

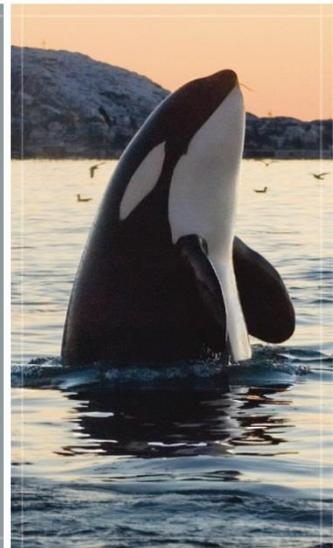
SLAPP Suits



**WINNING
THE CASE
AGAINST
CRUELTY**



Anti-SLAPP



**WINNING
THE CASE
AGAINST
CRUELTY**



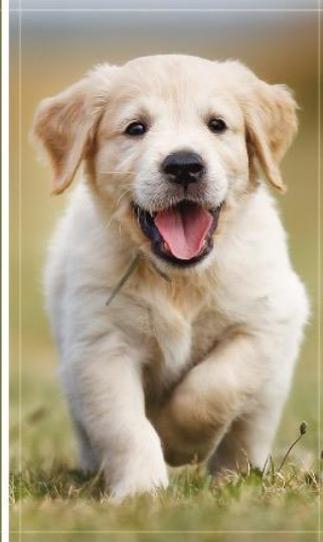
- **California Code of Civil Procedure § 425.16**: The Legislature finds and declares that there has been a disturbing increase in lawsuits brought primarily to chill the valid exercise of the constitutional rights of freedom of speech and petition for the redress of grievances. The Legislature finds and declares that it is in the public interest to encourage continued participation in matters of public significance, and that this participation should not be chilled through abuse of the judicial process.
- **Texas Civil Practice and Remedies Code § 27.002**: The purpose of this chapter is to encourage and safeguard the constitutional rights of persons to petition, speak freely, associate freely, and otherwise participate in government to the maximum extent permitted by law and, at the same time, protect the rights of a person to file meritorious lawsuits for demonstrable injury.

Anti-SLAPP Two-Step



Step 1: Does the cause of action arise from protected activity?

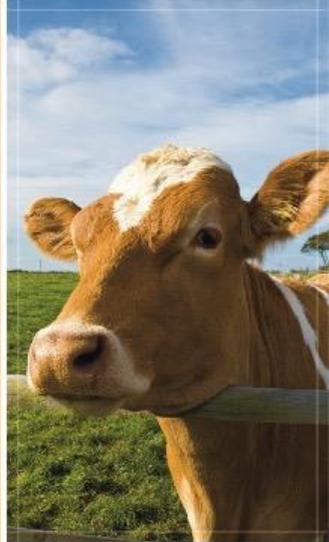
Step 2: Is the plaintiff nevertheless likely to succeed on the merits?



