

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CAROLE BASKIN, an individual,

and

HOWARD BASKIN, an individual,

Plaintiffs,

vs.

CASE NO. _____

ROYAL GOODE PRODUCTIONS
LLC., a New York limited liability
company, and NETFLIX, INC., a
Delaware corporation,

Defendants.

_____ /

DECLARATION OF HOWARD BASKIN

I, Howard Baskin, state as follows:

1. My name is Howard Baskin and I am a resident of the State of Florida.

I am over eighteen (18) years of age and fully competent in making this Declaration, the facts of which are based upon my personal knowledge.

2. I am the Secretary, Treasurer, Advisory Board Chairman and on the Board of Directors of Big Cat Rescue Corp ("Big Cat Rescue"). Carole Baskin is my spouse.

3. Along with my wife, I have active in advocating for big cats for the past almost twenty (20) years. I was recently asked to give a lecture on advocacy to the members of the Big Cat Sanctuary Alliance to educate other big cat sanctuaries on how to do more advocacy

4. Our advocacy work includes a broad spectrum of activities. These include:

- a. Convincing venues not to allow cub petting operations or adult cat exhibitors on their grounds. We have convinced the owners of over 200 large shopping malls not to allow cub petting. We have convinced some major corporations like Citigroup, Porsche, Target, PetSmart and numerous smaller venues like restaurants, all of whom had allowed adult tiger exhibition at their locations at some point, not to allow such exhibition in the future.
- b. We have convinced major advertisers like Farmers Insurance, Arby's, and 5-Hour Energy who used big cats in their marketing ads to discontinue such use.
- c. We spend enormous energy in exposing those who mistreat big cats both by publicizing the mistreatment and by reporting potential violations of federal and state laws to the appropriate authorities. As a result, we are known as the people whistle blowers should report

potential violations to and have assisted whistle blowers in filing formal complaints with agencies like USDA. We maintain a website 911AnimalAbuse.com to provide a public resource and database of news reports about and USDA violations incurred by exhibitors and owners.

- d. We work with state agencies around the country and with federal agencies to strengthen the regulations that protect big cats. One significant example was working along with other advocates to convince the US Fish & Wildlife Service (USFWS) to rescind what was known at the “generic tiger rule.” This 1998 rule exempted tigers of unknown genetic history (i.e. not known to be pure subspecies) from the requirements of the Endangered Species Act. This had resulted in massive overbreeding of tigers. The rescission of this rule in 2016 after five years of our work and others, including generating over 30,000 comments to USFWS, has already resulted in prosecutions for what since the rescission has become illegal trafficking. Other successes include the 2009 requirement that those in Florida who possess Class I animals must post a \$10,000 bond and the reclassification of a cougar in Florida to Class I, making it illegal to own as a pet in FL.
- e. We work with state and federal governments to change the laws. We

have helped change a number of state laws. At the federal level in 2003, we worked with other advocates on the Captive Wildlife Safety Act which passed Congress unanimously and prohibited the interstate sale of big cats as pets. Since 2012, our primary effort has been the Big Cat Public Safety Act. We have been working closely and coordinating with a number of the larger animal welfare. We have been recognized as leading advocates for this legislation, devoting significant financial and time resources to the bill. The bill passed the House in December 2020 by more than a two-thirds vote but did not get a vote in the Senate. It is expected to pass the House again this session and is making strong progress in the Senate with 35 cosponsors including four Republicans. The bill would end cub petting and photo ops with big cats and phase out private ownership by individuals who are not licensed by USDA as exhibitors.

- f. To a large extent the success of this advocacy is accomplished by marshalling the grass roots efforts of millions of social media followers to send emails and make phone calls to venues, public comment sites set up by agencies, and legislators. Personal lobbying also plays a role.

5. Our advocacy is not without opposition. Those who desire to practice the private ownership of big cats as well as the private roadside “zoos” that exploit big cats through breeding and cub petting activities all for commercial gain are frequent critics of us, Big Cat Rescue, and our mission.

