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8 Attorneys for Plaintiffs  
9 Animal Protection and Rescue League, Inc. and  
10 Showing Animals Respect and Kindness

11 **SUPERIOR COURT OF CALIFORNIA**

12 **COUNTY OF SAN DIEGO**

13 ANIMAL PROTECTION AND RESCUE )  
14 LEAGUE, INC., a California nonprofit )  
15 corporation; and SHOWING ANIMALS )  
16 RESPECT AND KINDNESS, an Illinois )  
17 corporation; )

18 Plaintiffs, )

19 vs. )

20 PADRES, L.P., a California limited partnership; )  
21 C5 RODEO MT, LLLP, a Montana limited )  
22 partnership; C5 RODEO COMPANY, INC., a )  
23 Canada corporation; and DOES 1-10, )

24 Defendants. )  
25 )  
26 )  
27 )  
28 )

**CASE NO.**

**COMPLAINT FOR DECLARATORY  
AND INJUNCTIVE RELIEF**

**[Bus. & Prof. Code § 17200, *et seq.*]**

1 Plaintiffs ANIMAL PROTECTION AND RESCUE LEAGUE, INC., a California corporation  
2 (“APRL”), and SHOWING ANIMALS RESPECT AND KINDNESS, INC., an Illinois corporation  
3 (“SHARK”), on behalf of themselves and the general public, allege as follows against Defendants  
4 PADRES, L.P., a California limited partnership; C5 RODEO MT, LLLP, a Montana limited partnership;  
5 C5 RODEO COMPANY, INC., a Canada corporation; and DOES 1-10:

## 6 INTRODUCTION

7 1. Plaintiffs bring this private attorney general action under Business and Professions Code  
8 §17200 (the “Unfair Competition Law” or “UCL”) on their own behalf and on behalf of the general  
9 public. Plaintiffs seek no different or greater relief for themselves than for the general public in this  
10 action, which is declaratory and injunctive relief to stop illegal business practices.

11 2. Defendants C5 RODEO MT, LLLP and C5 RODEO COMPANY, INC. (collectively,  
12 “C5 Rodeo”) are based in Canada and operate out of Montana. They put on rodeos around the United  
13 States, including in California, and have been repeatedly caught illegally shocking tame horses while  
14 they are in the chutes just prior to releasing them with a tight “bucking strap” around their lower  
15 abdomens, in order to cause the horses to buck wildly, giving these tame, domesticated horses the  
16 appearance of being wild, “bucking broncos.”

17 3. Defendant Padres, L.P. plans to host a rodeo put on by C5 Rodeo in PETCO Park in  
18 downtown San Diego in January 2024.

19 4. C5 Rodeo intends to again illegally shock horses in violation of Penal Code § 596.7(e),  
20 which requires a rodeo to “ensure that no electric prod or similar device is used on any animal once the  
21 animals is in the holding chute ....”

22 5. Defendants’ plan also violates several provisions of the San Diego Municipal Code,  
23 which prohibits animals other than service animals in and around PETCO Park during events, and  
24 specifically prohibits harassment and mistreatment of animals, which Defendants plan to engage in.

25 6. The City of San Diego (“City”) cannot be relied upon to enforce animal cruelty laws  
26 against Defendants, as it has contracted its animal services responsibilities out to San Diego Humane  
27 Society (“SD Humane”), which has proven itself inept and unwilling to enforce basic animal cruelty  
28 laws when it comes to rodeos and other profit-driven enterprises.

1           7.       For instance, it was only because of a lawsuit brought by APRL and SHARK in 2019 that  
2 the Poway Rodeo stopped illegally using shocking devices, which SD Humane had wrongfully stated in  
3 2018 it could do nothing about, despite also being in charge of humane law enforcement in Poway.

4           8.       SD Humane has also failed to enforce other animal cruelty laws against businesses,  
5 forcing APRL to seek and obtain unfair business practices injunctions against such enterprises, including  
6 restaurants serving foie gras from force fed birds in violation of Health & Safety Code §25982 (one  
7 permanent injunction and four settlements against restaurants in San Diego County that SD Humane  
8 failed to take action against), pet stores selling puppies fraudulently labeled “rescues” in violation of  
9 Health & Safety Code §122354.5 (three injunctions obtained in San Diego County shutting down six  
10 illegal puppy stores SD Humane failed to stop), billionaire businessman John H. Cox bring a wild bear  
11 to San Diego as a campaign stunt (stopped after lawsuit filed by APRL when SD Humane failed to take  
12 action), and an illegal fireworks show over a sea lion rookery in La Jolla (stopped after lawsuit filed by  
13 APRL when SD Humane failed to take action), to name a few examples.

