

upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 5: MISTREATING ANIMALS - INTENTIONAL OR NEGLIGENT VIOLATION

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did negligently treat an animal, a young dog in a pet carrier, in a cruel manner, contrary to sec. 951.02, 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 6: MISTREATING ANIMALS - INTENTIONAL OR NEGLIGENT VIOLATION

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did negligently treat an animal, a second young dog in a pet carrier, in a cruel manner, contrary to sec. 951.02, 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 7: MISTREATING ANIMALS - INTENTIONAL OR NEGLIGENT VIOLATION

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did negligently treat an animal, a third young dog in a pet carrier, in a cruel manner, contrary to sec. 951.02, 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 8: MISTREATING ANIMALS - INTENTIONAL OR NEGLIGENT VIOLATION

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did negligently treat an animal, a puppy/young dog in a cage, in a cruel manner, contrary to sec. 951.02, 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 9: MISTREATING ANIMALS - INTENTIONAL OR NEGLIGENT VIOLATION

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did negligently treat an animal, a second puppy/young dog in a cage, in a cruel manner, contrary to sec. 951.02, 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten

Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 10: MISTREATING ANIMALS - INTENTIONAL OR NEGLIGENT VIOLATION

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did negligently treat an animal, a third puppy/young dog in a cage, in a cruel manner, contrary to sec. 951.02, 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 11: MISTREATING ANIMALS - INTENTIONAL OR NEGLIGENT VIOLATION

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did negligently treat an animal, a hairless thin dog, in a cruel manner, contrary to sec. 951.02, 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 12: UNLAWFUL DEPOSIT OF ANIMAL CARCASS

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did deposit or leave or permit to be deposited or left upon any premises under that person's control any dead animal exposed in such manner as to be reached by dogs or wild animals for a longer period than 24 hours in the months of April to November, to-wit: a donkey, contrary to sec. 95.50(1), 95.99(3) Wis. Stats., a Forfeiture, and upon conviction may be required to forfeit not less than \$200 nor more than \$5,000 for the first offense and may be required to forfeit not less than \$400 nor more than \$5,000 for the 2nd or subsequent offense committed within 5 years of an offense for which a penalty has been assessed under this section.

Count 13: UNLAWFUL DEPOSIT OF ANIMAL CARCASS

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did deposit or leave or permit to be deposited or left upon any premises under that person's control any dead animal exposed in such manner as to be reached by dogs or wild animals for a longer period than 24 hours in the months of April to November, to-wit: a ram-sheep, contrary to sec. 95.50(1), 95.99(3) Wis. Stats., a Forfeiture, and upon conviction may be required to forfeit not less than \$200 nor more than \$5,000 for the first offense and may be required to forfeit not less than \$400 nor more than \$5,000 for the 2nd or subsequent offense committed within 5 years of an offense for which a penalty has been assessed under this section.

Count 14: UNLAWFUL DEPOSIT OF ANIMAL CARCASS

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did deposit or leave or permit to be deposited or left upon any premises under that person's control any dead animal exposed in such manner as to be reached by dogs or wild animals for a longer period than 24 hours in the months of April to November, to-wit: a horse, contrary to sec. 95.50(1), 95.99(3) Wis. Stats., a Forfeiture, and upon conviction may be required to forfeit not less than \$200 nor more than \$5,000 for the first offense and may be required to forfeit not less than \$400 nor more than \$5,000 for the 2nd or subsequent offense committed within 5 years of an offense for which a penalty has been assessed under this section.

Count 15: UNLAWFUL DEPOSIT OF ANIMAL CARCASS

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did deposit or leave or permit to be deposited or left upon any premises under that person's control any dead animal exposed in such manner as to be reached by dogs or wild animals for a longer period than 24 hours in the months of April to November, to-wit: a dog, contrary to sec. 95.50(1), 95.99(3) Wis. Stats., a Forfeiture, and upon conviction may be required to forfeit not less than \$200 nor more than \$5,000 for the first offense and may be required to forfeit not less than \$400 nor more than \$5,000 for the 2nd or subsequent offense committed within 5 years of an offense for which a penalty has been assessed under this section.

