant.

11 79. Bamboo, Watoto, and Chai exhibit physical manifestations of their psychological
12 injuries. These manifestations include pacing in tight circles, tracking the same few feet of dirt for
13 hours at a time, standing in one place, rocking and shuffling their feet, bobbing their heads, and
14 shaking their heads back and forth. The elephants' stereotypic behaviors are readily observable, but
15 the Zoo ignores them and has failed to take action to alleviate the elephants' suffering.

16 ***Other Injuries***

17 80. The elephants have also suffered from a series of other injuries, some unexplained,
18 while at the Zoo.

19 81. The elephants suffer from painful intestinal disorders, sometimes requiring the
20 administration of painkillers. These intestinal disorders are caused by a lack of exercise, as well as
21 by aberrant eating behaviors induced by the boredom, inactivity, and emotional stress of
22 captivity. In 2008, Watoto was locked inside the elephant barn while she recovered from lethargy,
23 bacterial sepsis, and leukopenia (low white blood cell count), all brought on by the recurrence of her
24 chronic intestinal illness.

25 82. Chai has suffered from chronic hyperkeratosis (excessive skin growth) at the boundary
26 of her footpad and limb. She has also suffered from lesions on her head and severe and painful skin
27 conditions.

1 83. Bamboo has suffered from chronic otitis (ear infection), as well as chronic infections
2 and abnormal skin growth on her tail.

3 84. Watoto has suffered from cracks and fissures along her back and has suffered from a
4 low red blood cell count indicating anemia.

5 VII. NOTICE TO DEFENDANT

6 85. The City and the Superintendent are aware of the aforementioned unnecessary pain
7 and physical injury being inflicted upon the elephants at the Zoo, but have taken no remedial action
8 and have allowed the Zoo Society to continue its illegal practices.

9 86. The City and the Superintendent are aware of the ongoing breaches of the Zoo
10 Agreement, but have taken no remedial action and have allowed the Zoo Society to continue its
11 illegal practices.

12 87. On June 8, 2010, Plaintiffs contacted the City Attorney, bringing these issues to his
13 attention and requesting that the City Attorney take action to bring the Zoo Society's unlawful
14 mistreatment of its elephants to an end.

15 88. The City Attorney has not responded to Plaintiffs' June 8, 2010 communication as of
16 this date.

17 VIII. CAUSES OF ACTION

18 FIRST CAUSE OF ACTION

19 **Illegal Government Expenditures: Unlawful Cruelty to Animals**

20 89. Plaintiffs incorporate all preceding paragraphs as if fully set forth herein.

21 90. The Zoo Society has violated, and continues to violate, Washington's criminal anti-
22 cruelty statute, RCW 16.52.207, which states, in relevant part:

23 (1) A person is guilty of animal cruelty in the second degree if, under
24 circumstances not amounting to first degree animal cruelty, the person
25 knowingly, recklessly, or with criminal negligence inflicts unnecessary
26 suffering or pain upon an animal.

27 (2) An owner of an animal is guilty of animal cruelty in the second
28 degree if, under circumstances not amounting to first degree animal
cruelty, the owner knowingly, recklessly, or with criminal negligence:

1 (a) Fails to provide the animal with necessary shelter, rest,
2 sanitation, space, or medical attention and the animal suffers
unnecessary or unjustifiable physical pain as a result of the failure[.]

3 91. As described in detail above, the Zoo Society's treatment of the elephants constitutes a
4 series of daily, ongoing violations of RCW 16.52.207.

5 92. The Zoo Society has violated, and continues to violate, the City's specific anti-cruelty
6 ordinance, Seattle Municipal Code section 9.25.081, which states, in relevant part:

7 It is unlawful for any person to:

8 A. Injure, kill, or physically mistreat any animal under circumstances
9 not amounting to first degree animal cruelty as defined in RCW
16.52.205 . . . ;

10 * * *

11 F. Tether or confine any animal in such a manner or in such a place as
12 to cause injury or pain not amounting to first degree animal cruelty
13 defined in RCW 16.52.205, or to endanger an animal; or to keep an
14 animal in quarters that are injurious to the animal due to inadequate
protection from heat or cold, or that are of insufficient size to permit
the animal to move about freely;

15 G. Keep an animal in an unsanitary condition or fail to provide
16 sufficient food, water, shelter, or ventilation necessary for the good
health of that animal;

17 H. Fail to provide his/her animal the medical care that is necessary for
18 its health or to alleviate its pain[.]

19 93. As described in detail above, the Zoo's treatment of the elephants constitutes a series
20 of daily, ongoing violations of Seattle Municipal Code section 9.25.081.

21 94. As a direct and proximate result of the City's acts and omissions, King County and
22 Seattle taxpayers, and Plaintiffs in particular, have paid and will continue to pay for an elephant
23 exhibit that violates Washington and Seattle criminal anti-cruelty statutes.

24 **SECOND CAUSE OF ACTION**

25 **Illegal Government Expenditures: Waste**

26 95. Plaintiffs incorporate all preceding paragraphs as if fully set forth herein.
27

1 96. The injuries suffered by the Zoo elephants constitute waste of public property. The
2 City retains a property interest in the elephants, through the contractual reversion of ownership upon
3 termination of the Agreement. Further, the City has an interest in the continued lawful, ethical, and
4 appropriate management of the Zoo. The continued harm to the elephants has exposed the City to
5 legal liability, it has diminished the public image of the Zoo, and it has deprived the City of honest
6 services by the Zoo Society.

7 97. As a direct and proximate result of the acts and omissions of the City, the public
8 property paid for and maintained by tax revenue from King County and Seattle taxpayers, and
9 Plaintiffs in particular, has and will continue to be injured.

10 **IX. PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiffs respectfully pray for the following relief:

12 A. Entry of injunctive relief ordering the City to cease: (1) providing funds to the Zoo and
13 Zoo Society; (2) failing to enforce the provisions of the Zoo Agreement requiring the Zoo Society to
14 care for all Zoo animals in accordance with federal, state, and local laws and regulations; (3) failing
15 to exercise its statutorily-mandated oversight of the Zoo Society so as to prevent the Zoo's illegal
16 activities; and (4) continuing to tolerate, condone, and facilitate the Zoo's ongoing violation of state
17 and local anti-cruelty laws;

18 B. An award to Plaintiffs of their expenses, costs, and other disbursements associated
19 with the filing and maintenance of this action, pursuant to RCW 4.84.010 and any other relevant
20 provision;

21 C. That the Court exercise continuing jurisdiction during the enforcement of its
22 judgment; and

23 D. Any further relief that this Court may deem just and proper.

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25 DATED: June _____, 2010

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