

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

REC'D - USDA/OALJ/OHC  
2020 AUG 17 AM 10:57

In re:	)	AWA Docket Nos. 20-
	)	
JEFFREY LOWE, an individual; and	)	20-J-0152
LAUREN LOWE, an individual	)	20-J-0153
doing business as GREATER	)	
WYNNEWOOD EXOTIC ANIMAL	)	
PARK, LLC,	)	
	)	
Respondents	)	COMPLAINT

There is reason to believe that the respondents named herein have willfully violated the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.)(AWA or Act), and the regulations issued thereunder (9 C.F.R. Part 2)(Regulations). Therefore, the Administrator of the Animal and Plant Health Inspection Service (APHIS) issues this complaint alleging the following:

JURISDICTIONAL ALLEGATIONS

1. Respondent Jeffrey Lowe is an individual who does business as Greater Wynnewood Exotic Animal Park (GWEAP), and whose mailing address is 25803 North Country Road 3250, Wynnewood, Oklahoma 73098. At all times mentioned herein, respondent Jeffrey Lowe was an exhibitor as that term is defined in the Act and the Regulations and held AWA license 73-C-0230 as an “individual.”

2. Respondent Lauren Lowe is an individual who does business as Greater Wynnewood Exotic Animal Park (GWEAP), and whose mailing address is 25803 North Country Road 3250, Wynnewood, Oklahoma 73098. At all times mentioned herein, respondent Lauren Lowe was an exhibitor as that term is defined in the Act and the Regulations and did not hold an AWA license.

ALLEGATIONS REGARDING SIZE OF BUSINESS, GRAVITY OF VIOLATIONS, GOOD FAITH, AND HISTORY OF PREVIOUS VIOLATIONS

3. Respondents own and operate a zoo (as that term is defined in the Regulations) exhibiting wild and exotic animals in Wynnewood, Oklahoma and also exhibit at off-site locations throughout the United States. It is a large business. In 2017, respondents represented to APHIS that they held 29 animals (1 non-human primate and 28 wild or exotic mammals); in 2018, respondents represented to APHIS that they held 162 animals (7 non-human primates and 155 wild or exotic mammals); in 2019, respondents represented to APHIS that they held 202 animals (10 non-human primates and 192 wild or exotic mammals); in 2020, they represented to APHIS that they held 212 animals (7 non-human primates and 205 wild or exotic mammals).

4. The allegations herein include the failure and/or refusal to provide access to APHIS inspectors for the purpose of conducting inspections to determine compliance with the Act, the Regulations, and the standards issued under the Act (9 C.F.R. Part 3)(Standards), repeated failures to make, keep, and maintain records or forms that fully and correctly disclose the acquisition and disposition of animals, repeated failures to handle animals carefully, and repeated failures to provide adequate veterinary care to animals.

5. Respondents have not shown good faith. As early as 2015, APHIS advised respondent Jeffrey Lowe not to exhibit or handle animals without sufficient distance and/or barriers between the animals and the public. Nevertheless, as alleged herein, respondents have failed on multiple occasions to comply with the handling Regulations. Moreover, two veterinarians who have performed work for respondents aver that respondents falsified written programs of veterinary care (PVC) and veterinary records. In one case, the veterinarian avers that

he never filled out a PVC for respondents; in another case, the veterinarian avers she resigned as respondents' attending veterinarian in June 2018 and did not issue any documents pertaining to veterinary care after that date, despite respondents submitting veterinary records to APHIS documenting veterinary care by that veterinarian in 2019 and 2020. Further, in 2017, respondents repeatedly harassed a Las Vegas Animal Control Supervisor, whose department was investigating respondents' numerous exotic animal operations in Las Vegas, Nevada, by publicizing her photograph and home address, issuing threats against her, and making derogatory comments about her on social media.