Count 16: UNLAWFUL DEPOSIT OF ANIMAL CARCASS

The above-named defendant on or about Tuesday, May 19, 2009, Richland County, Wisconsin, did deposit or leave or permit to be deposited or left upon any premises under that person's control any dead animal exposed in such manner as to be reached by dogs or wild animals for a longer period than 24 hours in the months of April to November, to-wit: a second dog, contrary to sec. 95.50(1), 95.99(3) Wis. Stats., a Forfeiture, and upon conviction may be required to forfeit not less than \$200 nor more than \$5,000 for the first offense and may be required to forfeit not less than \$400 nor more than \$5,000 for the 2nd or subsequent offense committed within 5 years of an offense for which a penalty has been assessed under this section.

AND prays that said defendant be dealt with according to law; and that the basis for the complainant's charge is as follows.

Your complainant is the Director of Field Operations for the American Society for the Prevention of Cruelty to Animals (ASPCA). Your complainant was a law enforcement officer in the State of New York for many years. Since 1999, your complainant has been an animal cruelty investigator.

Your complainant was informed by reading the reports of Ms. Pam McCloud Smith, the Executive Director of the Dane County Humane Society of the following:

On February 1, 2009, Ms. McCloud Smith and Ms. Marianne Krist of the Humane Society of the United States went to the Thyme & Sage Ranch, Inc, [REDACTED], Cazenovia, Wisconsin, located in the Town of Westford, in Richland County, Wisconsin. They were met by the owner of the Thyme and Sage Ranch, Jennifer Petkus. Petkus directed them to the main pole barn shed, which Petkus said she had combined all of her dogs into, instead of the four buildings she was using to house the dogs in March, 2008. Petkus said the other pole barn shed was being used by her horses at night. Ms. McCloud Smith walked through the circular paths in the building and saw over 100 dogs housed in chain link square pens. Most pens housed multiple dogs and sometimes five or six were in a single pen. Petkus walked them through and asked which dogs they would like to take back to their shelter. Ms. McCloud Smith ended up taking the majority of the dogs Petkus wanted her to take and selected some others that she felt were in need of medical treatment.

While walking through the building, Ms. McCloud Smith saw that the water bowls were filled with dirty or frozen water, some bowls contained dry dog food and some bowls were empty. All of the pens had straw covering the concrete. When Ms. McCloud Smith walked, some of the straw stuck to her feet. There was fecal matter below the straw. It was cold, approximately 20 degrees Fahrenheit, and there was no heat in the building. Some of the dogs were spinning in circles, which is a sign of lack of healthy stimulation. Some dogs showed signs of fearfulness, some dogs showed signs of aggression and some dogs showed signs of friendliness and wanting attention. Some dogs appeared thin, some dogs showed outright signs of medical issues such as open wounds on their heads or feet and some dogs were shaking or trembling and appeared to be very cold.

After going through the dog shed, Ms. McCloud Smith asked about the cats. Petkus said she had seven cats, which were trapped in a playhouse due to the cold. The playhouse did not have any heat. Ms. McCloud Smith peeked through the window and saw the seven cats. There were bales of hay and the ground was covered with straw. Ms. McCloud Smith did not see any food or water. Several of the cats on the ground had nose and eye discharge. One of the cats had a large amount of hair loss.

Ms. McCloud Smith ended up taking 34 puppies and dogs back with her to the Dane County Humane Society. When Ms. McCloud Smith asked for veterinary records, Petkus indicated that she did not have anything. She also mentioned that she had more dogs in foster care at her adoption site down the road.

Your affiant was informed by reading the reports of Dr. Lisa J. Kerwin-Lucchi, DVM, of the Dane County Humane Society of the following:

On March 1, 2009, Dr. Kerwin-Lucchi arrived at the Thyme and Sage Ranch along with Ms. McCloud Smith. Dr. Kerwin-Lucchi was outfitted with a "pen" hidden camera and a temperature probe. It was quite cold, with the temperature probe reading 25.4 degrees Fahrenheit. In her report, Dr. Kerwin-Lucchi described the layout of the property. Jennifer Petkus came out to meet Dr. Kerwin-Lucchi and Ms. McCloud Smith. She then directed their attention to an SUV-type vehicle in which she said she had several dogs and three cats in cages and crates. She asked if Dr. Kerwin-Lucchi could take the cats, in addition to the cats that she had in a small building located at the north end of the driveway. One of the cats had a broken leg with an ulcerated callus on the leg he had been walking on, indicating that the leg had been broken for quite some time. The other two cats in the wire cages in the vehicle also had some upper respiratory signs. Petkus stated that one of the terrier-type dogs in the SUV had "skin issues." The crates that had multiple dogs were absolutely filthy, with thick layers of fecal matter and soiled newspapers. It appeared that the crates were never cleaned, only additional newspaper put on top of the layers of filth. The stench from these crates permeated the vehicle and was very strong, even in the cold air. Petkus said that she would put the dogs in the small building that was holding the seven cats once those cats were removed, even though the building was not heated. She said it might be warmer than the big pole barn where most of the dogs were kept, which also was not heated. When Dr. Kerwin-Lucchi agreed to take the cat with the broken leg, Petkus wanted her to promise the cat would not be euthanized.

