

The One-Ring RICO Circus



1 Deceived Donors—A recent survey found that 80 percent of HSUS donors believe that HSUS “misleads people into thinking that it supports local humane societies and pet shelters” once they learn that HSUS gives 1 percent of its budget to pet shelters. Donor money helps fund lawsuits and other legal activism by HSUS.

2 HSUS/FFA—When the suit was filed against Feld in 2000, Fund for Animals (FFA) was a plaintiff. Although officially still in existence, a judge ruled that FFA has de facto merged with HSUS and therefore, HSUS has successor liability. Current HSUS CEO Wayne Pacelle was executive director of FFA until he came to HSUS in 1994. Michael Markarian is the President of Fund for Animals and is currently the chief program and policy officer of HSUS and president of the Humane Society Legislative Fund, the HSUS’s lobbying arm.

SUMMARY: Feld Entertainment, owner of Ringling Bros., is suing the Humane Society of the United States, two HSUS lawyers, and others under the Racketeer Influenced and Corrupt Organizations (RICO) Act. Feld alleges that these defendants engaged in a tortious, pay-to-play scheme in litigation they pursued against Feld.

3 HSUS/FFA and the other animal rights organizations paid for the legal work done by the firm Meyer Glitzenstein & Crystal (MGC). They also allegedly donated money to the Wildlife Advocacy Project, a nonprofit organization founded by MGC attorneys.

4 Meyer Glitzenstein & Crystal (MGC) and Wildlife Advocacy Project (WAP)—MGC is a law firm that represented the plaintiffs in their suit against Feld. WAP was founded by MGC attorneys. Feld alleges that WAP was merely the “alter ego” of MGC and was controlled by it. WAP allegedly collected \$155,000 from the animal rights organization plaintiffs.

5 MGC sent payments to witness Tom Rider that were billed back to HSUS/FFA and the other plaintiffs as legal expenses. WAP sent payments to Rider from the funds received from HSUS/FFA and the other organizations. These payments were earmarked as “media and public education efforts” or “PR efforts.” A judge found that these payments were made to keep Rider involved in the litigation so that he would testify against Feld. The “regular and systematic payments” added up to \$190,000.

6 Feld alleges that Michael Markarian of HSUS/FFA lied under sworn deposition testimony in order to conceal the organization’s payments to Rider.

7 Tom Rider—Rider was a plaintiff against Feld in the original suit after he alleged that through his work as a barn worker, he witnessed abuse of Asian elephants by Feld. Rider claimed to have “aesthetic and emotional injury” from this experience. A judge found that Rider “not credible” and was “essentially a paid plaintiff and fact witness” for the animals rights organizations.

8 Jonathan Lovvorn and Kimberly Ockene—Partners at MGC at the time of the lawsuit was filed against Feld.

9 Lovvorn and Ockene have since left MGC and are now attorneys for HSUS. Both were individually sued by Feld as well. Feld alleges that Lovvorn was directly involved in coordinating payments to Rider.