

EXHIBIT A –
Declaration of
Dr. Samantha Moffitt

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ENVIGO RMS, LLC,

Defendant.

Case No. 6:22-cv-00028-NKM

DECLARATION OF DR. SAMANTHA MOFFITT

I, Samantha Moffitt, declare the following to be true and correct to the best of my knowledge and based on my personal knowledge and on information collected from other members of the search warrant team:

1. I am employed with MedVet NOVA as an Associate Emergency Veterinarian. I have been working for MedVet NOVA for a total of 5 years. In my current role as an Associate Emergency Veterinarian I receive incoming emergencies while overseeing in-hospital patients, maintain critical care treatment for hospitalized patients, perform examinations, diagnostics, and treatments. I also perform emergency surgical procedures and work with and collaborate with specialists about cases.

2. I received my Bachelor of Science in Animal Sciences from Purdue University in 2007. I then received my Doctor of Veterinary Medicine from Ross University of Veterinary Medicine in 2011. Afterward, I did a clinical year of veterinary medicine at North Carolina State University in Raleigh, NC from May 2010 until June 2011. I then finished an emergency and critical care internship at the Veterinary Emergency and Specialty Center in Richmond, VA from June 2011 until July 2012.

3. I am also on the Virginia Animal Fighting Task Force, a 501(c)(3) organization that assists law enforcement in responding to animal cruelty, animal fighting, and large scale investigations in the Commonwealth of Virginia. I have been a veterinarian for the Task Force for six years. In my work on the taskforce, I have worked as a veterinarian on animal cruelty cases, dog fighting cases and cockfighting cases. I have been involved in ten major animal cruelty investigations and more than one hundred additional court cases.

4. I have taught classes for animal control officers on animal cruelty and common animal diseases.

5. I was the Designated Lead Veterinarian assisting the United States in the execution of the federal search warrant at Envigo RMS's Cumberland, Virginia facility. I was at the Cumberland Facility for four days. During that time, I walked through every building at the facility that contained beagle dogs or puppies. This declaration is based on my training and experience, personal observations of the Cumberland Facility from May 18-22, 2022, examinations of the beagles determined to be in acute distress, and examinations of other beagles at the Cumberland Facility during the execution of the warrant.

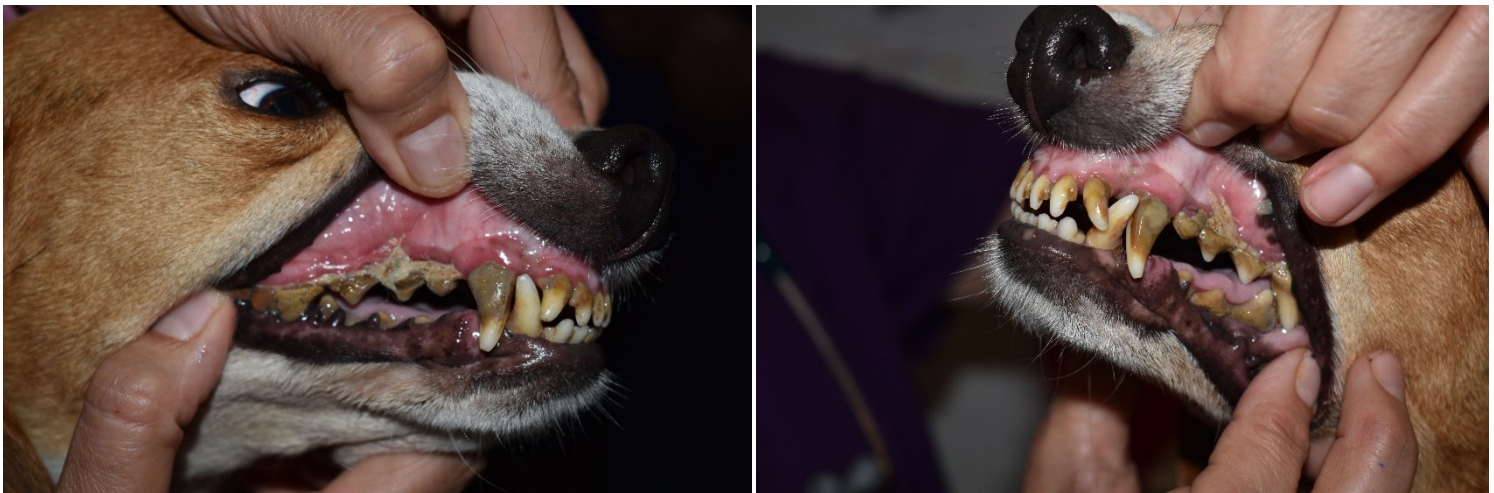
6. As the Designated Lead Veterinarian, I was responsible for overseeing the eleven assessment teams that conducted head-to-tail examinations of each of the beagles at the Cumberland Facility. I was also responsible for providing expert advice to the assessment teams with respect to veterinary care for individual beagles.

