

APPENDIX

1. [redacted] on oath, do hereby depose and say the following:

1) I have owned horses for 24 years and grew up in the 4-H horse club program.

2) I formerly worked for the NRPCA, chaired in [redacted] Massachusetts under the direction of [redacted]

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

4) I have had occasion to visit Mr. [redacted] horses on East Road in [redacted]. We took a number of rides since the summer of 1988 and am familiar with what the horses used to look like. In the past, Mr. [redacted] has invited me to camp by airplane to see the ranch.

5) I know that Mr. [redacted] purchased two of the horses, a grey chestnut Appaloosa gelding and a red Appaloosa mare, from [redacted] of [redacted] Massachusetts, several months ago. I also know that he purchased the gelding, [redacted] from [redacted] in the Fall of 1988.

6) I spoke with [redacted] of [redacted] New York on Monday, April 1, 1989. She was told by her son who had five playing horses in her backyard who had been there since the Thursday before. She described the horses to me and she described the man who picked them up late Monday. The description fit [redacted] and his horses.

7) I went up to Mr. [redacted] barn on Monday, April 1, 1989 to see if the horses were alright. Mr. [redacted] was not home. I went into the selected barn and looked at both horses. Two of the horses, the grey chestnut Appaloosa and the red Appaloosa mare, are badly malnourished - you can count their ribs and they have lost a great deal of muscle tissue from lack of food and water. The other horses are also malnourished and have lost about 100 to 150 pounds each since I last saw them in February of 1989. The horses are so weak that some of them can barely stand up. The horses' feet are all badly overgrown. In my experience as a horseman, these horses need both veterinary attention and blacksmith work as soon as possible.

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