6. Respondent Jeffrey Lowe was charged with one count of doing business without a license in Las Vegas, Nevada, on November 16, 2017. Specifically, respondent possessed a multi-person commercial vehicle advertised as "The Jungle Bus" that listed baby lions, tigers, bears, lemurs, kangaroos, and monkeys available for private parties, casino events, conventions and shows, photo shoots, movies and commercials, and extended private encounters. Respondent Jeffrey Lowe pleaded *nolo contendere*, and the Las Vegas Municipal Court found him guilty on April 5, 2018, issued a suspended jail sentence, a *Stay Out of Trouble* order, and ordered him to pay \$2,500 in restitution. Further, respondent Jeffrey Lowe surrendered ownership of a tiger, liger, and lemur that were confiscated from his facility by Las Vegas authorities in November 2017. *See*, Las Vegas Municipal Court, Case No. C1185093A – Jeffrey (*sic*) Lee Lowe (Nov. 16, 2017).

7. By letter dated August 14, 2020, pursuant to 7 U.S.C. 2149, the APHIS's Administrator suspended respondent Jeffrey Lowe's license (73-C-0230) for 21 days, effective immediately after service of the suspension letter. The suspension letter advised respondent

Jeffrey Lowe that it is a violation of the Regulations to buy, sell, transport, exhibit, or deliver for transportation, any “animal,” as that term is defined in the Act and the Regulations, during the period of suspension and that in addition to respondent Jeffrey Lowe, this prohibition applies to any employee, agent or other person acting on his behalf.

#### ALLEGED VIOLATIONS

8. On or about the following dates, respondents willfully violated the veterinary care Regulations as specified below:

a. On or about November 16, 2017, respondents willfully violated the Regulations by failing to have an attending veterinarian provide adequate veterinary care to their animals and failing to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent injury and disease. Specifically, respondents failed to obtain any veterinary medical care for a tiger cub (Vegas) and a liger cub (Paisley) who were underweight with sunken bellies and protruding hip bones, while also exhibiting bloody, mucous diarrhea, and intestinal parasites (Giardia). 9 C.F.R. §§ 2.40(a), 2.40(b)(2).

b. On or about November 16, 2017, respondents willfully violated the Regulations by failing to have an attending veterinarian provide adequate veterinary care to their animals and failing to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent injury and disease. Specifically, respondents failed to obtain any veterinary medical care for a lemur (Clutch) who had visible areas of hair loss on the base of her tail. 9 C.F.R. §§ 2.40(a), 2.40(b)(2).

c. Between June 29, 2018, and July 8, 2020, respondents willfully violated the Regulations by failing to employ an attending veterinarian to provide adequate veterinary care to

their animals, and failing to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent injury and disease, daily observation of all animals to assess their health and well-being, and a mechanism of communication with the attending veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(2), (b)(3).

d. On June 22, 2020, respondents failed to obtain adequate veterinary care for a hybrid (Young Yi) who died on or around June 13, 2020, and specifically, respondents did not communicate with a veterinarian regarding Young Yi or obtain any veterinary care for Young Yi, nor did they have a necropsy performed to determine the cause of the Young Yi's death. 9 C.F.R. §§ 2.40(a), 2.40(b)(2), 2.40(b)(3).

e. On June 22, 2020, respondents willfully violated the Regulations by failing to have an attending veterinarian provide adequate veterinary care to their animals and failing to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent injury and disease. Specifically, respondents failed to obtain veterinary medical care for a lion cub (Nala) that was observed to be lethargic, depressed, immobile, and presenting with a string of purulent nasal discharge hanging from her right nostril, an accumulation of green discharge in her eyes, and shallow and rapid respiration. A veterinarian had not seen Nala for these conditions. APHIS immediately halted the inspection and instructed respondents to obtain immediate veterinary care for Nala. 9 C.F.R. §§ 2.40(a), 2.40(b)(2), 2.40(b)(3).

f. On June 22, 2020, respondents failed to establish and maintain programs of adequate veterinary care that include the availability of appropriate facilities, personnel, equipment, and services, the use of appropriate methods to prevent, control, diagnose, and treat

diseases and injuries, and adequate guidance to personnel involved in the care and use of animals, and specifically, failed to provide adequate veterinary care to a geriatric wolf with pressure sores on both rear hocks. 9 C.F.R. §§ 2.40(a), 2.40(b)(2), 2.40(b)(3), 2.40(b)(4).

