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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No.: 2018-CP-10-4083
Appellate Case No.: 2022-001114

Charleston Carriage Works, L.L.C., Appellant,

v.

Charleston Animal Society, Ellen Harley and Charleston Carriage Horse Advocates, Inc., Respondents.

SUPPLEMENTAL RECORD ON APPEAL
Volume 5

July 24, 2023

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Charleston Carriage Works
April 21, 2017

To everyone genuinely concerned about our horse that tripped over his own feet and fell while on tour, please know that Big John is doing just fine. He wasn't injured (except for maybe his pride a little for being clumsy) and he sure appreciated all of you who came down yesterday to see him and bring him treats. The situation as presented by the animal rights groups in Charleston was proven to be far from the truth, and we appreciated you coming down to see that for yourselves.

On a personal note, I am receiving a volume of emails and messages that I am struggling to keep up with. As a result, I assembled the following comments:

To my staff I extend my praise for your handling of the situation. While the incident was minor, it makes me feel great to see that when you are really tested, you shine the brightest!

To my colleagues in the carriage industry who continue to impress me with the ever-increasing brotherhood: I apologize for the scrutiny and the loss of time you have all experienced as a result of defending me as your own. I have been involved in this industry for over 20 years and have come to consider all of you as family and I am truly honored to be among you. We serve alongside each other in not only the best carriage industry, but the model carriage industry. Let none of us lose sight of that - no matter what. You have my solemn pledge that I am here for each and every one of you.

To the Charleston horse community at large that has been coming out to support our industry: I think I can speak for all of us and extend a giant 'Thank you'! People are so far removed from living with horses that your expertise, experience, and informed opinions are not only welcome, they are critical. If there is anything I can ever do to help any of you, I hope that you won't hesitate to let me know.

To the City of Charleston Livability Director, Equine Manager, TEOs and Fire Department who assisted us in making sure that a minor incident didn't escalate into anything else: We appreciate your oversight and help in making sure our animals receive the best possible care available. Big John would like to bring each of you an apple.

To the Charleston Animal Society, their full-time PR department and full-time lobbyist, their anti-carriage Board Members, and the various animal rights acronym groups that you've all created to fool the public into thinking you have multi-agency support: People are noticing. Your conspiracy theory that you are right while the 100s of employees at the carriage companies, the City of Charleston Livability Dept., City Council and Police, all the local equine vets, and the independent vet are all hiding some alternate truth is falling apart. People are realizing that you are simply wrong. Your continued attempt to spin this minor incident into a "collapse" or pathological situation for your own fundraising gain when too many people know the truth has assisted in exposing you as the animal rights group you have become. More than that, local lawmakers have already made public note of the millions of dollars in taxpayer's money that you get every year and the conflict with the political agenda that you are funding with them. I look forward to the day when you shed those influences and return to being an organization the community can depend on.

To our local media, with the exception of WCSC Channel 5 and Sydney Ryan who actually came down to see for themselves and reported the story without hyperbole: While I realize that it's because you are all competing for clicks and views, your toe-over-the-line reporting confusing fiction and reality serves no other purpose. Consider also reporting that ALL of the upset witnesses, picture and video providers, etc. were members of the anti-carriage group, the Charleston Animal Society's Board or both. Bias matters!

As a result of the Charleston Animal Society's fake news and inflammatory social media machine (welcome to the way animal rights groups do business), I have received countless emails and messages from all over:

To all of the genuinely concerned people who sent me messages, hopefully you will realize the bias in the future before you get too upset. If you are truly concerned I invite you to come down like so many others did and see what we are doing for yourselves. Our stables are all wide open to the public and we are proud of our record and what we do.

To the folks in the middle who think that working a work horse is OK but that it's the City and the traffic that is the problem. There may be specific issues that need to be addressed but banning the carriages is not part of the solution. A Charleston that stays fit for carriage horses stays fit for people.

To the extreme folks who offered me so many options for both my timely and drawn-out demise, esp. the two from Canada and Sweden who each offered to decoratively rearrange my "man parts": I publicly decline. I pretty much like everything where it is. You people don't even know me and your statements to me are more of a commentary about your cause-centric facebook generation than any issue, animal or otherwise.

To the hacker who somehow got into this fb page last night and posted taunts to animal rights people, basically making a mess and requiring me to unpublish it until I could thoroughly check it out: That was pretty impressive. I changed my pword and if you get in again, please do a better job with your spelling. (just a pet peeve, thanks)

Finally, and most importantly, to my horses Big John, Dale, Don, Jake, Rob, Trevor, Gary, Chief, Maverick, Moses, George, Gator, Luke and Amber: I promise you that you will always be loved and taken care of. You will want for nothing. We will have to work together to make that happen, and I will have to make a profit so I can eat and be taken care of, too but I promise you that I will never benefit at your expense. If one of us has to do without, it will be me.

Now, let's all get back to work...
-Broderick

Denny Doggett and 1K others 147 Comments 482 Shares

Like Comment Share

All Comments



Write a comment...



Charleston Carriage Works I had to ban this person as their subsequent posts "didn't meet the standards" here. They deleted their initial post as a result and the thread disappeared but I thought it had some good information in it...



19

Like Reply 1y

Hide 12 Replies



Charleston Carriage Works



3

Like Reply 1y

Charleston Carriage Works Jacob Evans Unfortunately Amanda won't back as she couldn't keep it together, even though I initially thanked her for being civil. I had to go to a meeting so I apologize to Sarah Wade for not being able to handle Amanda's name calling/devolution faster. Jacob, your statement is well-reasoned, but I think the "pattern of little moral direction" part is a little judgmental. This country that allows us to speak freely wouldn't even be here without working horses - they built it - and hundreds of thousands died as military horses defending it. If you could time travel and impose that morality on them then, we wouldn't even be able to have this discussion. Most of the horses we use have already done the job they were bred for. They worked for the Amish. When they get 9/10 years old, the Amish sell them as they have new 3 year olds coming up into work. The overall majority of them get eaten, many by people. Some breeds, like the Percheron, are bred more for meat than for pulling - in the U.S.! While I understand your position with respect to other animals, like dogs and cats, but there are not draft horse mills, and I don't breed draft horses. I wonder what you have society do with all the unwanted working animals when their initial owners move them on...

2

Like Reply 1y

Debbie Hollowell Just my .02 worth. There is nothing wrong with keeping a horse working into the twenties or even later Of course that also depends on the individual. I have one that was showing over fences at 25 and wasn't retired until early 30s. He is now 38. Have a 22 yr old who is the energizer bunny on crack. She not slowing down anytime soon. Have another 22 yr old that is retired. She just got old too quick. We keep her comfortable and healthy.

I have to say this to Amanda. Just because you too some biology classes does not make you an expert on horses. Just like my psychology classes I took don't make me a Psychiatrist.

3

Like Reply 1y

Kay Wilson Apparently people want these amazing working breeds to stopped being bred and therefore disappear. They are using science to back up there moral standing but if they don't want these animals working they must not want preservation of all breeds and species. I, someone who also has Bachelors of Science in Biology with a concentration in conservation, find this quite disheartening that this is how current students in the field feel.

2

Like Reply 1y Edited

Patricia Goron Talk about whackadoodle lol

Like Reply 1y

Charleston Carriage Works Kay Wilson Agreed. I checked her profile page and can only hope it's a result of all biology curriculum not being created equal...

2

Like Reply 1y

Anne Gould Wait. We shouldn't use animals to make a living? What about farmers? They shouldn't

get eggs from chickens or milk from cows? What the heck are we going to eat? You know, the grocery store doesn't manufacture cheese and yoghurt, it actually comes from a farm.

Like Reply 1y

Rob Ahlemann hey that's no fair using facts against them 😉 ... God forbid if they were to see our working dogs work... key word in your horses and my dogs, "working" animals...

Like Reply 1y

Lindsey Worth Charleston Carriage Works Classic, Amanada.

Like Reply 1y

Susan Mullis I have a 30+ year old mare in my pasture right now that gets giddy when she thinks she's going "out to play" with the grandchildren on her back. Horses work well into their late 20's and early 30's if they are well cared for, healthy, and regularly exercised.

Like Reply 1y

Kathy Fisher Ball I was very pleased with your well spoken, rational response to detractors. I was defending your industry and basically people to not jump to conclusions about what happened and had one troll (without a single horse on her fb page? Totally personally attack me. Gotta love the all knowing ignorant people!

Like Reply 1y

Kim Lembke Anne Gould I don't eat animals or Animal. Byproducts. And look I'm al[illegible]

Like Reply 1y

Write a reply...

Charleston Carriage Works Major announcement coming tomorrow, Sunday 4/23 at 11:00am EST

Like Reply 1y

Ashley Townsend 😳 Oh how I hope this is only GOOD news!!! A little worried with the latest chaos.

Like Reply 1y

Charleston Carriage Works VERY positive announcement!! 😁

Like Reply 1y

Ashley Townsend

🙏🙏

Like Reply 1y

Charleston Carriage Works Lindsey Worth That's not it, but I think you knew that already 😉. Look, these horses are domestic animals. That means they require human care to survive. My opinion is that I already set them free when I bought them and removed them from the endless horse auction circuit, gave them purpose, and dedicated my life to taking care of them. I don't know if you've ever been to a horse auction, but seeing these guys come across the block while the killers wait in the wings for the ones who don't sell in order to stuff them into semi trailers and take them to Quebec for slaughter is nauseating. It's the most helpless I've ever felt and I bet if we were there together it's one thing we would see exactly the same. Yes, I work work horses: it's the only way I can afford to take care of them. They are incredibly expensive and I am not fortunate enough to have big piles of money. I'm sorry that the anti-carriage crowd has convinced people that something

nefarious is going on but it's far from the truth - which I am trying to get out here. All of that said, watch for the announcement (still finalizing it) and I'll bet you'll like it... 21

Like Reply 1y

Charleston Carriage Works To the supporters I just banned for attacking Lindsey, I warned you - I won't tolerate hate speech, racism or bigotry - FROM EITHER SIDE... 8

Like Reply 1y

Write a reply...

Charleston Carriage Works This is the outtake video from Big John's interview with WCSC Channel 5's Sydney Ryan on the day of the incident...



96

Like Reply 1y

9 Replies

Charleston Carriage Works BEFORE YOU COMMENT READ THIS FIRST: I have had to ban a few people just recently. This was because they were using hateful language and attacking previous commenters. There are lots of places on the internet you can do that, but my business page is not one of them, This page, and this post specifically, was written to address the specifics of what we do in order to be fully transparent and answer the questions I have been presented with. I have devoted an incredible amount of time to monitoring this in order to respond accurately and quickly. You are welcome to have and post your opinion, even if it differs from mine, and I encourage discussion, but I will not tolerate racism, hate speech, or disrespect - from people on either side. Now you know where the line is - please stay on the right side of it... 30

Like Reply 1y

Ashley Townsend Classy company all around. 3

Like Reply 1y

Write a reply...

Charleston Carriage Works PRESS RELEASE:



17

Like Reply 1y

Ashley Roy Is this the major announcement?

Like Reply 1y

Charleston Carriage Works Yes it is!! 2

Like Reply 1y

Robin Champion Wright Time for Charleston Animal Society to put up or shut u[illegible] 2

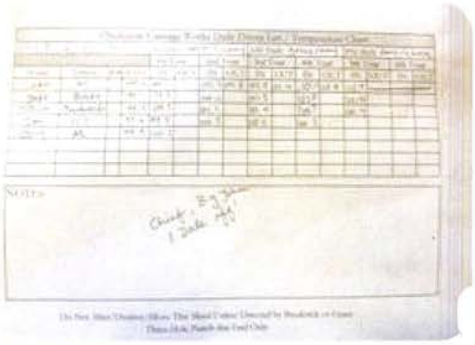
Like Reply 1y

Write a reply...

Charleston Carriage Works Pamela Johanningsmeier Smith: Your questions are welcome! I am trying to adequately address all of them that I find in the comments. Heat concerns all of us in Charleston! You mentioned the heat and the temperature limits but I think the real question is "how do we ensure that overheated horses are not working" so let me explain that to you in detail. Most people think that it's because the City sets a temperature maximum at which horses can tour (recently lowered to 95° from 98°). Most people think that because that's what the Charleston Animal Society tells them, in full page ads, on their web site, here on fb, etc.. They want you all to believe that unless you send them money so they can have their lobbyist and PR guy work to get that lowered, carriage horses will be at serious risk. Once again, the reality is that the temperature maximum has nothing to do with it. Charleston is the only place where every single carriage animal's temperature is taken first thing in the morning as a baseline, and then after every single tour while they are drinking water. We record these temperatures and as a result we also know how each of our horses "run". That's my sheet from yesterday in the picture. For us, if the individual horse's temperature is higher than 101.5°, we wait until it's at or below before they do another tour. This would happen whether it was 60° outside or whether it was 100° outside. It is of note that the high range normal "continue working" temperature for a draft horse is 103° and that my personal standard is more rigorous. Notice Luke's last "IN" temperature on the sheet. In order to give him time to cool back down, we substituted Gary in for the tour Luke would have done otherwise. That's why it was the only tour Gary did. So, no matter what the outside temperature is, no horse is ever worked in a hyperthermic condition – ever – no matter what the City of Charleston's max limit is, no matter what the animal rights groups tell you. None of the carriage industries in the cities that the Charleston Animal Society always compares to Charleston in their ads and propaganda with their lower max temperatures takes the horses' individual temperatures like we do – not a single one. My opinion, believe it or not, is that carriage tours shouldn't be conducted AT ALL without regular monitoring of the horses' individual temperatures; I wouldn't do it. The other advantage of our system that people seldom realize is that if a horse is running a fever for some reason, we never miss it.

So, now knowing that, what is the impact on the carriage horses' health as a result of the recent lowering of the max temp in Charleston from 98° to 95°?: Nothing. The only impact is that now they will be standing in stalls on days they could be otherwise exercising. So why does the Charleston Animal Society keep pushing something that has zero impact on the horses' health?: Because they tried to get us banned and when that met with so much resistance, they change their tactics, hired a full-time lobbyist and PR guy, and

now pursue legislation from any angle that will make the industry inviable in order to still accomplish their initial goal... To them, the end justifies the means: pretty much animal rights 101...



27

Like Reply 1y Edited

Joanne Sherrick Can I ask how long is a run? I am not at all going to give an opinion. Lol. Just for knowledge. 1

Like Reply 1y

Charleston Carriage Works Nana Jo Sherrick About 1 hour. No need to worry about giving your opinion. Even if your opinion is that you don't like carriage tours, all that really matters to me is that you formed it yourself! Also, unlike both of the animal rights crowd's pages, you could post that here and I wouldn't ban you either! 5

Like Reply 1y

Joanne Sherrick I am relieved. I was not aware of how long they were.Im a horse lover and very much enjoyed seeing your beautiful horses during our stay in Charleston. 2

Like Reply 1y

Charleston Carriage Works Thank you very much! One of the most amazing things that this post has demonstrated is that even with their mutli-million dollar budgets, highly paid CEO and full-time lobbyist and professional PR staff, the Charleston Animal Society is still vulnerable to the TRUTH (which is FREE); people just have to genuinely seek it... 12

Like Reply 1y

Ashley Roy What a great explanation. I visited the barn twice before booking with my daughter and asked alot of questions (not wanting to give business to an unethical entity) and was super impressed with your standards, which are set higher than most in my opinion 6

Like Reply 1y

Ashley Townsend THIS is what needs to be spread all over Facebo[illegible] 5

Like Reply 1y

Aimee Hight Leigh Ann Vogler some good information on your worries about rota[illegible] 2

Like Reply 1y

Leigh Ann Vogler I am so glad they are taking the time to monitor these horses in this manner. I love Charleston and I love the tradition. I am a horse lover too and that the Charleston Carriage Work's for making this information available. 2

Like Reply 1y

Write a reply...

Shari Stewart Hatchell Broderick, very well written and said, made me way to cry , love you and amber both!

Like Reply 1y 6

Anne Jackson I know personally how these horses are treated and, yes, loved. Very well put Broderick! We miss you.....a blast from the past, Jerry & Anne.

Like Reply 1y 7

Charleston Carriage Works My second family! Miss you, too and we're going to drop in on you one day soon!

Like Reply 1y 2

Anne Jackson Please!!!!!

Like Reply 1y

Write a reply...

Vivian G. Stevens-Knighton Big fan from the Upstate of SC. We've witnessed firsthand the excellent treatment your horses receive. Excellently written.

Like Reply 1y 3

Arliss Fryar Ferrell Thank you for your comments. As animal lovers, we understand that working animals are happy doing their jobs. We've visited and rode in one of your lovely carriages and seen your care in the barns. Let the stone throwers throw, because we are all getting immune and then they actually hurt the things that really did need attention.

Like Reply 1y Edited

Patricia Goron I love you Brody! You always know what's right! You're the best! ❤️ TrishtheD[illegible] 5

Like Reply 1y

Britt Renee Smith As a former employee of palmetto carriage company, Seabrook equestrian center, along with having an equine science degree.. i back you 100%. In this scenario, unfortunate of course, this horse was doing exactly as it was supposed to. It is very unlike me to even get into these conversations, but this in particular conversation about everyone saying such negative things about the carriage animals in Charleston county drives me CRAZY. I've seen large animals in multiple states, and these draft horses here in Charleston in particular are exceptionally well taken care of. Probably see the vet more and not worked as hard as many hunter/jumper/cow horses. But because you are the most public (and around the most people with no equine background).. you get the most scrutiny and that drives me crazy. Keep this beautiful tradition alive and these horses/mules happier than they'd ever be elsewhere 👍💪

Like Reply 1y Edited 27

Write a reply...

Aleigha Blakley I think that the greatest testament to your cause is the the adamancy of those against you is almost perfectly in proportion to their lack of knowledge . The people who have dedicated their hearts and lives to these animals are your greatest supporters. Thank you for creating a sustainable system that allows you to vet, feed, farrier, and support so many of these animals in a world where your average home can not. As someone who has personally retrained and rehabbed abused horses, I can say that their physical condition and calm demeanor are a testament to their quality of care. Their good physical health cannot be argued which is why you are being attacked for their psychological well being. It is clear to anyone who has worked with mistreated horses that these are not abused animals, psychologically or

otherwise. Thank you again for your work.

-a supportive charleston resident

Like Reply 1y 23



Connie Garrison i have seen 1st hand how well cared for those horses are they are part of brody and ambers family - sorry you had to deal with negativity, but i like to think that the truth always comes out - god bless you guys

Like Reply 1y 5



April Leeman I watched the video before it was announced that he had fallen. My impression was that the lady recording did not know horses and didn't understand what she was looking at. A very well trained and unworried horse was waiting for his humans to help him so he could get up. 17

Like Reply 1y Edited



Write a reply...



Sharon Pearce Great reply! Thanks for the update! So happy big John is doing great! People are so fast to judge! 2

Like Reply 1y



Beth Caldwell So glad you posted this. Very professional! I too have witnessed the care and love you and your staff provide your horses. You have always been open and educational in your posts. I pray you and you staff will soon not have to put up with all this! 3

Like Reply 1y



Kay Wilson I love you guys! Give Big John some loving for me! I hate to see what groups are trying to do to the industry down there and have been trying my hardest to educate those that want to be educated on the exceptional care all the horses get there. See you guys next time I'm down there! 2

Like Reply 1y



Emily House Well said, big brother!!❤️ 4

Like Reply 1y



Donna Chermark I am a Horse owner and stout supporter of the carriage companies. Your horses are well loved and cared for keep up the good work and know that we will band together to help in any way possible. 3

Like Reply 1y



Angela Miehe Kirch Your horses are treated well and happy (I can say from seeing first hand) and that is what's important. Keep up the good work! 3

Like Reply 1y



Tamara Brown Omg, Broderick- this gave me goosebumps more than once 💙!! What you have written is a beautiful and civilized display of your passion for what you do and your dedication to your horses 🌟🌟🌟🌟!! 24

Like Reply 1y



Lee A. Miller Tamara, you have impressed me with your righteous support. The more I read the faster I jumped on the bandwagon. For those who call what the animals are doing slavery. You are projecting.. change your own job if you feel being paid with Love and care is slavery. And if not

doing a job they were bred for and love it would be..Canada or Mexico for these fabulous equines. Get REAL.

Like Reply 1y

Tamara Brown This, Lee. This is why we are friends ❤ 2

Like Reply 1y

Erin Hogan Mercantini Me too! So well said!!! 4

Like Reply 1y

Write a reply...

Jalane Kirkpatrick Great response! I'm frustrated that Charleston Animal Society etc asked for a commissioner to review practices yet when the results were not what they wanted they did not accept it. I've supported them in the past but won't while they wage this war. 2

Like Reply 1y

Sharon Taylor Knowles I think you all do a great job, providing a Charleston tradition to many locals and tourists every year! I know these animals are very well taken care of. I also admire your tact under extreme scrutiny as the target of constant speculation. it is completely complimentary of you and your company who represent our city so well! 2

Like Reply 1y Edited

Ariel Findley As a fellow horse owner those who don't have horses or a knowledge of them need to keep their noses out of things they know nothing about. You seem to do an amazing job with your horses and I know that carriage horses are trained to be still until they're unhooked. I wonder how many of those making rules for the city actually have horses themselves? My guess would be none. 1

Like Reply 1y

Andrew Sprouse Former tour guide/carriage driver here - sending y'all lots of support from Durham, NC! 4

Like Reply 1y

Walt Sprouse Did you ever work with Big John? Seems like I remember h[illegible] 1

Like Reply 1y

Write a reply...

Donna Clark I can't say enough for how much respect you and Amber have for your horses! I'm sorry this was blown out of proportion - what a well stated post. Have a great weekend!!! 4

Like Reply 1y

Bill Hino Sorry you had to deal with this. The sensationalism by our media results in hours of wasted time.

I'm glad to see your perseverance outlasted their stupidity. 1

Like Reply 1y

Brian Hutcherson I hope people realize that the majority of these horses come from Amish farms and are saved from being put down 1

Like Reply 1y Edited

Write a reply...

Aleisha Gould Much love to you guys! ❤️ From Frida and Alei[illegible] 8

Like Reply 1y

Tammy Jones All I can say is you guys need to figure out how to work with the animal welfare organizations to form a unified front. Otherwise this industry is going to wind up like Ringling Brothers. 5

Like Reply 1y

Charleston Carriage Works We don't have any issues with animal welfare groups nor they with us. The issues are with animal rights groups (including the ones that pretend to be animal welfare groups like the Charleston Animal Society). They are ideologically opposed to what we do. We are 100% transparent and open to the public and people can, and do, come and watch what we do. The Charleston Animal Society can buy air time, ads, go on the news, etc. and make whatever claims they want, but at the end of the day, anyone can come down in person and see that they are all false... 2

Like Reply 1y

Tammy Jones Have you asked to sit down with these people? Explain to them your procedures. Give a tour of your facility. The problem is there are legit operations doing things by the book and ones that aren't. I'd definitely focus on trying to get some regulations passed to weed out the bad apples. The regulations in place now are practically unenforceable. The bad operations know that. Their actions hurt all of you. 1

Like Reply 1y

Charleston Carriage Works We've not only asked, but also done it many times. We're not opposed to it, either. One of our local equine vets met with them just a couple weeks ago and tried to start that process again but they just don't have any interest in being reasonable. You've seen what they done with just me in the past couple days and one of their people physically assaulted another companies employee on Easter Sunday. Before they were infiltrated, they were a great organization. I completely understand the bad apple metaphor and there is a lot going on in that arena as we type. The industry tries in good faith... 1

Like Reply 1y

Joe Stern With respect, I have no opinion on the issue, but the carriage companies' constant harping about Charleston Animal Society by name probably doesn't help at all. I realize they are a well-funded "opponent," but it's really unseemly, and it does nothing to improve the negative conclusions people jump to. The old "win more flies with honey" saying. To deny that the animal society does good work outside of this issue is simply unfair. Two wrongs don't make a right, though. 2

Like Reply 1y

Charleston Carriage Works Joe Brewer I never denied that they do good work and, in fact, have even said that outside of this issue they are an otherwise good organization. I have nothing against them. I understand exactly what you mean and agree, but they are off-mission with regards to us and how am I to avoid using their name? If I don't point out the specifics, how will people have the information to determine on their own what is happening? 3

Like Reply 1y

Joe Stern I'm not sure. Great points; thank you. I just know that a lot of my friends here in Charleston feel they have to choose because of the seeming (and increasing) vitriol on both sides. I do know I don't envy you. I live part time in NYC and have watched this for at least a decade. Maybe it would be helpful for the carriage companies and allies to form a nonprofit so that things aren't done in each company's names? I'm not sure what the answer is, but maybe the key is in out-

organizing, -funding, etc? When this happens, I see so much support for your business, especially on this thread. Maybe people could put some money and time where their mouths are? I know this isn't exactly a lucrative business, and I know the carriage companies alone can't outspend the animal rights groups and survive. Surely there's a proactive rather than reactive solution somewhere? At any rate, it's clear that you're David fighting Goliath, and I know you're doing your best and really going above and beyond with damage control. Thanks for the thoughtful and gracious response.

Like Reply 1y

Charleston Carriage Works No actually, thank you. Your suggestions are some of the best I have heard and believe me, in addition to your friends there are a lot of people who feel that way here in Charleston. The problem is that the CAS is leveraging exactly that against us. It's a tough spot for sure. For some reason, people who ride riding horses are viewed as horse people and those of us who pull with pulling horses are viewed as abusers and exploiters. While I suspect the fundraising campaigns of national AR groups to be at least partially to blame, the logic nonetheless escapes me. I think that the Charleston non-carriage horse community that is now becoming aware of the situation and getting involved is absolutely key to finding a proactive solution...thanks!

Like Reply 1y

Write a reply...

Donald Hancock Thank you for your fine service and treating your horses so well. People trip and fall occasionally and if the humane society could make money off of it they would. They are in my opinion a group that started off with good intentions but has morphed into a quasi terrorist/extortion group. The media has lost all sense of rationality. Hope your business thrives and God Bless.

Like Reply 1y

Cathi Cooper Then why are you so concerned about someone filming it ? I would think he would be more concerned with getting your horse on its feet then you would be in who was looking.

Like Reply 1y Edited

Hide 15 Replies

Lee A. Miller Because we know there are people out there looking to falsely portray the circumstances.

Like Reply 1y

Carl Percheron Why did the person filming it call the media before emergency services? Why did she antagonize those helping the horse rather than put down the camera and help?

Like Reply 1y

Charleston Carriage Works Cathi: Same could be said about the person filming. Once again you are not even aware that you are blindly following what the Charleston Animal Society has told you. The guy in the blue shirt is an unknown; He doesn't work for me or anyone in the industry. Watch both videos. He is the one who put the bowl next to the horses head - none of us would have done that. He is just a guy who knows right from wrong and said something about it. My guess would be that he works at FIG and was honestly trying to help the best he could. You'll also notice that they cut off the video when the driver approached because all she asked them was to step back while they were getting Big John up. They edited that part out so they could lead you to believe what they wanted (and it worked). I'm not concerned about people filming, I don't have anything to hide but if you can't understand why it makes people uneasy, consider how you would feel if that was a member of your family and someone was filming. It shouldn't be unreasonable to expect fact before accusation...

Like Reply 1y Edited

Joanne Elaine Ellis Well said but also when people film an incident like this it opens up the carriage company to so many false accusations and flat out lies. They are already under a microscope and having to deal with non horse people who are inexperienced and have no knowledge about horses and who are reacting emotionally to what is a very minor accident does not help. Had I been one of the persons helping Big John I would have put my hand in front of her little phone and chased her off too. 15

Like Reply 1y

Joanne Elaine Ellis Because all she cared about was trying to prove a point. She wanted to see if she could get something on the carriage companies. 4

Like Reply 1y

Benjamin Doyle Lady, if you're not there to help, you're in the way. Get to helping or go a[illegible] 18

Like Reply 1y

Angelica P Pickles From a TLAER perspective, getting the horse up fast is not the goal. Assessment of the situation and evaluation of the horse take priority. Sadly it is easy to be a "Monday morning quarterbacking"; especially, when you do not even know how to play the game. If your pet/family member had an accident and you did not know the outcome would you want a half arsed media clip playing over and over on social media??? I hope not because, it is just disrespectful. Please, educate yourself! 18

Like Reply 1y

Ashley Brohm These are working horses. A carriage is nothing to them. They move mult hay bails one weighing the size of the carriage. You people are so ignorant. I won't kill a mosquito so before you get all high and mighty put that in your pipe and smoke it. 3

Like Reply 1y

Cathi Cooper That's not what I saw ,
I own horses and they are my family, if my horse was down I would be getting them out of that harness and on their feet as quickly as possible. Also if my horse just tripped, they would be trying to get up. That horse was just lying there, and she was not trying to get it up when she marched with the woman with the camera. The horse did look well nourished, however something was making it just lay there. Neither am I guess the horse having a job, however if driven to the point of exhaustion that would be cruel. Don't know in this case, but it looks wrong.

Like Reply 1y Edited

Jennifer Zullo Exactly, you don't know so stop blindly following the Charleston animal society and go down there to check the barn and horses out. 7

Like Reply 1y

Carl Percheron Have you ever had a horse trip that was wearing harness and attached to a carriage? 5

Like Reply 1y

Felicia Wheeler CAthi, they are taught to lay there until they are released from the carriage. It's not just the carriage horses but any horse that pulls. The struggle that a 'regular horse' would go through would be catastrophic. I have an Arab. When he falls it's balls to the walls freak flight getting up. That isn't the nature or the drafts. That's why there temperament allows them to deal with traffic, people, honking cars, street vendors, bicycles, carts, and idiots as well. 28

Like Reply 1y

Jennie Keller Wilder They are trained to lie still until they are unhooked from the carriage so that

they do not get injured. Also he wasn't exhausted, correct me if I am wrong but I believe it was his first tour of the day.

8

Like Reply 1y

Kathy Gilbertson Cathi, just as an example that things can be misconstrued, this is you, on what looks to me to be a very unfit horse, being ridden in ill fitted tack, its mouth gaping open in discomfort, being ridden on a very hot day. So tell me how I am wrong, going on this small moment in time, about you and your horse. See how easy that was to make you look like the bad guy?



5

Like Reply 1y Edited

Holly McFall Cathi, I have seen you post several times about the horse not trying to get up. I am also a lifelong horse person, as a hobby and career. I have known quite a few crazy babies as well as horses that have gotten themselves a bit stuck, whether it is playing and sliding half under a fence, rolling under a fence, or getting cast in a stall. Human instinct tells us to struggle to get up, yet every horse I have seen in this situation remains still. According to some reading, pressure around an animals body creates calmness and naturally relaxes an animal, which is why squeeze chutes are used for cattle and the tables are used for mustang. I have seen babies with the instinct not to struggle when trapped, so a well trained horse would definitely figure out to wait until movement was made easier. The carriage is not designed for a horse laying down. This simply points out that the horse is just a horse with horse instincts. Yes, your horse, and mine, would get back up if the tripped and fell in their pastures, but I've swung enough perfectly calm, yet clumsy babies out from under fences to recognize the horses instinct to stay calm when trapped.

6

Like Reply 1y

Write a reply...

Rebecca Blythe After seeing the video post yesterday this is the response I placed on it. Just letting you guys know you have support out there, and on the feed I saw it on after I commented the others stopped: It's mostly being commented on by ignorant non-horse people. Who knows why the horse went down, that's not explained or shown on the video. It could have been an asshole in a car cut him off in traffic. Or the horse could have just tripped. Either way the horses are taught to lay there until given the command to get up, it's for their safety. If they were to get up still connected to the cart they run the risk of getting caught in the harness and breaking a leg or worse. If the shaft breaks while the horse is getting up it could impale and kill the animal. Most of those horses have lots of love and better care than most. They have special shoes with shock absorbing pads in them and they do very short routes. Every horse drawn carriage tour I've ever seen has a water trough at it and that's usually where you load up. That's a Belgian (the breed) and they are breed for farming plow work, hauling wagons and are used in tractor pulls. In other words very strong horses, that load on flat ground isn't too much for him. And the amount of regulations on the carriage industry for both horse and passenger safety is insane. They are regulated by number of hours per day, max weight per load, number of loads per day, temperature restrictions, general weather restrictions.....it's truly mind boggling if you actually know anything about it.

2

Like Reply 1y Edited

Charleston Carriage Works Thank you for your support Rebec--' 3

Like Reply 1y

Cherie Felten I'm so glad to hear he is good. I hate animals right BS. Anyone who is asking why he didn't get up, professional carriage horses are taught to lay still. Check out the Budweiser, horses. There is a you tube video, the lead horse tripped over his feet. Struggling can be catastrophic and cause alot of injury. 1

Like Reply 1y

Julie Solomon a lot 1

Like Reply 1y

Write a reply...

Melissa Walters I'm a newer recreational driver. You have the support of me, and one of my ponies "Head Tilt Tilly" (Tilly). She was hit by a semi, blinded, and left for dead 6 years ago by her former owner. I got Tilly this last December, and have been working with her on driving. She has a job she's happy with, enjoys learning, and is definitely enjoying not having to fight for food, and getting regular care. Those who don't work closely around these animals don't realize that they do enjoy working. Whether their job is pulling a cart, blazing the trails, or doing what one of my miniature horses does; visiting people inside Hospice facilities. One of our jobs as responsible equestrians, owners, or whatever, is to determine if an animal is suited for, and enjoying, their work. I visited you guys, took a tour, and I was impressed at the level of care, the cleanliness of animals, their environment, and handling. Keep up the great work guys!



17

Like Reply 1y Edited

Ashley Roy Very well put! Love your facility and what you do! Took my daughter in Feb for her sweet 16 and she was treated so well!



8

Like Reply 1y

Write a reply...

Ashley Townsend So very well said. Thank you for this post...I will certainly be sharing it. And thank you for all you do for these horses and for Charleston. For what it's worth, I have really learned recently more than ever (and not just because of this situation but because of many other instances of other stations trying to push an agenda rather than report the news) that Live 5 News is who I can trust as my news source and is truly the best in Charleston. 2

Like Reply 1y



Brittany Hinson So glad to hear this. It's so terrible that they portray your profession in such a negative light.

2

Like Reply 1y



Colleen Garry A guilty conscience needs no accuser....the horses should no be working from the end of April to October..too hot, cruel

Like Reply 1y



Jenna Reanne Howell That last paragraph made me cry. As someone who has owned horses my whole life, thank you for your dedication and love to these animals. We are on your side and will fight for you always. I hope I can speak for the Charleston horse world when I say that, if YOU need anything, please don't hesitate to ask. We will beat this!

6

Like Reply 1y



David Miller Well put, and know that all of the horseowners have your back. Because if they can crack the horse carriage business, it won't be long until they go after western pleasure, jumpers, cutters, trail horses and all other enjoyable things we do with our horses.

18

Like Reply 1y



Anne-Marie Rasch Exactly!!

1

Like Reply 1y



Write a reply...



Tara Munster Girch Nicely written. Professional and strong. Proud to be a former Charleston girl and still have family there raising my niece. Love the carriage rides and we visit the horses every time we visit Charleston! Keep up the wonderful
And important part of history.

5

Like Reply 1y



Bret Davis Is your new password 'MAN parts'?

7

Like Reply 1y



Pat Belskie Kudos! I have owned and bred horses for most of my 74 years. I've taken many carriage rides all around the world and was very favorably impressed with the care of the Charleston horses. Our driver was most entertaining to a group of CDE and Pleasure Show driving folks!

5

Like Reply 1y



Glenda Beagle I loved what you had to say. I have traveled to many places in the world and have never seen animals so well taken care of and so much public accountability as what we saw when we were in Charleston just a couple of months ago.
Animals can trip over their own feet, heck, I've done it twice today myself. My dog did yesterday - it happens. True horsemen will never let their animals be harmed anymore than they would allow their own children.

22

Like Reply 1y



Write a reply...

Debbie Moore I ride in endurance rides & we deal with people who think we are being cruel to our horses.

Nothing could be further from the truth. We train, train & train some more so that our horses are fit to perform, I love my horses like family. Horses love a job & people need to be better educated before they speak. I have visited your barns where carriage horses live & know first hand that they are well taken care of. I hope something positive will come from this. Best wishes!

Like Reply 1y

Barbara Rawson Simple and beautiful truth. Thank you for your eloquently written testimo

Like Reply 1y

James Hanks I hope big john makes a full recovery, really enjoyed the ride last time we visit

Like Reply 1y

Annette Clark Keep up the good work! The horse community will continue to voice our supp

Like Reply 1y

Terri Ramsey Thank you for all you do for these magnificent animals and agree that they are well taken care of!

Like Reply 1y

Deniese Myers We loved our ride with Big John, so glad he is alright. We support you Charleston Carriage Works

Like Reply 1y

Dee Moore Anderson Best wishes for a speedy recovery. We had the best tour guide(John) on our visit to Charleston last week!



Like Reply 1y

Pamela McAuliffe Kirk Hmmm.....I guess you had to be there. Because if I were to see my horse like that you best believe I'd be freaking out.

Like Reply 1y

Elaine Griffin So we'll put I love horses. And I believe you truly love yours

Like Reply 1y

Clacy Troy Ohhh, there is an Amber horse? I love that!! You guys rock. Naysayers don't know y'all, obviously

Like Reply 1y

Ashley MG Laura Higdon Brown here is the carriage company. Check the info out that they have been

posting

Like Reply 1y

Kelly Sipe Ahrens Broderick,
A very well-written, astute post. Keep doing what you're doing. Work horses need work.

Like Reply 1y

Debbie Hollowell Wish I had the time to "like" each and every sane wonderful comme[illegible] 1

Like Reply 1y

Stephanie Sonntag Love our carriage rides and we are locals



7

Like Reply 1y

Shawn D. Matticks MICROPHONE DROP! 7

Like Reply 1y

Victoria Coonrod Hill Well said!!!! Now let's concentrate on the real abuse issues!!!

Like Reply 1y

Paulette Foley That's my boss! Well said Bro[illegible] 5

Like Reply 1y

Jim Gresham Perfectly stated! 4

Like Reply 1y

John D LaVerne Well said Brody! 4

Like Reply 1y

Elizabeth Anne Broderick, for the win! 4

Like Reply 1y

Diane Ball Word! 👍 3

Like Reply 1y

Pat Waters Thank you 3

Like Reply 1y

Gina Cheatham Absolutely perfect! 3

Like Reply 1y



Mary Jo Roxon Well said and heartfelt

Like Reply 1y



Trish Trimby White Real horse people understa[illegible]

Like Reply 1y



Lisa Harper Berezny 👏👏👏👏👏👏 Excellent. Professional and made me [illegible]

Like Reply 1y

Joanne Elaine Ellis So well said.

Like Reply 1y



Timothy E. Dillinger What everyone needs to hear. ... Good job everybody. A +

Like Reply 1y



Alex Schaller Thank you for all that you do!

Like Reply 1y



Edward Hannapel Pat some insight. Thank you [illegible]

Like Reply 1y



Celia Green Well said!!

Like Reply 1y



Shana Santarini Doyle Great message start to fini[illegible]

Like Reply 1y



Emmy Kindt 👏👏well said 👏👏

Like Reply 1y



Pam Furlong Good for you, girl!!!

Like Reply 1y



Lydia Pruitt Brooks Nicely said Brody!

Like Reply 1y



Flossie Miles Well said sir

Like Reply 1y



Joanne Sherrick Prayers for big John. Hope his ego is mend[illegible]

Like Reply 1y



Lissie Miller You are wonderful. How can I help y[illegible]

Like Reply 1y



Marcia Curran Great piece of writing; all the best to y[illegible]

Like Reply 1y



Andrea Whiting Beautifully written!

Like Reply 1y



Paula Scholz Well said. Hope Big John will be back so

Like Reply 1y



Joy Watson Thank you for your heartfelt eloquent wo

Like Reply 1y



Randall Johnson Bravo, sir. Bravo!

Like Reply 1y



Virginia Moore We'll said.

Like Reply 1y



Barbara Alexander Well said!

Like Reply 1y



Paula Mitchum Strobel Very well said!!!!

Like Reply 1y



Lance Brooks Thank you.

Like Reply 1y



John B Gordon Well done sir, well done.

Like Reply 1y



Wanda Dean Langley Couldn't. said it better God Bless

Like Reply 1y



Sheron Pope Well said!!!

Like Reply 1y



Colleen Garry Horrible

Like Reply 1y



Royal W. Fyfe Great response!!!!!

Like Reply 1y



Courtney Lowe Bless your heart

Like Reply 1y



Donna Foster Very well said.

Like Reply 1y



Doris Jane Police-Chassereau ABSOLUTELY... A TREMENDUOUS REPLY. WE ARE WITH YOU!!!

Like Reply 1y

Denice Gilliard Love Charleston....glad your horse is ok....

Like Reply 1y

Laura Powell Thanks, Katherine for the update

Like Reply 1y

Caroline Bigelow Sbarra Alexis De La Cruz an important r[illegible]

Like Reply 1y

Ashley Paige Eppes Taylor Heintze Jessica Delco please read!!! 🐴💚🐴

Like Reply 1y

Kayla Hale Alicia Jones Linzy they lied. Of course.

Like Reply 1y

Alicia Linzy Oh this makes me feel so much better

Like Reply 1y

Kayla Hale

😊

Like Reply 1y

Write a reply...

Christy Lynn Winscot Teresa H Brooks Sammi Schaf[illegible]

Like Reply 1y

Teresa H Brooks I'm picking up what they're putting down...still think the idiot drivers are more of a danger to the horses than them pulling a carriage.

Like Reply 1y

Write a reply...

Kathy McGhee Katherine Bennett Stiltz

Like Reply 1y

2 Replies

Kayla Nicole Paige Weiss

Like Reply 1y

Gretchen Keen Tara Keen Angelica Rose Zant

Like Reply 1y

Jamie Clark Bekah Maddox

Like Reply 1y

Christy Lynn Winscot Mackenzie Long

Like Reply 1y

Mackenzie Long Thanks! Not sure why I'm tagged though. Is it because I gave a sad face to that article about a fallen carriage horse?

Like Reply 1y

Christy Lynn Winscot Yes, this is the same horse here in Charleston. The people on the page you reacted to think he is abused and mistreated. He isnt. Our carriage horses are treated like gold. He just tripped.

Like Reply 1y

Write a reply...

Steve Clymer Kevin Ash

Like Reply 1y

Danny Messier Phyllis Messier

Like Reply 1y

Chelsey Bozich Luke Bozich

Like Reply 1y

Luke Bozich They have a horse named Luke. 2

Like Reply 1y

Mr. Joe Elmore and the Charleston Animal Society

CHARLESTON CARRIAGE WORKS · SUNDAY, MAY 7, 2017

Mr. Joe Elmore and the Charleston Animal Society:

And in a genuine attempt to fully inform any interested party:

This will be an extremely, maybe record, long post/release and an effort to demonstrate, with proof, why a reasonable person may believe that you are misrepresenting your intentions with respect to the carriage industry in Charleston. Furthermore, maybe to your surprise, there are actually a number of things that affect this issue that we fully agree on. When I decided to compile this all in one place, I had a hard time figuring out exactly how to lay it all out, as this issue is very complex and my goals are that it is not only objective, but easy to follow and comprehend and thus I will write it somewhat conversationally. I am the only person who knows the entire story. I will offer a lot of supporting links that will open up in new windows as I will only make a fully supported argument. I view this issue to have several main components, which I have identified below. I will make my case for each of them as a separate section, and then present my conclusion and opinions at the end.

- Integrity and credibility and why that matters, especially to this issue
- How we arrived at the point where we are adversaries
- What you think the problems are and what we think they are
- Your assertion that many, including the City of Charleston, have conspired to obstruct you
- The Press
- The Study
- Where we go from here
- My Conclusions and Opinions

INTEGRITY AND CREDIBILITY AND WHY THAT MATTERS

I agree with you 100% that the integrity and credibility that a person and/or an organization maintains is absolutely its most important asset. As you have stated, your organization is becoming the leading organization in animal welfare, and you are relied upon to assist law enforcement at every level in the resolution of animal abuse cases. We also agree with your statement that you absolutely have to deal with the facts and be 100% credible, specifically because of your integral participation in the investigations and subsequent prosecutions with the Solicitor's Office, the Sherriff's Department, Police Departments, etc.. If your credibility was even slightly in question, it would be a legal nightmare for those organizations as all of the disposed cases you participated in would be subject to review. The Charleston Animal Society has a 143 history here in Charleston, and long standing histories carry a lot of weight in our legislative community. Additionally, you are also a non-profit and people rightfully expect charities to be entirely honest, transparent, and above-board. This is especially true in your case as a significant portion of your money comes from the public trust. I don't know what the current figure is, but in the past you have reported that around one third of your budget comes from Charleston County and the City of Charleston (1) (2). You reported Government grants and contributions as a little over 1.3 million dollars in just 2016 (3). The actual amount of tax money you receive from just Charleston County is staggering, especially the per animal charges that were additional to the $51,000+ per month base charge, until you lobbied for a fixed annual amount in 2014 (4)(5). Tax money is sometimes synonymously referred to as money in the public trust because it implies exactly what you and I both believe: The public has no control whatsoever over actual spending and instead trusts that the money that it has paid in taxes is being used appropriately. We all depend on our elected officials to enforce that trust, hold it in the highest regard, and subject it to intense scrutiny. Being in full agreement so far, I also contend (and think that you would be likely to agree) that because of its importance, no one's integrity and credibility should not be impugned unless they are specifically and factually proven to be worthy of question.

HOW WE ARRIVED AT THE POINT WHERE WE ARE ADVERSARIES

Prior to your involvement, the carriage industry and the Charleston Animal Society/JASPCA had a much better relationship than it does now. However, I agree that your organization's specific positions against the industry in Charleston definitely have roots that are at least a decade deep. By your own admission, your organization was involved, and seated on, the committee that met for nearly three years in order to craft and codify our extensive current health and management requirements. In fact, I would even go so far as to say that it was almost exactly like our current situation and your organization prompted and called for the

meetings. While I was not seated on that committee, Tom Doyle was and represented the Carriage Industry, and I attended the meetings. It was not nearly as contentious as it is now, but I certainly do remember objections by your then Executive Director, Alan Berger (6) to many of the exact same issues that are still being presented: heat and temperature cutoff, where the thermometer is located, and the loads that the horses can pull. The similarities are considerable (7) to anyone who was involved back then– including the appearances of "concerned residents" that repeatedly appeared at official meetings to support your position even though no one had ever seen them at meetings before. The committee heard testimony from many different people over those years, worked very hard to consider all of it, and proposed what we currently do as a result. Your Board member Ellen Harley (back then her group was called the "Carriage Horse Safety Committee" (8)) was at the center of it then as she is with you now (9). In 2006, she did not get along with the JASPCA, as you may have noticed she referenced that in her statement (10). We had no real prior experience with your organization, but did find it remarkable that we were seemingly being targeted, especially considering there was no evidence of any problems. The carriage industry was also at a significant disadvantage as at that time, while we did many of the same things, we did not have any record keeping requirements and had no amount of records to prove anything. The record keeping requirements were largely proposed by us so that we could rely on them in the future should the issues continue or resurface. These are the same records that you now call useless / unreliable / unscientific because we are the ones who maintain them.

Then, as now, your organization was unsatisfied with the results and committed to pursuit of more change. At those meetings, one of the "concerned residents" we had never seen before and who seemed to be everywhere all of a sudden was a woman named Leslie Armstrong. She never sat with anyone in particular, and didn't seem to know or notice anyone else in the room. Since no one could demonstrate any actual harm to horses was taking place, and the pursuit was promised to continue, I decided to do some investigating. I discovered that not only was she not simply a "concerned resident", she was apparently a long-time animal rights activist employed by PETA as their Circus Specialist (11). Before I continue, please take notice of the elephants as for some reason they tie a lot of this together. So, further investigation shows that not only does Leslie from PETA know someone at your organization; she is married to then Director, Alan Berger (12). They never even so much as spoke to each other, sat together, or anything at all those meetings. Further research into Mr. Berger discovers that not only he has been arrested in the past representing PETA in Florida, once again over elephants (13), but he was formerly the Director of the API (14): the Animal Protection Institute, an animal rights group founded by two former members of HSUS (15). Upon discovering all of this, I sent letters to the powers that be in the City and never heard anything back in return. Sometime later, Alan Berger was no longer the Director of your organization and he and his wife moved to Asheville (16) where in 2016 the Council voted to ban carriages (17). Asheville's 2016 action was not unnoticed by your Board member Ellen Harley (18)(19). By the way, Armstrong and Berger are back (20) and now reportedly run a vegan doughnut shop on upper Meeting Street (21). Anyway, things quieted down after all

that and for a few years we as an industry were largely allowed to enjoy our jobs providing tours in Charleston with the regular minor challenges that seem to never go away. We did learn, however, to keep an eye on you in the future as PETA and HSUS had seemingly taken you over without you even noticing. The relative peace ended just recently with you and the CAS and Ellen Harley picking up that same old flag and reviving the same old arguments and here we find ourselves again as adversaries.

Interestingly enough, HSUS is even more involved now than it was the first time (22)(23)(24)(25). The CEO of HSUS, Wayne Pacelle, was even your guest speaker at your annual meeting this year (26). One of their Directors, Kim Kelly (27), even spoke at the last Tourism Commission meeting supporting you. HSUS also echoes your exact same position that the conditions, "the systems" as you say, are inhumane but unlike you they also expose their end game (28). Some of their "proud partners" have been mission successful (29) while others have been personally successful (30). An organization more out front this time is the ASPCA (31). The HSUS and ASPCA are well known as, and proud to be, animal rights groups. They even make the official list (32) and have had their ethics questioned for years (33). Others on that list are downright scary (34). Most people don't know the connections to the ASPCA and why they would be involved with you. Your organization is led by you and a Board of Directors. The 2016 President of your Board was Elizabeth Bradham (35). According to her bio, Ms. Bradham previously served on the Board of the ASPCA, headquartered in NY, for 12 years (36). NYC's carriage issues are widely known (37). When you personally spoke to State Senators against the SCAV, South Carolina Association of Veterinarian's, Animal Welfare Bill, you told them you worked for the ASPCA for 6 years as a Senior Representative for the Southeast prior to coming to the Charleston Animal Society (38). You spoke against the bill because among other things, the SCAV thinks that their vets are being unfairly competed against by organizations such as the Charleston Animal Society who use tax payer money and/or donations to subsidize procedures that are outside the scope of their missions as shelters. Since the hard costs of those procedures are subsidized, your cost to consumers is far below what our local vets can offer and yet your net profit is far more. You were lobbying to preserve that advantage. Nonetheless, this means that you were at the ASPCA from 2006-2012 and that your 2016 Board President was there for 12 years. Everybody knows that Feld Entertainment recently announced they are shutting down the Ringling Brother's Circus after 146 years (39), but most people don't know a reason. During your time at the ASPCA, they and the HSUS were sued by Feld Entertainment regarding Feld's use of elephants (40). The ASPCA had started the litigation, and the HSUS later joined, against Feld Entertainment for their mistreatment of elephants, allegedly witnessed by a handler named Tom Rider. When the initial case was decided in 2009, the Judge found that the star witness against Feld had his own credibility issues, stating "The Court finds that Mr. Rider is essentially a paid plaintiff and fact witness". This was after evidence showed that over $190,000 had been paid to Tom Rider funneled through the Wildlife Advocacy Project (WAP) and various other animal rights groups, including this evidence from the case files featuring the Charleston Animal Society's most recent guest speaker (41). During the discovery process of that trial,

after finding “1,360 examples of predicate acts that constituted racketeering activity” Feld’s attorneys filed a RICO action against the plaintiffs, including the HSUS and ASPCA. In 2012 the ASPCA settled for 9.3 million dollars and in 2014 the HSUS settled for 15.75 million dollars (42). Feld still chose to shut down the circus as they stated their legal expenses of defending themselves exceeded the amount of the settlements. In spite of the way it was achieved, HSUS was eager to claim that as a victory (43). All animal rights groups believe that the end justifies the means. None care about the people’s jobs or final disposition of the animals once their jobs and sense of purpose are taken (44). Both the HSUS and ASPCA were prominently displayed to the Tourism Commission as supporting your study (45). In no way am I implying anything about your direct involvement in the Feld situation, other than to note that you said you were a “Senior Representative” during much of the timeframe, and you certainly have made it known how you feel about elephants (46). The point is that those two organizations being involved in the former situation and your close ties to both of them should be a matter of concern for people.

Another difference today is that Ellen Harley is now on the inside and has found a friend in you and your organization. This time she has your credibility to trade on. Since you took over in 2012, the CAS redacts its Schedule B from its 990 reporting, which shows donors over $5,000. It legally is allowed to do this, and is under no requirement to release them. Prior to your involvement, the CAS like other humane societies included them in their releases in order to be fully transparent (47). Most donors would be proud to be on them, but admittedly those exerting influence would want to be hidden, especially in the case of questionable agendas. Another new angle is that starting this year, you have asserted multiple times that the Charleston Animal Society was “founded in 1874 specifically with a focus on livestock, equines”. When I look at your incorporation documents, it doesn’t say that at all (48). Before everyone gets upset at the term “dumb animals” in that document, please understand that prior to “PC”, people used the term “dumb” literally to mean “incapable of speaking”. The statement in that document simply means that CAS is to be the voice of those without voices. This certainly includes horses, but is far from specializing in them, or even mentioning them. I checked with both local horse rescues LEARN and HOPE to see how much support you’ve given them over the years. I was actually surprised – not $1 ever (49). Not only that, but 1874 was a peak time for draft horses. Back then people didn’t object to work horses working. They were building roads, they were the Fire Department’s engines and they were the farm tractors working to feed the country - during the aftermath of Reconstruction in the South. I doubt Charleston had much concern at all for horses working to serve their very real needs in what was arguably among the worst economic times in its history; people in Charleston were just starting to learn to be kind to an entire race of people – a lesson as a society we still haven’t fully learned - to this day. As a result of the Morris Land Grant Act of 1862, there were many other similar groups created around that time in the US regarding livestock that were specifically being raised for food and that may likely have been the original purpose (50).

WHAT YOU THINK THE PROBLEMS ARE AND WHAT WE THINK THEY ARE

You could certainly say that the same problems that were claimed to have existed then were never dealt with and that is why you are claiming they exist now, but they don't and you didn't. In fact, in a recent interview you said "based on an investigation that we launched… probably 2 ½ years ago…we feel the conditions in Charleston for those working animals, the system, is not humane" (51). I think all of us would like to see your official reports and any documents connected with that investigation. In fact, that's where this whole thing should have started. Surely if you are making such a claim, you documented the observations, the resulting investigation and conclusions that led you to your position. You work so closely with law enforcement on other cases alleging cruelty so you admittedly know the order of the process. You also said you "discovered major provisions of the Ordinance were not being followed" and that "non-compliance with many provisions of the Ordinance and blatant non-enforcement by the City" (52) also contributed -yet you name none. Surely you documented that as well and you should have produced that back when this started, too. The closest you come is to say that the loaded carriages are required to be weighed by the Ordinance (53) and that is false and purposefully misleading. When you have a 2000lb horse and a 1500lb – 2000lb carriage you are left with a minimum 4000lbs. of passenger capacity. Seventeen 235lb people can't fit on our carriages. People that large only fit three to row and there is no duty to weigh. Anyone can read the entire Ordinance (54) and see for themselves that it says nothing about actually weighing loaded carriages (55). The intent of that section is to prohibit smaller horses, like American Standardbreds that all of us used to have in the past, from being used on large carriages. Back then, people claimed we did and we had no law to prove it wasn't being done. You not only misrepresented the intent, you purposely and craftily continue to misrepresent it. The facts are that we are continuously spot-checked by the City and when they do the full inspection once a year, with a vet from outside of Charleston, they check everything in great detail (56). They would not hesitate to issue summons' on shortfalls.

In spite of having no evidence at all, no documented industry-wide abuse or cruelty, and no records of inhumane treatment, you still tell the world carriage tours in Charleston are inhumane and cruel. This issue was further illustrated at the last Tourism Commission meeting when Rick Jerue, an advisor to the Mayor, asked your representative during the presentation if there had never been an urban horse study conducted (more on that later), and no one had ever previously determined the impact of all the variables you proposed to study, how then did the CAS determine that what we're doing now is inhumane? The CAS had no answer, but producing those documents or even mentioning your investigation would have been a great one. There is no basis in reality for your position and no volume of the credible evidence that would be required to support your position that "the system" and thus we, as people who employ the system, are cruel and inhumane. The reality to us, and many of your commenters (57)(58)(59)(60) is that you are off-mission and likely swaying to outside influences who want carriages banned at any cost (61). You have learned the position of other

animal rights groups (62) and realized that bans sound so extreme, they seldom do well. What works better is to claim advocacy and then drum non-existent nebulous and intangible welfare issues in order to raise money to "solve" them. Two main supporters of yours, HSUS and ASPCA are even given as examples in this commonly employed scheme (62). There are several downtown residents that want carriage tours banned. They're among the ones with all the "demand humane carriage tour" signs that you support hanging on their houses so they are easy to find (63). Here is yours (64). These are the literal signs of your "co-sponsor" in this effort, Ellen Harley's Charleston Carriage Horse Advocates (perfect example of using "advocacy" to ban). Even though in a recent interview you pretended to not know who they are or what their name is and you almost said they were you at first (65) and even though you have raised piles of money together in the past (66).

MANY, INCLUDING THE CITY OF CHARLESTON, HAVE CONSPIRED TO OBSTRUCT YOU

Even though you cannot factually demonstrate your claim that there are health management problems within our industry, you don't recognize that the lack of proof is the reason the City is tired. The real reason you can't get much traction at the City level is that you can't prove any cause for action. You've even admitted that you have to resort to the extreme sensationalism because no one notices you if you don't. Your conclusion now is that your position against the industry "has led to a very nasty backlash on [you] by the carriage horse industry…a process that has undermined and sabotaged what [you're] trying to advance and that has been conducted by the City of Charleston Tourism Department" (67) and that "when you do things like gimmicks…like put together a bogus committee, not allow independent veterinarians to be a part of it, disallow certain [citizens] that you don't want on there…and you noodle around with numbers and call it scientific when they're not…this 20,000 points of data, it's not scientific and a leading researcher at the Medical University of South Carolina has already debunked that notion that it is scientific…" (68) it is evidence of the City obstructing you. You are right in that the industry has fought back. Not excusing the rude comments you received – none from me by the way - what did you think was going to happen when you went after hundreds of people's livelihoods and animals with no evidence? The Charleston Animal Society's escalating harassment of the industry causes us severe distress, and to fear for our future. By your own admission, "we can't control the social media…how people respond to that kind of thing…"(69). When our records already show no problems, or a 99.65% success rate, and your advances continue to cause change with no value to our animals and only losses of revenue, would you honestly expect less? You were just given agenda time at the last Tourism Commission meeting to present your views. My sum total of input to Commissions and Council totals less than 6 or 7 minutes across multiple meetings, including the 45 second limit I was given by City Council at their last meeting to make my case.

You call the Heat Committee "bogus" and allude that it was stacked against you. That statement is not only false, you actually had two voting seats and I was the only carriage representative. The remaining members were the City, a local equine vet, an out of town equine vet who does the annual inspections for the City, a rep from NOAA, and a representative from the Ansonborough Neighborhood Association. One of your seats was technically the seat of the Charlestowne Neighborhood Association (CTNA). While someone else did serve on that seat, she did so as proxy for Elizabeth Bradham. Ms. Bradham designated her as such and was the President of the CAS Board of Directors in 2016, according to your tax return (70). The CTNA rep made it very clear, on the record at the first meeting that she was representing and voting in the interest of Ms. Bradham. You were disallowed nothing and you had twice the representation the industry had. You've repeatedly said the results were not only non-scientific, but determined as such by a leading unnamed researcher at MUSC (71). Who was it? The data was four years of individual horse temperatures correlated to days when the temperature and/or heat index was high. It was compiled and analyzed by equine veterinarians. It was the very definition of scientific – it just didn't support your position that there was a problem so you objected to everything and claimed you were disenfranchised and that everybody involved from me, to NOAA, to the City, to "industry paid" Veterinarians all conspired.

The Heat Committee reported to the Tourism Commission, where you mounted an effort to include a last minute amendment to not only drastically increase the time we would be closed due to temperature, but make it impossible for City enforcement to deal with. That amendment was to change the number of readings to one vs. four consecutive in an hour as recommended by the Committee. It failed, but you still pursue it (72). To claim that the Tourism Commission also participated in the obstruction when the CAS has two voting seats on the Commission and the Carriage Industry has zero is quite a claim indeed. Both of your seats were just appointed to the Commission at the start of this season. This was handily accomplished just in time for these issues to appear before them. Even though the Tourism Commission's minutes will show that more than 90% of their time is spent concerning carriages, we are not represented with a voting seat even though the other tour disciplines are. My input is restricted to public comment, which is 2 minutes or less per meeting, which is 12 minutes or less PER YEAR. Your first seat is, once again, Elizabeth Bradham, your 2016 Board President (73), but not even part of your board last year according to your web site (74). I'm going with the tax return as being correct and I do so noting the disparity. The second seat was harder to figure out, but there were signs from the start. At that same meeting where your amendment failed to be accepted, you were seen walking up to and whispering in the ear of one of the new Commission members during the actual discussions, more than once. That same member and Elizabeth Bradham were the only "no" votes on the issue of accepting the Heat Committee's recommendation (75). I sent an email noting my observations of the meeting in general, including the whispers, to two key people on the Commission. I received one short reply stating that the obvious conflicts were noticed by everyone and that there would be efforts to make sure the rules are followed in the future.

Hearing nothing more, and with my notice and their awareness evident, I assumed all was OK and it must have simply been a lapse of judgment on your part to approach that member. At the most recent Commission meeting, that same member supported with authority your position that if our horses are not used for the study the results would be invalid. Not long after, your counsel and the City's counsel discussed, at length, the technical ways the City could legislate requiring us to submit our animals for scientific testing as a condition of being allowed to do business. It was truly unbelievable. After thoroughly making sure that everyone from the industry understood "do it or else", it was proposed that the industry and CAS get together to work out voluntary submission. That same member quickly made a motion to create a subcommittee that he would volunteer to chair for such purpose. It was not seconded, or withdrawn, and discussion pretty much became random and the meeting ended with most of us unsure whether a subcommittee had been created, was going to be created or what. It was also notable that a woman named Elizabeth Fort, whom I had seen in the recent news coverage about my incident with Big John (76), spoke in public comments declaring she represented the Charleston Carriage Horse Advocates. Later, nearly at the end of the meeting, someone on the Commission mentioned something about it and she said she wasn't representing anyone but was just a "concerned citizen". It was all recorded. Recognizing the pattern, it was time to do some investigating. Once I knew the new member's name, Randolph Cooper, I initially found that he works at Southeastern Galleries, which is truly a wonderful place but hardly a source for how qualified he appeared in his answer on how animal studies are done. Something was definitely amiss. Further investigation yielded this post (77) and then public Facebook photos that not only show that you know him (78), but some people we both know confirmed that you personally know him very well. Here's a slideshow (79). Suffice to say, you absolutely cannot claim the Tourism Commission obstructed the CAS as you factually have two votes and we have none.

The Tourism Commission makes their recommendations to City Council. City Council is who makes the decisions. I have sent numerous emails to City Council over the years expressing concern over some of these same issues, even recently. Some were very detailed, and some were simple requests to individuals for a few minutes of time. I have never received one single response ever nor have I ever even been inside the Mayor's actual office in my 21 years as a carriage operator, in spite of seemingly never-ending controversy. You, however, and some of your Board members have the social status required to get replies and three hour personal meetings and you have (80). If you could prove that City Council is biased, and I don't think you can, it is certainly more likely toward anyone than a carriage operator. Additionally, at the last City Council meeting concerning the temperature, where you still pushed for your one reading amendment , yet another "concerned resident" stated that he had met with the WeatherBug people and that they told him the station could be moved to ground level without issue in about 2 weeks for a cost of $3000 (81). From a science perspective, I found it hard to believe so I contacted Earth Networks, which is the actual name of the company, by phone. By chance I actually ended up talking to the exact person he met with and what actually happened was quite different, as I confirmed in a follow-up email

(82). At a minimum Mr. Becker misrepresented by omission what he was told and at a maximum he deliberately deceived City Council (and succeeded with at least one (83)). While I cannot connect Mr. Becker with the CAS at this time, based on the misrepresentation my experience tells me I may. Some members of Council seem aware of exactly what is going on (84)(85)(86). Mr. Moody even understands the conflict with public money, except when I called a full page ad was quoted at over $9,000, not $5000, and you've done two of them (87) (88). A local Veterinarian, who incidentally also spoke at the last Tourism Commission Meeting supporting your study, wrote a letter to the Post and Courier, which they printed, after the March 14 Council meeting essentially chastising the three Council members that supported the carriage industry at their meeting and misrepresenting what they said (89). What is interesting is that she says "I, my colleagues at the American Equine Veterinary Practitioners, and many others…" This attempts to lead me and P&C readers to believe that she is a knowledgeable equine vet as she must be a member of that organization. The truth is there is no such organization. The organization is the American Association of Equine Practitioners and every equine vet knows of them. She showed her hand. She also appeared at the next council meeting and spoke (90). I found she apparently works for you, too (91) (92).

THE PRESS

The press coverage over the past two years has no doubt been sensationalized across the boards. There are some notable cases, though. The carriage industry has noticed that the Post and Courier more than the other media entities seems to paint us in the worst light they can without appearing too obvious. They seldom print letters we send in (and there have been countless – like this unprinted one from me in 2004 (93)) that would clear up some of the misconceptions about what we do. They give the CAS a lot of coverage. They also are the ones who print your full-page attack ads. I've even had email discussions with Dave Munday about exactly that and he assures me that it is not the case. I gave him a statement about Big John recently and he was very fair in the article he wrote. He was working on a big article for the Sunday paper and in an email exchange I told him I would not comment on what was sounding like another anti-carriage piece. He then asked if he could send a photographer down to take some pictures for it. Given that he had most recently treated me fairly, I agreed. Of the numerous pictures they took when they were at my stable, this is the one they used for the article: (94) during a time when the Charleston Animal Society was actively convincing millions of people that Big John had collapsed from heat exhaustion and died (95). The P&C used the lighting, timed the horse's breath, whatever and picked the worst picture they could. That picture set off a completely new round of hate (96) and emails and comments and disbelief. A few days later, they printed this one that they had taken on the same day: (97). I also took photos the same day the second article came out, showing it as proof of the date, in order to deal with the volume of messages from people who think that in addition to working

them to death, I also don't feed them (98). I was surprised that the P&C wasn't more careful, esp. at this critical time for the carriage industry, and especially since they knew Big John was fine all along. You would think that would be the message they would try to get out, but instead it appeared they were trying to keep the negative going. Wondering if there was a reason, I first found that the P&C is owned by Evening Post Industries (99). After researching the people listed on their management team page, I found that their VP (100) is also on your Board at the Charleston Animal Society (101).

WCBD Channel 2 originally posted on their Facebook page that Big John "collapsed". When people immediately objected and accused them of sensationalizing it, and told them he was fine and unhurt, they quickly changed it to "fell", deleted all the "shame on you comments" and posted a disclaimer that the Charleston Animal Society was their original source for the information. Unfortunately, the anchor didn't get the memo (102)(103)(104). The "residents" that WCBD interviewed that just happened to be there also just happen to be your Board member Ellen Harley and, the most recent Tourism Commission spokesperson of her Charleston Carriage Horse Advocates, Elizabeth Fort (105). WCBD did get 1.3 million views and almost 10,000 shares, arguably outperforming anything else I saw on their page. In their defense, they just trusted a very biased source.

The media in Charleston will never do the real story. They, like you, get far too much mileage out of misrepresentation and pretending there is a problem – that is largely why I published this. There are numerous people pointed out in this statement that should be interviewed and we'll all see how many actually are.

THE STUDY

You and all of your supporters are now focused on your "scientific study". The fact of the matter is that at the April 27th Tourism Commission meeting when you were asked to explain the details of how the study would be run and what the study would specifically be looking at, you told the Commission you didn't know as you haven't gotten that far yet. You also told them that the with regards to the horses it would be "minimally invasive". How would you know if you don't know any of the details? You also told the Commission that if the industry didn't submit to using their animals, the results of the study would be invalidated. In a recent interview, when asked if you would use other horses for the study you said "No" and "it will not be scientific…we've participated enough that we know that it would not be scientific. The leading researcher at the University of Tennessee, Animal Sciences, Dr. Jennie Ivey, has said [in a series of long letters]…that will invalidate the study" (106). Dr. Jennie Ivey is not just some researcher; she is an Assistant Professor at UT-K. I went to school in Memphis and as an undergraduate was required to participate in research, some even animal based, both at St. Jude's and at the University of Tennessee in Memphis.

Being personally aware of typical protocols as a result, and your position being contrary, I called Dr. Ivey on May 2nd and had a long conversation with her. She is beyond qualified to do any horse study. In those long letters you mentioned, she actually sent you detailed descriptions of not only what would be looked at, but exactly how it would be looked at. She also made it clear that the horses would have to wear IV catheters, and 5ml samples drawn at regular times throughout their touring day, as well as interrupted while on tour for various measurements – over a period of at least 6 months. She did so believing that you would be sharing the information with the City and the carriage industry. This is absolutely what the industry told you in our release supporting your study and is not the image we want for our touring public, not to mention the delays and having to explain it to everyone on our tours – which we also mentioned in our statement. We are running public tour businesses and not animal research labs. Not only did she agree that other horses could be used and provide the exact same valid results, but also that most research done on horses does exactly that. She also said that you told her that you would like to use the HSUS as the funding agency. She informed you that if they or the ASPCA or other animal rights groups were involved, she would not be able to participate due to the ethics requirements of the University. I also called the American Association of Equine Practitioners (AAEP) and asked them whether our horses would be required for the study to be valid and earn their endorsement. They gave me an unofficial reply that was nearly identical to Dr. Ivey's. They also said they would send me an official statement addressing it and I will add a link here once I receive it (LINK TBA).

In spite of all of that, you knowingly presented quite a different story to the Tourism Commission. The slide you presented to the Tourism Commission showing the support for your study was also misleading (107). The HSUS and ASPCA, as we've already established, are animal rights groups and not credible organizations. In fact, you were told that their participation on any level immediately invalidates the study, from a scientific peer-reviewed perspective, for ethics reasons. Neighborhood Association support has no scientific value whatsoever, and neither does Pet Helpers. Hallie Hill Animal Sanctuary not only doesn't lend any science credibility, its registered agent with the State is Helen M. Bradham (108) and the property they are on is owned by Margaret C. Bradham and was sold to her in 2013 by your 2016 Board President Julia Elizabeth Bradham for $0 (109). Remaining on the slide is the American Association of Equine Practitioners (AAEP)(110). The AAEP is a very credible organization. They sent you a letter in reply to your asking them if they support the concept of a study. Their letter, if you read it carefully, says that they of course support studies in general, but would not only have to see the research protocol, but also the interpretation of the results before giving their full endorsement to yours. Weeks ago, I sent them an email after initially disbelieving that they endorse your study without even knowing what it is, and they sent me the letter they sent you (111). They were very short in their email to me, but also said that you did not have permission to use their logo or to represent their opinion in any way other than as described in the letter and they would send you an email to that effect. Soon after, their logo disappeared from your web site but you still presented it to the Commission on your presentation slide as evidence of credibility. This is the logo section of

your web site endorsements before: (112). That's you and two animal rights groups that are left once you respect the wishes of the AAEP. This is after: (113). You hide the animal rights groups' logos. We've already established that Hallie Hill and Charleston Carriage Horse Advocates are associated with your Board and it seems Humane Net is also essentially Pet Helpers (114)(115). You have also stated that the Trident Veterinary Medical Association supports your study. One of your vets shows as an Officer in that group (116)(117). It is also my understanding, from other members, that they are a social organization that meets regularly for networking and continuing education presentations. They are not a technical association at all. All of that said, no matter how much support you do or don't really have, it still remains that the only thing in the way of you doing your study is you. There is no credible evidence to the contrary – none. Your own commenters know it, too (118)(119). As I mentioned earlier, during the same April 27th Tourism Commission after thoroughly stating that there had never been prospective study done on urban carriage horses, your presentation was interrupted by one of the Mayor's advisors, Rick Jerue. Mr. Jerue asked your representative during the presentation if there had never been an urban horse study conducted and if no one had ever previously determined the impact of all the variables you proposed to study, how then did the CAS determine that what we're doing now is inhumane? You had no answer. Beyond that, your statement that there were no studies was in the face of a recent prospective study that is readily available (120) and was published in the Journal of the American Veterinary Medical Association. The problem is that the study showed the horses were actually less stressed in the City than at pasture and those are not the "scientific results" you are looking for (121).

WHERE DO WE GO FROM HERE

You need to properly conduct your study and cease offering opinions on whether or not we, or "the systems", are humane or cruel until the results are accepted and published and endorsed by the AAEP. In fact, without the results of the study, all of the negativity that you project toward the carriage industry is unfounded and should cease. We, in turn, with nothing to be defensive about, would cease commenting about you. It all hinges on you actually doing the study and there is nothing in your way.

MY CONCLUSIONS AND OPINIONS

Your continuing and inexcusable personal attack on me and my business aside, the Charleston Animal Society has acted in a very reckless manner toward the carriage industry and you owe all of us and the entire City of Charleston an immediate apology. The climate you have created downtown for us is a truly hostile environment. I believe that I have

demonstrated that not only you, but your organization will do whatever it takes to maintain a conviction of animal cruelty without any respect to due process or evidence. You have considerable history and current alliances with major animal rights groups with questionable pasts and agenda performance. The local "public outcry" about carriage horse treatment is shown to be nothing more than a well-funded coordinated effort by only you and your people at the Charleston Animal Society. That you can do what you did and that you are funded and operating from a building built with so much public money (122)(123) is reprehensible and should be questioned by those in the position and charged with the responsibility to do so. You claim 10 years of inhumane treatment by the carriage industry as a result of your "internal investigation", City corruption, Veterinary ethics violations, cruelty - and you should be required to produce the evidence. We hear all the time from you, or your lobbyist, or your PR guy, but what about your VETERINARIANS? You claim all the equine vets are in collusion but you have four of your own vets listed as permanent staff (124) and surely they were involved in the investigation 2 ½ years ago that yielded the decision that we are cruel and inhumane. Someone should interview them. If you can't produce the overwhelming evidence and the documentation and evaluation of observations that your current position is based on, you should be defunded by Charleston County and the City of Charleston as soon as they are able and left to privately pursue your political agenda solely via the donations of like-minded individuals. Your financial records should immediately be scrutinized by a Charleston County forensic accountant in order to restore the integrity of the public trust. In my opinion the CAS and you as their leader should be made to answer Charleston County, the City of Charleston, all citizens of the former, and the Charleston Carriage Industry as a whole for what you've put us all through. You and the Charleston Animal Society should be held accountable - by all.

EXHBIT 10

Solutions are on the way!!

CHARLESTON CARRIAGE WORKS · WEDNESDAY, MAY 17, 2017

Background

Over the last few years, the Charleston Animal Society (CAS) has suddenly and very publicly adopted a position against the carriage industry in Charleston. They say that 2 ½ years ago many parties, most notably the City of Charleston Police Department, filed so many complaints with them that they decided to conduct an investigation . Based on the results of that investigation, their Board voted unanimously to adopt the position that the carriage industry in Charleston is cruel and inhumane. While it sounds logical with regards to how the current situation started, they have only recently made that statement and have never released any documents associated with that investigation. The Charleston Carriage Industry is the most regulated carriage industry in the nation and is required to keep volumes of inspected records (regulations available here). Numerous re-inspections and correlations of those records and countless FOIA requests by the CAS and its Board members have all failed to indicate not only any cause for concern, but also any basis for their position.

Frustrated, the Charleston Animal Society recently used footage provided by a member of their Board to malign both the Charleston Carriage Industry and the City of Charleston. The footage was of a Charleston carriage horse that tripped and fell and waited to be unharnessed before getting back up. The horse was proven to be on his first tour of the day, in 78° weather and away from the stable for only 30 minutes at the time of the fall, and was checked by an equine vet the same day and given a clean bill of health. In spite of all of the reports being immediately published by the City, the Charleston Animal Society and an organization run by their Board member combined forces and marketed the video as a horse collapsing from heat exhaustion. The video was even purposefully edited to end before the horse got up and as a result led over 13 million people and counting to believe that the horse was worked to death. This led to predictable outrage and resulted in innumerable threats to the safety of the horse's owner and his business, from all over the world. In response, multiple posts (available here) including an epic long post, were released by the carriage company involved in order to defend itself with the truth and to dissuade those incited from actually making good on their threats. The long post has been viewed more than 100,000 times. Even though the posts were all factually supported with footnoted links and all were issued in defense, the Charleston Animal Society reports now that it is they who are being attacked, in an endless cycle of their carefully orchestrated circular rhetoric (available on their web site here).

Finally a Clear Path to Resolution!

Thankfully, this will not continue ad infinitum. Many government officials' appetites for this situation have been exceeded and they have sought further documentation and facts. All parties involved, including every single carriage company in Charleston, agree that the services provided by the Charleston Animal Society with respect to dogs and cats are not only absolutely necessary, but excellent and worthy of accolades. However, regarding their position against the carriage industry they are off-mission and damaging the reputation of the Carriage Industry, the City of Charleston, and the CAS itself. Many things need to change at the Charleston Animal Society, and actions must be taken soon before special interests and the people who represent them within the CAS fully destroy the credibility of a long-standing institution by trading on its reputation; the Charleston Animal Society only began redacting its list of reported donors (Schedule Bs) from its 990 tax returns since its current CEO took office in 2012. Furthermore, confidence in the public trust needs to be rapidly restored as much of what is being done at the CAS is continually funded with millions of dollars of Charleston County taxpayer money.