Upon entering the barn with the dogs, the noise was deafening and there was a distinct odor of fecal matter mixed with the smell of hay. One of the first sights was a large barn fan next to a kennel that was thickly coated in hair and dust. Next to this was a kennel containing an extremely matted sheepdog-type dog that alternated between pacing and spinning. Petkus claimed this dog was still an "impound" from a cruelty case. Ms. McCloud Smith stated that the dog had been there for quite some time; possibly a year. As she walked through the building, Dr. Kerwin-Lucchi noted that every single dog kennel had frozen water. Some dogs had even tipped over their buckets to get to unfrozen water. Most kennels had dry dog kibble and others had no food at all. She noted some smaller breed dogs were shivering. Some dogs were actually curled up in their dog food dishes and others huddled together once they settled down after their entry into the building. Many of the cages had multiple dogs in them. There were no cage cards or other identification on the cages to indicate how long they had been there, or which ones were strays, surrendered, puppy mill rescues or impounds. Petkus did not offer any paperwork on the animals Ms. McCloud Smith and Dr. Kerwin-Lucchi eventually took. She also changed her mind frequently as to which dogs had been vaccinated.

The majority of the longer-coated breeds had extensive matting and visibly filthy coats. The dogs left a very heavy offensive odor on Dr. Kerwin-Lucchi's clothes after handling them and carrying them to the van. A large number of the dogs had overgrown toenails. Ms. McCloud Smith said that several of the dogs had been there when she visited in February and nothing had been done in regards to their filthy, matted coats, although Petkus had told her she was going to have them groomed. The kennel wire was coated with thick amounts of hair and dust. There were feces accumulated in the hay in the kennels in varying amounts. It did not appear that the kennels were cleaned on a regular basis. The amount of hay in the kennels was insufficient for the animals to make any type of nest or bed to keep warm, much less keep them from laying in their own feces or urine. The fact that there were no real barriers except the wire between the kennels meant that dogs could nip each other, as well as communicate parasites, infectious diseases and cause stress. As they walked through the barn, numerous dogs displayed continuous, repetitious, non-purposeful behaviors such as spinning, pacing and jumping. These non-purposeful behaviors are known as "stereotypies."

In a short-sided kennel, Dr. Kerwin-Lucchi and Ms. McCloud Smith observed a large, black long-haired dog that coughed repeatedly and had nasal discharge and appeared in poor condition. Ms. Petkus stated that he was "just old." Another dog in with a group had a large, open wound on its right flank area. When Dr. Kerwin-Lucchi asked about the dog, Petkus stated that she thought the wound was healing well on its own and that it looked really good in comparison to how it had been. Both Dr. Kerwin-Lucchi and Ms. McCloud Smith recommended that the dog be seen by a veterinarian.

Ms. Petkus then took them to the building that housed the seven cats. The concentration of ammonia from decaying urine and fecal matter made their eyes and noses burn and water. The building was unheated, and for the ammonia to be that overpowering in cold weather indicated a very high level. All seven cats had upper respiratory infections and conjunctivitis. One cat had an ear tip missing, and another had a frostbitten ear tip. Several of the cats had noticeable hair loss and several were under weight. Two of the cats had toenails that were growing into their footpads. The floor of the building was layered in hay, newspaper, food and fecal matter. There were no litterboxes visible. In fact, the cats were using one of the food areas as a litterbox, with a recent fecal deposit made right in the food itself. The water in the bowl was frozen solid, and there was a chunk of ice next to it that had been dumped out of the bowl previously. There was no ventilation, and the windows were coated in dirt and dust. There was a large standing floor fan and a box fan tied to a window, both fans were coated with thick amounts of hair and dust. A cat carrier on the floor of the room was also coated in hair, dust and filth.

After dealing with the cats, Dr. Kerwin-Lucchi and Ms. McCloud Smith saw a very thin black lab missing hair around his shoulders. Petkus

said his name was Moose and that he had cancer. She said he had a lot of blood in his stool. She said he was surrendered from a farm because he was losing weight and had cancer. The dog was taken to the Dane County Humane Society shelter for care.