6. In one highly publicized case, Joe Schreibvogel n/k/a Joe Maldonado-Passage a/k/a Joe Exotic (“Joe Exotic”), the operator of a private roadside zoo and prolific breeder of big cats and purveyor of cub petting services sought to discredit and silence us and our advocacy through years of constant and persistent intimidating and libelous social media attacks and physically during one incident at Big Cat Rescue.

7. When Joe Exotic misappropriated the trademarks and copyrights of Big Cat Rescue in an attempt to tarnish the sanctuary’s goodwill and our reputation by falsely suggesting that Big Cat Rescue was – itself - engaged in commercial cub petting practices, litigation ensued that resulted in a Judgment in excess of \$1 million being entered against Joe Exotic and his roadside zoo. Actions taken to enforce this Judgment allowed us to succeed in finally shutting down Joe Exotic’s “zoo” and big cat breeding mill.

8. Faced with the financial pressure of the ongoing litigation and our successful efforts of exposing of his mistreatment of animals, in 2017 Joe Exotic solicited a “hitman” to murder my wife, Carole. The plot was uncovered, and Joe

Exotic was arrested and convicted, not merely for the murder-for-hire plot, but also for numerous violations of federal law related to the killing of and illegal trafficking in big cats.

9. In 2014, I learned that Royal Goode Productions wanted Carole and me to participate in the filming of a feature documentary on the wildlife trade described as a big cat version of the documentary *Blackfish*.

10. In a face-to-face meeting in 2014, Eric Goode and Rebecca Chaiklin of Royal Goode Productions repeatedly emphasized that the intended goal for the project was to create a single documentary feature film that would be an expose' of the big cat breeding and cub petting trade akin to the documentary feature film entitled *Blackfish*. Eric Goode touted his credentials in the realm of turtle conservancy and Rebecca Chaiklin touted the involvement on their production team of Fisher Stevens, well known for his involvement in the acclaimed animal welfare documentary *The Cove*, as *bona fides* to induce me to participate in the Royal Goode Productions documentary.

11. Royal Goode first filmed Carole and me on July 23-25, 2014. The next filming occurred April 29-30, 2016. The third filming session occurred on April 3, 2018. In 2019, Royal Goode Productions conducted four additional filming sessions on May 16, October 10 & 17 and December 7. With the exception of the October 17, 2019 filming while Carole and I were lobbying Congress in

Washington, D.C., all of the filming occurred at the Big Cat Rescue sanctuary. All told, I estimate that Royal Goode Productions filmed more than 50 hours of footage involving the Carole and me and Big Cat Rescue.

12. On April 30, 2016 and while filming on-site at Big Cat Rescue, Royal Goode Productions presented me with an appearance release in a form drafted by Royal Goode Productions. In reviewing the appearance release, I understood that it concerned a single documentary motion picture project which was consistent with the representations I had previously received. Accordingly, I signed the appearance release.

13. On April 3, 2018 and again while filming on-site at Big Cat Rescue, Royal Goode Productions presented me with another appearance release in a form drafted by Royal Goode Productions. It was identical to the earlier appearance release except that the proposed title of the single documentary had been changed from "Stolen World" to "currently untitled." After reviewing this second appearance release, I signed it.

14. The April 30, 2016 and April 3, 2018 appearance releases are attached as Exs. A & B and are hereinafter referred to as the "Appearance Releases".

15. I was paid nothing for signing the Appearance Releases nor for participating in the filming by Royal Goode Productions

16. Royal Goode Productions did not provide Carole with copies of the

Appearance Releases that she signed. However, the copies of the Appearance Releases (Exs. A & B) that I signed have been confirmed by Carole as being identical to hers which is not particularly surprising since these were form appearance releases prepared by Royal Goode Productions and were presented to us both at the same time and place by the same representatives of Royal Goode Productions.

17. Although Royal Goode Productions filmed extensively at the Big Cat Rescue sanctuary and received and used materials that we provided, Royal Goode Productions did not request, nor did we provide a location release or materials release.