Solutions, which we will see unfolding over the coming weeks, may include, but are not limited to, the following:

- The Charleston Animal Society distancing itself from its Board members who have already been proven to be representing outside interests and who take positions contrary to the organization's mission
- Full evaluation of the remaining level of outside interest present in the Charleston Animal Society's leadership and recently revised mission by:
    - An audit of the CAS's finances by a qualified outside forensic accountant
    - Required disclosure of certified Schedule Bs from the 990 tax returns for tax years 2012-2016
    - Required disclosure of the person or organization that seemingly matched the CEO's salary in 2012, dollar for dollar, as reported on the 990 tax return for that year
- Immediate removal from the CAS ranks of all persons found representing and acting on behalf of outside interests or influences
- Reorganization of the Charleston Animal Society and the organization as a whole refocused on its actual, and much needed, mission
- An amendment to the current and all future Charleston County contracts with non-profits, especially those for animal services, requiring public disclosure of certified Schedule Bs in order to restore, demonstrate, and maintain confidence in the public trust

This continues to be a "long and winding road", and this is great news for everyone involved, especially the public. I am sincerely looking forward to this situation moving toward resolution over the coming weeks. My deepest gratitude goes out to all who are working hard to make it happen.

ELECTRONICALLY FILED - 2020 Sep 11 12:21 PM - CHARLESTON - COMMON PLEAS - CASE#2018CP1004083

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	CASE NO.: 2018-CP-10-04083
	)	
Charleston Carriage Works, LLC,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
Charleston Animal Society, Ellen Harley and Charleston Carriage Horse Advocates, Inc.,	)	
	)	
Defendants.	)	
	)	

AFFIDAVIT OF JOE ELMORE

PERSONALLY APPEARED before me, Joe Elmore, who being duly sworn does state as follows:

1. My name is Joe Elmore and, since 2012, I have served as the Chief Executive Officer of the Charleston Animal Society (CAS). A copy of my resume is attached as Exhibit 1.

2. I am over the age of 18 and have personal knowledge of and am competent to testify about the matters addressed in this Affidavit.

3. CAS was incorporated on March 14, 1874. From the time it was incorporated to today, CAS's mission has been the same: the prevention of cruelty to animals.

4. CAS is a non-profit entity, exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code. CAS qualifies for the charitable contribution deduction under Section 170(b)(1)(A) and has been classified as an association other than a private society under Section 509(a)(2).

5. For a number of years now, CAS has received emails, calls, and voicemails from members of the public expressing their concern about the treatment of the carriage animals, especially on extremely hot days or when there is an incident involving a carriage horse. Of course, CAS has also received considerable criticism for its advocacy efforts from members of the public. In fact, I personally have been disparaged and harassed on social media by members of the carriage industry and its supporters.

6. In 2014, based on the number of complaints and concerns received from members of the public, CAS formed a committee to look into the treatment and regulation of the carriage horses. In 2015, the CAS Board voted to become more involved in advocating for the humane treatment of the animals used in the carriage industry. It has sought review of incidents involving the animals, has participated in public discussions, meetings and, committees of local government concerning the

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carriage industry (such as the Tourism Commission and the Carriage Animal Temperature and Heat Index Committee), has published a number of articles and other publications, and has generally advocated for better treatment and greater oversight of the industry.

7. CAS is not opposed to working animals, or even the use of carriage horses so long as the working conditions are humane. Rather, CAS has consistently advocated for an independent, prospective, science-based, peer-reviewed study of the Charleston carriage industry, the results of which would inform our community, including all interested parties, regarding humane conditions for the operation of carriage tours in the urban environment downtown.

8. On April 19, 2017, CAS was contacted by members of the public who reported that a horse, which was identified as Big John, had collapsed to the pavement during a carriage tour and was unable to get up without assistance.

9. At my direction, CAS took videos of the Big John provided by eyewitnesses, added subtitles, and published the resulting video on CAS's social media sites and website. The video can be viewed here: https://www.youtube.com/watch?v=WLXdlMsxBZM

10. At the time I instructed that the video be published, I was not in possession of any information that would call into question the veracity of using the term "collapse" to describe what occurred that left Big John lying there on the pavement. I am still not in possession of any such information.

11. I directed that the video be published to bring further awareness to the carriage horse issue and, specifically, CAS's push for an independent, prospective, science-based, peer-reviewed study of the Charleston carriage industry. In no way was my intent to harm Plaintiff Charleston Carriage Works or injure its business.

12. This was far from the first time CAS has advocated for the study. Other efforts include CAS's publishing an advertisement, a copy of which is attached as Exhibit 2, in the Post & Courier newspaper in March 2017, before the Big John incident occurred. Another example is the October 2016 ad CAS placed in The Mercury newspaper, attached as Exhibit 3.

13. Of course, advocacy for the animals used in the carriage industry comprises a relatively small part of CAS's overall operations. The 2017 Annual Report, attached as Exhibit 4, highlights some of the other activities CAS conducted in 2017, the year of the Big John incident.

14. CAS is contracted by Charleston County to provide certain animal-related services. A copy of that contract is attached as Exhibit 5. As shown in CAS's Audited Financial Report for the year ending December 31, 2017, the funding received under our contract with the County for that

year represented only about 17% of CAS's total support and revenues for that year. See 2017/2018 Audit, p. 4 (attached as Exhibit 6).

15. The funding allotted to CAS by the County in any given year varies and is determined on a yearly basis in connection with the approval of the County's budget. The funding received by CAS under the contract fails to cover the cost incurred by CAS in the performance of its obligations under the contract. In fact, in both 2017 and 2018, the funding provided by the County only covered approximately half the cost incurred by CAS to perform its obligations under the contract. See 2017/2018 Audit, p. 20 (Ex. 6). Each year, CAS is required to use its reserves, donations, and grants to fund the shortfall.

16. I understand that it has been alleged that CAS "conspired" with Charleston Carriage Horse Advocates and Ellen Harley to defame or otherwise injure the Plaintiff, Charleston Carriage Works. CAS has, on occasion, either shared or received information concerning the carriage horse industry or advocacy efforts from Mrs. Harley and/or Charleston Carriage Horse Advocates. However, neither Mrs. Harley nor Charleston Carriage Horse Advocates had anything to do with the subtitles and narrative that CAS added to the Big John video published by CAS.

17. Additionally, I am not aware of any occasion or situation in which CAS has worked or cooperated with Mrs. Harley and/or Charleston Carriage Horse Advocates for the purpose of defaming or otherwise harming the Plaintiff. Any actions taken by CAS with regard to the carriage industry, whether or not in conjunction with Mrs. Harley and/or Charleston Carriage Horse Advocates, have been for the singular purpose of advocating for humane treatment of the animals.

FURTHER AFFIANT SAYETH NOT.

Joe Elmore

SWORN to before me this
27th day of May, 2020

Notary Public for South Carolina
My commission expires: 20 Oct 2026

CRISTINA ANNA GUILLERMO
Notary Public-State of South Carolina
My Commission Expires
October 20, 2026

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JOE ELMORE, CAWA, CFRE
1452 River Front Drive, Charleston, SC 29407 • Phone: 843.701.2444 • E-mail: jre12959@yahoo.com

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Highly successful, results-oriented visionary with solid knowledge and accomplishments (domestic and international) in change management, organizational development, strategic positioning, fiscal and human resource management with startup, established and accelerated growth organizations • Aggressive problem solver and decisive leader with proven success in market analysis, crisis management and program development • Successful track record of increasing and diversifying sources of revenue, constituencies and market share • Consensus builder with strong analytical and planning skills, offering inspired leadership to develop and nurture a dynamic organizational culture that embraces growth and new ways of thinking.

CORE COMPETENCIES AND AREAS OF SUCCESSFUL EXPERIENCE

Organizational Development	Disaster Preparedness & Response	Community Reintegration	Marketing
Animal Care (Sheltering)	Human Resource Management	Animal Cruelty Investigations	Animal Control
Crisis Management	Prevention of Child Sexual Abuse	Biomedical Services	Business Analysis
Workplace Health & Safety	International Humanitarian Law	Program Rationalization	Strategic Planning
Nonprofit Management	Humane Education/Youth Programs	Grants Administration	At-Risk Youth
Grassroots Advocacy	Government Relations & Legislation	Coalition Building	Public Affairs
Cultural Diversity Initiatives	HIV/AIDS Prevention & Care	Refugees & POWs (EPWs)	Fund Raising

PROFESSIONAL EXPERIENCE AND ACCOMPLISHMENTS

CHARLESTON ANIMAL SOCIETY — **Charleston, SC**
Chief Executive Officer — **2012 – Present**

- Strategic Situation: The organization, one of the oldest in the nation, was in a leadership and financial crisis following the embezzlement of funds by its board president, stagnant funding and low morale (divided staff). The organization's credibility, direction and financial stability were fragile as it entered 2012.
  - Stabilized the organization in both financial (doubled from <$3M to $7M+) and operational areas
  - Enhanced the organization's public position and brand through a marketing & communication strategy
  - Led the organization to become the top-rated nonprofit (out of 22,000+) in South Carolina for the past 6 years
  - Steered the organization to focus its resources on realizing a vision vs. reacting to day-to-day challenges
  - Highlighted in multi-national publications for rapid and sustainable successes in a challenging region
  - Launched the boldest animal rescue initiative ever undertaken in the Southeast (No Kill Charleston 2015)
  - Launched one of the boldest animal rescue initiatives ever undertaken in the USA (No Kill South Carolina)
  - Led the organization to outperform (double) all other SC nonprofits in national Giving Day 3 years in a row
  - Unified the staff to focus on the future and achieving bold, ambitious, but realistic goals
  - Set state records in all leading categories, including adoptions, spay/neuter, shelter research projects, free roaming cats and education
  - Launched largest and most widely circulated pet magazine in South Carolina

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (ASPCA) — **NYC, SC, MS**
Senior Director, Community Initiatives — **2008 – 2012**
Director, Strategic Development, Hurricane Katrina Recovery — **2006 – 2008**

- **Senior Director, Community Initiatives**
  - Project manager for community engagement throughout all 15 ASPCA Partner (AP) Communities
    - Developed and led community engagement planning strategies for new AP Communities
  - Project manager/community liaison for the ASPCA Partnership initiative in Charleston County, SC
    - Led the most successful ASPCA Partner Community project in achieving a 75+ percentage point increase in Live Release Rate
  - Administrator for multiple projects throughout the South re: animal care/control, spay/neuter and cruelty cases
    - Managed and led troubleshooting efforts in challenging situations across the southeast
    - Mentored and advised chief executives and managers through financial, animal overflow and other crises
  - Court witness re: link between animal cruelty and human violence
  - Legislative advocate for animal care, control and anti-cruelty issues
  - Emergency planner/manager for evacuation plans and large-scale disaster/emergency operations
  - Speaker at state, regional and national conferences
- **Director, Strategic Development**
  - Led ASPCA recovery operations on the MS Gulf Coast in the aftermath of Hurricane Katrina.
  - Mentored executive, shelter and clinic staff in rebuilding process for major shelter on the Gulf Coast (15,000 Intake; 7,000 Surgeries in first year of clinic), which was destroyed in Hurricane Katrina.
  - Raised numerous gifts, including $450K, $400K, $300K and 2 planned gifts of est. $1M each.

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HUMANE SOCIETY OF ST. THOMAS — **St. Thomas, U.S. Virgin Islands**
Executive Director — **2004 - 2006**

- ❖ Strategic Situation: The organization was involved in a 5-8 million dollar capital campaign to construct an animal care campus, planned to be the model of the Caribbean. As the organization's first executive director, strategic priorities were to (1) develop organizational capacity to manage a new state-of-the-art regional animal care campus; (2) substantially increase operational revenues including in-kind/pro bono revenue; (3) develop and integrate a system of organizational development to transition from the current operation to the new animal care campus; (4) plan and implement a political strategy to enact and enforce strong animal cruelty legislation; and (5) develop and evaluate a customer-focused line of programs, products and services.
- Streamlined operations with fewer staff and more services.
- Co-authored and led the passage of the first and only felony animal cruelty law in the U.S. Possessions.
- Increased donor base 400%; Increased operating revenues 150%.
- Achieved community voters' "Best Community Organization" for the Territory throughout tenure.
- Created model humane education youth initiative including innovative at-risk programs funded by Dept. of Humane Services, Dept. of Labor and community grants.
- Successfully nominated Board President as recipient of Points of Light Award (given by President Bush, Sr. and President Bush, Jr.).

DARKNESS TO LIGHT — **Charleston, SC**
Chief Operating Officer — **2002 – 2003**

- ❖ Strategic Situation: The organization was preparing a national media campaign to address child sexual abuse. This involved organizing a national panel of experts, 500+ child advocacy centers and 180+ information & referral centers.
- As COO, oversaw the organizational development to launch from a local to a national initiative, which became the largest child sexual abuse media campaign in U.S. history.

ST. THOMAS CHAMBER OF COMMERCE — **St. Thomas, USVI**
Consultant — **2001 - 2002**

- Organizational and membership development project

AMERICAN RED CROSS — **Various Locations**
Various Positions — **1987 - 2000**

AMERICAN RED CROSS, ST. THOMAS AND ST. JOHN CHAPTER — **St. Thomas, U.S. Virgin Islands**
- ➢ **Executive Director** — **1996 – 2000**

- ❖ Strategic Situation: The organization was in financial and programmatic disarray after years of "existing" on the affinity of the "Red Cross" brand, mostly due to its presence during disasters such as major hurricanes. Five chief executives had served in less than a 3-year period. Governance, management and operations were in a weak position and the Chapter was on the verge of being de-chartered by its national organization. Community relationships were stagnant.
- Raised over $1 million in grants during first two years on the job; more than entire history combined.
- Positioned Chapter to generate nearly $12/capita for FY2000 (second highest in nation).
- Led Board of Directors in developing Chapter's first long-term (5-year) strategic plan.
- Chaired the Governor's Task Force to restructure the VI Emergency Management Council and System
- Awarded the highest SDIA grant per capita in the nation for two consecutive years.
- Developed and awarded the first Centers for Disease Control HIV Prevention Grant in the Caribbean ($600K)
- Substantially increased national disaster volunteer enrollment; led nation at end of FY99.

AMERICAN RED CROSS, WEST SOUND CHAPTER — **Bremerton, Washington**
- ➢ ***Executive Director*** — **1993 – 1995**

AMERICAN RED CROSS, MISSISSIPPI STATE SERVICE CONSORTIUM — **Jackson, Mississippi**
- ➢ ***National Specialist, Health and Safety Services*** — **1992 – 1993**

AMERICAN RED CROSS, PERSIAN GULF CRISIS (Operation Desert Shield & Storm) — **Saudi Arabia**
- ➢ ***Station Manager*** — **1991 – 1992**

AMERICAN RED CROSS, GREATER HARTFORD CHAPTER — **Farmington, Connecticut**
- ➢ ***Senior Director (Chief Executive)*** — **1988 – 1990**

AMERICAN RED CROSS, ST. LOUIS BI-STATE CHAPTER — **St. Louis, Missouri**
- ➢ ***Emergency Training Consultant*** — **1987 - 1988**

SELECTED AWARDS AND RECOGNITION

- Named a Maddie's Hero for inspiring and innovative leadership (1st class of Awards honoring 9 leaders)
- Recognized by two Governors for engineering the turnaround of Red Cross chapters:
  1995, Governor Mike Lowry, Washington; 1999, Governor Charles Turnbull, U.S. Virgin Islands
- Awarded the American Red Cross State Tiffany Award for Management Excellence:
  1995, Washington (youngest and second recipient in Award's history)
- Recognized and awarded U.S. Department of Defense Medal:
  1992, Persian Gulf Crisis

CREDENTIALS

Currently hold CAWA, CFRE certifications – Only person worldwide to achieve 3 certifications: CFRE/CAWA/PHR

EDUCATION

Engineering alumnus of the University of Alabama, 1978 - 1983

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Charleston is #1 in Tourism,
but dead last for working horses!

WHEN YOU COMBINE EXCESSIVE HEAT WITH THE WEIGHT THE HORSES ARE FORCED TO PULL, CHARLESTON HAS THE HARSHEST CONDITIONS IN THE U.S.

Did you know Charleston takes its official temperature reading atop a FOUR story building, catching the ocean breeze?

But horses work at ground level on hot asphalt where temperatures are much hotter.



Did you know other cities across America require only ONE heat reading to pull horses from service at the peak temperature?

Why will Charleston require FOUR heat readings to pull horses off the street?

AN IMPORTANT CITY COUNCIL VOTE TAKES PLACE TONIGHT THAT WOULD KEEP CHARLESTON THE HARSHEST CITY IN THE NATION FOR WORKING HORSES.

ASK CITY COUNCIL TO USE COMMON SENSE!

1. REQUIRE ONE READING OF THE PROPOSED 95°F / 110°F HEAT INDEX LIKE OTHER CITIES.
2. LOWER THE CITY THERMOMETER TO GROUND LEVEL WHERE THE HORSES WORK.

MAYOR'S OFFICE 843.577.6970 • tecklenburgj@charleston-sc.gov
CITY COUNCIL C/O CLERK OF COUNCIL 843.724.3729 • maybankv@charleston-sc.gov

DO THE STUDY!

Charleston Animal Society
Since 1874
Leadership. Tradition. Excellence.

Charleston Carriage Horse Advocates

Hallie Hill Animal Sanctuary

Humane Net
Their Care is in Our Hands

Pet Helpers
We're saving a pet just for you...

STAY INFORMED AT:
CharlestonAnimalSociety.org/humane-carriage-tours

R60-1561368-1

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EXHIBIT 3

The System is Broken and Inhumane.

Tired, overworked horses continue to be put in harm's way.

Reform the System Now!





















The pictures above are just a few of the numerous incidents involving horses placed in harm's way. Is this best for the horses? Is it the best use of our police officers' time? **1.** Wagon crashes into another wagon *(citizen: March 15, 2016)*. **2.** 5-year-old kicked by mule, suffers concussion *(News 2: July 30, 2015)*. **3.** Wagon crashes into house *(ABC News 4: June 19, 2014)*. **4.** Drivers not watching where they're going *(The Post and Courier: August 2, 2015)*. **5.** Blondie lie helpless on hot pavement for nearly 3 hours *(citizen: July 17, 2015)*. **6.** Carriage crashes, injuring 6 people *(The Post and Courier: July 11, 2008)*. **7.** Wagon collides with parked truck *(citizen: September 28, 2016)*. **8.** Wagon overloaded with tourists *(citizen)*. **9.** Runaway wagon *(Live 5 News: April 22, 2014)*. **10.** Working in 100° Heat *(citizen: July 30, 2016)*.

CHARLESTON ANIMAL SOCIETY IS CALLING FOR A BONA FIDE PEER-REVIEWED, SCIENCE-BASED STUDY FROM AN ACADEMIC INSTITUTION TO DETERMINE HUMANE WORKING CONDITIONS FOR HORSES.

The American Veterinary Medical Association and American Association of Equine Practitioners state that "Urban environments present health and welfare hazards that may preclude [the use of horses], such as pollution, concussion, climactic extremes, and load factors." The late Dr. John Malark, Founder of Edisto Equine Clinic , advocated for equine safety stating that "Studies needs to be focused on these horses. If you want answers, then you have to fund the research."

DO THE STUDY!

CHARLESTON AND THE HORSES DESERVE NOTHING LESS.

No Kill Charleston™ | Charleston Animal Society Since 1874 Leadership. Tradition. Excellence. | No Kill. No Harm. NO MORE. | No Kill South Carolina™

STAY INFORMED AT: CharlestonAnimalSociety.org/humane-carriage-tours

CHARLESTON'S FIRST AND STRONGEST VOICE FOR ANIMALS.

South Carolina's Most Honored Charity

AAHA ACCREDITED | BBB ACCREDITED BUSINESS BBB Rating: A+ | 2016 BEST OF THE BEST | CHARITY NAVIGATOR Four Star Charity | CHARLESTON CITY PAPER Best Local Cause | Nonprofit of the Year | GREATNONPROFITS 2016 TOP-RATED NONPROFIT | GUIDESTAR PLATINUM | The Post and Courier CHARLESTON'S choice 2016 WINNER

CAS 28 Charleston Mercury Ad 10.625x15 REV3.indd 1 9/29/16 5:04 PM

BELIEVE YOU CAN
AND YOU'RE ALREADY THERE.



IN 2017 YOU HELPED US ACHIEVE:

11,137 Spay-Neuters

9,439 Animals Sheltered

1,259 Lost Pets Reunited

26,611 Vaccines

1,709 Free-Roaming Cats Saved

50,562 Pounds of Food Distributed to Families

5,141 Animals Adopted

2,523 Animals Fostered

20,000 Education Lessons to Children

63 Cruelty Cases Investigated

1,721 Families Offered Help to Keep their Pets for Life

Since 1874, the mission at Charleston Animal Society has never changed: Preventing Cruelty to Animals. With the gifts of your time, your donations and your homes – you have lifted us to new heights of humane care that is now recognized across the country and around the world. Be proud of your accomplishments because **YOU** are Charleston Animal Society.

Charleston Animal Society
Since 1874
Leadership. Tradition. Excellence.

No Kill Charleston℠

No Kill. No Harm. NO MORE.™

No Kill South Carolina℠

2017 ANNUAL REPORT
CHARLESTON ANIMAL SOCIETY

2455 Remount Road | North Charleston | SC | 29406 | CharlestonAnimalSociety.org

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Imagine. Believe. Achieve.
YOU are Charleston Animal Society!

LOOK WHAT YOU ACHIEVED IN 2017:



- Sustained No Kill Charleston for the 5th year!
- Earned South Carolina's Most Honored Charity (five years-in-a-row).
- Doubled No Kill South Carolina efforts thanks to support from the Petco Foundation.
- Honored as best Pets for Life Program in the USA.
- Unprecedented Disaster Response to Hurricanes: 750 animals rescued and evacuated across 7 states, Puerto Rico and the Virgin Islands.
- Reaccredited as the only combined shelter/clinic in the Southeast by the American Animal Hospital Association (AAHA).
- Rolled out the Simon Greer Mobile Spay-Neuter Vehicle – the only mobile unit of its kind in the Lowcountry.
- Responded to large cruelty cases in South Carolina and the Midwest.
- Expanded Pets for Life outreach services to Hollywood/Ravenel.
- Led efforts to improve working conditions for carriage horses.
- Chosen for presentations and education by national organizations including the ASPCA, HSUS, Maddie's Fund, Best Friends Animal Society and the University of the Pacific.
- Achieved 5th consecutive year of exemplary audits.
- Grew our social media presence on Facebook to 250,000 followers.

Total Revenue
$7,860,398

Bequests 8% $640,030

Contributions & Fundraising 42% $3,333,303

Government Vendor Contract 18% $1,425,000

Programs 32% $2,462,065

Fundraising 20% $1,473,132

Programs & Services 77% $5,779,385

Admin 3% $255,968

Total Expenses
$7,508,485

2455 Remount Road | North Charleston | SC | 29406 | CharlestonAnimalSociety.org

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STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ANIMAL SHELTER AGREEMENT

This Animal Shelter Agreement (the "Agreement") is made as of this 1st day of July, 2014 (the "Effective Date") by and between **COUNTY OF CHARLESTON,** a body politic and corporate under the laws of the State of South Carolina (hereinafter "County") and **Charleston Animal Society,** a South Carolina organization, (hereinafter "Society"),

RECITALS:

WHEREAS, the Society constructed an animal shelter (or animal care campus) on approximately five acres of land that it owns in the County of Charleston ("Animal Shelter"); and

WHEREAS, the County deems it to be in the best interest of the citizens of Charleston County to enter an Agreement with the Society for the operation and administration of that Current Animal Shelter including prevention of, response to and disposition of abused, abandoned, unwanted and stray companion animals (canines and felines) and has had an ongoing agreement with the Society since 1979 for that purpose pursuant to numerous agreements throughout the years ("Current Agreement"); and

WHEREAS, the County enacted ordinance number 731, as amended from time to time, (Codified as County Code of Ordinances Section 3-1 et seq.) which designates the Society as the designated animal shelter for the County pursuant to SC Code Section 47-3-30; and

WHEREAS, the County and Society have agreed to consolidate their Current Agreement and to enter into a new agreement that will supersede and replace the previously referenced current agreement on the terms and conditions set forth herein;

NOW, THEREFORE, the parties to this Agreement, in consideration of these promises, the mutual covenants and conditions contained herein and other valuable consideration by each party hereto, do hereby agree to terminate the Current Agreement as of the Effective Date and covenant and agree as of the Effective Date as follows:

Article I. Services

Section 1.01 The Society shall have physical possession and control of the Current Animal Shelter and be responsible for ongoing maintenance of the building

Section 1.02 During the Term of this Agreement, the Society shall receive and provide for the humane disposition of dogs and cats running at-large, and such other animals as delivered into its custody by agents of Charleston County, agents of municipalities or by citizens of Charleston County exclusively which can be safely and adequately kept by the Society until time of disposition. In the case of large or

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exotic animals, or under unusual circumstances where the chief executive of the Society or his/her designee reasonably determines that an animal(s) cannot be adequately and safely housed at the shelter or the if the projected length of stay will adversely impact the animal's health as determined by the Society's veterinary staff, an animal control officer of the Charleston County Sheriff's Office (the "Animal Control Officer") or citizen will be so informed, and will be directed to take the animal to an appropriate subcontractor as described below.

The Society shall make good faith efforts to enter into subcontracts for the impoundment and care of animals which cannot be safely and adequately kept at the shelter. The County shall reimburse the Society for reasonable costs for a period of time no less required by State and local law.

Animal control officers will identify and document a verifiable physical street address for where the animal is picked up, by said officers, prior to delivering the animal to the Society. Animal control officers will make every reasonable effort, including scanning animals for microchips in the field, to return at-large animals to their owners prior to delivering them to the Animal Society. The Society shall immediately undertake a reasonable effort to notify the owners of properly tagged pets as set forth in Charleston County Code Section 3-5(b). The Society shall also follow the requirements of SC Code Section 47-3-55 regarding scanning for tattoos, microchips or similar devices.

Section 1.03 The Society shall immediately place animals accepted at the shelter in a suitable enclosure and care for said animals at the expense of the County as set forth in Section 1.12, for a period of time no less than that required by State and local law. Following the holding period, pursuant to County Code Section 3-5(c) and at the discretion of the Society, unless the animal must be kept pending disposition of a criminal or civil trial involving the animal or unless a hearing on the disposition of the animal is held prior to the trial, at-large animals and pets not redeemed under County Code Section 3-6 shall be provided with a disposition that is in the best interest of public health and safety, as determined by the Society in accordance with State law (may include euthanasia).

Section 1.04 If any animals delivered into the custody of the Society shall, in the opinion of the Society, be deemed ill or injured to such an extent that it would be inhumane to allow said animals to live, or be deemed a threat to the health and safety of the Society's staff, based on the animal's behavior, the Society shall have the right to dispose of the animals in a humane manner, in accordance with state law.

Section 1.05 The Society shall maintain suitable office hours for the convenience of the public and for the purpose of transacting business in connection with its duties under this Agreement.

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Section 1.06 The Society shall employ a competent and qualified agent for executing the responsibilities under this Agreement who shall report to the Board of Directors of the Society.

Section 1.07 The operation, supervision and management of the Animal Shelter shall be under the sole control of the Society; however, the County or its designated agents may at reasonable time enter in or upon the subject premises for purposes of inspection, observation and performance of an operational audit. Additionally, the Society shall designate an area for use of a computer, filing purposes, and other office related activities (office space) at the Society for the County's Animal Control Officers.

Section 1.08 Nothing herein shall impair the ability of the Society, at its discretion, to receive and provide for the humane disposition of dogs and cats running at-large, delivered into its custody by municipalities or citizens of the County of Charleston. Any fees or expenses paid to the Society from such municipalities covering services paid for by the County hereunder will be sent to the County in a timely manner; provided, however, that nothing in this section shall obligate the Society to negotiate with or bill municipalities for such services. Any fees collected from citizens, and any moneys collected by the Society as a result of fund-raising activities shall be the Society's sole money and not a set-off against fees to be paid by the County.

Section 1.09 The Society shall require sterilization of every dog and cat adopted from the shelter in accordance with South Carolina State Law.

Section 1.10 Pursuant to County Code Section 3-6, the Society shall require that all persons who wish to reclaim possession of an Animal delivered to the custody of the Society show proof that the Animal is currently inoculated against rabies and also pay redemption and boarding fees as set by law.

Section 1.11 The Society shall keep full and accurate financial and/or operational records on all animals delivered into its custody by the County and by municipalities and citizens, which records shall, among other information, include the date, place (specific street address), reason and manner whereby animals were brought into custody, together with a description of the animal and a record of its final disposition. All such records of the Society shall upon reasonable request by the County be made available to the County or its designated agents for auditing purposes.

Section 1.12 In consideration of the above-mentioned covenants of the Society, the County agrees to pay the Society a yearly fee as determined by Charleston County Council ("Yearly Fee"). The fees set forth herein will be evaluated on an annual basis and may be increased or decreased by agreement of the parties hereto. There shall not be an automatic annual adjustment of fees; however, the Society shall submit budget requests annually pursuant to the County's usual budget procedures. The County shall not be responsible for payment of costs of animals identified as not coming from Charleston County. The total amount that Charleston

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County shall pay in any one year for the humane care and disposition of at-large animals brought into the Society by citizens of Charleston County shall not exceed the amount approved annually in the County Budget ("Budgeted Amount"), said amount subject to modification at mid-year budget review. The Society will receive payments of 1/12 the annually approved amount in the County Budget, set by County Council, in monthly installments. Society is in charge of all aspects of managing the Animal Shelter, including but not limited to: maintaining strict compliance with all applicable local, state, and federal rules and regulations, managing the budget and diligently controlling all monetary aspects of the Society.

Article II. Management

Section 2.01 The parties agree the Society shall own, operate and maintain all aspects of the Animal Shelter (or animal care campus) located at 2455 Remount Road, North Charleston, South Carolina 29406.

Section 2.02 Financing. During the Term of this Agreement, any financing or sale of the Property by the Society must have prior approval from the County, which approval shall not be unreasonably withheld.

Article III. Default and Remedies

Section 3.01 Default. Any one of the following events shall be deemed a default and a breach of this Agreement, namely:

(a) If a party fails to observe or perform any of the terms, covenants or conditions of this Agreement, and such failure continues after the expiration of 30 days from the date the non-defaulting party gives written notice to the defaulting party calling attention to the existence of such failure, provided however, that if the defaulting party cannot reasonably correct the default within said 30 day period, the defaulting party shall be given a mutually agreeable period of time to correct the default; or

(b) If a party is declared bankrupt or insolvent by judicial decree; or

(c) If a party takes the benefit of any federal reorganization; or

(d) If a party makes a general assignment for benefit of creditors.

Section 3.02 Rights in Event of Default. In the event of any default by a party as herein provided, the non-defaulting party at any time thereafter, shall have the right to terminate this Agreement by giving the defaulting party written notice of such termination, whereupon, this Agreement shall be regarded as canceled as of the date of the non-defaulting party's termination notice and to pursue all other remedies available at law or equity.

Article IV. Miscellaneous

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Section 4.01 Assignment. Neither the Society nor the County may assign this Agreement or any of its rights or obligations hereunder without the other parties' written consent.

Section 4.02 Notices. All notices and other communications under this Agreement shall be in writing and shall be deemed duly given if personally delivered or if mailed by registered mail or certified mail, return receipt requested, first class, postage prepaid as follows:

If to the Society:
2455 Remount Road
North Charleston, SC 29406
Attn: Chief Executive Officer

If to the County:
Lonnie Hamilton, III Public Service Building
4045 Bridge View Drive
North Charleston, SC 29405
Attn: County Administrator

Lonnie Hamilton, III Public Service Building
4045 Bridge View Drive
North Charleston, SC 29405
Attn: Chief Financial Officer

The parties shall be responsible for notifying each other of any changes in address or contact person(s).

Section 4.03 Entire Agreement. This Agreement contains the entire agreement between the parties hereto. There are no promises, agreements, conditions, undertakings, warranties or representations, oral or written, express or implied, between them, other than as herein set forth.

Section 4.04 Integration. This Agreement is intended by the parties hereto to be an integration of all prior and contemporaneous promises, agreements, conditions, negotiations and undertakings between the parties hereto.

Section 4.05 Modification. This Agreement may not be modified orally or in any other manner than by an agreement in writing signed by all the parties hereto or their respective successors in interest.

Section 4.06 Partial Invalidity. If any term, covenant, condition or provision of this Agreement or the application thereof to any person or circumstance shall, at any time or to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby (provided that neither party is substantially denied the benefit of its bargain hereunder), and each term, covenant, condition and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

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Section 4.07 Headings. The headings used in this Agreement are for reference and convenience only, and shall not enter into the interpretation hereof.

Section 4.08 Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument.

Section 4.09 Gender. Whenever herein the singular number is used, the same shall include the plural, and the masculine in gender shall include the feminine and neuter genders, and vice versa, all as the context shall require.

Section 4.10 Application of Law. It is the intention of the parties hereto that all questions with respect to the construction of this Agreement and the rights and liabilities of the parties hereunder shall be determined in accordance with the laws of the State of South Carolina.

Section 4.11 Binding Effect. Subject to the limitations set forth herein, all of the covenants, conditions and obligations contained in this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and permitted assigns.

Section 4.12 No Joint Venture. Nothing in this Agreement shall be interpreted or deemed to constitute County and the Society as partners or joint venturers in regard to the transactions contemplated in this Agreement, or in any aspect thereof.

Section 4.13 Delays. Neither party shall be responsible or liable, or deemed in breach hereof, to the extent the performance of their respective obligations hereunder are prevented or delayed due solely to circumstances beyond the reasonable control and without the fault or negligence of the party experiencing such impediment to performance, including but not limited to acts of God; unusually severe weather; flood, cyclone, hurricane, tornado, earthquake or other similar catastrophe; war, hostility or acts of a public enemy; riots; labor difficulties; fire, epidemics, quarantine restrictions; inability despite due diligence to obtain required licenses; fire; or other casualty for which such party claiming the Force Majeure is not responsible (such causes hereinafter called 'Force Majeure').

The party experiencing the Force Majeure shall exercise due diligence in endeavoring to overcome any Force Majeure impediment to its performance. The party experiencing the Force Majeure shall promptly give written notification to the other party. This written notification shall include a full and complete explanation of the Force Majeure and its cause, the status of the Force Majeure, and the actions such party is taking and proposes to take to overcome the Force Majeure. If performance by either party is delayed due to Force Majeure, the time for that performance shall be extended for a period reasonably necessary to overcome the effect of the delay.

Section 4.14 Termination. The County, by advance written notice, may terminate this Contract when it is in the best interests of the County. If this Contract is so terminated, the Society shall be compensated for all necessary and reasonable direct costs of performing the services actually accomplished. The Society will not be

compensated for any other costs in connection with a termination for convenience. The Society will not be entitled to recover any damages in connection with a termination for convenience.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

WITNESSES:

Kerry S. Badger

CHARLESTON COUNTY

BY: _____ fw WKB
_____,Its, _____
KEITH BUSTRAAN, DEP CO. ADMIN/CFO

Jay Huber

CHARLESTON ANIMAL SOCIETY

BY: _____
_____,Its, _____
JOE ELMORE, CEO

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EXHIBIT 6

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CHARLESTON ANIMAL SOCIETY

FINANCIAL REPORT

DECEMBER 31, 2018 and 2017

CHARLESTON ANIMAL SOCIETY

FINANCIAL REPORT

DECEMBER 31, 2018 and 2017

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DAVIS & COMPANY
CERTIFIED PUBLIC ACCOUNTANTS

INDEPENDENT AUDITORS' REPORT

To the Board of Directors
Charleston Animal Society
North Charleston, South Carolina

We have audited the accompanying financial statements of Charleston Animal Society which comprise the statements of financial position as of December 31, 2018 and 2017, and the related statements of activities, functional expenses and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Charleston Animal Society as of December 31, 2018 and 2017, and the changes in their net assets and their cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1, the Financial Accounting Standards Board ("FASB") issued Accounting Standards Update ("ASU") No. 2016-14, Not for Profit Entities: Presentation of Financial Statements of Not-for-Profit Entities. The Society adopted ASU 2016-14 during the year ended December 31, 2018, and it was applied retrospectively. The adoption of this standard did not have any impact on the Society's net assets or changes in net assets. Our opinion is not modified with respect to this matter.

DCPAS, LLC dba Davis & Company CPAs
Mount Pleasant, South Carolina
March 18, 2019

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CHARLESTON ANIMAL SOCIETY
STATEMENTS OF FINANCIAL POSITION
AS OF DECEMBER 31, 2018 and 2017

ASSETS	2018	2017
CURRENT ASSETS		
Cash and cash equivalents, unrestricted	$ 1,695,766	$ 1,575,254
Accounts receivable	37,066	32,763
Bequests receivable	500,000	-
Contributions receivable, net	251,481	276,156
Prepaid expense	67,342	38,024
Inventories	135,618	97,881
Security deposits	15,311	-
Total current assets	2,702,584	2,020,078
PROPERTY AND EQUIPMENT		
Land	641,000	641,000
Property and equipment, net	8,942,038	9,109,958
Total property and equipment	9,583,038	9,750,958
INVESTMENTS, LONG TERM	7,669,408	8,193,920
OTHER ASSETS		
Beneficiary interest in perpetual trusts held by others	898,054	1,019,185
Total other assets	898,054	1,019,185
TOTAL ASSETS	$ 20,853,084	$ 20,984,141
LIABILITIES AND NET ASSETS		
CURRENT LIABILITIES		
Accounts payable and accrued expenses	$ 119,843	$ 143,204
Payroll related liabilities	130,065	200,452
Current portion of long term debt	115,781	112,317
Total current liabilities	365,689	455,973
LONG-TERM LIABILITIES		
Note payable	989,884	1,105,665
Total long-term liabilities	989,884	1,105,665
TOTAL LIABILITIES	1,355,573	1,561,638
NET ASSETS		
Without donor restrictions	4,685,943	4,275,197
Board designated - property fund	9,583,038	9,750,958
Board designated - working capital fund	500,000	500,000
Board designated - endowment fund	3,122,515	3,122,515
With donor restrictions	1,606,015	1,773,833
Total net assets	19,497,511	19,422,503
TOTAL LIABILITIES AND NET ASSETS	$ 20,853,084	$ 20,984,141

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2018

	Without Donor Restrictions	With Donor Restrictions	Total
SUPPORT AND REVENUES			
Contributions	$ 2,223,940	$ 766,251	$ 2,990,191
Resale contributions	108,446	-	108,446
Grants	967,161	5,500	972,661
In-kind contributions	457,586	-	457,586
Program and service	1,366,182	-	1,366,182
Government service contract	1,654,778	-	1,654,778
Special events, net $182,382 expense	492,176	-	492,176
Investment income, net of $93,988 in fees	233,689	-	233,689
Realized loss on investments	(58,244)	-	(58,244)
Unrealized loss on investments	(699,869)	-	(699,869)
Change in value of beneficiary interest	-	(121,131)	(121,131)
Bingo income	39,089	-	39,089
	6,784,934	650,620	7,435,554
Net assets released from restrictions	818,443	(818,443)	-
Total support and revenues	7,603,377	(167,823)	7,435,554
EXPENSES			
Program and services	5,725,802	-	5,725,802
Management	343,620	-	343,620
Fundraising	1,291,124	-	1,291,124
Total expenses	7,360,546	-	7,360,546
INCREASE (DECREASE) IN NET ASSETS	242,830	(167,818)	75,008
NET ASSETS, beginning of year	17,648,670	1,773,833	19,422,503
NET ASSETS, end of year	$ 17,891,500	$ 1,606,015	$ 19,497,511

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2017

	Without Donor Restrictions	With Donor Restrictions	Total
SUPPORT AND REVENUES			
Contributions	$ 1,625,077	$ 833,234	$ 2,458,311
Grants	926,792	245,000	1,171,792
In-kind contributions	254,010	-	254,010
Program and service	1,338,761	-	1,338,761
Government service contract	1,425,000	-	1,425,000
Special events, net $322,228 expense	738,948	-	738,948
Investment income, net of $8,874 in fees	9,635	-	9,635
Realized gain on investments	307,861	-	307,861
Unrealized gain on investments	695,155	-	695,155
Change in value of beneficiary interest	-	75,241	75,241
Gain on sale of assets	5,925	-	5,925
Bingo income	31,577	-	31,577
	7,358,741	1,153,475	8,512,216
Net assets released from restrictions	1,052,398	(1,052,398)	-
Total support and revenues	8,411,139	101,077	8,512,216
EXPENSES			
Program and services	5,727,164	-	5,727,164
Management	265,649	-	265,649
Fundraising	1,055,236	-	1,055,236
Total expenses	7,048,049	-	7,048,049
INCREASE IN NET ASSETS	1,363,090	101,077	1,464,167
NET ASSETS, beginning of year	16,285,580	1,672,756	17,958,336
NET ASSETS, end of year	$ 17,648,670	$ 1,773,833	$ 19,422,503

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENT OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED DECEMBER 31, 2018

	Program and Services	Manage-ment	Fund-raising	Total
COMPENSATION AND RELATED EXPENSES				
Salaries	$ 2,563,745	$ 272,541	$ 501,786	$ 3,338,072
Employee benefits	325,701	9,337	25,522	360,560
Payroll taxes	189,443	38,934	22,142	250,519
Total compensation and related expenses	3,078,889	320,812	549,450	3,949,151
OTHER EXPENSES				
Animal expenses	943,482	-	23,138	966,620
Public relations	112,808	-	531,197	644,005
Veterinary care expenses	309,032	-	-	309,032
Utilities	198,033	-	49,200	247,233
Building maintenance	111,512	-	-	111,512
Insurance	101,809	6,050	-	107,859
Computer and equipment	43,765	215	55,171	99,151
Bank fees	31,275	6,175	54,578	92,028
Contract services	53,520	-	-	53,520
Outreach expenses	51,978	-	-	51,978
Professional fees	48,795	-	2,417	51,332
Office expense	27,588	642	12,261	40,491
Education expenses	36,138	-	-	36,138
Employee training	23,832	3,661	8,254	35,747
Interest	35,486	-	-	35,486
Miscellaneous	20,972	6,065	5,160	32,197
Automobile	20,461	-	-	20,461
Travel and entertainment	2,401	-	298	2,679
TOTAL EXPENSES BEFORE DEPRECIATION	5,251,876	343,620	1,291,124	6,886,620
Depreciation	473,926	-	-	473,926
TOTAL FUNCTIONAL EXPENSES	$ 5,725,802	$ 343,620	$ 1,291,124	$ 7,360,546

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENT OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED DECEMBER 31, 2017

	Program and Services	Manage-ment	Fund-raising	Total
COMPENSATION AND RELATED EXPENSES				
Salaries	$ 2,588,623	$ 203,822	$ 474,097	$ 3,266,542
Employee benefits	332,736	27,278	33,144	393,158
Payroll taxes	193,993	15,840	34,766	244,599
Total compensation and related expenses	3,115,352	246,940	542,007	3,904,299
OTHER EXPENSES				
Animal expenses	996,281	-	664	996,945
Public relations	127,167	-	343,891	471,058
Utilities	272,863	-	52,800	325,663
Veterinary expenses	197,899	-	-	197,899
Building maintenance	140,546	-	-	140,546
Computer and equipment	78,255	4,802	40,871	123,928
Insurance	85,235	-	-	85,235
Bank fees	32,893	2,360	46,725	81,978
Professional fees	66,789	-	6,060	72,849
Contract services	54,576	-	-	54,576
Employee training	36,983	6,443	3,821	47,247
Office expnse	25,736	2,000	13,128	40,864
Education expenses	36,580	-	-	36,580
Miscellaneous	27,992	3,104	4,470	35,566
Interest	30,487	-	-	30,487
Automobile	22,985	-	-	22,985
Travel and entertainment	2,857	-	799	3,656
TOTAL EXPENSES BEFORE DEPRECIATION	5,351,476	265,649	1,055,236	6,672,361
Depreciation	375,688	-	-	375,688
TOTAL FUNCTIONAL EXPENSES	$ 5,727,164	$ 265,649	$ 1,055,236	$ 7,048,049

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENTS OF CASH FLOWS
YEARS ENDED DECEMBER 31, 2018 and 2017

	2018	2017
CASH FLOWS FROM OPERATING ACTIVITIES:		
Increase in net assets	$ 75,008	$ 1,464,167
Adjustments to reconcile change in net assets to net cash provided (used) by operating activities:		
Depreciation	473,926	375,688
Unrealized loss (gain) on investments	699,869	(695,155)
Change in beneficiary interest in trust	121,131	(75,241)
Decrease (increase) in current assets:		
Accounts receivable	(4,303)	8,817
Contributions receivable	24,675	12,358
Bequest receivable	(500,000)	-
Security deposits	(15,311)	-
Prepaid expenses	(29,318)	(12,512)
Inventory	(37,737)	(2,432)
Increase (decrease) in operating liabilities:		
Accounts payable	(23,361)	(177,448)
Payroll related liabilities	(70,387)	26,790
Net cash provided (used) by operating activities	714,192	925,032
CASH FLOWS FROM INVESTING ACTIVITIES:		
Purchases of property and equipment	(306,006)	(1,733,713)
Proceeds from sale of securities	7,316,458	2,163,445
Purchase of securities - net reinvested earnings	(7,491,815)	(2,379,619)
Net cash provided (used) in investing activities	(481,363)	(1,949,887)
CASH FLOWS FROM FINANCING ACTIVITIES:		
Proceeds from note payable	-	1,236,000
Payments on note payable	(112,317)	(82,018)
Net cash provided (used) in financing activities	(112,317)	1,153,982
Net increase in unrestricted cash and cash	120,512	129,127
Cash and cash equivalents as of beginning of year	1,575,254	1,446,127
Cash and cash equivalents as of end of year	$ 1,695,766	$ 1,575,254
Supplemental Disclosures:		
Noncash investing and financing activities:		
Interest paid	$ 35,486	$ 30,487

See accompanying notes.

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Organization

Charleston Animal Society (the Society) is a nonprofit corporation organized in 1874 to prevent cruelty to animals. The Society is located in North Charleston, South Carolina in a state of the art facility combining the shelter, clinic, and corporate offices in one location which enables the animals to receive the best care. The Society purpose of preventing cruelty to animals is accomplished through a variety of programs:

Finding homes for homeless animals - this is accomplished through adoptions, return to owners and a free roaming cat initiative.

Fighting cruelty wherever it exists- assisting law enforcement with investigations and intervention in order to hold those responsible for their crimes.

Helping youth understand science through a veterinary science initiative which enables students to become involved in different areas of education.

Containing outbreaks of deadly diseases - by offering rabies vaccinations to animals in the community the Society helps to eradicate this disease at an affordable cost.

Reuniting animals with their owners through an in-depth lost and found program.

Preventing births of unwanted animals through a high-volume, high-quality affordable spay/neuter initiative.

Saving the lives of abused and abandoned animals through a holistic treatment regimen.

Guiding children to grow into humanitarians through a comprehensive humane education initiative.

Fighting hunger when food is unaffordable through a nonjudgmental pet-focused food bank.

Basis of Accounting

The financial statements of the Society have been prepared on the accrual basis of accounting and accordingly reflect all significant receivables, payables, and other liabilities.

Net Assets

The financial statements report net assets and changes in net assets in two classes that are based upon the existence or absence of restrictions on use that are placed by its donors, as follows:

Net Assets Without Donor Restrictions

Net assets without donor restrictions are resources available to support operations. The only limits on the use of these net assets are the board limits resulting for the nature of the organizations, the environment in which It operates, the purposes specified in its corporate documents and its application for tax-exempt status, and any limits resulting from contractual agreements with creditors and others that are entered into in the course of its operations.

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Net Assets With Donor Restrictions

Net assets with donor restrictions are resources that are restricted by a donor for use for a particular purpose or in a particular future period. Some donor-imposed restrictions are temporary in nature, and the restriction will expire when the resources are used in accordance with the donor's instructions or when the stipulated time has passed. Other donor-imposed restrictions are perpetual in nature; the Society must continue to use the resources in accordance with the donor's instructions.

When a donor's restriction is satisfied, either by using the resources in the manner specified by the donor or by the passage of time, the expiration of the restriction is reported in the financial statements by reclassifying the net assets from net assets with donor restrictions to net assets without donor restrictions. Net assets restricted for acquisition of buildings or equipment are reported as net assets with donor restrictions until the specified asset is placed in service by the Society, unless the donor provides more specific directions about the period of its use.

Classification of Transactions
All revenues and net gains are reported as increases in net assets without donor restrictions in the statement of activities unless the donor specified the use of the related resources for a particular purpose or in a future period. All expenses and net losses are reported as decreases in net assets without donor restrictions.

Cash and Cash Equivalents
For the purposes of the Statements of Cash Flows, the Society considers all unrestricted highly liquid investments with an initial maturity of three months or less to be cash equivalents. This includes cash in banks and money market funds.

Grants and Accounts Receivables
The Society may from time to time have grants and accounts receivables from grantors. Grants and accounts receivable are considered to be fully collectible based on past experience. Accordingly, no allowance has been established for grants and accounts receivable.

Contributions Receivable
Contributions receivable are recognized as revenues in the period received and as assets, decreases in liabilities, or expenses depending on the form of the benefits received. Conditional contributions receivable are recognized when the conditions on which they depend are substantially met. The Society uses the allowance method to account for uncollectible promises to give. The allowance is based on management's estimate of the collectability of the promises and historical experience.

Investments
The Society investments consist primarily of assets invested in marketable equity and debt securities, alternative investments, commodities, and money-market accounts. The Society accounts for investments in accordance with FASB ASC 958-320 and subsections. This standard requires that investments in equity securities with readily determinable fair values and all investments in debt securities be measured at fair value in the statements of financial position. Fair value of marketable equity and debt securities is based on quoted market prices.

Alternative investments are stated at the fair value of their underlying assets and allocated to the net asset funds in proportion to the fund's ownership percentage. The realized and unrealized gain or loss on investments is reflected in the Statements of Activities.

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Investments – (continued)
Investments are exposed to various risks such as significant world events, interest rate, credit, and overall market volatility risks. Due to the level of risk associated with certain investment securities, it is reasonably possible that changes in the fair value of investments will occur in the near term and that such changes could materially affect the amounts reported in the Statements of Financial Position.

Investment income is recorded net of investment expenses. Realized gains or losses on investments are determined by comparison of specific cost of acquisition to proceeds at the time of disposal. Unrealized gains or losses are calculated by comparing cost to market values at the statement of financial position date. Investment income and gains restricted by donors are reported as increases in unrestricted net assets if the restrictions are met (either a stipulated time period ends or a purpose restriction is accomplished) in the reporting period in which the income and gains are recognized.

Property and Equipment
Purchased property and equipment are recorded at cost. Donated property and equipment are recorded at the approximate fair value at the date of donation. Expenditures for major additions and improvements, generally in excess of $1,000, are capitalized and minor replacements, maintenance and repairs are charged to expense as incurred. When property and equipment are retired or otherwise disposed of, the cost and accumulated depreciation are removed from the accounts and any resulting gain or loss is included in the results of the operations for the respective period. Depreciation is computed by the straight-line method over the estimated useful lives of the assets, ranging from 5 to 40 years. Construction in progress is stated at cost and is not depreciated until put into use. Costs associated with acquisition, development and construction of certain assets of the Society's facilities are capitalized including interest associated with a loan, if a loan was necessary for construction of the asset.

Beneficial Interest in Perpetual Trusts
Perpetual trusts are held by a third party under an arrangement where the Society has an irrevocable right to receive the income earned on the trust assets in perpetuity, but never receives the assets held in trust. The trust assets are recorded at fair value as beneficial interest in the trust, a long term asset and contribution of new trust under permanently restricted support, if donated to the Society or amounts held on behalf of the Society, depending on the terms. Annual distributions are reported as unrestricted contribution income or amounts raised on behalf of the Society. Trust assets are based on the lesser of the present value of future cash flows from the trusts or the fair value of the trusts' underlying investments. Change in value of beneficiary interests are recorded as permanently restricted.

Endowment Funds
For the year end December 31, 2008, South Carolina adopted the State Prudent Management of Institutional Funds Act (SPMIFA). The Board of Directors of the Society has interpreted SPMIFA as requiring the preservation of the fair value of the original gift as of the gift date of the donor-restricted endowment funds absent explicit donor stipulations to the contrary. As a result of this interpretation, the Society classifies as donor restricted net assets (a) the original gifts donated to the endowment, (b) subsequent gifts to the endowment, and (c) accumulations to the endowment made in accordance with the direction of the applicable donor gift instrument at the time the accumulation is added to the fund. The remaining portion of the donor-restricted endowment fund that is not classified in donor restricted net assets is classified as purpose restricted net assets until those amounts are appropriated for expenditure by the organization in a manner consistent with the standard of prudence prescribed by SPMIFA. In accordance with SPMIFA, the Society considers the following factors in making a determination to appropriate or accumulate donor-restricted endowment funds:

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Endowment Funds - (continued)

(1) The duration and preservation of the fund
(2) The purposes of the organization and the donor-restricted endowment fund
(3) General economic conditions
(4) The possible effect of inflation and deflation
(5) The expected total return from income and the appreciation of investments
(6) Other resources of the Society
(7) The investment policies of the Society

Return Objectives and Risk Parameters
The Society has adopted investment and spending policies for endowment assets that attempt to provide a predictable stream of funding to programs supported by its endowment while seeking to maintain the purchasing power of the endowment assets. Endowment assets include those assets of donor-restricted funds that the Society must hold in perpetuity or for a donor-specified period. Under this policy, as approved by the Board of Directors, the endowment assets are invested in a manner that is intended to produce results that exceed the price and yield results of the S&P 500 index or similar established broad market measures of return on investments.

Strategies Employed for Achieving Objectives
To satisfy its long-term rate-of-return objectives, the Society relies on a total return strategy in which investment returns are achieved through both capital appreciation (realized and unrealized) and current yield (interest and dividends). The Society targets a diversified asset allocation that places an emphasis on equity-based investments and bond funds to achieve its long-term return objectives within prudent risk constraints.

Spending Policy and How the Investment Objectives Relate to Spending Policy
The Society has a policy of appropriating for distribution each year four to five percent of its selected endowment fund's moving average fair value over the three years preceding the year in which the distribution is planned. In establishing this policy, the Society considered the long-term expected return on its endowment. Accordingly, over the long term, the Society expects the current spending policy to allow its endowment to grow at an average of four to five percent annually. This policy is consistent with the Society's objective to maintain the purchasing power of the endowment assets held in perpetuity or for a specified term as well as to provide additional real growth through new gifts and investment return.

Fair Value of Financial Instruments
The carrying amounts of financial instruments, including cash and cash equivalent, money market funds, receivables, beneficiary interest in trusts held by others and accounts payable approximate fair value because of the short maturity of those financial instruments.

Compensated Absences
Employees earn vacation at various rates depending on their status as non-exempt and exempt, job classification and years of service. Vacation increases by five (5) days at each job classification after two (2) years and five (5) years. Unused vacation carryover is allowed.

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Accounting of Contributions
Contributions, including contributions receivable, are recognized when received. All contributions are reported as increases in net assets without donor restrictions unless use of the contributed assets is specially reported as increases in net assets without donor restrictions unless use of the contributed assets is specifically restricted by the donor. Amounts received that are restricted by the donor to use in future periods or for specific purposes are reported as increases in net assets with donor restrictions. Contributions receivable with payments due in the future years have an implied restriction to be used in the year the payment is due, and therefore are reported as restricted until the payment is due, unless the contributions is clearly intended to support activities in the current fiscal year. Conditional promises, such as matching grants, are not recognized until they become unconditional, that is, until as conditions on which they depend are substantially met.

Gifts-In-Kind Contributions
The Society records various types of in-kind contributions. Contributed services are recognized at fair value if the services received (a) create or enhance long-lived assets or (b) require specialized skills, are provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation. Contributions of tangible assets are recognized at fair value when received. Donated use of facilities is reported as contributions and as expenses at the estimated fair value of similar space for rent under similar conditions. If the use of the space is promised unconditionally for a period greater than one year, the contribution is reported as a contribution and an unconditional contribution receivable at the date of gift, and the expense is report over the term of the use. The amounts reflected in the accompanying financial statements as in-kind contributions are offset by like amounts included in expenses or additions to property and equipment.

No amounts have been reflected in the financial statements for donated services. The Society pays for most services requiring specific expertise. However, many individuals volunteer their time and perform a variety of tasks that assist the Society with campaign solicitations and various committee assignments.

Expense Allocation
The costs of providing the various programs and supporting services have been summarized on a functional basis in the statement of functional expenses. Expenses that can be identified with a specific program or support service are charged directly to that program or support service. Costs common to multiple functions have been allocated amount the various functions benefited using a reasonable allocation method that is consistently applied as follows:

- Invoices are coded to departments when they are received.
- Utilities are allocated to Fundraising and Education using square footage estimates.
- Staff costs are allocated to departments based on area worked. Employees that have more than one area of responsibility are allocated based on time spent working in those areas.

Advertising
Cost of promotions and advertising are expensed as incurred. Advertising and promotion expense total $-0- for the years ended December 31, 2018 and 2017.

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Income Tax Status

The Society is a not-for-profit organization that is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code and comparable state law as a charitable organization whereby only unrelated business income, as defined by Section 509(a)(1) of the Code is subject to federal income tax. The Society qualifies for the charitable contribution deduction under Section 170(b)(l)(A) and has been classified as an association other than a private Society under Section 509(a)(2).

The Society currently has no unrelated business income. Accordingly, no provision for income taxes has been recorded. The Society is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax period in progress.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Reclassifications

Certain amounts from the prior year have been reclassified to conform to the 2018 presentation without affecting the previously reported net assets.

New Accounting Pronouncements

The Financial Accounting Standards Board (FASB), on August 18, 2016, published Accounting Standards Updated (ASU) No. 2016-14, Not for Profit Entities: Presentation of Financial Statements of Not-for-Profit Entities. The standard changes how not-for-profit organizations classify their net assets, with groups required to categorize assets as either those with donor restrictions or without. The standard also requires new information about an organization's liquidity and an analysis of expenses by nature and function. The update aims to help charities, universities, foundations, and other not-for-profit groups better convey how they spend and manage their resources. The Society has elected to adopt this standard for the year ended December 31, 2018 and has adjusted the presentation of these statements accordingly. The ASU has been applied retrospectively to all periods presented.

- *Continued* -

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NOTE 2 - AVAILABILITY AND LIQUIDITY

Financial assets available for general expenditure, that are without donor or other restrictions limiting their use within one year of the Statement of Financial Position date of December 31, 2018, comprise of the following at December 31, 2018:

Financials assets:		
Cash and cash equivalents, unrestricted	$	1,695,766
Bequest receivable		500,000
Accounts receivable		37,066
Investments		8,567,462
Contributions receivables, net		251,481
Total financial assets		11,051,775
Less financial assets held to meet donor-imposed restrictions:		
Purpose-restricted net assets		(1,368,347)
Less financial assets not available within one year:		
Contribution receivables		(148,995)
Amount available for general expenditures within one year	$	9,534,433

As part of its liquidity plan, the Society has a policy to structure its financial assets to be available as its general expenditures, liabilities and other obligations become due. The Society invests excess cash in short-term investments, including money market accounts, and has the ability to redeem certain investments as necessary to meet its obligations.

NOTE 3 - CONTRIBUTIONS RECEIVABLE

The Society held a fundraising campaign to establish a new initiative for No Kill No Harm and contributions were made. The contributions receivable are considered unrestricted as they are for an initiative to raise awareness for our No Kill No Harm movement. Allowance for bad debt has been estimated based on past history by management. A summary of the contributions receivable are due as follows as of December 31:

		2018		2017
Beginning promise to give	$	283,156	$	339,064
Contribution commitments		126,000		223,662
Contribution payments		(157,675)		(279,570)
		251,481		283,156
Less allowance for bad debt		-		(7,000)
Ending promise to give balance	$	251,481	$	276,156

		2018		2017
Beginning bequest receivable	$	-	$	-
Bequest receivable		500,000		-
Bequest payments		-		-
Total bequest receivable	$	500,000	$	-

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NOTE 3 - CONTRIBUTIONS RECEIVABLE - (continued)

Contributions are receivable as follows:

Schedule of contributions due

Less than one year	$ 102,486
Two to five years	148,995
	$ 251,481

The Society received a bequest receivable during December 31, 2018 for $500,000 and is restricted for the purpose to care for the animals. Per the donor the amount owed will be paid in 2019.

NOTE 4 - INVESTMENTS

Investments held by the Society are in various accounts at a national brokerage firm. Investment fees are netted against investment income. Investments are stated at fair market value and consist of the following at December 31, 2018 and 2017:

	2018		2017	
	FMV	Cost	FMV	Cost
Real estate partnerships	$ 89,789	$ 102,908	$ 601,075	$ 577,378
Money market	463,605	463,605	468,099	468,099
Exchange traded funds	1,493,393	1,178,275	-	-
Mutual funds				
Fixed income	1,902,382	2,186,645	2,654,072	2,662,992
Equities	2,299,994	2,191,345	4,470,672	3,501,076
Bond Funds	718,289	530,419	-	-
Equity Funds	701,953	710,650	-	-
	$ 7,669,405	$ 7,363,847	$ 8,193,918	$ 7,209,545

NOTE 5 - SUMMARY OF FAIR VALUE EXPOSURE

ASC 820 defines fair value as the amount that would be received from the sale of an asset or paid for the transfer of a liability in an orderly transaction between market participants, i.e. an exit price. To estimate an exit price, a three-tier hierarchy is used to prioritize the inputs:

Level 1: Quoted prices in active markets for identical securities
Level 2: Other significant observable inputs (including quoted prices for similar securities, interest rates, prepayment spreads, credit risk, etc.)
Level 3: Significant unobservable inputs (including the Society's own assumptions in determining the fair value of investments)

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NOTE 5 - SUMMARY OF FAIR VALUE EXPOSURE - (continued)

For the years ended December 31, 2018 and 2017, the application of valuation techniques applied to similar assets and liabilities has been consistent. The following is a description of the valuation methodologies used for instruments measured at fair value:

- *Equities:* The Society's equity securities are readily marketable and have fair values which are determined by obtaining quoted market prices in active markets. (Level 1 inputs- market approach).
- *Fixed income securities:* Fair values of U.S. Government and corporate securities reflect closing prices reported in the active markets in which the securities are traded. (Level 1 inputs -market approach).
- *Money market:* The fair value of investments money market funds that are readily marketable are determined by obtaining quoted prices on nationally recognized securities exchanges (level 1 inputs- market approach).
- *Real estate:* Society real estate holdings consist of an investment in a publicly traded real estate investment trust. The fair value of this investment is readily marketable and is determined by obtaining quoted prices on a nationally recognized securities exchange (level 1 inputs- market approach).
- *Beneficial interest in assets held by others:* The fair value of beneficial interests in trust assets was determined based upon the present value of future cash flows from the trusts, an amount no greater than the asset value of the trust. The trust cannot be redeemed by management. (Level 3 inputs- income approach)
- *Exchange-traded funds:* Determined by the published closing price on the last business day of the fiscal year.

The following tables provide fair value measurement information for financial assets and liabilities measured at fair value on a recurring basis as of December 31, 2018 and 2017:

	December 31, 2018			
	Level 1	Level 2	Level 3	Total
Real estate mutual funds	$ 89,789	$ -	$ -	$ 89,789
Money market	463,605	-	-	463,605
Mutual funds	5,622,618	-	-	5,622,618
Exchange traded funds	1,493,393	-	-	1,493,393
Beneficiary interest in perpetual trust held by others	-	-	898,054	898,054
	$ 7,669,405	$ -	$ 898,054	$ 8,567,459

	December 31, 2017			
	Level 1	Level 2	Level 3	Total
Real estate mutual funds	$ 601,075	$ -	$ -	$ 601,075
Money market	468,099	-	-	468,099
Mutual funds	7,124,744	-	-	7,124,744
Beneficiary interest in perpetual trust held by others	-	-	1,019,184	1,019,184
	$ 8,193,918	$ -	$ 1,019,184	$ 9,213,102

The inputs and methodology used for valuing the Society's financial assets and liabilities are not indicators of the risks associated with those instruments.

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NOTE 5 - SUMMARY OF FAIR VALUE EXPOSURE - (continued)

Management evaluated the significant transfers between levels based upon the nature of the financial instrument and size of the transfer related to investments. For the years ended December 31, 2018 and 2017, there were no significant transfers in or out of levels 1, 2, or 3.

The following is a reconciliation of the beginning and ending balances for assets and liabilities measured at fair value on a recurring basis using significant unobservable inputs (Level 3) during the years ended December 31, 2018 and 2017:

	2018	2017
Beginning balance	$ 1,019,184	$ 943,943
Contribution transfer	(46,000)	(45,875)
Beneficiary interest loss	(75,130)	121,116
	$ 898,054	$ 1,019,184

NOTE 6 - NET ASSETS WITH DONOR RESTRICTIONS

The Society has net assets with donor restrictions that are available for the following purposes as of December 31, 2018 and 2017.

	2018	2017
Purpose restrictions, available for spending:		
Spay/Neuter	$ 50,000	106,766
Education	10,474	10,000
No kill campaign	28,868	29,152
Capital campaign	1,000	1,000
Free roaming cats	33,150	33,750
Maddies fund	120,000	109,848
Memorial garden	135,976	157,912
Animal resourse center	7,978	28,152
WaterShed animal fund	74,201	-
ASCPA loves pets	2,640	-
Baker PFL	6,007	-
Beneficiary trust	898,053	1,019,184
Total purpose restrictions	1,368,347	1,495,764
Time restrictions:		
Contribution receivables not restricted by donors, but are unavailable for expenditure until due	237,668	278,069
Total time restrictions	237,668	278,069
Total net assets with donor restrictions	$ 1,606,015	$ 1,773,833

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NOTE 7 - ENDOWMENT AND DONOR RESTRICTED NET ASSETS

The Society's endowment consists of three individual funds established for the support of their mission. The endowment includes donor restricted net assets. As required by U.S. generally accepted accounting principles, net assets associated with endowment funds, including funds designated by the Board of Directors to function as endowments, are classified and reported based on the existence or absence of donor-imposed restrictions.

Endowment net asset composition by type of fund as of December 31, 2018 and 2017 are as follows:

		2018			
Restricted Net Assets	Purpose	Beginning Balance	Contribution Transfer	Beneficiary Interest Gain	Ending Balance
Wells Fargo Smith Trust Benefits Receivable	Operating	$ 255,661	$ (10,000)	$ (20,596)	$ 225,066
Wells Fargo Jantzen Trust Benefits Receivable	Operating	763,524	(36,000)	(54,536)	672,988
		$ 1,019,185	$ (46,000)	$ (75,132)	$ 898,054

		2017			
Restricted Net Assets	Purpose	Beginning Balance	Contribution Transfer	Beneficiary Interest Gain	Ending Balance
Wells Fargo Smith Trust Benefits Receivable	Operating	$ 235,731	$ (9,875)	$ 29,804	$ 255,661
Wells Fargo Jantzen Trust Benefits Receivable	Operating	708,212	(36,000)	91,312	763,524
		$ 943,943	$ (45,875)	$ 121,116	$ 1,019,185

Change in endowment net assets for the years ended December 31, 2018 and 2017 are as follows:

	2018	2017
Beginning Restricted Net Assets	$ 1,019,185	$ 943,943
Change in value	(75,132)	121,116
Distribution	(46,000)	(45,875)
Ending Restricted Net Assets	$ 898,054	$ 1,019,185

Donor restricted net assets include the endowment fund assets; to be held indefinitely. The income from the assets may be used to support the Society's activities, subject to donor-imposed restrictions. The Society's policy for determining the portion of endowment earnings permitted to be included in operations is controlled by the trustees of the funds, generally 4% to 5 % of a three-year moving average of the trust's market value; these funds are distributed from the trustee to the Society. Only the donor restricted corpus remains in the endowment. Endowment beneficiary interest in perpetual trust transferred $46,000 and $45,875 in 2018 and 2017. These distributions were recognized in contributions.

The investment income related to the donor restricted funds has been accounted for within the donor restrictions investment earnings on the Statements of Activities. There were no contributions to the with donor restrictions corpus during years ended December 31, 2018 and 2017.

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NOTE 8 - PROPERTY & EQUIPMENT

Property and equipment consist of the following as of December 31, 2018 and 2017:

	2018	2017
Depreciable assets:		
Furniture and equipment	$ 1,175,519	$ 1,145,391
Vehicles	322,142	276,771
Building	10,867,812	10,637,305
Total property and equipment	12,365,473	12,059,467
Less: accumulated depreciation	(3,423,435)	(2,949,509)
	8,942,038	9,109,958
Non depreciable assets:		
Land	641,000	641,000
Total property and equipment	$ 9,583,038	$ 9,750,958

Depreciation expense for the years ended December 31, 2018 and 2017 are $473,926 and $375,688.

NOTE 9 - LEASE

The Society has entered into an operating lease beginning in March 2018 and expiring March 2023. Rent is $6,100 per month for the first year, $6,283 for the 2nd year, $6,472.10 for the 3rd year, $6,667.30 for the 4th year and $6,868.60 for the 5th year. Other fees include operating expense of $872.30 per month, tax payment of $512.40 per month, insurance payment of $170.80 per month. As of December 31, 2018, the following is a schedule of estimated future minimum lease payments on read properties due monthly.

Year	
2019	$ 73,200
2020	75,396
2021	77,664
2022	80,004
2023	82,428
	$ 388,692

Total rent expense for the years ended December 31, 2018 was $56,396.

NOTE 10 - NOTES PAYABLE

The Society entered into a $1,300,000 non-revolving line of credit in June of 2016. Draws on the line may be made through March 2017. Monthly payments are interest only at the libor daily floating rate plus 1.75% until March 2017. Beginning April 30, 2017 interest rate will be 3% and monthly payments will be made based on the outstanding balance as of March 31, 2017 with payments amortized over 10 years.

On April 30, 2017 the line of credit was transferred to a 10-year term loan for the amount of $1,290,934. Monthly payments are $12,317 including principle and interest. Interest is calculated at 3.00%. The loan matures on June 30, 2027.

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NOTE 10 - NOTES PAYABLE - (continued)

The debt maturity for the next five years ended December 31 is as follows:

Year		
2019	$	115,781
2020		119,269
2021		123,031
2022		126,826
2023		130,738
Thereafter		490,020
	$	1,105,665

NOTE 11 - CONCENTRATION OF CREDIT RISK

Financial instruments that potentially subject the Society to concentrations of credit risk consist of cash in banks; investments managed by brokerage firms and promise to give. The Society places its cash and investments with reputable financial institutions and limits the amount of credit exposure for cash to any one financial institution. Accounts held by banking institutions are insured by the Federal Deposit Insurance Corporation up to $250,000 and cash in investment accounts is insured by the brokers insurance. As of December 31, 2018 and 2017, the Society had uninsured cash of $1,016,497 and $676,731.

NOTE 12 - OTHER CONCENTRATION RISK

The Society has a vendor contract with the Charleston County for the humane disposition of animals in Charleston County. In 2018, CAS received 9,028 animals from animal control agencies and Charleston County citizens, which represents 100% of the animal intake for the organization. The Society received $1,654,778 from Charleston County under the contract which is 52% of the actual cost $2,998,739 of animal disposition. The concentration of animal intake from Charleston County related to one vendor contract is a risk to the organization. Actual cost of animal disposition for 2018 was $318 per animal of which Charleston County paid $155 per animal disposition. The Society must use reserves, donations and grants to fund the shortfall annually which creates a risk to the organization.

In 2017, the Society received 8,296 animals from animal control agencies and Charleston County citizens, which represents 100% of the animal intake for the organization. The Society received $1,425,000 from Charleston County under the contract which is 52% of the actual $2,727,939 cost of animal disposition. The concentration of animal intake from Charleston County related to one vendor contract is a risk to the organization. Actual cost of animal disposition for 2017 was $329 per animal of which Charleston County paid $150 per animal disposition. The Society must use reserves, donations and grants to fund the shortfall annually which creates a risk to the organization.

NOTE 13 - RETIREMENT PLAN

The Society sponsors a qualified retirement plan under IRS Code SIMPLE IRA. The Society will match the employees' contributions up to 3% of compensation. Employees may contribute immediately to the plan once employed by the Society. The Society's retirement expense for the years ended December 31, 2018 and 2017 were $31,455 and $25,372.

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NOTE 14 - RELATED PARTIES TRANSACTIONS

The Society received $220,514 and $233,730 in contributions and pledge payments from members of its Board of Directors for years ended December 31, 2018 and 2017, respectively. The outstanding balance of promises to give from the Board members at December 31, 2018 and 2017 was $86,993 and $63,818, respectively.

NOTE 15 - LEGAL PROCEEDINGS

During 2018, a complaint was filed against Charleston Animal Society and others alleging several issues including civil conspiracy, violation of civil rights, tortious interference with business relations and slander/libel/defamation. No monetary amounts for damages have been stated and are not determinable as of December 31, 2018. The plaintiff's objectives are for a judgment against the defendant(s) for both actual and punitive damages in the amount determined by a jury and for attorney's fees to be determined by the Court. Currently, there is a motion by defendant(s) to dismiss the claim, including all 4 causes of action. Charleston Animal Society considers this claim baseless and intends to contest it.

NOTE 16 - SUBSEQUENT EVENTS

Management has evaluated subsequent events through the financial report date, and has concluded no significant subsequent events meet the criteria of professional accounting standards to be recognized or disclosed in the financial statements.

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

COURT OF COMMON PLEAS
9TH JUDICIAL CIRCUIT

CASE NO. 2018-cp-10-04083

CHARLESTON CARRIAGE WORKS, LLC,

Plaintiff(s),

-vs-

CHARLESTON ANIMAL SOCIETY, ELLEN HARLEY, AND CHARLESTON CARRIAGE HORSE ADVOCATES, INC.,

Defendant(s).

THE VIDEOTAPED DEPOSITION OF ELIZABETH FORT, taken on behalf of the Plaintiff on the 3rd day of May, 2019, commencing at 10:06 a.m. at the Law Offices of Belk, Cobb, Infinger & Goldstein, P.A., 2344 Cosgrove Avenue, Charleston, South Carolina 29405.

REPORTED BY: Nicole D. White

LIVE OAK REPORTING

P.O. BOX 21119

Electronically signed by Nicole White (301-070-154-1752) d6bc1ad1-3e00-4bb4-a980-6d1e3688d733

Q. And the printer cutoff the bottom of it for some reason, because I don't know much about computers, but as you can see, it says, "Source, Elizabeth Fort".

A. That's unfortunate, yeah.

Q. Okay. Did you take that video from which that screen grab is taken?

A. I did. And I -- I did. And I was really concerned that my name was gonna be affiliated with it. I was worried about backlash.

Q. Okay. Now, how did it come to your attention that Big John was on his side?

A. My daughter and I had just left, I think buying some undergarments from Victoria's Secret and we were coming up Hazel. We live downtown and I was gonna take a right on meeting and I came upon Big John on the ground.

Q. Okay. And I was gonna play you the video from that, because there's a voice on the video that says, "This is why you should take walking tours."

A. Uh-huh.

Q. Is that your voice?

A. It is.

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Q. Okay. Now, at the time, did you think that Big John had collapsed?

A. At the time, yes. In my mind, when something or someone is on the ground, they have collapsed.

Q. Okay. Well, you know, I anticipated that we would reach this point in the deposition, so as a 17-year-old freshman at University of South Carolina, this is the first book I ever purchased. So let me slide it over to you. And I've marked -- that's Webster's Dictionary from a naive 17-year-old freshman at University of South Carolina. Can you read the definition of "collapse" into the Record?

A. Oh, no, that's collar. So sorry. "To fall, slide, more asleep, to breakdown completely, disintegrate. To fall or shrink together abruptly and completely. To cave or fall in or give way. To suddenly lose force, significance, effectiveness or worth." Do you want me to continue?

Q. Sure. Keep going.

A. Okay. "To breakdown in vital energy, stamina, or self control through exhaustion or disease. To fall helpless or unconscious. To

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fold down into more compact shape."

Q. Okay. So when you came upon Big John, you formed an opinion that he had collapsed based on your -- just your visual intake of the scene?

A. Big John was on the ground.

Q. Right.

A. In my mind, that was collapse. He was -- he had fallen down.

Q. Okay. Do you have any expertise with horses?

A. No.

Q. Okay. Is it your understanding that a horse can trip and fall, just like a human being, or do you think that's impossible because they have four legs?

A. Sure, I think a -- probably a horse could trip and fall.

Q. Okay. Now, the horses that pull the carriages, they pull the carriages by means of a harness, correct?

A. Correct.

Q. That's how they're connected to the carriages, by means of a harness, correct?

A. Correct.

Q. Okay. And so when you came upon Big

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John, you saw that he was in his harness; is that right?