g. On June 22, 2020, respondents failed to establish and maintain programs of adequate veterinary care that include the availability of appropriate facilities, personnel, equipment, and services, the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and adequate guidance to personnel involved in the care and use of animals, and specifically, failed to provide adequate veterinary care to a geriatric wolf reluctant to ambulate due to arthritic pain. 9 C.F.R. §§ 2.40(a), 2.40(b)(2), 2.40(b)(3), 2.40(b)(4).

h. On June 22, 2020, respondents failed to have an attending veterinarian provide adequate veterinary care to their animals, and failed to establish and maintain programs of adequate veterinary care that included daily observation, and communication with respondents' attending veterinarian, and specifically, respondents failed to communicate to the attending veterinarian that a Fisher Cat, was lame on its left rear leg and had extreme hair thinning on its tail, and respondents failed to have the animal seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

i. On June 22, 2020, respondents failed to have an attending veterinarian provide adequate veterinary care to their animals, and failed to establish and maintain programs of adequate veterinary care that included daily observation, and communication with respondents' attending veterinarian, and specifically, respondents failed to obtain adequate veterinary care for a grizzly bear and a black bear that were observed to be emaciated and exhibiting a heightened and aggressive activity level. They also failed to establish and maintain a program of adequate

veterinary care that included the availability of appropriate services and adequate guidance to personnel involved in the care and use of animals regarding an adequate nutritional and parasite control program. 9 C.F.R. §§ 2.40(a), 2.40(b)(2), 2.40(b)(3).

j. On June 22, 2020, respondents failed to have an attending veterinarian provide adequate veterinary care to their animals, and failed to establish and maintain programs of adequate veterinary care that included daily observation, and communication with respondents' attending veterinarian, and specifically, Respondents failed to communicate to the attending veterinarian that a female tiger (Dot) has had five total litters, with the previous three being stillbirths, and failed to treat the animal or have it seen by a veterinarian after those stillbirths. Dot died on June 21, 2020, due to an upper respiratory infection after undergoing an emergency ovariohysterectomy on June 19, 2020. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

k. On July 8, 2020, respondents failed to establish and maintain programs of adequate veterinary care that include the availability of appropriate facilities, personnel, equipment, and services, the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and adequate guidance to personnel involved in the care and use of animals, and specifically failed to follow the recommendations of a veterinarian who examined two geriatric wolves on June 17, 2020. 9 C.F.R. §§ 2.40(a), 2.40(b)(2).

l. On July 8, 2020, respondents failed to have an attending veterinarian provide adequate veterinary care to their animals, and failed to establish and maintain programs of adequate veterinary care that included daily observation, and communication with respondents' attending veterinarian, and specifically, respondents failed to communicate to the attending veterinarian that a Fisher Cat, was lame on its left rear leg and had extreme hair thinning on its

tail, and respondents failed to have the animal seen by a veterinarian. 9 C.F.R. §§ 2.40(a), 2.40(b)(1), 2.40(b)(2), 2.40(b)(3).

9. Between March 2017 and November 2017, respondents willfully violated the Regulations by failing to notify APHIS of a change of address in their business operation, and of any additional sites at which respondents housed animals, in willful violation of 9 C.F.R. 2.8 and 9 C.F.R. 2.27.

10. Between March 2017, and November 2017, respondents failed to notify APHIS of their change in site locations, thereby causing APHIS to be unable to conduct a complete inspection of their animal facilities, in willful violation of section 16 of the Act (7 U.S.C. § 2146) and section 2.126 of the regulations (9 C.F.R. § 2.126).

11. Between July 2017, and November 16, 2017, respondents willfully violated the Regulations by exhibiting animals at a location other than respondents' facility, and housing those animals overnight at that location, without having timely submitted a complete and accurate itinerary to APHIS. 9 C.F.R. § 2.126(c).

12. On or about October 23, 2017, respondents willfully violated the Regulations (9 C.F.R. § 2.75(b)), by failing to make, keep, and maintain records or forms that fully and correctly disclose the disposition of one tiger.

