

[Annotated at end of document]

**SUPERIOR COURT OF WASHINGTON
IN AND FOR KING COUNTY**

MARTHA J. SCUDDER, A single individual,
Plaintiff,
vs.

Case No.: 04-2-04721-8 SEA

DECLARATION OF JOE LONGO

LARRY GALLAWA, A married individual,
Defendant

I, Joe Longo, make the following Declaration under Penalty of Perjury under the laws of the State of Washington.

1. I am over the age of 18, am competent to testify and make this declaration based on my knowledge of the facts;

2. When I was five years old, my parents allowed me to own birds. After four decades of operating a commercial aviary, I retired.

3. When I started my aviary in 1965, it was located in Federal Way, Washington until 1976, when my wife and I moved to Covington, Washington. In 1995, my wife and moved to Phoenix, Arizona and continued operating our aviary. Since 1976, I have bred primarily psitticines (parrots).

1 4. By the time my wife and I moved to Covington, we had between 600 and
2 900 breeding birds. It wasn't until we moved to Phoenix that we decided to
3 reduce the breeding stock to 150 pairs of parrots.

4 5. I am a member of numerous national and international bird
5 organizations, many of which I have held office. I have also founded several
6 bird organizations.

7 6. During my career, I have been a consultant to both national and
8 international zoos.

9 7. I have had the San Diego Zoo, Los Angeles Zoo, Houston Zoological
10 Park and Woodland Zoo, among other zoos, loan me their rarest and nearly
11 extinct parrots for breeding purposes to grow and maintain the species for
12 literally, the world to see.

13 8. Over the years, I have attended numerous conventions and symposiums,
14 nationally and internationally. In 1978, I helped organize the first BIRD IN
15 CAPTIVITY SYMPOSIUM, held in Seattle. This was attended by international
16 bird breeders, zoo curators, scientists, professors and people whose only
17 concern was the preservation and maintenance of parrots whose habitat had
18 been destroyed by the encroaching human civilization.

19 9. My wife and I have known Martha Scudder since the early 80's.
20 Naturally, we had a mutual interest: preservation and maintenance of the
21 parrot species, regardless of their status being extinct, nearly extinct, or
22 prevalent.

23 10. Over the past quarter of a century, my wife and I have observed,
24 advised, and learned from Martha. Her abilities and natural talent as a
25 parrot breeder was respected nationally and internationally.

1 11. This changed in 2003, when Mr. Gallowa began his destructive
2 campaign of singling out Martha and her aviary as one that spread disease and
3 treated the birds cruelly. These vicious lies have nearly destroyed the
4 aviary and crushed Martha's spirit. It is hard for me to understand how one
5 person can publish, to literally the world, that Martha's birds look like the
6 Jewish prisoners at Auschwitz during the Third Reich's and Hitler's reign.

7 I can't imagine any decent human being that would equate this
8 diabolical time with Martha and her birds. Frankly, it is disgusting,
9 offensive and intolerable, particularly to a veteran such as myself.

10 12. I have never observed or been made aware from any legitimate
11 breeder that Martha had diseased birds or more importantly, treated her birds
12 in any other manner than with heartfelt concern and love. I am aware that
13 Martha has even used her retirement savings just to maintain her aviary to
14 preserve the species.

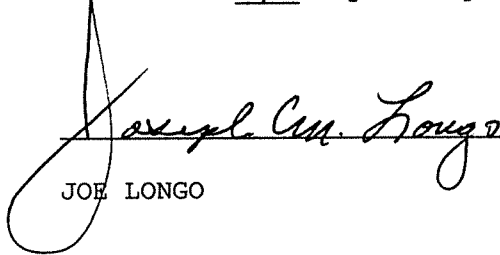
15 13. As a direct consequence of Mr. Gallowa's actions, Martha's
16 reputation has been severely damaged. Hopefully, once the truth is known
17 rather than vicious lies, Martha might be able to restore her once
18 untarnished reputation.

19 14. As a direct consequence of Mr. Gallowa's despicable actions in
20 orchestrating the intrusive inspections by Dr. Tracy Bennett, a purported
21 board certified avian veterinarian, in 2003 and the Tacoma-Pierce County
22 Health Department in 2004, Martha's birds have failed to breed and have died,
23 all because of one individual who claims his only purpose in life is to save
24 parrots.

25 15. Obviously, the economic impact has been disastrous for Martha.

1 Imagine a cattle rancher trying to sell his cattle because lies had been
2 spread that his herd had **MAD COW'S DISEASE**. Would that rancher's reputation
3 and pocket book be damaged?