A. Yes.

Q. Okay. And you've already told us you don't have any expertise with horses?

A. (Indicating).

Q. You're nodding yes.

A. Yes.

Q. But you got to say -- and I'm not picking on you, just they got to have an audio response.

A. That is correct.

Q. So as to the issue of Big John collapsing, would you defer to an expert in veterinary medicine or somebody who had a lot of experience with horses?

MS. CRAIG: Objection.

THE DEPONENT: Would I defer what?

BY MR. GOLDSTEIN:

Q. A judgment as to whether he collapsed or tripped?

A. At the moment when I took the video, the horse was on the ground and so I thought it had collapsed.

Electronically signed by Nicole White (301-070-154-1752) d6bc1ad1-3e00-4bb4-a980-6d1e3688d733

deliberately knowingly posting a false message designed to inflame hatred for something; you would agree with that?

MS. CRAIG: Objection.

THE DEPONENT: I would agree with that.

(Deposition Exhibit 6 was marked for identification.)

BY MR. GOLDSTEIN:

Q. Okay. Now the next one, Exhibit 6, is a screen grab from another News 5. Says, "Thankfully the carriage horse is okay after slipping in downtown Charleston." Now, you didn't write that, the news desk wrote that, correct?

A. Correct.

Q. Okay. And knowing everything that you know about this event now, would you say that that's a more accurate description of what happened, rather than the horse collapsed?

MS. CRAIG: Objection.

THE DEPONENT: Again, I don't take issue with the fact that I said collapsed, because I truly -- it had fallen down and it was collapsed.

Electronically signed by Nicole White (301-070-154-1752) d6bc1ad1-3e00-4bb4-a980-6d1e3688d733

BY MR. GOLDSTEIN:

Q. Okay. So the way that you use the verb collapse, if I slip and fall, you would say that I collapsed?

A. That's correct.

(Deposition Exhibit 7 was marked for identification.)

BY MR. GOLDSTEIN:

Q. Okay. Now, the next one, Exhibit 7, is another screen grab and that -- I think this is the chili cook off you were telling us about earlier?

A. I believe so, yes.

Q. Okay. Can you identify the two people in the -- there's three people in the photo there. I think one of them I'm pretty sure you know.

A. I see Catherine Pogue (ph).

Q. She's in the middle?

A. Yes.

Q. Okay. I thought that was a relation of yours on the right?

A. I don't see that, no.

Q. Okay. So you don't know who the other two people are?

Electronically signed by Nicole White (301-070-154-1752) d6bc1ad1-3e00-4bb4-a980-6d1e3688d733

EXHIBIT 13

Print | Close Window

Subject: RE: Post Courier on horses
From: "Munday, Dave" <dmunday@postandcourier.com>
Date: Wed, Apr 19, 2017 10:01 am
To: "bjc@mycharlestoncarriage.com" <bjc@mycharlestoncarriage.com>
Attach: image001.jpg
image002.gif

Broderick,
This has nothing to do with the Animal Society. We report their protests because they make noise, not because we're taking their side
Your horses are being spooked by loud machinery and marching bagpipes and you have no suggestions for improvement, especially with the increasing construction around town, including new hotels right by the stables? You don't think that's a topic worth considering?
I got an email from Tom Doyle about the assault you mentioned just last night and plan to check it out, especially if a police report was filed
Dave

From: bjc@mycharlestoncarriage.com [mailto:bjc@mycharlestoncarriage.com]
Sent: Wednesday, April 19, 2017 9:53 AM
To: Munday, Dave
Subject: RE: Post Courier on horses

Hello Dave. I don't have any comment on your upcoming anti-carriage article. It's clear to all of us in the carriage industry that the P&C has no interest in reporting on our real story, but instead chooses to align with the Charleston Animal Society (CAS), other animal rights groups, and the handful of people who want our businesses banned in Charleston. While it may sell more papers than the truth, your one-sided "scare-tactic and what-if" reporting is irresponsible and reckless. Over the last weekend one of Palmetto Carriage's employees was physically assaulted by someone who works for the CAS (although "not on their official payroll" as reported by them) who was "coming for the horses". (No story there, right??) What you're doing is disingenuous and becoming dangerous -and you are culpable...

Broderick J. Christoff
Charleston Carriage Works, LLC.
MyCharlestonCarriage.com
20 Anson Street
Charleston, SC 29401
843.779.1279

-------- Original Message --------
Subject: Post Courier on horses
From: "Munday, Dave" <dmunday@postandcourier.com>
Date: Tue, April 18, 2017 5:42 pm
To: "bjc@mycharlestoncarriage.com" <bjc@mycharlestoncarriage.com>

Hi, Broderick,
I'm looking at incidents where horses get spooked and take off running or jump back into parked vehicles, to see what can be done to minimize the incidents.
For instance, city staff say they try to route carriages around situations that might scare horses, but there was a communication breakdown that led to a parade with bagpipes scaring Chief from Palmetto Carriage Works in February, as Broderick Christoff noted in his report to city.
I'm including summaries of a dozen incidents of horses getting spooked since 2014 that might give some clues.
In context, there were about 120,000 tours over those three years, according to the city's count. That puts the chances of a seriously spooked horse at about one in 10,000.
But what's going to happen when more construction starts around the city? What's being done to minimize spooking incidents, and what more can be done?
Can you find some time Wednesday to give me your thoughts and suggestions on this?
A summary of the reports is below.

Dave Munday
The Post and Courier
843-937-5553 office
843-323-9065 cell

Feb. 19, 2017
Around 12:20 p.m. a Charleston Carriage Works driver who was stopped by a police blockade at King and Queen streets for a parade was thrown to the pavement on his head but not seriously hurt and two vehicles damaged when a horse named Chief was spooked by bagpipes from a parade and backed onto the hood of a minivan.
The 12 passengers in the carriage and occupants of the minivan were shaken up, but no injuries were reported. The carriage driver said the city never warned him there would be a parade with music so he could avoid the area. The city said the permit application didn't mention the parade would have music so they could tell the driver to avoid the area. The carriage company owner also blamed a police officer for not allowing him to get through to avoid the parade after the driver warned the officer what would happen if he didn't move the carriage out of the way. The police department didn't respond to a request for an explanation.

Dec. 9, 2016
Around 4:30 p.m. a Palmetto Carriage pulling four adults and 10 children lost the rubber off the right front tire in front of the Gaillard Center on George Street. The noise of metal on asphalt scared the mules, John and Snow, and they bolted down George Street toward East Bay. They went through the red light on East Bay and hit a postal van. No passengers or animals were hurt.

Oct. 29, 2016
Around 1:45 p.m., a Palmetto Carriage heading north on Meeting Street was stopped at Queen Street when a bicyclist tried to squeeze past and hit one of the mules. The mule started kicking and the team took off running. The mules, Toast and Jam, stopped and took off again several times before finally stopping in front of Tommy Condon's. "We avoided any and all pedestrians and vehicles in our path during this time," the driver noted in the report.

Aug. 4, 2016
A Charleston Carriage Works carriage backed into a car in front of Circular Church on Meeting Street and dented the hood. The driver said the horse stopped when a group of more than a dozen children standing on the sidewalk in front of the church started playing guitars and violins. The driver tried to urge the horse forward and the animal stepped back, hitting the hood of a car with the back of the carriage. The report didn't mention any passengers.

July 18, 2016
Around 10:30 a.m., a Palmetto Carriage driver turned left on Tradd Street and the rubber of the left front wheel came off. The noise spooked the mules, and they started running. The driver stopped the carriage, but the mules started backing up onto the sidewalk. The carriage tilted and passengers started jumping off. A woman in her 50s or 60s said she hurt her ankle jumping. "I believe control of the carriage could have been taken without anyone jumping off," the driver said in the report.

March 16, 2016
Around 11 a.m. a Palmetto Carriage was going north on Meeting toward Broad when the driver pulled over to let traffic pass. "Just after pulling back onto Meeting Street something agitated my animals," the driver wrote in the report. "They broke into a trot, and then at St. Michael's Alley they broke into a run." They stopped after about 50 yards when they ran into the back of a pickup at the light at Meeting and Broad streets. No injuries were reported, and the horses seemed calm after their run. The report didn't indicate what caused the horses to starting running.

Sept 3, 2015
A Carolina Polo and Carriage horse named Rembrandt was being walked back to the barn after his tack gear slipped. Around 10:30 a.m. the horse spooked – no reason given – and fell in front of the Doubletree Hotel, scraping his knees. A city employee who witnessed the event said he ran into the front door.

July 14, 2015
Around 11:10 a.m., an Old South horse named Luke was spooked "over a piece of machinery" at Queen and Legare and threw the tour guide to the ground. The carriage driver wasn't hurt but called for another carriage to finish the tour.

March 6, 2015
Around 2:45 p.m., an Old South horse named Bill II was spooked by a front-end loader that was coming toward the horse on Cumberland Street. The horse turned the carriage around and hit a VW Tiguan,

causing damage to the hood. Nobody was hurt.

Nov. 7, 2014
Around noon at Washington and Pritchard, two Carolina Polo employees were connecting a horse to a carriage when the horse took off running east on Pritchard Street “for unknown reasons,” according to the police report. The horse, only partially connected to the carriage, ran into a car parked in the lot at 32 Washington St., broke free of the carriage and continued running along East Bay Street until employees brought it under control. The horse also damaged the side of the S.C. Ports Authority building and two parking signs as it ran onto East Bay Street. Employees said somebody should have been standing in front of the horse while it was being hooked up. The total damage to the building, two signs and three cars was estimated at $3,000.

June 19, 2014
Around 5:53 p.m., a Charleston Carriage Works horse was pulling passengers from South Battery on Limehouse when the horse starting running and hit a house at 150 Tradd St. while trying to turn the corner, ripping the siding and tearing off a shutter. Nobody ever said what might have spooked the horse.

April 22, 2014
Around 5:10 p.m., passengers were being loaded in front of Charleston Carriage Co. on Anson Street when, “for some unknown reason, the horse began running at full speed,” according to the police report. The horse ran away with three passengers across North Market Street before the carriage ran into the side of a brick wall of the City Market building at 174 Church St. and overturned. A Market vendor and three carriage passengers suffered minor injuries and were treated and released by EMS. There was no indication what caused the horse to start running. The police department released video of the passengers clinging to their seats.

April 15, 2014
Shortly after 5 p.m., citizens told an officer a horse was out of control and heading east on Tradd and turned north on Church, according to a police report. The officer caught up with the Carolina Polo and Carriage horse and helped the driver regain control. The driver told officer the horse broke its bridle when a diesel pickup drove by and spooked it.

(Sources: Carriage company reports filed with the city’s tourism department and Charleston police reports)

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EXHIBIT 14

Print | Close Window

Subject: Carriage Tours
From: bjc@mycharlestoncarriage.com
Date: Mon, Aug 01, 2016 3:26 pm
To: alexissimmons@live5news.com
Attach: sigimg0
icon_sm_facebook.gif
2011 990 Sch B.pdf
Elmore HSUS Partner.jpg
Elmore partner with HSUS.jpg
HSUS 2016 Expo.jpg
HSUS Carriage Ban.jpg
CAS Nov 2013 - Post and Courier).pdf
Post and Courier April 9 2016.jpg
Blondie-early-July-2016.jpg
Elmore Address.jpg

Hello Alexis. Thanks for contacting me earlier regarding the most recent push by the Charleston Animal Society to achieve a ban on carriages in Charleston. Joe Elmore often speaks of transparency in reference to the carriage industry, and in that spirit I think if you ask him to provide you with the Schedule Bs (list of donors) from his organization for 2012-2015, you may find some really interesting information. Although not required, most non-profits with nothing to hide disclose their Schedule Bs with their 990s, and prior to Mr. Elmore's leadership, the CAS did, too (see 2011 attached pdf and notice the P&C is listed). You'll find that Ellen Harley, who has actively led the campaign against the industry here for years, has worked money in and now is a controlling member of the board. Just like many things today, I believe that if you investigate and follow the money much would be revealed.

Mr. Elmore and his supporters falsely claim that we exploit animals for profit. Meanwhile, he is the one with partnerships, ties to, and even previous senior employment with, well-known animal rights groups like ASPCA (link – par.3)(link) and HSUS (link) (images attached) that have been shown to do exactly that. These organizations were found guilty under Federal RICO statutes of paying a reported $190,000+ for witness testimony – during the same year Elmore came to the CAS (2012). The case involved Ringling Brother's Circus and captive elephants (link)(link). In spite of the illegal, unethical, and failed attempt at the ASPCA, Elmore is still fighting against the elephants according to a 4/9/2016 Post and Courier article (link)(image attached). In the most recent full-page P&C attack ad (link)(note: image attached of Blondie taken the same week the ad was written), the CAS claimed that 79% of people think that horses should not be used in Charleston. This was based on a News2 web poll that only a tiny percentage of people even voted in, and that enabled people from anywhere to vote multiple times. They have used this false poll many times (link – see p.13). Ironically, what does turn out to be 79% is Joe Elmore's salary increase, from a healthy $75,253 in 2012 (link – see p.9) to an incredible $135,158 (link – see p.9) in 2015! That is well over $15 for each and every animal that the CAS took in for 2015, including the 690 that were killed at his "no-kill" shelter, and in addition to whatever other perks he receives. Lastly, it is he who lives in a nearly million dollar house on the Kiawah River (2971 Maritime Forest Drive according to Charleston County records - which are attached).

Part of what is happening this summer is what happens every summer. I have seen it each and every one of the 21 years I have been involved in the industry. Every time various people/groups led by Ellen Harley recycle the same complaints and accuse both the industry of animal abuse and the City of Charleston of not following up with checking and enforcement. Every time she shows up armed with a stack of anti-carriage documents that PETA and HSUS and the others have provided, and every time there are years of records that show these imputations are unfounded and false. All of you in the local media know that this story runs, and will continue to run, every summer. However, this year is different. This year the CAS has revealed itself as the animal rights group it has become. All of the signs are there – attack ads, increasing salaries, increasing cost per dollar raised, etc.. The big national animal rights groups offer CEO salaries in the ½ million dollar+ range and THAT is what Mr. Elmore has his sights on; the carriage industry in Charleston is simply being used as a pawn in that endeavor. The CEOs of these national groups figured out long ago that there is way more profit in *pretending* to care about animals than in *actually* caring about them. Mr. Elmore once reported to City Officials that the entire board at the CAS voted to ban carriages in Charleston (I was present at the meeting). This later turned out to be untrue as several board members corrected the record when they found out. Mr. Elmore realizes that there is no real public support for an outright ban, so the new plan is to push for regulations that leave the industry inviable. However, the extensive current regulations, record-keeping, and the lack of real evidence have proven difficult for him to surmount, so he is now appealing to emotion with deliberately misleading ads and statements.

The majority of local animal welfare groups in other cities throughout the U.S. have good intentions and even L.E.A.R.N here in Charleston (link) is among them (you won't see the 6 figure salaries there I bet). Animal rights groups that masquerade as welfare/humane organizations are responsible for tremendous frauds and financial damage. Joe Elmore is lining his pockets at the emotional and financial expense of the citizens and businesses and other vets in Charleston - and it's all executed very carefully. When groups like the CAS become radicalized, it's important that people become aware of it. Radicalized groups that hide in and among larger organizations are arguably one of the most important issues facing our nation, if not the world, today. While they certainly don't equate on all levels, what they all have in common is that all of them raise money while hiding among otherwise good and larger institutions for protection. If no one realizes it in time, terrible things can and do happen when their agendas achieve financing.

Our barns are open to and toured by the public every day. There would be no way to hide the things we are accused of and our record speaks for itself. In fact, we could cut to the chase if you want to come down on one of these summer days. You can shadow me and I will show you first-hand and un-filtered what we do and how the animals are taken care of and looked after. You would know for certain then…

Channel 4 called and asked me for a statement right after I talked to you. Since you called me first, I didn't give them any details and told them I would send them a statement before the end of the week. I will send them this same email.

Have a great rest of the day and thanks for contacting me.

Broderick J. Christoff
Charleston Carriage Works, LLC.
MyCharlestonCarriage.com
20 Anson Street
Charleston, SC 29401
843.779.1279

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EXHIBIT 15

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Subject: RE: Charleston City Paper
From: Heath Ellison <heathison2@gmail.com>
Date: Tue, Oct 25, 2016 1:44 pm
To: Charleston Carriage Works <bjc@mycharlestoncarriage.com>
Attach: icon_sm_facebook.gif
sigimg0

I understand you're busy, now. I'll try back at 7

On Oct 25, 2016 1:32 PM, <bjc@mycharlestoncarriage.com> wrote:

> Hmmm... Your interest intrigues me considering your last article about us being unnecessary, "bush-league", a "gimmick" and unbelievably, even "super f***ed up" (you're SO edgy!). Why not just keep making it up?

Broderick J. Christoff
Charleston Carriage Works, LLC.
MyCharlestonCarriage.com
20 Anson Street
Charleston, SC 29401
843.779.1279

> -------- Original Message --------
> Subject: Charleston City Paper
> From: Heath Ellison <heathison2@gmail.com>
> Date: Tue, October 25, 2016 1:12 pm
> To: bjc@mycharlestoncarriage.com
>
> Hi, Broderick. This is Heath from the CCP. I'm doing a story on the new carriage routes and would be interested in hearing a little bit from you on how and why this plan happened. Thanks

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IN THE COURT OF COMMON PLEAS
FOR THE STATE OF SOUTH CAROLINA
CHARLESTON COUNTY

VIDEOTAPED DEPOSITION OF DAN RICCIO

CHARLESTON CARRIAGE WORKS, LLC,

Plaintiff,

vs. CASE NO. 2018-CP-10-04083

CHARLESTON ANIMAL SOCIETY;
ELLEN HARLEY and CHARLESTON
CARRIAGE HORSE ADVOCATES,

Defendants.

DEPONENT: DAN RICCIO

DATE: December 18, 2019

TIME: 10:05 A.M.

LOCATION: HALL, BOOTH, SMITH, P.C.
111 West Coleman Boulevard
Suite 301
Mount Pleasant, South Carolina

REPORTED BY: TRISHA RARICK

A I know there is a civil suit, but I have not looked into it.

Q All right. Did you have an awareness of the civil suit before today?

A Yes. I did.

Q All right. Have you ever reviewed the complaint?

A No. I have not.

Q Or any of the pleadings filed by any of the parties?

A No. I have not.

Q All right. A little bit of background about yourself. What is your current employment?

A I'm a director for the City of Charleston Department of Livability and Tourism.

Q How long have you held that position?

A That position, ten years now.

Q And you're an employee of the City; is that correct?

A Yes, I am.

Q I mean, it's not an appointed position, is it?

A No.

Q Or volunteer?

A No. Well, yeah. Volunteer.

they park, drop the tourists off in the same zones. So referring to the carriage industry, there is -- to me, there's more carriage activity, I think, than -- than the other activities.

Q You mentioned concern for the horses and being spooked.

A Yeah.

Q Is that sort of a -- a possible consequence of having horses in the City? It's recognized, is it not?

A I would have never thought.

Q That horses could be spooked?

A I mean, it wasn't on my radar when I took this job to be honest with you. I mean, I -- I learned quickly that it was -- it was an area of tourism that a lot of passionate people were concerned about. The health and welfare of the animals, and, therefore, you got to understand, being the City, you're not a very -- you're not considered of -- for one, we're neutral. People don't see that. People think we're one sided to the other and -- but we're not. And we're looked upon as no matter what we do, we're not doing our job. I mean, that's just the stigma out there.

And me being a police officer, former police officer, I strive on ensuring that any aspect that I'm over is given as much attention as possible to keep complaints down, to ensure the community that we're doing what we're supposed to be doing either by changing ordinance or recommending ordinances or whatever have you.

So we're -- being a public servant is a very unique position. So it's -- I take things personally, if you will. So I -- when there is issues that come my way, and a lot of them are the horses, it's -- I'm just saying. We get a lot of e-mails about the animals not being taken care of and things of that nature, and the blame is Dan Riccio. I mean, it's always me.

When -- so I take those things personal, and I ensure that we're doing everything we can do to let the public know that we're doing what we -- we can do.

Q Okay. I'm curious about before you finished that statement, at the very beginning, you didn't -- you indicated you didn't have any knowledge of horses before you took your job. Is that fair?

A I had knowledge of horses, but I didn't

realize that it would be so controversial.

Q All right. And I'm not asking you about what people's thought and opinions are about the horses. I'm asking you about just simple knowledge of horses and horse behavior because I was asking you a question about whether you knew horses might get spooked --

A Well --

Q -- as a result of noises and activity on the streets and you said you didn't know that.

A To me, that's common knowledge. Okay. Yes. I do know a little bit about horses. Actually, I'm allergic to them. I am.

Q Well, that's a good thing to know.

A I found out I was allergic after I took this job, and it's not a fun thing.

Q Right.

A So I can't get too close to them. I just know they're animals. Any animal. A dog or a cat or whatever is -- you know, there is -- yeah. I have some knowledge of them.

Q Right. But the City licenses the carriage companies, correct?

A Yes.

Q To operate on the streets, right?

IN THE COURT OF COMMON PLEAS
FOR THE STATE OF SOUTH CAROLINA
CHARLESTON COUNTY

VIDEOTAPED DEPOSITION OF DAN RICCIO

CHARLESTON CARRIAGE WORKS, LLC,

Plaintiff,

vs. CASE NO. 2018-CP-10-04083

CHARLESTON ANIMAL SOCIETY;
ELLEN HARLEY and CHARLESTON
CARRIAGE HORSE ADVOCATES,

Defendants.

DEPONENT: DAN RICCIO

DATE: March 11, 2020

TIME: 9:00 A.M.

LOCATION: HALL, BOOTH, SMITH, P.C.
111 West Coleman Boulevard
Suite 301
Mount Pleasant, South Carolina

REPORTED BY: TRISHA RARICK

minutes, the officers had a -- and I don't know this for sure, but we -- several methods we'll get called. A lot of times, the media will call us first, and we get notified -- my PIO has called me as soon as an incident has occurred, and you -- a lot of times, he calls in, what's going on with this incident? I say where? He goes, Channel 4 just called, boom, and we -- we find out on multiple -- multiple ways.

Q Okay. You said PIO. Your public information officer?

A Public information officer.

Q Okay. Do you have, as you sit here today, any recollection of how it was that you became aware of the Big John incident?

A I can't for sure other than being notified by another officer.

MR. THOMPSON: Hey, guys --

MR. GOLDSTEIN: Windy at Martha's Vineyard.

MR. THOMPSON: Okay. Hey, guys, whoever is calling in, you guys -- somebody is making a lot of noise across the -- the telephone. If you can mute your button or mute your telephone, but there's a lot of noise coming

was it first developed or instituted in your office?

A Shortly after the Blondie incident, I believe, in -- I take that back. Hold on. Blondie was in '15. We had just became a department. It was a recommendation of this. So it was somewhere after '15. Probably 2016.

Q Okay. Whose idea was it to have an equine manager?

A Mine.

Q Okay. And what was the thought process that you had at the time to have an equine manager? What do you want to accomplish?

A I wanted to ensure the public and animal lovers that the City would have a mechanism in place to monitor more frequently the habits of the horses and animals in the carriage industry.

Q And then, did you -- how did you decide on what the qualifications or the experience level would be of your equine manager?

A Well, I -- I didn't. I chose to -- just as a backdrop, Shannon was on staff. She was code enforcement, but she's raised horses, owns horses, and to this date, has them on her property. So she was one of the most experienced persons I knew. So I decided, based on -- I won't say complaints --

well, complaints and concerns from the community that the animals aren't being taken care of and treated inhumane, I felt it was probably important to have her certified in the areas so that she could identify any signs of cruelty or distress on the horses and things like that.

Q Okay.

MS. HERDINA: Can I interrupt for a second? Did someone just get on or off?

MR. THOMPSON: Yeah. Ellen, did you just jump on? Ellen? Hello? Ellen. I know she's running around, and she's on and off from what I understand.

MS. HERDINA: So for the record, right now, no one is on the phone; is that right?

MR. THOMPSON: I guess. Ellen, if you're on the phone, please respond. Okay. Apparently, she's not. And just for the record, I understand that she is running around, literally. I just talked to her, and she was at the post office. So I think she's in and out.

MS. HERDINA: Okay.

MR. THOMPSON: So -- and she's the only one that I'm aware of that has been

A No. Not that I know of.
Q Has it ever been threatened to the best of your knowledge?
A Best of my -- no. I have no knowledge of that.
Q Okay. Would you know if any of those things had happened?
A I would hope so.
Q Okay. All right. By law, are the carriages required to follow traffic laws when they're on the streets?
A Yes. Yes. They are.
Q So they're supposed to stop at stop signs?
A Yes. They are.
Q I'm going to show you some videos. This was taken December 9th -- 14th of 2019, at 2:08 p.m., at least that's what it indicates, and that carriage, which will show is a Charleston Carriage Works' carriage, clearly ran the stop sign; is that right?
MR. GOLDSTEIN: Object to the form of the question.
BY MS. PALMER:
Q Did it run the stop sign, Mr. Riccio?
MR. GOLDSTEIN: Object to the form of the

question.

A It appeared that he ran the stop sign.

(Defendants' Deposition Exhibit No. 14 was marked for identification.)

BY MS. PALMER:

Q Okay. All right. That file, which I will send to the court reporter is named 12.14.19 CCW1. So that would be Exhibit 15 -- 14. CCW2, 12:53 p.m. Same day. Does it appear to you that that carriage ran the stop sign?

(Defendants' Deposition Exhibit No. 15 was marked for identification.)

MR. GOLDSTEIN: Object to the form of the questions.

A Yes.

(Defendants' Deposition Exhibit No. 16 was marked for identification.)

BY MS. PALMER:

Q This is CCW3, 3:53 p.m. Does it appear to you that that horse ran the stop sign?

MR. GOLDSTEIN: Objection to the form of the question.

A Could you back -- redo that?

BY MS. PALMER:

Q Sure.

A I don't see the stop sign, but the lines are there.
Q Okay.
A I can --
Q Fair enough.
A I don't see the stop sign. So I can't say he ran the stop sign.
Q He ran past the solid white line?
A Solid white line, yes.
Q All right. This one is going to be CCW4. So I guess would be on 17. Exhibit 17?
MS. HERDINA: 16.
(Defendants' Deposition Exhibit No. 17 was marked for identification.)
BY MS. PALMER:
Q Exhibit 16. 12:55 p.m. Same day. Again, does it appear to you that that horse ran --
A Yes.
Q Okay.
MR. GOLDSTEIN: Object to the form of the question.
MS. PALMER: This is CCW5, marked as Exhibit --
MS. HERDINA: I think this is 17.
MS. PALMER: -- 17.

(Defendants' Deposition Exhibit No. 18 was marked for identification.)

BY MS. PALMER:

Q That one is -- went on through it -- the stop sign, didn't it?

MR. GOLDSTEIN: Object to the form of the question.

BY MS. PALMER:

Q And let's take that one back a second. Is it concerning that the driver is not even facing forward going through the intersection?

MR. GOLDSTEIN: Object to the form of the question.

BY MS. PALMER:

Q All right. And then, doing this just for the record. I know it's repetitive. CCW6 at 4:03 p.m. That one was cut off early. So fairly, you can't tell if that was stopped or not.

A Yeah.

Q But -- all right. So we have got five in a period of four hours running the stop sign. Is that concerning to you?

A I think it's concerning. They should stop at stop signs.

Q So is that five different violations of

the law in a period of four hours?
A They are disregarding the traffic control device, so yes.
Q All right. Is it dangerous for these carriages to run stop signs?
MR. GOLDSTEIN: Object to the form of the question.
A It's dangerous for anyone to run a stop sign.
BY MS. PALMER:
Q And it puts not just the horse at risk but, also, the passengers and people on the street?
A Yes.
Q Especially in the market area?
A Yes.
Q Tons of pedestrian traffic?
A Yes.
Q All right. I might come back to the Blondie report. Were the proposed ordinances or the agendas marked 2, 3 and 4 -- I'm assuming that's what you did. Were these marked 2, 3 and 4?
MR. THOMPSON: I didn't mark --
MS. HERDINA: Oh, no. I don't think so.
MR. THOMPSON: I didn't mark any of those.
MS. PALMER: Okay. I didn't know what 2

STATE OF SOUTH CAROLINA	IN THE COURT OF COMMON PLEAS FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	CASE NO.: 2018-CP-10-4083
CHARLESTON CARRIAGE WORKS, LLC, Plaintiff, versus CHARLESTON ANIMAL SOCIETY, ELLEN HARLEY and CHARLESTON CARRIAGE HORSE ADVOCATES, INC., Defendants.	(V I D E O) D E P O S I T I O N T R A N S C R I P T

STATE OF NORTH CAROLINA	IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION
COUNTY OF COLUMBUS	FILE NO.: 19 CvD 1218
CHARLESTON CARRIAGE WORKS, LLC, Plaintiff, versus CHARLESTON ANIMAL SOCIETY, ELLEN HARLEY and CHARLESTON CARRIAGE HORSE ADVOCATES, INC., Defendants.	

Testimony of **TARA NICOLE BYRD LITTLE, DVM,**

was taken before Kimberly L. Altman, a Notary Public,

in the Chadbourn Community Library, 301 North Wilson Street,

Chadbourn, North Carolina, on October 30, 2019, beginning at 1:05 p.m.

KIMBERLY L. ALTMAN
Court Reporting Services
7327 Coastal Avenue
Wilmington, North Carolina 28409
(910) 617-1703

A. But I'm not sure if -- I don't even know who the driver was, so, I'm not sure.

Q. What were you -- what I'm trying to figure out is --

A. Yeah, I know.

Q. -- what you were told when you got there and how, you know --

A. Okay. The best I can say is just refer to what I was -- what I wrote -- that he slipped while he was in the harness, pulling. That's what I was told.

Q. Okay. And do you recall who told you that?

A. No. There were a couple of people, that work at the barn, there that day. So, someone -- you know, whoever was standing around to help me with the horse.

Q. Were you there to try to diagnose the cause of the fall or there just to examine Big John?

A. Just to examine Big John.

Q. You were -- were you asked to opine on why he fell?

A. Give my opinion about why he fell down?

Q. Yes, ma'am.

A. No.

Q. Do you have any idea how long it was between when he fell and when you examined him?

A. I know it was earlier in the day, but I don't know what time, and I actually don't even know what time I arrived.

Q. Okay. So, did you see any video of him falling or pictures of him on the ground, or anything like that?

A. No.

Q. So, you can't really say, with any certainty, why he fell?

A. No. I did not find anything that would allude to that, based on my exam.

Q. Were you told anything about the mechanics of the fall? Like, how he fell or what he was doing immediately before or after? Anything like that?

A. No. I know that he was in the harness, I know that he was pulling a carriage, and that he slipped. That's what I know.

Q. All right.

A. Yeah.

Q. So, you don't know if his forelimbs went down first or his hind limbs down --

A. No.

Q. Okay.

A. I don't know.

Q. Do you know anything about his demeanor immediately preceding the fall?

A. No.

Q. Or while he was down on the pavement? Do you know anything about what his demeanor was or his movements were at that point?

A. No. I wasn't there for the incident.

Q. Okay.

A. So I examined the horse as he was when he was in the barn when I examined him.

Q. Have you ever done any research on equine collapse?

A. Can you be more specific about collapse?

Q. The causes of horses collapsing.

A. Collapsing, in the regard -- fall down?

Q. Yes, ma'am.

A. And reasons for falling?

Q. Yes, ma'am.

A. Specific research on why horses fall down, no.

Q. Okay. I just -- I was doing some research, and I saw that --

A. Yeah.

Q. -- there's a lot of research out there about diagnosing the cause of equine collapse. And there's -- are you familiar with the *Journal of Veterinary Internal Medicine*?

A. I'm aware of it. I know about it.

Q. Okay. I saw a definition from that journal that defines equine collapse as, quote, "An incident in which the horse fell suddenly and involuntarily, resulting in a loss of posture, with or without progression to recumbency and with or without loss of consciousness." Is that an accurate definition, in your mind, of equine collapse?

A. If that's what that journal believes, that's most likely correct.

Q. Okay. Do you -- is there anything about that definition that you find problematic or you would disagree with?

A. No.

Q. Okay. Do you agree with the statement that horses that have experienced an episodic collapse can appear normal at examination minutes afterwards?

A. I think the way they appear minutes later depends on the etiology of the fall.

Q. All right.

A. The reason for the fall.

Q. Is it accurate to say sometimes it's just not possible to determine why a horse has collapsed?

A. That would be accurate.

Q. There are a number of things that can cause a horse to collapse, correct?

A. I believe so, yes.

Q. What are some of the things that come to your mind when you hear equine collapse, as far as the -- the cause of it?

A. Well, a number of things. So an ataxia, workload, you know, exercise. There's -- exercise intolerance is not an uncommon thing in racehorses or in any performance horse. Those would be probably the first two, or at least in the top of the list. Any misstep will cause a horse to fall.

And I think the definition that you read me, that any -- just -- a trip or a fall could fall into that definition.

Q. And it doesn't appear from this, but did you do any blood work on Big John that day?

A. I did not.

Q. All right. Could inflammation cause a horse to collapse?

A. I think it would depend on where the inflammation was. I think it would depend on how much pain was associated with inflammation.

Q. All right. How is inflammation diagnosed?

A. Generally, blood work determines. Inflammation implies that the immune system has responded, and that can be secondary to injury, or it can be secondary to infection.

all the questions I have.

THE WITNESS: Okay.

MR. GOLDSTEIN: And, unfortunately, they may -- they're --

THE WITNESS: There are more questions.

MR. GOLDSTEIN: They're allowed to go around the table --

THE WITNESS: Okay.

MR. GOLDSTEIN: -- again, so hold on --

THE WITNESS: -- Okay.

MR. GOLDSTEIN: -- and see if there are any more questions.

THE WITNESS: Okay.

MR. GOLDSTEIN: Thank you.

REDIRECT EXAMINATION BY MS. PALMER:

Q. Dr. Little, we've talked about --

A. Yes.

Q. -- the word "collapse" --

A. Yes.

Q. -- and that it has many meanings. And I think before, you said that there -- you listed some medical reasons and then said also that the horse can just trip.

Is that your understanding, that Big John collapsed because he slipped or tripped?

A. Yes. I record -- well, I recorded that he

slipped, and that's what I understood.

Q. Okay.

A. Yeah.

Q. And that's a reason that will -- slipping will cause a horse to collapse?

A. Yes.

Q. Okay.

MS. PALMER: Those are all the questions I have.

RECROSS-EXAMINATION BY MR. THOMPSON:

Q. And, Doctor, if I recall correctly from direct, you agreed that the definition of collapse is partial or complete loss of posture that can occur either at rest and/or at exercise, correct?

A. If that's what was read to me before, yes.

Q. And tripping and falling fits that definition, correct?

A. It -- it does.

Q. A partial or complese -- complete loss of posture?

A. Correct.

Q. That's tripping and falling?

A. It can be.

Q. And that's the definition of collapse?

A. It can be, yes.

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	CASE NO.: 2018-CP-10-04083
	)	
Charleston Carriage Works, LLC,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
Charleston Animal Society, Ellen Harley and Charleston Carriage Horse Advocates, Inc.,	)	
	)	
Defendants.	)	

SUPPLEMENTAL AFFIDAVIT OF JOE ELMORE

PERSONALLY APPEARED before me, Joe Elmore, who being duly sworn does state as follows:

1. My name is Joe Elmore and, since 2012, I have served as the Chief Executive Officer of the Charleston Animal Society (CAS), becoming President and CEO in 2018.

2. I am over the age of 18 and have personal knowledge of and am competent to testify about the matters addressed in this Affidavit.

3. CAS utilizes numerous forms of communication to educate and inform the public about its mission, its advocacy efforts, animal cruelty and its prevention, opportunities for community involvement, services it provides, and current events, amongst other things.

4. CAS has approximately 250,000 "followers" on Facebook page. Many posts garner hundreds of "likes" and comments. Some posts, such as those concerning the carriage horse industry, often spark spirited debates by commentors. CAS's posts range from those related to its various advocacy efforts, to current news, to local events, to legislative initiatives, to requests for assistant and support, and more.

5. CAS publishes a quarterly magazine, Carolina Tails, that has a circulation of approximately 25,000–30,000 per issue. Carolina Tails is designed to inform and shape public perceptions of animal rescue and the many issues that face pets and other animals, including equines, in South Carolina. Carolina Tails is the largest pet circulated magazine in South Carolina and is distributed each quarter to supporters of Charleston Animal Society, public officials, every veterinarian in the state and it is offered for free at Harris Teeter Supermarkets in the metro Charleston area and in several other area businesses. A copy of the most recent edition is attached as Exhibit 1.

6. CAS regularly sends out e-blasts via email to approximately 60,000 users. These emails vary from current events to advocacy and legislative issues to calls to action to promotion of adoption events.

7. CAS maintains a blog on its website with all its latest news here: https://charlestonanimalsociety.org/1728-2/ . On average, articles are posted on a weekly basis. CAS also publishes several websites, including www.charlestonanimalsociety.org, www.nokillsouthcarolina.org, and www.carolinatails.org.

8. CAS broadcasts "CAS TV" within its main shelter with exposure to over 50,000 visitors each year (pre-pandemic). It also has a YouTube channel with over 1200 subscribers.

9. CAS is regularly asked to comment and give interviews concerning current events relating to animals. We frequently issue press releases and hold press conferences, including a number related to the carriage horse industry. I also have a regular column in the Charleston Mercury.

10. I have reviewed the Supplemental Affidavit of Broderick Christoff, dated June 23, 2020, and am compelled to point out some of the more egregious false statements:

a. On page 5, he states: "On August 18, 2015, the Charleston Animal Society's Board Minutes document the 'Special Report' given by Joe Elmore and Ellen Harley in which they recommend that Charleston Animal Society spend up to $95,000.00 to pull together and 'leverage' their social media presence to create hostility for carriage tours. They called their plan their so-called 'Phase 1' to drum up support to shut the carriages down." The minutes from that meeting are attached as Exhibit 2 and demonstrate the falsity of Mr. Christoff's sworn statement. Specifically, as the minutes reflect, during that meeting I recommended to the CAS Board that it "procure Forbes-Tate[1] to assist in initiating strategy development, polling with focus group(s) and plan to effectively eliminate the inhumane treatment of horses used in Charleston's carriage horse industry. He estimates that phase 1 of the project could cost between $82,000 and $95,000." There is no mention of social media, or of drumming up support to shut the carriage industry down, only of eliminating inhumane treatment. Perhaps Mr. Christoff believes that the carriage industry cannot operate if inhumane treatment is eliminated, but what he has sworn in his affidavit is false.

b. On page 7, Mr. Christoff swears: "Within hours of Big John lying down on Meeting Street, both the CCHA and the CAS pushed out an edited video of the event with the caption and editorial comments designed to create the impression that Big John died from heat exhaustion and overwork." This is false. First of all, the video shows Big John stand up with the help of others, it does not depict a dead horse. Second, the reason I directed that this video be created and published was to raise awareness

[1] Forbes-Tate is a government and public affairs advocacy firm.

and support for CAS's proposal that an independent, prospective, science-based, peer-reviewed study of the Charleston carriage industry be conducted.

c. On page 8, Mr. Christoff testifies that "CAS has nothing to do with equine rescue." This is absolutely false. CAS has participated in numerous equine rescues and rescues of other farm animals. In March 2020, CAS rescued three horses, Duchess, Bella, and Buddy, from Johns Island and were cared for on CAS's campus for a week before being transported to a foster home. In January 2015, CAS rescued 11 horses from a farm on Johns Island, which I believe is the largest equine rescue in Charleston County's history. In fact, in the Spring 2015 edition of Carolina Tails, we published an article which discussed this rescue titled: "State of Neglect: A Disturbing Look at How South Carolina Horses are Treated." (A copy of the article is attached as Exhibit 3).

d. On p. 11, Mr. Christoff testified that CAS "stepped up their campaign against us by spending taxpayer money to purchase Google ads to divert my customers to their web page. As a result, when a customer would search for me under 'Charleston Carriage Works,' instead of my web site coming up, the first result the customer would see was a paid ad from the CAS diverting them to the CAS' web site…" This is false. CAS has never purchased any Google ads to "divert" people from CCW's website to CAS's website. Instead, CAS ran a "Google ads" campaign in which it selected certain keywords that, when searched, might result in Google positioning CAS's ad at the top of the organic search results (depending on Google's algorithm which includes a number of factors). The keywords selected by CAS have never included "Charleston Carriage Works" and no attempt has been made, through

Google or otherwise, to interfere with CCW's web traffic (or business). Specifically, the keywords used by CAS consisted of:

horse drawn trolley
charleston horse and buggy tours
carriage rides in charleston
"horse drawn carriage tour"
charleston horse carriage tours
charleston horse and carriage tours
"charleston horse"
horse drawn carriage rides
charleston horse carriage
horse carriage charleston
charleston horse drawn carriage tour

e. Also on page 11 of his Supplemental Affidavit, Mr. Christoff avers that CAS used "taxpayer money to purchase Google ads". This is false. CAS received a grant from Google and has not spent any money on Google ads.

11. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment by contempt.

FURTHER AFFIANT SAYETH NOT.



Joe Elmore

EXHIBIT 1

CAROLINA TAILS

SPRING/SUMMER 2021

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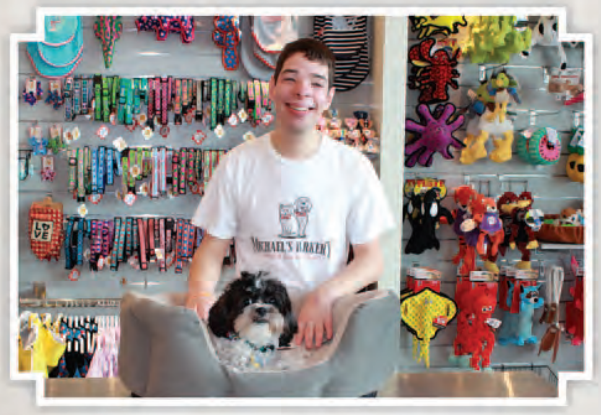
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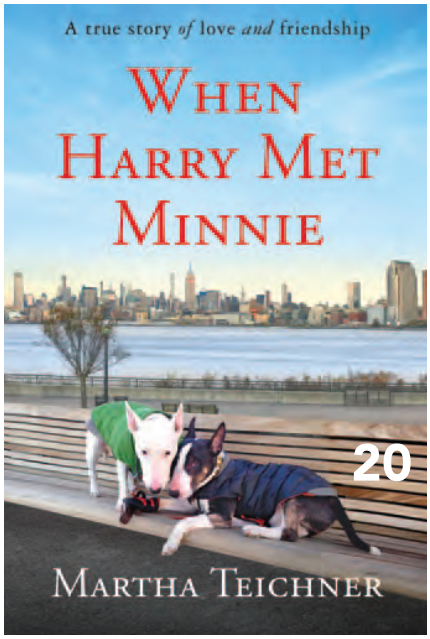


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Welcome



DEAR FRIENDS,

We are so excited about an unprecedented challenge for shelters across our state: No Kill South Carolina 2024. Since Charleston Animal Society launched the No Kill South Carolina initiative five years ago, our team has shared lifesaving strategies and encouraged teamwork among our state shelters with great success. The euthanasia rates for both dogs and cats have dropped dramatically – so much so that we are on target to become a No Kill state by 2024, but the sprint to the finish is always the hardest part of the race. None of this would be possible without the financial support of Petco Love (formerly Petco Foundation). And now Petco Love has doubled down on their belief in us – by issuing an incredible $1 million grant challenge. If we achieve No Kill South Carolina 2024 – Petco Love will give $1 million to animal organizations across the state, as a way to sustain the No Kill achievement. Learn more about these exciting times starting on pg. 10.

INSIDE THIS ISSUE

We are involved in several different legislative issues, but "Jayce's Law" is the top priority at this time. This law is designed to protect Pit Bull Type Dogs – the most at-risk dog across our state. Please be sure to read about this important proposal on pg. 12.

Building capacity in 2021 is a key focus of our team at Charleston Animal Society. In these pages you'll see how we are building our capacity to fight cruelty and improve our disaster preparedness and response efforts. You will also meet our new Charleston County Sheriff Kristin Graziano on pg. 14.

CBS This Morning Correspondent Martha Teichner (who also owns a home in Charleston) is now *a New York Times* Best Seller with *When Harry Met Minnie*. It's a wonderful book and she speaks to *Carolina Tails* on what motivated her to write about dogs for her first book (pg. 20).

If you're going to the beach like I am this summer, you don't want to miss our article on a South Carolina company that's developed a high-tech wrist band to keeps sharks away (pg. 16).

Our Pets for Life program is highlighted in a heartwarming article on pg. 30, that shows the amazing things that can happen when a community rallies around a dying homeless man and his dog "Happy."

FUN WAYS TO SAVE ANIMALS

All of us are hopeful that you and your family are healthy and we hope you are looking forward to a fun summer ahead. Speaking of fun, when it comes to helping animals, we have some really great ways you can save animal lives.

1. **Buy a Tesla Raffle Ticket!** That's right, Hank and I decide to purchase a 2021 Tesla Model Y for the Animal Society to raffle on behalf of the over 15,000 animals it will care for this year. What a great gift for Mother's Day or Father's Day! Or, for yourself! Tickets are going fast. The drawing is being held June 15th, so act now at *CharlestonAnimalSociety.org/CarRaffle*.
2. **Enter your pet in our Rescue Brew Contest!** Starting July 15th, you can enter your cat or dog to be the face of our 2021 rescue brew made by the incredible people at Palmetto Brewing Company. This year's contest is going to be even bigger than last year's so look for the launch at *CharlestonAnimalSociety.org/RescueBrew* in July!
3. **Adopt an animal during our Pick Me! SC Statewide Adoption Event!** June 18 – 27. We want to adopt 1,500 animals and we're thrilled that Petco Love is once again sponsoring this lifesaving event in the Palmetto State. Find details at *PickMeSC.org*

All of this is leading up to our Applause for Paws Gala on October 16 at the Charleston Gaillard Center. Tickets are available now and it will be a wonderful way for all of us to see each other again after the pandemic *(CharlestonAnimalSociety.org/Gala)*.

Thank you for everything you do for the animals.

Sincerely,
LAUREL GREER
BOARD OF DIRECTORS CHAIRWOMAN

Charleston Animal Society™ | No Kill South Carolina 2024

Pet Pointers

NEWS TIDBITS



The Vaccination Dream Team (L-R) Jodi Osborne and Christina Ellwood.





JACK HANNA SAYS GOODBYE TO PUBLIC LIFE

Jack Hanna, 74, is the former Columbus, OH Zookeeper who shot to international fame on late night talk shows and other television programs as a leading animal conservationist. Hanna was well-known in the Lowcountry because of his frequent visits to SEWE. In April, his family announced that Hanna has been diagnosed with Alzheimer's disease and he will not be able to participate in public life as he used to. His family wrote, "[Our Dad] spent his life connecting people and wildlife because he has always believed that having people see and experience animals is key to engaging them in more impactful conservation efforts. He's always said, 'You have to touch the heart to teach the mind.'"

VACCINATION DREAM TEAM

All of us know the headaches that came with finding, booking and getting a COVID-19 vaccination. But employees at Charleston Animal Society had their own dream team working on appointments, taking much of the stress away.

Normally in charge of the shelter's foster program, Christina Ellwood and Jodi Osborne were originally trying to get themselves appointments. Sitting next to each other, they were finding many appointments appear and then disappear if they didn't act fast enough. So, they decided to team up – "JoTina" as they're affectionately known, sprung into action.

"When we got going, I think we did 13 in a matter of 30 minutes," said Osborne. "We have been able to get everybody vaccinated, at least their appointments are made, and they're on the roll to get everything done."

Since they teamed up, the number of vaccination appointments booked has climbed past 30 and Charleston Animal Society is nearing a 100% vaccination rate of eligible employees. Human Resources Senior Director Angel Waterfield couldn't believe what she was seeing, "To have these two employees do this on their own was fantastic. We are so lucky to work in a place where employees care so much about each other."

Another employee, Santanna Williams, joined the Dream Team to drive yet another employee to her appointment that "JoTina" had booked.

The Vaccination Dream Team has advice for anyone still looking for a COVID-19 shot: be patient and persistent. "You have to be quick. Get ready to stay at your computer and hit 'refresh' multiple times on multiple websites," Ellwood said. "Something will pop up."

Before you start booking, have your driver's license, insurance card (even though it's not required, the shot is free) and personal information including name, address, date of birth, phone number and email address. Also, be willing to travel up to 45 minutes in some cases to get the shot.

The Dream Team says their co-workers have been extremely grateful. "Yeah, super grateful. Air fives, distance hugging, stuff like that, but everybody's been super happy and excited," said Ellwood.



RESEARCHERS SAY COVID-19 VACCINE ALSO PROTECTS PETS!

Since the coronavirus pandemic began, pet owners have wondered what impact the virus might have on their animals. Although new information has been generated in recent months, all studies that have been conducted still reinforce that dogs and cats become infected by the coronavirus through direct contact with infected people. Dr. Cynda Crawford, an immunology and infectious disease expert and director of the Maddie's Shelter Medicine Program at the University of Florida says vaccinated pet owners are much less likely to transmit infection to their pets, so vaccination not only protects them, but their pets, too.


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The Investigators



South Carolina's capacity to investigate animal cruelty has jumped 600% after a week-long certification training hosted by Charleston Animal Society at the Charleston County Sheriff's Office. Before the training, the state had only three certified animal cruelty investigators and now that number has climbed to more than 20, with seven of them being Charleston Animal Society employees.

These investigators will have their work cut out for them. In the past several months, Charleston Animal Society has seen more than 20 cases of suspected cruelty, including a kitten shot in the spine, dogs killed, stolen and beaten and other animals who may be victims of neglect. Last year, Charleston Animal Society provided support in 292 cases of cruelty.

South Carolina has no required training or certification for animal control officers and Charleston Animal Society is committed to raising the standard of care for animals throughout our state. The training was provided by Colorado State University and Code 3 Associates to animal professionals and animal control officers from around the country.

Local agencies including the Charleston County Sheriff's Office, City of Charleston Police Department, and Mt. Pleasant Police Department all sent personnel for training, along with Charleston Animal Society.

"With the completion of this training, animal control officers in our state will now have the most advanced training available to combat animal cruelty wherever it presents itself," said Charleston



Remember: call your local law enforcement if you suspect animal cruelty.

Animal Society's Vice-President of Operations and Strategy Aldwin Roman, CAWA. "The animals in our state will now have a new line of defense to protect them from harm."

Unlike crimes against humans, victims in animal abuse cases aren't able to speak. So, through training like this, certified animal cruelty investigators can piece together what happened, helping police and prosecutors pursue stronger cases in court.

The training included hands-on experience, including "body scoring." That's the procedure used to check an animal's body weight to determine if the animal is underweight and possibly being neglected. Code 3 Associates is one of the leading training organizations in the country for animal welfare, teaching over 800 students every year.

"These cases are rarely cut-and-dried since the animals can't speak to us," said Charleston Animal Society Community Outreach Manager Kristin Kifer, who is one of seven shelter employees to now have their certification. "To see so many people get credentialed is amazing and it shows how far we're coming in animal welfare in South Carolina to try and be better advocates."

These seven Charleston Animal Society employees received their cruelty investigation certification (L-R): Kristin Kifer, Barbara Bryant, Donya Satriale, Aldwin Roman, Abigail Appleton, Becca Boronat and Patrick Allen. Photo By Jeanne Taylor/jtpetpics.com.

This was the third in a series of national certification trainings brought to South Carolina by Charleston Animal Society.

1864

Plans Underway to Make South Carolina a No Kill State!

NKSC 2024

Petco Love is providing a $1-million Challenge Grant to make the goal happen.

By DAN KROSSE



At its 147th annual meeting on Sunday, March 14th, Charleston Animal Society announced the Palmetto State can be a No Kill State by 2024. The initiative is funded through a grant from Petco Love (formerly Petco Foundation).

The Society's statewide initiative "No Kill South Carolina" now has a timeline and becomes "No Kill South Carolina 2024" to culminate with Charleston Animal Society's 150th anniversary.

AN INITIATIVE THAT'S WORKING

Since No Kill South Carolina began six years ago, animal shelters across the state have saved more than 500,000 animal lives with 30,000 fewer animals euthanized, something unheard of in the South, a region historically plagued with high euthanasia rates.

"Our efforts with No Kill South Carolina over the past six years have made tremendous gains in the fight to save animals in every corner of the state," said Charleston Animal Society President and CEO Joe Elmore, CFRE, CAWA. "The trending shows that we can make this groundbreaking initiative a reality by 2024."

THE PETCO LOVE CHALLENGE

Petco Love has been funding the efforts of No Kill South Carolina since the beginning. Now, with the goal in sight, the foundation is making a $1-million Challenge. "If the organizations in South Carolina work together and achieve the goal of No Kill South Carolina by 2024 – Petco Love will invest $1 million in the lifesaving work of organizations across South Carolina," said Petco Love President Susanne Kogut. "These funds can be used to sustain No Kill South Carolina!"

Since 1999, The Petco Foundation has invested more than $290 million in lifesaving animal welfare work across the country. With more than 4,000 animal welfare partners, the Petco Foundation inspires and empowers communities to make a difference in the lives of animals. Through adoption efforts in more than 1,500 Petco stores nationwide, the Petco Foundation brought more than 6.5 million pets together with loving families. And the Petco Foundation is just getting started.



UNDERSTANDING WHAT "NO KILL" MEANS

"No Kill" is a term used in animal welfare that refers to the goal of saving "all healthy and treatable dogs and cats, typically about 90%. No Kill communities do not euthanize animals for space and they use data-driven and research-based strategies to bring euthanasia rates down and improve the quality of care for animals.

The concept of No Kill was introduced as early as the 1970s but gained major attention on the West Coast entering the 1990s with an article entitled *In the Name of Mercy* penned by Ed Duvin and was later effectively put in action by Richard Avanzino in San Francisco.

"No Kill was introduced in the collective sense, as in building a No Kill nation; however, some animal shelters co-opted the term and proclaimed themselves No Kill shelters for fundraising advantages, making the concept shelter-centric instead of community-centric, which has led to much division in the animal welfare community," Elmore said. "Unnecessary euthanasia, like homelessness, illiteracy, hunger and other social issues are community issues requiring everyone to work together to overcome them."

THE DATA

When No Kill South Carolina was started, 19% of dogs and 47% of cats were euthanized in shelters across the state. Six years later, through effective collaborations, innovative adoption strategies and other leading practices among shelters around the state, the euthanasia rate of dogs has dropped more than half to 8% and the euthanasia rate for cats is down to 18%.

"The progress is amazing, but we still have substantial work to do, especially in saving more felines from euthanasia," said No Kill South Carolina Program Director Abigail Appleton, PMP, CAWA. "None of this would be possible without the amazing input and efforts from shelters across South Carolina."

HOW YOU CAN GET INVOLVED

The No Kill South Carolina 2024 challenge is a great way for everyone to get involved in this statewide effort. "Go to your local shelter and let them know you'd like to help. You can adopt, volunteer or donate and help us all reach this tremendous achievement," Appleton said.

Also, this June, you can participate in the Pick Me! SC statewide adoption event. Also sponsored by Petco Love, this massive adoption push is organized by No Kill South Carolina 2024 and last year helped adopt more than 1,600 animals during their campaign. Learn more *PickMeSC.org*.

SAVE THE DATE FOR TOWN HALL

Charleston Animal Society will be hosting its first ever statewide Town Hall on Tuesday, June 8th. The focus of the program is how South Carolina can become a No Kill State by 2024. Go to *CharlestonAnimalSociety.org/TownHall for details.*

Saving South Carolina's Pit Bull Type Dogs

JAYCE'S LAW

By JOE ELMORE, CHARLESTON ANIMAL SOCIETY PRESIDENT AND CEO

Perhaps, the most pressing issue facing animal shelters across South Carolina is the overwhelming number of Pit Bull Type Dogs (PBTDs) entering government and government-contracted facilities. Their disproportionately large numbers, due to a lack of accessible and affordable spay/neuter, create circumstances that place this majestic dog, through no fault of its own, in situations where it is harmed or causes harm to others.

Note: Pit Bull is not recognized by the American Kennel Club (AKC) as a specific breed of dog. Rather it is a cadre of breeds, most often associated with American Staffordshire Terriers, American Bullies, Staffordshire Bull Terriers, American Bulldog, along with any mixed breed dog that shares certain physical characteristics with these terrier-type breeds.

THE PROBLEM:

1. PBTDs are the most prevalent dogs entering South Carolina shelters, costing taxpayers and donors millions of dollars every year through both animal sheltering and animal control efforts: In 2018, nine participating animal shelters indicated that upward of 20,000 dogs entered their shelters that year. Almost 6,000, or 30%, were PBTDs.

2. PBTDs are disproportionately euthanized due to the overwhelming numbers of them entering shelters: In the survey above, seven participating animal shelters, providing both intake and euthanasia data, indicated that nearly half of the dogs euthanized were PBTDs.

3. PBTDs are the exclusive dog of choice for dogfighting: According to the ASPCA and other leading animal organizations, the most commonly used dog for dogfighting in the United States is a PBTD.

4. PBTDs cause far more severe injuries to South Carolinians than any other dog: According to the South Carolina Department of Health and Environment Control, in 2019, 34% (2,533) of the 7,455 identified breed(s) of dog committing bites were from PBTDs. The next closest breed was Labrador/Labrador mixes at 11% (833 bites). This is also in line with the American Animal Hospital Association's recent study finding that "pit bulls were responsible for the highest percentage of reported bites across all the studies (22.5%)…" *Note: Spayed or neutered dogs are less likely to demonstrate aggression than unaltered dogs.*

Representative Chip Huggins (Columbia) has introduced legislation (H.4094) to incentivize spay/neuter of PBTDs by way of requiring annual registration of $25 for fertile/unaltered PBTDs. Owners of PBTDs who have been spayed/neutered are not required to register or do anything. The intent of the legislation, spearheaded by the South Carolina Animal Legislative Coalition (SCALC), is to address the four problems above by:



This dog was rescued from a suspected dog fighting ring in the Upstate. (Courtesy: Laurens County Sheriff's Department)

- Incentivizing spay/neuter
- Relieving significant burdens on animal shelters,
- Reduce the number of dogs available for dogfighting
- Mitigate the amount of harm caused to humans by fertile/unaltered dogs and
- Bring awareness to legislators and the public about the plight of PBTDs in South Carolina.

The impact clearly desired by this legislation is to save PBTDs!

What this bill is NOT:

1. It is NOT a ban on PBTDs. (SCALC is opposed to breed bans.)
2. It is NOT mandatory spay/neuter.
3. It is NOT a financial hardship on PBTD owners.
4. It is NOT a disproportionate burden on any specific demographic group.

What this bill does:

1. Requires PBTD owners to register their dogs with local animal care and control (or its designees) annually at a cost of $25 (the equivalent to a cheap bag of dog food).
2. Provisions are made for the PBTD owner to opt for spaying/neutering instead of registering the dog. Should the owner be unable to afford spaying/neutering of his/her dog(s), financial assistance is available. (Nearly every citizen of South Carolina is within 45 miles of a discounted/low-cost spay/neuter



Pit Bull Type Dogs are as friendly and playful as any other breed. Photo: Jeanne Taylor / jtpetpics.com)



"Jayce's Law" is named for 6-year-old Jayce Hatfield who was mauled to death by an unaltered Pit Bull in Hampton County in January. (Provided)

clinic. In addition, most veterinary clinics offer payment plans.) Keep in mind, PBTDs may have two litters of up to 10 puppies per litter each year. PBTD puppies can be sold at fees of approximately $200 in South Carolina. Should an optimal breeding scenario occur, breeding PBTDs may bring in $4,000 each year to a breeder. Conservatively, should only half of the breeding scenario occur (10 puppies vs. 20 puppies annually), $2,000 stands to be made. Arguably, the annual registration fee for a fertile/unaltered PBTD should be much higher; however, that is not politically realistic.

SCALC has also requested a financial allocation from the State Legislature for spay/neuter. Regardless, several nonprofits have committed support to making affordable and accessible spay/neuter available to PBTD owners.

Nearly all dog owners should be encouraged to spay or neuter their dog(s) and all PBTDs should be spayed or neutered; however, the simple truth is that not all dog breeds are overpopulated (this would be an irresponsible waste of dollars that could otherwise be directed to the most critical issues facing animal shelters) and to mandate spay or neuter for PBTDs is politically unrealistic.

The bill, originally introduced in the 2019-2020 legislative session with much higher registration fees and penalties, was supported by 94% of SC animal shelters participating in a poll conducted by Charleston Animal Society's No Kill South Carolina initiative. As with most bills introduced in the legislature, amendments are expected to be made to address any issues that might hamper the implementation of the legislation.

Breed-Specific-Legislation, Breed-Specific-Practices and Breed-Specific-Policies

Bill H.4094 should NOT be confused with what is commonly referred to as breed-specific-legislation (BSL), which primarily refers to (1) breed bans, (2) elevated permit-type fees and procedures and (3) mandatory spay/neuter of specific breeds. Unfortunately, advocates both for and against breed-specific-legislation nearly always stereotype the legislation and rely on philosophical/idealistic views rather than research-based and/or data-driven arguments.

Breed-specific-legislation may have both positive and negative outcomes for animals. For example, in addition to H.4094, legislation requiring the spay/neuter license plate funding to prioritize the animals most at-risk (PBTDs) would benefit animals far greater than using the dollars to spay or neuter Pomeranians, Golden Retrievers, Cocker Spaniels, and many other breeds that are not overpopulated and rarely enter animal shelters.

Similarly, breed-specific-practices, mostly implemented by animal organizations, are helpful when grant-makers focus spay/neuter funding on breeds that are most at-risk due to being overpopulated, but harmful when many animal shelters will not accept PBTDs, even in evacuation efforts during hurricanes and other emergencies. While sometimes veiled by size/weight requirements or local market needs, many animal organizations refuse to take in PBTDs, but are all too eager to take in premium dogs (puppies and breeds in high demand) and transport them across country. This does not help the plight of animals anywhere.

Breed-specific-policies are mostly established by the insurance industry, with far-reaching effects. Many frontline businesses and other entities must conform to the insurance carriers' requirements for policy coverage. Perhaps this is most notable in housing, where apartment complexes refuse certain breeds or homeowners are unable to gain coverage based on the breed of their dog(s). Even a number, if not most, military installations engage in banning PBTDs and other specific breeds of dogs from residing on or visiting the installations.

On a bright note, some of the largest insurance carriers, such as State Farm and Allstate, have moved away from breed-specific-policies and toward offering coverage based on the demonstrated behavior of the dog. Significantly discounting policy costs for spayed or neutered dogs is encouraged!

The plight of PBTDs is mostly supply and demand. H.4094 specifically, but softly, addresses the overpopulation of PBTDs with encouraging and, to a small degree, incentivizing spay or neuter.

H.4094 is referred to as "Jayce's Law," in memory of a 6-year-old boy mauled to death by a fertile/unaltered PBTD in Hampton County this year. Jayce's mother is an advocate for H.4094.

ONE ON ONE

New Sheriff in Town



Sheriff Kristin Graziano's dog Isabella comes to work every day at the Charleston County Sheriff's office. (Photo: Dan Krosse)

CHARLESTON COUNTY'S NEW SHERIFF, Kristin Graziano, brings her dog Isabella to work with her every day. In office since January, Graziano is Charleston County's first new sheriff in 32 years, having defeated Al Cannon in the November election. Graziano recently sat down one-on-one with *Carolina Tails* to talk about the sheriff's role in protecting animals.

Carolina Tails: Tell us about your pets.
Sheriff Kristin Graziano: This is Isabella. She's 12 years old and the only girl I ever had. She is a Shih Tzu. There is a great story on how we got her, but that's for my wife to tell, because how we got her was really endearing. The best thing about her is when you come home or you walk in the door -- when she sees me, she picks up a toy. She comes to me and her whole body's wagging and it's just joy, just pure joy. You know animals do that to people. My son is a sophomore in college and he recently got a cat. This weekend I went not to visit my son, but to visit my "grand cat."

Carolina Tails: Our community has seen an unprecedented amount of animal cruelty in the last three months. We all want to end animal cruelty, but what do you see as the role of the sheriff in making that happen?
Sheriff Kristin Graziano: Animals are our responsibility. When it comes to abuse and neglect of an animal, it's the same thing as with a child abuse case. Animal abuse could be an indicator that something else is going on in the house. Our Animal Control Officers are Sheriff's Deputies and they have the ability to investigate, arrest, charge and bring to punishment any person responsible for the abuse of an animal. They understand the system. We have four full-time animal control officers and a supervisor, and sometimes it's not enough.

Carolina Tails: Recently a dog and her four puppies were allegedly stolen from a Johns Island Family. Can you give us an update on that case? Have there been any arrests?
Sheriff Kristin Graziano: That's an ongoing investigation. I do know that it's still active, so I don't want to comment on that, but that is an ongoing investigation.

Carolina Tails: Let's talk about a long history of teamwork between the Sheriff's office and Charleston Animal Society. How do you see this long-term partnership moving forward, such as helping to provide training for Animal Control Officers?
Sheriff Kristin Graziano: Yes, we just did a training. I think we're going in the right direction and our partnership will only strengthen.

Carolina Tails: Is there a case in your years in law enforcement that involved an animal that sticks out in your mind?
Sheriff Kristin Graziano: So many. I have picked up animals in my job and brought them home and they'd become my pets. The ones that really stick out are the ones where somebody abandons an animal, gets evicted, leaves the animal behind, and then we find a home for it. The one that stands out recently though, was kind of odd. It went viral on our website. I don't know if you saw it. We have a couple of trees back here on the property and it is spring, so baby birds are being born and the baby fell out of the tree into the parking lot. One of our crime scene people saw it and she ran back there and she rescued it and they got somebody with a ladder and they were able to get back up in the tree and put the baby back in the nest and they saved it.

Carolina Tails: You are now a few months into your job as Charleston County Sheriff. What has surprised you the most about the job?
Sheriff Kristin Graziano: I think what surprised me most is the cooperation that I'm getting. A lot of people thought that it was going to be this evil takeover, and this was going to be this contentious battle, and it hasn't been that at all. I knew most of the people in this building and in the community. I think what has surprised me the most is how pleasant it has been for me to come in and to be able to listen to folks and for them to listen to me and have these mutual conversations. I'm not an outsider, so that helps I don't know how to explain it, it's starting to come alive again. It's pleasant to walk up and down the halls and hear laughter, which we haven't heard in a while. And I think that's been the most surprising thing to me. That's what I expect. It's been incredibly rewarding so far. There's not enough hours in the day, for sure.

On a Mission in Laurens County

By BECCA BORONAT



Laurens County Animal Control Officer, Sgt. Geoff Brown with Westly. Brown was instrumental in helping the Laurens County Sheriff's office win the first ever Lifesaving Award from No Kill South Carolina 2024.

NO KILL SOUTH CAROLINA HAS named Laurens County Sheriff's Office the recipient of their first-ever Lifesaving Award. In fact, the award was created specifically to acknowledge the extraordinary work of Laurens County's entire animal law enforcement team.

Since 2019, the Laurens County Sheriff's Office has saved more than 1,150 animals from inhumane conditions. All of it done in their fight to end cruelty.

Sgt. Geoff Brown with the department is also the winner of the Stop Puppy Mills Hero Award, given by the Humane Society of the United States (HSUS). He was the lead investigator on a puppy mill case that resulted in the seizure of over 270 animals in February 2020. You'll recall many of those dogs were taken in by Charleston Animal Society and are living happy lives around our community.

"Sgt. Brown is setting an example across our state of how Animal Control and the Judicial System can work together to do what is truly best for the victims of animal cruelty," said Dr. Kim Sanders with Anderson County PAWS. "He works closely with the courts and shelters to increase awareness of state laws that allow these animals to be placed into homes rather than sitting in shelters."

Brown says he's been able to combine his background in law enforcement, several years of animal welfare and behavior experience, plus a deep passion for animals, to find ways to successfully enforce laws and prosecute cases.

One key change was Laurens County changing their Animal Control Officers (ACO) from "code enforcement" to "law enforcement."

"The biggest support I got was from Sheriff Don Reynolds. When I came, there wasn't a relationship between ACOs and the Sheriff's Office, but we immediately formed a working relationship," Brown said. "His decision to make us deputies was extremely valuable because it gave us the support to prosecute cases and to make sure the animals are moved to safe places."

Brown also complimented the support of Major Chris Martin and the Laurens County Council.

TEAMWORK MAKES THE DREAM WORK

Teamwork around the state is another factor in Laurens County's success according to Brown. He says the support of No Kill South Carolina 2024, Anderson County PAWS, Friends of the Union County Animal Control & Shelter, HSUS, and other local rescues have made everything possible.

"We are a very small county with a 48-run animal shelter. Without collaborations we wouldn't be able to take all these animals. This is a team effort and includes all the staff that works with us and all the partnerships outside our agency as well," Brown said.

Building relationships and not being pushed aside is important in the fight against cruelty, according to Brown. He encourages other counties to invite their prosecutors to meetings to show them the cruelty plan and convince them that you are willing to put in the effort to build successful cases.

WHAT YOU CAN DO TO FIGHT CRUELTY

As for the community, "If you see something, say something, that is the biggest thing," Brown said. "ACOs can't be everywhere at all times, so we need the community to let us know if they're concerned about an animal."

Brown also has advice for those considering buying an animal from a breeder. Always go in person and if you are not allowed to see where the puppy is living, or if you get a sick one, those are both red flags and you should report the situation to law enforcement. Reputable breeders will let you see the conditions in which their animals are being raised.



OCEAN SAFETY

Keeping the Sharks Away

By DAN KROSSE

When Nathan Garrison was in high school, his buddy got bit by a shark while surfing off the Folly Beach Pier. He couldn't shake the memory of the attack and his friend's recovery – and all that led to "Sharkbanz."

Nathan convinced his father David Garrison to go into business—to find a way to keep the sharks away from swimmers, surfers and divers. "I wanted to develop something that was simple, affordable and stylish that would reduce the risk for people enjoying the ocean," Nathan said.

Several years and an undisclosed amount of money and research later – David and Nathan sold their first Sharkbanz in 2015. Looking sleek and high tech, the Sharkbanz comes beautifully packaged like an Apple watch. The Sharkbanz is worn like a watch on the wrist or ankle – there's no face and it is completely silent. So how can this stop a 2,500-pound shark in its tracks? Look no further than magnetic technology.

THE SCIENCE

David's eyes light up as he goes into the science behind Sharkbanz. He and Nathan discovered a body of research done on magnetic technology as a deterrent for sharks and they bought the patent. "Sharks have these very sensitive electroreceptors, the most sensitive in the animal kingdom and when they encounter the magnets that are in our Sharkbanz, it becomes overwhelming to the sharks."

Imagine a bright light suddenly being shined in your eyes or watching how a dog reacts to a high-pitched whistle. For the shark, their electroreceptors are flooded by the Sharkbanz magnetic output. "It's very uncomfortable. And so, they get close to it, they turn away and usually don't come back," David says.

Sharkbanz creators say sharks will stop within two to 10 feet of a person wearing a Sharkbanz. A study conducted by the School of Coastal Environment, Department of Marine Science, at Coastal Carolina University in Conway, SC backs that up.

The 2017 study took place in the Bahamas with some Sharkbanz, several dummies all named "Bernie" and some chum to attract bull sharks (the complete study is available on the Sharkbanz website along with videos of the research). Basically, "Bernie" is set to float with chum packed in his socks, or entire fish strapped to his feet, as Bull Sharks swarm.

When Bernie's not wearing a Sharkbanz, it's bye-bye Bernie. But when he is wearing the Sharkbanz? According to researchers Dr. Patrick Rice and Dr. Eric Stroud: "The data clearly demonstrated overwhelming evidence that the magnetic technology applied in the Sharkbanz products created an effective deterrent to bull sharks even when enticed to feed."

In fact, according to the study, in the three days Bernie floated with the Sharkbanz (in four to five hour sessions), he was approached 1,295 times by sharks and never bitten. But in just

18 minutes without the Sharkbanz, Bernie was attacked almost every 60 seconds.

The researchers do point out that more research is needed and the Sharkbanz website notes "Sharkbanz are designed to prevent the most common type of 'hit-and-run' shark bites, oftentimes the result of an investigative shark in shallow, murky water, but our technology has its limits. The ocean can be a scary place, and we will never be able to fully control nature nor its creatures."

SAFE FOR OTHER FISH?

While sharks like to think of themselves as the King of the Ocean, there are other fish and mammals swimming beneath. Can the magnetic signals from a Sharkbanz hurt other marine animals?

David says Sharkbanz doesn't hurt any sea life including the shark, it just makes sharks uncomfortable. Other fish aren't impacted because only sharks and stingrays have ampullae of Lorenzini, those electroreceptors that are so sensitive to electromagnetic forces.

"We love sharks because sharks play a very important part of the ecosystem," David said. "We think by having a product like this, that people will become less acrimonious toward sharks." Nathan adds that people will also fear the ocean less.

The creators say Sharkbanz are easy to travel with and are safe for humans (even kids), although people with pacemakers should check with their doctors before using.

SHARKBANZ FOR FISHING

Sharkbanz has become so successful, that the company launched a new product called "The Zeppelin" for fishermen.

Any angler can tell you; fishermen lose a lot of fish to sharks. Using the same technology as Sharkbanz, the Zeppelin hangs off a leader into the water or replaces the fisherman's sinker and is designed to keep sharks from taking your catch.

According to David, "Sharks have gotten to where they hear a boat engine coming and they show up, you know, to kind of go, 'okay, here's dinner!'" In fact, on a typical outing, fishermen can lose more than half a dozen fish that they catch to sharks, before they can reel them in.

Nathan believes the Zeppelin technology will benefit fishermen and fisheries alike, "With fishermen losing less fish to sharks, that helps maintain abundant fisheries and puts more money in fishermen's pockets."

Sharkbanz are available at more than 300 retailers around the U.S., on Amazon and at Sharkbanz.com.









SHARKBANZ FOR DOGS?

David says his company is asked all the time to develop a product for dogs and he promises *Carolina Tails* will be the first to hear if a Sharkbanz dog collar is launched. However, he says many dog owners have told the company they are strapping a regular Sharkbanz wristband to a collar or creating a collar out of one or two Sharkbanz linked together. This allows owners to watch their dogs enjoy the ocean with a little more peace of mind..


Petco Love Lost's pet facial recognition technology can mean all the difference for the 10 million pets lost in the US this year.
Petco Love Lost is on a mission to keep pets where they belong... at home, with you.
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REUNITING PETS


PickMe!sc
South Carolina's Largest Statewide Adoption Event
June 18 - 27
Help us save 1,500 lives!
No Kill South Carolina 2024
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petco love


Celebration of Life
Zeke was nearly 19 and had already defied the odds living this long. In his 19 years, he hiked mountains and creekside trails, wet his paws in waterfalls and ocean waves. He went camping and swam in lakes and chased squirrels. He lived and loved his life! You are forever in our hearts Zeke...there is a hole that will never be filled. Rest easy old boy, the walk was too short. We love you so!
Love, Allyson & Keith
Retriever

DISASTER RESPONSE

Why You're the Solution to a Strong Disaster Response

By ALDWIN ROMAN, CAWA

CHARLESTON ANIMAL SOCIETY HAS led animal disaster response efforts in South Carolina for the past six years. Not limiting itself to South Carolina, Charleston Animal Society has assisted states from the East Coast to the Gulf Coast and Caribbean Islands such as Puerto Rico, the U.S. Virgin Islands and the Bahamas. The work that has been accomplished is a model for other communities that face disasters. But there is still much work to be done.

South Carolina has experienced federally-declared disasters each of the last six years, but no hurricanes on the scale of a direct hit, such as Hurricane Hugo in 1989.

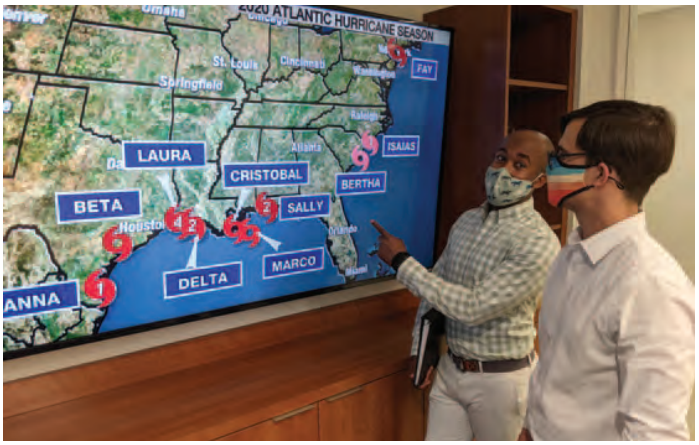
32 years later – many believe our coastal communities are not any better prepared than they were before Hugo. Population and industry have boomed in the urban centers while flooding problems have gotten worse. The potential for a major storm impact should urge us all to be prepared.

Would Charleston and other communities be ready for a coastal evacuation? Do our communities have plans that accommodate not just people but also their pets? It's important to mention that with all disaster response preparedness, it starts with you. We cannot help our community, if we as individuals are not prepared. Make sure you have a plan for yourself, your loved ones, and your animals.

DISASTER PLANNING FOR YOUR PETS

A top reason people won't evacuate is they don't want to leave their pets behind. Hurricane Katrina in 2005, fundamentally changed the way federal disaster response is managed when it comes to families and their pets. Following the storm that pummeled New Orleans and Mississippi, the Pets Evacuation and Transportation Standards Act (PETS) was passed.

