

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

FRONT RANGE EQUINE RESCUE,	)	
<i>et al.</i> ,	)	
	)	
	)	
<b>Plaintiffs,</b>	)	
v.	)	Civ. No. 1:13-cv-00639-MCA-RHS
	)	
TOM VILSACK, Secretary,	)	
U.S. Department of Agriculture, <i>et al.</i> ,	)	
	)	
	)	<b>SUPPLEMENTAL</b>
	)	<b>AFFIDAVIT OF RICARDO DE LOS</b>
	)	<b>SANTOS IN RESPONSE TO</b>
	)	<b>PLAINTIFFS' MOTION FOR TRO</b>
<b>Federal Defendants.</b>	)	<b>AND FOR PRELIMINARY INJUNCTION</b>
	)	

I, RICARDO DE LOS SANTOS, do hereby attest and swear as follows:

1. I am the General Manager of Valley Meat Company, LLC (“VALLEY”) of Roswell, NM. I am authorized to make statements on behalf of VALLEY and my sworn statements herein represent the true and correct facts to the best of my knowledge.

2. On July 27, 2013 VALLEY was the subject of domestic terrorism under the Animal Enterprise Terrorism Act (AETA) 18 U.S.C. § 43 by an act of arson as VALLEY is an animal enterprise operation. It is my understanding that between the hours of 8:45 pm and 10:00 pm a fire was set to the exterior of the VALLEY facility located in Chaves County New Mexico. A good Samaritan that lives in the area was passing by the plant and called it in. It is my understanding that authorities fortuitously were able to respond in a quick fashion and the fire was quickly extinguished. Fire authorities investigating the incident made note of the fact that there was no electricity currently directed to the source of ignition which was in the area of our refrigeration generators and that fire therefore would have to have had another ignition source. They also made note of the presence of the strong odor of gasoline at the site of the fire and it appears to have used as an accelerant. They have immediately classified the fire as suspicious.

3. Refrigeration units such as were targeted by the arsonist are absolute and critical component of a packing facility. The attack appears to be premeditated to destroy a critical and expensive component of the plant in an attempt to delay or disable the opening

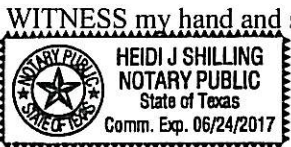
and operation of the plant. The damage to the plant will range from \$10,000.00 dollars to repair the units or up to \$25,000.00 if total replacement is necessary. VALLEY has remained idle after ceasing operations at the promise of USDA that this would be a short turn around for over 15 months. Repairing or replacing units in this instance or addressing further acts of terrorism represent extreme financial hardship to VALLEY as they are unable to mitigate those costs while not in operation. VALLEY believes these acts of destruction will continue. VALLEY personnel have received death threats to them and their families, there have been bomb threats left on voicemails, and multiple threats of "burning the plant down" in the past. Because VALLEY has been unable to begin operations it is placed in a place of financial hardship that does not allow it hire the necessary security or take other necessary security precautions. If the delay continues VALLEY's financial hardship may render it impossible to repair the damages associated with future acts of domestic terrorism. The total loss of the facility to a more successful act of terrorism would result in the loss of the facility causing several more million dollars of loss. The longer this delay continues the greater the hardship to provide the necessary up-keep, insurance or security to protect physical structure. The threat of harm from those that oppose the opening of the plant has now been manifested in actual physical destruction of property and domestic terrorism. VALLEY faces real physical harm and financial harm by the delay of its opening.

**FURTHER AFFIANT SAYETH NOT:**

Dated this 01 day of <sup>August</sup>~~July~~ 2013.  
R.D.

By: Ricardo De Los Santos  
Ricardo De Los Santos

On this 1<sup>st</sup> day of August, 2013, before me personally appeared Ricardo De Los Santos, to me personally known to be the person described in and who executed the foregoing instrument and acknowledges it to be his free act and deed.



Heidi J Shilling  
NOTARY PUBLIC

My Commission Expires: 6/24/2017