Dr. Kerwin-Lucchi's summary of findings was as follows:

1. Dogs without access to unfrozen water (all kennels)
2. Dogs without access to food (several kennels)
3. Dogs with inadequate body condition for housing in unheated building
4. Insufficient bedding for unheated building
5. Potentially unsafe housing – only wire separating dogs in adjacent kennels
6. Problems with severe matting
7. Problems with overgrown toenails
8. Problems with feces and urine in hair coats
9. Outside dogs without access to water and shelter
10. Thin, debilitated dog outdoors without adequate shelter or access to water
11. Sterotypies
12. Dogs with open wounds
13. Cats with no access to water
14. Cats with no access to uncontaminated food
15. Cats with evidence of frostbite
16. Cats with overgrown toenails growing into pads
17. Cats with respiratory, skin and eye problems directly related to poor air quality and filthy living conditions

It was also Dr. Kerwin-Lucchi's conclusion that "A large number of animals are suffering from problems directly caused by neglect and unsanitary housing conditions."

Please also see the following attachments to this complaint, which are four reports by Dr. Kerwin-Lucchi reporting her findings regarding dogs and cats transferred from the Thyme and Sage Ranch on by the Dane County Humane Society on February 1, 2009, March 1, 2009, and March 27, 2009; which reports are hereby incorporated into this complaint by this reference as if set out in full herein:

Exhibit 1: Examination Findings in 34 dogs transferred from Thyme and Sage Ranch 2/1/2009; consisting of one page.

Exhibit 2: Examination findings in 21 dogs transferred from Thyme and Sage Ranch 3/1/2009; consisting of one page

Exhibit 3: Examination findings in 10 cats transferred from Thyme and Sage Ranch 3/1/2009; consisting of two pages.

Exhibit 4: Examination findings in 13 dogs transferred from Thyme and Ranch 3/27/2009; consisting of two pages.

Please also see the attached page of color photographs of the beagle transferred from the Thyme and Sage Ranch to the Dane County Humane Society on March 27, 2009, which photographs are hereby incorporated into this warrant by this reference as if set out in full herein. The photographs show the wound on the beagle that is described in Dr. Kerwin-Lucchi's report of March 27, 2009 which is also attached.

During the early morning hours of May 19, 2009, your complainant went to [REDACTED] in the Town of Westford, in Richland County, Wisconsin to assist the Richland County Sheriff's Department in the execution of search warrant on the property, along with an adjacent property at 29332 County Highway CC. Both properties were occupied by Jennifer Petkus, doing business as "The Thyme and Sage Ranch." The American Society for the Prevention of Cruelty to Animals (ASPCA) was designated by the Richland County District Attorney as the lead agency for the collection of evidence in the investigation. The Humane Society of the United States was designated by the Richland County District Attorney's Office to be the lead animal handling agency in the investigation. The Richland County District Attorney and the Richland County Sheriff's Department requested that the Dane County Humane Society take custody of the animals seized. Photographs were taken of all the animals and evidence collection information was documented as the animals were processed.

Your complainant led the evidence collection team for the animals other than horses. During the initial execution of the warrant, your complainant's own observations confirmed that there were many dogs, horses, miniature horses, sheep, Llamas, ducks, geese, exotic birds, foxes, rabbits and other animals at 28096 and 28098 County Highway CC, in the Town of Westford, in Richland County, Wisconsin. A brief overview of the premises confirmed that numerous dogs were kept in kennels, cages, carriers, shelters and buildings in unsanitary conditions. The buildings smelled of strongly of urine, feces, and other noxious things. During the course of the day, approximately 170 dogs were found on the 28096 and 28098 County Highway CC property. Further investigation during the late morning and afternoon revealed another approximately 170 dogs on the 28332 property. Most of the animals in wire cages were living in straw that was mixed with urine and feces and did not appear to have been cleaned out for many days. Other dogs were in cages, carriers, kennels or rooms that were covered in urine and feces and lacked any straw or bedding. Many of the dogs were observed to have matted fur. Upon closer examination, many of the dogs had fecal matter in their fur or caked on their paws. Upon examination by Veterinarian Ellen Hirshberg, one dog was found to have maggots living in a wound on its ear.