14           9.       Padres, L.P. managing member Peter Seidler, who has a net worth of \$3 billion, believes  
15 he is above the law and will instruct Defendants to not comply with the laws outlined in this complaint  
16 unless the Court specifically orders Defendants to do so.

17           10.      Seidler is also notorious for running small businesses into the ground to increase profits  
18 of his private equity firm, Seidler Equity Partners. In September 2023 the New York Post reported that  
19 one of the companies Seidler bought even insisted—under Seidler’s control and direction—that a small  
20 business owner fly across the country to sit for a two-day deposition despite being in a high-risk  
21 pregnancy, which then resulted in a miscarriage. ([https://nypost.com/2023/09/03/billionaire-padres-  
22 owner-peter-seidler-accused-of-bullying-small-business-owners/](https://nypost.com/2023/09/03/billionaire-padres-owner-peter-seidler-accused-of-bullying-small-business-owners/)).

23           11.      Seidler attempts to disguise his unfair business practices and abject greed with claims to  
24 care about the plight of unhoused individuals. To this end, he meets with members of the homeless  
25 industrial complex, i.e. businesses, entities, and individuals who profit from the homelessness crisis –  
26 including by diverting funds to themselves that should be going directly to housing – to pontificate about  
27 solutions that are the opposite of evidence-based approaches and are often exploitive, such as paying  
28 unhoused individuals two dollars (\$2.00) for every bag of trash they remove from downtown San Diego.

1 (See, e.g., <https://www.sandiegometro.com/2023/09/changing-the-game-peter-seidlers-dual-mission/>).

2 **PARTIES**

3 12. Plaintiff ANIMAL PROTECTION AND RESCUE LEAGUE, INC. (APRL) is a  
4 nonprofit, tax exempt, 501(c)(3) corporation organized and existing under the laws of the State of  
5 California and based in San Diego.

6 13. Plaintiff SHOWING ANIMALS RESPECT AND KINDNESS, INC. (“SHARK”) is a  
7 non-profit corporation duly formed and validly existing under Illinois law.

8 14. Defendant PADRES, L.P. is a California limited partnership based in San Diego and is  
9 the owner of the Major League Baseball team called the San Diego Padres.

10 15. Defendant C5 RODEO MT, LLLP is a Montana limited partnership.

11 16. Defendant C5 RODEO COMPANY, INC. is a Canada corporation.

12 17. Plaintiffs are unaware of the true names and capacities of the Defendants DOES 1-10 and  
13 therefore sue these Defendants under such fictitious names. Plaintiffs are furthermore informed and  
14 believe and thereon allege that each of said fictitiously named Defendants was the agent, servant and  
15 employee of each and every other Defendant acting within the course and scope of his or her agency and  
16 employment and with the knowledge, ratification and consent of each respective principal. Plaintiffs will  
17 seek leave to amend this complaint when their true names and capacities have been ascertained.

18 **JURISDICTION, VENUE AND STANDING**

19 18. This Court has jurisdiction over the claims asserted because relief is sought under Bus. &  
20 Prof. Code §17200, *et seq.* and CCP §1060.

21 19. This Court has personal jurisdiction over each of the Defendants because each conducts  
22 or plans to conduct substantial business in California, including putting on a rodeo at PETCO Park in  
23 January 2024. Defendant Padres, L.P. also resides in California, and the acts and omissions complained  
24 of occurred in California.

25 20. Venue is proper in this county because each Defendant conducts or plans to conduct  
26 substantial business in this county, including putting on a rodeo in PETCO Park in January 2024, and  
27 the acts and omissions complained of occurred in this county.

1 **FACTUAL AND LEGAL BACKGROUND**

2 **A. Background of SHARK**

3 21. SHARK was founded in 1993 by former hunter Steve Hindi. As a “sportsman,” Steve  
4 hunted many species of animals both on land and in the sea. He killed for thirty years until the life-  
5 shattering day when, en route to shark hunting in the Atlantic Ocean, Steve attended the infamous  
6 Hegins pigeon shoot in Pennsylvania.