13. On or about March 7, 2018, respondents willfully violated the Regulations (9 C.F.R. § 2.75(b)), by failing to make, keep, and maintain records or forms that fully and correctly disclose the disposition of one tiger and one lemur.

14. On or about August 30, 2018, respondents willfully violated the Regulations (9 C.F.R. § 2.75(b)), by failing to make, keep, and maintain records or forms that fully and correctly

disclose the acquisition of four animals that were observed by the APHIS inspector at respondents' facility during the August 30, 2018, inspection, as follows:

- a. There were no acquisition records for two tigers (Forrest and Enzo);
- b. There were no acquisition records for one cougar; and
- c. There were no acquisition records for one Canadian lynx.

15. On or about February 20, 2019, respondents willfully violated the Regulations (9 C.F.R. § 2.75(b)(1)), by failing to make, keep, and maintain records or forms that fully and correctly disclosed the disposition of a liger, lemur, and tiger.

16. On or about June 22, 2020, respondents willfully violated the Regulations by failing to have a copy of required records available for inspection, specifically respondents' program of veterinary care was unavailable. (9 C.F.R. § 2.75(b)(3), 2.126(a)).

17. On or about June 23, 2020, respondents willfully violated the Regulations by providing a falsified PVC to APHIS inspectors when asked for the PVC prepared by the attending veterinarian for the facility. The PVC presented to APHIS inspectors on June 23, 2020, was not completed by an attending veterinarian as required by 9 C.F.R. § 2.40(a)(1) and respondents failed to allow APHIS officials to examine legitimate records required to be kept by the AWA in willful violation of 9 C.F.R. § 2.126(a)(2).

18. On or about June 26, 2020, respondents willfully violated the Regulations by providing three false veterinarian records on Young Yi, dated July 14, 2019, September 14, 2019, and May 18, 2020 to APHIS. Respondents failed to allow APHIS officials to examine legitimate records required to be kept by the AWA in willful violation of 9 C.F.R. § 2.126(a)(2).

19. On or about July 8, 2020, respondents willfully violated the Regulations (9 C.F.R. § 2.75(b)), by failing to make, keep, and maintain records or forms that fully and correctly disclose the acquisition of nine animals that were observed by the APHIS inspector at respondents' facility during the July 8, 2020, inspection, as follows:

- a. There were no acquisition records for two armadillos;
- b. There were no acquisition records for two caracals;
- c. There were no acquisition records for one ocelot;
- d. There were no acquisition records for one tiger (Medusa);
- e. There were no acquisition records for one liger (Mani); and
- f. There were no acquisition records for two tigers (Filet and Mudcat).

20. On or about July 8, 2020, respondents willfully violated the Regulations (9 C.F.R. § 2.75(b)), by failing to make, keep, and maintain records or forms that fully and correctly disclose the disposition of twenty five animals, as follows:

- a. There were no disposition records for one capybara;
- b. There were no disposition records for two baboons;
- c. There were no disposition records for one prehensile tailed porcupine;
- d. There were no disposition records for one red ruffed lemur;
- e. There were no disposition records for one male kinkajou;
- f. There were no disposition records for eight prairie dogs;
- g. There were no disposition records for three bats;
- h. There were no disposition records for one Fisher Cat;
- i. There were no disposition records for one sloth;

- j. There were no disposition records for one wolf (Sky);
- k. There were no disposition records for four tigers (Rheque, Amarouk, Tess, and Jughead); and
- l. There were no disposition records for one liger (Lizzy).