This bi-partisan supported legislation required states seeking Federal Emergency Management Agency (FEMA) assistance to accommodate pets and service animals in their plans for evacuating residents facing disasters. Planning the evacuation of hundreds of thousands of people is one thing, including their pets makes the task much more difficult.



Emergency Preparedness and Response Manager Bryant Taylor (l) looking over the 2020 hurricane landfalls with Vice President of Operations and Strategy Aldwin Roman at Charleston Animal Society.

THANK YOU! ASPCA

More than a decade later, many are wondering why some communities still aren't ready to put such a plan into action so that families and their pets are not separated. For many of us, our greatest fear would be to be forced to leave our pets behind during an evacuation, as happened to many in New Orleans in 2005.

The American Pet Products Association estimated that over 60% of households have pets, and usually more than one. For many families, evacuating isn't as easy as packing up the car and getting out of Dodge. Our local government and communities must take action to help the most vulnerable people and their pets.

FOCUS AND COMMITMENT

Charleston Animal Society has always been committed to taking direct action to save animals in harm's way. This year, thanks to a grant from the American Society for the Prevention of Cruelty to Animals (ASPCA), Charleston Animal Society brought on board Bryant Taylor as the Emergency Preparedness and Response Manager. This new position will assume direction of all of Charleston Animal Society's disaster response efforts and be responsible for much more.

Taylor has the task of building up both our local and statewide capacity to support animal disaster response efforts. Like Charleston Animal Society's No Kill Charleston 2024 initiative, improving disaster response cannot be done by one person or one organization. Community support is paramount to our success.

This new position will be responsible for recruiting and training a volunteer Disaster Animal Response Team.

The basic tenet of disaster response planning is "Prepare for the worst, hope for the best." We must treat every hurricane season as though there will be major storm impact on our community. Any less would be putting the lives of animals and families in our community at risk. We plan to do our part, but we will need your support along the way.

JOIN THE DISASTER RESPONSE TEAM

If you are interested in joining Charleston Animal Society's Disaster Animal Response Team as a Volunteer, contact Volunteer Administrator Andrew Peiffer: *apeiffer@CharlestonAnimalSociety.org*.

Aldwin Roman is Charleston Animal Society's Vice President of Operations and Strategy.

A TALE OF LOVE

When Harry Met Minnie

Meet the author Martha Teichner

MANY OF YOU KNOW CBS NEWS Correspondent Martha Teichner from the stories she shares on *CBS Sunday Morning*. But did you also know she owns a home in Charleston and held her popular "Conversations with…" series for the Spoleto Festival USA for two decades? Now add NY Times Bestseller to her accolades, with her new book *When Harry Met Minnie*. Teichner took a break from preparing a script for CBS Sunday Morning to speak with Carolina Tails about her book that tells the story of her efforts to save a Bull Terrier whose owner learns she's dying of cancer.

Carolina Tails: What motivated you to write *When Harry Met Minnie?*

Martha Teichner: Well, I really, really, really didn't want the story to end. It felt so important, and so special, and so dear to me, that I thought if I wrote the book, it would keep going. I felt that Carol [Harry's owner] and Harry, and then later Minnie [Martha's dog] deserved legacies. They deserved to be remembered.

Carolina Tails: Absolutely. And what a tribute for both of the dogs. Both Harry and Minnie are Bull Terriers. What is it about Bull Terriers with you? Everyone's going to want to know.

Martha Teichner: They're eccentric. They're characters. They're stubborn. They're smart, too smart for their own good. They're complicated, they are like interesting people. They don't just sort of lie around being dogs. They express themselves in no uncertain terms. And they're funny looking.

Carolina Tails: One thing that struck me about this book is that here's a person who's been around the world, a career that people would just give anything for, and yet you take this story -- about two dogs that meet – to write your first book about! What is it about animals that moved you so much?

Martha Teichner: Well, it wasn't just the animals that moved me. It was the nature of what happened, the story itself. It seemed very special and very compelling. And it's my story. It's not "Martha Teichner, CBS news…" reporting a world event. It's my story. And again, I didn't write it to sell a book. I wrote it more than anything else because I loved living it. It meant so much to me.

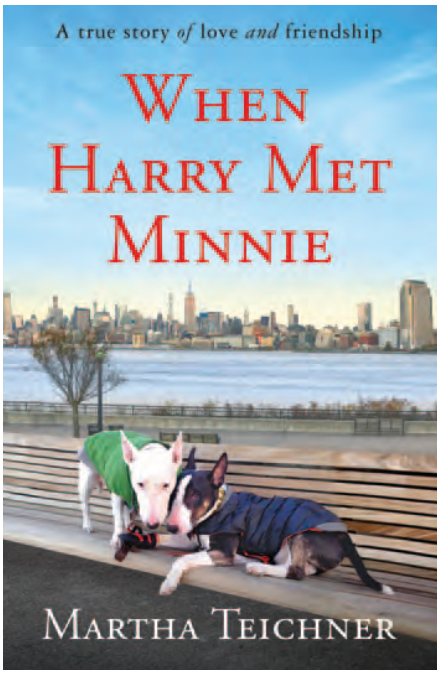
Carolina Tails: Why would *When Harry Met Minnie* be a good summer read?

Martha Teichner: I think it will be a good read when you finally get outside to the beach, because it's a catharsis. It's the good cry you need after living through the pandemic and seeing the sun again. It harks back to a time before the pandemic, when making connections was possible, when self-made community was so much more possible, when all the bright lights, and all the fascinating things about New York City were available and tangible, before people had to shut themselves in their homes.

Carolina Tails: Wow. Drop the mic. Finally, this book revolves around Carol who knew her pet would outlive her. At Charleston Animal Society and at other organizations, there are programs where we can take animals in after someone passes – ours is called the Pet Safe Pet Trust Program. Did you know about those kinds of programs as you wrote this book?

Martha Teichner: Actually no, I'm not aware of them. I remembered what happened with my mother's dog and having to have her dog put down because nobody wanted him. And I didn't want to repeat that. If in Charleston, there is now a way to avoid going through that, I'm just thrilled. Because I think that people really worry about that. I'm 73 years old. I worry about that. And the other part of it is that older dogs need homes.

When Harry Met Minnie is available now at fine bookstores and Amazon.





Author Martha Teichner with her Bull Terrier Minnie (Photo Provided),.

WHAT HAPPENS IF YOUR PET OUTLIVES YOU?

If you're worried about what would happen if your pet outlived you, make plans now. Learn more about Charleston Animal Society's Pet Trust Program at *CharlestonAnimalSociety.org/petsafe* or email Sean Hawkins at *shawkins@CharlestonAnimalSociety.org*

SUMMER

BEACH GUIDE

FOR DOG LOVERS

FOLLY BEACH
ON-LEASH BEFORE 10AM AND AFTER 6PM (NO OTHER TIMES)

SULLIVANS ISLAND
OFF-LEASH BEFORE 10AM AND ON-LEASH AFTER 6PM (SI DOG TAG REQUIRED)

ISLE OF PALMS
OFF-LEASH 5AM - 9AM
ON-LEASH ALL OTHER TIMES (VISIBLE RABIES TAG)

KIAWAH
OFF-LEASH IN DESIGNATED AREAS. (BEACHWALKER)

SEABROOK
ON-LEASH (10AM - 6PM)
OFF-LEASH ALL OTHER TIMES

EDISTO
ON-LEASH AT ALL TIMES

REMEMBER
WATER AND SHADE
WATCH THE HEAT!

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Kitten Season in Full Swing

IT'S RAINING KITTENS!

By KATIE ROBISON

IT'S A BEAUTIFUL DAY IN MAY. YOU'RE taking a stroll around your neighborhood, enjoying the warm weather, when you notice something unusual. A group of kittens huddled together in a drainage ditch—their mother nowhere to be seen. You think to yourself, "maybe I should take these kittens inside." Then you stop, and think, "wait a minute, what if their mom comes back?" So instead, you "leave 'em be."

You made a wise choice! That's the proper way to handle the influx of kittens that the warm weather brings every year according to Christina Ellwood and Jodi Osborne, Foster & Rescue Coordinators at Charleston Animal Society.

The Leave 'em Be campaign asks concerned citizens to leave neo-kittens with their mother, giving them their best chance at surviving. "For us, a neo-kitten is anything under five weeks old," says Ellwood, describing when kittens are too young to leave their mother. "If it's a nice warm day, and you don't think they're in immediate danger, we ask that you try to leave them. Generally, mom will come back around."

DON'T HOVER

Osborne reminds us not to hover, because it may scare the mom cat away. Typically, you should leave the kittens alone for at least eight to ten hours before worrying about whether or not mom is coming back.

At its core, kitten season represents a larger problem in the Charleston area. There are too many unneutered free-roaming cats "The whole community has to be willing to help, and know what to do in certain situations," says Osborne.

GET INVOLVED

One way you can get involved is to volunteer and be willing to be a part of Charleston Animal Society's nationally-recognized TVAR program. TVAR stands for Trap, Vaccinate, Alter, and Return-to-Habitat. The program was introduced as part of Charleston Animal Society's initiative to reduce free-roaming felines in the Charleston area.

Anyone interested in being a part of this No-Kill Community effort can sign up at *CharlestonAnimalSociety.org/foster.* "There is no cost to that for Charleston County residents," says Osborne. "And if someone doesn't have the means to get a trap, people have the option to rent them at the shelter."

Another way you can help is by bringing kittens in to shelter once they are old enough to be weaned from their mother. "Once the kittens are older, and walking around, that's when the kittens can come to us. They're ready. They don't necessarily need their mom anymore to survive, and definitely if you have the means to bring the mom in as well, we will spay her and rerelease her too," says Osborne.

The most challenging part is not bringing in kittens who are too young, because their best shot at survival will always be near their mom.

To learn more about kittens, visit *CharlestonAnimalSociety.org/baby-kittens.*



KITTENS BY THE NUMBERS

Each year Charleston Animal Society's foster program kicks into high gear during kitten season.
2018 - 1,925 kittens fostered
2019 - 1,854 kittens fostered
2020 - 1,305 kittens fostered.

WHEN CAN YOU TAKE A NEO-KITTEN TO THE SHELTER?

- **If you've seen a bird of prey circling nearby.**
- **If the kitten has been sitting in a puddle of water.**
- **If you see a dog that's just too interested.**
- **If mom doesn't come back after you have observed them for eight or more hours.**

How to Combat Excessive Barking

BARKING COMPLAINTS

By DONYA SATRIALE, CAWA AND COURTNEY LARRIER

IF YOU LISTEN CLOSELY, YOU'LL realize that your dog has many different types of barks. Each is used as a way to communicate and by determining the cause of barking, you can determine strategic ways to manage it. If you're getting complaints from neighbors, this is the article for you!

Barking can indicate nervousness, fear, anxiety, boredom, and many other feelings. Step one in combatting excessive barking is figuring out the root cause of the issue.

WOOF: I'M WORRIED!

Anxiety-based barking is one of the most common barks. Anxiety-based barking frequently occurs when you are not around which makes it tricky to deal with. Try to be proactive. By creating a safe place, like a crate with a cover over it or a dim room, you are providing extra layers of comfort. Training your dog to "settle" can be a huge help in these scenarios. You can also practice leaving your dog alone for short periods of time until you can build up to longer separations.

There are many calming aids that are used by themselves or in conjunction with others that can help settle barking dogs. In a 2005 study by Graham, Wells, and Hepper, research showed that dogs exposed to chamomile and lavender spent more time resting and less time vocalizing. These elements affect the central nervous system giving a calming and grounding effect. Introducing these scents to your pup's daily routine can be beneficial. Always remember a dog's smelling sense is far stronger than our own, so while using scent to stimulate or calm dogs down remember to not make it overpowering and potentially harmful.

Thundershirts are a great resource for helping dogs cope with anxious behavior relating to fear, separation, summer thunderstorms and so much more! Similar to swaddling an infant, the Thundershirt applies pressure to the animal's body.



Pairing this vest with calming dog music and a favorite toy or blanket will help achieve a less anxious dog.

WOOF: LOOK AT ME!

Attention-seeking barking is often seen when you are still present with your dog. Attention-seeking behaviors are a clear example of your dog wanting to tell you something. Maybe it's "take me out," "play with me," or even "I want some food!"

A great way to combat attention-seeking barking is to ensure that your dog is receiving an adequate amount of energy release. It's important to remember that pets need mental exercise as much as they need physical exercise. If your dog is barking excessively, give them more enrichment or longer periods of exercise. You'll be surprised how quickly the barking behavior can turn around. *A tired dog is a good dog.*

WHAT IS "ENRICHMENT?"

There is a wide range of enrichment options that you can offer your pet, from puzzle feeders to interactive toys that stimulate your dog's brain. These forms of enrichment challenge dogs to work for what they want.

Interactive toys are common toys that are not just your average stuffed animal or rope, but a toy your dog has to paw, nuzzle, or roll around to get the food from inside. Engaging dogs through puzzle feeders or interactive toys can ensure dogs are getting the mental exercise they need and provide an alternative to barking behavior.

SAYING "NO" TO "NO!"

When our dogs bark, we often want to tell our dogs "No!" "Stop!" or we get angry. It's human nature, but this negative attention could actually end up encouraging a dog to bark even more. Our dogs are barking to receive some type of feedback and we need to remember that negative attention is still attention.

The best method is to tell your dog what you DO want from them rather than what you don't. For example, instead of saying "no," ask your dog to "settle" on their bed or ask them to sit and focus on you. From this point, you can further determine why your dog was barking and get down to the root cause of the barking.

There are many reasons why dogs bark, but the good news is there are many avenues to get barking under control. Determining the reason for barking and beginning to adjust your actions and schedule can be great first steps in creating a bark-free environment.

TRAINER TIP

If your dog gobbles their food, feed them out of a slow feeder! It is a great way to start and end the day with some proper mental work! Slow feeders, thundershirts and other great training options for your dogs are available at our online pet store: *Shop.CharlestonAnimalSociety.org*. When you shop with us, every purchase helps us save more lives.

1878



Vet Directory

CHARLESTON

Saddleback Mobile Veterinary Service
(843) 718-4299
Mobile

All Creatures Veterinary Clinic
(843) 579-0300
224 Calhoun St, Charleston, SC 29401

Patrick Veterinary Clinic
(843) 722-4470
667 Meeting St, Charleston, SC 29403

Charleston Harbor Veterinarians
(843) 410-8290
280 Rutledge Ave, Charleston, SC 29403

Old Towne Veterinary Clinic
(843) 723-1443
17 Pinckney St, Charleston, SC 29401

Lezotte Animal Chiropractic
(843) 410-3420
Mobile

Mobile Veterinary Surgery, LLC
(843) 853-6666
145 Queen St, Charleston, SC 29401

WEST ASHLEY

Charleston Veterinary Care
(843) 789-3222
51 Windermere Blvd, Charleston, SC 29407

West Ashley Veterinary Clinic
(843) 571-7095
840 St Andrews Blvd,
Charleston, SC 29407

Charleston Veterinary Referral Center
(843) 614-8387
3484 Shelby Ray Ct, Charleston, SC 29414

Bees Ferry Veterinary Hospital
(843) 769-6784
3422 Shelby Ray Ct, Charleston, SC 29414

Animal Medical West Inc
(843) 766-7387
704 Orleans Rd, Charleston SC 29407

VCA Charles Towne Animal Hospital
(843) 571-4291
850 Savannah Hwy, Charleston SC 29407

Air Harbor Veterinary Clinic
(843) 556-5252
1925 Savannah Hwy, Charleston, SC 29407

Banfield Pet Hospital
(843) 766-7724
2076 Sam Rittenberg Blvd,
Charleston, SC 29407

Animal Care Center
(843) 556-9993
1662 Savannah Hwy # 135,
Charleston, SC 29407

Cutler Animal Hospital
(843) 637-3767
12 Farmfield Ave, Suite B,
Charleston, SC 29407

Southeast Veterinary Anesthesia Services
(843) 277-5936
Mobile

NORTH CHARLESTON

The Animal Hospital of North Charleston
(843) 552-8278
8389 Dorchester Rd, N Charleston SC 29418

Northwoods Veterinary Clinic
(843) 553-0441
8320 Rivers Ave, N Charleston, SC 29406

Lowcountry Pet Wellness
(843) 556-7387
5900 Rivers Ave, N Charleston SC 29406

Charleston Animal Hospital
(843) 552-0259
5617 Dorchester Rd, N Charleston SC 29418

Charleston Heights Veterinary Clinic
(843) 554-4361
2124 Dorchester Rd, N Charleston SC 29405

Coastal Carolina Veterinary Specialist
(843) 747-1507
3163 W Montague Ave, N Charleston SC 29418

Vetco (in Petco)
(843) 764-2875
7400 Rivers Ave, N Charleston SC 29406

Banfield Pet Hospital
(843) 797-4677
7620 Rivers Ave, Suite 120B,
N Charleston SC 29406

MOUNT PLEASANT

Tidewater Veterinary
(843) 856-7300
1964 Riviera Dr G, Mt Pleasant, SC 29464

Mount Pleasant Animal Hospital
(843) 884-4921
1217 Ben Sawyer Blvd, Mt Pleasant, SC 29464

Animal Medical Center of Mt. Pleasant
(843) 881-5858
958 Houston Northcutt Blvd,
Mt Pleasant, SC 29464

Park West Veterinary Associates
(843) 971-7774
3490 Park Ave Blvd, Mt Pleasant, SC 29466



Charleston Animal Society and *Carolina Tails* want to always promote the best habits for animal care possible and seeing your veterinarian regularly is key to having a happy, healthy animal.

Shuler Veterinary Clinic
(843) 884-4494
1769 N Hwy 17, Mt Pleasant, SC 29464

Palmetto Veterinary Hospital
(843) 881-9915
2443 N Hwy 17, Mt Pleasant, SC 29466

Long Point Animal Hospital
(843) 971-7701
757 Long Point Rd, Suite A,
Mt Pleasant, SC 29464

Advanced Animal Care of Mt. Pleasant
(843) 884-9838
3373 S Morgans Point Rd #301,
Mt Pleasant, SC 29466

Crescent Care Veterinary Clinic of the Lowcountry
(843) 277-9043
3001 Rivertowne Pkwy, Mt Pleasant, SC 29466

Pleasant Pet Care
(843) 856-9190
1054 Johnnie Dodds Blvd, Suite C,
Mt Pleasant, SC 29464

Pet Vet Animal Hospital
(843) 884-7387
307 Mill St, Mt Pleasant, SC 29464

East Cooper Animal Hospital
(843) 884-6171
993 Johnnie Dodds Blvd,
Mt Pleasant, SC 29464

Banfield Pet Hospital
(843) 971-7460
11 Houston Northcutt Blvd, Suite A-5,
Mt Pleasant, SC 29464

Banfield Pet Hospital
(843) 388-1701
676 Long Point Rd, Mt Pleasant, SC 29464

Cats Only Animal Hospital
(843) 849-1661
1492 B, N Hwy 17, Mt Pleasant, SC 29464

Southeast Veterinary Dermatology and Ear Clinic
(843) 849-7770
804 Johnnie Dodds Blvd,
Mt Pleasant, SC 29464

Exotic Vet Care
(843) 216-8387
814 Johnnie Dodds Blvd,
Mt Pleasant, SC 29464

Animal Eye Care Associates
(843) 881-2242
3400 Salterbeck St, Suite 104,
Mt Pleasant, SC 29466

Veterinary Specialty Care
(843) 216-7554
985 Johnnie Dodds Blvd,
Mt Pleasant, SC 29464

ISLE OF PALMS

Island Veterinary Care
(843) 628-1941
Mobile

JAMES ISLAND

Sandy Cove Veterinary Clinic
(843) 885-6969
1521 Palm Blvd, Isle of Palms, SC 29451

James Island Veterinary Hospital
(843) 795-5295
756 Folly Rd, Charleston, SC 29412

Sea Islands Veterinary Hospital
(843) 795-6477
1310 Camp Rd, Charleston, SC 29412

Banfield Pet Hospital
(843) 406-8609
520 Folly Rd #50, Charleston, SC 29412

Folly Road Animal Hospital
(843) 762-4944
1038 Folly Rd, Charleston, SC 29412

Charleston Mobile Animal Care
(843) 996-6464
Mobile

Doc At Your Door, Mobile Veterinary Service LLC
(843) 743-9209
1327 Hampshire Rd, Charleston, SC 29412

Lowcountry Home Vet
(843) 406-2997
Mobile

Pet Helpers Spay and Neuter Clinic
(843) 302-0556
1447 Folly Rd, Charleston, SC 29412

JOHNS ISLAND

Riverbank Veterinary Clinic, LLC
(843) 277-2250
2814 Maybank Hwy,
Johns Island, SC 29455

Bohicket Veterinary Clinic
(843) 559-3889
3472 Maybank Hwy,
Johns Island, SC 29455

ANIMAL CARE

Sun Dog Cat Moon Veterinary Clinic
(843) 806-0171
2908-A, Maybank Hwy,
Johns Island, SC 29455

Johns Island Animal Hospital
(843) 559-9697
1769 Main Rd, Johns Island, SC 29455

Angel Oak Animal Hospital
(843) 559-1838
3160 Maybank Hwy, Johns Island, SC 29455

Southside Animal Hospital
(843) 556-6969
3642 Savannah Hwy #176,
Johns Island, SC 29455

DANIEL ISLAND

Daniel Island Animal Hospital
(843) 881-7228
291 Seven Farms Drive #103,
Daniel Island, SC 29492

Clements Ferry Veterinary
(843) 471-1711
2020 Wambaw Creek, Charleston, SC 29492

GOOSE CREEK

Goose Creek Veterinary Clinic
(843) 553-7011
501 Red Bank Rd, Goose Creek, SC 29445

Animal Medical Clinic of Goose Creek Inc
(843) 569-3647
102 Central Ave, Goose Creek, SC 29445

Mt Holly Veterinary Clinic
(843) 553-4700
113 St James Ave, Goose Creek, SC 29445

Creekside Vet Clinic
(843) 824-8044
431-G St James Ave,
Goose Creek, SC 29445

Pet Paws Spay & Neuter Clinic
(843) 572-2144
107 St James Ave, Goose Creek, SC 29445

HANAHAN

Hanahan Veterinary Clinic
(843) 744-8927
1283 Yeamans Hall Rd, Hanahan, SC 29410

Best Friends Animal Clinic
(843) 414-7455
1000 Tanner Ford Blvd, Hanahan, SC 29410

LADSON

College Park Road Vet Clinic
(843) 797-1493
186 College Park Rd, Ladson, SC 29456

Ladson Veterinary Hospital
(843) 900-1600
3679 Ladson Rd Suite 101,
Ladson, SC 29456

Animal Eye Care of the Lowcountry
(843) 207-4969
9565 Hwy 78 Building 400,
Ladson, SC 29456

MONCKS CORNER

Live Oak Veterinary Clinic of Moncks Corner
(843) 899-5476
735 S Live Oak Dr,
Moncks Corner, SC 29461

Lakeside Animal Hospital
(843) 761-4920
615 Main St Ext, Moncks Corner, SC 29461

Lowcountry Pet Hospice and Home Euthanasia LLC
(843) 640-9755
Mobile

Foxbank Veterinary Hospital
(843) 405-4611
113 Foxbank Plantation Blvd, Suite A,
Moncks Corner, SC 29461

SUMMERVILLE

Oakbrook Veterinary Clinic
(843) 871-2900
1705 Old Trolley Rd, Summerville, SC 29485

Nemasket Veterinary Clinic
(843) 871-4560
605 Miles Jamison Rd,
Summerville, SC 29485

Flowertown Animal Hospital
(843) 875-6303
1357 Bacons Bridge Rd,
Summerville, SC 29485

Central Veterinary Hospital
(843) 851-2112
1215 Central Ave, Summerville, SC 29483

VCA Westbury Animal Hospital
(843) 873-2761
1497 W 5th N St, Summerville, SC 29483

Knightsville Veterinary Clinic
(843) 851-7784
478 W Butternut Rd, Summerville, SC 29483

Sangaree Animal Hospital
(843) 871-0543
1665 N Main St, Summerville, SC 29486

Sangaree Animal Hospital at Cane Bay
(843) 871-0543
1724 State Rd Unit 5D,
Summerville, SC 29486

Summerville Pet Clinic
(843) 718-8980
1810 Old Trolley Rd #A,
Summerville, SC 29485

Old Trolley Road Animal Clinic
(843) 871-3135
429 Old Trolley Rd,
Summerville, SC 29485

Banfield Pet Hospital
(843) 832-0919
470 Azalea Square Blvd,
Summerville, SC 29483

Sweetgrass Animal Hospital
(843) 225-9663
9730 Dorchester Rd #101,
Summerville, SC 29485

Banfield Pet Hospital
(843) 871-4638
628 Bacons Bridge Rd,
Summerville, SC 29485

Veterinary Specialty Care
(843) 216-7554
319 E 3rd N St, Summerville, SC 29483

Petco Vaccination Clinic
(843) 879-5136
1101 N Main St, Suite 307,
Summerville, SC 29483

Charleston Equine Clinic
(843) 875-5133
122 Kay Ln, Summerville, SC 29483

Cane Bay Veterinary Clinic
(843) 800-8109
1530 State Rd, Summerville, SC 29486

HOLLYWOOD

Hollywood Animal Clinic
(843) 970-3838
6170 SC-162, Hollywood, SC 29449

Charleston Veterinary House Calls
(843) 901-7872
4933 Serene Ln, Hollywood, SC 29449

ST. GEORGE

Shuler Veterinary Clinic
(843) 563-3092
5092 US-78, St George, SC 2947

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2020 Award Winners



THREE MAJOR AWARDS WERE GIVEN OUT AT THE 147TH ANNUAL MEETING OF CHARLESTON ANIMAL SOCIETY WHICH WAS BROADCAST OVER FACEBOOK AND YOUTUBE IN MARCH. EACH AWARD WAS GIVEN TO A PERSON OR ORGANIZATION DEDICATED TO IMPROVING THE LIVES OF ANIMALS ACROSS OUR COMMUNITY. CONGRATULATIONS TO EACH WINNER!



Former Board President Elizabeth Bradham presented the Charleston Animal Society Humanitarian Award to her mother Helen, for founding and sustaining the lifesaving work at Hallie Hill Animal Sanctuary in Hollywood.

ELIZABETH BRADHAM HUMANITARIAN AWARD

It was a mother-daughter affair at the Hallie Hill Animal Sanctuary in Hollywood, for the Humanitarian Award presentation. The award is named in honor of former Charleston Animal Society Board President Elizabeth Bradham. The recipient was her mother Helen Bradham who has dedicated much of her life to animal welfare, including the founding of the Hallie Hill Animal Sanctuary in 1988. Hallie Hill Animal Sanctuary provides a safe haven for animals with no other home or shelter. On several acres set in the beautiful Charleston County countryside, animals are prepared for adoption through respite, rehabilitation and socialization. For those animals whose chances of adoption are reduced due to age, medical or emotional issues, Hallie Hill provides a loving home.



Lee Richards received the Hometown Hero Award from Charleston Animal Society Director of Community Engagement Kay Hyman (L) and Board Member Jane Graham.

HOMETOWN HERO AWARD

Many people remember the story of Ava, the dog who was pulled on a trailer by her owner Kris Cotton, as he traveled from Upstate New York to Florida last summer. Cotton was killed in a tragic accident on Highway 17 in Charleston County. Ava survived and was brought to Charleston Animal Society for her treatment and recovery.

When Ava was reunited with Kris's family, local pilot Lee Richards saw the story and offered to fly the family back to New York with Ava, to ease their pain and suffering. For his selfless actions, Richards was awarded the first ever Charleston Animal Society Hometown Hero Award. Richards says he loves animals and just wanted to make sure Ava and her family made it home safely.



The Hendrick Automotive Group received Charleston Animal Society's Community Ambassador Award, presented by Board Members Louise Palmer and Martin Deputy.

COMMUNITY AMBASSADOR AWARD

Charleston Animal Society has selected Hendrick Automotive Group as the recipient of its Community Ambassador Award. In addition to being a key financial supporter for over a decade, Hendrick Automotive Group has partnered with the Animal Society on adoption campaigns throughout the year -- including the VERY popular "Home for the Holidays." During this campaign Hendrick "elves" partner with us to deliver new furry members of the family on Christmas Eve and Christmas Day.

The Hendrick Automotive Group employees have not only volunteered for the adoption deliveries but have also volunteered on committees and the Board of Charleston Animal Society. This is true partnership!

1883

Meteorologist: Prepare, Prepare!

MY TURN

HURRICANE SEASON 2021 IS LIKELY TO BE A BUSY ONE.

By JOSH MARTHERS, NEWS 2 METEOROLOGIST



Emmy Award Winning News 2 Meteorologist Josh Marthers is a member of the American Meteorological Association, and his forecasts carry their prestigious Seal of Approval. (Provided)

AFTER BREAKING RECORDS, it seems like we just wrapped up the 2020 Hurricane Season, but here we are again.

Colorado State University's hurricane guru, Dr. Philip Klotzbach, released his team's 2021 outlook in early April and predicts seventeen named storms in the Atlantic basin. Of those, eight are expected to become hurricanes, with four reaching major hurricane status. These numbers are above the seasonal averages.

So what does that mean for your level of preparation? In short: nothing. You should prepare the same, regardless of whether the forecast calls for an above normal season or next to nothing. I always remind folks about 1992 when Hurricane Andrew, the first named storm of the season, didn't strike south Florida until late August as a category five storm. I'm pretty sure those living in Miami-Dade county at the time would not call 1992 a "quiet year."

When the time comes for us to pay attention to a storm, it's important to remember a few things to keep your anxiety at bay, while still preparing for a possible hit.

- **JUST BREATHE:** This is the Lowcountry. We get hurricanes, but the odds of a direct hit are VERY low for any given storm.
- **STAY AWAY FROM THE SPAGHETTI**: Models change every run, sometimes wildly! Some do well, others don't. Meteorologists are trained to know what to look for and when to look for it.
- **OFFICIAL TRACK & INTENSITY FORECASTS WILL CHANGE**: Don't get stuck on being in "the cone" beyond three days. Trust me, it's going to change and you will drive yourself nuts.
- **MAKE SURE YOUR HURRICANE KIT IS READY, JUST IN CASE:** You don't want to be caught up in the hysteria if something heads our way. You're going to put it together before hurricane season anyway, right?
- **COUNT ON 2:** Let us worry about it, so you don't have to. If things get bad, we are here for you around the clock. Remember, just breathe!

If the threat of a direct hit becomes high enough, the governor will likely issue evacuation orders. Before that happens, have everything done on your hurricane checklist, including a plan for your pets. Remember that many shelters and hotels are pet friendly now, so no excuses! If an evacuation order is issued, head on out of here, because the safety of you and your family, including your four-legged members, must come first.

DEAR EDITOR,



I was horrified and saddened by reading "Baked Alive: Slaughterhouse Nightmare", by Kitty Block, in *Carolina Tails* (Winter 2021). Covid affected and changed much in all our lives; but the inhumane and cruel procedure referred to as VSD and VSD-Plus, (Ventilation Shutdown) is horrendous. Even more horrendous, is that it's legally allowed at all.

The pigs and chickens (and, I wonder, what other feeling, innocent animals) have been subjected to this cruel, torturous VSD death. This procedure is only a matter of convenience and cost effectiveness.

A petition from the AVMA (American Veterinary Medical Association) is nice and easy; but it's not what is needed! They should at least clarify, and strongly endorse that VSD should be forbidden, so these animals are guaranteed a humane death. All organizations claiming to be against animal abuse should get involved to support the elimination of this torturous procedure. It's crazy that the euphuism "depopulation" is used. Let's call it what it is: killing or slaughtering animals.

One might think I'm vegetarian… I'm not! I enjoy having my occasional steak, pork roast or chicken. But this is irrelevant. The point is: killing an animal must be done as kindly as possible, regardless of expense or convenience. VSD and VSD Plus, should be banned by Federal law, and, enforced by all involved Federal Agencies.

Sincerely. Barbara Bloch, Johns Island, SC 29455

PETS FOR LIFE

Happy Ever After

By DAN KROSSE

BRIAN ROSS WAS HOMELESS. HE LIVED in a tent behind the Food Lion in Ravenel, just off Highway 17. Despite his struggles with mental illness, drugs and a heart condition, his dog, Happy, was always by his side – until the very end.

Loretta Redwood shopped at Food Lion and became friends with Brian, even buying him his tent when she saw him sleeping in the rain during one of her grocery runs from Cottageville, 20 miles away. She's the person who found Brian's body, two days after Christmas, lying in his tent in the woods, with his grandmother's Bible on his chest. Outside the tent, patiently waiting for Brian, was Happy.

"Brian touched a lot of hearts," Redwood said. "I miss him. I'd love for him to still be there. People cared for him. They really did."

More than three dozen people came to his memorial service, held behind the Food Lion, and shared stories and memories of Brian. Redwood's husband and his friend built a cross to memorialize Brian.

HAPPY AND BRIAN

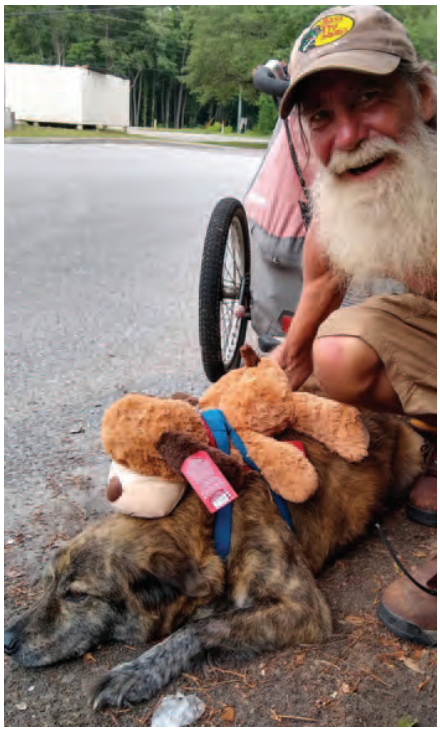
People who knew Brian say wherever he was, there was Happy too. Before his health declined, Brian would pull Happy in a special buggy attached to his bike.

Redwood would get Brian Ubers for his many trips to the hospital or area clinics for treatment, but before he would go (even times when he needed an ambulance), he wouldn't leave until he was sure someone would watch Happy.

"He found Happy as a puppy and he always kept the little bottle that he fed Happy out of when he was tiny," Redwood says. "That was his partner."

PETS FOR LIFE

Another of the many people who became friends with Brian was Charleston Animal Society's Pets for Life Director Patrick Allen. Pets for Life is a program that works to keep pets with their families, offering a variety of assistance and in-person contact. Last year the program helped 1,620 people across Charleston County, including Brian.



Brian Ross and Happy lived together in a tent behind the Food Lion in Ravenel.

"Patrick Allen is wonderful. He saw the same things in Brian that I did," Redwood said. "He never made a judgement about him and he loved Happy."

Allen also got Redwood to bring Brian and Happy to a Pets for Life "Helping Hands for Rural Paws" health clinic in Hollywood, where Happy was examined by a Charleston Animal Society veterinarian and received all his vaccines.

When Brian's heart condition flared up, Allen would bring Happy to the shelter for care, while Brian recovered at the hospital.

"From my experience, homeless people take care of their pets as well, if not better than, people who aren't homeless." Allen said. "They are with their pet all day. The fact they give up everything, but not their pets, is a testament to how much they love their animal."



Happy was adopted by Pets for Life Director Patrick Allen and his girlfriend Risa Simon. Happy has become best friends with the couple's cattle dog Ruca. (Photo: Dan Krosse)

A HAPPY HAPPY ENDING

At Brian's memorial service, there was an uneasy tension. While many people brought toys and blankets for Happy – no one was sure what would happen to the dog. Happy is a senior who had lived with one person his entire life.

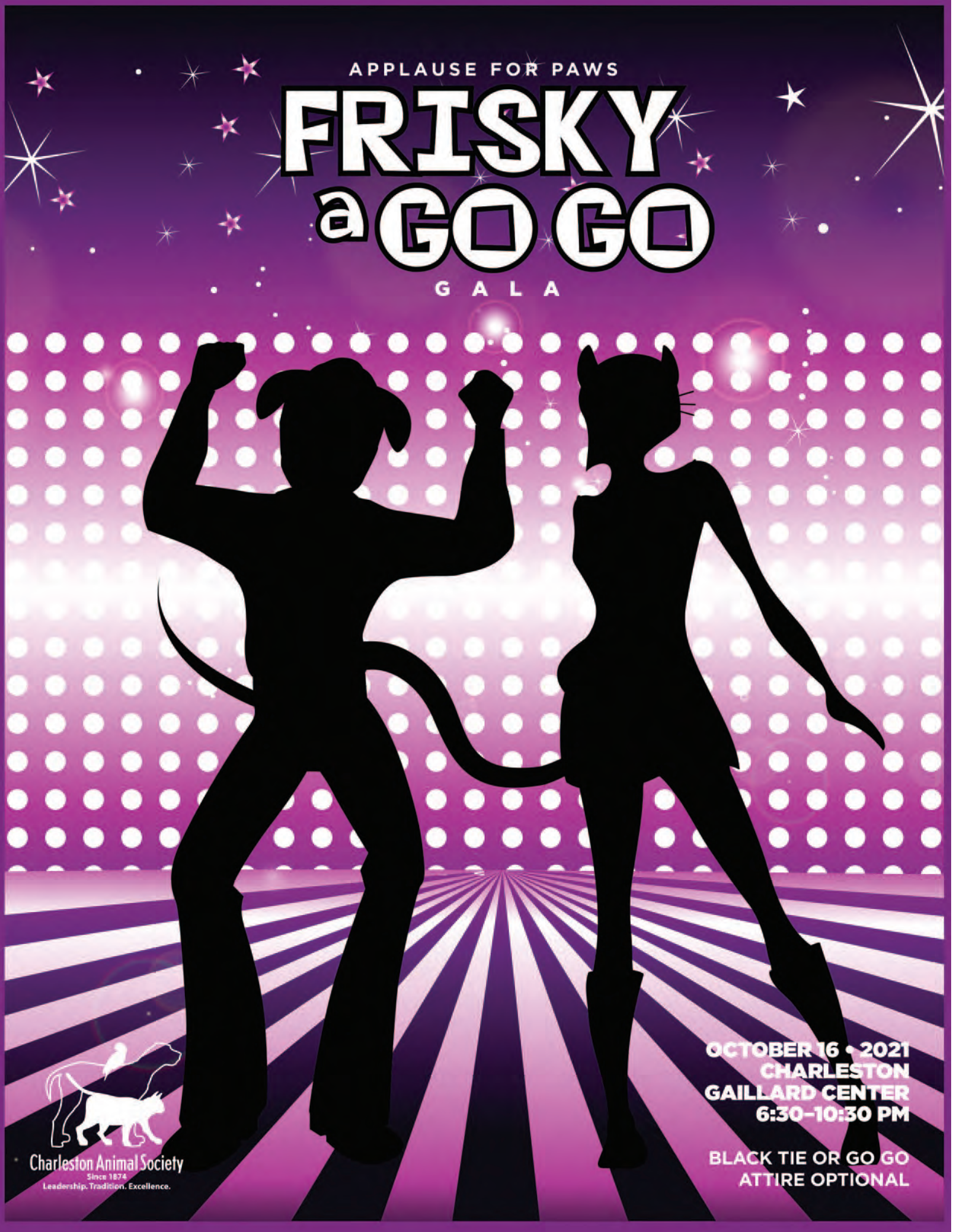
The good news is that Happy's future had already been worked out. With his health failing, Brian had opened up to Allen about what would happen if his dog outlived him. After many discussions, Allen agreed to adopt Happy if and when the time came.

After Brian's death, Happy went home with Allen and his girlfriend. Almost immediately, Happy bonded with Allen's cattle dog Ruca and now the two are inseparable. Getting Happy used to the family cat did take a little longer, but that has also worked out smoothly.

"He realized this is his retirement stay. He's one of best trained dogs and he's goofy," Allen said. "He doesn't pull on the leash and when you call his name, he drops what he's doing and comes to you."

As for Brian's memory? Redwood says she misses stopping by the Food Lion and seeing him. She says she's looking forward to meeting up with Allen sometime soon to give Happy a great big hug.

1885


APPLAUSE FOR PAWS
FRISKY
a GO GO
GALA
OCTOBER 16 • 2021
CHARLESTON
GAILLARD CENTER
6:30–10:30 PM
BLACK TIE OR GO GO
ATTIRE OPTIONAL
Charleston Animal Society
Since 1874
Leadership. Tradition. Excellence.



Ask a Lawyer

NO MATTER HOW MUCH WE LOVE OUR PETS, THERE'S ALWAYS THE CHANCE THEY WILL RUN INTO A LEGAL SITUATION. ATTORNEY DAVID AYLOR TOOK TIME TO ANSWER QUESTIONS FROM OUR READERS IN THIS EDITION OF ASK A LAWYER.

QUESTION: I know I live in the South but seeing so many dogs riding around in the back of pickup trucks makes me crazy. Is it legal? Can I report it to police when I see it? – Precious Cargo Concerns in North Charleston

DAVID AYLOR: As you know, South Carolina is proudly home to many people that hunt, make a living through agricultural production, or just love the outdoors. Letting an animal ride in the bed of a truck, because it is dirty from being outside participating in those activities, is viewed as the easiest method for transportation. However, as you can imagine, there is a serious risk to the animal's well-being as speeds increase.

At a state level, South Carolina doesn't prohibit the transportation of animals in truck beds. However, it may be possible for some unrestrained pet situations to result in an animal abuse or a distracted driving charge. In any case, the American Veterinary Medical Association recommends that pets be secured either by a kennel in the truck bed or by a harness inside the cab. We back this recommendation!

More locally, North Charleston passed such an ordinance in 2006. The ordinance requires that "any animal that is being transported in the bed of a pickup truck shall either be tethered or leashed in such a way that it cannot be ejected or jump out of the vehicle or shall be placed in a kennel-type box which shall be secured to the bed of the vehicle."

So, if you are in North Charleston and an animal in a truck bed is not tethered or leashed, the driver has broken the law. Statewide, if you feel a driver is distracted or operating in a dangerous manner in relation to their pet's safety, that driver may have broken the law as well. If you witness a truck operating at high speeds, with shifting loads in the truck bed, or in intense weather conditions, these are some red flags for pet safety. In any similar circumstance, you should report this to the police.

QUESTION: I haven't traveled because of COVID-19 but am planning to do so after my vaccine. But I saw the recent article in *Carolina Tails* about airlines cracking down on travel with emotional support animals. I have a MultiPoo that I just can't fly without. Can I fight back legally? – Need My MultiPoo in Charleston

DAVID AYLOR: It's great to hear that you are getting vaccinated and are going to travel in a safe manner. Traveling without a loved one is often stressful –pandemic or not – and this has become a big issue nationwide. That said, you might just be in luck!

Few airlines are accepting pets as cargo. Those that do have imposed restrictions on the size of crates, or the number of animals allowed aboard each flight. Airlines that have imposed crate size restrictions typically favor smaller animals, like your MultiPoo. Other airlines have imposed different restrictions: some airlines allow for a carry-on pet, some allow for a pet to travel as cargo, some have banned pet travel all together. The best advice is simply to check in with your airline and confirm details before making any decisions. Things are changing rapidly with the pandemic, and airlines could change their policies at any time.

I should mention that with all the uncertainty surrounding airline travel, pet relocation services have become fairly popular during COVID. These services avoid airlines altogether and will transport your pet (via vehicle) to the location of your choosing. These services are somewhat of a VIP treatment for the pet and give your pet every opportunity to relax and enjoy the ride.

QUESTION: I have three outdoor cats and my neighbor's dog keeps coming in my yard. I'm worried the dog may attack and injure my cats. What can I do? –Worried in West Ashley.

DAVID AYLOR: Unfortunately, this situation can be quite common. The good news is that laws have been created to protect people in the same situation as you. In Charleston County, it is unlawful for any owner to allow their dog to run "at-large" at any time on properties other than his own property. Allowing an animal to run "at-large" means anytime a dog is off the property and/or premises of the owner and not under physical control by the owner (not on a leash or restraint). Dog owners are compelled to restrain their dogs at all times if the dog is not on their property.

The best advice is to always try to inform your neighbor of the situation and give them a chance to fix the issue. If that fails, document the dog when it comes onto your property again, and immediately report it Animal Control. They will fine the owner, and if the dog continues to roam, it could be seized.



DAVID AYLOR
LAW OFFICES
www.davidaylor.com
843.577.5530

David Aylor with his son Fletcher and English Lab, Belle.

1887

BUY A RAFFLE TICKET FOR A 2021

TESLA

AND HELP SAVE ANIMALS!

Tesla Model Y Features

- $50,000 Value
- Long-range Electric Vehicle
- Dog-mode Safety Feature
- Premium Vegan Leather Interior
- Pearl White Exterior
- All-wheel Drive
- 19" Gemini Wheels
- Autopilot
- 5 Seats



This is your chance to save animal lives and win America's hottest car in the process!

The future is here. This is your chance to drive into 2021 in a brand new Tesla Model Y! This raffle is made possible through the generosity of Charleston Animal Society Board Members Hank and Laurel Greer, whose gift will allow us to save more lives. *But hurry, we're only selling a limited number of tickets!*



Additional Prizes

- $1000 Luxury Charleston Experience with a dinner at Husk, a stay at the Francis Marion Hotel and a tour with Charleston Raconteurs
- $500 Shopping spree for your dog at Charleston Animal Society!
- $500 Shopping spree for your cat at Charleston Animal Society!

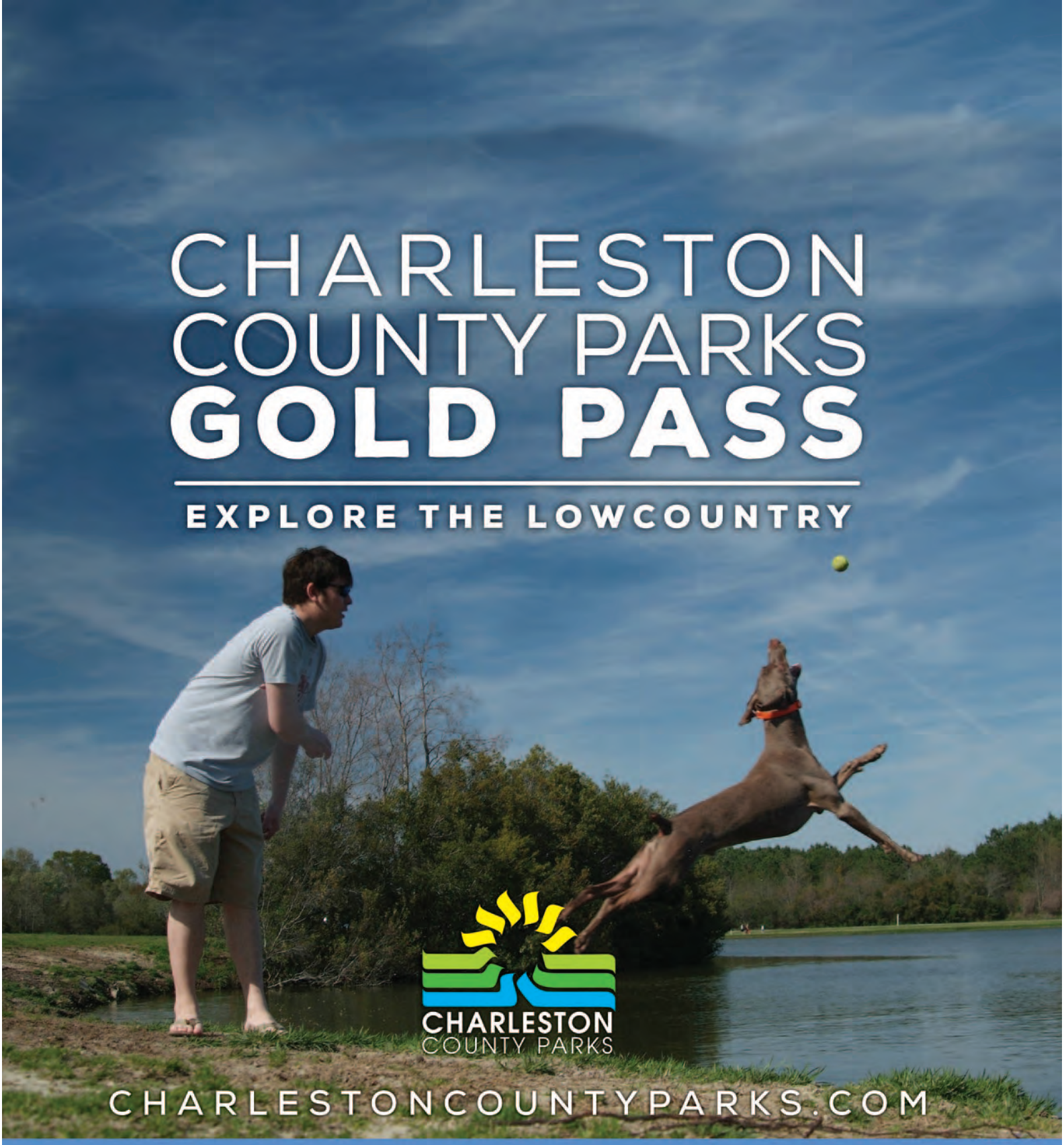
Since 1874, our mission has always been the Prevention of Cruelty to Animals. When you donate by purchasing a raffle ticket, you help us live up to this promise, and allow us to continue touching the lives of more than 15,000 animals each year.

Charleston Animal Society
Since 1874

Buy Your Ticket(s) Today!
CharlestonAnimalSociety.org/CarRaffle
or Text 'TESLA' to 855-202-2100

South Carolina's Top-Rated Nonprofit 7 Years in a Row!

Note: All transfer fees related to the Tesla Model Y including vehicle registration, and taxes are the sole responsibility of the winner. All delivery arrangements to be made directly with Charleston Animal Society.



CHARLESTON COUNTY DOG PARKS

James Island County Park

Mount Pleasant Palmetto Islands County Park

North Charleston Wannamaker County Park

Charleston Animal Society
Board of Directors Meeting Minutes
August 18, 2015
CAS Education Room

In attendance: Aussie Geer, Bob Rife, Elizabeth Bradham, Ellen Harley, Gerri Greenwood, Hank Greer, Hal Creel, Helen Pratt-Thomas, Hilton Smith, Johnny Maybank, Julie Bresnan, Kiara Barnett, Laurel Greer, Mary Black (via phone), Meg Phillips, Perry Jameson, Sarah-Hamlin Hastings, Tami Zerbst, Joe Elmore, Joy Huber, Lucy Fuller, Aldwin Roman, Debbie O'Hara, Dan Krosse, Kay Hyman, Angel Waterfield, Elena Lawson, Jennifer Winchester, Jamie Healy

Apologies: Andrea Ferguson, Ann Long Merck, Britton Hawk, Cynthia Hayes, Dean Riegel, Elliott Summey, Eugenia Burtschy, Jeff Webster, John Cawley, Joe Waring, Matt Watson, Nancy Worsham, Bob Rife, Tara Gerardi

Agenda

The meeting was called to order by Elizabeth Bradham at 3:01 p.m.

Joe introduced four new staff members:

- Angel Waterfield, Human Resources Specialist
- Jamie Healy, Grants Administrator
- Jennifer Winchester, Director of Philanthropy (Donor Stewardship)
- Elena Lawson, Director of Special Projects & Business Partnerships (Chili Cook-off)

Perry Jameson made a motion to approve the Board Meeting minutes from June 23, 2015. Hilton Smith seconded the motion. The motion passed unanimously.

Updates on Lives Saved – Kay Hyman

- Kay introduced a healthy Louis with his foster parents Faith and Kevin Blackburn. Louis, who is recovering nicely, made the rounds and greeted the Board.

Consensus Agenda

Animal Flow Report – Pearl Sutton, Sr. Director, Animal Services

- Pearl reported on our PetPoint statistics for July versus last year.
  - Intake numbers increased slightly by 142 (3%)
    - Adult Dogs increased by 5%
    - Kittens increased by 11%
    - Puppies decreased by 28%
      - Due in part to our increased outreach and discounted spay/neuter program
    - Cats decreased by 2%
  - Last twelve months LRR 89%
    - Cat LRR is 98% versus 18% in 2006

- Wings of Rescue Air Transport Very Successful (View Video)
    - This is the way transport should be done; At risk animals sent to underserved areas
    - All dogs were rescued within 24 hours
    - Only three were CAS dogs; the others were truly at risk for euthanasia
    - Founder, Yehuda Netanel, has purchased a new plane
    - He was impressed with how smoothly the operation was managed and has scheduled a second transport for November 7

Cruelty Report – Aldwin Roman, Director, Anti-Cruelty/Outreach

- Caitlyn Update
    - Aldwin testified at William Dobson's bond hearing
    - The bond was revoked for previous narcotics and weapons charges
    - Caitlyn's case will follow the prosecution of those charges and then Dobson will be extradited to Georgia
    - Investigators are continuing to gather new evidence in Caitlyn's case
- Horse Update
    - Courts are considering elevating the charges from misdemeanor to a felony charges
- Case of a dog and puppy left in carriers for 2-3 days
    - The animals were seized and brought to CAS
    - The investigating agency was not filing charges. Aldwin convinced them to do so.
    - The man was charged $2,000. He said he could not pay and was rude to the judge.
    - He was sentenced to jail for 40 days.

- Aldwin is continuing to build relationships with the Charleston County solicitors' offices. They will aid in efforts to urge police officers to press charges in animal cruelty cases

Dog Mauling – Dr. Lucy Fuller, Sr. Director, Veterinary Care

- In the case of the dog mauling a woman in Summerville, the dog was a male pit bull–type dog who was 3-4 years old and not altered. The dog was not a CAS animal. It is not known how the owner adopted the dog.
- It is not known what transpired to cause the attack but the owner's wife was home alone at the time.
- The aggressive actions of the dog were an abnormal response and a good example of why spay/neuter is so important. We will perform the procedure free of charge for those who cannot pay
- This is an opportunity to urge the public to get their pets from organizations who perform behavior testing on adoptable animals
- This case doesn't affect us directly but it doesn't help our case with home insurance policies that impose breed restrictions
- Don't be a breedist; Know your facts
    - Pit bulls are more likely to bite other dogs
    - Dachshunds are more likely to bit their owners

Milestones - Joe Elmore, Chief Executive Officer

Recognize local and national communities who have achieved groundbreaking legislation.

- Phoenix (only rescued animals can be sold in pet stores)
- Anderson (Tethering of animals is severely limited)
- Columbia (Strives for No Kill by 2018)
- North Charleston (Dogs may not ride unrestrained in open vehicles)
- Minnesota (Breeders are required to be licensed)

Elections - Joe Elmore, Chief Executive Officer

Joe, Elizabeth and Ellen met with two mayoral candidates: John Techlenburg and Ginny Deering

CAS is going to publish a statement regarding our position on animal welfare. We will also pose two questions to all mayoral candidates:

Charleston (7 candidates)
- Question 1: Overpopulation and Dog Maulings
  - Mandatory Spay/Neuter
  - Registration/Licensing (breeding)
- Question 2: Animal-Drawn Vehicles
  - Public Sentiment re: Controversial Practice

North Charleston (3 candidates)
- Question 1: Overpopulation and Dog Maulings
  - Mandatory Spay/Neuter
  - Registration/Licensing (breeding)
- Question 2: Tethering (chaining) Dogs to Stationary Objects (trees)

Our goal is to create a safe environment for the mayoral candidates to discuss animal welfare issues. We will volunteer to be the voice for animal care issues. We want these candidates with large constituencies to be aware of Charleston Animal Society and know that we are here to help make our communities safer. We want them to know the number of employees, volunteers, donors and social media friends that we can influence.

Consider publishing an op/ed piece in the Post & Courier to let the public and the candidates know that we are addressing these topics.

Frequently Asked Questions - Dan Krosse, Media Consultant/Kay Hyman, Director of Community Outreach

(1) No Kill Charleston 2015 – Branding Success, Our mothership
(2) No Kill, No Harm Charleston – Emphasis on cruelty and stopping it in our community
(3) No Kill SC – Expanding our Reach to inform others

Expand our message and influence beyond cats and dogs to include families. Connect animal abuse to human services.

Financial Report – Joy Huber, Sr. Director of Finance

Overall we are favorable to budget by $645,000; Operations are favorable to budget $58,000.

- Number of gifts are up 82% (67% due to Caitlyn)
- Number of donors are up 116% (107% due to Caitlyn)
- Donors contacted to direct money to Toby's Fund or refund

Shelter debt, Education, Management, Fundraising and Investments are all favorable to budget. Contributions are down in cofc, vendor giving and workplace giving. This is a timing issue. Fall is our season for fundraising. Animal Services is unfavorable to budget. Grants, adoption fees and spay neuter fees are under budget. Building maintenance, outsourced vet services and insurance expenses are over budget.
Balance Sheet

- 60% increase in cash
- 2% increase in total assets
- 4% increase in equity
- 11% decrease in total liabilities

Announcements

No Kill South Carolina - Elizabeth Bradham/Jamie Healy

- Petco Foundation to sponsor first 2-years at $250,000
- Goal is to form Key Resource Centers across the state so that no county is more than a 1-2 hour drive from accessing assistance

Charleston Magazine Giving Back Awards - Kay Hyman

- Top 5 Finalist for 2014
- Voting by text and online on Friday, November 20, 2015
- We had to sit out 2013. We won in 2012.
- Three of the Top Five are animal organizations. CAS, LEARN, Birds of Prey
- Animal organizations were only 1% of all philanthropy previously. This represents a shift.

NBC “Empty the Shelter” national campaign - Dan Krosse (View Video)

- Saturday, August 22 - Nationwide, historic event
  - TV shows at 9am and 7:30pm
- Local Sponsors are CAS, VSC and Subaru
  - Ads running all week
- Come volunteer with us!

Discussion Agenda
Helen Pratt Thomas – Philanthropy Committee Chair

In the organizational phase of structuring the Philanthropy committee. The theme is No Kill, No Harm. This is not a campaign; this is a movement.

- By the end of the meeting, each Board member should commit to a fundraising committee.

Gerri Greenwood – Celebrity Chili Cook-off & Oyster Roast Chair

Accepted an increased fundraising goal

- On track with number of teams signed up
  - Two-thirds of the teams are new teams
- Need more sponsors. Contact Gerri or Elena with leads.
  - Ellen has a possibility
  - Send the sponsorship levels to Laurel
- First Captain’s Meeting is September 1

- 26 teams have RSVPed

Firefighter Committee – Jen Coleman

Launched the website in February
- Raised over $50,000 in online voting
- 13,000 Facebook Likes
- 35,000 YouTube views
- 88,000 Website views

Calendar preorders
- 3,400 calendars, $80,000. Goal is 12,000 calendars

Debut Party is almost sold out.
- Only 25 General Admission tickets are left
- 15 VIP Tables are on the waiting list
- Need a larger venue for next year

Sponsors
- Ellen pledged $800 to be the last monthly sponsor
- Looking for date sponsors

Finance Committee – Hilton Smith, III

Bank of America loan is maturing at the end of this month.

Our portfolio performance is low. We are earning 1.5% – 2%.

Two of the three Pulleyn estates real estate parcels have been sold.

Hilton made a motion for CAS to use the proceeds from the sale of the three properties donated to CAS from the Pulleyn Estate as well as any necessary proceeds from our Coastal Community Foundation Endowment account to pay off the building debt held with Bank of America. In addition, we, the Board, wish to petition the Board of the Coastal Community Foundation to release our endowment in full to CAS for us to manage in our investment account with Wells Fargo. The motion was seconded by Johnny, Julie, Kiara, Helen and Tami. The motion passed unanimously.

Pulleyn Estate Committee
- 4442 Windswept, Kiawah Island sold for $293,000; disbursed to CAS $267,375
- 3029 Edenvale Rd, Johns Island sold for $600,000; disbursed to CAS $549,201
- 4655 Tennis Club Lane Kiawah Island $349,000; still on the market
- We are now included in the lawsuit; the motion to dismiss will be published shortly. Please plan to attend the hearing at 100 Broad Street. (Wednesday, September 2, 2015 at 9:30am). If the $500,000 is released this will conclude the case.

142nd Annual Meeting - Sarah-Hamlin Hastings

Joe introduced Sarah-Hamlin as the Committee Chair

- Sarah will be sending an email to recruit members for her committee.

Governance Committee - Hal Creel

Held the first meeting which was organizational in nature last Monday/month (2:00p)

Focus:

- Updating bylaws
- Formalizing a nominating process
  - Would like to always have a waiting list
- Self-evaluation of the board

Campus Grounds Enrichment Committee - Aussie Geer

- The Post and Courier Foundation sponsored at $50,000
- Dedication scheduled for Oct. 22, 2015 (Time TBA)
- Benches and shade sails needed to complete project
- Enrichment for shelter dogs – Two hours every day
- Create a video to share online

Creation of an Acquisitions/Mergers Committee - Elizabeth Bradham

- Introduce Hank Greer as Chair
- Recruit committee
- To study acquiring Feline Freedom Coalition
- Evaluate organizations who are candidates financially

Creation of a Planned Giving Committee - Elizabeth Bradham

- Announce GP Diminich as Chair
  - Instrumental in helping us with Pulleyn Estate
- Committee being formed

Special Report

Animal Drawn Vehicles - Joe Elmore/Ellen Harley

Update on the downed horse incident from July 17, 2015

- Our position is that the conditions for working horses are not humane as currently practiced, as historically practiced.
- With over 172,000 Facebook followers, over 30,000 e-newsletter followers, over 87,000 readers of Carolina Tails and an annual constituency of over 50,000, the Animal Society exercises its influence on animal issues carefully, responsibly and effectively.
- The carriage horse industry and the City have demonstrated, time and time again, that the system does not work, resulting in the injuries and deaths of both horses and people.

First meeting of the Review Committee will be on Wednesday, August 19

- We have 142 years of tradition in equine welfare
- We will take the position of the voice of reason
- Dr. Lucy Fuller will participate. We have also requested that Aldwin Roman participate.
- Scope of the review could be contained to just the incident or broader to include the industry

We are posing this question to mayoral candidates:

- How will you address the sentiment of citizens who are against the carriage horse industry?

Joe Elmore made the recommendation that we procure Forbes-Tate to assist in initiating strategy development, polling with focus group(s) and plan to effectively eliminate the inhumane treatment of horses used in Charleston's carriage horse industry. He estimates that phase 1 of the project could cost between $82,000 and $95,000.

Elizabeth made the motion that the Board authorizes Joe to spend the funds to go ahead with phase 1 and poll the populace. Ellen seconded the motion. The motion passed unanimously. Please keep this confidential.

Leadership Directory Distribution

- Please keep the Directory confidential

Watch for the Fall Calendar of Events in your email

Good and Welfare

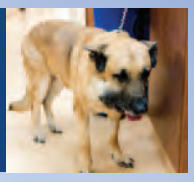
- The complimentary letter from Joseph Frederick, volunteer
- Johnny's father is getting better
- Caroline got married
- Elizabeth's great niece and nephew adopted a collie/sheperd mix

The meeting was adjourned at 4:46.
Submitted by Debbie O'Hara

EXHIBIT 3

CAROLINA TAILS

PET ER
We take you inside.



State of Neglect?
South Carolina Horses

Kitten Invasion
How You Can Help

Sssssnakes!
6 to Watch For

No Kill South Carolina
A New Initiative

SPRING 2015

A Charleston Animal Society Publication



State of Neglect

A DISTURBING LOOK AT HOW SOUTH CAROLINA HORSES ARE TREATED

BY DEIRDRE MAYS *PHOTOGRAPHY BY JASON BENNETT*



2015 began with a sad, complicated rescue of 11 horses in Charleston County. Charleston Animal Society staff and foster families worked tirelessly to find foster care and help get the horses adopted. Police and prosecutors are still investigating aspects of the case.

The case illustrates the disturbing fact that something as large as an 11-hundred-pound horse can fall under the radar when it comes to tracking cruelty and neglect.

Joanna Lacey knows the plight of horses all too well. She and her family are currently sharing their lives with 11 horses on their Ravenel farm. Three of those are recent fosters Charleston Animal Society rescued from the January neglect situation. Lacey has also rescued horses from an auction barn in New Jersey that were going to be shipped to Mexico for slaughter.

Even with her front line experience she believes that most people don't intend to harm these animals. "Most scenarios are probably 'I got in over my head and now I have this horse that looks terrible and I have to sell it."



Charleston Animal Society Chief Executive Officer Joe Elmore said the organization has been rescuing equine and other farm animals for over a century, and more work needs to be done. "Early last year we had several equine advocates approach us and say there needs to be something in place to find homes for horses at the same rate as dogs and cats, and get them adopted," Elmore said.



While it is not as obvious a problem as that of cats or dogs, people involved with investigating and rescuing equines are concerned, and say more awareness is needed.

Aldwin Roman is the Director of Anti-Cruelty and Community Outreach for Charleston Animal Society. He said negligence involving a horse can include the failure to provide food, water and adequate shelter. More serious crimes include intentionally harming a horse.

Elmore and Roman formed a work group that included a variety of advocates who began to study equine rescue and cruelty, working closely

1899





with the Humane Society of South Carolina in Columbia – leaders in the state for equine investigations. "We knew it was bleak but once you leave Charleston County it plummets," Elmore said of how horses are faring across South Carolina.

"The situation out there is just horrendous," Roman said. "Speaking with other cruelty investigators in the state we are coming across horses that are starving."

Complicating the neglect is that some agencies are hesitant to get involved with these desperate situations since they will have to seize the animal and pay the expenses to feed and house it, he said.

And because of those costs to care for these majestic animals, neglect is their greatest threat. When purchasing a horse a prospective owner has to factor in that the average lifespan is 20-30 years and the *minimal* yearly expense can be up to $3,000 -- that's a financial commitment of $60,000 in addition to the purchasing cost.

Equine ownership is connected to economic trends. Though the U.S. economy has improved since the end of the recession in 2009, Americans are still bouncing back. When someone who is barely getting by perceives that he or she has limited options to care for an animal, experts say starvation often becomes the unintentional solution by cutting back on feed or even abandoning the animal.

Lacey believes there is a lack of public awareness and urges people to support the organizations that help those owners in need. "It helps to get the horses out of their hands and not make them feel ashamed for it," she said. "Everybody falls on hard times. People need to ask for help. Donate to things like Toby's Fund (Charleston Animal Society's Medical Fund) or something similar because that's what it's for."

Elvis is an example of a how these magnificent animals can be saved. In 2004, Elvis was rescued from Wadmalaw Island by Charleston Animal Society after he was found 450-pounds underweight. 11 years later he is thriving and already has two Pinto World Championships under his belt. Terri Skinner adopted Elvis and paid thousands of dollars in medical bills to treat him, "We need stronger laws that would take those who abandon horses and hold them responsible for their future treatment."

Charleston Animal Society is now looking at how to expand the scope of their rescue efforts with equines. "We need to bring our success in fostering and adopting, and expand it across the state,' Elmore said. "We are talking to other organizations about forming a public-private partnership to approach equine rescue."

While that planning is underway, Elmore passionately urges horse owners who are in need to seek help. "There's no excuse, at least not in this country, to let a living creature starve to death. This is America, not a third world country," he said. "When we put out a call for food, folks come in droves with food. That is just part of the American character, particularly in the South."

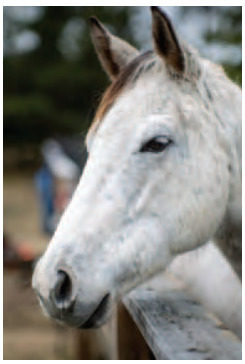


HORSES REQUIRE:

- An average of at least 16-22 lbs. of hay and/or grain each day
- Hoof care every two months
- Routine veterinary needs such as vaccinations, de-worming and dental care
- Appropriate shelter and fencing.
- 17 horse rescues in SC are on UnwantedHorseCoalition.com

"The situation out there is just horrendous," Roman said.





(Top Left): Elvis, rescued 450-lbs. underweight, is thriving now and spends his days entertaining young friends.

(Top Right): UnwantedHorseCoalition.com lists 17 rescues in South Carolina.

(Lower Right): Joanna Lacey spending time with her latest foster, Sarab, one of 11 involved in a recent Charleston Animal Society rescue.

(Bottom Right): Sarab striking a pose, hoping to impress her new adoptive family who might be reading this very article.

EXHIBIT 19

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON)	CASE NO: 2018-CP-10-04083
CHARLESTON CARRIAGE WORKS, LLC,)	
Plaintiff,)	**DEFENDANT CHARLESTON ANIMAL SOCIETY'S FIRST INTERROGATORIES TO PLAINTIFF**
vs.)	
CHARLESTON ANIMAL SOCIETY, ELLEN HARLEY, and CHARLESTON CARRIAGE HORSE ADVOCATES, INC.,)	
Defendants.)	

TO: ELIZABETH PALMER, ESQ., ATTORNEY FOR DEFENDANT CHARLESTON ANIMAL SOCIETY:

LAINTIFF'S ANSWERS TO DEFENDANT CHARLESTON ANIMAL SOCIETY'S FIRST INTEROGATORIES TO PLAINTIFF

Pursuant to South Carolina Rule of Civil Procedure Rule 33, Defendant Charleston Animal Society hereby propounds and serves upon Plaintiff Charleston Carriage Works, LLC ("Plaintiff") the following written Interrogatories, each to be answered in writing and under oath within thirty days from the date of service hereof. These discovery requests are continuing in nature, and you are required to promptly update your responses if you obtain further or different responsive information subsequent to the date of answering these discovery requests, up to and including the time of trial.

DEFINITIONS

1. "Communication" means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls,

a. The name, address, and telephone number of the individual(s) "acting on or at the direction" of Charleston Animal Society (if unknown, a description);

b. The specific action(s) taken by the individual;

c. The date the action(s) occurred;

d. The identity of any witnesses to the action(s); and

e. All facts supporting your contention that the individual was acting on or at the direction of Charleston Animal Society.

ANSWER:

The plaintiff has received hundreds if not thousands of on-line, telephone and in person threes, including, but not limited to, one person driving to the plaintiff's home and discharging a firearm. The plaintiff previously provided a sample of these communications to defendant's counsel. The defendant, Charleston Animal Society, believes it is not responsible for the actions of third parties, but the Charleston Animal Society ignores that it created the environment for such attacks by creating and disseminating a false narrative painting the plaintiff as cruel and inhumane.

6. For each false or defamatory statement allegedly made by Defendant Charleston Animal Society (including, but not limited to, those referenced in, or supporting the allegations of, paras. 6, 8(A)-(D), 10, 11, 15-17, 21, 24, 26, 27, 29-35 of Plaintiff's Complaint), state:

a. The content of the statement;

b. The identity of the individual(s) (or, if not an individual, entity) publishing the statement;

c. The manner in which the statement was published;

d. The date(s) on which it was published;

e. Why you believe the statement to be false;

f. To the extent you claim that the statement was made with malice, all facts supporting that contention;

g. How the particular statement damaged you; and

h. To the extent you contend the individual or entity publishing the statement was acting under color of law at the time the statement was published (for purposes of your civil rights cause of action), explain the facts supporting this contention.

ANSWER:

The false statements made by Charleston Animal Society include the captions supplied to the Big John Video by an unknown person at Charleston Animal Society and the numerous comments thereunder suggesting that Big John "collapsed" from overwork and heat. In addition to the false captions added to the video hosted on the Animal Society web site, the Animal Society has made numerous false statements related to the plaintiff's mistreatment of its animals. For example, file no. 85 on the compact disc previously provided shows news article quoting Joe Elmore for the false statement that the carriage companies are using a loophole to keep horses working past the regulated temperature allowed accompanied by a photo of one of Brody's horses. File No. 87 depicts the Charleston Animal Society Facebook page calling for a complete ban of the use of carriage horses "because the regulations protecting them are not fully followed or monitored!" File number 98 is a page from "Carolina Tails," the Charleston Animal Society magazine, "Are Things About To Get Worse for Carriage Horses in Charleston?" File 99 contains the false assertion that conditions in Charleston are the harshest in the nation. Nos 100, 101, and

102 are Facebook ads showing Big John on his side creating the impression he is dead. No. 108 is a screen shot of their web-site with a link to Big John video with the following caption: "Do the study before another horse collapses." "On April 19, another working horse collapsed in the streets of Charleston. Was the load "Big John" was carrying weighed as it is supposed to be by law? Was he exhausted or did he trip? Eyewitnesses documented Big John's ordeal despite those on the scene who wanted them to stop filming." File 110 is a typical example of Charleston Animal Society's efforts to control the narrative to prevent accurate information reaching the public. File 124 is Charleston Animal Society's Facebook: page commenting on its false narrative. File 114 is Charleston Animal Society's posting of a photo with the caption: "Was Big John exhausted or did he just trip?" Files 136 – 141 are examples of the Charleston Animal Society purchasing advertising to divert internet traffic from Brody to Charleston Animal Society and its false narrative. File No. 166 is a screen shot of the video with the caption: "By law horses are not supposed to pull more than three times their weight. However loaded carriages are never weighed and Charleston does not enforce this provision." File 292 is a post from a director of Charleston Animal Society on Charleston Carriage Horse Advocate's page: "Would it be o.k. to make a citizen's arrest of the drivers, one by one, since they are part of the ongoing policy ignoring of the requirements that they weigh each carriage—and have been ignoring the City requirements for forty years." File 178 is Joe Elmore's false statement that Big John collapsed. File 193 is another Charleston Animal Society's call for a total ban of "cruel and deadly horse drawn carriage rides." This petition is accompanied by a photo of Big John. File 224 are the City Council Minutes reflecting Charleston animal Society Board Member Ellen Harley advocating for a total ban of carriage tours. File 225 is an article from "Charleston Currents," quoting Joe Elmore: "In 2015, following numerous complaints and incidents involving the animal drawn vehicles, both carriages

and wagons, Charleston Animal Society reviewed several aspects of the system related to the most pressing health and welfare considerations of the animals, both horses and mules. Serious flaws in the system were identified in the early stages prompting the Animal Society, by a unanimous vote of its 28 Board of Directors, to deem the current practice of animal drawn vehicles in Charleston as cruel." File 316 is Charleston Animal Society's tweet that says: "Another working horse collapsed in the streets of #CHSNEWS. Was load Big John carried too heavy? Was he exhausted?" with a link to the video. File 322 another vote to not have carriages in Charleston: "Until they follow the law and improve conditions, vote no."

On May 27, 2019, the Charleston Animal Society posted on their Facebook page the following false statement: "It's been an hour and a half at more than 95, and the carriage horses in Charleston are still working. Follow the law—take them off the streets. Too hot for horses."

On January 9, 2017, Charleston Animal Society Board members, Elizabeth Bradham and Ellen Harley falsely informed the Charlestowne Neighborhood Association that the carriage tours needed an evaluation for everything connected with them. See Minutes of Meeting attached here.

See also Quintin Washington's April 28, 2017, of Joe Elmore published on you tube.

7. Identify and set forth the web address of any video(s) posted/published by Charleston Animal Society concerning Plaintiff (as opposed to any other carriage company or the carriage industry in general) that you contend are defamatory or false. For each such video, explain the basis for your contention that it is defamatory and/or false.

ANSWER:

The plaintiff does not know what a "web address" of a video would be. As answered above and throughout these answers to interrogatories, the plaintiff believes that Ellen Harley shot a video

22. If you deny Request to Admit No. 10, explain the basis of that denial, all evidence and witnesses supporting that denial, and specifically, how you know with certainty one or more of Big John's legs did not buckle.

ANSWER:

See preceding answer.

June 19, 2019

Thomas R. Goldstein, S. C. Bar 2186
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P. O. Box 71121
Charleston, S. C. 29415-1121
(843) 554-4291
tgoldstein@cobblaw.net

CERTIFICATE OF SERVICE

This is to certify that I have served counsel for all parties in the foregoing matter with a copy of this pleading by:

- ☐ depositing in the U.S. Mail a copy of same in a properly addressed envelope with adequate postage thereon
- ☐ handing counsel a copy thereof
- ☐ by facsimile and depositing in the U.S. Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 24th day of June, 2019

BY:

Animal Society says carriage tours using 'loophole' to keep horses out in hot weather

by ABC News 4
Thursday, August 17th 2017



(File/WCIV)

AA

(mailto:?subject=A%20link%20f

FACEBOOK TWITTER MAIL TRENDING

CHARLESTON, S.C. (WCIV) — A local animal rights group says Charleston horse carriage tour companies are using a "loophole" to get around city rules on when horses are supposed to be pulled from service during extremely high temperatures.

Horse carriage tours were pulled off Charleston streets twice Thursday, as temperatures soared above 95 degrees. That's what's supposed to happen, according to a city ordinance passed in March which governs carriage horse tours.

However, the Charleston Animal Society is criticizing the carriage companies and the city for a so-called "loophole" which kept the horses on the street for a full hour after the temperature hit 95, and had them back out on the streets working within a half-hour of being stabled Thursday.

The city ordinance on operating temperatures for horses, which lowered from 97 to 95 degrees in March, specifies horses be pulled from service after four consecutive temperature readings of 95 degrees or higher.

Those readings occur 15 minutes apart, meaning the temperature must be at 95 or above for an hour before the horses are taken off the streets.

Despite the Animal Society supporting lowering the temperature, CAS spokesman Dan Krosse says the group did not support the caveat about the four readings over an hour, and only recently found out horses are allegedly allowed back to work after only 30 minutes, and two readings of temperatures below 95 degrees.