7 22. The slaughter of thousands of pigeons, and the involvement of children in the horrific  
8 killings, was too much for Steve to tolerate. He vowed to stop pigeon shoots, and went on to dedicate his  
9 life to ending the abuse of all animals.

10 23. Steve almost single-handedly stopped Illinois pigeon shoots, and rallied national support  
11 against the Hegins pigeon shoot. He went to pigeon shoots all over Pennsylvania, and graphically video  
12 documented the abuse, which was used in court cases regarding animal cruelty there.

13 24. Since 1993, SHARK has exposed the horrific animal abuse, countless lies, and corruption  
14 of rodeos in general and the Professional Rodeo Cowboys Association (PRCA) in particular. SHARK  
15 has forced a multitude of important changes to eliminate some of the worst animal suffering at rodeos  
16 across America.

17 25. In 2007, SHARK exposed the “Superbowl of Rodeos,” PRCA’s National Finals Rodeo  
18 (NFR), when SHARK’s video cameras documented Charles Soileau, then Vice-Chairman of the PRCA  
19 Board of Directors, secretly shocking horses. SHARK went on to eventually expose the entire affair as a  
20 rigged competition full of animal cruelty. SHARK again exposed the NFR in 2012 and 2013 for  
21 continuing to use electricity to make horses perform.

22 26. The cruel practice of electro-shocking of horses at the Cheyenne Frontier Days Rodeo  
23 was exposed by SHARK for three years straight until the rodeo finally banned the practice in 2008.

24 27. In 2009, represented by the Electronic Frontier Foundation (EFF), SHARK brought a  
25 successful lawsuit against the PRCA for having SHARK’s videos wrongfully removed from YouTube  
26 based on false copyright claims.

27 28. In 2013, SHARK exposed as worthless a California law requiring rodeo veterinarians to  
28 report rodeo animal injuries. Tim Eastman, veterinarian for the California Rodeo Salinas, filed a report

1 indicating *three* animal injuries, while a SHARK investigator video documented *twenty-three* injuries.  
2 SHARK reported the inconsistency to the California Veterinary Medical Board, which incredibly chose  
3 to side with Dr. Eastman, and ignore the video documented injuries that Eastman failed to report.

4 29. SHARK has also exposed dozens of rodeo criminals through its videos, websites, and  
5 supporter updates. This includes exposing the President of the PRCA – Troy Ellerman, and murderers,  
6 multiple child molesters, poachers, and domestic abusers just to name a few.

7 (<https://sharkonline.org/index.php/top-cowboy-criminals-new>)

#### 8 **B. Background of APRL**

9 30. APRL is a San Diego based nonprofit which since 2003 has worked to expose and  
10 eliminate animal cruelty, pass laws protecting animals and their habitats, influence corporate decisions  
11 and consumer behavior, and litigated on behalf of animals and animal activists.

12 31. In 2008, APRL was instrumental in passing Proposition 2, the Prevention of Farm  
13 Animal Cruelty Act, which California voters overwhelmingly supported to ban cages for egg laying  
14 hens, calves raised for veal, and pregnant pigs that were so small the animals could not move or turn  
15 around for their entire lives.

16 32. In 2018, APRL was again instrumental in passing an update to the Prevention of Farm  
17 Animal Cruelty Act, which voters again overwhelmingly approved, implementing more stringent  
18 requirements and banning the sale in California of products made from animals kept in such cruel  
19 confinement cages no matter where they were produced. When the National Pork Producers Council  
20 sued unsuccessfully to invalidate the law under the dormant Commerce Clause of the U.S. Constitution,  
21 and the Supreme Court of the United States granted certiorari, APRL filed an amicus brief to defend the  
22 law, which the high court upheld.

23 33. APRL has consistently throughout the years primarily advocated for ending cruelty to  
24 farm animals, while also working on other issues such as protection of marine mammals, stopping the  
25 sale of puppy mill puppies, and ending wildlife poisoning. APRL has protested rodeos in San Diego  
26 County but has never had to do so in the City of San Diego, which has not had a rodeo since the 1980s.  
27 There is good reason for this, as the San Diego Municipal Code prohibits this type of event in City  
28 sports facilities and in PETCO Park specifically, as outlined below.