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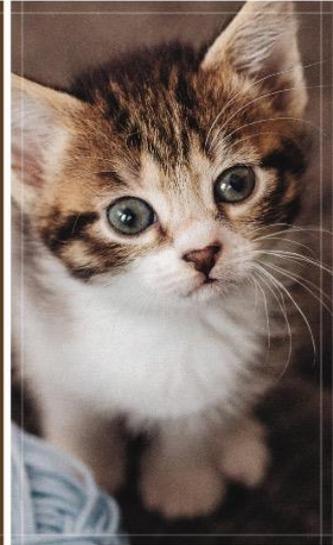
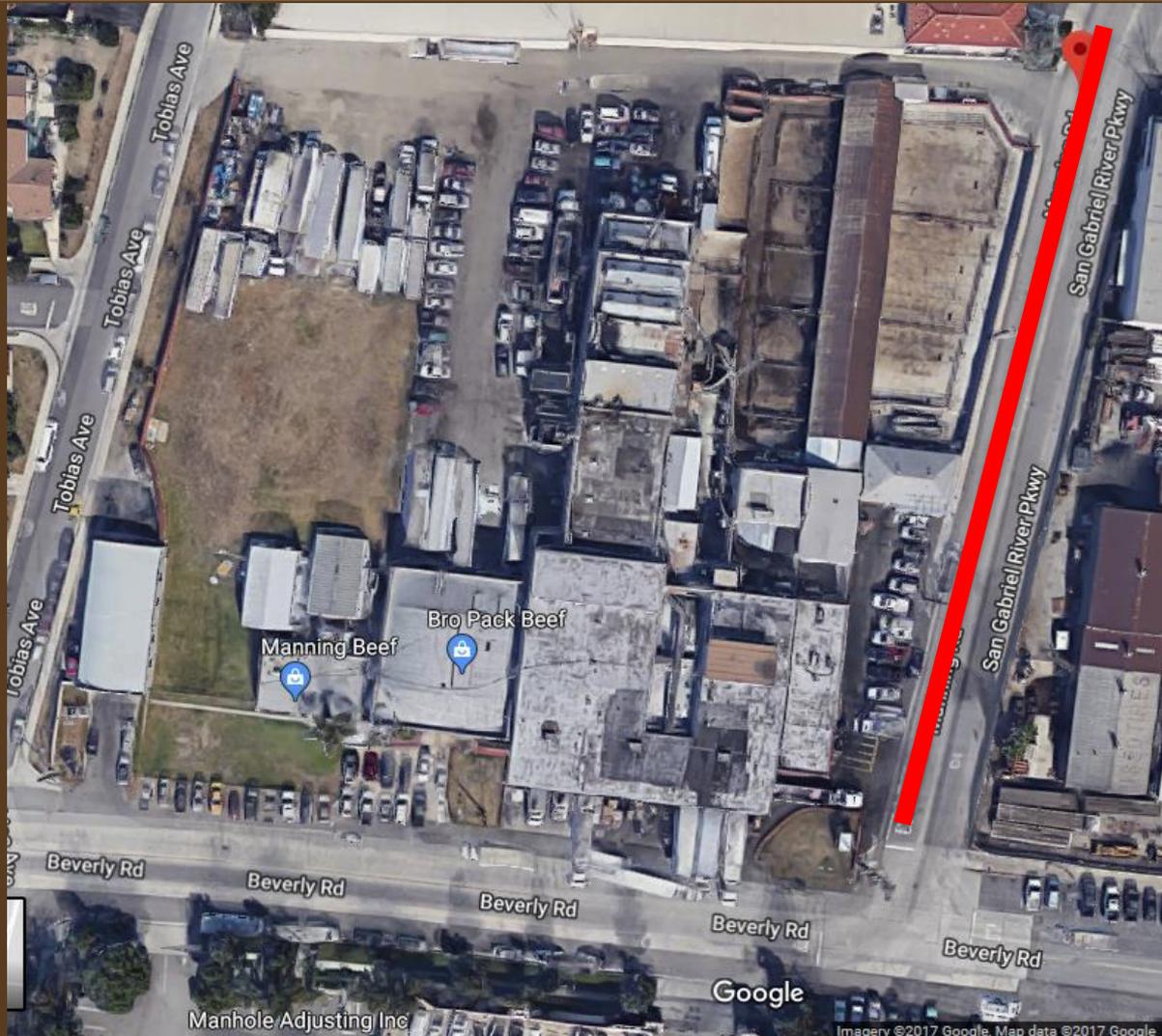
Manning Beef v. Los Angeles Cow Save



**WINNING
THE CASE
AGAINST
CRUELTY**



Manning Beef v. Los Angeles Cow Save



**WINNING
THE CASE
AGAINST
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Landry's Inc. v. Animal Legal Defense Fund



**WINNING
THE CASE
AGAINST
CRUELTY**



Landry's Inc. v. Animal Legal Defense Fund



**WINNING
THE CASE
AGAINST
CRUELTY**





525 East Cotati Avenue, Cotati, California 94931 T 707.795.2533 F 707.795.7280

September 19, 2016

Via Certified Mail, Return Receipt Requested

Houston Aquarium, Inc.
d/b/a Downtown Aquarium
1510 West Loop S.
Houston, TX 77027-9505

cc: Hon. Sally J
U.S. Departm
1849 C Stree
Washington,

Landry's, Inc.
1510 West Loop S.
Houston, TX 77027-9505

cc: Daniel M. A
U.S. Fish and
1849 C Stree
Washington,

RE: Notice of Intent to Sue for Violations of Section
Species Act for the harm and harassment of
tigris) at the Downtown Aquarium, in Houston.

