

JENNIFER SPENCER (NV BAR # 8673)  
JULIE CAVANAUCH-BILL (NV BAR # 11533)  
Cavanaugh-Bill Law Offices  
401 Railroad Street, Suite 307  
Elko, NV 89801  
Telephone: 775-753-4357

MICHAEL RAY HARRIS, *Application for pro hac vice will be filed*  
JENNIFER BARNES, *Application for pro hac vice will be filed*  
7500 E. Arapahoe Rd., Suite 385  
Centennial, CO 80112  
Telephone: 720-949-7791  
Fax: 888-236-3303  
michaelharris@friendsofanimal.org  
jenniferbarnes@friendsofanimals.org

Attorneys for Plaintiff  
(will comply with LR IA 10-2 within 45 days)

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FRIENDS OF ANIMALS, and	)	
PROTECT MUSTANGS	)	
	)	Civ. No. 15-0057
Plaintiffs,	)	
	)	<b>DECLARATION OF ANNE NOVAK IN</b>
vs.	)	<b>SUPPORT OF PLAINTIFFS’</b>
	)	<b>TEMPORARY RESTRAINING</b>
UNITED STATES BUREAU OF LAND	)	<b>ORDER/MOTION FOR</b>
MANAGEMENT	)	<b>PRELIMINARY INJUNCTION</b>
	)	
Defendants.	)	

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I, Anne Novak, do hereby declare as follows:

1. I am the Executive Director of Protect Mustangs, a leading grassroots organization advocating for wild horses to live in nature as the 1971 Free Roaming Wild Horse and Burro Protection Act intended. Members of Protect Mustangs regularly visit the Pine Nut Herd Management Area (HMA) to view, enjoy, study, photograph and film the herd. The non-profit organization was founded in California in July 2011 and since then we have held education and outreach events pertaining to native and wild horses, cruel roundups, porcine zona pellucida (“PZP”), lack of shelter and shade in holding facilities, adoption and more. We rescued fourteen American wild horses who were sold to a Canadian slaughterhouse after a cruel BLM roundup in 2014. We have saved several other displaced wild horses and placed most of them in loving adoptive homes. Protect Mustangs blogs almost daily about wild horses. The mission of Protect Mustangs is to educate, protect and preserve native and wild horses. We oppose rounding up and removing wild horses and burros from the Pine Nut Range and across America. In addition, we oppose temporary or permanent sterilization and/or skewing the sex ratio within herds of native and wild horses as well as burros on public land. We seek viable holistic solutions based on credible science which shows that American wild horses are indigenous, help reverse desertification, and create biodiversity. Protect Mustangs attends Bureau of Land Management (BLM) meetings, speaks out in the press and actively reaches out to our members and the public to educate them about native and wild horses. Protect Mustangs advocates for the right of wild horses and burros to live freely as nature and the law intended.

2. Protect Mustangs comments on federal actions that impact wild horses, and would like to comment on BLM's proposed action at issue in this case. Our members would like to be given the opportunity to comment as well.
3. With more than 13,800 followers, Protect Mustangs' membership base is diverse with some members who visit the Pine Nut Herd Management Area (HMA) to view, study, photograph and be inspired by wild horses.
4. I am both professionally and personally attached to the wild horses in the Pine Nut HMA. I would be harmed if the United States Bureau of Land Management ("BLM") proceeded with its plan to round up all the wild horses, break up the equine family units, permanently remove many, and administer porcine zona pellucide ("PZP") to the mares turned back on the range and / or skew the sex ratios in the treasured herd.
5. I first discovered the Pine Nuts wild horses in the fall of 2010 while working on a French TV production called "La chasse au mustangs". Since then I have returned to study the herd several times a year. They inspire me to educate the public about wild horses, train horses with deeper understanding of natural behaviors, help me write my book and make my documentary about native wild horses. Footage of the Pine Nuts wild horses, that another filmmaker I collaborate with shot, was aired on CBS, and is available at <http://www.cbsnews.com/videos/nature-wild-horses/>. I am incorporating past footage of the Pine Nuts wild horses with current and future footage for my documentary.
6. My team is getting more footage of wild horses in the Pine Nut HMA this month and I plan to go back out to the Pine Nut HMA in February 2015 as well as in the summer and fall of 2015 to shoot additional footage for my documentary.
7. The Pine Nut herd is a reliable herd for me, members of Protect Mustangs and members of the international public to observe and follow—because they are federally protected on federal land. Neighboring wild horses, managed by the State of Nevada, such as those in the Virginia Range are unreliable to follow because the Nevada Depart-

ment of Agriculture can remove them at any time if someone complains about them being a nuisance for example. The Pine Nut herd is on federal land and is protected by the Free Roaming Wild Horse and Burro Act of 1971 and the National Environmental Policy Act (“NEPA”) must be followed to give public information, notice and allow for public comment before roundups and removals.