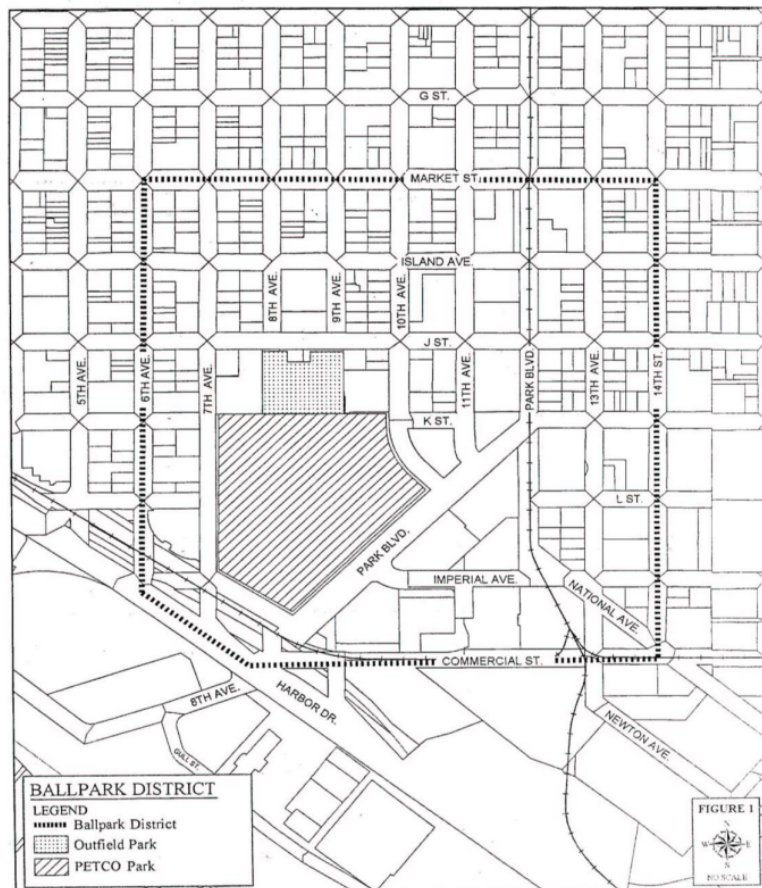
1 34. Rodeos present a particular affront to APRL's mission, because farm animals are first  
2 subjected to cruelty for entertainment before being killed for food. The illegal business practices of  
3 Defendants outlined in this complaint is causing diversion of APRL's resources and frustration of its  
4 mission, because APRL should not need to spend its resources combatting business acts that are already  
5 illegal in the City of San Diego.

6 **C. The San Diego Municipal Code prohibits animals in PETCO Park**

7 35. San Diego Municipal Code ("SDMC") §59.0102 provides, inter alia:

8 Ballpark District means that territory lying from Harbor Drive to Sixth Avenue to  
9 Market Avenue; thence from Market Avenue to 14th Street; thence from 14th Street  
10 to Commercial Street; and thence from Commercial Street in a line directly west to  
11 Harbor Drive. The Ballpark District territory includes street areas and all adjacent  
12 sidewalks within these boundaries. The Ballpark District is shown in Figure 1 of  
13 Chapter 5, Article 9, Division 3 of this Code.

14 36. Figure 1 depicting the Ballpark District, which includes PETCO Park, is shown below:



1           37.     SDMC §59.0302 provides:

2                     The Ballpark District is designated a special event venue, pursuant to Chapter 2,  
3                     Article 2, Division 40 of this Code, beginning three hours before the scheduled start  
4                     time of any Padres games and events or City event permitted at PETCO Park. The  
5                     designation shall conclude one hour after the conclusion of an event. All regulations  
6                     and prohibitions set forth in Chapter 2, Article 2, Division 40, and Chapter 5,  
7                     Article 9, Division 3, of this Code apply during the designation as a special event  
8                     venue.

9                     (“Designation of the Ballpark District” added 2-9-2004 by O-19262 N.S.)

10           38.     SDMC §59.0303(c) makes it unlawful during the times prohibited in §59.0302, i.e. “three  
11                     hours before the scheduled start time of any Padres games and events or City event permitted at PETCO  
12                     Park,” to engage in any of the following acts in the Ballpark District: “Bring, leave, turn loose or allow  
13                     to go free any animal, fowl, or bird of any kind, except a trained guide, signal, or service animal that is  
14                     in actual use.” The rodeo Defendants are planning on bringing to PETCO Park will be a Padres event,  
15                     triggering this provision.

