

AFFIDAVIT

STATE OF NEW YORK        )  
                                  )ss.:  
COUNTY OF ██████████    )

██████████, being duly sworn, deposes and says the following:

1. In September 19██████ I saw an ad in the "Pennysaver" which read, "AKC HOMEBRED PUPS: Lhasa Apso, Cocker Spaniels, Welsh Corgies, Pomeranians, Black German Shepherds, Pekingese. Also adults. Call Anytime - 914-██████████." (See attached - Lhasa spelled wrong)
2. I called the telephone number in the ad and left a message on a telephone recorder.
3. Approximately 11:00 p.m. the following evening I received a telephone call from a man who identified himself as ██████████ of ██████████ Kennels.
4. I told him that I was interested in purchasing a Pomeranian puppy.
5. He told me that he had Pomeranian puppies but at this particular time had only one (1) left and other people were also coming to look at her so I would have to come up as soon as possible or she would be gone.
6. On September 28, ██████████ I drove to ██████████ Kennels which was located on ██████████ in ██████████, New York.
7. When I arrived, I saw a Pomeranian out on the front lawn inside of a small fenced in area. The Pomeranian

looked full grown to me.

8. A man came out of the house and introduced himself as ,  
He said that the Pomeranian inside the fence was the only one he had left.
9. The Pomeranian's backside was covered with feces.
10. I noticed that the feces was a strange green color and I also noticed that the dog was coughing and sneezing.
11. , said that he had just given the dog a bath and that she must have messed on herself.
12. I told him that I was looking for a puppy and stated that the Pomeranian looked full grown.
13. He said that she was only five (5) months old and showed me two (2) teeth inside the dog's mouth which he said were baby teeth.
14. I also noticed that her coat seemed to be chopped and uneven. As if the fur had been matted and later cut away with scissors. I mentioned that her coat didn't look very full.
15. He said that her coat hadn't grown in completely yet. He told me that she would not grow any larger in size but that her fur would get thicker and longer.
16. I thought about it for a moment and decided to buy the dog. One of the reasons for this decision was because I felt sorry for her.

17. He told me that the price would be \$300.00 and asked me to wait outside while he cleaned her backside.
18. While I was waiting, I began to get suspicious about the conditions of the kennel because he wouldn't let me go inside.
19. I also observed another man wandering about the property. He appeared somewhat disheveled.
20. When . . . returned, he had with him some equipment. He told me that he was going to give the dog her last two (2) shots and clip her nails.
21. He proceeded to give her two (2) shots standing up in the front yard and clip her nails. One of the dog's nails began to bleed quite a bit. We wrapped the dog's paw in a towel.
22. Just out of curiosity I decided to ask to see some other dogs.
23. He asked me what kind of dog specifically that I wanted to see.
24. I told him that I wanted to see the Llasa Apso's.
25. Again, he told me to wait in the front yard while he went in to what appeared to be a barn to retrieve a Llasa Apso.
26. I could hear lots of dogs barking.
27. When he returned with the Llasa Apso, I noticed immediately

that the dog was in very poor condition. Large patches of the dog's fur was gone.

28. I asked him what was wrong with the dog.
29. He said that the dog was changing coats. He said that the dog was losing it's summer coat and preparing for it's winter coat.
30. I did not believe this explanation because I have had many animals and have never seen one lose it's fur completely before getting the next coat. The condition looked to me like "mange".
31. My heart broke when I saw the Llasa Apso and at that point I just wanted to leave Kennels.
32. I asked for the AKC registered papers that should have come with the Pomeranian.
33. He told me that his partner had just died and said that he would mail them to me.
34. I did not receive the papers so on November 8, 19 I telephoned He told me that he sent the papers to the American Kennel Club with the wrong fee so it would be about three or four more weeks before I would get the papers. I never did receive the AKC papers.
35. I continued to feel very uncomfortable about the whole situation at Kennels and decided to try to locate an agency that might be able to do an inspection and ease my mind.

36. I called Directory Assistance for a telephone number to an SPCA in ██████ County. I thought that was the county in which ██████ was located. I later found out it is in ██████ County. Directory Assistance did not have a telephone number.
37. I contacted the ██████ SPCA. They could offer no assistance to me and suggested that I call the ██████ Police Department.
38. I called the ██████ Police Department and they could offer no assistance.
39. I contacted ██████ television station in ██████ New York to see if they had a telephone number for the SPCA. I spoke to ██████ who provided a telephone number for the ██████ County SPCA. Again, because I thought ██████ was in ██████ County.
40. I called the SPCA in ██████ County and my complaint was ultimately referred to the ██████ County SPCA.
41. Another reason I chose to pursue this matter is because after I shared my experience with others, I was told that ██████ might be running a "puppy mill" and if this is true, the conditions might be horrible.
42. I've purchased dogs from kennels in the past and have always been able to walk through the kennel and look at all the dogs before choosing one. ██████ acted like he had something to hide.

43. . . . continues to advertise in the Pennysaver. His most recent advertisement, a copy of which is attached, reads, "AKC Homebred Pups: Lhasa Apsos, Wire Fox Terriers, Toy Fox Terriers, Miniature Dachsunds, Siberian Huskies, American Eskimos, German Shepards. 914- . . . anytime.

44. After an examination at the veterinarian's office, I was told that the Pomeranian was older than I was told by . . . I was told that the baby teeth pointed out to me by . . . may never fall out as this is a condition that dog's can have whereby they grow double teeth.

45. . . . 's latest excuse for not providing AKC papers for my dog is that he bought the Pomeranian from some people in Middletown and must get the papers from them. Also, that he had a death in the family.

*[Handwritten signature]*

Sworn to before me this  
15<sup>th</sup> day of January, 1977.

*[Redacted signature]*  
NOTARY PUBLIC  
Notary Public, State of New York  
No. 24-4628581  
Qualified In Kings County  
Commission Expires 12.12.92

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