Your complainant observed one dog, which appeared to be border collie, that was housed in an open pen adjacent to the largest pole building containing dogs at the [REDACTED] property. The hair on this dog's back was totally denuded in a large area, several inches across. The bare skin on the top of the dog's back was not only red and inflamed-looking, but had long red sores. A veterinarian on the scene said that dog's condition was due to

sarcoptic mange. Other dogs were also found at 28096 and 28098 County Highway CC that had major hair loss on their bodies, to the extent that large parts of their bodies appeared devoid of hair.

Your complainant is aware that, during the examination of the property, a ram was found lying down in a barn/shed building that also contained many dogs, rabbits, exotic birds and other animals. Your complainant was informed by speaking with veterinarian Jean Elmer, DVM, of the following:

The ram did not move and would not get up or raise its head. Upon rolling the ram over, it was discovered that one of the ram's forelegs was missing its fetlock. The ram's radial bone was exposed and sticking out into the dirt and manure. The veterinarian examining the ram, Dr. Jean Elmer, asked permission to euthanize the ram. This request was relayed by Richland County Sheriff Darrell Berglin to the defendant, based upon the ram's dire condition. The Sheriff then reported that the defendant refused permission. Dr. Elmer was directed by the Richland County District Attorney to euthanize the ram without the defendant's consent. While Dr. Elmer was preparing to inject the ram, the defendant appeared within two or three feet of Dr. Elmer and the ram and stated again that she was refusing permission to euthanize the ram. The defendant then took a picture of the ram with Dr. Elmer kneeling over the ram. The defendant then left and the ram was euthanized.

During the course of the investigation, a closed dog carrier was found in the same barn/shed that the ram was located in. Upon taking the top off the carrier, the dead and decayed bodies of three small dogs were discovered. They were in such an advanced state of decomposition that they had to be pulled apart by your complainant to determine whether there were two or three bodies in it. There were three. It was impossible to determine the age or types of the dogs.

In another area of the same barn/shed were cages holding exotic birds and other animals. In one of the cages were the dead bodies of three young dogs, apparently puppies. The three lay on a bed of straw or hay and were open and visible to anyone looking at the cage. These three dogs were not in as an advanced state of decomposition as the three dogs described above. Nevertheless, they appeared to have been dead for some time. On May 20, 2009, your complainant observed a preliminary post-mortem examination of one of the above three young dogs/puppies by Dr. Ellen Hirshberg, DVM. Upon examination, the stomach contents and digestive system of the animal were found to contained no food product or by-products. Through the examination, it was determined that the dog had no food or content in its digestive system for an extended period of time. There was also no obstruction in the animal's mouth or throat.

Late in the morning, your complainant walked over to the [REDACTED] property with other ASPCA workers. In examining the building, your complainant discovered approximately 170 dogs. Several of the dogs were in dire condition. In a small building near the silos on the property, your complainant discovered

5/20/2009

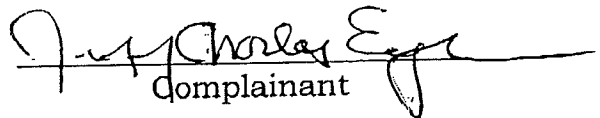
cages with dogs in them. The floor of the building and the cages inside were covered in feces and urine. The smell was very strong. Several of the dogs in the building were in terrible physical condition. In one corner of a cage set against a wall was one of several small dogs. It appeared to have little or no hair at all on its body. It was emaciated. It's ribs were plainly visible and it looked to have little more than skin covering its bones. The dog appeared to be too weak to stand up and could only raise itself up on it's forelegs.

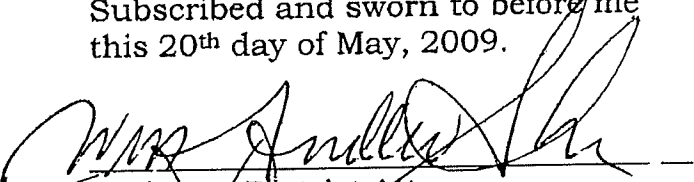
At the back of the property was a structure with several large round bales of hay in front of it. Under the bales of hay were the decomposing bodies of several animals. The animals were spread out over an area of many square yards. Some animals had decomposed to the point that only bones remained; other animals still had flesh left, but were in an advanced state of decomposition. These bones and bodies were visible under or on the hay bales and were exposed to the elements and to wild animals. Initial observations without moving the hay bales revealed the bones or bodies of 4 donkeys, 1 sheep, 2 horses and 1 dog.