16           39.     SDMC §59.0304 provides, “During the Ballpark District designation set forth in section  
17                     59.0302, and in addition to those prohibitions set forth in section 59.0303, it is unlawful for any person  
18                     to engage in any of the following on the perimeter sidewalks, walkways, or promenades immediately  
19                     adjacent to PETCO Park during City events or Padres games and events: .... (d) Lead, conduct, or  
20                     otherwise bring or allow to remain any animal, bird, fish, or reptile, except for a trained guide, signal, or  
21                     service animal that is in actual use.”

22           40.     SDMC §59.0202 provides, “(a) It is unlawful for any person to do the following within  
23                     any City sports facility: ... (9) Lead, conduct, or otherwise bring or allow to remain in the City sports  
24                     facilities any animal, bird, fish, or reptile, except trained guide, signal, or service animal that is in actual  
25                     use.” Subsection (b) provides that SDMC §59.0202(a) shall “not apply to any duly authorized employee,  
26                     agent, or officer of the City sports facilities or the City of San Diego while acting in the course and  
27                     scope of employment, nor does it apply to any duly authorized participant, performer, official,  
28                     QUALCOMM Stadium security personnel, PETCO Park security personnel, or service personnel  
                      specifically authorized to perform such an act by the Stadium manager or the PETCO Park manager  
                      while acting in the scope of employment or participation.”



1           41.     Thus, the specific prohibitions of animals in the Ballpark District contained in §59.0303  
2 and §59.0304, unlike the general prohibitions regarding City sports facilities, does not contain any  
3 exemption for City or event staff or agents. This indicates that the City Council did not intend to provide  
4 an exemption for City or event staff or agents as to the acts prohibited by §59.0303 and §59.0304, which  
5 it clearly knows how to do when it intends to, as it did in §59.0202.

6           42.     The rodeo that Defendants plan to bring to PETCO Park will violate §59.0303 and  
7 §59.0304, because these sections do not contemplate holding events involving animals in and around  
8 PETCO Park, or in the Ballpark District, which includes PETCO Park and surrounding areas.

9           43.     The animals used in the rodeo will also need to be loaded and maintained in areas outside  
10 of and adjacent to PETCO Park. This will violate §59.0304's prohibitions involving animals "on the  
11 perimeter sidewalks, walkways, or promenades immediately adjacent to PETCO Park during City events  
12 or Padres games and events." Thus, even if the exemptions of §59.0202 provided for City sports  
13 facilities generally could be read as applying within PETCO Park despite the specific provisions of  
14 §59.0302 for the Ballpark District which includes PETCO Park not providing for this, such exemptions  
15 would certainly not apply to "the perimeter sidewalks, walkways, or promenades immediately adjacent  
16 to PETCO Park during City events or Padres games and events," under §59.0304, which is not a City  
17 sports facility.

18           44.     Additionally, the general prohibitions in §59.0202 regarding animals in City sports  
19 facilities will be violated by C5 Rodeo, which does not fall under the exception stated therein, as it is not  
20 a "duly authorized employee, agent, or officer of the City sports facilities or the City of San Diego while  
21 acting in the course and scope of employment," nor is C5 Rodeo a "duly authorized participant,  
22 performer, official, QUALCOMM Stadium security personnel, PETCO Park security personnel, or  
23 service personnel specifically authorized to perform such an act by the Stadium manager or the PETCO  
24 Park manager while acting in the scope of employment or participation." This is because C5 Rodeo will  
25 be acting as an independent entity in putting on the rodeo, and C5 Rodeo is not a mere "participant"  
26 under the control of the City or Padres, L.P.

27           45.     As the leaseholder for PETCO Park, and a sponsor of the rodeo, Padres, L.P. is  
28 responsible for the planned unlawful business practices of C5 Rodeo.

1           **D.     The San Diego Municipal Code prohibits rodeos in PETCO Park**

2           46.     SDMC §63.0102(b) defines “*Park*” as “any public property, whether developed or  
3 undeveloped, held out by the City or used by the public for active or passive park and recreation uses,  
4 including adjacent buffer lands and natural areas and any adjacent parking lots and perimeter sidewalks.  
5 The definition of park includes open space and all public beaches, beach areas, bays, and wetlands  
6 within the City.”