City of Charleston spokesman Jack O'Toole confirms the horses were ordered off the streets Thursday at 11:50 a.m. and 1:35 p.m. After the first instance, it was 45 minutes before the horses

were cleared to work again (12:35 p.m.). It was an hour and 10 minutes before the horses were allowed back to work after the second shutdown (2:44 p.m.), according to O'Toole.

CAS says the requirement for one hour of temperature readings before taking horses of the streets is flawed because it allows for a major temperature spike before the horses ever come off the streets.

As evidence, CAS says on its Facebook page eyewitnesses observed carriages still carrying tourists after temperatures reached as much as 97 degrees on the official city thermometer Thursday.

"Today is another illustration of what we have been saying for many months: the system is broken." Charleston Animal Society CEO Joe Elmore said in a statement on the group's Facebook page. "When the temperature reaches 95 degrees, pull the horses. It's as simple as that. This 4-reading loophole and other factors continue to make the working conditions in Charleston the harshest in the nation."

MORE TO EXPLORE

(http://abcnews4.com/news/local/warrant-issued-for-murder-over-body-found-on-acorn-rd-in-walterboro?utm_source=taboola&utm_medium=referral&utm_campaign=internal)

Warrant issued for murder over body found in Walterboro

(http://abcnews4.com/news/local/warrant-issued-for-murder-over-body-found-on-acorn-rd-in-walterboro?utm_source=taboola&utm_medium=referral&utm_campaign=internal)
(https://abcnews4.com/news/local/deputies-responding-to-shooting-at-summerville-gas-station?utm_source=taboola&utm_medium=referral&utm_campaign=internal)

Two sent to hospital following shooting at Summerville gas station

(https://abcnews4.com/news/local/deputies-responding-to-shooting-at-summerville-gas-station?utm_source=taboola&utm_medium=referral&utm_campaign=internal)
(http://abcnews4.com/news/local/police-man-suffering-from-ptsd-beats-up-80-year-old-man-on-folly-beach?utm_source=taboola&utm_medium=referral&utm_campaign=internal)

Police: Man reportedly suffering from PTSD beats up 80-year-old on Folly Beach

(http://abcnews4.com/news/local/police-man-suffering-from-ptsd-beats-up-80-year-old-man-on-folly-beach?utm_source=taboola&utm_medium=referral&utm_campaign=internal)
(http://abcnews4.com/news/local/closing-the-divide-both-confederate-flag-and-fence-come-down-in-summerville-neighborhood?utm_source=taboola&utm_medium=referral&utm_campaign=internal)

Closing the divide: Confederate flag and fence both come down in Summerville neighborhood


T-Mobile
9:49 AM
21%
Charleston Animal Society
5,963 likes 185 comments
Like
Comment
Share
Charleston Animal Society added 3 new photos.
Jul 16 at 12:49pm
Please take this poll and VOTE for whether or not you think Carriage Horses should be used in Charleston.
We Voted no Because the regulations protecting them are not fully followed or monitored!
http://counton2.com/2015/07/17/charleston-carriage-horse-collapses-after-being-spooked-by-truck/

ARE THINGS ABOUT TO GET WORSE FOR CARRIAGE HORSES IN CHARLESTON?



ON THE SURFACE, IT MIGHT SEEM A recent move by the Carriage Animal Temperature and Heat Index Committee in Charleston would make things better for carriage animals. But in reality, it will make things worse.

Under current law (as of December 2016), horses are only pulled from service if the temperature spikes to a sizzling 98°F or 125° heat index. There have to be two readings 15 minutes apart before tours on the hot downtown asphalt are halted. So, in the worst case scenario (if the law is followed), horses are out in the heat for 15 minutes. Of course, this only happens if the law is followed. In the summer of 2015, Charleston Animal Society discovered that, even though the temperatures reached 98°F on 4 separate occasions, the horses were pulled only once.

Making Things Worse

Under the new proposal from the city committee, the heat threshold temperature drops to 95°F or 110° heat index. BUT, and this is a big but, the horses and mules have to stay out in the heat much longer, before they can be pulled. In a move to appease the carriage industry's concerns about potential lost revenue, the animals must keep working until there are four consecutive readings above the heat threshold – that's one HOUR. The temperatures could spike to 96°, 99° even 100°, with heat indices above 125° – and they won't be pulled unless there are 4 consecutive readings, 15 minutes apart. But if even one of those 4 readings dips below 95°, the cycle starts over and it will be at least another hour in the heat for the animals. (If pulled, the animals will be off the streets until there are two separate readings below 95° or 110° heat index.)

Scientific Research is the Key

Charleston Animal Society's representative on the committee voted against this proposal. Charleston Animal Society is requesting a comprehensive, peer-reviewed study of the Charleston carriage industry using a science-based approach. But that idea was shot down by the committee, which is tasked with making the industry more humane. It wasn't even allowed to come up for a vote. "I can tell you right now we would never allow our animals to be part of a study with an animal rights group," said Broderick Christoff who represents the carriage industry on the committee.

"Hearing this should set off alarm bells for anyone who truly cares about the welfare of horses," said Charleston Animal Society CEO Joe Elmore. "It raises the question, what are these carriage companies hiding and why are they afraid of an independent study?"

Controversial Data

One reason could be that these researchers would not rely on the data that is provided by horse carriage companies to the city; information such as a horse's internal temperature after tours. Researchers would collect their own data and then make carriage tour recommendations based on scientific standards used at universities and research facilities around the world.

The City would not allow independent veterinarians to participate in the committee. Instead, they used the City's veterinarian and the carriage horse company's veterinarian to review the numbers, which have no scientific basis, to come to the "95°/110°" decision. Throughout the meeting, representatives from the City and the carriage industry both usedthe word 'arbitrary,' when it came to the temperature decision they were supporting, which may make it difficult to legally enforce.

As of this writing, Charleston Animal Society's proposal for a research study has been endorsed by the Humane Society of the United States, and Atlanta-area Equine expert vet Kenneth Marcella, a prolific author and scientist on equines issues. The proposal is also under consideration by the Welfare and Public Policy Advisory Commission of the American Association of Equine Professionals, after having been recommended for endorsement by its subcommittee.

As of Carolina Tails December 2016 deadline, the temperature proposal still needs to be approved by the city's Tourism Committee and City Council before it can be enforced. A comprehensive study would research a variety of factors including three main issues:
• Temperature • Load • Traffic Congestion
Learn more at: CharlestonAnimalSociety.org/humane-carriage-tours



Another downed horse in Charleston (Labor Day Weekend). An eyewitness said the driver claimed the horse laid down to take a nap, during the tour!

THE ADVOCACY FOR CARRIAGE HORSES CONTINUES

BY JOE ELMORE, CHARLESTON ANIMAL SOCIETY CEO

"YOU CAN FOOL ALL THE PEOPLE SOME OF THE TIME AND SOME OF THE PEOPLE ALL THE TIME, BUT YOU CANNOT FOOL ALL THE PEOPLE ALL THE TIME."

LAST FALL, WE PROVIDED YOU WITH an update on our efforts to make working conditions more humane for carriage horses in Charleston, home of the harshest working conditions in the nation and one of the most incident prone cities for working horses.

Charleston Animal Society adopted its position on this issue in spring 2015 based on looking into carriage industry practices. Based on numerous complaints received by the Animal Society, it formed a working committee to address the issue and immediately found five major areas of concern:

1. **Heat**
2. **Load**
3. **Urban working environment**
4. **Lack of compliance**
5. **Lack of enforcement**

The Animal Society's position has never changed - it is not against working animals provided that the working conditions and environment are humane and guided by real science. Based on the Animal Society's research, horses working in Charleston do so under the harshest conditions in the country.

The Study

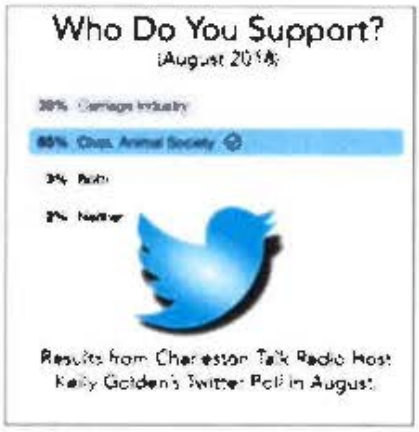
Since 2015, the Animal Society has advocated for a prospective, science based, peer reviewed study, the results of which will inform our community, including all interested parties, regarding the humane conditions for the operation of carriage tours in the urban environment downtown. This proposed study has been endorsed by the American Association of Equine Practitioners, the American Society for the Prevention of Cruelty to Animals, The Humane Society of the United States, local animal organizations, Historic Ansonborough Neighborhood Association, Charlestowne Neighborhood Association and Dr. Ken Marcella (expert equine veterinarian and part of the team that established heat regulations for the Atlanta Olympics).

Significant reform of the current working conditions is needed to make this practice humane for the animals and free of systematic fear and distress for days on end, bringing it in line with other cities across America.

Animal Advocates Under Attack

In response to the Animal Society's advocacy efforts, the carriage industry has brought in local, state and national political firms to organize personal and organizational attacks on the Animal Society and anyone who advocates for more humane working conditions. Recently, one carriage company filed, withdrew, then refiled a lawsuit in a different court instead of facing the music and providing some basis for their claims. This is a misuse of the court system to distract the public from the real issue, which is making the working conditions of the horses more humane.

While there are petitions calling for the ban of working horses drawing wagons in urban settings numbering over 1 million signatures, the Animal Society has resisted pressure to call for a ban; instead, the Animal Society has offered a compromise by proposing the study. This would provide Charleston with a unique opportunity to lay this issue to rest and serve as a model for cities across the nation and world.



Results from Charleston Talk Radio Host Kelly Golden's Twitter Poll in August.

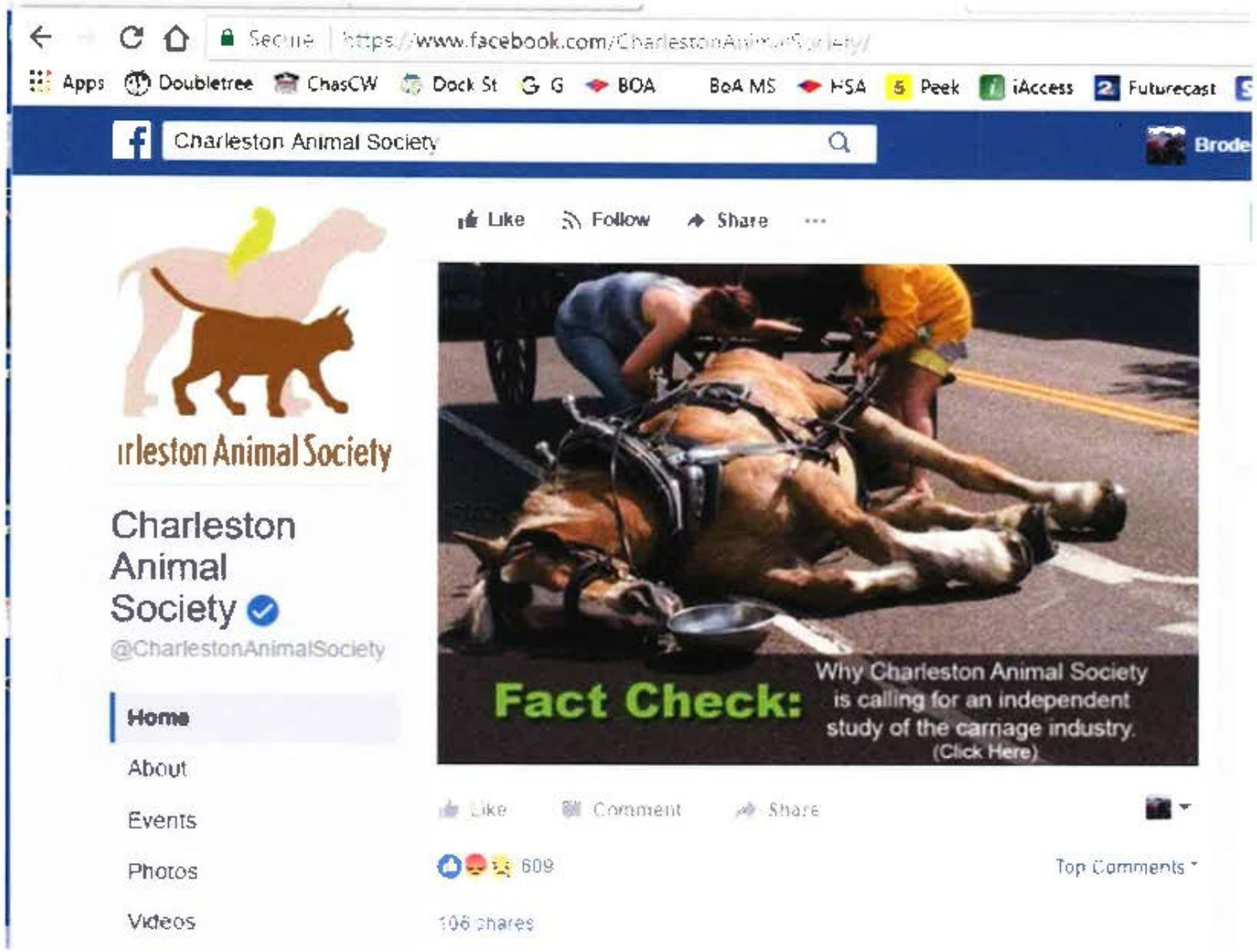
Disinformation Campaign

Time and again over the past three years, representatives of the carriage industry have provided the public with both misinformation and disinformation. The carriage industry and their local and national political operatives have attempted to smear and intimidate individuals, businesses and organizations with vile, false and bigoted attacks. This distracts the enterprise, the City and the process toward improving the working conditions and environment for the animals.

Charleston Animal Society has never attacked an individual, owner or company associated with the carriage horse industry. However the Animal Society has endured countless personal and organizational attacks.

It is not only outrageous, our desperate, that the carriage industry is attempting to suppress the Animal Society's right to make legitimate criticisms and call for action of our elected officials.

Charleston Animal Society has not and does not make false statements. We have exposed the system's failure with the truth. That's not defamation. That is America.


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Why Charleston Animal Society is calling for an independent study of the carriage industry.
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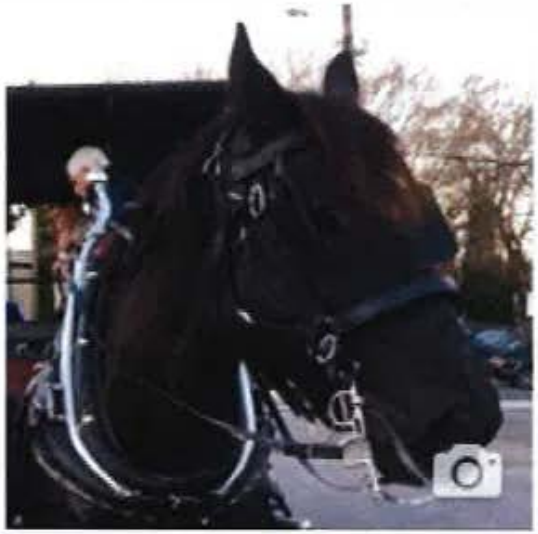
Fact Check:
Why Charleston Animal Society
is calling for an independent
study of the carriage industry.
(Click Here)

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Demand Humane Carriage Tours

Do the Study Before Another Horse Collapses

On April 19, another working horse collapsed in the streets of Charleston. Was the loyal "Big John" was carrying [illegible] as it is supposed to be by law? Was he exhausted or did he "trip?" Eyewitnesses documented Big John's collapse, despite those on the scene who wanted them to stop filming. It is time for an independent, scientific, peer-reviewed study to determine if Big John and other horses are truly working in a safe and humane environment. Charleston Animal Society, Pet Helpers and several other local and national animal welfare organizations want to see a study conducted.

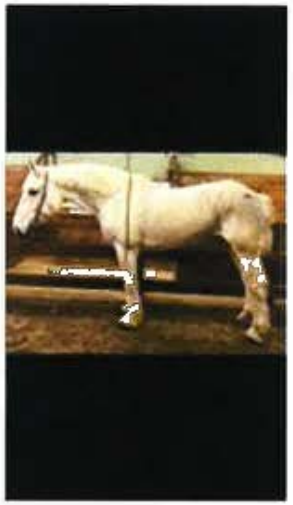



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Like · Reply · April 24 at 10:42pm
Lacie Rinehart Wow CAS way to censor people just because you don't agree or like what they say. I am sick of your witch hunt to shut down the carriage companies. If you shut them down will you personally take care of all of the "abused" horses? If the horse rescue in Charleston have no issue why do you? You are a cat asnd dog rescue not equine rescue.
Just sayin...
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Kathy Swanson The carriages move easier and smoother than the bicycles being peddled by people towing people around town. This is a heavenly job for these horses that would have been doomed to being in a pasture, bored, and just waiting to die. They love the attention and purpose and all precautions are taken to assure their care and safety.
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Sara Victoria Charleston Animal Society this horse is actually at risk of going to slaughter, auctioning tomorrow. There is also another draft horse. They seem to have lost their jobs and were sent to auction. Perhaps good horses for your study? Would be happy to house at my facility for a reduced rate for their size as a gift for CAS to get their study going (they eat quite a lot) provided the proper quarantine, health check, vaccinations and a adoption plan post study have been done. I believe my stalls are the only in the area that are oversized, 13x14, besides the carriage companies.



Like · Reply · 4 · April 25 at 7:08am · Edited

Caroline von Asten I am amazed by the amount of miss-information in almost every single comment here! People, please educate yourselves before you make judgments! CAS - nice job of spreading false information and waisting your time and resources on the wrong cause. Concentrate on horses that really need your help, not a bunch of well taken care of carriage horses. If you want to find real abuse just drive around the country side and look in pastures on back roads to find abused and starving horses. Having fostered one of

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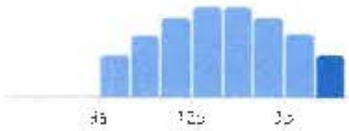
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Website | Directions

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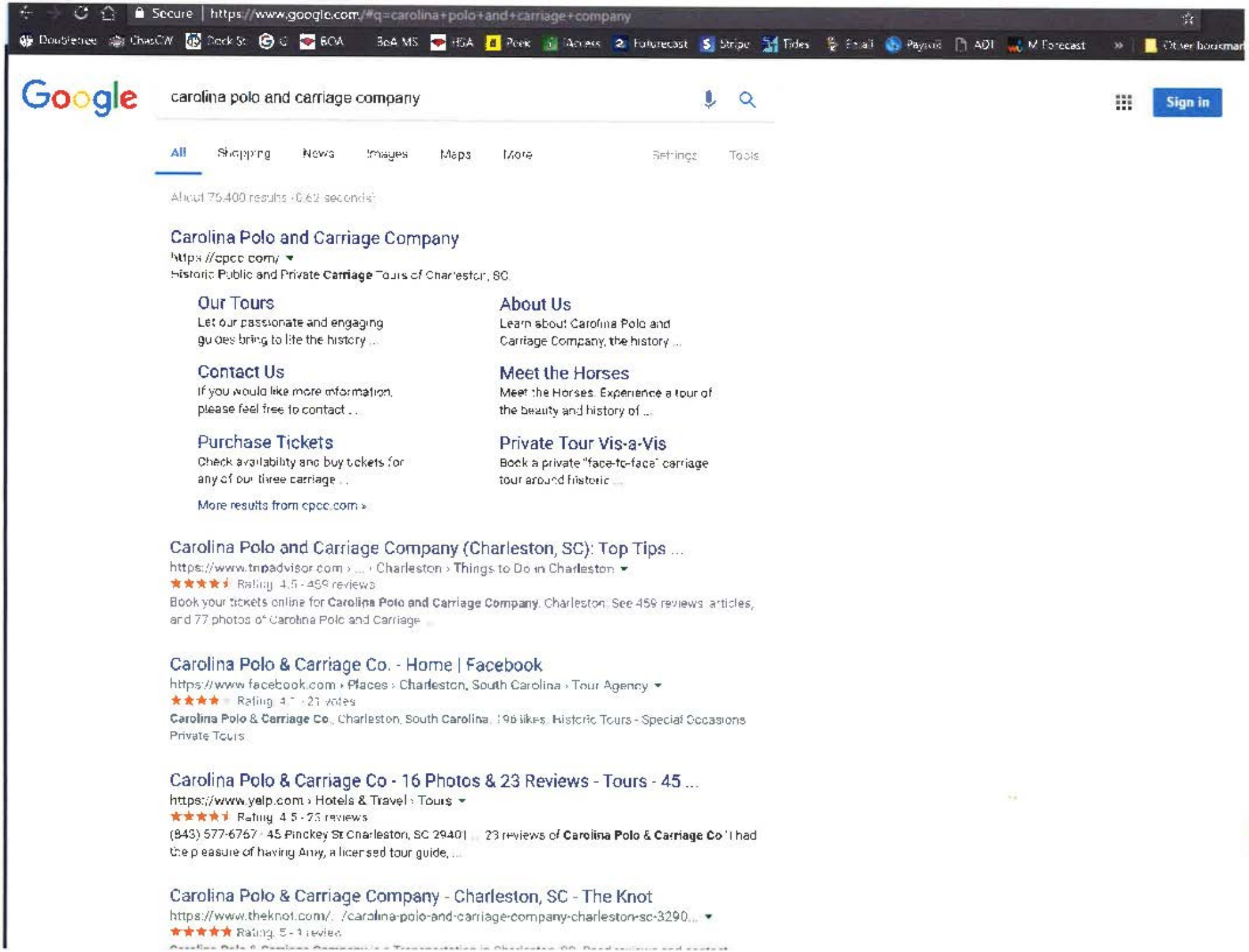
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Charleston Carriage Works

Website Directions

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Charleston Carriage Works

Website Directions

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Carriage ride service in Charleston, South Carolina

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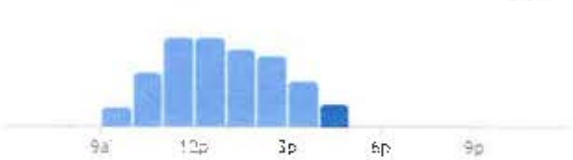
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Sundays

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Reviews

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Demand Humane Carriage Tours

Do the Study Before Another Horse Collapses

On April 19, another working horse collapsed in the streets of Charleston. Was the load "Big John" was carrying weighed, as it is supposed to be by law? Was he exhausted or did he "trip"? Eyewitnesses documented Big John's ordeal, despite those on the scene who wanted them to stop filming. It is time for an independent, scientific, peer-reviewed study to determine if Big John and other horses are truly working in a safe and humane environment. Charleston Animal Society, Pet Helpers and several other local and national animal welfare organizations want to see a study conducted.



1927

271

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CARRIAGE COMPANIES RESPOND TO INDUSTRY STUDY

Today's statement by Broderick Christoff of Charleston Carriage Works is a non-endorsement endorsement of Charleston Animal Society's call for an independent, scientific, peer-reviewed study of the carriage industry downtown. "The carriage industry thinks they placed the ball back in our court, but the ball they sent back is flat," said Charleston Animal Society CEO Joe Elmore.

Christoff states that he speaks on behalf of the entire carriage industry downtown and that the industry now backs a study as endorsed by several local and national organizations including the TVMA (Trident Veterinary Medical Association), AAEP (American Association of Equine Practitioners), HSUS (Humane Society of the United States), and the ASPCA (American Society for the Prevention of Cruelty to Animals).

However, Christoff says the industry will not make their horses and mules available to take part in the study. This should raise a red flag with the public. Clearly, a study cannot be done without the horses and mules that actually live and work in Charleston. To use a replacement herd as Christoff suggests would raise questions about the validity of the study and is yet another hurdle thrown in the way of getting answers on what comprises humane working conditions in Charleston.

Christoff's statement is a reaction to the fact that more than 11-million people saw the video of his horse "Big John" collapse on Meeting Street last week. The Charleston carriage industry knows that America is watching. It's time to move forward with a true, independent study. The research team will only come from a top-rated university that uses humane and the least-possible invasive research methods.

The point of the study is to clarify with independent research, what is the most humane working environment for horses and mules in Charleston. This independent study would provide unbiased and objective answers to questions that we receive year-round from residents, tourists and experienced horse owners, who worry about the working horses and mules downtown. The research would address questions involving heat, load, congestion and other stressors, including how they relate to each other.

Before last week's incident involving the collapsed horse "Big John," Charleston Animal Society had reached out to industry leaders to meet about the study, but was turned down. We are hopeful that a meaningful dialogue can begin with this new statement from the industry. #adoptatcas #DotheStudy



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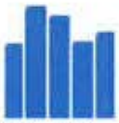
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Ban Cruel and Deadly Horse-Drawn Carriage Rides

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Target: John Tecklenburg, Mayor of Charleston, South Carolina

Goal: Ban cruel and deadly horse-drawn carriages.

Heartbreaking footage recently emerged of Big John, a horse used to draw carriages in Charleston, South Carolina, collapsing to the ground as he pulled a dozen people through busy streets. Not only are horse-drawn carriages outdated, but they can also lead to death. It is time to ban this unnecessary cruelty.

In addition to Big John collapsing, he was unable to get back on his feet until his harness and equipment were taken off and he was assisted up with a strap. Across the country, horses that are used to pull carriages have been seriously injured and have even died. Heatstroke, hit and runs, and leg injuries are common problems these horses face.

Sign this petition to demand that Charleston ban horse-drawn carriages. These animals should not be exploited for profit any longer.

PETITION LETTER:

Dear Mayor Tecklenburg,

Recently a horse named Big John collapsed while pulling a dozen people through the busy streets of Charleston. He was not able to stand back up until all of his equipment was taken off and he was assisted with a strap. The footage is hard to watch, but it is something that can be avoided in the future.

Horses used to pull carriages face a variety of dangers including, but not limited to, heatstroke, hit and runs, leg injuries, and even death. Navigating busy streets while pulling a heavy carriage is no easy feat and an incredibly stressful one for these animals.

It is time to stop exploiting animals for this unnecessary cruelty. Please ban horse-drawn carriages in Charleston. No animal should suffer for human entertainment.

Sincerely,

[Your Name Here]

Photo credit: Charleston Animal Society

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Email

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1. Ellen Harley, 23 Wentworth Street, said that she was representing the Charleston Carriage Horse Advocates which was a group of neighbors in Charleston. She presented to the Mayor and City Council more than 55,000 signatures from people all over the world demanding a ban on the carriage industry in Charleston. She also presented 3,000 comments from people.

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FOCUS: The dilemma over carriage horses and the need for reform

Charleston Currents · 08/08/2016 8:32 am · 2 comments



By Joe Elmore, Charleston Animal Society | For over 142 years, Charleston Animal Society's mission of preventing cruelty to animals has not changed. The organization was established by leading Charlestonians to be the protective voice for equines and other animals.

Today in downtown Charleston where the Animal Society was established as the first animal organization in South Carolina and one of the oldest in the nation, equines do not fare better due to an outdated and ineffective system of regulations governing what is commonly known as the carriage horse industry.



Elmore

In the early to mid-2000s, the City of Charleston requested Charleston Animal Society to participate in a work group commissioned by the city for the purpose of proposing regulations for controversial animal drawn vehicles operating in the Historic District. Due to the lengthy three-year process and the need to have something finalized, a set of regulations were proposed and adopted with the understanding that temperature effect would be further studied, but this did not happen.

In 2015 following years of numerous complaints and incidents involving the animal drawn vehicles, both carriages and wagons, Charleston Animal Society reviewed several aspects of the system related to the most pressing health and welfare considerations of the animals, both horses and mules. Serious flaws in the system were identified in the early stages prompting the Animal Society, by a unanimous vote of its 28-member board of directors, to deem the current practice of animal drawn vehicles in Charleston as cruel.

Charleston Animal Society is not against working animals provided that the working conditions and working environment are humane. This is not the case in Charleston.

Heat is the biggest issue



Perhaps the most compelling issue with the animals is the heat. The threshold of 98°F ambient temperature and 125°F heat index is arbitrary and too high. Until November 2015, the city ordinance required that the horses be removed from work when the ambient temperature reached 98°F; however, the Animal Society discovered that was not occurring, rather the city would not remove the horses until the temperature reached 98°F on consecutive recordings taken no less than 15 minutes apart. The operating protocol directly conflicted with the ordinance for all of those years. Furthermore, the temperature was measured atop buildings over four stories high, not in the working environment of the animals. Without public input, the city changed the ordinance in November 2015 to allow its previous noncompliance with the ordinance.

While industry spokesmen have stated that heat has not been a factor in the numerous and frequent incidents that have occurred, the incidents are not thoroughly investigated, if investigated at all. The ordinance requires that the driver of the animal drawn vehicle submit an incident report within 24 hours; however, the Animal Society discovered that, time and again, the company management back at the office completes the reports.

Load, congestion impact conditions

Load exacerbates the effect of temperature. The ordinance requires that the horse not pull more than three times its weight. However, this requirement was never implemented and is still not followed today. No one measures the weight of the load the horses are pulling. Charleston Animal Society is willing to purchase the scales so city officials can begin enforcing this portion of the ordinance.



Congestion has an adverse effect. These animals, many of which are imported from the northeast, are raised to work in agricultural settings, such as farming and logging, not conversing urban streets saturated with vehicles, pedestrian and heavy construction. Operators readily admit that the horses are spooked by plastic bags, wheelchairs, strollers, plastic supermarket bags and even manhole covers.

In July 2015, a horse named Blondie collapsed on the hot pavement while pulling a wagon full of tourists and lie helpless for approximately three hours. (NOTE: Charleston Animal Society was on the scene and witnessed the inadequate response to the incident prompting the Animal Society to request a review to learn how these type of incidents could be prevented in the future and how the community could create a better response to incidents that harm these animals, a process similar to what happens in nearly all types of commercial transportation incidents.) Blondie was apparently spooked by a nearby cement truck. In the weeks prior to Blondie's accident, there were two other horses spooked by city congestion, as reported by *The Post and Courier*, yet horses were continued to be placed in harm's way.

The Post and Courier also discovered nine other incidents involving spooked horses, but the newspaper reported the city only keeps these kinds of records for three years. Multiple injuries to both the working animals and people continue to happen.

In April 2014, a horse pulling a carriage with passengers bolted out of control on city streets. The horse was spooked near the City Market, ending in a crash into the brick walls of the market. The most tragic incident was the death of Eugenia Smith in October 1984. A spooked horse ran through the market where she worked as vendor, resulting in her death. Yet to this day, conditions prompting horses to be spooked remain unchanged.

Charleston Animal Society The system of compliance by operators and oversight by the city has **failed.** Now is the time for reform.

Again, the Charleston Animal Society is not against working animals. The Animal Society, like the overwhelming public, has lost confidence in the system. We have not made attacks on carriage horse operators or companies, only the system, which is broken. We stand ready to support bona fide efforts by the City, the industry, and citizens to make animal drawn vehicles a humane venture worthy of Charleston's character.

Joe Elmore is CEO of the Charleston Animal Society. Have a comment? Send to: editor@charlestoncurrents.com.

Tags: carriage horses, Charleston Animal Society, heat, Joe Elmore, reform

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Author: Charleston Currents **Send us a letter:** If you have an opinion on something we've offered or on a subject related to the Lowcountry, please send your letters of 150 words or less to: editor@charlestoncurrents.com. Our feedback policy.

2 Comments

1. *Helene Settle* says:
   on 08/09/2016 at 5:30 pm

   The heat and horse/carriage issues are well stated in the above text.
   We must put into place rules about temperatures for horses who pull at least 12 tourists and a driver as they tromp thru Charleston on the hottest of days. One day my car showed a reading of 106 degs when I got in. Once I had it on the road for 2 miles, the temp went down to 103 degs. No beasts or humans should be out, walking the streets in that kind of death defying weather. Death defying is not said lightly here. That kind of heat can kill an animal pulling 12+ people, a heavy carriage and all the heavy equipment the horse wears.

   It is definitely cruelty to animals having them work like that in heat above 90 degs.

   We should be ashamed of ourselves allowing this to happen.

2. Pingback: FEEDBACK: Elmore is a hero among us — Charleston Currents


Charleston Carriage Horse Advocates
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Charleston Carriage Horse Advocates
Christine Gallina The temperature readings need to be taken on the ground, by the hot asphalt & exhaust from our wonderful Charleston traffic. And 95 degrees??? Really?? Most 95 days feel like 105 with our humidity. Try putting a fleece harness on and pulling carriages around all day long that no one cares to weigh. See how humane that is.
Like · Reply
Peter Waters Would it be OK to make a citizens arrest of the drivers, one by one, since they are part of the ongoing policy ignoring of the requirements that they weigh each carriage - and have been ignoring the city requirement for 40 years? Book 'Em Dannol
Like · Reply
Anne M. O'Dell Would it be ok if a bunch of people who know nothing about children come to your home accuse you of abusing them, and take them away? These horses are fit well cared for and doing their job Educate yourselves before you point fingers.
Like · Reply

from:adoptatcas since:2017-04-16 until:2017-05-31

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Chas Animal Society @Adoptatcas · 20 Apr 2017

another working horse collapsed in the streets of #charlestonnews Was load "Big John" carried too heavy? Was he exhausted? youtu.be/VLXqIMsxB7M

3 31 14

322


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Charleston Animal Society shared Live 5 News's live video.
7 mins ·
Until they follow the law and improve conditions, VOTE No! https://www.facebook.com/66655379051/videos/10155392028904052 #adoptatcas
Live 5 News is live now.
29 mins ·
Yesterday we mentioned the carriage horse that fell last month – we... Continue Reading
LIVE
138

EXHIBIT 21

STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON	)	IN THE COURT OF COMMON PLEAS FOR THE NINTH JUDICIAL CIRCUIT CASE NO: 2018-CP-10-04083
CHARLESTON CARRIAGE WORKS, LLC, Plaintiff, vs. CHARLESTON ANIMAL SOCIETY, ELLEN HARLEY, and CHARLESTON CARRIAGE HORSE ADVOCATES, INC., Defendants.	)	**DEFENDANT CHARLESTON ANIMAL SOCIETY'S FIRST REQUEST FOR PRODUCTION TO PLAINTIFF**

TO: ELIZABETH PALMER, ESQ., ATTORNEY FOR DEFENDANT, CHARLESTON ANIMAL SOCIETY

PLAINTIFF'S RESPONSES TO DEFENDANT CHARLESTON ANIMAL SOCIETY'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. All documents identified in Plaintiff's responses to Defendant's Interrogatories.

ANSWER: All documents in the plaintiff's possession regarding this case were previously provided to counsel on July 30, 2019 by a compact disc entitled: "Plaintiff's Supplemental Responses July 30, 2019." The plaintiffs tax returns 2014, 2015, 2016, 2017, and 2018 were hand delivered and furnished by file share.

Note: The July 30, 2019 disc was Plaintiff's second response. Plaintiff hand delivered the original disc on November 7, 2018, and Plaintiff supplemented and re-indexed to meet concerns of the Charleston Animal Society. The files entitled "Requests 1-5" address specific requests by the Charleston Animal Society.

The indexes on the disc are:

Request No. 1—comments to the Tourism Commission on April 26

Request No. 2—Financials and Passengers by Year

Request No. 3—Tour schedules and Equine Records for Big John

Request No. 4—Temperature Logs

Request No. 5—Media Inquires

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City of Charleston

Collaboration

Controlling the Narrative

Donations

False Statements by CAS

False Statements by CCHA

Harassment

Heaviest Load

History of Danger

Horses do trip

In only horses could adapt like cats

Interviews

Rancho

Reviews as a Result of Video Publication

Threats and Degradation

Videos and Reposts

FILES SUBMITTED AT DEPOSITION:

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City of Charleston

Collaboration

Controlling the Narrative

Donations

False Statements by CAS

False Statements CCHA

Harassment

Heaviest Load

History of Danger

Horses Do Trip

Interviews

Rancho

Reviews as a result of Video Publication

Threats and degradation

Videos and Reposts

2. All photographs, motion pictures, videotapes, audio cassettes, drawings, plats, sketches, diagrams, reports, statements, affidavits, records, forms, writings, notes, memoranda,

written messages, contracts, or other documents or tangible things in possession, custody, or control of the Plaintiff or its agents, employees, or managers that relate to any claim or defense in this case.

ANSWER: See answer to Request Number 1.

3. All statements of witnesses or other persons, whether written, oral, taped, summarized, or otherwise reproduced in any manner, relating to the events alleged in the Complaint.

ANSWER: The plaintiff has no witness statements other than depositions or statements contained in incident reports, published comments, *etc.*, all of which have been provided to counsel.

4. All documents, statements, reports, summaries, letters, or other information provided by any expert witnesses retained or consulted by the Plaintiff in connection with this matter, whether or not you intend to call the expert as a witness.

ANSWER: The plaintiff hired Steve Abrams to conduct forensic exams of computers and computer systems, but he has not furnished any written reports. The plaintiff did not hire Dr. Justin Miller as an expert, but he is an expert in veterinary medicine and can give opinions based on his education and experience. The defendants previously deposed Dr. Miller, and plaintiff has no statements or reports other than medical records that the plaintiff previously provided to counsel.

5. A current curriculum vitae for all expert witnesses retained or consulted by the Plaintiffs to testify in this case, as well as a copy of all articles or publications written by said expert(s).

ANSWER: The plaintiff previously provided the C.V. for Steve Abrams, and defendants'' counsels examined Dr. Miller on his expert qualifications in his deposition.

6. All medical records, including bills, regarding any medical care or treatment of the Plaintiff's principal, Broderick Christoff, his family, or any of Plaintiff's employees resulting from, or relating to, the events alleged in the Complaint.

ANSWER: None.

7. All documents which refer to, relate to, or reflect in any manner the damages or injuries which Plaintiff claims in this action.

ANSWER: The plaintiff previously provided evidence of the plaintiff's financial losses, which includes amounts paid to Google and other Internet Service Providers to mitigate the damages caused by the defendants'' dissemination of false information. These expenses are summarized on the excel spreadsheets previously supplied to counsel.

8. Any and all documents which you intend to rely upon to establish any claim in Plaintiff's Complaint.

ANSWER: Plaintiff previously provided all documents in its possession as set forth in Answer #1.

9. A copy of any and all documents which Plaintiff intends to introduce at the trial of this matter.

ANSWER: Plaintiff previously provided all documents in its possession as set forth in Answer #1.

10. All correspondence or documents memorializing any communications between Plaintiff and any other persons or organizations, including Defendants, which refer to, relate to or reflect on any of the allegations referenced in the Complaint.

ANSWER: Plaintiff previously provided all documents in its possession as set forth in Answer #1.

11. Plaintiff's state and federal tax returns for the past five years.

ANSWER: The plaintiff previously provided these.

12. Broderick Christoff's state and federal tax returns for the past five years.

ANSWER: The plaintiff previously provided these.

13. An electronic copy of all of Plaintiff's accounting software records or systems (e.g., a QuickBooks backup file).

ANSWER: The plaintiff previously provided a copy of its financial information and tax returns. The plaintiff does not use QuickBooks. All the financial information is summarized on the excel spreadsheets previously provided to counsel.

14. Plaintiff's general ledger for all dates that it has been in operation as a carriage company.

ANSWER: See answer to #13. All the Plaintiff's financial information is contained on the excel spreadsheets previously provided.

15. Plaintiff's profit and loss statements as of 12/31/13, 12/31/14, 12/31/15, 12/31/16, 12/31/17, and 12/31/18.

ANSWER: The plaintiff previously provided this information, initially by a compact disc as set forth in Answer # 1, which was then supplemented by an electronic File Share from the Plaintiff's accountant. The Plaintiff's accountant, Katie Clary, provided this information directly to counsel.

16. All Documents and Communications related to the horse subject of this lawsuit, referred to as "Big John" by Plaintiff, including, but not limited to, its medical history and incidents.

ANSWER: Plaintiff previously provided all documents in its possession as set forth in Answer #1.

17. All Documents and Communications containing or concerning any internal policy, practice, or procedure for the maintenance and care of Plaintiff's horses.

ANSWER: The City of Charleston promulgates a schedule of allowable work, temperature readings, mandatory vacation times, veterinary care, *etc.* to which the Plaintiff adheres. All these documents in Plaintiff's possess have been previously provided. See Answer # 1.

18. All Documents and Communications with City of Charleston officials, including the Tourism Commission and City Council, related to Charleston Carriage Works' compliance with City Ordinances.

ANSWER: All this information is collected and indexed on the compact disc provided to counsel on November 8, 2018, and July 30, 2019. See Answer # 1 for the Index.

19. All Documents and Communications related to any of the incidents described in response to Interrogatory No. 4.

ANSWER: Steve Abrams is currently evaluating electronic information recently provided, and the parties deposed Dr. Miller on February 11, 2019. All documents in Plaintiff's possession have been previously provided.

20. All Documents and Communications related to any of the incidents described in response to Interrogatory No. 5, including, but not limited to, any police reports filed.

ANSWER: The Plaintiff previously supplied all information in its possession by the compact disc provided on July 30, 2019.

21. All Documents and Communications related to any of the statements/publications described in response to Interrogatory No. 6.

ANSWER: See Compact Disc provided July 30, 2019. The Plaintiff broke down the comments and publications by entity on the disc.

22. All Documents and Communications related to any of the actions described in response to Interrogatory No. 9.

ANSWER: Plaintiff previously provided all documents in its possession as set forth in Answer #1.

23. All Documents and Communications related to any of the actions described in response to Interrogatory No. 10.

ANSWER: Plaintiff previously provided all documents in its possession as set forth in Answer #1.

24. All Documents and Communications related to any of the actions described in response to Interrogatory No. 11.

ANSWER: The false statements of the Charleston Animal Society and the Charleston Carriage Horse Advocates are collected on the compact disc provided in November 2018, and July 30, 2019, under the headings: "False Statements by C.A.S." and "False Statements CCHA."

25. All Documents and Communications related to any of the actions described in response to Interrogatory No. 13.

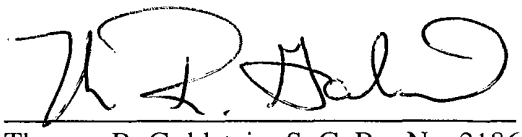
ANSWER: All communications with veterinarians concerning Big John have been previously supplied and are also attached to the depositions of Drs. Byrd and Miller. See "Request No. 3" on the July 30, 2019, compact disc.

26. All Documents and Communications related to any of the actions described in response to Interrogatory No. 18.

ANSWER: The defamatory statements are contained in the Compact Disc previously supplied to counsel under the Index heading "False Statements by C.A.S."

27. All Documents and Communications related to any warnings, citations or violations received from any governmental entity.

ANSWER: Attached.



February 18, 2020

Thomas R. Goldstein, S. C. Bar No. 2186
Belk, Cobb, Infinger & Goldstein, P.A.
P. O. Box 71121
Charleston, S. C. 29415-1121
(843) 554-4291
tgoldstein@cobblaw.net

CERTIFICATE OF SERVICE

This is to certify that I have served counsel for all parties in the foregoing matter with a copy of this pleading by:

- ☐ depositing in the U.S. Mail a copy of same in a properly addressed envelope with adequate postage thereon
- ☐ handing counsel a copy thereof
- ☐ by facsimile and depositing in the U.S. Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 18th day of February, 20

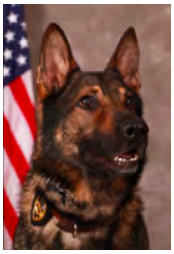
BY



ARTICLES & POSTS

A K9's Fall Prompts Change

by Carolina Tails | Published July 1, 2019



Paramedics for K9s will now be onsite in Mount Pleasant after a joint project between the town's police and fire departments.

BY SHANE HIMES, MT. PLEASANT FIRE DEPARTMENT PARAMEDIC

IT WAS A HORRIBLE FALL. A THREE-story plunge by one of Mount Pleasant's finest during a training exercise. When Arko, a police K9, hit the ground after falling through a window, his handlers did everything they could to save him and rushed Arko to a nearby emergency vet for treatment.

While he was seriously injured, Arko survived and is now enjoying retirement in the home of his K9 handler.

ARKO'S FALL PROMPTS CHANGE

Following this traumatic event, the K9 Handlers looked for lessons in what happened.

In Arko's case, there was no prior notification to the emergency vet that an injured K9 was en route to them so they could prepare. There was a delay in medical care while trying to obtain information on Arko, such as his weight. Finally, questions lingered on whether the handling of this emotionally chaotic event could have gone smoother.

Mount Pleasant Police K9 Handler Andrew Scott reached out to me at the Mount Pleasant Fire Department – and together we searched for solutions.

Our central question: What could be done to make sure that an injured K9 receives medical care immediately following an injury?

ONSITE PARAMEDICS FOR K9s

Together we created a program to provide advanced lifesaving care in the event that one of the Mount Pleasant Police Department K9's becomes injured.

Having medically trained personnel present during emergency scenes and hazardous training would guarantee that these K9s receive immediate treatment.

The program will train the Mount Pleasant Fire Department's Tactical Emergency Medical Support (TEMS) Team to be able to provide Paramedic care to an injured law enforcement K9.

The TEMS Team consists of one Emergency Physician, one Chief Officer Paramedic, and five Tactical Paramedics that are already trained to provide medical care in the tactical setting.

HOW THE PROGRAM WORKS

K9 Handlers now have the ability to request a TEMS Paramedic for training. TEMS Paramedics also respond with the K9s to emergency scenes where the K9s will be utilized.

The TEMS Paramedics will be able to sedate the K9 in the event that the K9 or the K9's Handler needs immediate medical attention. This will reduce the physical and emotional stress on the K9 during this emergency. An injured K9 could cause further harm to him or herself.

The TEMS Paramedics are trained to notify the receiving medical facility while en route to give them preparation time. Upon arrival at the veterinary emergency hospital, the TEMS Paramedic will then turn over the K9 patient to the staff to ensure immediate continuation of care.

Lastly, the TEMS Paramedics are trained to be able to provide life-saving interventions in the most stressful and chaotic situations. They will bring stability throughout this event.

Paramedics are already trained to provide the care outlined in this program to human patients. The programs curriculum will include an anatomy section on police working dogs and scenarios of providing K9 care in the tactical environment.

The TEMS Paramedics will then attend a clinical rotation in a veterinary operating room to prove clinical proficiency as they add K9 care into their skills set.

The K9s primary care veterinarian will serve as the Medical Control Physician for the K9 care program. They will oversee the TEMS Paramedic training in the form of signed clinical operating guidelines.

Members of the TEMS Team will periodically visit Charleston Animal Society to continue training in the anatomy and treatment of dogs with on-staff veterinarians.

"We think this is an amazing program and we want to support our first responders in any way we can," said Charleston Animal Society Senior Director of Veterinary Care Dr. Lucy Fuller.

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Six Horses Removed from Home in Charleston CountyCharleston County Sheriff's Office transported six horses to Charleston Animal Society for rescue.

(Meggett, SC) On February 12, 2019, six horses are on their way to new homes after their owner voluntarily surrendered them to the Charleston Animal Society for proper care. The horses were transported from the 4500 block of Flounder Lake Drive in Meggett, SC to the Charleston Animal Society for rescue, where they will be cared for and attended to until they can be adopted.

The voluntary surrender came after numerous calls and complaints from neighbors about the condition of several horses, leading to an impending court order. One horse was soon re-homed, while another six horses were voluntarily transferred to the Charleston Animal Society before deputies intervened with their court ordered transfer.

Each of the six horses received a health check-up and veterinary certificate at the end of January, clearing them for transport.

One of the horses is a Shackelford pony, which was originally adopted from North Carolina. Plans are in the works to return the pony to that rescue if possible. One of the horses is a stallion that will be gelded (neutered) in the near future."The bottom line is we are resolving this situation in the best interest of all of the animals involved," said Sgt. David Willis, supervisor over the Animal Control Unit of the Charleston County Sheriff's Office. "This particular owner was overwhelmed by the number of animals she had and this will help her with animals she continues to care for."

The owner was allowed to keep four horses and several other animals, which were all in good condition.

"The Animal Society started 145 years ago rescuing horses and has continued working in partnership with law enforcement during crises to care for these wonderful animals," said Charleston Animal Society President and CEO Joe Elmore. #adoptatcas #Horserescue



CAS_Stmts_3

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Based on numerous complaints received by the Animal Society, CAS has formed a working committee to address the issues that have arose around the Charleston Carriage Horses and immediately found five major areas of concern...Read more here! #AdoptAtCAS #CarolinaTails



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The Advocacy for Carriage Horses Continues - Carolina Tails Magazine

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It's been an hour and a half at more than 95 and the carriage horses In Charleston are still working. Follow the law — take them off the streets. Too hot for horses.





470

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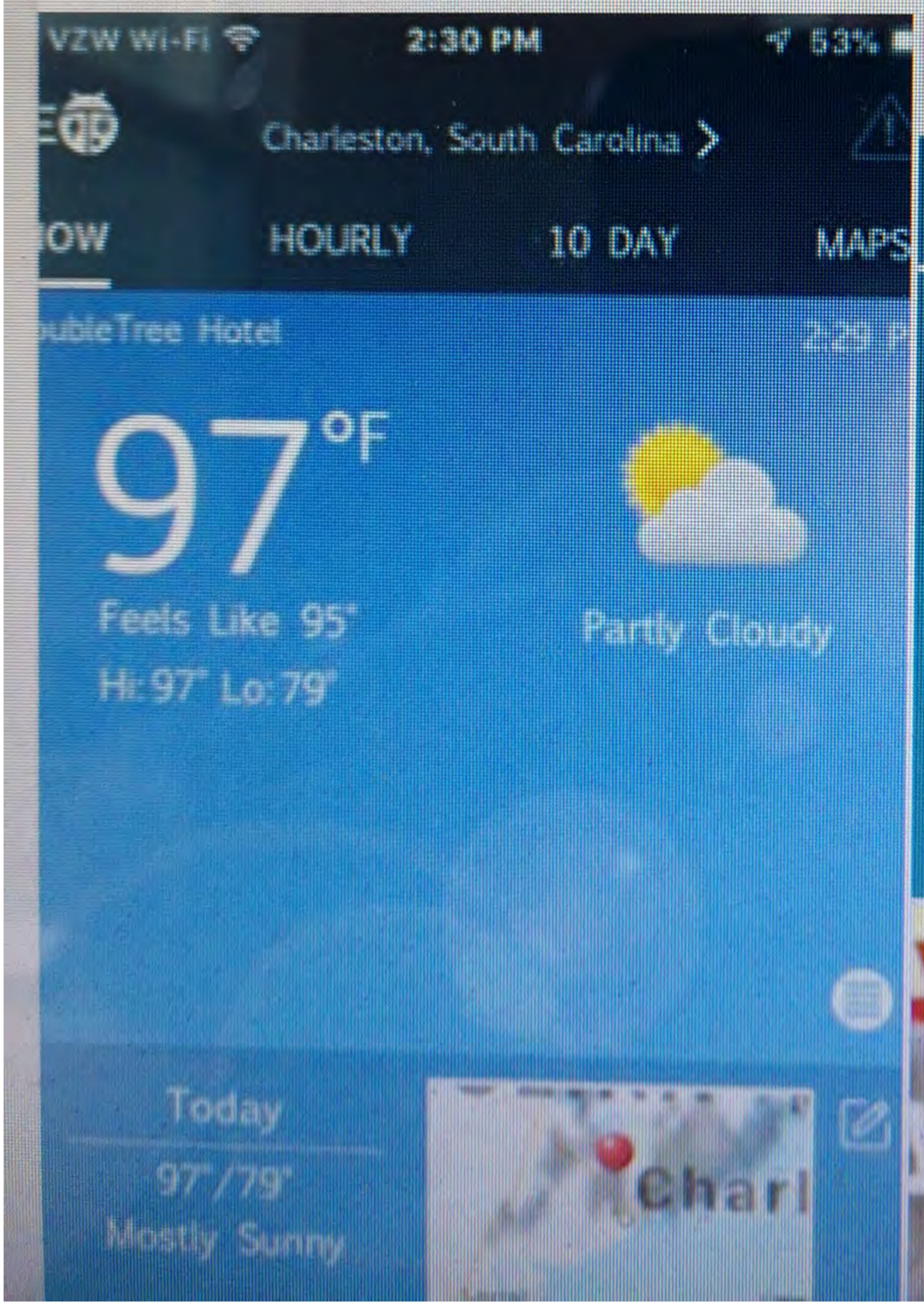
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Charleston Animal Society

May 27 ·

5/27/19, 2:36 PM

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hot for horses.







ARTICLES & POSTS

Heat Loophole Exposed in Charleston

by Carolina Tails | Published July 1, 2019

How carriage tours stay on the streets well past the 95° max temperature.

IT'S AN ISSUE CAROLINA TAILS HAS brought to light before – a loophole in the carriage tour ordinance. Most people believe the city pulls horses off the street as soon as the temperature reaches 95° -- but that is not the case.

In May, the Lowcountry experienced an unusually early heat wave, with temperatures skyrocketing to 95° - 100° on several days. On at least three of those days, horses were eventually pulled, but what you may not realize is the animals were working in temperatures beyond 95° before they were taken off the streets.

So why were horses still on the streets when temperatures reached as high as 97°? Within minutes of a Charleston Animal Society Facebook post raising that question, horses were finally pulled downtown. These horses were caught in the "loophole."

To understand how this happens, you have to look at the details of the ordinance that was passed with much fanfare more than two years ago.

THE LOOPHOLE CONTINUES

Most people believe that carriage tours downtown are pulled when temperatures reach 95°. While it's an easy talking point for carriage operators and the city to tell the media – it just isn't true. It's much harder to say what the law actually states.

A loophole in the ordinance DOES NOT pull carriages from the road until there are four consecutive readings of 95° or higher! These readings are taken 15-minutes apart.

Despite the temperature exceeding 95° during the heatwave, carriages were still carrying tourists in temperatures that reached 95°, 96° and 97° and perhaps even higher, according to the city's official thermometer downtown. (By the way, the city's thermometer is on top of the DoubleTree hotel, instead of at ground level where the horses work).

Once city officials determine the temperature has reached 95°, they make note of it but continue to allow carriages to tour. This first reading just starts the "clock." After 15 minutes, they will again record the temperature. Even if it is higher than 95°, like the 97° eyewitnesses saw horses working in during May, the carriages can continue according to the ordinance.

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Congressman Unleashed

PICK ME! SC IS BACK!

Firefighter Adopts Puppy He Rescued

RECENT COMMENTS

After another 15 minutes, they record the temperature a third time. Even if the mercury is still rising and far above 95° – horses can continue to work. It is not until the fourth reading, which takes place 45 minutes after the initial reading of 95° – that the horses will be pulled if, and only if, each of the readings has been 95° or higher.

You read that right: to make it even more complicated for the working animals, if just one of those readings dips slightly below 95° -- the whole process starts over and the horses and mules keep on sweating it out in the heat.

On top of that, it can take the carriages and wagons a considerable amount of time to make it back to the barns once they're called in, which is not factored into the ordinance.

WHAT CAN BE DONE

"This loophole is so easy to fix," said Charleston Animal Society President & CEO Joe Elmore. "We could easily regain the public trust by pulling the horses when the temperature reaches 95° -- PERIOD!"

This loophole has occurred time and again since this ordinance was passed. Charleston Animal Society has sent out alerts about it happening in 2017, 2018 and now in 2019.

You can monitor the city's official thermometer at weather.weatherbug.com/weather-forecast/now/charleston-sc-29407?station=3:CHRDT. If you still see horses operating at temperatures above 95°, contact city officials at (843) 709-1985 and email Charleston Animal Society at: Cruelty@CharlestonAnimalSociety.org.

Let city officials hear your voice about closing this loophole once and for all. Tell them to drop the requirement of four readings and pull horses at 95°, keeping them off the streets until the temperatures are safely below the threshold temperature.

"Bottom line, we still need a scientific study to determine what a safe threshold temperature really is. The current maximum temperature, 95°, was adopted by the city as a political solution, not one based in science," Elmore said. "Charleston Animal Society is not against working animals, but we call for reform, based on an independent study that will look at heat, load and congestion."

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BY NICOLE GILL HI, MY NAME IS NICOLE AND THE Charleston Animal Society wanted me to tell about [illegible]

‹ NEW ANTI-CRUELTY BILL SIGNED INTO LAW

A K9'S FALL PROMPTS CHANGE ›

Carolina Tails is a publication of Charleston Animal Society, a registered 501c3 with the State of South Carolina. EIN #: 57-6021863

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Animal Society says carriage tours using 'loophole' to keep horses out in hot weather

by ABC News 4
Thursday, August 17th 2017



(File/WCIV)

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CAS_Stmts_10

CHARLESTON, S.C. (WCIV) — A local animal rights group says Charleston horse carriage tour companies are using a "loophole" to get around city rules on when horses are supposed to be pulled from service during extremely high temperatures.

Horse carriage tours were pulled off Charleston streets twice Thursday, as temperatures soared above 95 degrees. That's what's supposed to happen, according to a city ordinance passed in March which governs carriage horse tours.

However, the Charleston Animal Society is criticizing the carriage companies and the city for a so-called "loophole" which kept the horses on the street for a full hour after the temperature hit 95, and had them back out on the streets working within a half-hour of being stabled Thursday.

The city ordinance on operating temperatures for horses, which lowered from 97 to 95 degrees in March, specifies horses be pulled from service after four consecutive temperature readings of 95 degrees or higher.

Those readings occur 15 minutes apart, meaning the temperature must be at 95 or above for an hour before the horses are taken off the streets.

Despite the Animal Society supporting lowering the temperature, CAS spokesman Dan Krosse says the group did not support the caveat about the four readings over an hour, and only recently found out horses are allegedly allowed back to work after only 30 minutes, and two readings of temperatures below 95 degrees.

City of Charleston spokesman Jack O'Toole confirms the horses were ordered off the streets Thursday at 11:50 a.m. and 1:35 p.m. After the first instance, it was 45 minutes before the horses

were cleared to work again (12:35 p.m.). It was an hour and 10 minutes before the horses were allowed back to work after the second shutdown (2:44 p.m.), according to O'Toole.

CAS says the requirement for one hour of temperature readings before taking horses of the streets is flawed because it allows for a major temperature spike before the horses ever come off the streets.

As evidence, CAS says on its Facebook page eyewitnesses observed carriages still carrying tourists after temperatures reached as much as 97 degrees on the official city thermometer Thursday.

"Today is another illustration of what we have been saying for many months: the system is broken." Charleston Animal Society CEO Joe Elmore said in a statement on the group's Facebook page. "When the temperature reaches 95 degrees, pull the horses. It's as simple as that. This 4-reading loophole and other factors continue to make the working conditions in Charleston the harshest in the nation."

MORE TO EXPLORE

(http://abcnews4.com/news/local/warrant-issued-for-murder-over-body-found-on-acorn-rd-in-walterboro?utm_source=taboola&utm_medium=referral&utm_campaign=internal)

Warrant issued for murder over body found in Walterboro

(http://abcnews4.com/news/local/warrant-issued-for-murder-over-body-found-on-acorn-rd-in-walterboro?utm_source=taboola&utm_medium=referral&utm_campaign=internal)
(https://abcnews4.com/news/local/deputies-responding-to-shooting-at-summerville-gas-station?utm_source=taboola&utm_medium=referral&utm_campaign=internal)

Two sent to hospital following shooting at Summerville gas station

(https://abcnews4.com/news/local/deputies-responding-to-shooting-at-summerville-gas-station?utm_source=taboola&utm_medium=referral&utm_campaign=internal)
(http://abcnews4.com/news/local/police-man-suffering-from-ptsd-beats-up-80-year-old-man-on-folly-beach?utm_source=taboola&utm_medium=referral&utm_campaign=internal)

Police: Man reportedly suffering from PTSD beats up 80-year-old on Folly Beach

(http://abcnews4.com/news/local/police-man-suffering-from-ptsd-beats-up-80-year-old-man-on-folly-beach?utm_source=taboola&utm_medium=referral&utm_campaign=internal)
(http://abcnews4.com/news/local/closing-the-divide-both-confederate-flag-and-fence-come-down-in-summerville-neighborhood?utm_source=taboola&utm_medium=referral&utm_campaign=internal)

Closing the divide: Confederate flag and fence both come down in Summerville neighborhood


T-Mobile
9:49 AM
21%
Charleston Animal Society
5,965 likes 185 comments
Like
Comment
Share
Charleston Animal Society added 3 new photos.
Jul 18 at 12:49pm
Please take this poll and VOTE for whether or not you think Carriage Horses should be used in Charleston.
We Voted no Because the regulations protecting them are not fully followed or monitored!
http://counton2.com/2015/07/17/charleston-carriage-horse-collapses-after-being-spooked-by-truck/

CAS_Stmts_14


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Most Recent
93 shares
Write a comment...
Jane Higdon I believe it's the other way around. CAS is attacking the carriage industry, in some instances, literally.
Like · Reply · 49 · 7 hrs
View previous replies
Charleston Animal Society Jane Higdon You know that an independant study cannot be done with out the Carriage horses participating. Please stop pushing this agenda.
Like · Reply · 13 · 5 hrs
View more replies
Caitlin Rego Thank you Charleston Animal Society! And after the most recent incident, the whole country is now watching Charleston with a microscope in regards to the carriage industry work conditions' regulations. Everyone witnessed a fallen horse who was clearly
... See More
Like · Reply · 14 · 6 hrs
View previous replies
Charleston Animal Society why keep breeding them?
Like · Reply · 2 hrs
View more replies
David Lee Maybe you guys so study the issue first before blasting them?
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CAS_Stmts_15

ARE THINGS ABOUT TO GET WORSE FOR CARRIAGE HORSES IN CHARLESTON?

HEAT CONTROVERSY



ON THE SURFACE, IT MIGHT SEEM A recent move by the Carriage Animal Temperature and Heat Index Committee in Charleston would make things better for carriage animals. But in reality, it will make things worse.

Under current law (as of December 2016), horses are only pulled from service if the temperature spikes to a sizzling 98°F or 125° heat index. There have to be two readings 15-minutes apart before tours on the hot downtown asphalt are halted. So, in the worst-case scenario (if the law is followed), horses are out in the heat for 15 minutes. Of course, this only happens if the law is followed. In the summer of 2015, Charleston Animal Society discovered that, even though the temperatures reached 98°F on 4 separate occasions, the horses were pulled only once.

Making Things Worse

Under the new proposal from the city committee, the heat threshold temperature drops to 95°F or 110° heat index. BUT, and this is a big but, the horses and mules have to stay out in the heat much longer, before they can be pulled. In a move to appease the carriage industry's concerns about potential lost revenue, the animals must keep working until there are four consecutive readings above the heat threshold – that's one HOUR. The temperatures could spike to 98°, 99° even 100°, with heat indices above 125° – and they won't be pulled unless there are 4 consecutive readings, 15 minutes apart. But if even one of those 4 readings dips below 95°, the cycle starts over and it will be at least another hour in the heat for the animals. (If pulled, the animals will be off the streets until there are two separate readings below 95° or 110° heat index.)

Scientific Research is the Key

Charleston Animal Society's representative on the committee voted against this proposal. Charleston Animal Society is requesting a comprehensive, peer-reviewed study of the Charleston carriage industry using a science-based approach. But that idea was shot down by the committee, which is tasked with making the industry more humane. It wasn't even allowed to come up for a vote. "I can tell you right now we would never allow our animals to be part of a study with an animal rights group," said Broderick Christoff who represents the carriage industry on the committee.

"Hearing this should set off alarm bells for anyone who truly cares about the welfare of horses," said Charleston Animal Society CEO Joe Elmore. "It raises the question, what are these carriage companies hiding and why are they afraid of an independent study?"

Controversial Data

One reason could be that these researchers would not rely on the data that is provided by horse carriage companies to the city; information such as a horse's internal temperature after tours. Researchers would collect their own data and then make carriage tour recommendations based on scientific standards used at universities and research facilities around the world.

The City would not allow independent veterinarians to participate in the committee. Instead, they used the City's veterinarian and the carriage horse company's veterinarian to review the numbers, which have no scientific basis, to come to the "95°/110°" decision. Throughout the meeting, representatives from the City and the carriage industry both usedthe word 'arbitrary,' when it came to the temperature decision they were supporting, which may make it difficult to legally enforce.

As of this writing, Charleston Animal Society's proposal for a research study has been endorsed by the Humane Society of the United States, and Atlanta-area Equine expert vet Kenneth Marcella, a prolific author and scientist on equines issues. The proposal is also under consideration by the Welfare and Public Policy Advisory Commission of the American Association of Equine Professionals, after having been recommended for endorsement by its subcommittee.

As of Carolina Tails December 2016 deadline, the temperature proposal still needs to be approved by the city's Tourism Committee and City Council before it can be enforced. A comprehensive study would research a variety of factors including three main issues:
• Temperature • Lead • Traffic Congestion
Learn more at: CharlestonAnimalSociety.org/humane-carriage-tours

CAS_Stmts_16

THE ADVOCACY FOR CARRIAGE HORSES CONTINUES



Another downed horse in Charleston (Labor Day Weekend). An eyewitness said the driver claimed the horse laid down to take a nap, during the tour!

BY JOE ELMORE, CHARLESTON ANIMAL SOCIETY CEO

"YOU CAN FOOL ALL THE PEOPLE SOME OF THE TIME AND SOME OF THE PEOPLE ALL THE TIME, BUT YOU CANNOT FOOL ALL THE PEOPLE ALL THE TIME."

LAST FALL, WE PROVIDED YOU WITH an update on our efforts to make working conditions more humane for carriage horses in Charleston, home of the harshest working conditions in the nation and one of the most incident prone cities for working horses.

Charleston Animal Society adopted its position on this issue in spring 2015 based on looking into carriage industry practices. Based on numerous complaints received by the Animal Society, it formed a working committee to address the issue and immediately found five major areas of concern:

1. **Heat**
2. **Load**
3. **Urban working environment**
4. **Lack of compliance**
5. **Lack of enforcement**

The Animal Society's position has never changed – it is not against working animals provided that the working conditions and environment are humane and guided by real science. Based on the Animal Society's research, horses working in Charleston do so under the harshest conditions in the country.

The Study

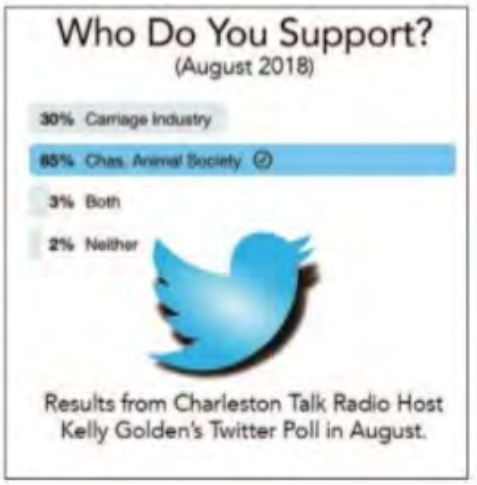
Since 2015, the Animal Society has advocated for a prospective, science-based, peer-reviewed study, the results of which will inform our community, including all interested parties, regarding the humane conditions for the operation of carriage tours in the urban environment downtown. This proposed study has been endorsed by the American Association of Equine Practitioners, the American Society for the Prevention of Cruelty to Animals, The Humane Society of the United States, local animal organizations, Historic Ansonborough Neighborhood Association, Charlestowne Neighborhood Association and Dr. Ken Marcella (expert equine veterinarian and part of the team that established heat regulations for the Atlanta Olympics).

Significant reform of the current working conditions is needed to make this practice humane for the animals and free of systematic fear and distress for days on end, bringing it in line with other cities across America.

Animal Advocates Under Attack

In response to the Animal Society's advocacy efforts, the carriage industry has brought in local, state and national political firms to organize personal and organizational attacks on the Animal Society and anyone who advocates for more humane working conditions. Recently, one carriage company filed, withdrew, then refiled a lawsuit in a different court instead of facing the music and providing some basis for their claims. This is a misuse of the court system to distract the public from the real issue, which is making the working conditions of the horses more humane.

While there are petitions calling for the ban of working horses drawing wagons in urban settings numbering over 1 million signatures, the Animal Society has resisted pressure to call for a ban; instead, the Animal Society has offered a compromise by proposing the study. This would provide Charleston with a unique opportunity to lay this issue to rest and serve as a model for cities across the nation and world.



Results from Charleston Talk Radio Host Kelly Golden's Twitter Poll in August.

Disinformation Campaign

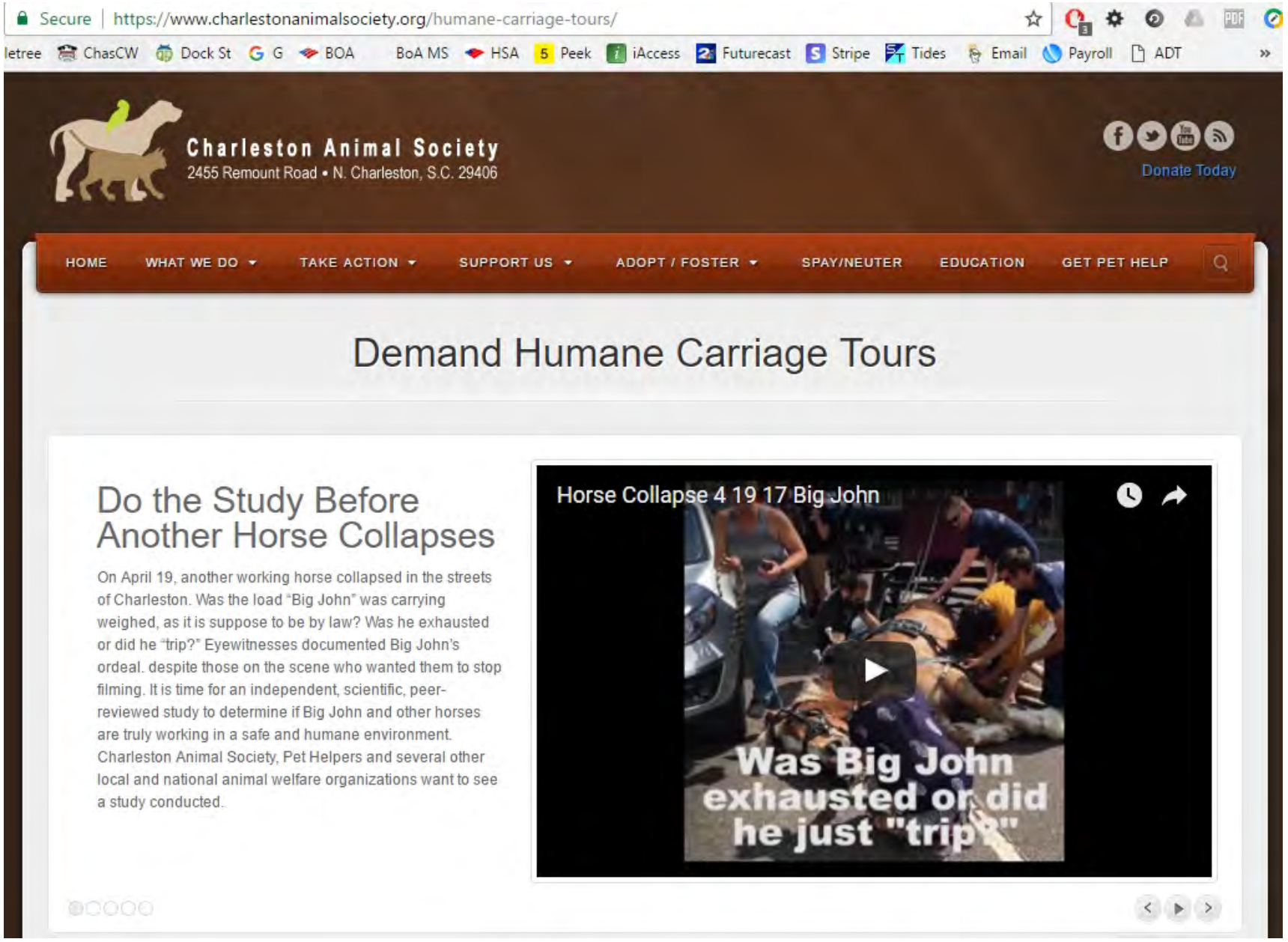
Time and again over the past three years, representatives of the carriage industry have provided the public with both misinformation and disinformation. The carriage industry and their local and national political operatives have attempted to smear and intimidate individuals, businesses and organizations with vile, false and bigoted attacks. This dishonors the enterprise, the City and the process toward improving the working conditions and environment for the animals.

Charleston Animal Society has never attacked an individual, owner or company associated with the carriage horse industry. However, the Animal Society has endured countless personal and organizational attacks.

It is not only outrageous, but despicable, that the carriage industry is attempting to suppress the Animal Society's right to make legitimate criticisms and call for action of our elected officials.

Charleston Animal Society has not and does not make false statements. We have exposed the system's fallacies with the truth. That's not defamation. That is America.

CAS_Stmts_17


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Do the Study Before Another Horse Collapses
On April 19, another working horse collapsed in the streets of Charleston. Was the load "Big John" was carrying weighed, as it is suppose to be by law? Was he exhausted or did he "trip?" Eyewitnesses documented Big John's ordeal. despite those on the scene who wanted them to stop filming. It is time for an independent, scientific, peer-reviewed study to determine if Big John and other horses are truly working in a safe and humane environment. Charleston Animal Society, Pet Helpers and several other local and national animal welfare organizations want to see a study conducted.
Horse Collapse 4 19 17 Big John
Was Big John exhausted or did he just "trip"

CAS_Stmts_18

A. D. 1874.

regular meeting, shall, until modified or rescinded, be equally binding as this Act upon the society, its officers and members.

SEC. 6. This society shall not, in its corporate capacity, hold real estate exceeding in value at any one time the sum of twenty-five thousand dollars.

Police force of cities to aid society in protection of animals.

SEC. 7. The police force of the city of Charleston, as well as of all other places where police organizations exist in the State, shall, as occasion may require, aid the society, its members or agents, in the enforcement of all laws which are now or may hereafter be enacted for the protection of dumb animals.

Fines.

SEC. 8. One-half of the fines collected through the instrumentality of this society, or of its agents, for violations of such laws, shall accrue to the benefit of said society.

SEC. 9. The provisions of this Act shall be general within the boundaries of the State.

SEC. 10. This Act shall take effect immediately upon its passage.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE ORANGEBURG MANUFACTURING COMPANY.

No. 533.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William F. Barton, F. W. Fairy, John S. Bowman, Samuel Dibble, T. C. Andrews, J. L. Moorer, P. Doyle, John H. Livingston, John A. Hamilton, A. D. Frederick, F. H. W. Briggman, W. A. Scovill, George Boliver, Harpin Riggs, W. A. Merony, T. D. Wolfe, T. K. Legare, L. R. Beckwith, James F. Izlar, J. Felder Myers, T. H. Zimmerman, George H. Cornelson, and their associates and successors, are hereby made and created a body politic and corporate in law, by the name of the Orangeburg Manufacturing Company, for the purpose of manufacturing cotton, barrels, staves, tubs, carriages and wagon materials, at such places in said County, and erect such mills and other works as may be required to carry on such branches of manufacture. And they shall have power to raise, by subscription, in shares of one hundred dollars each, a capital of two hundred thousand dollars, with the privilege of increasing the said subscription to a capital of five hundred thousand dollars.

Corporate name.

Capital stock.

When to go into operation.

SEC. 2. That the said corporation shall not go into operation until twenty-five thousand dollars of the capital stock shall be paid in in gold or silver or United States Treasury notes.

A. D. 1874.

objects thereof; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction, and to have all other rights, privileges and immunities that are now secured by law to corporate bodies: *Provided*, That the real and personal property of each corporator shall be liable for the debts of said corporation or assigns in any amount not exceeding the par value of the stock held by him.

Proviso.

SEC. 3. That this Act be deemed a public Act, and shall have force until repealed.

Approved March 14, 1874.

No. 532. AN ACT TO INCORPORATE THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George F. McIntyre, W. N. Taft, J. E. Loeb, S. B. Johnson, S. J. Lee, E. W. M. Mackey, Henry Cardozo, Josephus Woodruff, William H. Jones, Jr., H. C. Corwin, D. A. Miller, A. O. Jones, C. C. Bowen, C. H. Burhans, Frank Roach, Lewis Elias, W. V. Sarvis, B. F. Whittemore, T. C. Andrews, R. A. Sisson, John A. Barre, A. W. St. Amand, C. Smith, John Wilson, W. E. Holcombe, C. D. Hayne, W. B. Nash, W. E. Johnson, C. P. Pelham, Jr., J. C. Hope, Sr., and Timothy Hurley, all of the State of South Carolina, and such other persons as may be associated with them, in conformity to this Act, and their successors, are hereby constituted and created a body corporate, by the name of the South Carolina Society for the Prevention of Cruelty to Animals.

Corporators.

Corporate name.

Officers.

SEC. 2. The officers of the said corporation shall consist of a President, five Vice Presidents, one Secretary, one Treasurer, an Executive Committee of fifteen members, and such other officers as shall from time to time seem necessary to this society.

SEC. 3. The foregoing officers shall be chosen from among the members of the society.

SEC. 4. A library may be created for the use of the society.