Dear Houston Aquarium, Inc. and Landry's, Inc.:

This letter serves as 60 days' notice under the En
("ESA") citizen suit provision, 16 U.S.C. § 1540(g). On beh
Defense Fund ("ALDF") and Cheryl Conley, represented by
we notify you of our intent to sue the Houston Aquarium,
other related entities and individuals (collectively, "L
improper care and holding conditions of four white t
Downtown Aquarium in Houston, Texas. For twelve years
these tigers of access to sunlight, fresh air, natural
appropriate environmental enrichment. These conditions vi

In an effort to correct these violations of federal law
Senior Attorney Carney Anne Nasser met with counsel fo
2016. Ms. Nasser offered to rehome the tigers Marina, N
reputable, accredited sanctuaries where ALDF has secured
Landry's. This offer still is open and will remain open fo
date of this notice. If Landry's declines ALDF's offer and
unlawful actions, we will file suit in federal district court un

Landry's Inc. is Served Notice of Intent to Sue for Endangered Species Act Violations

Posted on September 19, 2016

Animal Legal Defense Fund Offers to Rehome Four White Tigers in Lieu of Litigation

For immediate release:

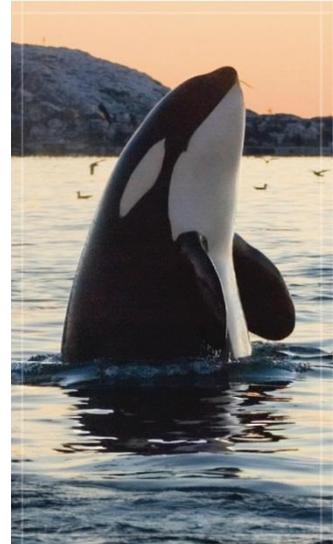
Contact:

Natalia Lima, Animal Legal Defense Fund, nlima@aldf.org, 201-679-7088

HOUSTON — Today, Houston's Downtown Aquarium and Landry's Inc. were served with a notice of intent to sue for violations of the federal Endangered Species Act (ESA). The notice, served by the Animal Legal Defense Fund and Irvine & Conner PLLC, alleges harm and harassment to a federally listed species: four tigers, who are kept in deplorable conditions at the Aquarium. In the notice, the Animal Legal Defense Fund reiterates its offer to rehome the tigers to a reputable, accredited sanctuary at no cost to Landry's. If Landry's declines this offer, the group will proceed with litigation after 60 days.



In December 2004, Landry's transported four white tigers to its Downtown Aquarium restaurant and amusement park complex in Houston, Texas. For the last 12 years, Landry's has deprived these four tigers—named Nero, Marina, Coral, and Reef—of any access to sunlight, fresh air, or natural surfaces. These species-inappropriate living conditions violate the ESA, which has protected tigers since 1970.



WINNING THE CASE AGAINST CRUELTY



CAUSE NO. 2016-79698

LANDRY'S INC., AND
HOUSTON AQUARIUM, INC.,

Plaintiffs,

v.

ANIMAL LEGAL DEFENSE
FUND, CARNEY ANNE NASSER,
AND CHERYL CONLEY

Defendants.

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

334th JUDICIAL DISTRICT

DEFENDANT CHERYL CONLEY'S ANTI-SLAPP MOTION TO DISMISS

TO THE HONORABLE JUDGE KIRKLAND:

Defendant Cheryl Conley files this Anti-SLAPP Motion to Dismiss Plaintiffs' claims against her and would respectfully show the Court as follows:

I
SUMMARY

1. Cheryl Conley seeks redress for Plaintiffs' shameful use of the judicial system to suppress Conley's first-amendment right to criticize Plaintiffs for their shocking treatment of four rare tigers.
2. After her behind-the-scenes tour of the Houston Aquarium exposed the tigers' pitiful existence, Conley reached out to the Animal Legal Defense Fund to pursue Endangered Species Act claims against Plaintiffs.
3. At the behest of their billionaire owner, Plaintiffs—bitter from the public's longstanding and well-founded criticism of its tigers' treatment—filed this preemptive



Animal Legal
Defense Fund



**WINNING
THE CASE
AGAINST
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