7           47.     PETCO *Park* is a “park” under SDMC §63.0102(b).

8           48.     SDMC §63.0102(c)(2) provides, “It is unlawful to bring, leave, turn loose, or allow to go  
9 free, any animal, fowl, or bird of any kind in or upon any *park*.” (Emphasis in original.) Exceptions are  
10 provided for riding or leading horses, walking dogs on a leash, or bringing dogs to a designated dog  
11 park.

12          49.     Turning farm animals loose in PETCO Park so that rodeo participants can chase them  
13 down with lassos and by grabbing their tails, wrestle them to the ground, and tie their legs together,  
14 violates SDMC §63.0102(c)(2).

15          50.     SDMC §63.0102(c)(10) provides: “It is unlawful to take, kill, wound, disturb, or maltreat  
16 any bird or animal, either wild or domesticated, unless the same shall have been declared noxious by the  
17 City Manager and a permit issued for the killing of such noxious animals; provided, however, that  
18 section 63.0102(c)(10) does not apply to any exhibits in the San Diego Zoo when done by employees in  
19 the course of their duties.”

20          51.     For the rodeo Defendants are planning for PETCO Park, Defendants intend to use animal  
21 torture devices including electric prods, shocking devices, flank or bucking straps, wire tiedowns,  
22 sharpened or fixed spurs, rowels, and lassos in order to “wound, disturb, or maltreat” animals for  
23 entertainment. Defendants also plan to engage in acts that are likely to result in killing animals due to  
24 the injuries they will sustain. Each of these acts will violate SDMC §63.0102(c)(10).

25          52.     The fact that SDMC §63.0102(c)(10) provides an exemption for Zoo activities, which  
26 involve much less coercive and violent control techniques than Defendants’ planned rodeo, yet this  
27 section contains no similar exemption for rodeos, demonstrates that the municipal code does not allow  
28 the actions that Defendants plan to carry out in the City of San Diego.



1           63.     The unlawful business practices of C5 Rodeo in illegally shocking horses as well as  
2 causing injuries to animals in violation of Penal Code §597 have caused SHARK to need to divert its  
3 limited organizational resources to expose such acts by hiring paid investigators to document them, and  
4 to work to prevent C5 Rodeo from carrying out such illegal acts in the future.

5           64.     The unlawful business practices all Defendants have planned in bringing a rodeo to  
6 PETCO Park have caused APRL and SHARK to need to divert their limited organizational resources to  
7 seek voluntary compliance with the laws Defendants plan on violating, as well as working to ask local  
8 officials not to allow the unlawful acts to take place.

9           65.     APRL has incurred independent contractor expenses and mailing costs in contacting  
10 Defendants to seek voluntary compliance with the law and has also incurred banner printing and sound  
11 system purchase costs to use in protests seeking to have the illegal event cancelled.

12           66.     Plaintiffs would rather spend their limited time and resources on their core mission of  
13 helping animals rather than exposing and seeking official enforcement action against Defendants’  
14 unlawful acts, or attempting to gain Defendants’ voluntary compliance with the law.

15           67.     Defendants’ unlawful business acts and practices as detailed in this complaint both  
16 frustrate Plaintiffs’ core mission of helping animals and impede Plaintiffs’ ability to expend valuable  
17 time and resources to promote their respective missions to further animal protection.

18           68.     APRL and SHARK are each a party “who has suffered injury in fact and has lost money  
19 or property as a result of ...unfair competition” under Bus. & Prof. Code §17204 and thereby have  
20 standing to enjoin Defendants’ planned unlawful business acts and practices.

21           69.     Instead of spending their limited resources helping animals, Plaintiffs instead must spend  
22 significant organizational resources exposing and seeking official enforcement action against  
23 Defendants’ illegal activities that directly impact Plaintiffs’ core mission.

24           70.     Defendants, and each of them, have engaged in acts or practices that constitute unfair  
25 competition, as that term is defined in §17200 *et seq.* of the Business & Professions Code.

26           71.     Defendants, and each of them, have independently and collectively engaged in and will  
27 continue to engage in unlawful and unfair business practices unless enjoined and restrained by the Court.