18. In September 2018, Royal Goode Productions shared with Carole and me three videos as examples of its progress on the project. One was a five-minute video titled "Sizzle Reel," another was a thirteen-minute video they referred to as "Rough Carole Scenes," the third was a forty-five-minute video they referred to as "CNN Pilot." The Sizzle Reel and CNN Pilot both involved multiple species and included footage filmed in Africa. While nowhere akin to the quality of *Blackfish* or *The Cove*, it did appear that Royal Goode Productions was attempting to create an animal welfare-oriented documentary. Even more significant was the "Rough Carole Scenes" video. It clearly portrayed Carole as the heroine battling the cub petters. It even had a text screen saying:

One woman is leading the campaign to end big cat ownership in America.

19. Thereafter, Royal Goode Productions advised that its deal with CNN had fallen through. Subsequently they advised that they had a new deal with Netflix.

20. Upon learning of the Netflix announcement and viewing promotional trailers for *Tiger King 1*, I was confused as to the source of the series. I had been told by Eric Goode of Royal Goode Productions that Joe Exotic would only be a small portion of the documentary, so it seemed to that this announced film could not possibly be the one Royal Goode Productions was making. On the other hand, it was hard to imagine Netflix having two productions at the same time involving big cats. I e-mailed Eric Goode of Royal Goode Productions expressing my confusion and asking if the announced *Tiger King 1* was Royal Goode Productions' film. After no reply and a second inquiry two days later, Eric Goode finally called but avoided accurately explaining how Carole Baskin was portrayed.

21. Far from being a documentary motion picture that seeks to expose the illicit trade of big cat private ownership, breeding and cub

petting, *Tiger King 1* is a seven (7) episode series focused primarily upon portrayal of Joe Exotic as a sympathetic victim and Carole as the villain. Even the producer of *Blackfish* criticized *Tiger King 1* saying that issues surrounding big cats were "lost in the show's 'soap opera-esque drama.'"

22. *Tiger King 1* was particularly harsh and unfair in its depiction of us and Big Cat Rescue. The *Tiger King 1* series wrongly attempted to suggest that Big Cat Rescue abused its animals by keeping them in very small cages, which in fact were feeding enclosures employed for safety reasons, while not making clear that the animals actually reside in expansive enclosures. Also, *Tiger King 1* incorrectly suggests an equivalency between Big Cat Rescue and Joe Exotic's roadside zoo, and more broadly that there is no difference between roadside zoos that exploit and mistreat animals and accredited sanctuaries that rescue and provide excellent lifetime care to the animals. Perhaps most disturbing is the overarching implication in *Tiger King 1* that Carole Baskin was involved in the disappearance of her first husband in 1997

23. Following the release of *Tiger King 1*, my wife and I along with the staff at Big Cat Rescue were subjected to a deluge of instances of "hate mail" in social media, memes, texts, e-mails, internet comments and telephone voice mail messages totaling in the tens of thousands. On Carole Baskin's personal cell phone

alone, she collected over three (3) hours of harassing and threatening voice mails. A compilation of these harassing and threatening communications is available at <https://vimeo.com/407776022> [WARNING: GRAPHIC AND PROFANE CONTENT].

24. Out of fear that any one of these thousands of people who have made harassing and threatening comments might act violently, Big Cat Rescue has had to continue its suspension of its tours to the general public (originally suspended due to the COVID-19 pandemic) because we have no way to be sure that a tour guest is not bent on violence. On the Big Cat Rescue website we have posted the following:

We don't know if we will ever resume doing general public tours again. Even after the virus concerns subside, the betrayal by the liars who produced Tiger King, and the lies viewers were told in the series, creates a concern about having visitors we do not know.

<https://bigcatrescue.org/> . The continued suspension of general public tours because of the threats and harassment resulting from Tiger King 1 has severely harmed our ability to fulfill our mission to educate the public and encourage support for legislative initiatives.

25. In December 2017, I was again contacted by Rebecca Chaiklin of Royal Goode Productions seeking to "clear the air" and, I presume, try to convince us to

participate in filming for *Tiger King 2*. I rejected the offer and ended communications with Royal Goode Productions.

26. Thereafter, I never heard from Royal Goode Productions since the release of *Tiger King 1*. At no time was I informed by Royal Goode Productions or Netflix that they intended to use our film footage in *Tiger King 2*.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed on: 11/1/21



HOWARD BASKIN