21. On or about the following dates, respondents willfully violated the handling Regulations (9 C.F.R. § 2.131):

a. On or about April 6, 2017, respondents failed to handle a tiger and bear cub during public exhibition so there was minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the tiger and bear cubs and the general viewing public so as to assure the safety of animals and the public, and specifically, respondents had no barrier around the animals' enclosure, which permitted the public to make direct contact with the animals, in willful violation of the Regulations. 9 C.F.R. § 2.131(c)(1).

b. On or about May 4, 2017, respondents failed to handle two tiger cubs, during public exhibition so there was minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the tigers and the general viewing public so as to assure the safety of animals and the public, and specifically, respondents had no barrier around the tiger cubs' enclosure, which permitted the public to make direct contact with the animals, in willful violation of the Regulations. 9 C.F.R. § 2.131(c)(1).

c. Between April 5, 2017, and May 5, 2017, respondents failed to handle a tiger and bear cub during public exhibition so there was minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the tiger and bear cubs and the general viewing public so as to assure the safety of animals and the public, and specifically, respondents

had no barrier around the animals' enclosure, which permitted the public to make direct contact with the animals, in willful violation of the Regulations. 9 C.F.R. § 2.131(c)(1).

d. On or about June 23, 2020, respondents failed to handle three juvenile lions during public exhibition so there was minimal risk of harm to the animals and to the public, with sufficient distance and/or barriers between the large felids and the general viewing public so as to assure the safety of animals and the public, and specifically, one of the female lions climbed on top of a portable shelter in the lock-out area, which effectively reduced the height of the barrier between the tigers and the public to four feet, and offered a potential means for a lion or lions to exit the enclosure. 9 C.F.R. §§ 2.131(b)(1), 2.131(c)(1).

22. On or about June 22, 2020, respondents willfully violated the Regulations, 9 C.F.R. § 2.100(a), by failing to meet the Standards, as follows:

a. Respondents housed two wolves in an enclosure that was in disrepair, with a metal grate sub-floor that was exposed along two of the sides. 9 C.F.R. § 3.125(a).

b. Respondents housed an African porcupine in an enclosure that was in disrepair, with a metal grate sub-floor that was exposed in the corner and side of the water receptacle. 9 C.F.R. § 3.125(a).

c. Respondents housed a Fisher Cat in an enclosure that was in disrepair, with a metal grate sub-floor that was exposed in the corner and side of the water receptacle. 9 C.F.R. § 3.125(a).

d. Respondents housed a kangaroo in an enclosure that was in disrepair with a piece of metal fencing that had an exposed vertical edge and a gap between the metal fencing and wooden fence. 9 C.F.R. § 3.125(a).

e. Respondents housed a tiger in an enclosure that was in disrepair, with a metal reinforcement not closely adhered to the fence and a gap between it and the fence. 9 C.F.R. § 3.125(a).

f. Respondents failed to maintain a safe and effective program for the control of insects, ectoparasites, and avian and mammalian pests, by allowing an accumulation of wood debris containing the partially burned hybrid (Young Yi) and a black tarp covering a deceased tiger (Dot); such condition led to the odor of decomposing flesh and many flies being present on the boards and surrounding areas, and was further evidenced by the fly strikes on many species in the park, which have resulted in large patches of painful ulceration on the ears and legs of numerous tigers, lions, and wolves. 9 C.F.R. § 3.131(d).

23. On or about July 8, 2020, respondents willfully violated the Regulations, 9 C.F.R. § 2.100(a), by failing to meet the Standards, as follows:

a. Respondents housed a tiger in an enclosure that had a metal reinforcement no longer closely adhered to the fence, thereby creating a gap between it and the fence that could entrap a foot or limb and collect debris or organic matter. 9 C.F.R. § 3.125(a).

b. Respondents failed to provide food that was wholesome, palatable, and free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health. 9 C.F.R. § 3.129(a).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondents have in fact willfully violated the Act and the Regulations issued under the Act, this complaint shall be served upon the respondents. The respondents shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in

accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure to file a timely answer shall constitute an admission of all the material allegations of this complaint and a waiver of hearing. In order to determine whether the suspension shall continue, Complainant requests that this matter be set for an expedited hearing. Complainant further requests that such order or orders be issued as are authorized by the Act and warranted under the circumstances, including revocation of respondent Jeffrey Lowe's AWA license, permanent disqualification of Lauren Lowe from obtaining any AWA license, and civil penalties as warranted under the circumstances.

Done at Washington, D.C.  
this \_\_\_\_ day of August 2020

**ANTHONY  
SHEA**

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Kevin Shea  
Administrator  
Animal and Plant Health Inspection Service

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