

MOULTON CHINCHILLA RANCH

Daniel J. Moulton

976 14th Ave. SW

Rochester, MN 55902

moultonchinchilla@gmail.com

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REC'D - USDA/OALJ/OHC
2021 AUG 6 PM 3:21

August 6, 2021

Clifton, Jill—OHA-OALJ, Washington, DC
jill.clifton@usda.gov

Re: DANIEL J. MOULTON, an individual, also known as DAN MOULTON, doing business
as MOULTON CHINCHILLA RANCH
AWA Docket No. 19-0004

Dear Judge Clifton:

Some time ago, I submitted my correspondence to you about restricting contact with non participants in the matter before you. I spoke to you of safety of witnesses, harassment of witnesses and now I speak to you of threats to witnesses.

You ordered counsel and myself to consider whether or not each of us would respond to the request to not restrict access and commentary. I have enclosed a letter that I just received from Mr. Goodman of PETA.

Although Mr. Goodman was not at our hearings, Mr. Goodman was made aware of what I had to say in my opening remarks. How he found out about that is something I can't address but I can speculate about the "leak".

What concerns me is the statement that I have falsely accused his employee of conduct and he then demands that I cease and desist. I take that as a threat.

I have put up with PETA contacting my customers to not buy chinchillas from me and PETA was successful. PETA has contacted my family, my friends, my neighbors and my vets. They have contacted over five media which includes the Post Bulletin, KTTC TV, channel 9 News, The Chatfield News and the Fillmore County Journal.

PETA has published stories on the internet and also ran ads on KNXR radio for a week. PETA also got their "followers" to write me emails that I take as threatening. There are over 5" of these emails.

As a recent tactic, PETA sent out a van with two TV screens, showing my wife and I, along with pictures of my chinchillas, with false comments. PETA has parked the van across from where my wife works, at the Chatfield grocery store, the Fillmore County Courthouse, the Sheriff's Department and the Preston, Minnesota Casey's gas station.

Based upon what I have disclosed, I ask this Court to restrict the non parties.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Moulton", written over the word "Sincerely,".

Dan Moulton

enclosures



Dan Moulton <moultonchinchilla@gmail.com>

REC'D - USDA/OALJ/OHC
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Willfully False and Defamatory Statements re PETA

1 message

Jared Goodman <JaredG@petaf.org>

Tue, Aug 3, 2021 at 7:14 PM

To: "moultonchinchilla@gmail.com" <moultonchinchilla@gmail.com>

Mr. Moulton,

Please see the attached correspondence.

Thank you for your attention to this matter.

Jared Goodman

VP & Deputy General Counsel for Animal Law

PETA Foundation

2154 W. Sunset Blvd. | Los Angeles, CA 90026

323-210-2266

This message may be protected by the attorney-client privilege and/or the attorney work product doctrine. If you believe you have received this message in error, please reply to the sender that it has been sent in error and delete the message. Thank you.

 **Willfully False and Defamatory Statements re PETA.pdf**
279K

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS
FOUNDATION

Washington
1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk
501 Front St.
Norfolk, VA 23510
757-622-PETA

PETA FOUNDATION IS AN
OPERATING NAME OF FOUNDATION
TO SUPPORT ANIMAL PROTECTION.

AFFILIATES:

- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

August 3, 2021

Via email

Daniel J. Moulton
moultonchinchilla@gmail.com

Dear Mr. Moulton,

I am writing to demand that you immediately cease and desist from making willfully false and defamatory statements against my client, People for the Ethical Treatment of Animals (PETA).

Specifically, in your letter to the Administrative Law Judge overseeing the United States Department of Agriculture's proceedings against you in relation to your recurring violations of the Animal Welfare Act, on July 15, 2021, you made several false statements regarding PETA. In addition to other misrepresentations, you assert, referring to PETA's investigation of your facility:

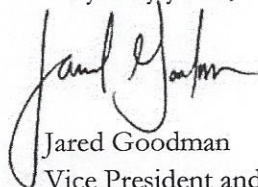
- g) the PETA person even took medical records and USDA care sheets from the farm
- h) the PETA person stole and took 8 animals

These allegations are entirely baseless. PETA's investigator took no "medical records" or "USDA care sheets" from your facility. The only animals he took were those who he received from you as payment, with your explicit permission—animals who he requested so he could obtain the critical veterinary care that you denied them.

The allegations are also defamatory per se. *See, e.g., Longbehn v. Schoenrock*, 727 N.W.2d 153, 158 (Minn. Ct. App. 2007) (statements are defamatory per se if they falsely accuse a person of or are naturally understood to impute commission of a crime, or if they refer to improper conduct involving a person's business).

While it is clear that you are displeased with PETA's publication of the suffering documented at your facility, you cannot resort to defamatory statements against PETA to distract from those findings. We trust that you will immediately cease and desist from making these or any other false and defamatory statements against PETA. PETA reserves all rights to pursue available legal remedies should you fail to do so.

Very truly yours,



Jared Goodman
Vice President and

Deputy General Counsel for Animal Law
(323) 210-2266 | JaredG@petaf.org

CERTIFICATE OF SERVICE

Daniel J. Moulton, a/k/a Dan Moulton, d/b/a Moulton Chinchilla Ranch, Respondent
Docket: 19-0004

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct, and this is to certify that a copy of the RESPONDENT'S REQUEST TO RESTRICT THE NON PARTIES has been furnished and was served upon the following parties on August 6, 2021 by the following:

USDA (OGC) - Electronic Mail

John V. Rodriguez, OGC
John.Rodriguez@usda.gov
Rupa Chilukuri, OGC
Rupa.Chilukuri@usda.gov
Joyce McFadden, OGC
Joyce.McFadden@usda.gov
Donna Erwin, OGC
Donna.Erwin@usda.gov
Carla Wagner, OGC
Carla.Wagner@usda.gov

USDA (APHIS) – Electronic Mail

IES, APHIS
IESLegals@usda.gov
ac.rss.mailbox@usda.gov

Respondent – Electronic Mail

Daniel J. Moulton
976 14th Ave SW
Rochester, MN 55902
Moultonchinchilla@gmail.com

Respectfully Submitted,

Eliuth Morón, Assistant Hearing Clerk
USDA/Office of Administrative Law Judges
Hearing Clerk's Office, Room 1031-S
1400 Independence Ave., SW
Washington, DC 20250-9203