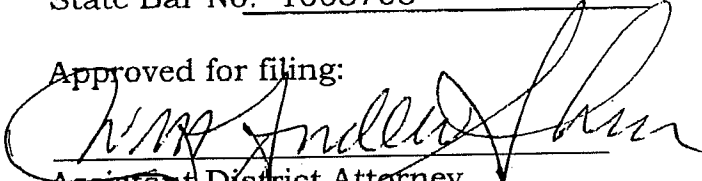
Your complainant believes the statements of Ms. Pam McCloud Smith are reliable as she is a citizen informant who directly witnessed the alleged conditions of the premises and the animals and because her allegations were confirmed by your affiant's observations of the scene on May 19, 2009. Your complainant believes the statements of Dr. Kerwin-Lucchi are reliable as she is a citizen informant and a licensed veterinarian who directly witnessed the alleged conditions of the premises and the animals and because her allegations were confirmed by your affiant's observations of the scene on May 19, 2009 and the photograph of the beagle. Your complainant believes the statements of Dr. Jean Elmer, DVM, because she is a professional reporting in the course of her professional duties and because her statements were corroborated by your complainants own observations and contacts with the defendant on May 19, 2009.

Your complainant knows that [REDACTED] is located in the Town of Westford, in Richland County, Wisconsin.

Subscribed and sworn to before me this 20th day of May, 2009.


Complainant


Assistant District Attorney
State Bar No. 1003703

Approved for filing:

Assistant District Attorney

5/20/2009

Examination Findings in 34 dogs transferred from Thyme and Sage Ranch 2/1/2009

A07124102	A07124076	A07124105	A07124122	A07124091
A07124111	A07124070	A07124151	A07124142	A07124074
A07124063	A07124085	A07124126	A07124136	A07124093
A07124069	A07124053	A07124154	A07124059	A07124106
A07124067	A07124079	A07124150	A07124065	A07124099
A07124071	A07124084	A07124158	A07124062	A07124110
A07124090	A07124052	A07124101	A07124060	

Pertinent exam findings:

Pododermatitis (foot inflammation).....	13/34
Pyoderma (skin inflammation).....	8/34
Ear infection.....	14/34
Dental disease.....	10/34
Internal parasites.....	12/34
Malodorous coat.....	22/34
Matting.....	6*/34
Fecal/urine staining.....	2/34
Feces in coat/nails.....	15/34
Overgrown nails.....	12/34
Hair loss.....	9/34
Underweight.....	13/34
Fleas.....	1/34
Carpal laxity (foot problem associated with malnutrition or poor flooring).....	4/34
Injuries/wounds.....	1/34

*only 7 dogs had medium or long hair

Many of these dogs had multiple problems that can be attributed to their poor housing and lack of basic care. It was noted that many of the dogs with pododermatitis had significant improvement or complete resolution within a few days of transfer to DCHS, simply by moving to a clean environment. Approximately two thirds of the dogs had a very strong odor that required at least 2 baths to get rid of the stench. Anyone handling these dogs had a distinct odor to their clothing afterwards. Other problems, such as chronic ear infections and dental disease, may have been present at the time Jennifer Petkus acquired the dogs, but she provided no treatment or relief for these problems and allowed them to continue. One dog, A07124136, presented with an injured right rear foot that had been present long enough for the dog to lose significant muscle mass from not using the leg. This dog had an open wound with exposed bone where the ends of 2 toes were traumatically amputated. It would be difficult for even the most casual observer to not notice the dog's limping or the wound itself, yet Ms. Petkus sought no veterinary care for this dog.

Dr. Lisa J. Kerwin-Lucchi DVM
 Shelter Veterinarian
 Animal Medical Services Director
 Dane County Humane Society
 5132 Voges Road
 Madison, WI 53718
 (608) 838-0413 ext 105

Exhibit 1

Examination findings in 21 dogs transferred from Thyme and Sage Ranch 3/1/2009

A07262424	A07262472	A07262463	A07262403	A07262409*
A07262430	A07262460	A07262471	A07262337	A07262441**
A07262381	A07262389	A07262469	A07262149	A07262456**
A07262467	A07262418	A07262411	A07262438	A07262453**
				A07262450**

* in a crate in Jennifer Petkus' vehicle when we arrived

** all 4 of these dogs in a filthy crate in Jennifer Petkus' vehicle when we arrived

Pertinent exam findings:

Pododermatitis (foot inflammation).....	7/21
Pyoderma (skin inflammation).....	3/21
Ear infection.....	7/21
Dental disease.....	8/21
Internal parasites.....	8/21
Malodorous coat.....	13/21
Matting.....	6*/21
Fecal/urine staining.....	4/21
Feces in coat/nails.....	6/21
Overgrown nails.....	12/21
Hair loss.....	1/21
Underweight.....	11/21
Fleas.....	2/21
Lice.....	2/21
Sarcoptic mange.....	4/21
Injuries/wounds.....	2/21
Cherry eye (prolapsed tear gland of eye).....	1/21

*only 7 dogs were medium or long-haired breeds

Findings are similar to dogs transferred on 2/1/2009; significantly more external parasites in this group, a higher percentage are underweight, have overgrown toenails and have dental disease. One dog, A07262403, was found to have a piece of tubing impaled on his lower left canine, causing infection and pain. Another dog, A07262460 aka "Moose", Ms. Petkus claimed had cancer due to observed weight loss and blood in stool. This dog was extremely underweight and was infested with lice and fleas, had a skin infection and a severe ear infection. He was treated for these parasites, dewormed and fed gradually increasing amounts. He has normal stools, skin has healed, has gained weight and his ear infection is responding to treatment. Chest xrays showed no abnormalities and his bloodwork was normal. This response to basic care clearly demonstrates neglect on Ms Petkus' part. The number of underweight dogs is especially concerning due to their unheated accommodations; they have no blankets or beds and insufficient bedding (hay) to nest in. Small breed dogs are especially at risk for hypothermia because of their high surface area to volume ratio- they lose heat more easily than large breed dogs. On the day these dogs were transferred, every single water bowl/bucket had a significant layer of ice, and several were frozen solid.

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Exhibit 2

Examination findings in 10 cats transferred from Thyme and Sage Ranch 3/1/2009

Seven cats in small unheated building:

A07258870
 A07259060
 A07258888
 A07258816
 A07258922
 A07258852
 A07258898

Three cats in vehicle:

A07258847
 A07258839
 A07258939

Exam findings	# affected	#affected
Upper respiratory infection	7/7	3/3
Conjunctivitis (eye inflammation)	6/7	3/3
Intestinal parasites	7/7	1/3
Fleas	7/7	1/3
Hair Loss	4/7	1/3
Scabs/skin lesions	5/7	1/3
Underweight/thin	6/7	0/3
Ringworm	6/7 + 1 suspect	2/3
Dirty/malodorous coats	7/7	1/3
Dental disease	4/7	2/3
Ear infections	6/7	2/3
Ear mites	1/7	1/3
Overgrown nails	2/7	0/3
Pain	4/7	2/3
Matting	3/7	0/3
Pododermatitis (foot inflammation)	2/7	0/3
Fecal/urine staining of coat	2/7	0/3
Frostbite	2/7	0/3
Dehydration	2/7	1/3

The seven cats in the small unheated building had been there at least a month; Pam McCloud-Smith confirmed the presence of these cats on her visit to Thyme and Sage Ranch on 2/1/2009. The cats in the vehicle had recently been acquired from a farmer per Jennifer Petkus. These cats were in better body condition and lacked the malodorous coats of the cats in the small building. These findings support the cats had not been in Jennifer's care for long, or at least had not been kept in the small building with the others. All of the cats were adults, with 4 cats showing evidence of being over 7 years of age.

The cats in the small building had more severe upper respiratory infections and conjunctivitis than the three cats in the vehicle. They were also affected by problems directly related to the housing conditions, whereas the more recently acquired cats were not. The cats had multiple health problems that could have been corrected by proper housing and ventilation, access to clean water and food, routine deworming and flea

Exhibit 3

preventative. It was noted by DCHS carestaff and I that the cats' conjunctivitis improved or resolved completely without treatment after 2 days at DCHS, and their upper respiratory infections showed marked improvement as well. This attests to the extremely poor air quality in the small unheated building in which the cats were kept.

Several of the cats passed large numbers of roundworms in their stool either in their carriers or a day or two after deworming at DCHS. The presence of fleas almost always indicates the presence of tapeworms; both of which are detrimental to an animal's well-being; if left untreated, fleas can cause significant anemia and even death. The heavy parasite load contributed significantly to the cats' underweight condition.