4 Dated this 4 day of August, 2005.

5
6  _____
7 JOE LONGO

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

[With all due respect to Mr. Longo and his long-term friendship with Mrs. Scudder, his statements about her reputation are in marked discordance with the facts both locally and more widely, certainly in recent years since John's death, and predating Mr. Gallawa's appearance on the scene. No one has impugned Mrs. Scudder's *personal* reputation, but to say that her professional reputation was "untarnished" "pre-Gallowa" seems to be propaganda at best.

Dr. Bennett is not a "purported" board certified avian veterinarian, she is one. And there is no extant evidence that her inspection was "intrusive" (only one quarter of the aviary facility was even accessed); furthermore, the inspection resulted in improvements in the husbandry at the Scudder farm—which sadly were not only incomplete but were allowed to rapidly lapse [Deposition of K. Scudder].

Mr. Longo's claims of "disastrous" economic impact also were not substantiated, as found in the Court's Summary Judgment. What was disastrous to Mrs. Scudder was over a hundred reported (and allegedly, many more unreported) deaths of birds from disease, starvation and environmental hazards, and a host of problems all of which can be traced directly back to poor husbandry at the Farm itself.

While Mr. Gallawa's analogy to Auschwitz* does seem over-the-top, the point remains that the birds do look like prisoners:

- *"Martha personally took me up on her porch and showed me a military Macaw, and told me that that's what a Macaw dying of PDD looked like. And that bird was — that bird was laying in the bottom of the cage, wasn't even able to get up on a perch, and all that bird was was skin and feathers and bones, and two days later she told me the bird was dead."* —Kathy Scudder, of a bird which Martha Scudder pointed out as an example of Proventricular Dilatation Disease, though she and her Expert Witnesses denied having contagious diseases at the Farm
- *"We saw a Blue Fronted Amazon in the part where she dump — originally they dump the dumpster there and then they dump it up over into the garbage truck. There was a Blue Fronted Amazon that was laying in that area, and I do know that he picks up the dumpster at Mrs. Scudder's home and then comes to our home directly...I could tell that that bird was skin and bones... It was — one of the ways that you can tell that a bird is extremely thin is they have what's called a keel bone that runs down the center of the chest, okay? When that keel bone protrudes like a knife and there's no muscle or meat or anything along the side of it, it looks almost like your turkey carcass at Thanksgiving where you've carved off the white meat. It starts sticking out like that... — but most specifically the thing that I noticed more than anything was that that bird was very, very, very thin."* —Same source
- *"Absence of adipose stores [i.e., fat] is a notable finding in all examined birds."* —Dr.Caplazi's note from the necropsies of 27 Scudder birds dying in a cluster of unexplained deaths--this was this ONLY common finding in all 27].
- Many other birds had virtually identical findings in single deaths. See overview in Metz Declaration.

Despite Mr. Longo's claim to the contrary, the Editors are aware of very legitimate breeders who **have** seen birds at the Scudder Parrot Depot treated very poorly. One (but certainly not the only one) is Mrs. Frances Davidson who has prolonged and intimate, first-hand knowledge of the husbandry at the Scudder Bird Farm as detailed in a formal interview with her, provided on this website at "Feeding Time at Scudder Parrot Depot"(printed with permission). In addition to a number of other

shocking observations presented there, she made two other comments which seemed especially relevant to Mr. Longo's purported affront at Mr. Gallawa's reference:

- On one occasion when Ms. Davidson frankly asked Martha why her parrots were so thin, Martha laughed and said it was for breeding purposes. Her answer was, and the editor conducting the interview asked twice if this was a direct quote....per Martha you "have to keep them lean, mean sex machines."
- Further discussing the fact that Martha's birds were so thin, she (Martha) explained her theory to Ms. Davidson. She felt that if they (the birds) are too thin, out of desperation they will reproduce to save their species. Ms Davidson added that later John Sr. told her of his belief in this same theory and therefore their practice of keeping the birds (unnaturally) thin.

We further refer Mr. Longo to the grossly substandard food fed at Scudder Parrot Depot, as discussed in detail under "Feeding Time at the Scudder Parrot Depot".

Mr. Longo appears to be yet another witness for the Plaintiff who professes to care for—even want to preserve—these birds, but then chooses the easy road (friendship? protecting the autonomy of aviculture?) over the much more difficult, but high road. There is no question that taking that high road, doing what would be right for these birds, would present a tremendous challenge. But the Editorial Board feels there is an overwhelming amount of evidence that clearly shows the parties involved should have chosen that road. Why they did not is what saddens us to this day.]

—Editors.

**Reference made by Joe Longo in his Declaration*

From Mr. Longo's Declaration:

"It is hard for me to understand how one person can publish, to literally the world, that Martha's birds look like the Jewish prisoners at Auschwitz during the Third Reich's and Hitler's reign."]