SEC. 5. The said society, for the fixing the terms of admission of its members, for the government of the same, for the election, changing and altering the officers above named, and for the general regulation and management of its affairs, shall have power to form a code of by-laws, not inconsistent with the laws of this State or of the United States, which code, when formed and adopted at a

Corporate powers.

https://www.charlestonanimalsociety.org/humane-carriage-tours

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- Get Pet Help

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Demand Humane Carriage Tours

- Do the Study Before Another Horse Collapses

On April 19, another working horse collapsed in the streets of Charleston. Was the load "Big John" was carrying weighed as it is suppose to be by law? those on the scene who wanted them to stop filming. It is time for an independent, scientific, peer-reviewed study to determine if Big John and other hors Helpers and several other local and national animal welfare organizations want to see a study conducted.



CAS_Stmts_21

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Charleston's homeless animals are counting on you to save them.

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Do the Study Before Another Horse Collapses

On April 19, another working horse collapsed in the streets of Charleston. Was the load "Big John" was carrying weighed, as it is suppose to be by law? Was he exhausted or did he "trip?" Eyewitnesses documented Big John's ordeal. despite those on the scene who wanted them to stop filming. It is time for an independent, scientific, peer-reviewed study to determine if Big John and other horses are truly working in a safe and humane environment. Charleston Animal Society, Pet Helpers and several other local and national animal welfare organizations want to see a



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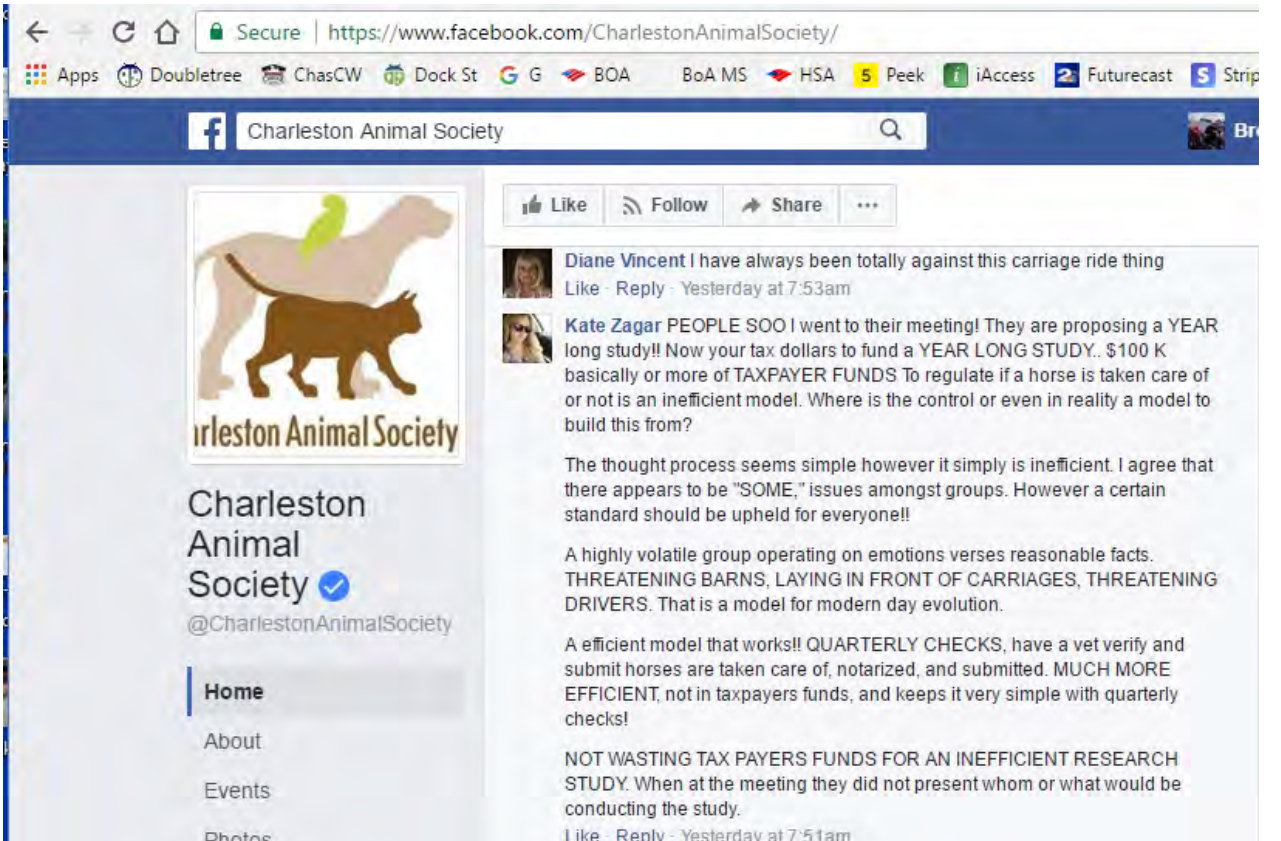
Our community partners are amazing. Their support of our various projects makes everything Charleston Animal

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CAS_Stmts_23

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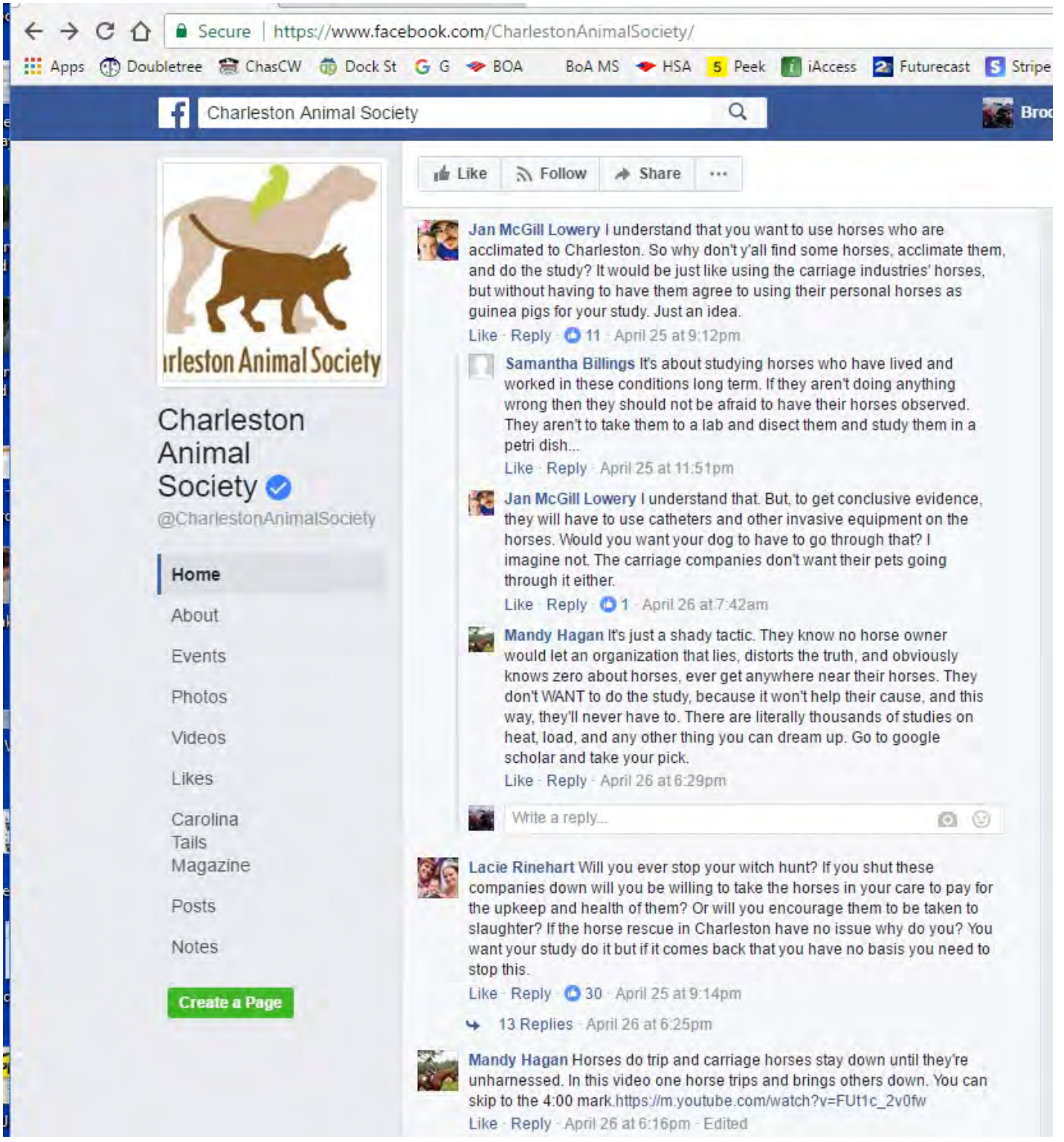

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Diane Vincent I have always been totally against this carriage ride thing
Like · Reply · Yesterday at 7:53am
Kate Zagar PEOPLE SOO I went to their meeting! They are proposing a YEAR long study!! Now your tax dollars to fund a YEAR LONG STUDY.. $100 K basically or more of TAXPAYER FUNDS To regulate if a horse is taken care of or not is an inefficient model. Where is the control or even in reality a model to build this from?
The thought process seems simple however it simply is inefficient. I agree that there appears to be "SOME," issues amongst groups. However a certain standard should be upheld for everyone!!
A highly volatile group operating on emotions verses reasonable facts. THREATENING BARNS, LAYING IN FRONT OF CARRIAGES, THREATENING DRIVERS. That is a model for modern day evolution.
A efficient model that works!! QUARTERLY CHECKS, have a vet verify and submit horses are taken care of, notarized, and submitted. MUCH MORE EFFICIENT, not in taxpayers funds, and keeps it very simple with quarterly checks!
NOT WASTING TAX PAYERS FUNDS FOR AN INEFFICIENT RESEARCH STUDY. When at the meeting they did not present whom or what would be conducting the study.
Like · Reply · Yesterday at 7:51am

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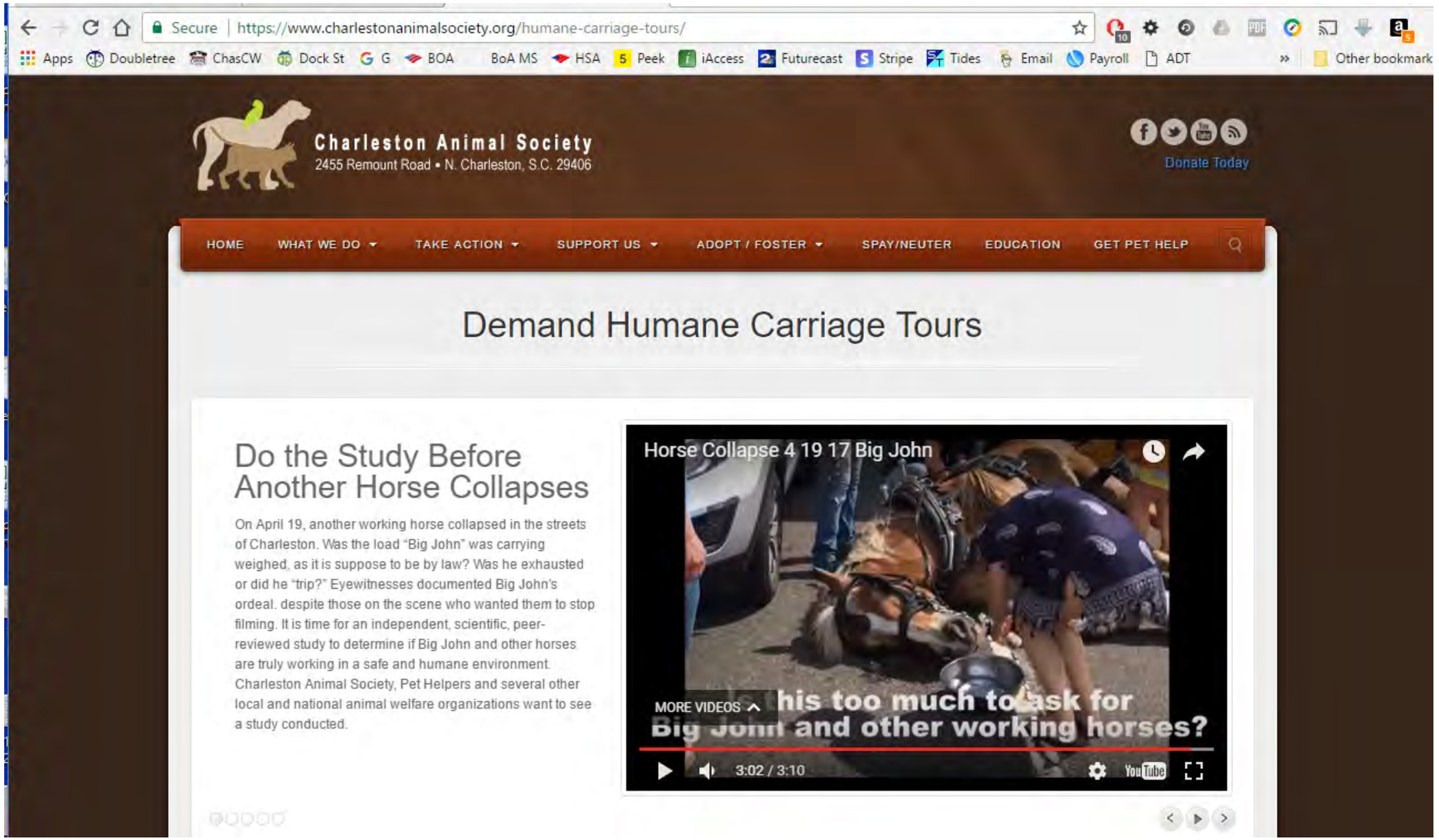


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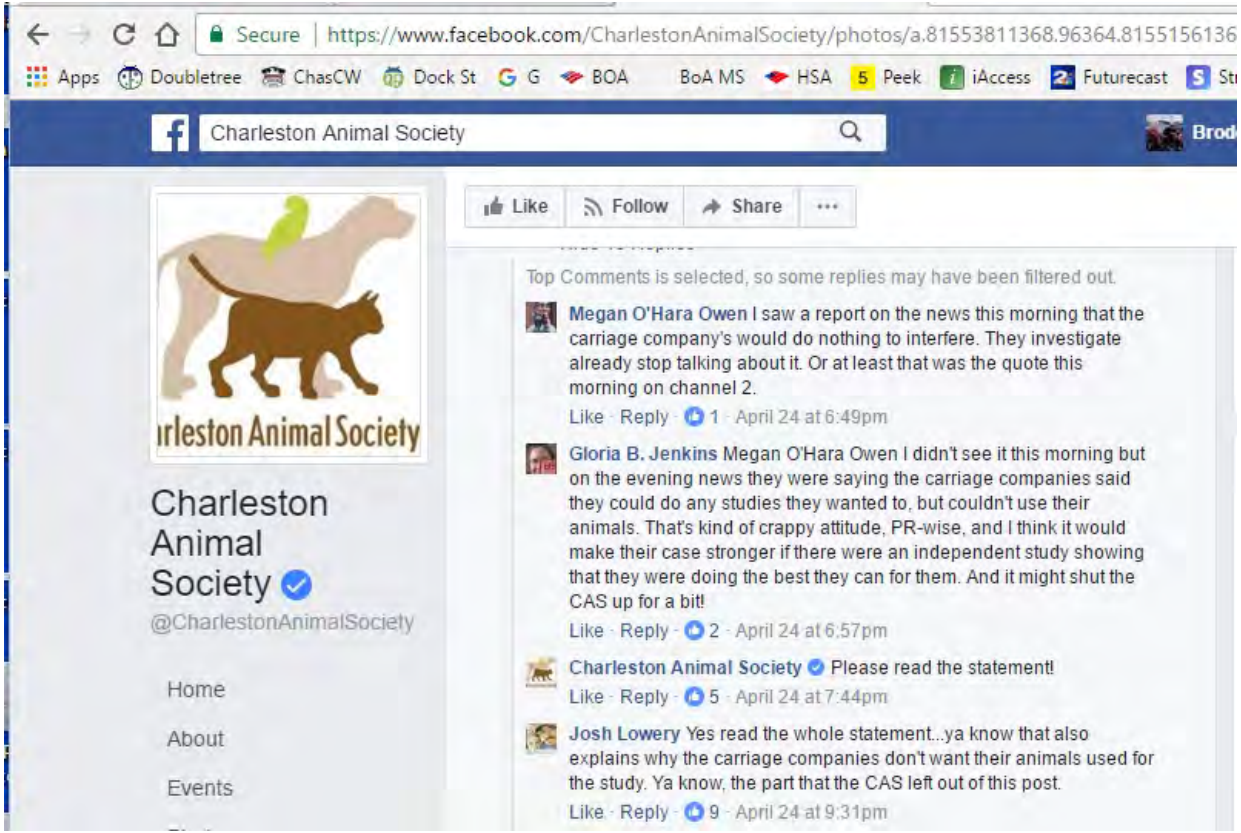
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Jan McGill Lowery I understand that you want to use horses who are acclimated to Charleston. So why don't y'all find some horses, acclimate them, and do the study? It would be just like using the carriage industries' horses, but without having to have them agree to using their personal horses as guinea pigs for your study. Just an idea.
Like · Reply · 11 · April 25 at 9:12pm
Samantha Billings It's about studying horses who have lived and worked in these conditions long term. If they aren't doing anything wrong then they should not be afraid to have their horses observed. They aren't to take them to a lab and disect them and study them in a petri dish...
Like · Reply · April 25 at 11:51pm
Jan McGill Lowery I understand that. But, to get conclusive evidence, they will have to use catheters and other invasive equipment on the horses. Would you want your dog to have to go through that? I imagine not. The carriage companies don't want their pets going through it either.
Like · Reply · 1 · April 26 at 7:42am
Mandy Hagan It's just a shady tactic. They know no horse owner would let an organization that lies, distorts the truth, and obviously knows zero about horses, ever get anywhere near their horses. They don't WANT to do the study, because it won't help their cause, and this way, they'll never have to. There are literally thousands of studies on heat, load, and any other thing you can dream up. Go to google scholar and take your pick.
Like · Reply · April 26 at 6:29pm
Write a reply...
Lacie Rinehart Will you ever stop your witch hunt? If you shut these companies down will you be willing to take the horses in your care to pay for the upkeep and health of them? Or will you encourage them to be taken to slaughter? If the horse rescue in Charleston have no issue why do you? You want your study do it but if it comes back that you have no basis you need to stop this.
Like · Reply · 30 · April 25 at 9:14pm
13 Replies · April 26 at 6:25pm
Mandy Hagan Horses do trip and carriage horses stay down until they're unharnessed. In this video one horse trips and brings others down. You can skip to the 4:00 mark.https://m.youtube.com/watch?v=FUt1c_2v0fw
Like · Reply · April 26 at 6:16pm · Edited

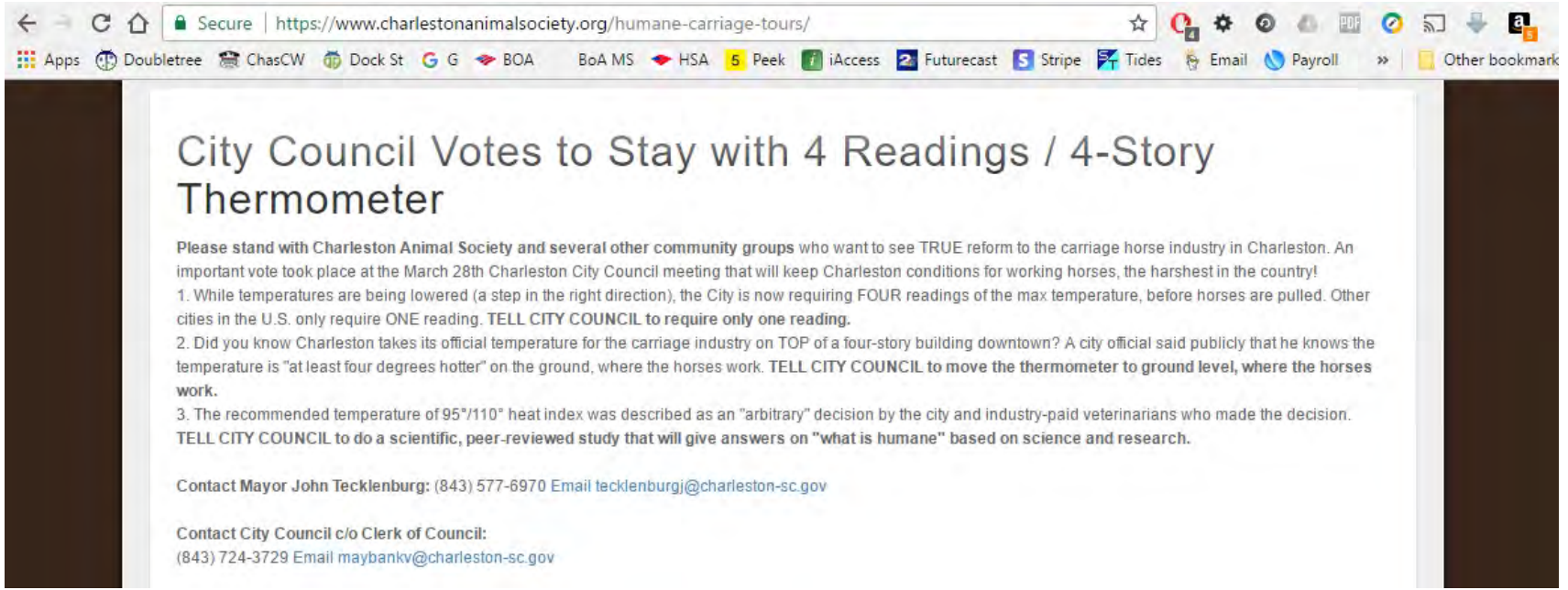
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Demand Humane Carriage Tours
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Horse Collapse 4 19 17 Big John
MORE VIDEOS
his too much to ask for
Big John and other working horses?
3:02 / 3:10
YouTube

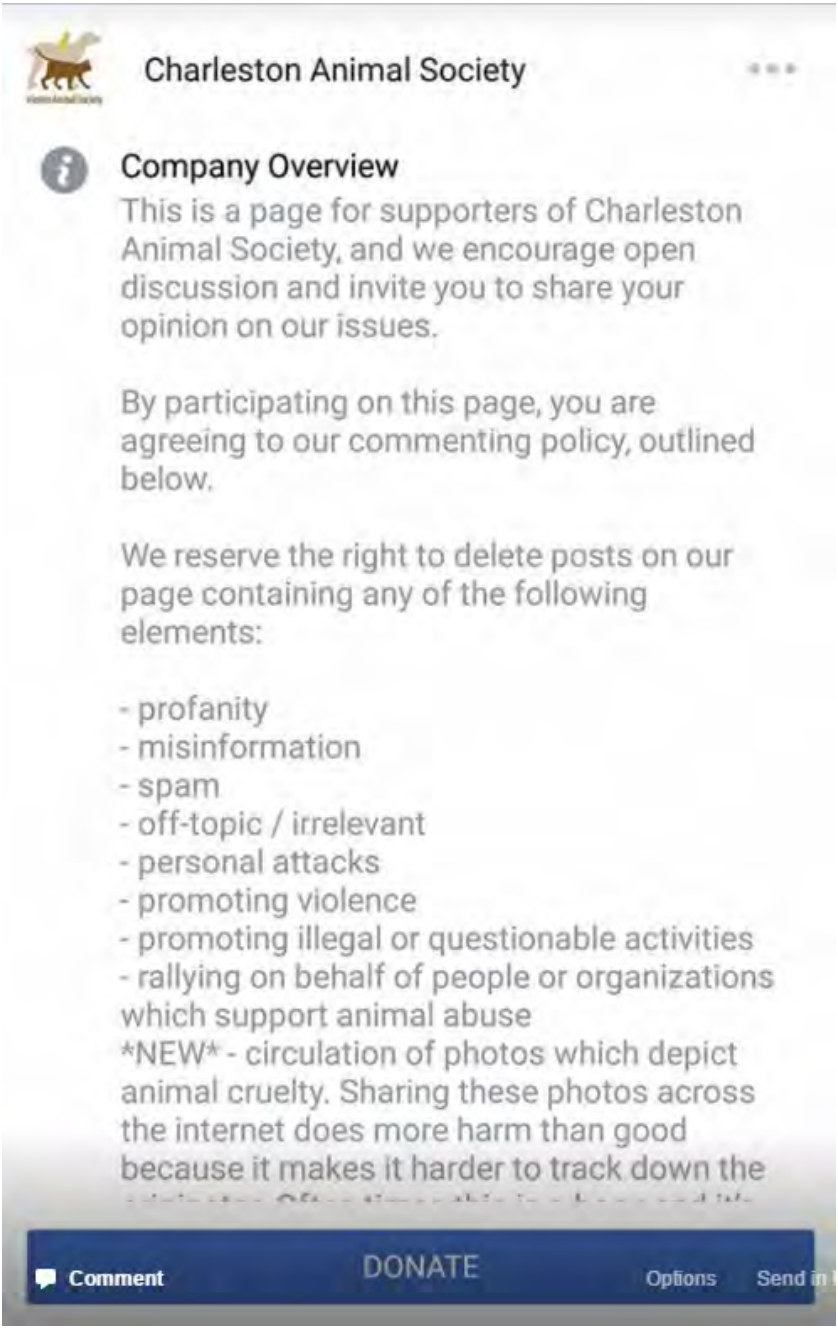
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Charleston Animal Society
Like Follow Share
Top Comments is selected, so some replies may have been filtered out.
Megan O'Hara Owen I saw a report on the news this morning that the carriage company's would do nothing to interfere. They investigate already stop talking about it. Or at least that was the quote this morning on channel 2.
Like · Reply · 1 · April 24 at 6:49pm
Gloria B. Jenkins Megan O'Hara Owen I didn't see it this morning but on the evening news they were saying the carriage companies said they could do any studies they wanted to, but couldn't use their animals. That's kind of crappy attitude, PR-wise, and I think it would make their case stronger if there were an independent study showing that they were doing the best they can for them. And it might shut the CAS up for a bit!
Like · Reply · 2 · April 24 at 6:57pm
Charleston Animal Society Please read the statement!
Like · Reply · 5 · April 24 at 7:44pm
Josh Lowery Yes read the whole statement...ya know that also explains why the carriage companies don't want their animals used for the study. Ya know, the part that the CAS left out of this post.
Like · Reply · 9 · April 24 at 9:31pm
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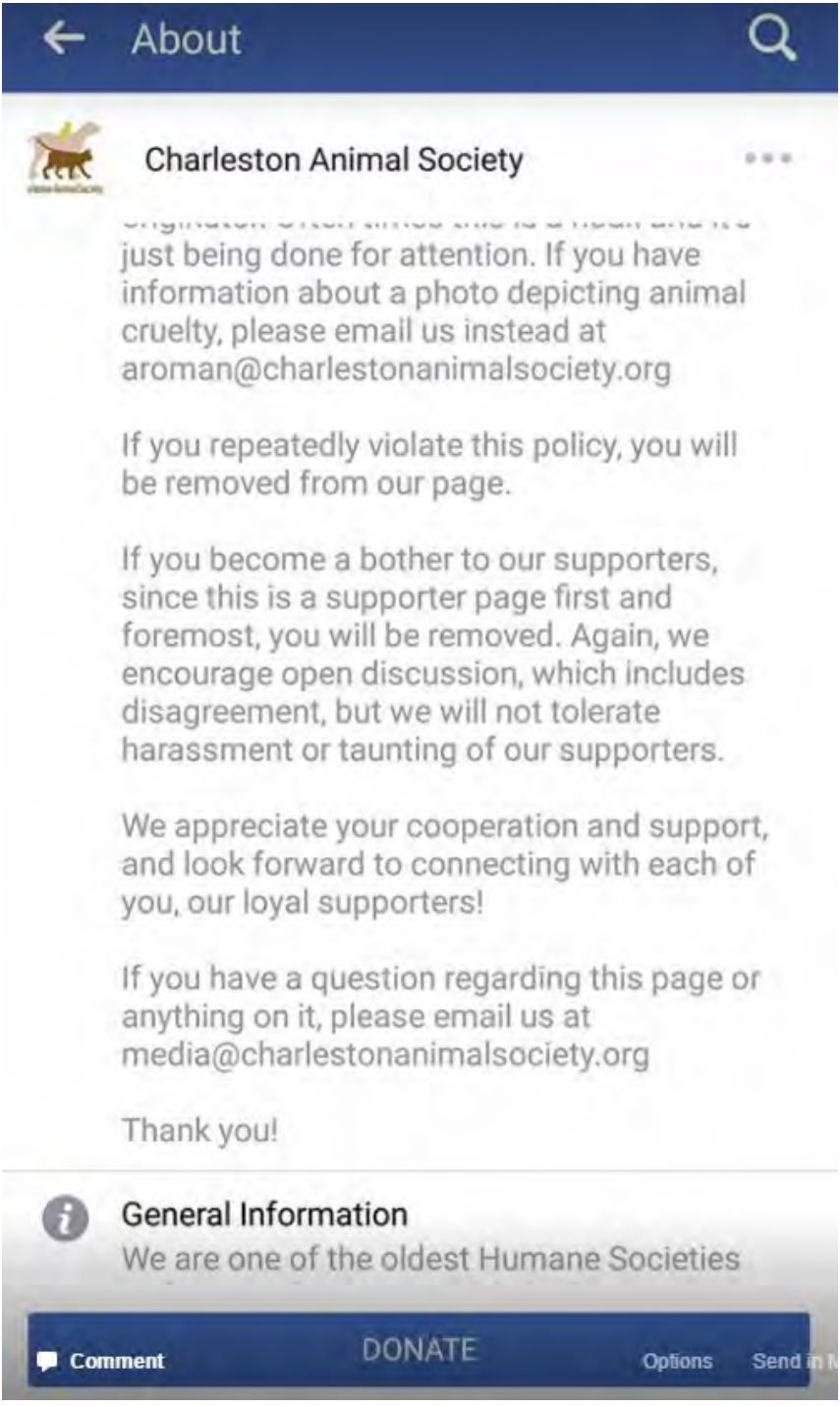
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City Council Votes to Stay with 4 Readings / 4-Story Thermometer
Please stand with Charleston Animal Society and several other community groups who want to see TRUE reform to the carriage horse industry in Charleston. An important vote took place at the March 28th Charleston City Council meeting that will keep Charleston conditions for working horses, the harshest in the country!
1. While temperatures are being lowered (a step in the right direction), the City is now requiring FOUR readings of the max temperature, before horses are pulled. Other cities in the U.S. only require ONE reading. TELL CITY COUNCIL to require only one reading.
2. Did you know Charleston takes its official temperature for the carriage industry on TOP of a four-story building downtown? A city official said publicly that he knows the temperature is "at least four degrees hotter" on the ground, where the horses work. TELL CITY COUNCIL to move the thermometer to ground level, where the horses work.
3. The recommended temperature of 95°/110° heat index was described as an "arbitrary" decision by the city and industry-paid veterinarians who made the decision. TELL CITY COUNCIL to do a scientific, peer-reviewed study that will give answers on "what is humane" based on science and research.
Contact Mayor John Tecklenburg: (843) 577-6970 Email tecklenburgj@charleston-sc.gov
Contact City Council c/o Clerk of Council:
(843) 724-3729 Email maybankv@charleston-sc.gov

CAS_Stmts_29


Charleston Animal Society
Company Overview
This is a page for supporters of Charleston Animal Society, and we encourage open discussion and invite you to share your opinion on our issues.
By participating on this page, you are agreeing to our commenting policy, outlined below.
We reserve the right to delete posts on our page containing any of the following elements:
- profanity
- misinformation
- spam
- off-topic / irrelevant
- personal attacks
- promoting violence
- promoting illegal or questionable activities
- rallying on behalf of people or organizations which support animal abuse
NEW - circulation of photos which depict animal cruelty. Sharing these photos across the internet does more harm than good because it makes it harder to track down the
Comment
DONATE
Options
Send in

CAS_Stmts_30


About
Charleston Animal Society
just being done for attention. If you have information about a photo depicting animal cruelty, please email us instead at aroman@charlestonanimalsociety.org
If you repeatedly violate this policy, you will be removed from our page.
If you become a bother to our supporters, since this is a supporter page first and foremost, you will be removed. Again, we encourage open discussion, which includes disagreement, but we will not tolerate harassment or taunting of our supporters.
We appreciate your cooperation and support, and look forward to connecting with each of you, our loyal supporters!
If you have a question regarding this page or anything on it, please email us at media@charlestonanimalsociety.org
Thank you!
General Information
We are one of the oldest Humane Societies
Comment
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Options

CAS_Stmts_31

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Charleston Animal Society

@CharlestonAnimalSociety

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CARRIAGE COMPANIES RESPOND TO INDUSTRY STUDY

Today's statement by Broderick Christoff of Charleston Carriage Works,is a non-endorsement endorsement of Charleston Animal Society's call for an independent, scientific, peer-reviewed study of the carriage industry downtown. "The carriage industry thinks they placed the ball back in our court, but the ball they sent back is flat," said Charleston Animal Society CEO Joe Elmore.

Christoff states that he speaks on behalf of the entire carriage industry downtown and that the industry now backs a study as endorsed by several local and national organizations including the TVMA (Trident Veterinary Medical Association), AAEP (American Association of Equine Practitioners), HSUS (Humane Society of the United States), and the ASPCA (American Society for the Prevention of Cruelty to Animals).

However, Christoff says the industry will not make their horses and mules available to take part in the study. This should raise a red flag with the public. Clearly, a study cannot be done without the horses and mules that actually live and work in Charleston. To use a replacement herd as Christoff suggests would raise questions about the validity of the study and is yet another hurdle thrown in the way of getting answers on what comprises humane working conditions in Charleston.

Christoff's statement is a reaction to the fact that more than 11-million people saw the video of his horse "Big John" collapse on Meeting Street last week. The Charleston carriage industry knows that America is watching. It's time to move forward with a true, independent study. The research team will only come from a top-rated university that uses humane and the least-possible invasive research methods.

The point of the study is to clarify with independent research, what is the most humane working environment for horses and mules in Charleston. This independent study would provide unbiased and objective answers to questions that we receive year-round from residents, tourists and experienced horse owners, who worry about the working horses and mules downtown. The research would address questions involving heat, load, congestion and other stressors, including how they relate to each other.

Before last week's incident involving the collapsed horse "Big John," Charleston Animal Society had reached out to industry leaders to meet about the study, but was turned down. We are hopeful that a meaningful dialogue can begin with this new statement from the industry. #adoptatcas #DotheStudy



Animal Shelter in Charleston, South Carolina

Closed Now

Invite friends to like this Page

We are 143 years old! We save more animals than all other Charleston animal organizations combined! We impact the lives of nearly 20,000 animals per year!

250,708 Likes

Rebecca Roberts and 21 other friends like this

About · See All

(843) 747-4849

Typically replies within a few hours

Send Message

www.charlestonanimalsociety.org

Animal Shelter · Non-Profit Organization · Dog

Opens at 12:00pm 12:00PM - 5:00PM

Closed Now

Popular hours

Mon Tue Wed Thu Fri Sat Sun

6AM 9AM 12PM 3PM 6PM 9PM 12AM 3AM

Visitor Posts

Lacie Rinehart

Today at 9:49am

See photo

Like · Comment

Rachael Ellis

Today at 3:50am

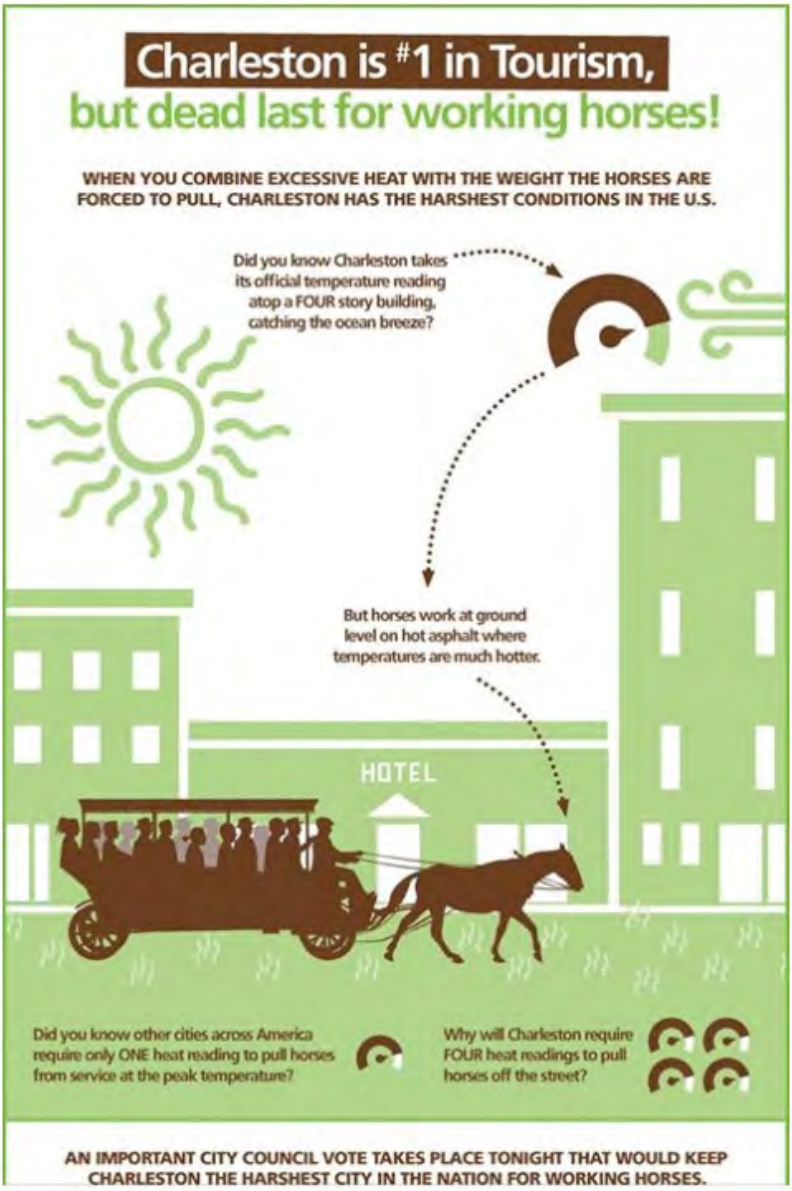
Rancho Relaxo is offering a safe retirement for Big John! Please sign and share! https://m.facebook.com/story.php...

Like · Comment

Jamie Michelle Meador

Yesterday at 9:13pm

CAS_Stmts_32


Charleston is #1 in Tourism,
but dead last for working horses!
WHEN YOU COMBINE EXCESSIVE HEAT WITH THE WEIGHT THE HORSES ARE FORCED TO PULL, CHARLESTON HAS THE HARSHEST CONDITIONS IN THE U.S.
Did you know Charleston takes its official temperature reading atop a FOUR story building, catching the ocean breeze?
But horses work at ground level on hot asphalt where temperatures are much hotter.
HOTEL
Did you know other cities across America require only ONE heat reading to pull horses from service at the peak temperature?
Why will Charleston require FOUR heat readings to pull horses off the street?
AN IMPORTANT CITY COUNCIL VOTE TAKES PLACE TONIGHT THAT WOULD KEEP CHARLESTON THE HARSHEST CITY IN THE NATION FOR WORKING HORSES.

CAS_Stmts_33


WCBD News 2
Like
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endorsement". We do not believe your study is necessary, though, and as private businesses we will not involve our animals. We have horses and mules that depend on our business revenue. Touring with animals that have catheters inserted and recording equipment attached to them and all of the other extra steps that would be necessary for a proper study is beyond our interest and is not an image we can portray. Furthermore, as the City of Charleston has no laws preventing you from bringing your own horses into the city for this study, you are completely free to do so and start driving and testing those horses as soon as you wish. We will also make sure there is water available for your horses to drink and we will generally support them and treat them as we would our own. There is absolutely no shortage
Charleston Carriage Industry supports "scientific study" of the idustry
CHARLESTON, S.C. (WCBD)– The Charleston Carriage Industry issued a statement on Sunday expressing their support of a study of the industry. The...
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Station Pages
Videos
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Cool School
RSS Feed
Like
Comment
Share
Tamara Brown, Ginger Williams and 46 others
Top Comments
3 shares
Write a comment...
Jane Higdon CAS needs to go ahead and do their study rather than continue to attack the carriage industry by preying on people's emotions without listing facts. These horses are extremely well cared for. I volunteer daily for a horse rescue. We take in starvation cases, horses in absolutely horrible shape. If CAS truly cares for horses they would put their efforts towards saving the truly neglected horses in our area.
Like · Reply · 29 · April 24 at 7:56am

CAS_Stmts_34

Secure | https://forcechange.com/224433/ban-cruel-and-deadly-horse-drawn-carriage-rides/

Apps Doubletree ChasCW Dock St G BOA BoA MS HSA Peek iAccess Futurecast Stripe Tides Email P

Username or Email Address Password Remember Me Log In Lost your password? Register

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PETITION TO CHANGE YOUR WORLD

ANIMALS ENVIRONMENT HEALTH EDUCATION HUMAN RIGHTS POLITICS CONSUMERS SUCCESS

Ban Cruel and Deadly Horse-Drawn Carriage Rides

Posted by Alex Guay

SHARE



Target: John Tecklenburg, Mayor of Charleston, South Carolina

Goal: Ban cruel and deadly horse-drawn carriages.

Heartbreaking footage recently emerged of Big John, a horse used to draw carriages in Charleston, South Carolina, collapsing to the ground as he pulled a dozen people through busy streets. Not only are horse-drawn carriages outdated, but they can also lead to death. It is time to ban this unnecessary cruelty.

In addition to Big John collapsing, he was unable to get back on his feet until his harness and equipment were taken off and he was assisted up with a strap. Across the country, horses that are used to pull carriages have been seriously injured and have even died. Heatstroke, hit and runs, and leg injuries are common problems these horses face.

Sign this petition to demand that Charleston ban horse-drawn carriages. These animals should not be exploited for profit any longer.

PETITION LETTER:

Dear Mayor Tecklenburg,

Recently a horse named Big John collapsed while pulling a dozen people through the busy streets of Charleston. He was not able to stand back up until all of his equipment was taken off and he was assisted with a strap. The footage is hard to watch, but it is something that can be avoided in the future.

Horses used to pull carriages face a variety of dangers including, but not limited to, heatstroke, hit and runs, leg injuries, and even death. Navigating busy streets while pulling a heavy carriage is no easy feat and an incredibly stressful one for these animals.

It is time to stop exploiting animals for this unnecessary cruelty. Please ban horse-drawn carriages in Charleston. No animal should suffer for human entertainment.

Sincerely,

[Your Name Here]

Photo credit: Charleston Animal Society

Sign the Petition!

First Name Last Name

Email

Street Address

City State / Province

ZIP / Postal Code Country

Only your name will be displayed. By signing, you accept our terms and may receive updates on this and related causes.

Sign Petition!

Please Help us Do More:

Premium Membership



FASTER, EASIER, AND AD FREE

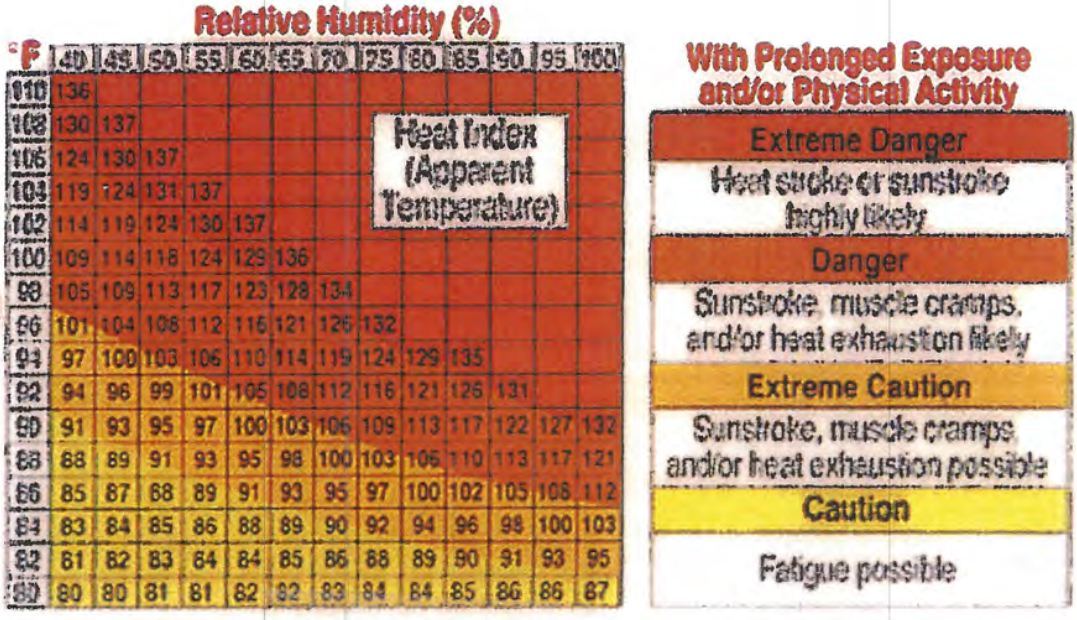
Upgrade Today!

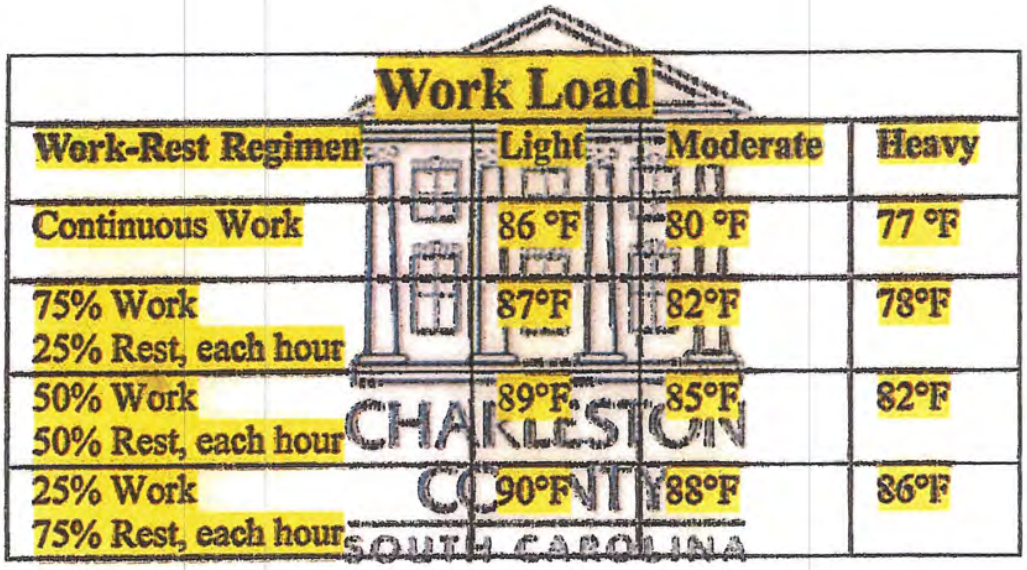
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CAS_Stmts_35


Relative Humidity (%)
°F
40 45 50 55 60 65 70 75 80 85 90 95 100
110 136
108 130 137
106 124 130 137
104 119 124 131 137
102 114 119 124 130 137
100 109 114 118 124 129 136
98 105 109 113 117 123 128 134
96 101 104 108 112 116 121 126 132
94 97 100 103 106 110 114 119 124 129 135
92 94 96 99 101 105 108 112 116 121 126 131
90 91 93 95 97 100 103 106 109 113 117 122 127 132
88 88 89 91 93 95 98 100 103 106 110 113 117 121
86 85 87 88 89 91 93 95 97 100 102 105 108 112
84 83 84 85 86 88 89 90 92 94 96 98 100 103
82 81 82 83 84 84 85 86 88 89 90 91 93 95
80 80 80 81 81 82 82 83 84 84 85 86 86 87
Heat Index (Apparent Temperature)
With Prolonged Exposure and/or Physical Activity
Extreme Danger
Heat stroke or sunstroke highly likely
Danger
Sunstroke, muscle cramps, and/or heat exhaustion likely
Extreme Caution
Sunstroke, muscle cramps and/or heat exhaustion possible
Caution
Fatigue possible


Work Load
Work-Rest Regimen
Light
Moderate
Heavy
Continuous Work
86 °F
80 °F
77 °F
75% Work
25% Rest, each hour
87°F
82°F
78°F
50% Work
50% Rest, each hour
89°F
85°F
82°F
25% Work
75% Rest, each hour
90°F
88°F
86°F
CHARLESTON COUNTY SOUTH CAROLINA

74° 83% 5:49

immediately after the fall and was helped back to its feet.

Carriage company employees took the animal back to a barn for an exam.

News 2 was first alerted to the story by the Charleston Animal Society. The organizations initial news release stated that the horse collapsed.

We will continue to follow this story as it develops.

(Copyright 2017 WCBD. All rights reserved.)

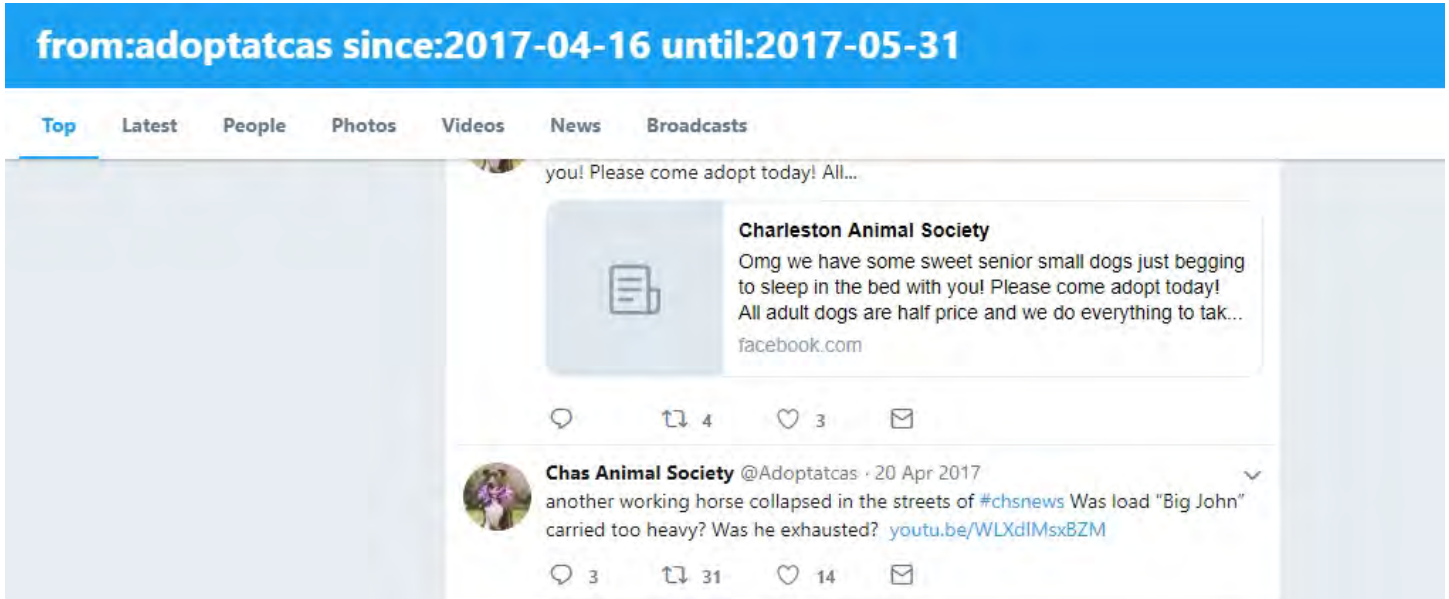
SHARE THIS:

More

Like

Watch Live: News 2 at 5p.m.

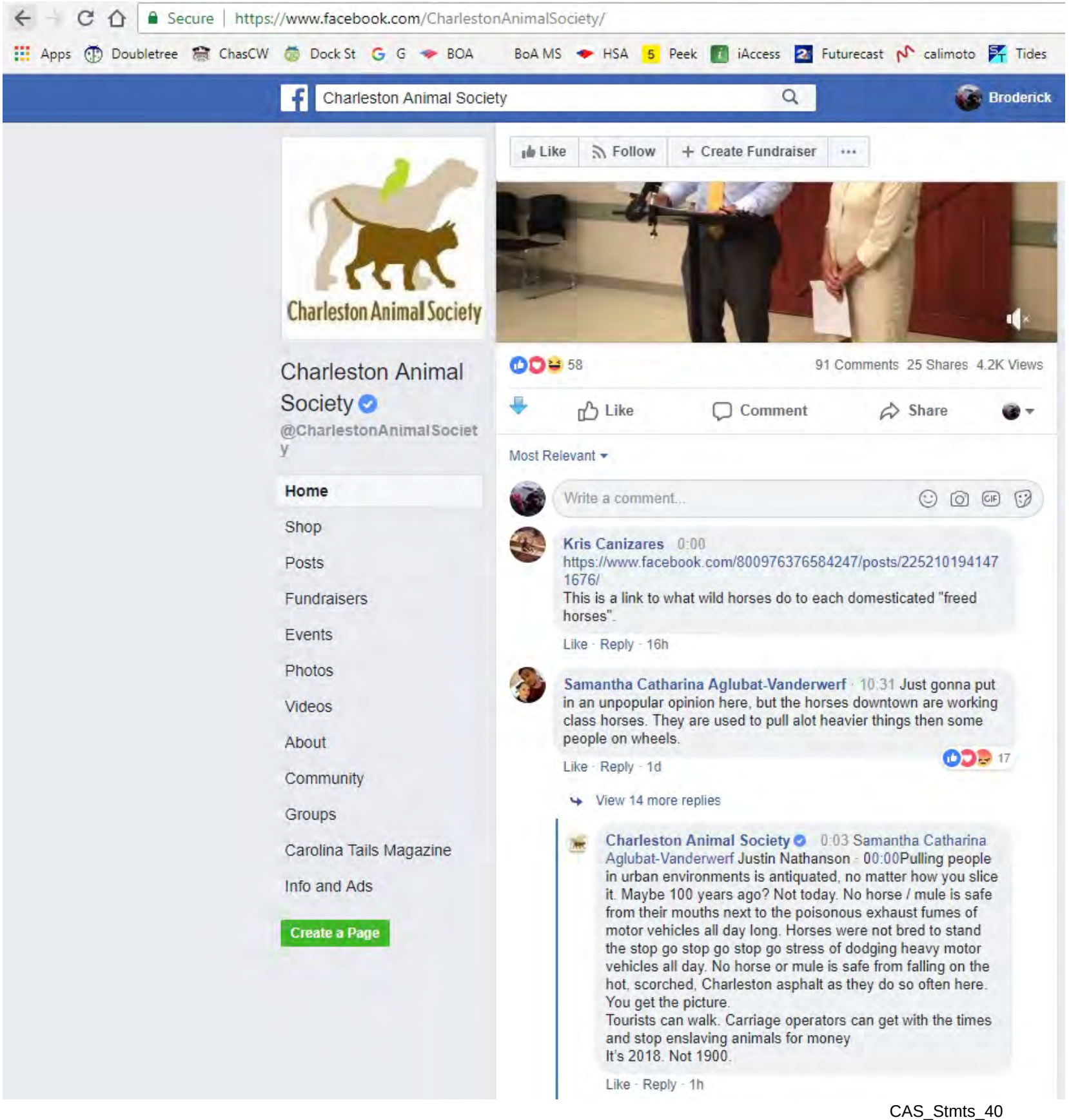
CAS_Stmts_37


from:adoptatcas since:2017-04-16 until:2017-05-31
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you! Please come adopt today! All...
Charleston Animal Society
Omg we have some sweet senior small dogs just begging to sleep in the bed with you! Please come adopt today! All adult dogs are half price and we do everything to tak...
facebook.com
4
3
Chas Animal Society @Adoptatcas · 20 Apr 2017
another working horse collapsed in the streets of #chsnews Was load "Big John" carried too heavy? Was he exhausted? youtu.be/WLXdlMsxBZM
3
31
14

CAS_Stmts_38


Charleston Animal Society
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animal should be of utmost importance to all concerned. And attacking a group who are concerned with the well being of your animal should never make you angry, it should give you the assurance that others are watching out for those who can't speak out
Like · Reply · 4 · 5 hrs
Lynn Hudnell The city is fine with CAS bringing in their own horses to do the study. Their horses would be subjected to the same enviroment as the carriage horses so the study would be just as viable. No one has said their shouldn't be a study, the carriage industry said it can't be their working horses. It doesn't matter what horse is used, it is the environment and its result on horses that is being asked about. A horse is a horse. They are welcomed to do all the study's they want on their own horses.
Like · Reply · 2 · 4 hrs
Charleston Animal Society Same comment for the twentieth time!
Like · Reply · 3 mins
Write a reply...
View more comments
2 of 74

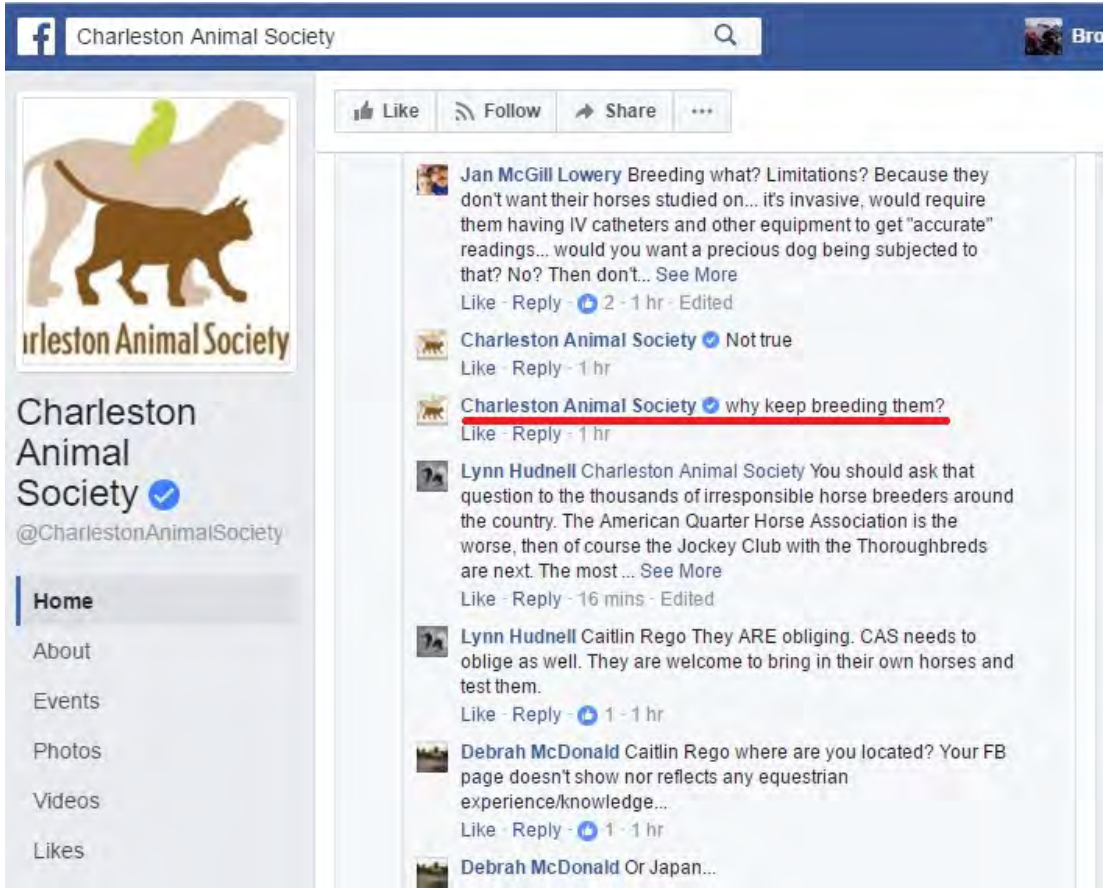
CAS_Stmts_39


Secure | https://www.facebook.com/CharlestonAnimalSociety/
Apps Doubletree ChasCW Dock St G BOA BoA MS HSA Peek iAccess Futurecast calimoto Tides
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Create a Page
58
91 Comments 25 Shares 4.2K Views
Like Comment Share
Most Relevant
Write a comment...
Kris Canizares 0:00
https://www.facebook.com/800976376584247/posts/2252101941471676/
This is a link to what wild horses do to each domesticated "freed horses".
Like · Reply · 16h
Samantha Catharina Aglubat-Vanderwerf · 10:31 Just gonna put in an unpopular opinion here, but the horses downtown are working class horses. They are used to pull alot heavier things then some people on wheels.
17
Like · Reply · 1d
View 14 more replies
Charleston Animal Society 0:03 Samantha Catharina Aglubat-Vanderwerf Justin Nathanson · 00:00Pulling people in urban environments is antiquated, no matter how you slice it. Maybe 100 years ago? Not today. No horse / mule is safe from their mouths next to the poisonous exhaust fumes of motor vehicles all day long. Horses were not bred to stand the stop go stop go stop go stress of dodging heavy motor vehicles all day. No horse or mule is safe from falling on the hot, scorched, Charleston asphalt as they do so often here. You get the picture.
Tourists can walk. Carriage operators can get with the times and stop enslaving animals for money
It's 2018. Not 1900.
Like · Reply · 1h

CAS_Stmts_40


AT&T
1:00 PM
Search
Charleston Animal Society shared Live 5 News's live video.
7 mins
Until they follow the law and improve conditions, VOTE No!
https://www.facebook.com/66655379051/videos/10155392028904052
#adoptatcas
Live 5 News is live now.
29 mins
Yesterday we mentioned the carriage horse that fell last month – we... Continue Reading
LIVE
138

CAS_Stmts_41


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Share
Charleston Animal Society
@CharlestonAnimalSociety
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Videos
Likes
Jan McGill Lowery Breeding what? Limitations? Because they don't want their horses studied on... it's invasive, would require them having IV catheters and other equipment to get "accurate" readings... would you want a precious dog being subjected to that? No? Then don't... See More
Like · Reply · 2 · 1 hr · Edited
Charleston Animal Society Not true
Like · Reply · 1 hr
Charleston Animal Society why keep breeding them?
Like · Reply · 1 hr
Lynn Hudnell Charleston Animal Society You should ask that question to the thousands of irresponsible horse breeders around the country. The American Quarter Horse Association is the worse, then of course the Jockey Club with the Thoroughbreds are next. The most ... See More
Like · Reply · 16 mins · Edited
Lynn Hudnell Caitlin Rego They ARE obliging. CAS needs to oblige as well. They are welcome to bring in their own horses and test them.
Like · Reply · 1 · 1 hr
Debrah McDonald Caitlin Rego where are you located? Your FB page doesn't show nor reflects any equestrian experience/knowledge...
Like · Reply · 1 · 1 hr
Debrah McDonald Or Japan...

CAS_Stmts_42

EXHIBIT 23

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	CASE NO.: 2018-CP-10-04083
	)	
Charleston Carriage Works, LLC,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**AFFIDAVIT OF KELLY KHALADJ-GHOM**
	)	
Charleston Animal Society, Ellen Harley and Charleston Carriage Horse Advocates, Inc.,	)	
	)	
Defendants.	)	
	)	

PERSONALLY appeared before me, Kelly Khaladj-Ghom, who, being duly sworn, deposes and states:

1. I am currently the Director of Marketing & Digital Strategy for Mura Software, Inc.

2. I was asked to review Charleston Animal Society's Google Ads campaign to determine if it was designed to divert internet traffic from Charleston Carriage Works.

3. I have the requisite qualifications to give this affidavit. Those qualifications include the following:

   a. I earned a Master's in Business Administration in Marketing from the College of Charleston in 2017, where I learned how to build and implement Google Ads campaigns.

   b. I have been a Director of Marketing & Digital Strategy since 2017 focusing on paid media, paid advertising, and Pay Per Click (PPC) campaigns.

   c. From 2018 to 2020 I solely focused on Google Ads lead generation strategy for a multi-million-dollar investment firm, managing $1M+ in ad spend since 2018.

d. I have extensively read case studies, use cases, white papers, and other educational materials on Google Ads for best practices and competitor bidding strategy.

e. I have worked alongside other Digital Consultants and Google Ads experts to improve my skills and develop growth strategies to acquire large corporate clients, including several Fortune 500 companies.

4. I am very familiar with Google's current standards for keyword bidding, quality scores, and ad placement in the Google search engine.

5. In connection with the preparation of this affidavit, I have reviewed the following documents:

a. Competitor Search Results for Palmetto Carriage Works, and Charleston Carriage Works.

b. Charleston Animal Society's Google Ads campaign's keywords.

6. It is my opinion to a reasonable degree of professional certainty based on my education, experience, and knowledge, that the Charleston Animal Society's (CAS) Google Ads campaign was not designed to divert traffic from the Charleston Carriage Works (CCW) website or business based on the following:

a. ***If a CAS paid ad is shown in the search results when a search is done for "Charleston Carriage Works" it is because Google's algorithm determined it was the most relevant based on the user's search and search history.***

Several factors go into the final milliseconds prior to an ad populating on the search engine results page (SERP). Google uses an automated algorithm to determine your ad rank or the position that your ad will be in on the SERP. The algorithm (i.e., formula) to determine ad rank includes the following factors;

1. **Bid**: This is set in your Google Ads account and is the max amount you are willing to pay every time your ad is clicked on.
2. **Quality Score**: This is the relevance between your keywords and ad and your ad and landing page.
3. **The Search**: The keywords included in the search, location of the user, and all of the physical factors regarding the user.
4. **Format:** This includes the text in an ad, the extensions being used, and other features that constitute the ad.

All of these factors are combined to determine where an advertiser places next to their competitors. While bid and other metrics are known, **other factors make it nearly impossible to know ahead of an auction where your ad will place, if it places at all. While some factors such as bid and format are known to the advertiser, some are unknown, like Quality Score and where the competitors rank. In other words, it is ultimately up to Google's algorithm.**

b. ***CAS's campaign did not include an exact match for CCW.***

Keywords are words or phrases that are used to match ads with the terms people are searching for. The keyword match types dictate how closely the keyword needs to match with the user's search query in order for the ad to be considered for the auction. So, you could use broad match to serve your ad on a wider variety of user searches or you could use exact match to hone in on specific user searches.

1. **Broad Match**: Ads may show on searches that are related to your keyword, which can include searches that don't contain the keyword terms. To help deliver relevant matches, this match type may also take into account the following:
    a. The user's recent search activities
    b. The content of the landing page the ad is driving traffic to
    c. Other keywords in an ad group to better understand keyword intent
2. **Phrase Match**: Ads may show on searches that include the meaning of your keyword. The meaning of the keyword can be implied, and user searches can be a more specific form of the meaning. Phrase match is more flexible than exact match but is more targeted than the default broad match option. With phrase match, you can reach more customers, while still showing your ads

to customers who are most likely searching for your product or service. The syntax for phrase match is to put quotes around your keyword, such as "tennis shoes".

3. **Exact Match**: Ads may show on searches that are the same meaning or same intent as the keyword. Of the three keyword matching options, exact match gives you the most control over who sees your ad. Exact match is designated with brackets, such as [red shoe].
4. **Negative Keywords**: You can use negative keywords to exclude your ads from showing on searches with that term. So, if you're a hat company that doesn't sell baseball hats, you could add a negative keyword for baseball hats.

The keywords CAS has bid on are outlined below:

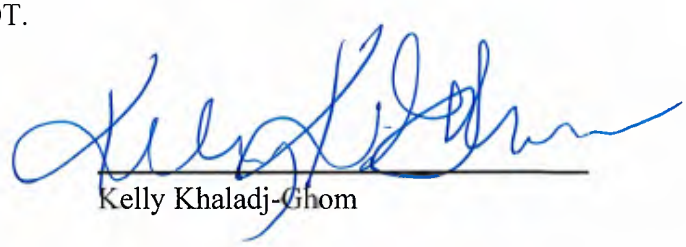
i. horse drawn trolley
ii. charleston horse and buggy tours
iii. carriage rides in charleston
iv. "horse drawn carriage tour"
v. charleston horse carriage tours
vi. charleston horse and carriage tours
vii. "charleston horse"
viii. horse drawn carriage rides
ix. charleston horse carriage
x. horse carriage charleston
xi. charleston horse drawn carriage tour

This list includes two phrase matches, "charleston horse" and "horse drawn carriage tour". It does not include an exact match for Charleston Carriage Works. CAS could not target CCW specifically without using an exact match keyword for CCW. Although ultimately determined by Google's algorithm, based on the keywords used by CAS in its campaign, CAS's paid ad could have appeared in the search results for any of the other carriage companies. Additionally, it's important to note that in these ad campaigns, web traffic is not being "diverted." Rather, paid ads may appear at the top of the organic search results. It does not result in a paid ad replacing a website that would otherwise be listed in the organic search results.

7. My opinions are based on the information available to me at this time, as outlined above, which I assume to be accurate. The opinions in this affidavit are subject to supplementation, clarification, and modification if further information is provided to me.

8. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment by contempt.

FURTHER AFFIANT SAYETH NOT.



Kelly Khaladj-Ghom

ELECTRONICALLY FILED - 2020 Jul 30 10:06 AM - CHARLESTON - COMMON PLEAS - CASE#2018CP1004083

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	CASE NO.: 2018-CP-10-04083
Charleston Carriage Works, LLC,	)	
Plaintiff,	)	
vs.	)	
Charleston Animal Society, Ellen Harley and Charleston Carriage Horse Advocates, Inc.,	)	
Defendants.	)	

ORDER RESOLVING CROSS MOTIONS TO COMPEL AS TO CHARLESTON CARRIAGE WORKS, L.L.C. AND CHARLESTON ANIMIAL SOCIETY

Date of Hearing: Thursday, May 28, 2020
Plaintiff's counsel: Thomas Goldstein
Defendant's counsel: Elizabeth Palmer
Court Reporter: Karen Anderson

This matter came before the Court for a hearing on May 28, 2020, on cross motions to compel. The Plaintiff seeks discovery responses as set forth in its motion filed July 5, 2019. The Defendant, Charleston Animal Society, seeks discovery responses as set forth in its motion filed July 22, 2019. At issue in the hearing were solely the issues in the Motions relating to the Plaintiff and Defendant Charleston Animal Society (CAS). (The remaining defendants' attorney, Spencer Gill, was present for the hearing.) As it relates to the other Defendants, the parties are continuing to work through the dispute, which, if not resolved voluntarily, will be heard at a later time.

ELECTRONICALLY FILED - 2020 Jul 30 10:06 AM - CHARLESTON - COMMON PLEAS - CASE#2018CP1004083

Based on the pleadings, arguments of counsel, and the *South Carolina Rules of Civil Procedure*, the cross motions are GRANTED as set forth below. Within 15 days of the date of this Order, Defendant, Charleston Animal Society, shall:

1) Produce CAS's Schedule B's for the years 2014-2018. The Plaintiff may review them but shall not photocopy them or disclose the names to any person not directly connected with the preparation of this lawsuit, and, at the conclusion of this suit, shall return all documents to the defendant and not retain copies. The Plaintiff shall not use the information to contact any person donating to the Charleston Animal Society; and

2) Supplement its response to Plaintiff's Request for Production requesting: "Financial and/or operational records on all animals delivered into the custody of the Charleston Animal Society by Charleston County and by all municipalities and citizens from January 1, 2017 – December 31, 2017 that include the date, place (specific street address), reason and manner whereby each animal was brought into custody, together with a description of each animal and a record of its final disposition."

Within 15 days of the date of this Order, Plaintiff shall:

3) Supplement its answer to Interrogatory No. 6, specifically identifying each allegedly false or defamatory statement Plaintiff contends was made by Defendant CAS, and for each such statement or publication, providing the information requested in (a)-(h) of Interrogatory No. 6.

4) Supplement its answer to Interrogatory No. 10, identifying the specific "efforts by the City of Charleston to restrict and curtail the Plaintiff's use of its property" (as alleged in paras. 27 and 35 of the Complaint) and, to the extent Plaintiff contends Defendant CAS is responsible for those efforts, the facts supporting that contention.

5) Answer Interrogatory No. 13.

6) Supplement its Responses to Requests for Production Nos. 23 and 25 (which correlate to Interrogatories Nos. 10 and 13, respectively).

AND IT IS SO ORDERED!

_____
Bentley D. Price
Presiding Circuit Court Judge

July ____, 2020
Charleston, South Carolina

ELECTRONICALLY FILED - 2020 Jul 30 10:06 AM - CHARLESTON - COMMON PLEAS - CASE#2018CP1004083

Charleston Common Pleas

Case Caption: Charleston Carriage Works L L C VS Charleston Animal Society , defendant, et al

Case Number: 2018CP1004083

Type: Order/Other

IT IS SO ORDERED!

/s Hon. Bentley D. Price, Circuit Judge 2766

Defamatory Statement	The practices of the carriage horse industry [are] cruel
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	All manners - official position
Date Published	Numerous - offical position
Why we contend it is false	No evidence to support that it's true, not witnessed in 25yrs of operating
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business/accused of crime
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	The carriage industry overworks or overdrives horses violating SC cruelty laws
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	All manners - official position
Date Published	Numerous - offical position
Why we contend it is false	No evidence to support that it's true, not witnessed in 25yrs of operating
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business/accused of crime
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Charleston has the harshest and most extreme conditions in the nation
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	All manners - official position
Date Published	Numerous - offical position
Why we contend it is false	Simple internet search proves untrue
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes

Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Horses worked to exhaustion
Identity of Person/Entity Who Published the Statement	CAS/Joe Elmore
Manner in which published	Print/social media/others
Date Published	Numerous, inc. Big John video and Carolina Tails Winter 2020
Why we contend it is false	No evidence to support that it's true, not witnessed in 25yrs of operating
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Things got worse for carriage horses/equine cruelty
Identity of Person/Entity Who Published the Statement	CAS/Joe Elmore
Manner in which published	Print/social media/others
Date Published	Carolina Tales Jan. 2017
Why we contend it is false	Threshold was reduced, not increased
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business, mentioned me by name
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Big John "collapsed"
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Web Site
Date Published	Unknown - Late April 2017 - see https://www.charlestonanimalsociety.org/humane-carriage-tours/
Why we contend it is false	Tripped and fell, reports were/are available
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes

Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Big John was exhausted
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Web Site
Date Published	Unknown - Late April 2017 - see https://www.charlestonanimalsociety.org/humane-carriage-tours/
Why we contend it is false	Tripped and fell, worked 30 minutes that day, reports were/are available
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Big John "collapsed" as a result of my non-adherence to regulations
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Web Site
Date Published	Unknown , on web site. Screenshot in index previously provided
Why we contend it is false	Carriage loads are not and were never required to be weighed
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	My behavior should rasie "red flag", horse collapsed, replacement herd invalidates study
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Press release/social media
Date Published	Late April 2017, possibly April 25 - in index previously provided
Why we contend it is false	Horse did not collapse, carriage industry (not my) statement was true
Made with Malice?	Yes
Evidence of Malice	Specifically targeting me in presser about industry statement
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes

Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Charleston is harshest city in the nation for working horses
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Post and Courier
Date Published	unknown - second full page ad
Why we contend it is false	Simple internet search proves untrue
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Charleston is dead last for working horses
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Post and Courier
Date Published	unknown - second full page ad
Why we contend it is false	Simple internet search proves untrue
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Big John "collapsed"
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Distributed to News2 and others
Date Published	April 19,2017 - in index previously provided
Why we contend it is false	Big John did not "collapse". News2 corrected their story
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes

Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Big John "collapsed", was exhausted, load was too heavy
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Twitter
Date Published	April 20, 2017 - in index previously provided
Why we contend it is false	Tripped and fell, worked 30 minutes that day, reports were/are available
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Said we don't follow the law and voted for a ban
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Facebook
Date Published	May 10, 2017 - in index previously provided
Why we contend it is false	Carriage loads are not and were never required to be weighed
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Carriage tours use "heat loophole" to operate beyond what rules allow
Identity of Person/Entity Who Published the Statement	CAS/Joe Elmore
Manner in which published	Print/social media/others
Date Published	Numerous, inc. July 2019 Carolina Tales - - in index previously provided
Why we contend it is false	There is no "loophole" and the ordninace is adhered to
Made with Malice?	Yes
Evidence of Malice	Deliberate misrepresentation of the Ordinance
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes

Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Carriages operated for an hour and a half at 95° and don't follow the law
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Social Media
Date Published	May 27, 2019 - in index previously provided
Why we contend it is false	Temperature records don't support assertion - the law was followed
Made with Malice?	Yes
Evidence of Malice	Temperatures measurements are available real-time to the public
How damaged	Reputation/ridership/judged unfit to run business/accused of crime
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Horses are only given rest in hot sun and often without water
Identity of Person/Entity Who Published the Statement	CAS/Joe Elmore
Manner in which published	Telemarketing/possibly others
Date Published	September 2015 - in documents provided to us by CAS
Why we contend it is false	No evidence to support that it's true, not witnessed in 25yrs of operating
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Carriage horses in Charleston are dying as a result of the City not enforcing the ordinances
Identity of Person/Entity Who Published the Statement	CAS/Joe Elmore
Manner in which published	Telemarketing/possibly others
Date Published	September 2015 - in documents provided to us by CAS
Why we contend it is false	No evidence to support that it's true, not witnessed in 25yrs of operating
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes

Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Carriage horses in Charleston are dying as a result of mistreatment
Identity of Person/Entity Who Published the Statement	CAS/Joe Elmore
Manner in which published	Telemarketing/possibly others
Date Published	September 2015 - in documents provided to us by CAS
Why we contend it is false	No evidence to support that it's true, not witnessed in 25yrs of operating
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock
Defamatory Statement	Tired, overworked horses continue to be put in harm's way
Identity of Person/Entity Who Published the Statement	CAS
Manner in which published	Print/Charleston Mercury
Date Published	October 2016 - in documents provided to us by CAS
Why we contend it is false	No evidence to support that it's true, not witnessed in 25yrs of operating
Made with Malice?	Yes
Evidence of Malice	Knew (or should have known) to be false, part of "strategy"
How damaged	Reputation/ridership/judged unfit to run business
Published under color of law	Yes
Fact to Support published under COL	CAS acts as agent for/aides law enforcement in cruelty cases and has a good internal system to bring perpetrators to justice. CAS is considered an authority on animals and claims esp. equines and livestock

THE STATE OF SOUTH CAROLINA
In The Supreme Court

Leisel Paradis, Petitioner,

v.