8. Another unique aspect regarding the wild horses on the Pine Nut range is that they are accessible for people like myself who live in the San Francisco Bay Area or tourists visiting the area. It takes only 4 hours for me to get to the Pine Nut Range from The Bay Bridge (250 miles). This close proximity makes viewing wild horses affordable for me and the greater public as well. I have considered moving to the East Coast but don’t want to relocate because I would not be able to easily and affordably study and document the Pine Nut herd of wild horses. I enjoy discovering them living in their wild and free state as part of the thriving natural ecological balance on the 90,000 acre Pine Nut herd management area (HMA) near Carson City. I can easily go out in the Pine Nut range to observe, photograph, and film these wild horses for my book and documentary and share this experience with other members of Protect Mustangs.

9. If the proposed roundup occurs it would become more difficult for me and other Protect Mustangs members to view and enjoy wild horses on the Pine Nut range. Worse, the current genetically viable herd could be further altered or destroyed if all the mares returned are given PZP, and / or the sex ratios skewed, then the herd’s behavior will be abnormal.

10. I regularly go to Nevada for the sole purpose of viewing wild horses, studying their behavior in the wild and helping those who have lost their freedom. I have never witnessed “excess” wild horses on the Pine Nut range but I have witnessed an underpopulation on the vast acreage. The BLM’s appropriate management levels (“AML”) are ridiculously low in the Pine Nut herd management area comprised of 90,000 acres. It’s

hard to find the majority of wild horses out there unless you are in a helicopter and that's very expensive. Wild horses fill their ecological niche on public land. They create biodiversity, reverse desertification and reduce the risk of terrible wildfires. I have witnessed habitat damage on the Pine Nut range but clearly it's not from wild horses.

13. The National Academy of Sciences reported in 2013 that there was “no evidence” of overpopulation with regards to wild horses and burros.

14. Sprawl encroaching on wild horse's habitat is only going to get worse with the Nevada Transportation Department's plans to extend USA Parkway to U.S. 50 to give better access to workers as well as employees of the 110 companies in the nearby 107,000-acre Reno-Tahoe industrial park who live in Yerrington, Dayton, Stagecoach and Carson City. The new \$5 billion Tesla Motor battery Gigafactory plant coming into the industrial park will be creating a lot of needed jobs but this will also create increased sprawl and threaten wild horse territory. I pray Tesla Motors will work with us to protect native wild horses and to ensure the Pine Nut and other wild horses will not suffer as a result of increased traffic and housing growth in the valley—with new resident complaints about wild horses being an alleged nuisance eating their lawns, etc. Nuisance complaints can trigger removals and then federally protected wild horses can be rounded up, trapped and removed from their native range only to live in government holding or be sold to slaughter by the truckload according to the Burns Amendment. Tesla has already opened a supercharging station in Dayton surely in expectation of the area boom. BLM must consider this impact, among others, before moving forward with the proposed roundup.

15. PZP was passed by the EPA as a “restricted-use” pesticide and erroneously classifies wild horses and burros as "pests". PZP should never be used to drug wild horses. It's

made from slaughterhouse pig ovaries, may contain severe strains of the MRSA and shouldn't be injected into wild mares because it's risky and sterilizes after multiple use. Despite the current push, it should absolutely never be used on yearling fillies whose reproductive systems are not developed yet. Forcibly drugging wild horses with PZP should not be allowed because it ruins natural selection and survival of the fittest.

16. I fear that I would not be able to find and view wild horses on the 90,000 acre Pine Nut Range if the BLM conducts its proposed action. Moreover, I know that I will not be able to observe this free roaming herd in their natural state if BLM administers PZP to the Pine Nut wild horses, rips apart the family units and/or skews the sex ratios in the herd. This would harm me and impede my ability to study the herd. Even if the wild horses are returned to the range, they would not behave the same way after the BLM's proposed action. As a result of wild mares being drugged with PZP, foals could be born in the late fall and winter—thus limiting their chance at survival. BLM's proposed actions would forever ruin the structure and sustainability of the wild herd in the Pine Nut Range.

17. BLM completely failed to consider many biological, ecological, and ethical facets of its proposed action, and I would suffer greatly if it continues with the roundup as planned.

18. Pursuant to 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing is true and correct. Executed in Berkeley, California.

Date: January 26, 2015

A handwritten signature in black ink, appearing to read "Anne Novak", written over a horizontal line.

Anne Novak