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PRESS RELEASE

PONY RIDE OPERATORS SUE PROTESTORS OVER FALSE ACCUSATIONS OF ANIMAL ABUSE

November 10, 2014 – SANTA MONICA, CALIF. – Protestors who spent five months ending in September of this year trying to push a pony ride and petting zoo out of the weekly Sunday morning Farmers’ Market on Main Street in Santa Monica are being sued for defamation over false accusations of animal abuse made during live protests, in the media and on the Internet.

Documents obtained from the City of Santa Monica show that the leader of the protestors, Marcy Winograd, a former congressional candidate and local political activist, was advised in writing twice in May 2014 by city officials that there was no evidence of animal abuse after three separate inspections of Tawnis Ponies And Petting Farm, Inc. by the Santa Monica Police Department’s Animal Control Unit.

Additionally, on July 13, 2014, the SMPD’s Sergeant Mike Graham, the former head of the department’s Animal Control Unit and a former horse owner, inspected the operation of Tawnis Ponies at the Farmers’ Market and personally told Winograd that the ponies were not being abused. In a July 13, 2014 report to his superior, Graham summarized his observations:

“The horses appeared to be in good condition – their body weight was normal, their fur was clean and brushed, their manes and tails were brushed and healthy, the ground around them was clean and evenly flat, they walked on sawdust shavings, and there was no visible urine or feces.... The horses were ‘quiet’ and well behaved. I saw nothing to make me believe the horses were ill-treated, unhealthy, malnourished, injured, or in discomfort. The horses did not appear hot, were not sweating, and were on a timed (30 minute alarm) water-break schedule.”

Despite having no credible evidence that the animals were being mistreated, Winograd and her fellow protestors continued to accuse the principals of Tawnis Ponies, Tawni Angel and her husband, Jason Nester, of animal abuse. These false allegations are the basis for the lawsuit.

“Animal abuse is a crime – a crime my clients did not commit,” said Don Chomiak, Talisman Law, P.C., who is representing Tawnis Ponies in the lawsuit. “Marcy Winograd was told repeatedly by the authorities that there was no evidence of animal abuse, but she and her fellow protestors kept publicly accusing my clients of committing this crime to sway public opinion against my clients and obtain signatures on their petition to shut down the pony ride and petting zoo. They must now be held accountable.”

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“For 11 years, my clients have been giving the children of Santa Monica the chance to ride a pony or be inches away from animals they might otherwise only see on television or on the Internet.” Chomiak said. “Because of these protestors and the controversy surrounding the false accusations made by them, the Santa Monica City Council voted in September to end animal exhibits at the Farmers’ Market effective next May. By falsely accusing my clients of animal abuse and creating a controversy based on unfounded claims, the protestors may have put these animals at real risk if my clients can no longer afford to take care of the animals and are forced to sell them.”