

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Complainant, Mark Englund, is a duly acting and appointed Deputy Sheriff for the County of Otter Tail, Minnesota, who received information regarding the below-described offense. Between August, 2007, and September 13, 2007, KATHY JO BAUCK, hereinafter referred to as the defendant, was operating Pick of the Litter, Inc. aka, Pick of the Litter Kennels, located at 51402 - 410th Street in New York Mills, Minnesota, in Otter Tail County. On October 12, 2006, the Executive Director, John King, D.V.M., issued a Cease and Desist Order and Notice of Right to Hearing to the defendant, with allegations of the defendant performing a 2002 spay surgery on a female Papillion puppy she had sold, a 2002 spay surgery of a Rat Terrier she had sold, and a 2003 surgery of a Golden Retriever that she had sold. Also alleged was that defendant performed neuter surgeries on puppies she owned as recently as April, 2006, and ear crops on puppies she owned as recently as 2006. In an interview conducted by Investigator Earl Fleck of the Office of the Attorney General on July 21, 2006, with the defendant, she admitted she had performed tail dockings on puppies she owned, performed Cesarean sections on dogs she owned, performed hernia repairs on puppies or dogs she owned and removed dew claws on puppies or dogs she owned, and vaccinations to puppies after she sold them. In December of 2006, [redacted] purchased a miniature Schnauzer who was six weeks old from the defendant that had already been neutered, which concerned Ms. [redacted] and her family to question the defendant about this and she stated that the puppies belonged to her and she can do anything she wants with her own animals. The puppy [redacted] purchased became sick when it was brought home and died after six days. The puppy had been brought to the Elbow Lake Vet Clinic where veterinarian Dr. Kendra Greiner looked at it and was concerned over the puppy being neutered at such an early age. Investigator Earl Fleck contacted [redacted] and learned that in last two weeks of August of 2007, she worked for defendant at Pick of the Litter Kennels. [redacted] informed Investigator Fleck that she understood the defendant docked the tails of dogs at Pick of the Litter Kennels. [redacted] also observed an English Bulldog in the puppy barn upon whom defendant had performed a C-section and indicated that the C-section incision for this dog kept opening up. [redacted] was also employed by defendant at Pick of the Litter for four (4) weeks in August and September of 2007. [redacted] spoke to Investigator Earl Fleck and informed him that there was a situation where a Yorkie female had a C-section performed on her by the defendant and that the dog had stitches on her abdomen. [redacted] further reported to Investigator Fleck that the defendant docked tails and ears on mini Schnauzers without the use of sterile procedures, anesthesia or pain killers. [redacted] observed puppies in the puppy barn that were four or five days old bleeding from their ears. [redacted] informed Investigator Fleck that employees were instructed to just throw dead puppies into the garbage. On August 22, 2007, [redacted] purchased a Bassett Hound dog from the defendant. Within a few days of purchasing the dog, it became sick with what was later diagnosed as kennel cough by Dr. Dennis Stanford at All Creatures Veterinary Hospital in Perham, Minnesota. Prior to taking the dog to Dr. Stanford, [redacted] brought the dog back to the defendant who gave [redacted] 50 mg of doxycycline to be administered twice a day plus one half teaspoon of children's Tylenol every four hours. [redacted] also reported to Investigator Fleck that the defendant administered a canine medication called Parvel, which was supposed to be a three stage shot spaced out every two weeks, but that the defendant gave the dog a shot one week apart. [redacted] learned from Dr. Stanford that the doxycycline administered by the defendant was ten times the normal dose and that dogs were not supposed to be given Tylenol. [redacted] also reported that the defendant performed C-sections of two female dogs named Elsie and Claudia at her facility and the incisions on these dogs would break open and bleed and the defendant was constantly

sewing up the dogs. further overhead the defendant telling customers to bring their dogs back for vaccinations and that she would bad mouth veterinarians to new dog owners, telling them veterinarians were just out to rip them off financially. Also employed by the defendant from mid-August, 2007, to mid-September, 2007, was

spoke with Investigator Earl Fleck who explained that her job was to get dogs prepared for shipping to pet stores and that she was hired as a dog groomer and also to clean kennels for the defendant at Pick of the Litter in New York Mills.