7. Beginning on May 18, 2022, assessment teams under my supervision conducted in-field exams of the beagles at the Cumberland Facility. The assessment teams completed medical findings for each dog and, based on the medical finding, provided a recommended treatment. Under my supervision the assessment team also determined that certain beagles

needed to be housed separately based on observations that the particular beagles was either instigating fights with cagemates or was being picked on by one or more cagemates.

8. As the Designated Lead Veterinarian, I made the final determination as to whether a beagle was in “acute distress.” “Acute distress” means any animal requiring immediate veterinary treatment or other care to promptly alleviate a life threatening illness/injury or any suffering. During the execution of the warrant, I determined that 446 beagles were in “acute distress.”

9. Of the beagles that I examined, many suffered from severe dental disease, including gingivitis, premature gum recession, and infections. *See photos below.* Some of those dogs required teeth to be extracted. Given the age of the dogs and severity of the condition, it is unlikely due solely to genetics. Instead, the dogs’ teeth are likely in such poor condition due to poor nutrition and/or the failure to take prophylactic steps to prevent the dogs from reaching this level of disease at this age.



10. In addition, I examined dogs with broken teeth and silver staining on their teeth. This is likely due to the dogs chewing on the metal kennel bars, which I personally observed at the Cumberland Facility. These behaviors are indicative of stress, anxiety and boredom, which

is unsurprising given the overcrowded conditions at the Cumberland Facility and lack of opportunities for the beagles to exercise. During the time I was at the Cumberland Facility, I never saw employees removing beagles so that they could get some exercise or have time to play outside of their enclosures.

11. I also examined many beagles with severe pododermatitis or inflammation of the skin on the paw pads and between the digits. Many of these beagles had red, swollen paws and exhibited outward signs of pain, like retracting their legs when the paws were touched. Based on my training and experience, it would take several days for the symptoms to be visible and is likely due to the beagles' paws coming into regular contact with



dirty flooring. In many enclosures, four or more beagle dogs or puppies are kept in a single enclosure, with some having as many as 10 beagle dogs. Based on the information provided to me, each enclosure is power washed only once a day and is not subsequently spot cleaned or sanitized, which reduces the beagles' ability to get out of their own urine and feces. For the number of beagles in each enclosure at the Cumberland Facility, Envigo would need to spot clean and sanitize the enclosures to ensure the health and wellbeing of the beagles.

12. Whether in the indoor or outdoor portion of their enclosures, the adult dogs and weaned puppies at the Cumberland Facility had to walk on raised slatted flooring previously identified by the United States Department of Agriculture as dangerous to the beagles. When some of the beagle dogs were placed on the ground outside of their enclosure, they looked like

they were ice skating and seemed to not know how to walk properly, as if they were not accustomed to walking on solid ground. In building G3, the whelping building, Envigo had placed black rubber mats in the bottom of the enclosures in an attempt to cover the gaps in the flooring. However, in this building I observed black rubber mats that were folded over, which could result in a puppy becoming trapped under the mat or trapped in the flooring.

13. I also examined dogs with old infected and/or fresh puncture wounds and ear injuries. For example, I examined a female beagle with severe, infected, and shredded ear pinna—the outer portion of the ear. *See photo below.* She also had two puncture wounds.



14. Another beagle had wounds on both ears with a chunk missing from the right ear. *See photo below.* These injuries are indicative of dogs fighting. I observed dogs fighting cagemates and fighting with beagles in adjacent enclosures. Those beagles were biting around the head, ears, and neck.

