

DECLARATION OF LAURA LEIGH

I, Laura Leigh, state under penalty of perjury under the laws of the United States, the following:

1. I incorporate all statements made in declarations made previously.
2. As noted in Gene Seidlitz's Declaration we met on June 5th prior to the start date of the operation. I had been in dialogue with Mr. Seidlitz for several weeks attempting to arrange the meeting date. The date of the meeting was scheduled not at my convenience as I said I could be available on any day. Mr. Seidlitz was out of town and he scheduled the meeting for June 7th and then rescheduled for June 5. I was unaware that the operation had already begun as the contractor was in town when I arrived. It was a surprise to me as well as the entire advocate community that the operation was in motion to begin that very day.
3. As a final Record of Decision had not been signed I expressed my concern that beginning the operation without prior discussion was not in his best interest. I spent the entire day attempting to work out a compromise on the parameters and it seemed that we had reached an agreement on specific issues. None of those specifics made the record of decision.
4. I immediately expressed my concerns only website here:
<http://wildhorseeducation.org/2012/06/07/addressing-the-humane-decision-in-the-jacks-on-mountain-record/> that states in part: "SEVEN miles as a parameter to run a newborn foal? We discussed, and there appeared to be agreement, that three miles was the upper limit and any band with a foal that lagged would be dropped from pursuit immediately. We discussed, and there appeared to be agreement, that NO single animal would be pushed by helicopter. We discussed, and there appeared to be agreement, that if wet mares came in with no foal that a search would be conducted immediately for a left behind facilitated by GPS coordinates immediately relayed when a band was spotted. We discussed so many things that are NOT reflected in this document."
5. Mr. Seidlitz called me and said that his "higher ups" would not allow those items to be placed in the record but for me to "trust him" in that I would see that he would adhere to the concerns and be there on a daily basis to address issues as they arose.
6. He asked that I relay that information to the public and did so. It is even noted at the end of an interview I did in Horsetalk magazine, a widely read equine publication on the web:
<http://horsetalk.co.nz/2012/06/12/watching-these-babies-run-horrifying/#.T-HWP3jHYU>
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7. Mr. Seidlitz has no personal knowledge of horses, domestic or wild. The majority of our conversations were explanatory in nature of behavior and physiology. The opinions

Mr. Seidlitz expresses in his declaration are those of his contract staff (Mirati). The same staff that has been documented engaged in behaviors that are currently part of the discussions for the need for a standard of care and not "discretion." Such issues as hot-shooting a potentially injured animal to get it to rise at the last roundup in Mr. Seidlitz's district. (Noted at 5:50 in this YouTube, http://www.youtube.com/watch?v=I_JQZ6W4y-U) And overdriving and failing to note distressed animals during a drive (Vimeolink: <https://vimeo.com/34984206>)

8. Another Wild Horse and Burro Specialist that was present during operations was Ben Noyes of Ely. Ben Noyes was the specialist that allowed, and felt appropriate, the helicopter hitting the horse at Triple B and the actions noted in the BLM Triple B report that admitted the alleged conduct in the prior action. (Youtube: <http://www.youtube.com/watch?v=ObXB0Wq3nRE>)

9. Mr. Seidlitz was not present at every days operation. He was present Day 1 and 2. I pointed out areas of the trap that would create problems including a ditch in the wings that did create an area where a mare fell. Day 1 Gene Seidlitz did help to change observation location as no assessment could be done from the viewing location chosen by his staff. Day 2 I asked to photograph a roped foal being reunited with it's mother. After considerable discussion that actually lead to the missing the foal offloaded, I was allowed to photograph the foals ears and feet (all that was visible after they let me approach) and was promptly told I had to leave operations for the day. Day 3 Mr. Seidlitz was not present at all. Operations began without BLM's Incident Commander (Alan Shepperd) at the trap. During operations it was discovered Al Shepperd did not have a thermometer to monitor temperature. Every single band that came into the trap had escapees that had to be roped. Limping animals were seen being driven in. A foal was euthanized prior to making it into the trap and we were not allowed to see it. Drives were chaotic and excessive.

10. Day 4 I stayed in town and met Mr. Seidlitz to stress to him the importance of his presence and the need for clear standards to monitor operations. I explained to him what happened (I brought my computer to illustrate through picture and video) and he appeared stunned and he promised action and again reiterated for me to "trust him" to address these issues.

11. Day 5 Mr. Seidlitz did travel to the trap site. The trap had been moved out of the area of greatest concern and was reset. I pointed out that this trap, although set better, had an area that was conducive to escape. During the first run I was proven correct and it took over an hour to rope the escaped foal. The problem was addressed and the next few runs came in clean. However I did point out what the warning signs were in practice. If a foal lags behind more than 20 feet, temperatures start to climb over 84 degrees and the day progresses past 1 pm and a horse either stops or the band fractures all indicate that the band will present a problem during actual capture. All of these indicators were in place and I begged Mr. Sedlitz to call off the day. He may have captured another 8but the risks were too great. After consulting with his staff they

proceeded without heeding any of my warnings. I was proven right in the next run and after multiple attempts to get the band into the trap they had to be released and then run a second time the next day (two young foals in the group). Seidlitz assured me he "took notes" and I would not see the same behavior again.

12. Mr. Seidlitz did not come to the trap location. As the day progressed the identical indicators presented themselves. I could not discuss nor get the BLM personnel present to relay any of my concerns. I witnessed the most callous unnecessary run I have ever witnessed in my entire experience. Temperatures had reached 88 degrees at the observation location taken on the same type of thermometer utilized by BLM. A band had been driven by my estimation more than eight miles. I found out BLM was not taking any GPS readings and using the COR discretion to determine distance. The band was repeatedly fractured, driven back and forth across the valley, with two foals present one estimated at not more than three weeks of age. That foal eventually fell off from the band and the pilot remained in pursuit. The pilot made four unsuccessful attempts to get horses into the trap. The wrangler holding the Judas horse stood upright in the wings of the trap wearing bright colors. The band was again driven across the valley where it was fractured again. The foal was apparently roped and trailered (according to BLM, although the time to do so was not observed) and the trailer heading off into the distance to facilitate roping of the mare. After another hour we were told two mares and two foals had been taken into the trailer. We observed the BLM vet head off down the road and asked what was wrong. We were simply told a "situation" had arisen and were given no details. A BLM ranger truck then pulled down onto the road. At that point we were told we would not be able to see the foal and it was too late to go to the holding facility to see it.

13. During this run I had two cameras in operation, a video on a tripod and a hand held still camera. I leaned into my video camera after zooming in on the limping foal that had dropped off the band and said "If this doesn't make you angry you have no feelings," and immediately the BLM PAO with me yelled at me that I was inappropriate and that we needed to speak to each other as professionals. I immediately burst into tears. I have never done that at any roundup. I sobbed. I could not stop. I was not being talked to as a professional, I was being talked at. Every statement they made was prefaced with "Laura you need to understand," yet no understanding of anything I was saying (except how better to catch horses) was listened to. My opinion that the baby was in distress was minimized as he was overdriven to the point of losing his family. I felt like a child being repeatedly hit, helpless to do anything.

14. I expressed a need to see that baby. It appeared to be understood. However Melanie Mirati the acting COR refused even the BLM PAO permission to approach the trap. I was then told that operations were over and I had to leave. I was told it was too late to go to holding to see the baby offload.