28

1 **SECOND CAUSE OF ACTION**

2 **Declaratory Relief – CCP §1060**

3 72. Plaintiffs reallege and incorporate by reference the allegations in each of the preceding  
4 paragraphs as if fully set forth herein.

5 73. There is an actual, concrete, and justiciable controversy between the parties regarding  
6 whether Defendants’ plans to bring a rodeo to PETCO Park comply with the above described provisions  
7 of the San Diego Municipal Code.

8 74. Plaintiffs are harmed by Defendants’ actions as described above through diversion of  
9 Plaintiffs’ mission and frustration of their organizational resources as a result of Defendants’ unlawful  
10 conduct.

11 75. Unless the Court issues a declaration as to the rights and responsibilities of the parties,  
12 there will continue to be disputes and controversies over whether Defendants’ actions comply with the  
13 San Diego Municipal Code, including whether Defendants may bring, turn loose, and abuse farm  
14 animals in and around PETCO Park.

15 **PRAYER FOR RELIEF**

16 Wherefore, Plaintiffs pray for judgment against Defendants as follows:

- 17 1. For a temporary restraining order, preliminary injunction, and permanent injunction  
18 pursuant to Bus. & Prof. Code §17203 enjoining Defendants from engaging in any of the following acts:
- 19 (a) bringing farm animals into the Ballpark District, including PETCO Park, in violation  
20 of SDMC §59.0303;
  - 21 (b) bringing farm animals into “the perimeter sidewalks, walkways, or promenades  
22 immediately adjacent to PETCO Park during City events or Padres games and events,” in  
23 violation of SDMC §59.0304;
  - 24 (c) turning loose any animals in PETCO Park in violation of SDMC §63.0102(c)(2);
  - 25 (d) wounding, disturbing or maltreating any animal in violation of SDMC  
26 §63.0102(c)(10), including using devices such as electric prods, shocking devices, flank  
27 or bucking straps, wire tiedowns, sharpened or fixed spurs, lassos, or rowels;
  - 28 (e) shocking animals in violation of Penal Code §596.7(e);

1 (f) torturing, tormenting, cruelly beating, mutilating, or subjecting any animal to needless  
2 suffering, or inflicting unnecessary cruelty upon any animal, or in any manner abusing an  
3 animal, in violation of Penal Code §597(b);

4 2. For declaratory relief pursuant to CCP §1060 that the following acts planned by  
5 Defendants violate the San Diego Municipal Code provisions indicated:

6 (a) Defendants' plans to bring farm animals into the Ballpark District, including PETCO  
7 Park, would violate SDMC §59.0303;

8 (b) Defendants' plans to bring farm animals into "the perimeter sidewalks, walkways, or  
9 promenades immediately adjacent to PETCO Park during City events or Padres games  
10 and events," would violate SDMC §59.0304;

11 (c) Defendants' plans to turn loose any animals in PETCO Park would violate SDMC  
12 §63.0102(c)(2); and

13 (d) Defendants' plans to wound, disturb or maltreat any animal in PETCO Park,  
14 including by using devices such as electric prods, shocking devices, flank or bucking  
15 straps, wire tiedowns, sharpened or fixed spurs, lassos, or rowels, would violate SDMC  
16 §63.0102(c)(10);

17 3. For injunctive relief pursuant to CCP §526 prohibiting Defendants from engaging in any  
18 of the following acts:

19 (a) bringing farm animals into the Ballpark District, including PETCO Park, in violation  
20 of SDMC §59.0303;

21 (b) bringing farm animals into "the perimeter sidewalks, walkways, or promenades  
22 immediately adjacent to PETCO Park during City events or Padres games and events," in  
23 violation of SDMC §59.0304;

24 (c) turning loose any animals in PETCO Park in violation of SDMC §63.0102(c)(2); and


25 (d) wounding, disturbing or mistreating any animal in violation of SDMC  
26 §63.0102(c)(10), including using devices such as electric prods, shocking devices, flank  
27 or bucking straps, wire tiedowns, sharpened or fixed spurs, lassos, or rowels;

28 4. For costs of suit incurred herein;

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- 5. For reasonable attorneys' fees pursuant to CCP §1021.5;
- 6. For pre- and post-judgment interest; and
- 7. For such other and further relief as the Court deems just and proper.

Dated: November 2, 2023

By:   
\_\_\_\_\_  
Bryan W. Pease, Esq.  
Attorney for Plaintiffs