

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

)	
JOYCE ROWLEY, pro se)	
Plaintiff,)	
)	Civil Action No.
v.)	1:17-cv-11809-WGY
)	
CITY OF NEW BEDFORD,)	
MASSACHUSETTS)	
Defendant)	

DECLARATION OF JULIA N. ALLEN

I, Julia N. Allen, PhD, DVM hereby declare:

1. I am a licensed veterinarian in Washington and Oregon. I am also a Reserve Veterinary Medical Officer, Reserve Veterinary Medical Corps (WSDA), and have deployed as an Emergency Veterinary Medical Officer, National Animal Health Emergency Response Corps (USDA, APHIS.)
2. I have the following degrees: BS in Wildlife Biology, PhD in Zoology (Terrestrial Ecology, Animal Behavior), and Doctor of Veterinary Medicine.
3. I have observed African elephants in the wild, including their behavior and mobility.
4. As a licensed veterinarian, I am qualified to review and comprehend Veterinary Medical Records, and to evaluate the quality and completeness of veterinary record keeping.
5. I received and reviewed official Medical Records for Asian elephant RUTH (ID #5) for the time period January 13, 2015 through February 21, 2018. It is my understanding that these records were provided by the City of New Bedford, MA Buttonwood Zoo through a

Freedom of Information Act request on the part of Joyce Rowley. My review is based on the Medical Records provided to me for this time period.

6. The Medical Records I received were inconsistent, incomplete, and had numerous errors.
 - a) Laboratory testing would be done, but no results or assessment or interpretation of the results would be entered in the Medical Record.
 - b) Drugs would be administered without any explanation, prescriptions for drugs were not always entered in the Medical Record, drugs and their administration were commonly not tracked, gaps were present between refills of medications that were meant to be on-going, and medications continued to be administered beyond their prescribed time.
 - c) Medical issues would be identified, but there would be no follow-up entered in the Medical Record on assessment, treatment, progress, resolution, conclusion, etc.
 - d) Days or weeks would go by with no entries in the Medical Record, even though RUTH would have on-going medical concerns.
 - e) Entries in the Medical Record about an ongoing treatment or location of a lesion would sometimes change from one day to another (e.g. from “right” leg to “left” leg.)
7. In January 2014, RUTH suffered from life-threatening hypothermia and frostbite due to negligence on the part of Zoo Staff. She almost died. She suffered damage to her ears, her vulva (which was still not healed over a year later), and her distal tail (which ultimately had to be amputated 10 months later and was still not healed over a year later.)
8. In July 2016, RUTH was diagnosed with a gastro-intestinal obstruction. She almost died again. It was 5 days before the veterinarian actually examined her, by which time she

had become “critical” with a “guarded prognosis” for survival. It was another 7 days before RUTH started to show signs of improvement.

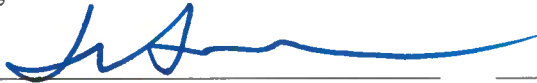
9. In October 2017, RUTH was diagnosed with vasculitis affecting her right ear. The skin on her ear has continued to peel away with draining tracts, pockets of pus, and areas of dead tissue persisting after months of treatment which was still on-going as of February 21, 2018. Unfortunately her ears will forever be cold-intolerant and have circulation problems as these issues are the long-term sequelae of the frostbite she endured in 2014.
10. RUTH suffers from chronic degenerative joint disease, chronic osteoarthritis, and foot health issues. For extended periods of time, she received treatment in the form of laser therapy on her right elbow then right carpus, and daily anti-inflammatory medication, all of which reportedly were beneficial and improved her mobility. But then those treatments were each discontinued without explanation (after 19, 15 & 13 months respectively) though the timing coincided with the onset of other (unrelated) medical crises. Recent video footage published by Friends of Ruth and Emily shows RUTH walking slowly in a stiff and stilted manner, especially with her right front leg which she favors (<https://www.youtube.com/watch?v=MACA51YvhFL>.) The Medical Record states her gait is “normal.” This way of walking may now be her day-to-day manner of getting around, but it is NOT the normal gait of an elephant that has the ability to readily move about - elephants walk this way when they are in pain. If there was no pain then there would be no noticeable signs of stiffness or limping, and RUTH would swing and bend her legs freely.
11. RUTH has ongoing medical issues with her ear, and also with her painful joint disease, arthritis, and foot issues, all of which are aggravated by where she lives (small space,

hard surfaces, limited exercise, cold climate.) These well documented medical conditions make it all the more beneficial for RUTH to live in a warm climate with a large natural habitat, at a facility designed specifically for the care of elderly elephants, where she can receive continuous specialized care and monitoring, individualized for her specific needs, with veterinary services available 24/7.

This Affidavit is a complete representation of my testimony to the Court on this matter.

Signed:

Date:



4/25/18

Julia N. Allen, PhD, DVM