Charleston County School District, James Island Charter High School, and Robert Bohnstengel and Stephanie Spann, in their individual capacities, Respondents.

Appellate Case No. 2018-002025

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS

Appeal from Charleston County
J.C. Nicholson Jr., Circuit Court Judge

Opinion No. 28030
Heard December 12, 2019 – Filed May 19, 2021
Refiled August 18, 2021

REVERSED AND REMANDED

J. Lewis Cromer and J. Paul Porter, both of Cromer Babb Porter & Hicks, LLC, of Columbia, for Petitioner.

Rene Stuhr Dukes, of Rosen Rosen & Hagood, LLC, of Charleston, for Respondent Robert Bohnstengel; and Caroline Cleveland, Bob J. Conley, and Emmanuel Joseph Ferguson, all of Cleveland & Conley, LLC, of Charleston, for Respondent Stephanie Spann.

CHIEF JUSTICE BEATTY: A civil conspiracy claim brought by Leisel Paradis ("Petitioner") was dismissed by the circuit court for failing to plead special damages, and the dismissal was upheld by the court of appeals. We granted a petition for a writ of certiorari to consider the narrow question whether South Carolina's requirement of pleading special damages should be abolished. We conclude that it should. South Carolina is the only state with this unique requirement as an element, and we find it resulted from a misinterpretation of law. We overrule precedent that requires the pleading of special damages and return to the traditional definition of civil conspiracy in this state. Consequently, we reverse the decision of the court of appeals and remand the matter to the circuit court for proceedings consistent with this opinion.

I. FACTS

Petitioner, a teacher, filed a complaint asserting a defamation claim against the Charleston County School District and James Island Charter High School (respectively, "the District" and "the High School"). In addition, Petitioner asserted a civil conspiracy claim against the High School's principal and assistant principal, Robert Bohnstengel and Stephanie Spann ("Respondents"),[1] in their individual capacities. Petitioner alleged Respondents targeted her for an unwarranted and invasive performance evaluation because they were unhappy with her desire to report a student's misconduct to the police, causing her to be blacklisted and ostracized and, ultimately, terminated from her teaching position.

The circuit court dismissed both the defamation and the civil conspiracy claims. The circuit court ruled, *inter alia*, that Petitioner failed to plead special damages as required to advance her civil conspiracy claim. The court of appeals affirmed. *Paradis v. Charleston Cty. Sch. Dist.*, 424 S.C. 603, 819 S.E.2d 147 (Ct. App. 2018). Petitioner sought a writ of certiorari, raising several issues regarding the civil conspiracy claim. This Court granted the petition for a writ of certiorari as to Petitioner's first question, which asks the Court to abolish the rule imposing a special pleading requirement for civil conspiracy claims—i.e., requiring a plaintiff to plead special damages—which evolved after the Court's decision in *Todd v. South*

[1] The District and the High School participated in the appeal below and filed a response to the petition for a writ of certiorari. However, they did not file briefs with this Court, presumably because they were not parties to the civil conspiracy action that is the subject of the appeal to this Court. As a result, "Respondents" shall be used to refer to the individual parties who submitted briefs, Bohnstengel and Spann.

Carolina Farm Bureau Mutual Insurance Co., 276 S.C. 284, 278 S.E.2d 607 (1981). This pleading requirement has been informally referred to as the *Todd* rule.

II. DISCUSSION

Petitioner contends this Court should overrule precedent requiring the pleading of special damages for civil conspiracy claims, which arose after the issuance of the *Todd* decision in 1981. We agree.

Civil conspiracy has long given rise to uncertainty as to its elements and proper application. *See* 4 James Lockhart, *Cause of Action for Civil Conspiracy*, Causes of Action § 4, at 530 (2d ed. 1994) ("The elements of civil conspiracy are not always defined in exactly the same way."). Over 100 years ago, a law professor analyzed the emerging action, noting its varying definitions and the distinction between civil and criminal conspiracy, and he distilled the following core principles:

> A combination between two or more persons to accomplish a criminal or unlawful purpose, or some purpose not in itself criminal or unlawful by criminal or unlawful means, subjects the confederates to criminal prosecution; and, if injury ensues to an individual therefrom, it subjects them to a civil action by their victim.

Francis M. Burdick, *Conspiracy as a Crime, and as a Tort*, 7 Colum. L. Rev. 229, 246 (1907).

South Carolina employed similar language in defining civil conspiracy. In an early case involving motions to strike and to make the pleadings for civil conspiracy more definite and certain, this Court stated:

> [A] definition of conspiracy has been given as the conspiring together to do an unlawful act to the detriment of another or the doing of a lawful act in an unlawful way to the detriment of another.

Charles v. Texas Co., 192 S.C. 82, 101, 5 S.E.2d 464, 472 (1939) (*Charles I*).

The Court reiterated this description in the appeal from the verdict in the same case, finding no error in a jury charge defining a civil conspiracy in these terms. *See Charles v. Texas Co.*, 199 S.C. 156, 176, 18 S.E.2d 719, 727 (1942) (*Charles II*)

("Ordinarily a conspiracy is where two or more persons combine or agree to do something to the detriment or hurt of another. If they agree to do an unlawful thing for the detriment or hurt of another or if they agree to do a lawful thing but agree to do it in an unlawful manner that would be a conspiracy."); *cf. Hosp. Care Corp. v. Commercial Cas. Ins. Co.*, 194 S.C. 370, 387, 9 S.E.2d 796, 803–04 (1940) (observing "the second cause of action [failed to] allege the required elements of a conspiracy to accomplish an unlawful purpose or a lawful purpose unlawfully").

In *Charles II*, the Court pointed out the "well known principle" that resulting damages are the gist of any civil conspiracy action and an unexecuted conspiracy does not give rise to a civil cause of action. 199 S.C. at 177, 18 S.E.2d at 727. Thus, the Court emphasized that proof of an overt act and resulting damages were also fundamental elements to sustain a civil claim, and it found these points were adequately conveyed in the trial judge's instructions. The Court further explained, "Each conspirator is liable for all damages naturally resulting from any wrongful act of a co-conspirator in exercising the joint enterprise," and "[w]hether the damages proximately resulted from the wrongful act of the conspirators is ordinarily a question for the jury." *Id.* at 174, 18 S.E.2d at 726 (citation omitted).

Appeals involving civil conspiracy were somewhat infrequent immediately following *Charles I* and *Charles II*, but the two decisions were recognized as authoritative, even when later cases did not fully articulate all of the requisite elements. *See, e.g.*, *Lakewood Water Co. v. Garden Water Co.*, 222 S.C. 450, 453, 73 S.E.2d 720, 721 (1952) ("The two decisions of *Charles v. Texas Company*, 192 S.C. 82, 5 S.E.2d 464, and *Id.*, 199 S.C. 156, 18 S.E.2d 719, rather fully enunciate the principles which govern civil actions for conspiracy and they need not be repeated here.").

The definition of civil conspiracy approved in *Charles I* and *Charles II* is also fairly universal in contemporary tort law.[2] *See generally* 16 Am. Jur. 2d *Conspiracy* § 53 (2020) ("Although stated variously from jurisdiction to jurisdiction, the basic elements of a civil conspiracy are (1) an agreement between two or more individuals,

[2] Most states provide by common law for the claim, and a few states have also enacted statutes in this regard. *See* 54 James L. Buchwalter, *Cause of Action for Civil Conspiracy*, Causes of Action § 2, at 603 (2d ed. 2012) ("Civil conspiracy is a claim recognized under the common law of most states. A civil conspiracy may also be actionable under state statutes specifically forbidding various types of concerted action for certain purposes." (citation omitted)).

(2) to do an unlawful act or to do a lawful act in an unlawful way, (3) resulting in injury to [the] plaintiff inflicted by one or more of the conspirators, and (4) pursuant to a common scheme."); 15A C.J.S. *Conspiracy* § 4 (2012) ("The requisite elements [for civil conspiracy] are: (1) a combination between two or more persons; (2) to do a criminal or an unlawful act, or a lawful act by criminal or unlawful means; (3) an act done by one or more of the conspirators pursuant to the scheme and in furtherance of the object; (4) which act results in damage to the plaintiff.").

In 1981, however, the Court issued the *Todd* decision, which has been interpreted as creating a new element for civil conspiracy claims in South Carolina—a requirement that a plaintiff plead special damages. In *Todd*, the plaintiff alleged five causes of action stemming from the termination of his employment, and each cause of action incorporated all of the prior allegations: "(1) intentional interference with contractual relations, (2) extreme and outrageous conduct, (3) bad faith termination of the employment contract, (4) invasion of privacy, and (5) conspiracy to so damage the plaintiff." *Todd v. S.C. Farm Bureau Mut. Ins. Co.*, 276 S.C. 284, 287, 278 S.E.2d 607, 608 (1981). One of the issues considered by the Court was whether Todd's fifth cause of action stated a claim for civil conspiracy. *Id.* at 292, 278 S.E.2d at 610.

The *Todd* Court began by citing, *inter alia*, *Charles I*, and stating: "Conspiracy is the conspiring or combining together to do an unlawful act to the detriment of another or the doing of a lawful act in an unlawful way to the detriment of another." *Id.* at 292, 278 S.E.2d at 611. The Court generally observed the difference between a criminal conspiracy and a civil conspiracy is that the agreement is the gravamen of the offense of criminal conspiracy, whereas "the gravamen of the tort [of civil conspiracy is] the damage resulting to [the] plaintiff from an overt act done pursuant to the common design." *Id.* (citing a former version of *Corpus Juris Secundum*).[3] The Court reiterated that a civil conspiracy becomes actionable only once overt acts occur that proximately cause damage to the plaintiff; therefore, "conspiracy in and of itself is not a civil wrong." *Id.* (citation omitted).

The Court found Todd did not plead overt acts in furtherance of the conspiracy, so the complaint failed to state a claim for civil conspiracy as a matter of law:

[3] Similar language is in the updated version. *See* 15A C.J.S. *Conspiracy* § 104 (2012) (distinguishing civil and criminal conspiracy).

> As noted, the fifth cause of action does no more than incorporate the prior allegations and then allege the existence of a civil conspiracy and pray for damages resulting from the conspiracy. *No additional acts in furtherance of the conspiracy are plead*. The only alleged wrongful acts plead are those for which damages have already been sought. . . .
>
> The trial judge erred by overruling the demurrer to the conspiracy cause of action in the complaint, since Todd can recover no additional damages for the alleged fifth cause of action. The rule applicable to these pleadings is stated at 15A C.J.S. Conspiracy § 33, at 718.
>
> > "Where the particular acts charged as a conspiracy are the same as those relied on as the tortious act or actionable wrong, plaintiff cannot recover damages for such act or wrong, and recover likewise on the conspiracy to do the act or wrong."
>
> Todd seeks damages in his first four causes of action *for the same acts* incorporated by the fifth cause. He is therefore precluded from seeking damages *for the same acts yet again*. As such, the fifth cause fails to state an action.

Id. at 293, 278 S.E.2d at 611 (emphasis added). Although *Todd* ostensibly spoke in terms of the failure to plead *additional acts* to support the civil conspiracy claim and not allowing duplicative recoveries for the same acts, cases after *Todd* began enumerating three required elements to assert an allegation of civil conspiracy, including the element of pleading "special damage":

> A civil conspiracy . . . consists of three elements: (1) a combination of two or more persons, (2) for the purpose of injuring the plaintiff, (3) which causes him special damage.

Lee v. Chesterfield Gen. Hosp., Inc., 289 S.C. 6, 10, 344 S.E.2d 379, 382 (Ct. App. 1986); *accord Island Car Wash, Inc. v. Norris*, 292 S.C. 595, 600, 358 S.E.2d 150,

152 (Ct. App. 1987) (citing *Lee* and its three-part definition of civil conspiracy); *Yaeger v. Murphy*, 291 S.C. 485, 487, 354 S.E.2d 393, 394 (Ct. App. 1987) (citing the definition in *Lee*).

While the requirement of pleading special damages became known as the *Todd* rule, notably none of the foregoing cases (*Lee*, *Island Car Wash*, and *Yaeger*) specifically cited *Todd* for the three-part definition of civil conspiracy incorporating this element. *Island Car Wash* and *Yaeger* relied solely on the definition in *Lee* and did not cite *Todd* for any legal proposition. *Lee* did cite *Todd*, but it was in the context of distinguishing civil and criminal conspiracy and reiterating the need to show an overt act and resulting damage for a civil claim.

In *Lee*, the court of appeals indicated the parties had confused civil and criminal conspiracy. 289 S.C. at 10, 344 S.E.2d at 381. The court stated the definition involving an agreement to undertake "an unlawful act or a lawful act by unlawful means" defined only a criminal conspiracy, and instead enumerated a three-part test for a civil action—"(1) a combination of two or more persons, (2) for the purpose of injuring the plaintiff, (3) which causes him special damage." *Id.* at 10, 344 S.E.2d at 382. In doing so, it cited this Court's decision in *Charles I*, along with a 1915 Tennessee decision and several United Kingdom cases.[4] *Id.*

We note this Court's precedent demonstrates the definitional elements of civil conspiracy actually parallel the elements of criminal conspiracy.[5] *See Bradley v. Kelley Bros. Contractors*, 117 So. 3d 331, 339 (Miss. Ct. App. 2013) (observing the elements of criminal conspiracy and civil conspiracy "are quite similar" and noting

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[4] While the United Kingdom cases have some efficacy, we do not find them determinative of South Carolina law. In particular, we note some of the decisions consist of a collection of individual determinations, with each individual expressing his own, singular opinion. Although such decisions reach one ultimate result, they are not all in agreement in their reasoning.

[5] *See* S.C. Code Ann. § 16-17-410 (2015) ("The common law crime known as 'conspiracy' is defined as a combination between two or more persons for the purpose of accomplishing an unlawful object or lawful object by unlawful means."); *see also State v. Davis*, 88 S.C. 229, 232, 70 S.E. 811, 812–13 (1911) ("[T]he description which seems to have the widest recognition and approval by the authorities declare a criminal conspiracy to consist of a combination between two or more persons for the purpose of accomplishing a criminal or unlawful object, or an object neither criminal nor unlawful by criminal or unlawful means." (citation omitted)).

civil conspiracy turns on the existence of damages). The similarity is logical because the major difference between civil and criminal conspiracy is a plaintiff's need to additionally prove an overt act and resulting damages to obtain a civil recovery. *See* 16 Am. Jur. 2d *Conspiracy* § 53 (2020) ("The elements of civil conspiracy are quite similar to those required of a criminal conspiracy, with the distinguishing factor being that an agreement is the essence of a criminal conspiracy, while damages are the essence of a civil conspiracy."); *id.* § 55 ("The gist of a civil conspiracy is not the unlawful agreement or combination but *the damage caused by the acts committed in pursuance* of the formed conspiracy." (emphasis added)); *see also* 15A C.J.S. *Conspiracy* § 7 (2012) ("Although criminal and civil conspiracy have similar elements, the distinguishing factor between the two is that damages are the essence of a civil conspiracy, and the agreement is the essence of a criminal conspiracy.").[6]

Later cases began reciting *Lee*'s three-part test for civil conspiracy that developed post-*Todd* and which included the requirement of pleading special damages. *See LaMotte v. Punch Line of Columbia, Inc.*, 296 S.C. 66, 370 S.E.2d 711 (1988); *see also Pye v. Estate of Fox*, 369 S.C. 555, 633 S.E.2d 505 (2006); *McMillan v. Oconee Mem'l Hosp., Inc.*, 367 S.C. 559, 626 S.E.2d 884 (2006); *Lawson v. S.C. Dep't of Corr.,* 340 S.C. 346, 532 S.E.2d 259 (2000); *Future Group II v. NationsBank*, 324 S.C. 89, 478 S.E.2d 45 (1996); *Hackworth v. Greywood at Hammett, LLC*, 385 S.C. 110, 682 S.E.2d 871 (Ct. App. 2009). Inexplicably, this new requirement for special damages was labeled the *Todd* rule.

Although the Court did not mention "special damages" in *Todd*, several years after *Todd* a few cases, such as *Lee*, 289 S.C. at 10, 344 S.E.2d at 382, recited the three-part test for civil conspiracy that appeared to contain the pleading requirement as an element of the claim. This definition, in turn, was then quoted repeatedly by our appellate courts. This pleading requirement became known as the *Todd* rule.

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[6] In a case discussing criminal conspiracy, this Court has observed that "unlawful" merely means "contrary to law" and is not limited to criminal conduct. *State v. Davis*, 88 S.C. 229, 233, 70 S.E. 811, 813 (1911) ("It is enough if the acts agreed to be done, although not criminal, are wrongful; that is amount to a civil wrong." (citations omitted)). As for civil conspiracy, early English law has noted that, "[i]n view of the infinite variations of oppressive misconduct[,] no definition [of "unlawful means"] can be given which is at once satisfactory and exhaustive." *Pratt v. Brit. Med. Ass'n*, [1919] 1 K.B. 244, 260 (1918). However, *Pratt* stated precedent recognized that violence or threats of physical violence, threats not involving physical harm, nuisance, and fraud, are readily encompassed, although they are not the only examples. *See id.* at 260–61.

See, e.g., *Vaught*, 300 S.C. at 209, 387 S.E.2d at 95 ("hold[ing] the conspiracy action is barred under *Todd*" where special damages were not properly alleged). However, the pleading requirement's relationship to *Todd* is rendered somewhat tenuous because, as previously noted, the earliest cases did not specifically cite *Todd* for this requirement. *See, e.g.*, *Island Car Wash*, 292 S.C. at 600, 358 S.E.2d at 152; *Yaeger*, 291 S.C. at 487, 354 S.E.2d at 394.

This test resulted in the dismissal of civil conspiracy actions that did not expressly plead special damages on the basis they failed to adequately allege a cause of action. South Carolina courts held that, because special damages are a required element of a civil conspiracy claim, a plaintiff must plead special damages that go beyond the damages alleged in other claims to state a cause of action. Those cases further stated that, if a plaintiff merely repeated the damages from another claim without specifically listing special damages as part of the civil conspiracy allegation, then the civil conspiracy action must be dismissed. *See, e.g.*, *Hackworth*, 385 S.C. at 117, 682 S.E.2d at 875 ("If a plaintiff merely repeats the damages from another claim *instead of specifically listing special damages* as part of their civil conspiracy claim, their conspiracy claim should be dismissed." (emphasis added)); *Vaught v. Waites*, 300 S.C. 201, 209, 387 S.E.2d 91, 95 (Ct. App. 1989) ("The damages sought in the conspiracy cause of action are the same as those sought in the breach of contract cause of action. Because no special damages are alleged aside from the breach of contract damages, we hold the conspiracy action is barred under *Todd*.").[7]

We granted Petitioner's motion to argue against the *Todd* rule in the current case, where her civil conspiracy claim was dismissed at the pleadings stage for the failure to plead special damages.[8] Petitioner contends the requirement of pleading special damages for civil conspiracy should be abandoned because it resulted from,

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[7] The law requiring the dismissal of a civil conspiracy claim for failing to plead special damages has also been cited in federal courts applying South Carolina law. *See, e.g.*, *Callum v. CVS Health Corp.*, 137 F. Supp. 3d 817 (D.S.C. 2015); *Alonso v. McAllister Towing of Charleston, Inc.*, 595 F. Supp. 2d 645 (D.S.C. 2009).

[8] The *Todd* rule requiring the pleading of special damages was previously called into question in another case before this Court, but we declined to abandon the rule at that time because a trial had been held some twelve years prior in that matter, and there was concern that it would be unfair to change the requirements for pleadings and proof upon remand, given the age of the case. *See Allegro, Inc. v. Scully*, 418 S.C. 24, 34 n.3, 791 S.E.2d 140, 145 n.3 (2016).

inter alia, a misreading of *Corpus Juris Secundum*. We agree the *Todd* rule should be abolished.

In *Todd* the Court cited 15A C.J.S *Conspiracy* § 33 and held a plaintiff in a civil conspiracy action must allege acts in furtherance of the conspiracy. The Court noted the only wrongful acts alleged were those for which damages had already been sought, so the claim failed as a matter of law. This was taken in cases after *Todd* as imposing a requirement of pleading (and proving) special damages for a civil conspiracy claim. We find this section of *Corpus Juris Secundum* simply addressed a prohibition on duplicative recoveries; it did not establish a requirement of pleading special damages for civil conspiracy claims. The plaintiff in *Todd* failed to plead any overt acts in furtherance of the conspiracy. Thus, the Court correctly concluded the civil conspiracy claim failed as a matter of law. In that situation, the Court noted, the plaintiff's repetition of the same acts as the prior claims was insufficient to salvage the claim.

We note that, in addition to perhaps resulting from a misinterpretation of *Corpus Juris Secundum* and *Todd*, the pleading requirement for civil conspiracy also perhaps resulted, at least in part, from differing interpretations of the term "special damages." Traditionally, general damages are implied by law and can be alleged without particularity because they are the proximate and foreseeable consequences of the defendant's conduct. Special damages, in contrast, are those that might be the natural result of an injury, but not the necessary or usual consequences of the defendant's conduct, and they typically are unique to a particular case. *See* 5A Charles Alan Wright, Arthur R. Miller & A. Benjamin Spencer, *Federal Practice and Procedure* § 1310 (4th ed. 2018) (distinguishing general and special damages). Under the South Carolina Rules of Civil Procedure ("SCRCP") and under the federal procedural rules, special damages must be specifically pled to avoid surprise and give notice to the opposing party. *See, e.g.*, Rule 9(g), SCRCP.

In this context, however, it seems South Carolina precedent has varied in what it considers "special damages." *See generally* Michael G. Sullivan, *Elements of Civil Causes of Action* 89–90 (5th ed. 2015, Douglas MacGregor, ed.) ("The requirement that the plaintiff plead special damages means essentially this - that the complaint must describe damages that occurred as a result of the conspiracy in *addition* to any alleged as a result of other claims."). *But see Hackworth*, 385 S.C. at 116–17, 682 S.E.2d at 875 ("Special damages are those elements of damages that are the natural, but not the necessary or usual, consequence of the defendant's conduct. . . . Special damages . . . are not implied at law because they do not necessarily result from the wrong. Special damages must, therefore, be specifically alleged in the complaint to

avoid surprise to the other party." (internal citation omitted)). We further note the SCRCP, which require that special damages be specifically pled, were not in effect at the time *Todd* was decided.

The essential principle *Todd* intended to address was the need to plead an overt act in furtherance of the agreement, not special damages. As a result, we overrule *Todd* and cases relying on *Todd* or other precedent, such as *Lee*, to the extent they impose or appear to impose a requirement of pleading (and proving) special damages. South Carolina's position in this regard was an outlier, as our research indicates South Carolina was the only state to require the pleading of special damages.

In light of our decision today, we are returning to our long-standing precedent pre-*Todd* and for clarification specifically state a plaintiff asserting a civil conspiracy claim must establish (1) the combination or agreement of two or more persons, (2) to commit an unlawful act or a lawful act by unlawful means, (3) together with the commission of an overt act in furtherance of the agreement, and (4) damages proximately resulting to the plaintiff.[9] *See Charles II*, 199 S.C. at 176, 18 S.E.2d at 727; *Charles I*, 192 S.C. at 101, 5 S.E.2d at 472; *see also* 16 Am. Jur. 2d *Conspiracy* § 53 (2020) (enumerating the prevailing elements of a claim for civil conspiracy recognized in most jurisdictions); 15A C.J.S. *Conspiracy* § 4 (2012) (same). By doing so, we are returning not only to our historical roots, but also to the traditional elements of a civil conspiracy claim as they have been similarly defined by the majority of jurisdictions.[10]

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[9] Since civil conspiracy is an intentional tort, an intent to harm, which has also been discussed in our conspiracy law, remains an inherent part of the analysis. *See* 16 Am. Jur. 2d Conspiracy § 53 (2020) ("Since one cannot agree, expressly or tacitly, to commit a wrong about which they have no knowledge, in order for civil conspiracy to arise, the parties must be aware of the harm or wrongful conduct at the beginning of the combination or agreement. Thus, civil conspiracy is an intentional tort requiring a specific intent to accomplish the contemplated wrong." (footnotes omitted)).

[10] Most states incorporate the elements of an agreement to do an unlawful act or a lawful act by unlawful means (or the common variation of an unlawful purpose or a lawful purpose by unlawful means). *See, e.g.*, *Harp v. King*, 835 A.2d 953, 972 (Conn. 2003); *Mustaqeem-Graydon v. SunTrust Bank*, 573 S.E.2d 455, 461 (Ga. Ct. App. 2002); *Yoneji v. Yoneji*, 354 P.3d 1160, 1168 (Haw. Ct. App. 2015); *Hall v. Shaw*, 147 N.E.3d 394, 407–08 (Ind. Ct. App. 2020); *Coghlan v. Beck*, 984 N.E.2d

We disagree with the concurring/dissenting opinion to the extent it goes beyond the sole question accepted by this Court—which asks, "Should the Court reverse the special damages pleading requirement on civil conspiracy claims arising from Todd v. S.C. Farm Bureau Mut. Ins. Co.?"— and appears to consider a point raised by Respondents in their brief. Namely, whether civil conspiracy itself should be "abolished" as an independent claim in this state and should, instead, always be dependent on an underlying actionable wrong or tort. Respondents have not cross-appealed in this matter, and we reject Respondents' attempt to advance this issue for the first time on appeal. Any further arguments potentially affecting the viability of Petitioner's claim, whether they arise from this Court's decision or otherwise, are properly raised upon remand to the circuit court, in the first instance, particularly where the case was halted at the pleadings stage.

We note a few jurisdictions recognize two forms of civil conspiracy. The first, which is the general rule, requires an underlying actionable wrong or tort, and liability is imposed on an individual for the tort of another. A second form, also described as an exception to the general rule, exists when the conduct complained of would not be actionable if done by one person, but where by force of numbers or other exceptional circumstances, the defendants possess a peculiar power of coercion that gives rise to an independent tort of civil conspiracy (often referred to as the "force of numbers" or "economic boycott" exception). *See Am. Diversified Ins. Servs., Inc. v. Union Fid. Life Ins. Co.*, 439 So. 2d 904 (Fla. Dist. Ct. App. 1983); *Baker v. Wilmer Cutler Pickering Hale & Dorr LLP*, 81 N.E.3d 782 (Mass. App. Ct. 2017); *see also Schmitt v. MeritCare Health Sys.*, 834 N.W.2d 627, 635 (N.D. 2013)

132, 151 (Ill. App. Ct. 2013); *Peoples Bank of N. Ky., Inc. v. Crowe Chizek & Co.*, 277 S.W.3d 255, 260–61 (Ky. Ct. App. 2008); *Franklin v. Erickson*, 146 A. 437, 438 (Me. 1929); *Shenker v. Laureate Educ., Inc.*, 983 A.2d 408, 428 (Md. 2009); *Swain v. Morse*, No. 346850, 2020 WL 3107696, at *7 (Mich. Ct. App. June 11, 2020); *Bradley v. Kelley Bros. Contractors*, 117 So. 3d 331, 339 (Miss. Ct. App. 2013); *Envirotech, Inc. v. Thomas*, 259 S.W.3d 577, 586 (Mo. Ct. App. 2008); *George Clift Enters., Inc. v. Oshkosh Feedyard Corp.*, 947 N.W.2d 510, 537 (Neb. 2020); *Jay Edwards, Inc. v. Baker*, 534 A.2d 706, 709 (N.H. 1987); *Banco Popular N. Am. v. Gandi*, 876 A.2d 253, 263 (N.J. 2005); *In re Fifth Third Bank, N.A.*, 719 S.E.2d 171, 181 (N.C. Ct. App. 2011); *Schmitt v. MeritCare Health Sys.*, 834 N.W.2d 627, 635 (N.D. 2013); *Phillips v. Selig*, 959 A.2d 420, 437 (Pa. Super. Ct. 2008); *Trau-Med of Am., Inc. v. Allstate Ins. Co.*, 71 S.W.3d 691, 703 (Tenn. 2002); *Pohl, Inc. of Am. v. Webelhuth*, 201 P.3d 944, 954–55 (Utah 2008); *Wilson v. State*, 929 P.2d 448, 459 (Wash. Ct. App. 1996); *N. Highland Inc. v. Jefferson Mach. & Tool, Inc.*, 898 N.W.2d 741, 747 (Wis. 2017).

(observing "[s]ome courts have applied an 'economic boycott' or 'force of numbers' exception to the general rule that the basis for a civil conspiracy must be an independent wrong or tort," but not deciding whether to adopt the exception in that state because it would not be applicable, in any event). Early South Carolina law pre-*Todd* appeared to reference similar concepts. *See, e.g.*, *Howle v. Mountain Ice Co.*, 167 S.C. 41, 58, 165 S.E. 724, 729 (1932); *Charles II*, 199 S.C. at 170, 18 S.E.2d at 724. However, to rule on whether this Court has or ever will recognize an exception to the general rule would require the Court to issue an advisory opinion on a distinct subject that has not yet been disputed in this case.

III. CONCLUSION

Because the court of appeals upheld the dismissal of Petitioner's civil conspiracy claim based on the failure to plead special damages, we reverse and remand the matter to the circuit court for further proceedings on Petitioner's claim for civil conspiracy. Our decision in Petitioner's case is based solely on the narrow question before the Court regarding the abolishment of the *Todd* rule, and we do not reach any other issue concerning the viability or merits of Petitioner's claim. Any other cases on appeal that have already been tried under the *Todd* framework shall be decided using the *Todd* analysis.

REVERSED AND REMANDED.

HEARN and JAMES, JJ., concur. KITTREDGE, J., concurring in result in a separate opinion. FEW, J., concurring in part and dissenting in part in a separate opinion.

JUSTICE KITTREDGE: I concur in result. In overruling the so-called "special damages" requirement of *Todd v. South Carolina Farm Bureau Mutual Insurance Co.*,[11] the Court must necessarily examine the elements of civil conspiracy. I commend Chief Justice Beatty for his excellent opinion, which tracks this Court's meandering civil conspiracy jurisprudence and properly restores the elements of a civil conspiracy claim to its original understanding. As a result of today's opinion, it is again settled that a civil conspiracy claim requires proof of (1) the combination or agreement of two or more persons, (2) to commit an unlawful act or a lawful act by unlawful means, (3) together with the commission of an overt act in furtherance of the agreement, and (4) damages proximately resulting to the plaintiff. Stated differently, we have abandoned the standardless formulation that required only (1) a combination of two or more persons, (2) for the purpose of injuring the plaintiff, and (3) which caused the plaintiff special damage. I write separately to address the effect of *Todd* on the election of remedies and note my support for the concurrence of Justice Few.

First, in my judgment, *Todd* is more properly viewed as an election of remedies case, not a pleading case. *Todd* created a fiction that special damages caused by the civil conspiracy were somehow different than the damages caused by the underlying unlawful conduct. That misunderstanding, in turn, led to a misapplication of our election of remedies law. Because a civil conspiracy claim was purportedly supported by special damages, some trial courts would avoid an election of remedies and permit a double recovery. Today's rejection of a special damages requirement should restore a proper approach to election of remedies. For one wrong, there is one recovery.

Next, I view Justice Few's concurrence as well within the question accepted by this Court for review. The misguided pleading rule that grew out of *Todd* spawned a series of cases that further separated civil conspiracy from its original moorings. Justice Few compellingly frames the amorphous nature of the civil conspiracy cause of action that resulted from *Todd* and its progeny. It is the second element—to commit an *unlawful act* or a lawful act by *unlawful means*—that restores an objective legal standard to this cause of action. When the appellate courts of this state approved of an analytical framework that allowed one's personal sense of fairness and right and wrong to be sufficient for a civil conspiracy claim, we created a rudderless cause of action. Justice Few correctly observes that the post-*Todd*

[11] 276 S.C. 284, 278 S.E.2d 607 (1981).

sanctioned civil conspiracy claim "permit[ted] the court and jury to impose liability for lawful, non-tortious conduct based on a court or juror's sense of fairness or responsibility." I do not construe Justice Few's concurrence as "abolishing" civil conspiracy. Rather, by restoring the traditional elements of a civil conspiracy claim and overruling *Todd*'s so-called special damages pleading requirement, this Court returns civil conspiracy to its historical roots. Because the Court has reset the elements of civil conspiracy and restored an objective standard, I would apply today's decision prospectively with one exception: for those cases that were tried under the *Todd* rubric and are on appeal now, I would evaluate the merits of the appeal under the *Todd* framework.

JUSTICE FEW: I agree with the majority that the requirement of pleading and proving special damages in a civil conspiracy action is based on a misunderstanding of law, and the requirement must be eliminated. To that extent, I concur in the majority opinion. However, the special damages requirement we now hold legally invalid previously served the valid practical purpose of restraining the use of the undefined civil conspiracy cause of action. In almost all legitimate civil actions, there are no "special damages" as that term was used in civil conspiracy. In other words, it was hardly ever possible to allege or prove "damages that go beyond the damages alleged in other causes of action." As a practical matter, therefore, the requirement of special damages prevented civil conspiracy from being a significant cause of action in civil litigation. Now, any plaintiff may bring a civil conspiracy action against any defendant—even for lawful, non-tortious conduct—and the law imposes no meaningful standards on courts and juries by which they must judge the defendant's conduct. I disagree with the majority that we should unleash this still-undefined and now-unrestrained menace on the public as an independent tort. To that extent, I respectfully dissent.

Certainly, civil conspiracy is a proper cause of action in its derivative form. If two people conspire to commit fraud, for example, but the actual fraudulent conduct is carried out by only one of them, the injured plaintiff should be able to sue both of them. The law imposes specific requirements a plaintiff must meet for a fraud cause of action, and those requirements provide standards by which courts and juries must judge the conduct of both defendants. The same is true for defamation, one of the plaintiff's theories of recovery in this case. If one defendant who did not personally commit defamatory acts conspired with another who did defame the plaintiff, the legal elements the plaintiff must establish in a defamation case—along with the legal requirements for conspiracy—guide the court and the jury in deciding whether the conspirator should also be liable for defamation.

As an independent tort, however, the undefined theory of civil conspiracy leaves courts and juries free to determine civil liability—both of the alleged tortfeasor and the supposed conspirator—not based on the law, but by using the individual judge or juror's sense of fairness or responsibility. Imagine in a fraud case that the dispute arose out of business competition between the plaintiff and the defendant. The defendant intentionally made a false statement to the plaintiff for the purpose of gaining competitive advantage. Imagine further the plaintiff's fraud cause of action fails because the court or the jury finds—applying the law—the plaintiff had no right to rely on the false statements. The defendant's conduct might have been unfair or

irresponsible, but the plaintiff loses on the fraud claim—rightfully—because the law does not support the claim.

If, however, the plaintiff's lawyer thought to add a cause of action for civil conspiracy, the plaintiff might nevertheless prevail because the independent tort of civil conspiracy has no specific requirements, elements, or standards to guide the court and jury. Civil conspiracy—as the majority "return[s] . . . to our historical roots"—permits the court and jury to impose liability for lawful, non-tortious conduct.

We need not imagine how a defamation claim could unfold; we can turn to the plaintiff's allegations in this case. The plaintiff alleged in her complaint the principal of the school where she taught became angry when she asked him to report a student to the police for disruptive behavior in her classroom. She claimed the principal retaliated against her by placing her into a formal job evaluation process she did not deserve and her conduct did not warrant. By the time the evaluation results were reported, the principal was no longer involved, both because he did not participate in the evaluations and because he was no longer employed at the school. She claimed statements made about her during the evaluation process—not by the principal—defamed her as being a bad teacher. On a derivative claim for conspiracy to commit defamation, the principal would have the defenses of truth, fair reporting privilege, the two-year statute of limitations for defamation,[12] and perhaps others. If the statements made by those conducting the evaluation were true or fair, or if the claim was brought outside the limitations period, the principal—like those who made the defamatory remarks—would rightfully benefit from those legally defined defenses.

[12] *See* S.C. Code § 15-3-550(1) (2005) (requiring "an action for libel [or] slander" be brought "[w]ithin two years"). The General Assembly, in enacting subsection 15-3-550(1), made a policy judgment that defamation actions must be brought in a shorter time than the general limitations period of three years set forth in section 15-3-530 of the South Carolina Code (2005). In this case, the defendants prevailed on the statute of limitations defense as to the plaintiff's defamation claims. By now permitting the plaintiff to sue for the very same conduct—defamation—outside the limitations period for defamation cases—simply because the defamation claim is labeled as civil conspiracy—the majority frustrates the General Assembly's intent to require defamation cases be brought within two years.

The plaintiff's lawyer in this case did think to add a cause of action for civil conspiracy. Thus, on the majority's remand for trial, the plaintiff might nevertheless prevail because the independent tort of civil conspiracy has no specific requirements, elements, or standards to guide the court and jury. Defamation defenses do not apply to civil conspiracy, which—as confirmed by the majority to be an independent tort—permits the court and jury to impose liability for lawful, non-tortious conduct based on a court or juror's sense of fairness or responsibility. In other words, the civil conspiracy claim we remand for trial permits a court and jury to impose liability for defamation despite the fact the law provides valid defenses that prevent liability.

My point is illustrated by a case I tried years ago when I was a circuit judge. I have modified the facts slightly for simplicity. In an aging twenty-four unit condominium building in a beachfront city here in South Carolina, owners could sell individual units for an average of $250,000. A real estate developer believed he could renovate the building and sharply increase the value of each unit. The developer offered to purchase each unit for $400,000 on the condition that each of the twenty-four owners must sell. The owners realized their units were undervalued; they predicted that even this offer was less than full value; and they decided to seek competing offers from other developers. After receiving a superior offer from a second developer, and a counter offer from the first, the owners voted to accept the offer from the second developer. Twenty-three of them entered contracts to sell their units to the second developer.

The first developer—understandably—did not give up. He had figured out a way to bring a combined financial benefit of $3.6 million ($150,000 each) to the twenty-four unit owners, to renovate an aging building in the city, to employ quite a few people in the renovation and resale process, and to make a considerable profit for himself. He knew the condominium owners' association by-laws did not permit a sale or renovation of the entire building on less than a unanimous vote. Thus, he knew the second developer could not complete the deal without successfully purchasing all twenty-four units. So, the first developer approached one of the unit owners and purchased that individual unit for $600,000. By doing so, he placed himself back in control of the deal he had conceived.

Everybody was furious with the first developer, and they all sued him on every conceivable cause of action. The breach of contract claim failed because the developer had no contract with anyone except the one owner who sold to him. The breach of fiduciary duty claim failed because the developer owed no such duty. The

fraud and slander of title claims failed because the developer made no false statement. The intentional interference with a contract claim failed because the developer was justified in purchasing real estate to further his own financial interests. The interference with prospective contractual rights claim failed because the unit owners had a contract to sell to the second developer, not prospective contractual rights. I dismissed each of those claims because—applying the law—the plaintiffs had no right to recover from the developer. Nothing was left, except civil conspiracy.

In a hearing on the developer's motion for a directed verdict, the plaintiffs acknowledged the developer's actions were lawful. Quoting, however, from this Court's opinion in *LaMotte v. Punch Line of Columbia, Inc.*, 296 S.C. 66, 70, 370 S.E.2d 711, 713 (1988), the plaintiffs argued "lawful acts may become actionable as a civil conspiracy when the 'object is to ruin or damage the business of another,'" and, "An action for civil conspiracy may exist even though respondents committed no unlawful act and no unlawful means were used."

The plaintiffs' arguments were facially correct. The first developer intentionally conspired with the owner of one unit for the purpose of preventing the other twenty-three owners from realizing the extra value in their units, and for the purpose of preventing the second developer from profiting from renovation of the building and resale of the renovated units. Yet, I granted a directed verdict on the civil conspiracy claim. I did so because the law should never permit a court or a jury to impose civil liability for lawful, non-tortious conduct. Without specific requirements, elements, or standards, the decision maker is left with nothing but its own sense of what is fair or responsible. That is neither fair nor responsible.

In our free-enterprise economy, we encourage entrepreneurs to use aggressive tactics to seize competitive advantage, create jobs for our people, and build value for our communities. For these efforts, entrepreneurs rightfully expect to earn handsome profits. Participants in this healthy competition use every lawful tactic at their disposal. Those who lose out are understandably envious, and often angry. But, actions that conform to the law—even when motivated by anger or an intent to harm—must not be the basis of civil liability. As the Supreme Court of the United States admonished 160 years ago,

> An act legal in itself, and violating no right, cannot be made actionable on account of the motive which superinduced it. It is the province of ethics to consider of

> actions in their relation to motives, but jurisprudence deals with actions in their relation to law . . . .

Adler v. Fenton, 65 U.S. 407, 410, 16 L. Ed. 696, 698 (1860).

The Supreme Court of South Carolina

Leisel Paradis, Petitioner,

v.

Charleston County School District, James Island Charter High School, Robert Bohnstengel and Stephanie Spann, in their individual capacities, Respondents.

Appellate Case No. 2018-002025

ORDER

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Consequently, the petition for rehearing is denied. However, for clarification, a new footnote 9 has been added in the attached opinion, which is substituted for the previous opinion, and the previous opinion is withdrawn.

s/ Donald W. Beatty C.J.

s/ John W. Kittredge J.

s/ Kaye G. Hearn J.

s/ George C. James, Jr. J.

I stand by my original writing, but I do not believe my differences with the majority warrant the granting of rehearing. I vote with the majority, therefore, to substitute the revised majority opinion and refile.

s/ John Cannon Few J.

Columbia, South Carolina

August 18, 2021

IN THE COURT OF COMMON PLEAS
FOR THE STATE OF SOUTH CAROLINA
CHARLESTON COUNTY

VIDEO DEPOSITION OF BRODERICK CHRISTOFF
VOLUME II

CHARLESTON CARRIAGE WORKS, LLC,

Plaintiff,

vs. CASE NO. 2018-CP-10-4083

CHARLESTON ANIMAL SOCIETY, ELLEN HARLEY and CHARLESTON CARRIAGE HORSE ADVOCATES, INC.,

Defendants.

DEPONENT: BRODERICK CHRISTOFF

DATE: MARCH 28, 2019

TIME: 10:05 A.M.

LOCATION: ROSEN HAGOOD
CHARLESTON, SC

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ALSO PRESENT:

JOE ELMORE
ALDWIN ROMAN
ELLEN HARLEY (BY PHONE)

- - -

I N D E X

WITNESS PAGE
BRODERICK CHRISTOFF
BY MS. PALMER 7
CERTIFICATE OF REPORTER 139

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- - -

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So, yes, they're -- and this study, the study that the Animal Society proposed, the funding was coming from HSUS, so, yes, there's no way we would support it.

Q. What group or category do you believe the Animal Society fits into?

A. You know, I'm not sure. I think that they're -- I would categorize them more as an animal welfare organization, but its approach to the Charleston carriage industry kind of smacks of animal rights-ish, so I don't know.

It's possible that -- you know, I don't want you to think I spend a lot of time analyzing what they do because I don't. What I've analyzed is what's related to what I do and I see a lot of the same kinds of things that they do with the carriage industry that animal rights groups do with industries that they go after.

So I -- I think that I would -- if I had to pick one or the other, I would say they're an animal welfare group, but I also wouldn't be surprised if next week they announced they're an animal rights group.

Q. We'll go to the next article, which we'll mark as Exhibit 11 and that's the February 21st,

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2017 article -- Post & Courier article titled, communication breakdown led to Charleston carriage horse accident.

(Exhibit No. 11 marked for identification.)

Q. Obviously this is the incident involving Chief with the operated and everything.

A. Correct.

Q. That first page, these -- were these quotes that you gave to the -- a reporter?

A. I don't remember. I don't remember if the -- they got this from the report that I wrote or if I talked to them about it.

Q. If it's not in the report, would you agree that you spoke with the reporter?

A. I don't know where they got the --

Q. Did you --

A. I mean, if you told me that I talked to the reporter, I wouldn't argue with you, but I can't tell you definitively whether I did or not.

Q. I did look in the report from that incident and try to see if that's where it came from and it didn't.

A. Okay.

Q. So that's --

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A. Yes, I mean, it's possible. It's possible that I talked to -- to him about it. I don't know. I may have -- yes, I don't know. I don't remember. It's possible that I did.

Q. The next to last page, the third page notes -- Christoff noted in his report to the City that even passengers were yelling at the officer to move out of the way as the horse grew more restless. He said he's making an issue of it to keep it from happening again.

A. Right.

Q. Did you say that, that you were making an issue of it to keep it from happening again?

A. I did say that.

Q. And you meant making it -- trying to raise awareness of the issue with the City?

A. No, to hold the people responsible that caused the accident.

Q. And who --

A. That was my -- that was my issue, and to also make sure that that part of the reporting and rerouting that the Department of Liveability does, that that part got addressed, and it did. It did. It got fixed. It -- that -- those -- the issues that caused this incident no longer exist.

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Q. Who do you believe was responsible for that incident?

A. I can't remember his name, the Charleston police lieutenant. I think his last name was Bridges.

Q. Okay.

A. That was his SUV that -- he was the one blocking the horse in as the parade was going the wrong way down the street.

Yes, I think the insurance companies did an investigation. I was paid back for all of the money that that -- that accident cost me both for what it cost to repair the vehicle and what it cost for my driver to be examined in the hospital.

Q. Okay. The next article is going to be marked as Exhibit 12.

(Exhibit No. 12 marked for identification.)

Q. This is from News 4. That second page states, we spoke with the owner of Charleston Carriage Works. Is that correct that you spoke with...

A. Yes, I would have no reason to...

Q. Okay. That's all that I have for that one.

A. Okay.

ROGERS LEWIS
ATTORNEYS AT LAW

Jenkins M. Mann, Esq.
803-978-2831
jmann@rogerslewis.com

December 11, 2020

Via US Mail and Dropbox
Thomas R. Goldstein, Esq.,
Belk, Cobb, Infinger & Goldstein, PA
PO Box 71121
Charleston, SC 29415-1121

Re: Charleston Carriage Works, LLC, v. Charleston Animal Society, Ellen Harley and Charleston Carriage Horse Advocates, Inc.
C/A No.: 2018-CP-10-04083

Dear Tommy,

In follow up to our telephone conversations last week and previously, I am producing the Charleston Carriage Horse Advocates, Inc. bank statements you have requested. As we have agreed, we have redacted the portion of the statements' deposit tickets which could indicate the pledge source of the deposit. Additionally, CCHA's computer was imaged this week and I have provided your search terms to be run against the imaged hard drive. I should have the results for you shortly.

As we have discussed and I have emailed you, I understand that there are no other discovery disputes that Plaintiff has at this time with my clients. If that is incorrect, please let me know what they are as concisely as possible.

Sincerely

s/Jenkins M. Mann
Jenkins M. Mann

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STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	CASE NO.: 2018-CP-10-04083
	)	
Charleston Carriage Works, LLC,	)	
	)	
Plaintiff,	)	**DEFENDANT CHARLESTON ANIMAL SOCIETY'S MOTION FOR SUMMARY JUDGMENT**
	)	
vs.	)	
	)	
Charleston Animal Society, Ellen Harley and Charleston Carriage Horse Advocates, Inc.,	)	
	)	
Defendants.	)	
_____	)	

TO: PLAINTIFF AND PLAINTIFF'S LEGAL COUNSEL:

PLEASE TAKE NOTICE that the undersigned attorneys for Defendant Charleston Animal Society will move before the Presiding Judge of the Ninth Judicial Circuit at the Charleston County Courthouse, 100 Broad Street, Charleston, South Carolina 29401, or at such other offices as the Court may direct, after ten (10) days from the date of service hereof or at such time and place as the Court may direct, for an Order granting summary judgment, pursuant to South Carolina Rule of Civil Procedure 56, as to all claims asserted against said Defendant in Plaintiff's Complaint. This motion is based on the grounds that there is no genuine issue of material fact which would entitle the Plaintiff to a recovery against the Defendant as a matter of law.

This Motion will be supported by the pleadings, depositions and discovery responses, records on file, arguments of counsel, and a Memorandum of Law to be filed with this Court.

WHEREFORE, Defendant Charleston Animal Society respectfully moves this Court for an Order granting summary judgment in its favor as to all claims asserted against it in Plaintiff's

Complaint and to award Defendant such other and further relief as this Court may deem just and proper.

ROSEN HAGOOD, LLC

By: s/Elizabeth J. Palmer
Elizabeth J. Palmer
Bijan Ghom
P.O. Box 893
Charleston, SC 29402
(843) 577-6726
epalmer@rosenhagood.com
bghom@rosenhagood.com

ATTORNEYS FOR DEFENDANT
CHARLESTON ANIMAL SOCIETY

Charleston, South Carolina
November 16, 2020

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STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
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COUNTY OF CHARLESTON	)	CASE NO.: 2018-CP-10-04083
	)	
Charleston Carriage Works, LLC,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
Charleston Animal Society, Ellen Harley and Charleston Carriage Horse Advocates, Inc.,	)	
	)	
Defendants.	)	
	)	

AFFIDAVIT OF JOE ELMORE

PERSONALLY APPEARED before me, Joe Elmore, who being duly sworn does state as follows:

1. My name is Joe Elmore and, since 2012, I have served as the Chief Executive Officer of the Charleston Animal Society (CAS). A copy of my resume is attached as Exhibit 1.

2. I am over the age of 18 and have personal knowledge of and am competent to testify about the matters addressed in this Affidavit.

3. CAS was incorporated on March 14, 1874. From the time it was incorporated to today, CAS's mission has been the same: the prevention of cruelty to animals.

4. CAS is a non-profit entity, exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code. CAS qualifies for the charitable contribution deduction under Section 170(b)(1)(A) and has been classified as an association other than a private society under Section 509(a)(2).

5. For a number of years now, CAS has received emails, calls, and voicemails from members of the public expressing their concern about the treatment of the carriage animals, especially on extremely hot days or when there is an incident involving a carriage horse. Of course, CAS has also received considerable criticism for its advocacy efforts from members of the public. In fact, I personally have been disparaged and harassed on social media by members of the carriage industry and its supporters.

6. In 2014, based on the number of complaints and concerns received from members of the public, CAS formed a committee to look into the treatment and regulation of the carriage horses. In 2015, the CAS Board voted to become more involved in advocating for the humane treatment of the animals used in the carriage industry. It has sought review of incidents involving the animals, has participated in public discussions, meetings and, committees of local government concerning the

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carriage industry (such as the Tourism Commission and the Carriage Animal Temperature and Heat Index Committee), has published a number of articles and other publications, and has generally advocated for better treatment and greater oversight of the industry.

7. CAS is not opposed to working animals, or even the use of carriage horses so long as the working conditions are humane. Rather, CAS has consistently advocated for an independent, prospective, science-based, peer-reviewed study of the Charleston carriage industry, the results of which would inform our community, including all interested parties, regarding humane conditions for the operation of carriage tours in the urban environment downtown.

8. On April 19, 2017, CAS was contacted by members of the public who reported that a horse, which was identified as Big John, had collapsed to the pavement during a carriage tour and was unable to get up without assistance.

9. At my direction, CAS took videos of the Big John provided by eyewitnesses, added subtitles, and published the resulting video on CAS's social media sites and website. The video can be viewed here: https://www.youtube.com/watch?v=WLXdlMsxBZM

10. At the time I instructed that the video be published, I was not in possession of any information that would call into question the veracity of using the term "collapse" to describe what occurred that left Big John lying there on the pavement. I am still not in possession of any such information.

11. I directed that the video be published to bring further awareness to the carriage horse issue and, specifically, CAS's push for an independent, prospective, science-based, peer-reviewed study of the Charleston carriage industry. In no way was my intent to harm Plaintiff Charleston Carriage Works or injure its business.

12. This was far from the first time CAS has advocated for the study. Other efforts include CAS's publishing an advertisement, a copy of which is attached as Exhibit 2, in the Post & Courier newspaper in March 2017, before the Big John incident occurred. Another example is the October 2016 ad CAS placed in The Mercury newspaper, attached as Exhibit 3.

13. Of course, advocacy for the animals used in the carriage industry comprises a relatively small part of CAS's overall operations. The 2017 Annual Report, attached as Exhibit 4, highlights some of the other activities CAS conducted in 2017, the year of the Big John incident.

14. CAS is contracted by Charleston County to provide certain animal-related services. A copy of that contract is attached as Exhibit 5. As shown in CAS's Audited Financial Report for the year ending December 31, 2017, the funding received under our contract with the County for that

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year represented only about 17% of CAS's total support and revenues for that year. See 2017/2018 Audit, p. 4 (attached as Exhibit 6).

15. The funding allotted to CAS by the County in any given year varies and is determined on a yearly basis in connection with the approval of the County's budget. The funding received by CAS under the contract fails to cover the cost incurred by CAS in the performance of its obligations under the contract. In fact, in both 2017 and 2018, the funding provided by the County only covered approximately half the cost incurred by CAS to perform its obligations under the contract. See 2017/2018 Audit, p. 20 (Ex. 6). Each year, CAS is required to use its reserves, donations, and grants to fund the shortfall.

16. I understand that it has been alleged that CAS "conspired" with Charleston Carriage Horse Advocates and Ellen Harley to defame or otherwise injure the Plaintiff, Charleston Carriage Works. CAS has, on occasion, either shared or received information concerning the carriage horse industry or advocacy efforts from Mrs. Harley and/or Charleston Carriage Horse Advocates. However, neither Mrs. Harley nor Charleston Carriage Horse Advocates had anything to do with the subtitles and narrative that CAS added to the Big John video published by CAS.

17. Additionally, I am not aware of any occasion or situation in which CAS has worked or cooperated with Mrs. Harley and/or Charleston Carriage Horse Advocates for the purpose of defaming or otherwise harming the Plaintiff. Any actions taken by CAS with regard to the carriage industry, whether or not in conjunction with Mrs. Harley and/or Charleston Carriage Horse Advocates, have been for the singular purpose of advocating for humane treatment of the animals.

FURTHER AFFIANT SAYETH NOT.

Joe Elmore

SWORN to before me this
27th day of May, 2020

Notary Public for South Carolina
My commission expires: 20 Oct 2026

CRISTINA ANNA GUILLERMO
Notary Public-State of South Carolina
My Commission Expires
October 20, 2026

JOE ELMORE, CAWA, CFRE
1452 River Front Drive, Charleston, SC 29407 • Phone: 843.701.2444 • E-mail: jre12959@yahoo.com

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Highly successful, results-oriented visionary with solid knowledge and accomplishments (domestic and international) in change management, organizational development, strategic positioning, fiscal and human resource management with startup, established and accelerated growth organizations • Aggressive problem solver and decisive leader with proven success in market analysis, crisis management and program development • Successful track record of increasing and diversifying sources of revenue, constituencies and market share • Consensus builder with strong analytical and planning skills, offering inspired leadership to develop and nurture a dynamic organizational culture that embraces growth and new ways of thinking.

CORE COMPETENCIES AND AREAS OF SUCCESSFUL EXPERIENCE

Organizational Development	Disaster Preparedness & Response	Community Reintegration	Marketing
Animal Care (Sheltering)	Human Resource Management	Animal Cruelty Investigations	Animal Control
Crisis Management	Prevention of Child Sexual Abuse	Biomedical Services	Business Analysis
Workplace Health & Safety	International Humanitarian Law	Program Rationalization	Strategic Planning
Nonprofit Management	Humane Education/Youth Programs	Grants Administration	At-Risk Youth
Grassroots Advocacy	Government Relations & Legislation	Coalition Building	Public Affairs
Cultural Diversity Initiatives	HIV/AIDS Prevention & Care	Refugees & POWs (EPWs)	Fund Raising

PROFESSIONAL EXPERIENCE AND ACCOMPLISHMENTS

CHARLESTON ANIMAL SOCIETY — **Charleston, SC**
Chief Executive Officer — **2012 – Present**

- Strategic Situation: The organization, one of the oldest in the nation, was in a leadership and financial crisis following the embezzlement of funds by its board president, stagnant funding and low morale (divided staff). The organization's credibility, direction and financial stability were fragile as it entered 2012.
  - Stabilized the organization in both financial (doubled from <$3M to $7M+) and operational areas
  - Enhanced the organization's public position and brand through a marketing & communication strategy
  - Led the organization to become the top-rated nonprofit (out of 22,000+) in South Carolina for the past 6 years
  - Steered the organization to focus its resources on realizing a vision vs. reacting to day-to-day challenges
  - Highlighted in multi-national publications for rapid and sustainable successes in a challenging region
  - Launched the boldest animal rescue initiative ever undertaken in the Southeast (No Kill Charleston 2015)
  - Launched one of the boldest animal rescue initiatives ever undertaken in the USA (No Kill South Carolina)
  - Led the organization to outperform (double) all other SC nonprofits in national Giving Day 3 years in a row
  - Unified the staff to focus on the future and achieving bold, ambitious, but realistic goals
  - Set state records in all leading categories, including adoptions, spay/neuter, shelter research projects, free roaming cats and education
  - Launched largest and most widely circulated pet magazine in South Carolina

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (ASPCA) — **NYC, SC, MS**
Senior Director, Community Initiatives — **2008 – 2012**
Director, Strategic Development, Hurricane Katrina Recovery — **2006 – 2008**

- **Senior Director, Community Initiatives**
  - Project manager for community engagement throughout all 15 ASPCA Partner (AP) Communities
    - Developed and led community engagement planning strategies for new AP Communities
  - Project manager/community liaison for the ASPCA Partnership initiative in Charleston County, SC
    - Led the most successful ASPCA Partner Community project in achieving a 75+ percentage point increase in Live Release Rate
  - Administrator for multiple projects throughout the South re: animal care/control, spay/neuter and cruelty cases
    - Managed and led troubleshooting efforts in challenging situations across the southeast
    - Mentored and advised chief executives and managers through financial, animal overflow and other crises
  - Court witness re: link between animal cruelty and human violence
  - Legislative advocate for animal care, control and anti-cruelty issues
  - Emergency planner/manager for evacuation plans and large-scale disaster/emergency operations
  - Speaker at state, regional and national conferences
- **Director, Strategic Development**
  - Led ASPCA recovery operations on the MS Gulf Coast in the aftermath of Hurricane Katrina.
  - Mentored executive, shelter and clinic staff in rebuilding process for major shelter on the Gulf Coast (15,000 Intake; 7,000 Surgeries in first year of clinic), which was destroyed in Hurricane Katrina.
  - Raised numerous gifts, including $450K, $400K, $300K and 2 planned gifts of est. $1M each.

HUMANE SOCIETY OF ST. THOMAS — **St. Thomas, U.S. Virgin Islands**
Executive Director — **2004 - 2006**

- ❖ Strategic Situation: The organization was involved in a 5-8 million dollar capital campaign to construct an animal care campus, planned to be the model of the Caribbean. As the organization's first executive director, strategic priorities were to (1) develop organizational capacity to manage a new state-of-the-art regional animal care campus; (2) substantially increase operational revenues including in-kind/pro bono revenue; (3) develop and integrate a system of organizational development to transition from the current operation to the new animal care campus; (4) plan and implement a political strategy to enact and enforce strong animal cruelty legislation; and (5) develop and evaluate a customer-focused line of programs, products and services.
- Streamlined operations with fewer staff and more services.
- Co-authored and led the passage of the first and only felony animal cruelty law in the U.S. Possessions.
- Increased donor base 400%; Increased operating revenues 150%.
- Achieved community voters' "Best Community Organization" for the Territory throughout tenure.
- Created model humane education youth initiative including innovative at-risk programs funded by Dept. of Humane Services, Dept. of Labor and community grants.
- Successfully nominated Board President as recipient of Points of Light Award (given by President Bush, Sr. and President Bush, Jr.).

DARKNESS TO LIGHT — **Charleston, SC**
Chief Operating Officer — **2002 – 2003**

- ❖ Strategic Situation: The organization was preparing a national media campaign to address child sexual abuse. This involved organizing a national panel of experts, 500+ child advocacy centers and 180+ information & referral centers.
- As COO, oversaw the organizational development to launch from a local to a national initiative, which became the largest child sexual abuse media campaign in U.S. history.

ST. THOMAS CHAMBER OF COMMERCE — **St. Thomas, USVI**
Consultant — **2001 - 2002**

- Organizational and membership development project

AMERICAN RED CROSS — **Various Locations**
Various Positions — **1987 - 2000**

AMERICAN RED CROSS, ST. THOMAS AND ST. JOHN CHAPTER — **St. Thomas, U.S. Virgin Islands**
- ➢ **Executive Director** — **1996 – 2000**

- ❖ Strategic Situation: The organization was in financial and programmatic disarray after years of "existing" on the affinity of the "Red Cross" brand, mostly due to its presence during disasters such as major hurricanes. Five chief executives had served in less than a 3-year period. Governance, management and operations were in a weak position and the Chapter was on the verge of being de-chartered by its national organization. Community relationships were stagnant.
- Raised over $1 million in grants during first two years on the job; more than entire history combined.
- Positioned Chapter to generate nearly $12/capita for FY2000 (second highest in nation).
- Led Board of Directors in developing Chapter's first long-term (5-year) strategic plan.
- Chaired the Governor's Task Force to restructure the VI Emergency Management Council and System
- Awarded the highest SDIA grant per capita in the nation for two consecutive years.
- Developed and awarded the first Centers for Disease Control HIV Prevention Grant in the Caribbean ($600K)
- Substantially increased national disaster volunteer enrollment; led nation at end of FY99.

AMERICAN RED CROSS, WEST SOUND CHAPTER — **Bremerton, Washington**
- ➢ ***Executive Director*** — **1993 – 1995**

AMERICAN RED CROSS, MISSISSIPPI STATE SERVICE CONSORTIUM — **Jackson, Mississippi**
- ➢ ***National Specialist, Health and Safety Services*** — **1992 – 1993**

AMERICAN RED CROSS, PERSIAN GULF CRISIS (Operation Desert Shield & Storm) — **Saudi Arabia**
- ➢ ***Station Manager*** — **1991 – 1992**

AMERICAN RED CROSS, GREATER HARTFORD CHAPTER — **Farmington, Connecticut**
- ➢ ***Senior Director (Chief Executive)*** — **1988 – 1990**

AMERICAN RED CROSS, ST. LOUIS BI-STATE CHAPTER — **St. Louis, Missouri**
- ➢ ***Emergency Training Consultant*** — **1987 - 1988**

SELECTED AWARDS AND RECOGNITION

- Named a Maddie's Hero for inspiring and innovative leadership (1st class of Awards honoring 9 leaders)
- Recognized by two Governors for engineering the turnaround of Red Cross chapters:
  1995, Governor Mike Lowry, Washington; 1999, Governor Charles Turnbull, U.S. Virgin Islands
- Awarded the American Red Cross State Tiffany Award for Management Excellence:
  1995, Washington (youngest and second recipient in Award's history)
- Recognized and awarded U.S. Department of Defense Medal:
  1992, Persian Gulf Crisis

CREDENTIALS

Currently hold CAWA, CFRE certifications – Only person worldwide to achieve 3 certifications: CFRE/CAWA/PHR

EDUCATION

Engineering alumnus of the University of Alabama, 1978 - 1983

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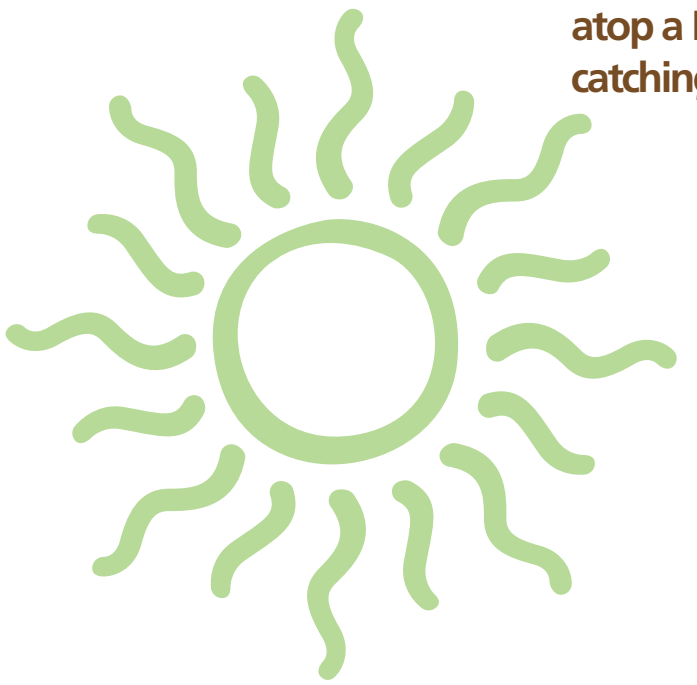
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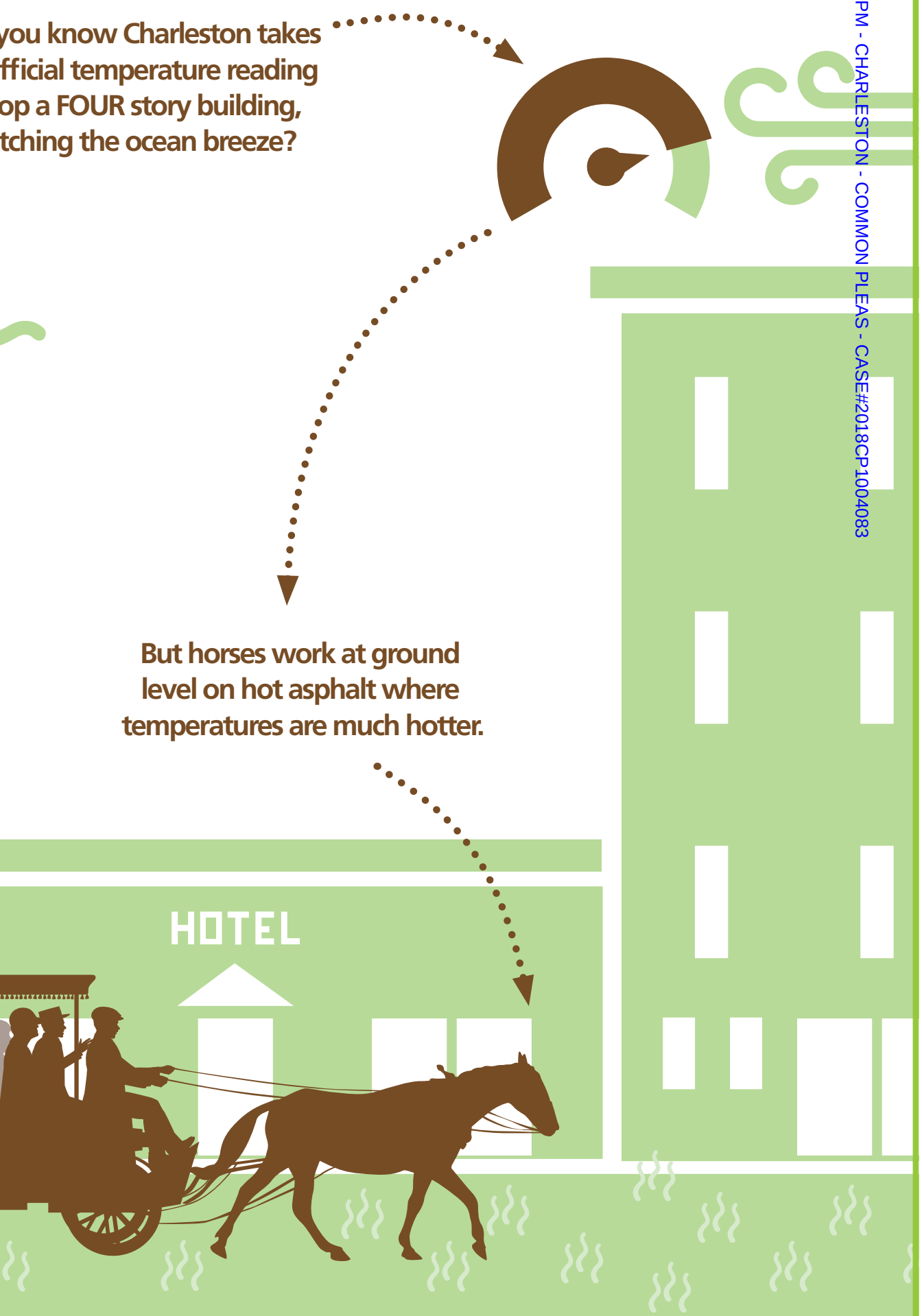
Charleston is #1 in Tourism,

but dead last for working horses!

WHEN YOU COMBINE EXCESSIVE HEAT WITH THE WEIGHT THE HORSES ARE FORCED TO PULL, CHARLESTON HAS THE HARSHEST CONDITIONS IN THE U.S.

Did you know Charleston takes its official temperature reading atop a FOUR story building, catching the ocean breeze?





But horses work at ground level on hot asphalt where temperatures are much hotter.

Did you know other cities across America require only ONE heat reading to pull horses from service at the peak temperature?

Why will Charleston require FOUR heat readings to pull horses off the street?

AN IMPORTANT CITY COUNCIL VOTE TAKES PLACE TONIGHT THAT WOULD KEEP CHARLESTON THE HARSHEST CITY IN THE NATION FOR WORKING HORSES.

ASK CITY COUNCIL TO USE COMMON SENSE!

1. REQUIRE ONE READING OF THE PROPOSED 95°F / 110°F HEAT INDEX LIKE OTHER CITIES.
2. LOWER THE CITY THERMOMETER TO GROUND LEVEL WHERE THE HORSES WORK.

MAYOR'S OFFICE 843.577.6970 • tecklenburgj@charleston-sc.gov
CITY COUNCIL C/O CLERK OF COUNCIL 843.724.3729 • maybankv@charleston-sc.gov

DO THE STUDY!

Charleston Animal Society
Since 1874
Leadership. Tradition. Excellence.

Charleston Carriage Horse Advocates

Hallie Hill Animal Sanctuary

Humane Net
Their Care is in Our Hands

Pet Helpers
We're saving a pet just for you...

STAY INFORMED AT:
CharlestonAnimalSociety.org/humane-carriage-tours

R60-1561368-1

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EXHIBIT 3

The System is Broken and Inhumane.

Tired, overworked horses continue to be put in harm's way.

Reform the System Now!





















The pictures above are just a few of the numerous incidents involving horses placed in harm's way. Is this best for the horses? Is it the best use of our police officers' time? **1.** Wagon crashes into another wagon *(citizen: March 15, 2016)*. **2.** 5-year-old kicked by mule, suffers concussion *(News 2: July 30, 2015)*. **3.** Wagon crashes into house *(ABC News 4: June 19, 2014)*. **4.** Drivers not watching where they're going *(The Post and Courier: August 2, 2015)*. **5.** Blondie lie helpless on hot pavement for nearly 3 hours *(citizen: July 17, 2015)*. **6.** Carriage crashes, injuring 6 people *(The Post and Courier: July 11, 2008)*. **7.** Wagon collides with parked truck *(citizen: September 28, 2016)*. **8.** Wagon overloaded with tourists *(citizen)*. **9.** Runaway wagon *(Live 5 News: April 22, 2014)*. **10.** Working in 100° Heat *(citizen: July 30, 2016)*.

CHARLESTON ANIMAL SOCIETY IS CALLING FOR A BONA FIDE PEER-REVIEWED, SCIENCE-BASED STUDY FROM AN ACADEMIC INSTITUTION TO DETERMINE HUMANE WORKING CONDITIONS FOR HORSES.

The American Veterinary Medical Association and American Association of Equine Practitioners state that "Urban environments present health and welfare hazards that may preclude [the use of horses], such as pollution, concussion, climactic extremes, and load factors." The late Dr. John Malark, Founder of Edisto Equine Clinic , advocated for equine safety stating that "Studies needs to be focused on these horses. If you want answers, then you have to fund the research."

DO THE STUDY!

CHARLESTON AND THE HORSES DESERVE NOTHING LESS.

No Kill Charleston™ | Charleston Animal Society Since 1874 Leadership. Tradition. Excellence. | No Kill. No Harm. NO MORE. | No Kill South Carolina™

STAY INFORMED AT: CharlestonAnimalSociety.org/humane-carriage-tours

CHARLESTON'S FIRST AND STRONGEST VOICE FOR ANIMALS.

South Carolina's Most Honored Charity

AAHA ACCREDITED The Standard of Veterinary Excellence · BBB ACCREDITED BUSINESS BBB Rating: A+ · 2016 BEST OF THE BEST Readers' Choice · CHARITY NAVIGATOR Four Star Charity · CHARLESTON CITY PAPER Best Local Cause · Giving Back Awards Nonprofit of the Year · GREATNONPROFITS 2016 TOP-RATED NONPROFIT · GUIDESTAR PLATINUM PARTICIPANT · Mom's Choice Award · The Post and Courier CHARLESTON'S choice 2016 WINNER

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BELIEVE YOU CAN
AND YOU'RE ALREADY THERE.



IN 2017 YOU HELPED US ACHIEVE:

11,137 Spay-Neuters

9,439 Animals Sheltered

1,259 Lost Pets Reunited

26,611 Vaccines

1,709 Free-Roaming Cats Saved

50,562 Pounds of Food Distributed to Families

5,141 Animals Adopted

2,523 Animals Fostered

20,000 Education Lessons to Children

63 Cruelty Cases Investigated

1,721 Families Offered Help to Keep their Pets for Life

Since 1874, the mission at Charleston Animal Society has never changed: Preventing Cruelty to Animals. With the gifts of your time, your donations and your homes – you have lifted us to new heights of humane care that is now recognized across the country and around the world. Be proud of your accomplishments because **YOU** are Charleston Animal Society.

Charleston Animal Society
Since 1874
Leadership. Tradition. Excellence.

No Kill Charleston℠

No Kill. No Harm. NO MORE.™

No Kill South Carolina℠

2017 ANNUAL REPORT
CHARLESTON ANIMAL SOCIETY

2455 Remount Road | North Charleston | SC | 29406 | CharlestonAnimalSociety.org

Imagine. Believe. Achieve.

YOU are Charleston Animal Society!

LOOK WHAT YOU ACHIEVED IN 2017:



- Sustained No Kill Charleston for the 5th year!
- Earned South Carolina's Most Honored Charity (five years-in-a-row).
- Doubled No Kill South Carolina efforts thanks to support from the Petco Foundation.
- Honored as best Pets for Life Program in the USA.
- Unprecedented Disaster Response to Hurricanes: 750 animals rescued and evacuated across 7 states, Puerto Rico and the Virgin Islands.
- Reaccredited as the only combined shelter/clinic in the Southeast by the American Animal Hospital Association (AAHA).
- Rolled out the Simon Greer Mobile Spay-Neuter Vehicle – the only mobile unit of its kind in the Lowcountry.
- Responded to large cruelty cases in South Carolina and the Midwest.
- Expanded Pets for Life outreach services to Hollywood/Ravenel.
- Led efforts to improve working conditions for carriage horses.
- Chosen for presentations and education by national organizations including the ASPCA, HSUS, Maddie's Fund, Best Friends Animal Society and the University of the Pacific.
- Achieved 5th consecutive year of exemplary audits.
- Grew our social media presence on Facebook to 250,000 followers.

Total Revenue
$7,860,398

Bequests 8% $640,030

Contributions & Fundraising 42% $3,333,303

Government Vendor Contract 18% $1,425,000

Programs 32% $2,462,065

Fundraising 20% $1,473,132

Admin 3% $255,968

Programs & Services 77% $5,779,385

Total Expenses
$7,508,485

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STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ANIMAL SHELTER AGREEMENT

This Animal Shelter Agreement (the "Agreement") is made as of this 1st day of July, 2014 (the "Effective Date") by and between **COUNTY OF CHARLESTON,** a body politic and corporate under the laws of the State of South Carolina (hereinafter "County") and **Charleston Animal Society,** a South Carolina organization, (hereinafter "Society"),

RECITALS:

WHEREAS, the Society constructed an animal shelter (or animal care campus) on approximately five acres of land that it owns in the County of Charleston ("Animal Shelter"); and

WHEREAS, the County deems it to be in the best interest of the citizens of Charleston County to enter an Agreement with the Society for the operation and administration of that Current Animal Shelter including prevention of, response to and disposition of abused, abandoned, unwanted and stray companion animals (canines and felines) and has had an ongoing agreement with the Society since 1979 for that purpose pursuant to numerous agreements throughout the years ("Current Agreement"); and

WHEREAS, the County enacted ordinance number 731, as amended from time to time, (Codified as County Code of Ordinances Section 3-1 et seq.) which designates the Society as the designated animal shelter for the County pursuant to SC Code Section 47-3-30; and

WHEREAS, the County and Society have agreed to consolidate their Current Agreement and to enter into a new agreement that will supersede and replace the previously referenced current agreement on the terms and conditions set forth herein;

NOW, THEREFORE, the parties to this Agreement, in consideration of these promises, the mutual covenants and conditions contained herein and other valuable consideration by each party hereto, do hereby agree to terminate the Current Agreement as of the Effective Date and covenant and agree as of the Effective Date as follows:

Article I. Services

Section 1.01 The Society shall have physical possession and control of the Current Animal Shelter and be responsible for ongoing maintenance of the building

Section 1.02 During the Term of this Agreement, the Society shall receive and provide for the humane disposition of dogs and cats running at-large, and such other animals as delivered into its custody by agents of Charleston County, agents of municipalities or by citizens of Charleston County exclusively which can be safely and adequately kept by the Society until time of disposition. In the case of large or

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exotic animals, or under unusual circumstances where the chief executive of the Society or his/her designee reasonably determines that an animal(s) cannot be adequately and safely housed at the shelter or the if the projected length of stay will adversely impact the animal's health as determined by the Society's veterinary staff, an animal control officer of the Charleston County Sheriff's Office (the "Animal Control Officer") or citizen will be so informed, and will be directed to take the animal to an appropriate subcontractor as described below.