informed Investigator Earl Fleck that on September 13, 2007, at approximately 9:30 to 10:00 a.m., she entered the office area of Pick of the Litter and observed the defendant performing a C-section on a female Yorkshire Terrier. Later in the day the same female was returned to the puppy barn and the stitches on the underbelly of the dog broke open.

also stated that if a puppy died, employees were told to just throw it in the garbage. reported to Investigator Fleck that she purchased two dogs from the defendant while she worked there in August or September of 2007 and that the defendant had vaccinated her dogs and then came down with some kind of fever. The defendant then gave her dogs a shot with some kind of medication.

also observed a puppy born in the puppy barn of the defendant who had a "hole in its belly."

informed Investigator Fleck that she observed the defendant pick up the puppy and whack its head against a pole in the barn and throw the puppy in the garbage.

further reported to Investigator Fleck that she observed the defendant giving doxycycline to puppies at one-half tab a day, equaling 50 milligrams. Investigator Fleck spoke further with

who had purchased a dog from the defendant at Pick of the Litter on September 8, 2007.

informed investigator Fleck that the defendant "sprayed" the dog for kennel cough and informed her that they could bring the dog back to her for vaccination shots for only \$5.00.

also stated that the defendant gave them a syringe and some distemper vaccine to give to the dog after two weeks when they purchased the dog.

further indicated to Investigator Fleck that the dog they had purchased, a Pug/Beagle canine named Stewy, started coughing on day two.

called the defendant who said she would give them a new dog. The defendant mailed

some type of antibiotic medication and told her not to take the dog to a veterinarian. The defendant mailed

antibiotic tablets with instructions to give a half-tab two times per day. The antibiotic was Doxycycline Hyclate 100 mg tablets. took the dog, Stewy, to Dr. Toft, DVM at the Montevideo Veterinary Clinic.

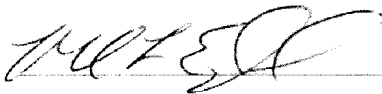
Complainant requests that Defendant, subject to bail or conditions of release, be:

- (1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
- (2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

COMPLAINANT'S NAME:

COMPLAINANT'S SIGNATURE:

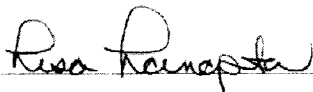
Mark Englund



Subscribed and sworn to before the undersigned this 2nd day of April, 2008

NAME/TITLE:

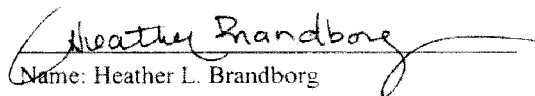
SIGNATURE:



Being authorized to prosecute the offenses charged, I approve this complaint.

Date: _____

PROSECUTING ATTORNEY'S SIGNATURE:



Name: Heather L. Brandborg
Assistant Otter Tail County Attorney
121 West Junius, Suite 320
Fergus Falls, MN 56537
218 998-8400
Attorney Registration Number: 0344217

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps to be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

[X] SUMMONS

THEREFORE, YOU THE ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on the 28th day of April, 2008 at 8:15 a.m. before the above-named court at District Court Courthouse, Third Floor 121 West Junius Avenue Rego Falls, MN 56337 to answer this complaint.

[] WARRANT

To the Sherriff of the aboved-named county; or other person authorized to execute this warrant: I hereby order, in the name of the State of Minnesota, that the above-named Defendant be apprehended and arrested without delay and brought promptly before the above-named court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

- [] Execute in MN Only [] Execute Nationwide [] Execute in Border States

[] ORDER OF DETENTION

Since the above-named Defendant is already in custody, I hereby order, subject to bail or conditions of release, that the above-named Defendant continue to be detained pending further proceedings.

Bail: _____

Conditions of Release: _____

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this 7th day of April, 2008.

JUDICIAL OFFICER: NAME: Steven J. Cahill TITLE: Judge of District Court

SIGNATURE: [Handwritten Signature]

Sworn testimony has been given before the Judicial Officer by the following witnesses:

COUNTY OF OTTER TAIL STATE OF MINNESOTA State of Minnesota Plaintiff vs Kathy Jo Bauck Defendant

Clerk's Signature or File Stamp: [Handwritten Signature] RETURN OF SERVICE I hereby Certify and Return that I have served a copy of this Summons upon the Defendant(s) herein-named Signature of Authorized Service Agent