

## DECLARATION OF MARY LOU VOILS

I, Mary Lou Voils, declare as follows:

- 1) .I am over eighteen years old. I have personal knowledge of the following facts and if called as a witness, I would testify as follows:
- 2) .I adopted two dogs, Mitzi and Baby, from Chihuahua Rescue on 11/03/04.
- 3) .Within a week, Mitzi bacame very ill. When I took her to my personal veterinarian, Kimi Peck became enraged and told me that my vet is a "known dog killer." She took Mitzi and told me she is taking her to her veterinarian, Dr. Schwartz. A few days later, when I called Kimi, she told me that Mitzi had died. I never received any documentation to support that, but I trusted Kimi and did not question her.
- 4) About 3 months later, I began to visit CR regularly to help in the adoption area and to get some company with the volunteers.
- 5) In April, 2004, I made plans to move back to Virginia to be with my sister and brother-in-law. They were going to build a guest house for me. While I waited, I was going to live in their large basement/bedroom.
- 6) On the first or second of May, 2004, I came to get a rabies shot from Dr. Hohne, Kimi's onsite veterinarian, who she said was a "great doctor" and her "personal partner." I did this because I was going to take Baby on the plane, so I needed a Rabies Certificate.
- 7) Baby had a reaction to the vaccine, and Kimi decided that Baby was not well enough to fly to Virginia. She told me that she would take care of Baby since my flight was leaving in one day. She told me that she would take care of Baby and that whenever I called, either she or Patricia "Janet" Wingfield would bring Baby back to me in Virginia, as they both "have family in Virginia."
- 8) Though we never discussed money at all, I wanted to send Kimi a check for \$1,000.00 as a 'thank you' for watching my dog, so I sent one on 12/17/2004. That check, #3395, remained uncashed, so I asked Kimi why. She told me that she had lost it but knew it was somewhere around her office . Finally, four months later, Kimi told me that she needed money and she cashed my check. This was something I did as a 'thank you', not the result of any agreement.
- 9) Time passed and though I really wanted Baby to join me, the contractor got a late start at building the guest home. I called Kimi to check on Baby and I also wrote to her. I also sent my good friend and neighbor, Linda Roberts, to take pictures of Baby. Kimi never wrote back, but we did speak on the phone and Kimi always was cordial and told me Baby was "fine," and was "sleeping with her every night in her bed. " I had no reason to doubt her words.
- 10) I later found out that this was not true, as two voluteers told me that Baby was simply thrown in a cage and forgotten. She was never walked and she just simply

remained caged 24/7. I was shocked as I honestly believed that Kimi Peck lived somewhere other than the kennel. I had no idea that was her home. When Kimi told me that Baby was sleeping in "her bed," I honestly assumed she meant at her house. I had no idea Baby was at the kennel.

- 11) June of 2005, I decided it was time to get Baby back, so I wrote Kimi a letter. I waited but did not hear from her, so I called. After a few attempts, I got a hold of her. Kimi told me that Janet Wingfield would bring Baby back, but "couldn't right now because she was having work done on her condo."
- 12) I asked Kimi to please send Baby back as soon as possible (as I had been warned by a former volunteer that Kimi was in legal trouble and being asked to close down.) I was extremely concerned about Baby's welfare.
- 13) I called again about a week later and Kimi told me that Baby was "doing fine" and that someone named Heather would be coming down around August 31st. She said something about Heather landing at an airport 2 hours away from where I live. I didn't know the airport she named, and I was concerned that Kimi wanted me, not Heather, to make the drive. Either way, I was excited to be reuniting with Baby.
- 14) I called again to check on Baby approximately a week later. This time, out of the blue, Kimi told me that "Baby has glaucoma" and not to worry since she is "giving her medication." I was extremely concerned since just 7 days earlier, Baby was "fine." I had no idea that glaucoma could develop so quickly.
- 15) I contacted my sister's veterinarian's office and they told me that they would be able to treat Baby's eye. I knew at that point that I wanted her returned immediately, so I made arrangements with my neighbor, Linda , to go get Baby. Once I made those plans, I called Kimi. I first asked how Baby's eye was doing and Kimi said, "Well, Baby's eye was getting painful, so I had to take her to Dr. Schwartz." She did not mention Baby's exact condition, she just told me I should call Dr. Schwartz. When I did, Dr Schwartz would not come to the phone, but had his receptionist tell me that Baby's eye had to be removed. I was stunned. I cried and cried and could not believe that Baby had gone from "fine" to having an eye removed within one short week. I was so scared that my little friend was suffering. I even thought she might die. This reminded me of my other dog Mitzi and her sudden death.
- 16) I called Kimi back and told her I really want Baby to come home now, but Kimi told me that Dr. Schwartz told her Baby "couldn't fly for one month." She also asked if I could please pay Baby's vet bill of \$536.00 , which I did promptly the next day (check #1073 made out to Boulevard Pet Clinic).
- 17) I decided to call Dr. Schwartz and ask him if it was true that Baby couldn't fly for a month. Again, he refused to come to the phone, but his receptionist told me that Baby "could fly in two weeks." I was very worried that Kimi was lying to me about how long it would take for Baby to fly. I still cannot believe she told me one month when it was only two weeks.

- 18) It was at this point I decided to tell Kimi I am sending Lynda to come pick up Baby. I was stunned when Kimi told me that she would "only release Baby if she can meet Lynda at the airport and see the airline ticket in her hand." I still cannot understand why Kimi was treating me this way. We had had a good relationship and she always said someone would bring Baby to me "whenever I was ready." Her tone was completely different from all of our other conversations, which I considered friendly. This time her tone was condescending and rude
- 19) When I got off the phone, I called Lynda and we agreed that Lynda would go down and ask for Baby. I signed a Power of Attorney and faxed it to Lynda. She took it and went to Chihuahua Rescue on Saturday, July 23, 2005. When she arrived at Chihuahua Rescue, Kimi came out in pajamas and with an angry attitude. She immediately became enraged and yelled at Lynda, "Where's your airline ticket?!" Lynda told her she didn't have one yet and Kimi then screamed, "I bet you're here because of the news stories." Lynda said "No," knowing I had been trying to get Baby back well before the news stories of neglect aired on TV. Kimi yelled at Lynda and insisted that "no one could give Baby the care that I am giving her!" She also suddenly insisted that Mary Lou owed her "\$5,000.00 for boarding fees." No matter how Lynda pleaded, Kimi refused. Lynda then called the Burbank Police, who responded quickly. When they arrived, Kimi hurriedly wrote out a "bill" for \$5000.00 and showed it to the police. They then said this is a "civil matter " and there was "nothing they could do.
- 20) I was so upset I could not sleep or eat that day or the next. I was particularly worried because Lynda said that Baby was "shaking" and looked "ungroomed and underweight."
- 21) I have since unsuccessfully tried to obtain the vet records three times from Boulevard Pet Clinic (Dr. Schwartz' clinic) . I will continue to call them.
- 22) I have barely slept since last weekend. I truly fear my little Baby is going to die unless I can get her back.

I declare under penalty of perjury under the laws of the State of Virginia that the foregoing is true and correct, and that this declaration is executed in \_\_\_\_\_ County, on \_\_\_\_\_, 2005.

THIS IS AN EXACT TRANSCRIPTION OF THE SWORN DECLARATION OF MARY LOUR VOILS.  
ORIGINAL SIGNED DOCUMENT ON FILE AT SAVETHECHIHUAHUAS.ORG  
HOME OF RECORD.