The Society shall make good faith efforts to enter into subcontracts for the impoundment and care of animals which cannot be safely and adequately kept at the shelter. The County shall reimburse the Society for reasonable costs for a period of time no less required by State and local law.

Animal control officers will identify and document a verifiable physical street address for where the animal is picked up, by said officers, prior to delivering the animal to the Society. Animal control officers will make every reasonable effort, including scanning animals for microchips in the field, to return at-large animals to their owners prior to delivering them to the Animal Society. The Society shall immediately undertake a reasonable effort to notify the owners of properly tagged pets as set forth in Charleston County Code Section 3-5(b). The Society shall also follow the requirements of SC Code Section 47-3-55 regarding scanning for tattoos, microchips or similar devices.

Section 1.03 The Society shall immediately place animals accepted at the shelter in a suitable enclosure and care for said animals at the expense of the County as set forth in Section 1.12, for a period of time no less than that required by State and local law. Following the holding period, pursuant to County Code Section 3-5(c) and at the discretion of the Society, unless the animal must be kept pending disposition of a criminal or civil trial involving the animal or unless a hearing on the disposition of the animal is held prior to the trial, at-large animals and pets not redeemed under County Code Section 3-6 shall be provided with a disposition that is in the best interest of public health and safety, as determined by the Society in accordance with State law (may include euthanasia).

Section 1.04 If any animals delivered into the custody of the Society shall, in the opinion of the Society, be deemed ill or injured to such an extent that it would be inhumane to allow said animals to live, or be deemed a threat to the health and safety of the Society's staff, based on the animal's behavior, the Society shall have the right to dispose of the animals in a humane manner, in accordance with state law.

Section 1.05 The Society shall maintain suitable office hours for the convenience of the public and for the purpose of transacting business in connection with its duties under this Agreement.

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Section 1.06 The Society shall employ a competent and qualified agent for executing the responsibilities under this Agreement who shall report to the Board of Directors of the Society.

Section 1.07 The operation, supervision and management of the Animal Shelter shall be under the sole control of the Society; however, the County or its designated agents may at reasonable time enter in or upon the subject premises for purposes of inspection, observation and performance of an operational audit. Additionally, the Society shall designate an area for use of a computer, filing purposes, and other office related activities (office space) at the Society for the County's Animal Control Officers.

Section 1.08 Nothing herein shall impair the ability of the Society, at its discretion, to receive and provide for the humane disposition of dogs and cats running at-large, delivered into its custody by municipalities or citizens of the County of Charleston. Any fees or expenses paid to the Society from such municipalities covering services paid for by the County hereunder will be sent to the County in a timely manner; provided, however, that nothing in this section shall obligate the Society to negotiate with or bill municipalities for such services. Any fees collected from citizens, and any moneys collected by the Society as a result of fund-raising activities shall be the Society's sole money and not a set-off against fees to be paid by the County.

Section 1.09 The Society shall require sterilization of every dog and cat adopted from the shelter in accordance with South Carolina State Law.

Section 1.10 Pursuant to County Code Section 3-6, the Society shall require that all persons who wish to reclaim possession of an Animal delivered to the custody of the Society show proof that the Animal is currently inoculated against rabies and also pay redemption and boarding fees as set by law.

Section 1.11 The Society shall keep full and accurate financial and/or operational records on all animals delivered into its custody by the County and by municipalities and citizens, which records shall, among other information, include the date, place (specific street address), reason and manner whereby animals were brought into custody, together with a description of the animal and a record of its final disposition. All such records of the Society shall upon reasonable request by the County be made available to the County or its designated agents for auditing purposes.

Section 1.12 In consideration of the above-mentioned covenants of the Society, the County agrees to pay the Society a yearly fee as determined by Charleston County Council ("Yearly Fee"). The fees set forth herein will be evaluated on an annual basis and may be increased or decreased by agreement of the parties hereto. There shall not be an automatic annual adjustment of fees; however, the Society shall submit budget requests annually pursuant to the County's usual budget procedures. The County shall not be responsible for payment of costs of animals identified as not coming from Charleston County. The total amount that Charleston

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County shall pay in any one year for the humane care and disposition of at-large animals brought into the Society by citizens of Charleston County shall not exceed the amount approved annually in the County Budget ("Budgeted Amount"), said amount subject to modification at mid-year budget review. The Society will receive payments of 1/12 the annually approved amount in the County Budget, set by County Council, in monthly installments. Society is in charge of all aspects of managing the Animal Shelter, including but not limited to: maintaining strict compliance with all applicable local, state, and federal rules and regulations, managing the budget and diligently controlling all monetary aspects of the Society.

Article II. Management

Section 2.01 The parties agree the Society shall own, operate and maintain all aspects of the Animal Shelter (or animal care campus) located at 2455 Remount Road, North Charleston, South Carolina 29406.

Section 2.02 Financing. During the Term of this Agreement, any financing or sale of the Property by the Society must have prior approval from the County, which approval shall not be unreasonably withheld.

Article III. Default and Remedies

Section 3.01 Default. Any one of the following events shall be deemed a default and a breach of this Agreement, namely:

(a) If a party fails to observe or perform any of the terms, covenants or conditions of this Agreement, and such failure continues after the expiration of 30 days from the date the non-defaulting party gives written notice to the defaulting party calling attention to the existence of such failure, provided however, that if the defaulting party cannot reasonably correct the default within said 30 day period, the defaulting party shall be given a mutually agreeable period of time to correct the default; or

(b) If a party is declared bankrupt or insolvent by judicial decree; or

(c) If a party takes the benefit of any federal reorganization; or

(d) If a party makes a general assignment for benefit of creditors.

Section 3.02 Rights in Event of Default. In the event of any default by a party as herein provided, the non-defaulting party at any time thereafter, shall have the right to terminate this Agreement by giving the defaulting party written notice of such termination, whereupon, this Agreement shall be regarded as canceled as of the date of the non-defaulting party's termination notice and to pursue all other remedies available at law or equity.

Article IV. Miscellaneous

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Section 4.01 Assignment. Neither the Society nor the County may assign this Agreement or any of its rights or obligations hereunder without the other parties' written consent.

Section 4.02 Notices. All notices and other communications under this Agreement shall be in writing and shall be deemed duly given if personally delivered or if mailed by registered mail or certified mail, return receipt requested, first class, postage prepaid as follows:

If to the Society:
2455 Remount Road
North Charleston, SC 29406
Attn: Chief Executive Officer

If to the County:
Lonnie Hamilton, III Public Service Building
4045 Bridge View Drive
North Charleston, SC 29405
Attn: County Administrator

Lonnie Hamilton, III Public Service Building
4045 Bridge View Drive
North Charleston, SC 29405
Attn: Chief Financial Officer

The parties shall be responsible for notifying each other of any changes in address or contact person(s).

Section 4.03 Entire Agreement. This Agreement contains the entire agreement between the parties hereto. There are no promises, agreements, conditions, undertakings, warranties or representations, oral or written, express or implied, between them, other than as herein set forth.

Section 4.04 Integration. This Agreement is intended by the parties hereto to be an integration of all prior and contemporaneous promises, agreements, conditions, negotiations and undertakings between the parties hereto.

Section 4.05 Modification. This Agreement may not be modified orally or in any other manner than by an agreement in writing signed by all the parties hereto or their respective successors in interest.

Section 4.06 Partial Invalidity. If any term, covenant, condition or provision of this Agreement or the application thereof to any person or circumstance shall, at any time or to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby (provided that neither party is substantially denied the benefit of its bargain hereunder), and each term, covenant, condition and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

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Section 4.07 Headings. The headings used in this Agreement are for reference and convenience only, and shall not enter into the interpretation hereof.

Section 4.08 Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument.

Section 4.09 Gender. Whenever herein the singular number is used, the same shall include the plural, and the masculine in gender shall include the feminine and neuter genders, and vice versa, all as the context shall require.

Section 4.10 Application of Law. It is the intention of the parties hereto that all questions with respect to the construction of this Agreement and the rights and liabilities of the parties hereunder shall be determined in accordance with the laws of the State of South Carolina.

Section 4.11 Binding Effect. Subject to the limitations set forth herein, all of the covenants, conditions and obligations contained in this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and permitted assigns.

Section 4.12 No Joint Venture. Nothing in this Agreement shall be interpreted or deemed to constitute County and the Society as partners or joint venturers in regard to the transactions contemplated in this Agreement, or in any aspect thereof.

Section 4.13 Delays. Neither party shall be responsible or liable, or deemed in breach hereof, to the extent the performance of their respective obligations hereunder are prevented or delayed due solely to circumstances beyond the reasonable control and without the fault or negligence of the party experiencing such impediment to performance, including but not limited to acts of God; unusually severe weather; flood, cyclone, hurricane, tornado, earthquake or other similar catastrophe; war, hostility or acts of a public enemy; riots; labor difficulties; fire, epidemics, quarantine restrictions; inability despite due diligence to obtain required licenses; fire; or other casualty for which such party claiming the Force Majeure is not responsible (such causes hereinafter called 'Force Majeure').

The party experiencing the Force Majeure shall exercise due diligence in endeavoring to overcome any Force Majeure impediment to its performance. The party experiencing the Force Majeure shall promptly give written notification to the other party. This written notification shall include a full and complete explanation of the Force Majeure and its cause, the status of the Force Majeure, and the actions such party is taking and proposes to take to overcome the Force Majeure. If performance by either party is delayed due to Force Majeure, the time for that performance shall be extended for a period reasonably necessary to overcome the effect of the delay.

Section 4.14 Termination. The County, by advance written notice, may terminate this Contract when it is in the best interests of the County. If this Contract is so terminated, the Society shall be compensated for all necessary and reasonable direct costs of performing the services actually accomplished. The Society will not be

compensated for any other costs in connection with a termination for convenience. The Society will not be entitled to recover any damages in connection with a termination for convenience.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

WITNESSES:

Kerry S. Badger

CHARLESTON COUNTY

BY: K Bustraan for WK
,Its,
KEITH BUSTRAAN, DEP CO. ADMIN/CFO

CHARLESTON ANIMAL SOCIETY

Jay Huber

BY:
,Its,
JOE ELMORE, CEO

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EXHIBIT 6

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CHARLESTON ANIMAL SOCIETY

FINANCIAL REPORT

DECEMBER 31, 2018 and 2017

CHARLESTON ANIMAL SOCIETY

FINANCIAL REPORT

DECEMBER 31, 2018 and 2017

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DAVIS & COMPANY
CERTIFIED PUBLIC ACCOUNTANTS

INDEPENDENT AUDITORS' REPORT

To the Board of Directors
Charleston Animal Society
North Charleston, South Carolina

We have audited the accompanying financial statements of Charleston Animal Society which comprise the statements of financial position as of December 31, 2018 and 2017, and the related statements of activities, functional expenses and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Charleston Animal Society as of December 31, 2018 and 2017, and the changes in their net assets and their cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1, the Financial Accounting Standards Board ("FASB") issued Accounting Standards Update ("ASU") No. 2016-14, Not for Profit Entities: Presentation of Financial Statements of Not-for-Profit Entities. The Society adopted ASU 2016-14 during the year ended December 31, 2018, and it was applied retrospectively. The adoption of this standard did not have any impact on the Society's net assets or changes in net assets. Our opinion is not modified with respect to this matter.

DCPAS, LLC dba Davis & Company CPAs
Mount Pleasant, South Carolina
March 18, 2019

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CHARLESTON ANIMAL SOCIETY
STATEMENTS OF FINANCIAL POSITION
AS OF DECEMBER 31, 2018 and 2017

ASSETS	2018	2017
CURRENT ASSETS		
Cash and cash equivalents, unrestricted	$ 1,695,766	$ 1,575,254
Accounts receivable	37,066	32,763
Bequests receivable	500,000	-
Contributions receivable, net	251,481	276,156
Prepaid expense	67,342	38,024
Inventories	135,618	97,881
Security deposits	15,311	-
Total current assets	2,702,584	2,020,078
PROPERTY AND EQUIPMENT		
Land	641,000	641,000
Property and equipment, net	8,942,038	9,109,958
Total property and equipment	9,583,038	9,750,958
INVESTMENTS, LONG TERM	7,669,408	8,193,920
OTHER ASSETS		
Beneficiary interest in perpetual trusts held by others	898,054	1,019,185
Total other assets	898,054	1,019,185
TOTAL ASSETS	$ 20,853,084	$ 20,984,141
LIABILITIES AND NET ASSETS		
CURRENT LIABILITIES		
Accounts payable and accrued expenses	$ 119,843	$ 143,204
Payroll related liabilities	130,065	200,452
Current portion of long term debt	115,781	112,317
Total current liabilities	365,689	455,973
LONG-TERM LIABILITIES		
Note payable	989,884	1,105,665
Total long-term liabilities	989,884	1,105,665
TOTAL LIABILITIES	1,355,573	1,561,638
NET ASSETS		
Without donor restrictions	4,685,943	4,275,197
Board designated - property fund	9,583,038	9,750,958
Board designated - working capital fund	500,000	500,000
Board designated - endowment fund	3,122,515	3,122,515
With donor restrictions	1,606,015	1,773,833
Total net assets	19,497,511	19,422,503
TOTAL LIABILITIES AND NET ASSETS	$ 20,853,084	$ 20,984,141

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2018

	Without Donor Restrictions	With Donor Restrictions	Total
SUPPORT AND REVENUES			
Contributions	$ 2,223,940	$ 766,251	$ 2,990,191
Resale contributions	108,446	-	108,446
Grants	967,161	5,500	972,661
In-kind contributions	457,586	-	457,586
Program and service	1,366,182	-	1,366,182
Government service contract	1,654,778	-	1,654,778
Special events, net $182,382 expense	492,176	-	492,176
Investment income, net of $93,988 in fees	233,689	-	233,689
Realized loss on investments	(58,244)	-	(58,244)
Unrealized loss on investments	(699,869)	-	(699,869)
Change in value of beneficiary interest	-	(121,131)	(121,131)
Bingo income	39,089	-	39,089
	6,784,934	650,620	7,435,554
Net assets released from restrictions	818,443	(818,443)	-
Total support and revenues	7,603,377	(167,823)	7,435,554
EXPENSES			
Program and services	5,725,802	-	5,725,802
Management	343,620	-	343,620
Fundraising	1,291,124	-	1,291,124
Total expenses	7,360,546	-	7,360,546
INCREASE (DECREASE) IN NET ASSETS	242,830	(167,818)	75,008
NET ASSETS, beginning of year	17,648,670	1,773,833	19,422,503
NET ASSETS, end of year	$ 17,891,500	$ 1,606,015	$ 19,497,511

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2017

	Without Donor Restrictions	With Donor Restrictions	Total
SUPPORT AND REVENUES			
Contributions	$ 1,625,077	$ 833,234	$ 2,458,311
Grants	926,792	245,000	1,171,792
In-kind contributions	254,010	-	254,010
Program and service	1,338,761	-	1,338,761
Government service contract	1,425,000	-	1,425,000
Special events, net $322,228 expense	738,948	-	738,948
Investment income, net of $8,874 in fees	9,635	-	9,635
Realized gain on investments	307,861	-	307,861
Unrealized gain on investments	695,155	-	695,155
Change in value of beneficiary interest	-	75,241	75,241
Gain on sale of assets	5,925	-	5,925
Bingo income	31,577	-	31,577
	7,358,741	1,153,475	8,512,216
Net assets released from restrictions	1,052,398	(1,052,398)	-
Total support and revenues	8,411,139	101,077	8,512,216
EXPENSES			
Program and services	5,727,164	-	5,727,164
Management	265,649	-	265,649
Fundraising	1,055,236	-	1,055,236
Total expenses	7,048,049	-	7,048,049
INCREASE IN NET ASSETS	1,363,090	101,077	1,464,167
NET ASSETS, beginning of year	16,285,580	1,672,756	17,958,336
NET ASSETS, end of year	$ 17,648,670	$ 1,773,833	$ 19,422,503

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENT OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED DECEMBER 31, 2018

	Program and Services	Manage-ment	Fund-raising	Total
COMPENSATION AND RELATED EXPENSES				
Salaries	$ 2,563,745	$ 272,541	$ 501,786	$ 3,338,072
Employee benefits	325,701	9,337	25,522	360,560
Payroll taxes	189,443	38,934	22,142	250,519
Total compensation and related expenses	3,078,889	320,812	549,450	3,949,151
OTHER EXPENSES				
Animal expenses	943,482	-	23,138	966,620
Public relations	112,808	-	531,197	644,005
Veterinary care expenses	309,032	-	-	309,032
Utilities	198,033	-	49,200	247,233
Building maintenance	111,512	-	-	111,512
Insurance	101,809	6,050	-	107,859
Computer and equipment	43,765	215	55,171	99,151
Bank fees	31,275	6,175	54,578	92,028
Contract services	53,520	-	-	53,520
Outreach expenses	51,978	-	-	51,978
Professional fees	48,795	-	2,417	51,332
Office expense	27,588	642	12,261	40,491
Education expenses	36,138	-	-	36,138
Employee training	23,832	3,661	8,254	35,747
Interest	35,486	-	-	35,486
Miscellaneous	20,972	6,065	5,160	32,197
Automobile	20,461	-	-	20,461
Travel and entertainment	2,401	-	298	2,679
TOTAL EXPENSES BEFORE DEPRECIATION	5,251,876	343,620	1,291,124	6,886,620
Depreciation	473,926	-	-	473,926
TOTAL FUNCTIONAL EXPENSES	$ 5,725,802	$ 343,620	$ 1,291,124	$ 7,360,546

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENT OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED DECEMBER 31, 2017

	Program and Services	Manage-ment	Fund-raising	Total
COMPENSATION AND RELATED EXPENSES				
Salaries	$ 2,588,623	$ 203,822	$ 474,097	$ 3,266,542
Employee benefits	332,736	27,278	33,144	393,158
Payroll taxes	193,993	15,840	34,766	244,599
Total compensation and related expenses	3,115,352	246,940	542,007	3,904,299
OTHER EXPENSES				
Animal expenses	996,281	-	664	996,945
Public relations	127,167	-	343,891	471,058
Utilities	272,863	-	52,800	325,663
Veterinary expenses	197,899	-	-	197,899
Building maintenance	140,546	-	-	140,546
Computer and equipment	78,255	4,802	40,871	123,928
Insurance	85,235	-	-	85,235
Bank fees	32,893	2,360	46,725	81,978
Professional fees	66,789	-	6,060	72,849
Contract services	54,576	-	-	54,576
Employee training	36,983	6,443	3,821	47,247
Office expnse	25,736	2,000	13,128	40,864
Education expenses	36,580	-	-	36,580
Miscellaneous	27,992	3,104	4,470	35,566
Interest	30,487	-	-	30,487
Automobile	22,985	-	-	22,985
Travel and entertainment	2,857	-	799	3,656
TOTAL EXPENSES BEFORE DEPRECIATION	5,351,476	265,649	1,055,236	6,672,361
Depreciation	375,688	-	-	375,688
TOTAL FUNCTIONAL EXPENSES	$ 5,727,164	$ 265,649	$ 1,055,236	$ 7,048,049

See accompanying notes.

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CHARLESTON ANIMAL SOCIETY
STATEMENTS OF CASH FLOWS
YEARS ENDED DECEMBER 31, 2018 and 2017

	2018	2017
CASH FLOWS FROM OPERATING ACTIVITIES:		
Increase in net assets	$ 75,008	$ 1,464,167
Adjustments to reconcile change in net assets to net cash provided (used) by operating activities:		
Depreciation	473,926	375,688
Unrealized loss (gain) on investments	699,869	(695,155)
Change in beneficiary interest in trust	121,131	(75,241)
Decrease (increase) in current assets:		
Accounts receivable	(4,303)	8,817
Contributions receivable	24,675	12,358
Bequest receivable	(500,000)	-
Security deposits	(15,311)	-
Prepaid expenses	(29,318)	(12,512)
Inventory	(37,737)	(2,432)
Increase (decrease) in operating liabilities:		
Accounts payable	(23,361)	(177,448)
Payroll related liabilities	(70,387)	26,790
Net cash provided (used) by operating activities	714,192	925,032
CASH FLOWS FROM INVESTING ACTIVITIES:		
Purchases of property and equipment	(306,006)	(1,733,713)
Proceeds from sale of securities	7,316,458	2,163,445
Purchase of securities - net reinvested earnings	(7,491,815)	(2,379,619)
Net cash provided (used) in investing activities	(481,363)	(1,949,887)
CASH FLOWS FROM FINANCING ACTIVITIES:		
Proceeds from note payable	-	1,236,000
Payments on note payable	(112,317)	(82,018)
Net cash provided (used) in financing activities	(112,317)	1,153,982
Net increase in unrestricted cash and cash	120,512	129,127
Cash and cash equivalents as of beginning of year	1,575,254	1,446,127
Cash and cash equivalents as of end of year	$ 1,695,766	$ 1,575,254
Supplemental Disclosures:		
Noncash investing and financing activities:		
Interest paid	$ 35,486	$ 30,487

See accompanying notes.

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Organization

Charleston Animal Society (the Society) is a nonprofit corporation organized in 1874 to prevent cruelty to animals. The Society is located in North Charleston, South Carolina in a state of the art facility combining the shelter, clinic, and corporate offices in one location which enables the animals to receive the best care. The Society purpose of preventing cruelty to animals is accomplished through a variety of programs:

Finding homes for homeless animals - this is accomplished through adoptions, return to owners and a free roaming cat initiative.

Fighting cruelty wherever it exists- assisting law enforcement with investigations and intervention in order to hold those responsible for their crimes.

Helping youth understand science through a veterinary science initiative which enables students to become involved in different areas of education.

Containing outbreaks of deadly diseases - by offering rabies vaccinations to animals in the community the Society helps to eradicate this disease at an affordable cost.

Reuniting animals with their owners through an in-depth lost and found program.

Preventing births of unwanted animals through a high-volume, high-quality affordable spay/neuter initiative.

Saving the lives of abused and abandoned animals through a holistic treatment regimen.

Guiding children to grow into humanitarians through a comprehensive humane education initiative.

Fighting hunger when food is unaffordable through a nonjudgmental pet-focused food bank.

Basis of Accounting

The financial statements of the Society have been prepared on the accrual basis of accounting and accordingly reflect all significant receivables, payables, and other liabilities.

Net Assets

The financial statements report net assets and changes in net assets in two classes that are based upon the existence or absence of restrictions on use that are placed by its donors, as follows:

Net Assets Without Donor Restrictions

Net assets without donor restrictions are resources available to support operations. The only limits on the use of these net assets are the board limits resulting for the nature of the organizations, the environment in which It operates, the purposes specified in its corporate documents and its application for tax-exempt status, and any limits resulting from contractual agreements with creditors and others that are entered into in the course of its operations.

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Net Assets With Donor Restrictions

Net assets with donor restrictions are resources that are restricted by a donor for use for a particular purpose or in a particular future period. Some donor-imposed restrictions are temporary in nature, and the restriction will expire when the resources are used in accordance with the donor's instructions or when the stipulated time has passed. Other donor-imposed restrictions are perpetual in nature; the Society must continue to use the resources in accordance with the donor's instructions.

When a donor's restriction is satisfied, either by using the resources in the manner specified by the donor or by the passage of time, the expiration of the restriction is reported in the financial statements by reclassifying the net assets from net assets with donor restrictions to net assets without donor restrictions. Net assets restricted for acquisition of buildings or equipment are reported as net assets with donor restrictions until the specified asset is placed in service by the Society, unless the donor provides more specific directions about the period of its use.

Classification of Transactions
All revenues and net gains are reported as increases in net assets without donor restrictions in the statement of activities unless the donor specified the use of the related resources for a particular purpose or in a future period. All expenses and net losses are reported as decreases in net assets without donor restrictions.

Cash and Cash Equivalents
For the purposes of the Statements of Cash Flows, the Society considers all unrestricted highly liquid investments with an initial maturity of three months or less to be cash equivalents. This includes cash in banks and money market funds.

Grants and Accounts Receivables
The Society may from time to time have grants and accounts receivables from grantors. Grants and accounts receivable are considered to be fully collectible based on past experience. Accordingly, no allowance has been established for grants and accounts receivable.

Contributions Receivable
Contributions receivable are recognized as revenues in the period received and as assets, decreases in liabilities, or expenses depending on the form of the benefits received. Conditional contributions receivable are recognized when the conditions on which they depend are substantially met. The Society uses the allowance method to account for uncollectible promises to give. The allowance is based on management's estimate of the collectability of the promises and historical experience.

Investments
The Society investments consist primarily of assets invested in marketable equity and debt securities, alternative investments, commodities, and money-market accounts. The Society accounts for investments in accordance with FASB ASC 958-320 and subsections. This standard requires that investments in equity securities with readily determinable fair values and all investments in debt securities be measured at fair value in the statements of financial position. Fair value of marketable equity and debt securities is based on quoted market prices.

Alternative investments are stated at the fair value of their underlying assets and allocated to the net asset funds in proportion to the fund's ownership percentage. The realized and unrealized gain or loss on investments is reflected in the Statements of Activities.

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Investments – (continued)
Investments are exposed to various risks such as significant world events, interest rate, credit, and overall market volatility risks. Due to the level of risk associated with certain investment securities, it is reasonably possible that changes in the fair value of investments will occur in the near term and that such changes could materially affect the amounts reported in the Statements of Financial Position.

Investment income is recorded net of investment expenses. Realized gains or losses on investments are determined by comparison of specific cost of acquisition to proceeds at the time of disposal. Unrealized gains or losses are calculated by comparing cost to market values at the statement of financial position date. Investment income and gains restricted by donors are reported as increases in unrestricted net assets if the restrictions are met (either a stipulated time period ends or a purpose restriction is accomplished) in the reporting period in which the income and gains are recognized.

Property and Equipment
Purchased property and equipment are recorded at cost. Donated property and equipment are recorded at the approximate fair value at the date of donation. Expenditures for major additions and improvements, generally in excess of $1,000, are capitalized and minor replacements, maintenance and repairs are charged to expense as incurred. When property and equipment are retired or otherwise disposed of, the cost and accumulated depreciation are removed from the accounts and any resulting gain or loss is included in the results of the operations for the respective period. Depreciation is computed by the straight-line method over the estimated useful lives of the assets, ranging from 5 to 40 years. Construction in progress is stated at cost and is not depreciated until put into use. Costs associated with acquisition, development and construction of certain assets of the Society's facilities are capitalized including interest associated with a loan, if a loan was necessary for construction of the asset.

Beneficial Interest in Perpetual Trusts
Perpetual trusts are held by a third party under an arrangement where the Society has an irrevocable right to receive the income earned on the trust assets in perpetuity, but never receives the assets held in trust. The trust assets are recorded at fair value as beneficial interest in the trust, a long term asset and contribution of new trust under permanently restricted support, if donated to the Society or amounts held on behalf of the Society, depending on the terms. Annual distributions are reported as unrestricted contribution income or amounts raised on behalf of the Society. Trust assets are based on the lesser of the present value of future cash flows from the trusts or the fair value of the trusts' underlying investments. Change in value of beneficiary interests are recorded as permanently restricted.

Endowment Funds
For the year end December 31, 2008, South Carolina adopted the State Prudent Management of Institutional Funds Act (SPMIFA). The Board of Directors of the Society has interpreted SPMIFA as requiring the preservation of the fair value of the original gift as of the gift date of the donor-restricted endowment funds absent explicit donor stipulations to the contrary. As a result of this interpretation, the Society classifies as donor restricted net assets (a) the original gifts donated to the endowment, (b) subsequent gifts to the endowment, and (c) accumulations to the endowment made in accordance with the direction of the applicable donor gift instrument at the time the accumulation is added to the fund. The remaining portion of the donor-restricted endowment fund that is not classified in donor restricted net assets is classified as purpose restricted net assets until those amounts are appropriated for expenditure by the organization in a manner consistent with the standard of prudence prescribed by SPMIFA. In accordance with SPMIFA, the Society considers the following factors in making a determination to appropriate or accumulate donor-restricted endowment funds:

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Endowment Funds - (continued)

(1) The duration and preservation of the fund
(2) The purposes of the organization and the donor-restricted endowment fund
(3) General economic conditions
(4) The possible effect of inflation and deflation
(5) The expected total return from income and the appreciation of investments
(6) Other resources of the Society
(7) The investment policies of the Society

Return Objectives and Risk Parameters
The Society has adopted investment and spending policies for endowment assets that attempt to provide a predictable stream of funding to programs supported by its endowment while seeking to maintain the purchasing power of the endowment assets. Endowment assets include those assets of donor-restricted funds that the Society must hold in perpetuity or for a donor-specified period. Under this policy, as approved by the Board of Directors, the endowment assets are invested in a manner that is intended to produce results that exceed the price and yield results of the S&P 500 index or similar established broad market measures of return on investments.

Strategies Employed for Achieving Objectives
To satisfy its long-term rate-of-return objectives, the Society relies on a total return strategy in which investment returns are achieved through both capital appreciation (realized and unrealized) and current yield (interest and dividends). The Society targets a diversified asset allocation that places an emphasis on equity-based investments and bond funds to achieve its long-term return objectives within prudent risk constraints.

Spending Policy and How the Investment Objectives Relate to Spending Policy
The Society has a policy of appropriating for distribution each year four to five percent of its selected endowment fund's moving average fair value over the three years preceding the year in which the distribution is planned. In establishing this policy, the Society considered the long-term expected return on its endowment. Accordingly, over the long term, the Society expects the current spending policy to allow its endowment to grow at an average of four to five percent annually. This policy is consistent with the Society's objective to maintain the purchasing power of the endowment assets held in perpetuity or for a specified term as well as to provide additional real growth through new gifts and investment return.

Fair Value of Financial Instruments
The carrying amounts of financial instruments, including cash and cash equivalent, money market funds, receivables, beneficiary interest in trusts held by others and accounts payable approximate fair value because of the short maturity of those financial instruments.

Compensated Absences
Employees earn vacation at various rates depending on their status as non-exempt and exempt, job classification and years of service. Vacation increases by five (5) days at each job classification after two (2) years and five (5) years. Unused vacation carryover is allowed.

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NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Accounting of Contributions
Contributions, including contributions receivable, are recognized when received. All contributions are reported as increases in net assets without donor restrictions unless use of the contributed assets is specially reported as increases in net assets without donor restrictions unless use of the contributed assets is specifically restricted by the donor. Amounts received that are restricted by the donor to use in future periods or for specific purposes are reported as increases in net assets with donor restrictions. Contributions receivable with payments due in the future years have an implied restriction to be used in the year the payment is due, and therefore are reported as restricted until the payment is due, unless the contributions is clearly intended to support activities in the current fiscal year. Conditional promises, such as matching grants, are not recognized until they become unconditional, that is, until as conditions on which they depend are substantially met.

Gifts-In-Kind Contributions
The Society records various types of in-kind contributions. Contributed services are recognized at fair value if the services received (a) create or enhance long-lived assets or (b) require specialized skills, are provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation. Contributions of tangible assets are recognized at fair value when received. Donated use of facilities is reported as contributions and as expenses at the estimated fair value of similar space for rent under similar conditions. If the use of the space is promised unconditionally for a period greater than one year, the contribution is reported as a contribution and an unconditional contribution receivable at the date of gift, and the expense is report over the term of the use. The amounts reflected in the accompanying financial statements as in-kind contributions are offset by like amounts included in expenses or additions to property and equipment.

No amounts have been reflected in the financial statements for donated services. The Society pays for most services requiring specific expertise. However, many individuals volunteer their time and perform a variety of tasks that assist the Society with campaign solicitations and various committee assignments.

Expense Allocation
The costs of providing the various programs and supporting services have been summarized on a functional basis in the statement of functional expenses. Expenses that can be identified with a specific program or support service are charged directly to that program or support service. Costs common to multiple functions have been allocated amount the various functions benefited using a reasonable allocation method that is consistently applied as follows:

- Invoices are coded to departments when they are received.
- Utilities are allocated to Fundraising and Education using square footage estimates.
- Staff costs are allocated to departments based on area worked. Employees that have more than one area of responsibility are allocated based on time spent working in those areas.

Advertising
Cost of promotions and advertising are expensed as incurred. Advertising and promotion expense total $-0- for the years ended December 31, 2018 and 2017.

NOTE 1 - NATURE OF ACTIVITIES AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (continued)

Income Tax Status
The Society is a not-for-profit organization that is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code and comparable state law as a charitable organization whereby only unrelated business income, as defined by Section 509(a)(1) of the Code is subject to federal income tax. The Society qualifies for the charitable contribution deduction under Section 170(b)(l)(A) and has been classified as an association other than a private Society under Section 509(a)(2).

The Society currently has no unrelated business income. Accordingly, no provision for income taxes has been recorded. The Society is subject to routine audits by taxing jurisdictions; however, there are currently no audits for any tax period in progress.

Use of Estimates
The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Reclassifications
Certain amounts from the prior year have been reclassified to conform to the 2018 presentation without affecting the previously reported net assets.

New Accounting Pronouncements

The Financial Accounting Standards Board (FASB), on August 18, 2016, published Accounting Standards Updated (ASU) No. 2016-14, Not for Profit Entities: Presentation of Financial Statements of Not-for-Profit Entities. The standard changes how not-for-profit organizations classify their net assets, with groups required to categorize assets as either those with donor restrictions or without. The standard also requires new information about an organization's liquidity and an analysis of expenses by nature and function. The update aims to help charities, universities, foundations, and other not-for-profit groups better convey how they spend and manage their resources. The Society has elected to adopt this standard for the year ended December 31, 2018 and has adjusted the presentation of these statements accordingly. The ASU has been applied retrospectively to all periods presented.

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NOTE 2 - AVAILABILITY AND LIQUIDITY

Financial assets available for general expenditure, that are without donor or other restrictions limiting their use within one year of the Statement of Financial Position date of December 31, 2018, comprise of the following at December 31, 2018:

Financials assets:		
Cash and cash equivalents, unrestricted	$	1,695,766
Bequest receivable		500,000
Accounts receivable		37,066
Investments		8,567,462
Contributions receivables, net		251,481
Total financial assets		11,051,775
Less financial assets held to meet donor-imposed restrictions:		
Purpose-restricted net assets		(1,368,347)
Less financial assets not available within one year:		
Contribution receivables		(148,995)
Amount available for general expenditures within one year	$	9,534,433

As part of its liquidity plan, the Society has a policy to structure its financial assets to be available as its general expenditures, liabilities and other obligations become due. The Society invests excess cash in short-term investments, including money market accounts, and has the ability to redeem certain investments as necessary to meet its obligations.

NOTE 3 - CONTRIBUTIONS RECEIVABLE

The Society held a fundraising campaign to establish a new initiative for No Kill No Harm and contributions were made. The contributions receivable are considered unrestricted as they are for an initiative to raise awareness for our No Kill No Harm movement. Allowance for bad debt has been estimated based on past history by management. A summary of the contributions receivable are due as follows as of December 31:

		2018		2017
Beginning promise to give	$	283,156	$	339,064
Contribution commitments		126,000		223,662
Contribution payments		(157,675)		(279,570)
		251,481		283,156
Less allowance for bad debt		-		(7,000)
Ending promise to give balance	$	251,481	$	276,156

		2018		2017
Beginning bequest receivable	$	-	$	-
Bequest receivable		500,000		-
Bequest payments		-		-
Total bequest receivable	$	500,000	$	-

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NOTE 3 - CONTRIBUTIONS RECEIVABLE - (continued)

Contributions are receivable as follows:

Schedule of contributions due

Less than one year	$ 102,486
Two to five years	148,995
	$ 251,481

The Society received a bequest receivable during December 31, 2018 for $500,000 and is restricted for the purpose to care for the animals. Per the donor the amount owed will be paid in 2019.

NOTE 4 - INVESTMENTS

Investments held by the Society are in various accounts at a national brokerage firm. Investment fees are netted against investment income. Investments are stated at fair market value and consist of the following at December 31, 2018 and 2017:

	2018		2017	
	FMV	Cost	FMV	Cost
Real estate partnerships	$ 89,789	$ 102,908	$ 601,075	$ 577,378
Money market	463,605	463,605	468,099	468,099
Exchange traded funds	1,493,393	1,178,275	-	-
Mutual funds				
Fixed income	1,902,382	2,186,645	2,654,072	2,662,992
Equities	2,299,994	2,191,345	4,470,672	3,501,076
Bond Funds	718,289	530,419	-	-
Equity Funds	701,953	710,650	-	-
	$ 7,669,405	$ 7,363,847	$ 8,193,918	$ 7,209,545

NOTE 5 - SUMMARY OF FAIR VALUE EXPOSURE

ASC 820 defines fair value as the amount that would be received from the sale of an asset or paid for the transfer of a liability in an orderly transaction between market participants, i.e. an exit price. To estimate an exit price, a three-tier hierarchy is used to prioritize the inputs:

Level 1: Quoted prices in active markets for identical securities
Level 2: Other significant observable inputs (including quoted prices for similar securities, interest rates, prepayment spreads, credit risk, etc.)
Level 3: Significant unobservable inputs (including the Society's own assumptions in determining the fair value of investments)

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NOTE 5 - SUMMARY OF FAIR VALUE EXPOSURE - (continued)

For the years ended December 31, 2018 and 2017, the application of valuation techniques applied to similar assets and liabilities has been consistent. The following is a description of the valuation methodologies used for instruments measured at fair value:

- *Equities:* The Society's equity securities are readily marketable and have fair values which are determined by obtaining quoted market prices in active markets. (Level 1 inputs- market approach).
- *Fixed income securities:* Fair values of U.S. Government and corporate securities reflect closing prices reported in the active markets in which the securities are traded. (Level 1 inputs -market approach).
- *Money market:* The fair value of investments money market funds that are readily marketable are determined by obtaining quoted prices on nationally recognized securities exchanges (level 1 inputs- market approach).
- *Real estate:* Society real estate holdings consist of an investment in a publicly traded real estate investment trust. The fair value of this investment is readily marketable and is determined by obtaining quoted prices on a nationally recognized securities exchange (level 1 inputs- market approach).
- *Beneficial interest in assets held by others:* The fair value of beneficial interests in trust assets was determined based upon the present value of future cash flows from the trusts, an amount no greater than the asset value of the trust. The trust cannot be redeemed by management. (Level 3 inputs- income approach)
- *Exchange-traded funds:* Determined by the published closing price on the last business day of the fiscal year.

The following tables provide fair value measurement information for financial assets and liabilities measured at fair value on a recurring basis as of December 31, 2018 and 2017:

	December 31, 2018			
	Level 1	Level 2	Level 3	Total
Real estate mutual funds	$ 89,789	$ -	$ -	$ 89,789
Money market	463,605	-	-	463,605
Mutual funds	5,622,618	-	-	5,622,618
Exchange traded funds	1,493,393	-	-	1,493,393
Beneficiary interest in perpetual trust held by others	-	-	898,054	898,054
	$ 7,669,405	$ -	$ 898,054	$ 8,567,459

	December 31, 2017			
	Level 1	Level 2	Level 3	Total
Real estate mutual funds	$ 601,075	$ -	$ -	$ 601,075
Money market	468,099	-	-	468,099
Mutual funds	7,124,744	-	-	7,124,744
Beneficiary interest in perpetual trust held by others	-	-	1,019,184	1,019,184
	$ 8,193,918	$ -	$ 1,019,184	$ 9,213,102

The inputs and methodology used for valuing the Society's financial assets and liabilities are not indicators of the risks associated with those instruments.

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NOTE 5 - SUMMARY OF FAIR VALUE EXPOSURE - (continued)

Management evaluated the significant transfers between levels based upon the nature of the financial instrument and size of the transfer related to investments. For the years ended December 31, 2018 and 2017, there were no significant transfers in or out of levels 1, 2, or 3.

The following is a reconciliation of the beginning and ending balances for assets and liabilities measured at fair value on a recurring basis using significant unobservable inputs (Level 3) during the years ended December 31, 2018 and 2017:

	2018	2017
Beginning balance	$ 1,019,184	$ 943,943
Contribution transfer	(46,000)	(45,875)
Beneficiary interest loss	(75,130)	121,116
	$ 898,054	$ 1,019,184

NOTE 6 - NET ASSETS WITH DONOR RESTRICTIONS

The Society has net assets with donor restrictions that are available for the following purposes as of December 31, 2018 and 2017.

	2018	2017
Purpose restrictions, available for spending:		
Spay/Neuter	$ 50,000	106,766
Education	10,474	10,000
No kill campaign	28,868	29,152
Capital campaign	1,000	1,000
Free roaming cats	33,150	33,750
Maddies fund	120,000	109,848
Memorial garden	135,976	157,912
Animal resourse center	7,978	28,152
WaterShed animal fund	74,201	-
ASCPA loves pets	2,640	-
Baker PFL	6,007	-
Beneficiary trust	898,053	1,019,184
Total purpose restrictions	1,368,347	1,495,764
Time restrictions:		
Contribution receivables not restricted by donors, but are unavailable for expenditure until due	237,668	278,069
Total time restrictions	237,668	278,069
Total net assets with donor restrictions	$ 1,606,015	$ 1,773,833

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NOTE 7 - ENDOWMENT AND DONOR RESTRICTED NET ASSETS

The Society's endowment consists of three individual funds established for the support of their mission. The endowment includes donor restricted net assets. As required by U.S. generally accepted accounting principles, net assets associated with endowment funds, including funds designated by the Board of Directors to function as endowments, are classified and reported based on the existence or absence of donor-imposed restrictions.

Endowment net asset composition by type of fund as of December 31, 2018 and 2017 are as follows:

		2018			
Restricted Net Assets	Purpose	Beginning Balance	Contribution Transfer	Beneficiary Interest Gain	Ending Balance
Wells Fargo Smith Trust Benefits Receivable	Operating	$ 255,661	$ (10,000)	$ (20,596)	$ 225,066
Wells Fargo Jantzen Trust Benefits Receivable	Operating	763,524	(36,000)	(54,536)	672,988
		$ 1,019,185	$ (46,000)	$ (75,132)	$ 898,054

		2017			
Restricted Net Assets	Purpose	Beginning Balance	Contribution Transfer	Beneficiary Interest Gain	Ending Balance
Wells Fargo Smith Trust Benefits Receivable	Operating	$ 235,731	$ (9,875)	$ 29,804	$ 255,661
Wells Fargo Jantzen Trust Benefits Receivable	Operating	708,212	(36,000)	91,312	763,524
		$ 943,943	$ (45,875)	$ 121,116	$ 1,019,185

Change in endowment net assets for the years ended December 31, 2018 and 2017 are as follows:

	2018	2017
Beginning Restricted Net Assets	$ 1,019,185	$ 943,943
Change in value	(75,132)	121,116
Distribution	(46,000)	(45,875)
Ending Restricted Net Assets	$ 898,054	$ 1,019,185

Donor restricted net assets include the endowment fund assets; to be held indefinitely. The income from the assets may be used to support the Society's activities, subject to donor-imposed restrictions. The Society's policy for determining the portion of endowment earnings permitted to be included in operations is controlled by the trustees of the funds, generally 4% to 5 % of a three-year moving average of the trust's market value; these funds are distributed from the trustee to the Society. Only the donor restricted corpus remains in the endowment. Endowment beneficiary interest in perpetual trust transferred $46,000 and $45,875 in 2018 and 2017. These distributions were recognized in contributions.

The investment income related to the donor restricted funds has been accounted for within the donor restrictions investment earnings on the Statements of Activities. There were no contributions to the with donor restrictions corpus during years ended December 31, 2018 and 2017.

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NOTE 8 - PROPERTY & EQUIPMENT

Property and equipment consist of the following as of December 31, 2018 and 2017:

	2018	2017
Depreciable assets:		
Furniture and equipment	$ 1,175,519	$ 1,145,391
Vehicles	322,142	276,771
Building	10,867,812	10,637,305
Total property and equipment	12,365,473	12,059,467
Less: accumulated depreciation	(3,423,435)	(2,949,509)
	8,942,038	9,109,958
Non depreciable assets:		
Land	641,000	641,000
Total property and equipment	$ 9,583,038	$ 9,750,958

Depreciation expense for the years ended December 31, 2018 and 2017 are $473,926 and $375,688.

NOTE 9 - LEASE

The Society has entered into an operating lease beginning in March 2018 and expiring March 2023. Rent is $6,100 per month for the first year, $6,283 for the 2nd year, $6,472.10 for the 3rd year, $6,667.30 for the 4th year and $6,868.60 for the 5th year. Other fees include operating expense of $872.30 per month, tax payment of $512.40 per month, insurance payment of $170.80 per month. As of December 31, 2018, the following is a schedule of estimated future minimum lease payments on read properties due monthly.

Year	
2019	$ 73,200
2020	75,396
2021	77,664
2022	80,004
2023	82,428
	$ 388,692

Total rent expense for the years ended December 31, 2018 was $56,396.

NOTE 10 - NOTES PAYABLE

The Society entered into a $1,300,000 non-revolving line of credit in June of 2016. Draws on the line may be made through March 2017. Monthly payments are interest only at the libor daily floating rate plus 1.75% until March 2017. Beginning April 30, 2017 interest rate will be 3% and monthly payments will be made based on the outstanding balance as of March 31, 2017 with payments amortized over 10 years.

On April 30, 2017 the line of credit was transferred to a 10-year term loan for the amount of $1,290,934. Monthly payments are $12,317 including principle and interest. Interest is calculated at 3.00%. The loan matures on June 30, 2027.

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NOTE 10 - NOTES PAYABLE - (continued)

The debt maturity for the next five years ended December 31 is as follows:

Year		
2019	$	115,781
2020		119,269
2021		123,031
2022		126,826
2023		130,738
Thereafter		490,020
	$	1,105,665

NOTE 11 - CONCENTRATION OF CREDIT RISK

Financial instruments that potentially subject the Society to concentrations of credit risk consist of cash in banks; investments managed by brokerage firms and promise to give. The Society places its cash and investments with reputable financial institutions and limits the amount of credit exposure for cash to any one financial institution. Accounts held by banking institutions are insured by the Federal Deposit Insurance Corporation up to $250,000 and cash in investment accounts is insured by the brokers insurance. As of December 31, 2018 and 2017, the Society had uninsured cash of $1,016,497 and $676,731.

NOTE 12 - OTHER CONCENTRATION RISK

The Society has a vendor contract with the Charleston County for the humane disposition of animals in Charleston County. In 2018, CAS received 9,028 animals from animal control agencies and Charleston County citizens, which represents 100% of the animal intake for the organization. The Society received $1,654,778 from Charleston County under the contract which is 52% of the actual cost $2,998,739 of animal disposition. The concentration of animal intake from Charleston County related to one vendor contract is a risk to the organization. Actual cost of animal disposition for 2018 was $318 per animal of which Charleston County paid $155 per animal disposition. The Society must use reserves, donations and grants to fund the shortfall annually which creates a risk to the organization.

In 2017, the Society received 8,296 animals from animal control agencies and Charleston County citizens, which represents 100% of the animal intake for the organization. The Society received $1,425,000 from Charleston County under the contract which is 52% of the actual $2,727,939 cost of animal disposition. The concentration of animal intake from Charleston County related to one vendor contract is a risk to the organization. Actual cost of animal disposition for 2017 was $329 per animal of which Charleston County paid $150 per animal disposition. The Society must use reserves, donations and grants to fund the shortfall annually which creates a risk to the organization.

NOTE 13 - RETIREMENT PLAN

The Society sponsors a qualified retirement plan under IRS Code SIMPLE IRA. The Society will match the employees' contributions up to 3% of compensation. Employees may contribute immediately to the plan once employed by the Society. The Society's retirement expense for the years ended December 31, 2018 and 2017 were $31,455 and $25,372.

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NOTE 14 - RELATED PARTIES TRANSACTIONS

The Society received $220,514 and $233,730 in contributions and pledge payments from members of its Board of Directors for years ended December 31, 2018 and 2017, respectively. The outstanding balance of promises to give from the Board members at December 31, 2018 and 2017 was $86,993 and $63,818, respectively.

NOTE 15 - LEGAL PROCEEDINGS

During 2018, a complaint was filed against Charleston Animal Society and others alleging several issues including civil conspiracy, violation of civil rights, tortious interference with business relations and slander/libel/defamation. No monetary amounts for damages have been stated and are not determinable as of December 31, 2018. The plaintiff's objectives are for a judgment against the defendant(s) for both actual and punitive damages in the amount determined by a jury and for attorney's fees to be determined by the Court. Currently, there is a motion by defendant(s) to dismiss the claim, including all 4 causes of action. Charleston Animal Society considers this claim baseless and intends to contest it.

NOTE 16 - SUBSEQUENT EVENTS

Management has evaluated subsequent events through the financial report date, and has concluded no significant subsequent events meet the criteria of professional accounting standards to be recognized or disclosed in the financial statements.

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STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLESTON)	CASE NO.: 2018-CP-10-04083
)	
Charleston Carriage Works, L.L.C.,)	
Broderick and Amber Christoff,)	
)	
Plaintiff,)	
)	**SUMMONS**
vs.)	**AMENDED COMPLAINT**
)	(Jury Trial Demanded)
Charleston Animal Society)	
Elizabeth Fort, Ellen Harley,)	
Elizabeth Slagsvol, Catherine Poag,)	
Charleston Carriage Horse)	
Advocates, Inc.,)	
Domangue Consulting,)	
Digital Solutions, Inc.,)	
Defendants.)	

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you; and to serve a copy of your Answer to the said Complaint upon the subscribers at their offices at 2344 Cosgrove Avenue, Post Office Box 71121, Charleston, South Carolina, 29415-1121 within thirty (30) days after the service hereof, exclusive of the day of such service.

YOU ARE HEREBY GIVEN FURTHER NOTICE that if you fail to appear and defend and fail to answer the Complaint as required by this Summons within thirty (30) days after the service hereof, exclusive of the day of such service, judgment by default will be entered against you for the relief demanded in the Complaint.

April 6, 2020

/s/Thomas R. Goldstein

Thomas R. Goldstein, S. C. Bar #2186.
BELK, COBB, INFINGER & GOLDSTEIN, P.A.
Post Office Box 71121
Charleston, South Carolina 29415-1121
(843) 554-4291; (843) 554-5566 fax
ATTORNEYS FOR PLAINTIFF

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STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLSTON)	CASE NO.: 2018-CP-10-00483
)	

Charleston Carriage Works, L.L.C.,)	
Broderick and Amber Christoff,)	
)	
Plaintiff,)	
)	
vs.)	**AMENDED COMPLAINT**
)	Libel, Slander, Defamation, Conspiracy
Charleston Animal Society)	(Jury Trial Demanded)
Elizabeth Fort, Ellen Harley,)	
Elizabeth Slagsvol, Catherine Poag,)	
Charleston Carriage Horse)	
Advocates, Inc.,)	
Domangue Consulting,)	
Digital Solutions, Inc.,)	
)	
Defendants.)	
)	

The plaintiff complaining of the defendants alleges and shows as follows:

1. The plaintiff is a limited liability company organized and existing pursuant to the laws of the State of South Carolina, with its principle place of business in Charleston County. The plaintiffs, Amber and Broderick Christoff, are citizens and residents of Charleston County.

2. The defendant, Charleston Animal Society, is a governmental sub agency of the local governments of Charleston County, the City of North Charleston and the City of Mt. Pleasant and an eleemosynary corporation, organized and existing pursuant to the laws of the State of South Carolina, with its principal place of business located in Charleston County.

3. The defendant, Ellen Harley, is a citizen and resident of Charleston County.

4. The defendant, Elizabeth Fort, is a citizen and resident of Charleston County.

5. The defendant, Catherine Poag, is a citizen and resident of Charleston County.

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6. The defendant Elizabeth Slagsvol is a citizen and resident of Richland County.

7. The defendants, Fort, Harley, Poag and Slagsvol, run an unincorporated association, which they attempted to incorporate on January 3, 2017, known as the Charleston Carriage Horse Advocates.

8. As set forth more fully below, the organization known as the Charleston Carriage Horse Advocates, does not observe corporate formalities and serves as an alter ego of the named defendants, Fort, Harley, Poag, and Slagsvol, which they operate out of Ellen Harley's residence at 23 Wentworth Street, in Charleston County. The defendant, Harley, incorporated the association on January 3, 2017. The acts complained of in this complaint occurred both before and after incorporation.

9. The defendant, Domangue Consulting, is a sole proprietorship and a citizen and resident of the County of Charleston.

10. The defendant, Digital Solutions, is a sole proprietorship and a citizen and resident of the County of Charleston.

11. The subject matter of this lawsuit, the defendants' conspiracy to defame, harass, paint plaintiffs in a false light, and injure the plaintiffs, all occurred in Charleston County, South Carolina.

12. The Court has subject matter jurisdiction over this case and over the parties hereto, and the acts complained of occurred in Charleston County, making venue in Charleston proper.

FOR A FIRST CAUSE OF ACTION
(Civil Conspiracy)

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13. Beginning approximately in July 2016, the defendants, Fort, Harley, Poag, and Slagsvol, conspired and coordinated to spread false information about the plaintiff's operation that the defendants knew was false.

14. The defendants, Fort, Harley, Poag, and Slagsvol, did this in several ways. From time to time, persons acting on or at the direction of the defendants would approach the plaintiffs' carriages to interfere in the operation of the plaintiffs' business by shouting materially false information at the plaintiff's clients, including such false information as:

A) Plaintiff's alleged failure to adhere to City ordinances;

B) Plaintiff's alleged intentional cruelty to horses;

C) Plaintiff's alleged disregard for animal safety;

D) Plaintiff's alleged disregard for animal health and welfare;

E) Plaintiff's alleged cruel and inhumane treatment of animals;

F) Plaintiff's alleged pattern of allegedly working animals to death;

G) Plaintiff's alleged unfitness to operate carriage tours, *etc*.

15. In addition to formulating and executing a plan to harass the plaintiffs' clients and portray the plaintiff's business in a false light to harm the plaintiff's business, the defendants, Harley and Catherine Poag, have followed carriages, attempting to provoke the plaintiffs' horses and cause disruption and intimidation to the plaintiff's business.

16. The defendants, acting in concert with one another, and through their media companies, Domangue Consulting and Digital Solutions, have knowingly published and disseminated materially false and misleading information about the plaintiffs' operation including, but not limited to:

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A) Publishing photographs of plaintiffs' horse, Big John, who tripped on Meeting Street. Despite being aware that Big John was not sick or injured, the defendants knowingly disseminated the photo along with a false statement that Big John "collapsed," which accompanied the photo. The defendants represented the false inference that the still photo of the horse lying on its side (as it is trained to do) represented a horse "collapsed" from heat, overwork, or abuse, portraying the photograph of a depiction of plaintiff's dead horse, which defendants falsely represented "collapsed" from overwork and heat exhaustion;

B) Publishing numerous posts of false information on social media websites, falsely accusing the plaintiffs of mistreating their horses and working them to the point of collapse;

C) Publishing numerous posts of false information on social media websites such as Charleston Carriage Horse Advocates and Charleston Animal Society Facebook pages and Instagram pages publishing false information and innuendo, designed to encourage strangers to disrupt the plaintiff's business, and causing the plaintiff's employees and managers to fear for their safety;

D) Publishing and promoting misleadingly edited and titled video, "Collapsed," of "Big John," who plaintiffs knew tripped and did not collapse even though the defendants knowingly misrepresented his condition in their video posting false information by implying that the video depicted a dead horse who collapsed and died from overwork and heat exhaustion, *etc*.

E) Acting in concert with the defendant, the Charleston Animal Society to publish the photograph with the caption: "Do the study before another horse collapses," when the defendant knew the horse, Big John, did not collapse.

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F) Repeatedly representing that the plaintiffs are "cruel" and "inhumane" to their animals and accusing the plaintiffs of animal "abuse," which is a statutory crime in South Carolina.

All of which, combining and concurring, have damaged the plaintiffs by driving away business, falsely representing in a false light that the plaintiff is unfit for the operation of his business, and causing the plaintiff's employees, managers, and owners to fear for their safety.

17. The purpose of the defendants' false communications and assertions that the plaintiff is unfit to operate a carriage tour company is to cast the plaintiff in a false light to damage the plaintiff and cause the plaintiff special damages by making it difficult for the plaintiff to conduct business, retain valued employees, and operate under a cloud of fear and intimidation.

18. The defendants' actions in publishing false information, and in using social media to publish and disseminate knowingly false information to stir up hostility directed at the plaintiff, and harass the plaintiff's operations, constitute a combination of the defendants—and those acting on their behalf—combining and concurring for the purpose of injuring the plaintiff, which has caused and is causing special damages to the plaintiff as set forth above and below.

19. The knowingly false information intentionally and maliciously published by the defendants, acting in concert, was and is designed to create a false impression of the plaintiffs' operation for the primary purpose to injure the plaintiffs.

20. As a direct and proximate result of the defendants' actions, the plaintiffs have suffered injury to reputation and standing in the community, embarrassment, humiliation, diminishment of earnings, and loss of good will. The plaintiff's employees have suffered mental anguish and wounded feelings, and fear of imminent bodily harm or death.

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21. The plaintiffs are entitled to a trial by jury, and for damages against the defendants, jointly and severally, for both actual and punitive damages in an amount to be calculated by the trier of the facts.

FOR A SECOND CAUSE OF ACTION
Violation of Plaintiffs' Civil Rights under Article I, § 3, South Carolina Constitution
Gross Negligence, Recklessness

22. The plaintiffs repeat the above allegations as if set forth here *verbatim*.

23. As set forth above, the defendants have conspired to deny the plaintiff a reasonable opportunity to conduct a lawful business. The defendants' intentional publication of false information and the suppression of truthful information is defamatory and is libel *per se* and published without substantial justification.

24. The defendant, Charleston Animal Society, is a quasi-governmental agency as Charleston County and other municipal taxpayers' money subsidizes its operation. Because it acted in concert with private citizens to injure the plaintiffs to deprive the plaintiffs of their rights to conduct business, both defendants are subject to suit for a violation of the plaintiffs' civil rights under color of South Carolina law. The defendants' knowing publication of knowingly false information is gross negligence and reckless conduct taken in conscious indifference to the plaintiffs' rights to conduct a lawful business and be free from threats of harm.

25. Because the defendants have acted jointly in coordination with one another to publish false information designed to injure the plaintiffs and prevent the plaintiffs from exercising their right to conduct a lawful business, the plaintiffs are entitled to a trial by jury for the actual damages as calculated by the trier of fact including loss of income, and for special damages for injury to reputation and standing in the community, embarrassment, humiliation, and mental anguish and pain and suffering by the plaintiff's managers and employees, caused by

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the defendants' efforts to create an atmosphere of fear and hostility directed to the plaintiff, it's employees and managers, and for such other punitive damages as the trier of fact finds just and proper for intentional and reckless conduct.

26. As a direct and proximate result of the defendants' actions, combining and concurring, the plaintiff has suffered economic, and material losses as a result of the defamation.

27. The plaintiffs are entitled to an award of attorney's fees under § 15-77-300, 310, *et. seq*. South Carolina Code

FOR A THIRD CAUSE OF ACTION
Tortious Interference with Business Relations

28. The plaintiffs repeat the above allegations as if set forth here *verbatim*.

29. The defendants knowingly and intentionally disseminated to third parties and governmental agencies false and misleading information concerning the plaintiff's carriage operation and suppressed attempts to correct their false statements to induce the public at large and the local government to interfere and prevent the plaintiff from operating its business.

30. The defendants have engaged in a course of conduct designed to create hysteria and animosity directed at the plaintiffs to prevent the plaintiffs from exercising their rights to conduct a lawful business. The defendants sought to destroy the plaintiffs' reasonable investment backed expectations through fear and intimidation.

31. The defendants combined their efforts with other local government officials to prevent the plaintiffs from making use of their property and harassed the plaintiffs' managers and employees to destroy the business.

32. The defendants are aware that the plaintiffs' carriage operation is a highly regulated industry, subject to numerous and extensive government regulations and governed through the plaintiff's contractual franchise relationship with the City of Charleston. The

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defendants have frequently and intentionally attempted to procure a breach of that franchise contract by publishing false and defamatory information about the plaintiff.

33. The defendants have no justification for attempting to interfere in the franchise contractual relationship with the plaintiffs and the City of Charleston.

34. As a direct and proximate result of the defendants' interference through the repeated publication of false information, the plaintiffs have been damaged by having to divert time and money to combat the defendants' false information, respond to numerous inquiries, and its managers and employees have suffered mental anguish and fear from the receipt of death and arson threats, and have been damaged in such amount as will be calculated by a jury as the trier of the facts.

35. The intentional and calculated dissemination of false information and the suppression of attempts to provide truthful correction have caused the plaintiffs to suffer special damage. Because of the defendants' dissemination of false information, the plaintiffs have suffered injury to reputation and standing in the community, embarrassment, personal humiliation, and has faced challenges designed to thwart its contractual relationship or revocation of its franchise license, and with efforts by the City of Charleston to restrict and curtail the plaintiff's use of its property. The defendants' acts caused the plaintiff to suffer economic losses and forced the plaintiff to incur unnecessary attorney's fees and costs, which he would not have incurred but for the defendants' unlawful combination with others designed to harm the plaintiff.

FOR A FOURTH CAUSE OF ACTION
Slander/Libel/Defamation *Per Se*

36. The plaintiffs repeat the above allegations as if set forth here *verbatim*.

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37. The defendants disseminated to third parties and governmental agencies false and misleading information, known to the defendants to be false, which they disseminated with actual malice concerning the plaintiffs' carriage operation to induce the public at large and the local government to believe that the plaintiff is unfit to practices its business and profession.

38. The defendants have engaged in a course of conduct by publishing oral, written, and edited video statements with the intent of creating a false impression that the plaintiffs are not fit to practice its business and profession.

39. The oral, written, and video statements are known to the defendants to be false, and the defendants published them (and continue to publish them) with actual malice, knowing they are false to create hysteria directed at the plaintiffs to prevent the plaintiffs from exercising their right to conduct a lawful business. In furtherance of their scheme to paint the plaintiffs in a false light, the defendants deleted and banned any efforts from third parties to post truthful corrections to the defendants' false statements. Through these coordinated actions, the defendants sought to cast the plaintiffs in a false light and destroy the plaintiffs' reasonable investment backed expectations through knowing publication of false statements with actual malice to create fear and to intimidate the plaintiffs from operating their business.

40. The defendants made the false statements knowing that they are false, and such statements constitute slander/libel/defamation *per se*.

41. The defendants have no justification for attempting to interfere in the plaintiffs' operation of their business or interfere in the plaintiffs' franchise contractual relationship with the City of Charleston.

42. As a direct and proximate result of the defendants' interference through the repeated publication of false information made with actual malice, the plaintiffs have been

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damaged by having to divert time and money to combat the defendants' false information, respond to numerous inquiries, and its managers and employees suffered mental anguish and fear from the receipt of death and arson threats, and have been damaged in such amount as will be calculated by a jury as the trier of the facts.

43. The intentional, calculated, and malicious dissemination of false information have caused the plaintiffs to suffer special damage including economic damages and damage to their reputation and standing in the community, embarrassment, personal humiliation, and its managers and employees have suffered mental anguish and suffering. Because of the defendants' dissemination of false information, the plaintiffs may be faced with a refusal to issue or revoke its franchise license, and with efforts by the City of Charleston to restrict and curtail the plaintiffs' use of its property. The defendants' acts forced the plaintiff to incur unnecessary attorney's fees and costs, which he would not have incurred but for the defendants' unlawful combination with others designed to harm the plaintiff.

44. The plaintiffs are entitled to a trial by jury and for judgment against the defendants, jointly and severally, for both actual damages and punitive damages in an amount to be calculated by the trier of fact.

FOR A FIFTH CAUSE OF ACTION
Fraud/Slander/Libel/Defamation *Per Se*

45. The plaintiffs repeat the above allegations as if set forth here verbatim.

46. The defendants have intentionally published false and misleading information about the plaintiffs and their business in order to generate contributions to their organizations through the solicitation of donations.

47. The South Carolina Solicitation of Charitable Funds Act, chapter, §§ 33-56-10, *et. seq*. provides that "In connection with the solicitation of contributions for or the sale of goods, or

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services, a person shall not misrepresent to mislead, knowingly or willfully, a person by any manner, means, practice or device." § 33-56-120, S. C. Code, ann.

48. The defendants, combining and concurring, have willfully and intentionally misrepresented the plaintiffs as being "cruel" and "inhumane" and practicing animal "abuse" on their various websites in order to induce third parties to contribute to their organizations.

49. The defendants knew and know that the plaintiffs take excellent care of their horses and that their carriage operation is governed by strict and comprehensive regulations.

50. The defendants published false information knowingly.

51. In the scheme to defraud the public and generate contributions to their organizations, the defendants deleted and suppressed anyone who posted correct information in order to bolster the false light they were creating of the plaintiffs.

52. The defendants' actions, combining and concurring, were done with actual malice.

53. The plaintiffs are entitled to a trial by jury and for judgment against the defendants, jointly and severally, for both actual and punitive damages in an amount to be calculated by a jury.

FOR A SIXTH CAUSE OF ACTION
AS TO CHARLESTON CARRIAGE HORSE ADVOCATES
Fraud/Piercing the Corporate Veil

54. The plaintiffs repeat the above allegations as if set forth here verbatim.

55. The named defendants, Elizabeth Fort, Ellen Harley, Elizabeth Slagsvol, and Catherine Poag, created a fictitious charitable corporation called the Charleston Carriage Horse Advocates, Inc.

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56. This putative corporation has observed none of the corporate formalities and has operated as a shield and alter ego for the four named defendants to commit fraud, justify wrong, and defeat public policy by publishing false and misleading photographs and words to cast the plaintiffs in a false light and destroy their business and to promote the defendants'' solicitation for contributions.

57. Based on the false and misleading information promulgated by the four named defendants under the banner of a fictional corporation, the corporation should be dissolved and disregarded as an entity.

58. The plaintiffs are entitled to judgement against the four principals of the putative corporation for both actual and punitive damages in such amounts as found to be owed by a jury.

FOR A SEVENTH CAUSE OF ACTION
ON BEHALF OF THE PLAINTIFFS, AMBER AND BRODERICK CHRISTOFF
Slander per se/Outrage

59. The plaintiffs repeat the above allegations as if set forth here verbatim.

60. The defendants' repeated publications of false assertions that the individual plaintiffs, Amber and Broderick Christoff, are cruel and inhumane and permit abuse of the carriage horses are false, known to be false, and knowingly published with actual malice.

61. The defendants' knowing publication of false assertions of animal "abuse" and "inhumane" treatment are statements that falsely charge the individual plaintiffs with conduct incompatible with the exercise of a lawful business and constitute slander per se.

62. As a result of the defendants' conduct, combining and concurring, in publishing false statements to their parties, the individual plaintiffs, Amber and Broderick Christoff, suffered mental anguish, pain and humiliation.

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63. The individual named plaintiffs are entitled to a judgment for both actual and punitive damages in an amount to be calculated by a jury as the trier of fact.

FOR AN EIGHTH CAUSE OF ACTION
ON BEHALF OF THE PLAINTIFFS, AMBER AND BRODERICK CHRISTOFF
Outrage

64. The plaintiffs repeat the above allegations as if set forth here verbatim.

65. The defendants' publications of statements that the plaintiffs, Amber and Broderick Christoff treat their horses inhumanely and permit animal abuse is conduct so extreme and outrageous as to exceed all possible bounds of decency and are atrocious and utterly intolerable in a civilized community.

66. The defendants knowingly and intentionally made false statements in a joint effort, combining and concurring, to destroy the plaintiffs', Amber and Broderick Christoff's, business and cause personal financial ruin, and in a further effort to cast the plaintiffs in a bad light and drive up anger and hysteria, suppressed and banned any efforts by any third party to correct the record and post correct, truthful information.

67. The defendants' actions caused the plaintiffs, Amber and Broderick Christoff, emotional distress, and the distress was so extreme that no reasonable person could be expected to endure it.

68. The plaintiffs are entitled to a trial by jury and for damages for both actual and punitive damages in an amount to be calculated by a jury as the trier of fact.

WHEREFORE, having fully set forth its complaint, the plaintiff prays for:

A) A trial by jury;

B) For judgment against the defendants for both actual and punitive damages in an amount to be determined by a jury;

C) For an award of attorney's fees in an amount to be determined by the Court in accordance with § 15-77-300, *et. seq*. South Carolina Code of Laws;

D) For such other and further relief as the Court finds just and proper.

Respectfully submitted,

April 6, 2020

/s/Thomas R. Goldstein
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A. Okay.
Q. I'm asking statements made by Ellen Harley who's sitting behind me individually that you can attribute to her -- and we're going to go through -- understanding that when you tell me the statement, I'm going to go through every component of the statement. I'm going to ask where you saw it, how you know it was her that made it, et cetera, so we're going to be extraordinarily specific on this.
A. Okay.
Q. So we need to start broad. I need, first of all, any statement that she has made, Ellen Harley who I'm pointing to here off the camera, about Charleston Carriage Works, LLC.
A. Statements that -- where she mentioned us by name?
Q. And -- yes, and defamed you.
A. I'm -- I'm thinking through --
Q. Sure, take your time.
A. Okay.
Q. This is what we -- this is your lawsuit, this is why there are 12 people in this room.
A. I don't know that I can think of a -- of a statement that she personally made where she specifically mentioned Charleston Carriage Works other than possibly in her interview replies to the suit.

Q. Okay. Well, I need to know what the statements are in the interview replies if you think they're defamatory.
A. I don't -- there's nothing that is in the front of my mind right now.
Q. Okay. And do you understand what defamation is?
A. I think so.
Q. Okay. And is your understanding of defamation that there has to be something factually false that she says about the plaintiff in order for the plaintiff to be able to bring a defamation lawsuit?
A. Yes.
Q. Okay. To your knowledge, has Ellen Harley, again, pointing to her off camera sitting behind me so we're clear as to who we're talking about, a defendant in a lawsuit that you have brought or your company has brought, are you aware of any false statement that Ellen Harley has made about Charleston Carriage Works, your company?
A. And you mean like specifically mentioning our company name? That's what you mean?
Q. It -- first, yes, and then we'll talk beyond that. First, yes. I mean a single time she's ever said Charleston Carriage Works, LLC and something false about the company that defamed it, that lowered its esteem in the community of its peers.

tongue that I can tell you.

Q. Okay. Do you ever recall -- do you ever recall having at the front of your mind a statement made by Ellen Harley individually about Charleston Carriage Works that was false and defamatory?

A. Where she mentioned us by name?

Q. Sure.

A. I don't have one where she mentioned us by name, no.

Q. Okay. And in the data that you produced this morning prior to the deposition, do you think there's anything in there that mentions Charleston Carriage Works, LLC by name, a statement made by Ellen Harley individually, that's false and defamatory?

A. Only the -- I know that the -- that the interviews that she did after the -- the suit was filed, she made statements that, you know, we had done this or that for this reason or that reason, and some of those things aren't true.

Q. Okay. But that was after this lawsuit was filed, correct?

A. That's correct.

Q. All right. And those weren't things -- the statements you're talking about after this lawsuit was filed were not things over which you sued her as a defendant, correct?

Q Amy Smith? Said it on what document?
A Amy Smith cancelled her tour because some of her friends that were going on the tour saw the video of the horse that died on Facebook.
Q Okay. All right. Other than the video? And I do want more information on Amy Smith? I'll follow up on that in a second.
A That's all there is.
Q So did Amy Smith or any other person you've ever talked to say that any of the other slides that you've shown me on that computer today, any of the other documents that you've shown me and any way lowered their estimation of Charleston Carriage Works, LLC?
A No one has specifically told me that.
Q Okay. Has anyone told you anything like that?
A Sure. There's – I've got lots of e-mails from people that told me all kinds of things.
Q Okay.
A That were a result of the video and other things they read.
Q Okay.
A Sure.
Q All right. And you'll produce those as part of this lawsuit?
A Sure, I will.

A – somewhat organize it in such a fashion that I'm even able to bring things up for you now. So –
Q Okay. So what else you got?
A Here's another example. How about this one? This is Number 346. This is Charleston Carriage Horse Advocates Instagram.
Q All right. Is that your horse?
A No.
Q All right. Carriage horse spooks and collides into cars with eight passengers in tow, a father and his two daughters – with his two daughters said, "it was probably the scariest thing I've ever been through and then as a dad having no control over the situation, holding on to my girls, hoping we weren't going to flip over", #justsayneigh. All right. Any of that, do you contend that any of that is untrue; the statement that's made in there by the father?
A The part that's untrue is that the people were reading this are lead to believe that these events happen in Charleston and they don't.
Q Okay.
A And if you read the comment here, from somebody, this person, whatever her name is, Caralee whatever, these are the businesses that she owns in Charleston and this is her commenting that she thinks this just

Q All right. You draw $45,000 a year in salary and you did so in 2017 and 2016, correct?
A I believe so.
Q All right. What were – what was your personal income in 2017? After draws, after salaries, and all distributions?
A I can't answer that either. I don't know those numbers memorized.
Q Are you alleging that your net income went down in 2017 from 2016?
A Yes.
Q And are you alleging that's as a result of the allegations in this lawsuit?
A Yes, part of it is for sure.
Q Okay. All right. Let's walk through that, then. Is your financial year on a calendar year or its – if not, what constitutes your fiscal year?
A Calendar year.
Q And has that changed since October of 2013?
A It hasn't.
Q Does the Charleston Carriage Works have any –- does Charleston Carriage Works have any parents, subsidiary or otherwise financially related companies?
A No.
Q Are you taxed like a C-Corp or an S-Corp?

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STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

CIRCUIT COURT

CHARLESTON CARRIAGE WORKS, L.L.C. v. CHARLESTON ANIMAL SOCIETY, ELLEN HARLEY, ET AL.

Docket No. 2018-CP-10-4083

PROOF OF ADR

1. Alternative Dispute Resolution (ADR) was conducted in the form of: **Mediation**.

2. The neutral was: **Karl A. Folkens.**

3. The ADR was conducted on **September 14, 2020**.

4. As a result of ADR, this case should be considered (please check one):

_____ Fully Settled by Consent Judgment or a Voluntary Dismissal to be filed by the parties.

_____ Partially Settled, with agreement of the parties on the following issues:

__X__ At an impasse.

_____ In need of further ADR. I ____ am / ____ am not willing to mediate this case further. I recommend that ADR resume as of:

_____ Continued to (Date):

5. Plaintiff __X__ was/ _____ was not present.
Defendants __X__ were/ _____ were not present (individually & through representatives).

6. Other participants were:

__X__ Lawyer for Plaintiff: *Thomas R. Goldstein, Esq.*
__X__ Lawyers for Defendants*: Elizabeth J. Palmer, Esq., Joseph D. Thompson, III, Esq., Jenkins M. Mann, Esq. & Shaun C. Blake, Esq.*
_____ Representative for insurance carrier:
_____ Guardian ad Litem:
_____ Experts:
__X__ Others: *Broderick Christoff, Joe Elmore & Aldwin Roman, parties' representatives.*

7. Choice of the mediator was by:
__X__ Stipulation
_____ Court Order

8. The total number of hours spent in ADR was: **11.25** hours.

9. Further comments of the neutral: *None.*

September 14, 2020

KARL A. FOLKENS, Mediator
P. O. Box 6139, Florence, SC 29502-6139
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MA20-112

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STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

CIRCUIT COURT

CHARLESTON CARRIAGE WORKS LLC. v. CHARLESTON ANIMAL SOCIETY, ET AL.

Docket No. 2018-CP-10-04083

PROOF OF ADR

Pursuant to the South Carolina Alternative Dispute Resolution Rules (SCADR):

1. Alternative Dispute Resolution (ADR) was conducted on October 25, 2021 and afterward through post-conference mediation efforts with counsel, in the form of: **Mediation**.

2. The neutral was: **Karl A. Folkens**

3. Present at the ADR conference were:

__X__ Plaintiff
__X__ Defendants (*individually and through representatives)*
__X__ Lawyers for Plaintiff: *Thomas R. Goldstein, Esq.*
__X__ Lawyers for Defendants: *Elizabeth J. Palmer, Esq. & Jenkins M. Mann, Esq.*
_____ Representative for insurance carrier:
_____ Guardian ad Litem:
_____ Expert:
_____ Others:

4. As a result of ADR, this case should be considered (check one):

_____ fully Settled by Consent Judgment to be filed by

_____ fully settled by Voluntary Dismissal to be filed by the parties' counsel.

_____ partially settled

__X__ at an impasse.

5. Further comments of the neutral: *None*.

Submitted: April 2, 2022

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SCADR 104A (04/2021)

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Jul 24 2023
SC Court of Appeals

Certificate of Counsel

I certify that the Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

July 24, 2023

/s/Thomas R. Goldstein
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