Two of the cats in the small building had nails so overgrown; they grew into circles and penetrated the toe pads on several feet. This caused the cats extreme pain and the problem could have been prevented by trimming the cats' nails. The severity of the overgrowth exceeds a month's time, and penetration of the toe pads in the filthy environment allowed infection to set into the toe pads, causing further pain and discomfort.

Pam McCloud-Smith did advise Jennifer of the positive ringworm cultures on the cats, and told her not to use the building to house animals until it could be properly cleaned. It is unknown if Jennifer has heeded this advice. The type of ringworm cultured, *Microsporum canis*, is contagious to humans and other animals and does pose a health risk to those with compromised immune systems, such as children, the elderly and ill persons.

Several cats also had severe ear infections and significant dental disease. While the successful treatment of these diseases is more involved, it does not excuse leaving the cats to suffer these painful conditions. A decision to treat or euthanize should have been made; at the very least the cats should have received some kind of pain relief pending a decision.

Due to the presence of multiple conditions and ringworm infection, 5 of the 7 cats from the building were euthanized at DCHS. One of the cats from the vehicle was also euthanized due to multiple health conditions and ringworm infection.

Many of the exam findings are due directly to neglect and unsanitary housing; other findings may have been present before Jennifer Petkus acquired the animals, but failure to seek treatment or euthanasia for these problems allowed them to progress and cause the animals unnecessary suffering.

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Examination findings of 13 dogs transferred from Thyme and Sage Ranch 3/27/2009

A07380550	A07380560	A07380597	A07380581	A07380794
A07380524	A07380569	A07380755	A07380788	
A07380555	A07380780	A07380769	A07380793	

Pertinent exam findings:

Pododermatitis (foot inflammation).....	10/13
Pyoderma (skin inflammation).....	10/13
Ear infection.....	6/13
Dental disease.....	4/13
Malodorous coat.....	13/13
Matting.....	6*/13
Fecal/urine staining.....	3/13
Feces in coat/nails.....	4/13
Overgrown nails.....	9/13
Hair loss.....	7/13
Underweight.....	6/13
Ear mites.....	1/13
Lice.....	1/13
Sarcoptic mange.....	1/13
Injuries/wounds.....	2/13
Cherry eye (prolapsed tear gland of eye).....	2/13

*only 7 dogs are medium or long-haired breeds

Fifteen dogs were transferred, but two dogs were extremely stressed and could not be examined. An even higher percentage of dogs in this transfer are suffering from pododermatitis and pyoderma due to filthy housing conditions; a large number have overgrown nails, and all dogs on this transfer have a terrible odor to their coats.

Three dogs stood out in this transfer; a beagle, A07380780, with a large bite wound at least 10 days old, with multiple bite wounds in various stages of healing as well; an older Rottweiler, A07380599, with heavy lice infestation, pressure sores, severe ear infection and thin body condition; and a miniature dachshund, A07380555, with extremely overgrown nails, severe hair loss and skin inflammation due to Sarcoptic mange. Ms. Petkus indicated to Pam McCloud Smith that she was aware of most of the conditions of two of these dogs (she was unaware of the lice on the rottie). She decided to transfer the beagle "because the other dogs picked on her and she was probably to the point where she needed medical attention". The open wound on this dog measured 7cm x 5cm, and she had numerous punctures elsewhere on her body.

Ms. Petkus was aware of these rather severe problems and did not seek medical attention for these dogs; she allowed the conditions to worsen and the dogs to suffer unnecessarily. Bloodwork on both dogs reflected significant infection and inflammation. If the beagle's wound had occurred during warmer months, there is no doubt the wound would have been further complicated by maggots; the rottweiler's pressure sores and inflamed skin would also have attracted flies.

Exhibit 4

Having witnessed the living conditions of these animals first-hand and examined almost 80 animals from Thyme and Sage Ranch since January 2009, it is my professional opinion that the animals housed at this premises are suffering unnecessarily from severe neglect. It is especially concerning that the percentage of animals affected by lack of care and filthy living conditions increases with each transfer.

Jennifer Petkus has been advised by several shelters to reduce her numbers, how to provide better care and she herself acknowledges she has too many animals to care for. However, she continues to procure additional animals and subject them unsanitary and neglectful conditions. Dane County Humane Society has been working with Ms. Petkus for a year to get her numbers down, without success. We believe it will take legal action and criminal charges to put an end to Ms. Petkus' cruelty* to these animals.

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* as defined in Chapter 951.01(2) "causing unnecessary and excessive pain or suffering or unjustifiable injury or death."