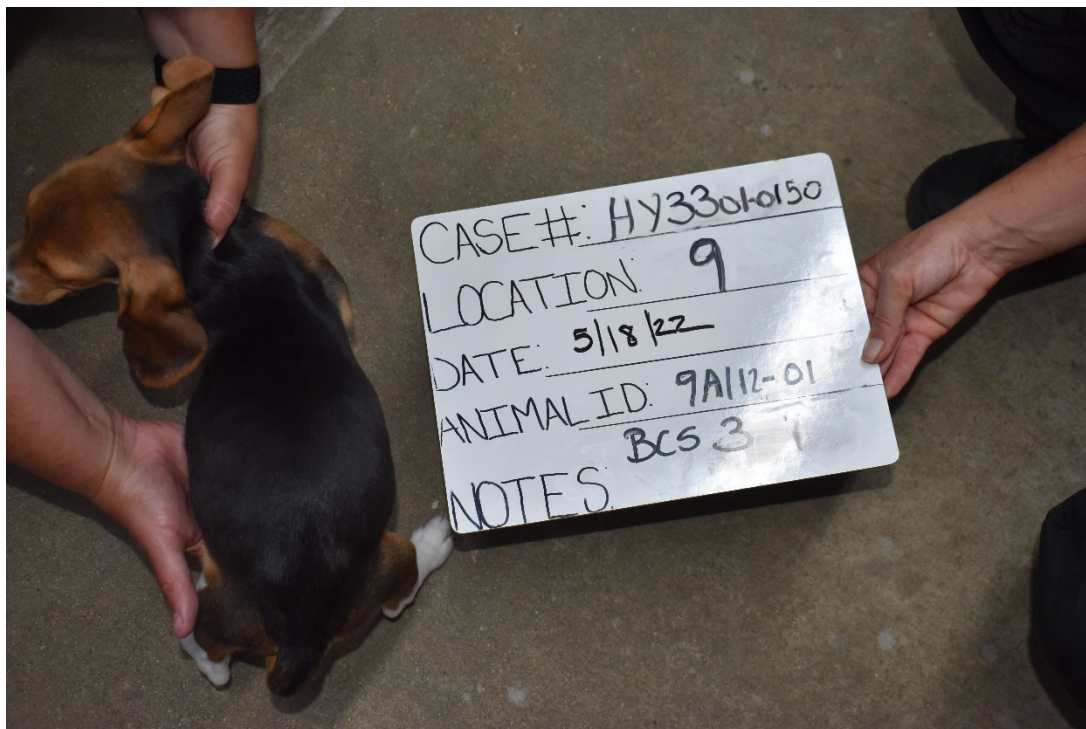


15. The beagles at the Cumberland Facility are likely fighting due to the overcrowded enclosure conditions, boredom, the way the beagles are being fed, and stress. Regardless of how many beagles were in an enclosure, the enclosure contained only one food receptacle, which was accessible to only one beagle at a time. I observed some beagles engaging in resource guarding behavior, such as aggressively growling at other beagles in the enclosure who wanted to access food.

16. Regarding feeding and nutrition, I also observed Envigo staff adding food to the top of the food receptacle without cleaning out the old food or sanitizing the food receptacle. I observed food, including wet kibble, under the food receptacles that contained pests.

17. Pregnant and nursing females have increased nutritional needs and require additional calories per day than other adult dogs. However, I examined several thin pregnant females, including with vertebral processes and ribs easily palpable. I also examined a nursing female with 8 puppies who was thin with vertebral processes and ribs easily palpable.

18. Some beagles had distended bellies, which is an indicator that they have worms. For example, I examined a thin 10-week-old puppy with a distended abdomen and ravenous appetite, which indicated to me that the puppy needed to be dewormed. *See photo below.* A common way for dogs to become infected with worms is by eating the feces of other infected dogs. I observed beagles at the Cumberland facility eating feces.



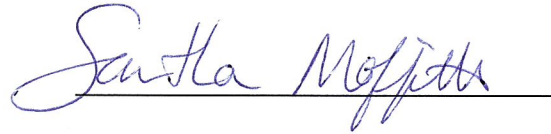
19. I examined beagles with ear and eye infections. Other beagles had missing toes. The wounds had already healed. I observed one dog with a toe stuck in the flooring. Another puppy was screaming and whimpering because the puppy's paw had gotten stuck in the guillotine door that separates the inside and outside portions of the enclosure.

20. Many beagles I examined had a combination of medical issues. One beagle had fight wounds, an eye infection with yellow discharge and swelling under the eye, and redness and irritation between all paw pads. Another beagle had wounds consistent with having been in a fight on both ears, dental disease, a foot wound, skin irritation on all paws, and scabs on

his thigh and abdomen.

Under penalty of perjury, pursuant to 28 U.S.C. § 1746(2), I declare the foregoing to be true and correct to the best of my knowledge.

Executed on June 10, 2022.

A handwritten signature in blue ink that reads "Samantha Moffitt". The signature is written in a cursive style and is positioned above a solid horizontal line.

Samantha Moffitt, DVM