

STATE OF INDIANA
IN THE MARION COUNTY SUPERIOR COURT

CAUSE NUMBER 49D10-2002-PL-006192

FILED
September 10, 2020
CLERK OF THE COURT
MARION COUNTY
JW

STATE OF INDIANA,

Plaintiff,

v.

WILDLIFE IN NEED AND
WILDLIFE IN DEED, INC.,
TIMOTHY STARK, and
MELISA LANE,

Defendants.

**ORDER APPOINTING
RECEIVER**

This matter coming before the Court on the State's Motion for Appointment of Receivers/Custodians, and the Court being fully advised, now finds that Indianapolis Zoological Society, Inc. has significant experience in animal care and transport, including practical and expert knowledge to care for the animals at Wildlife in Need.

IT IS THEREFORE ORDERED as follows:

1. The Court appoints Indianapolis Zoological Society ("Receiver") as receiver of all animals identified in the State's Inspection Report and in Wildlife in Need's subsequent weekly reports, excluding lions, tigers, and lion-tiger hybrids, and authorizes Receiver as follows:
 - a. Transport and take possession of the Animals;
 - b. Provide veterinary care it believes in its professional discretion to be appropriate;
 - c. Feed and otherwise care for;
 - d. Arrange for temporary placement at other facilities that it knows to be qualified to provide quality care;

- e. Assume all other appropriate, necessary, and usual powers as determined by the Court to carry out duties and exercise rights to effect the purposes of this receivership.
- f. Receiver may hire, contract with, enter into MOUs with, employ or retain any person, other personnel, or entities whom the Receiver deems qualified to assist Receiver in the performance of their duties of providing placement and care for the animals in dispute pending a final judgment.
- g. Receiver may petition the Court for compensation at the conclusion of their services at an appropriate rate, subject to filing an application for compensation that details their services and to be reimbursed for customary, actual expenses incurred in connection with this receivership; this does not prevent the Receiver from seeking compensation at any point during the provision of its services from other sources, including the State.

IT IS FURTHER ORDERED by this Court that:

2. Receiver and law enforcement shall be allowed access to all of the property at Wildlife in Need on September 11th, 13th, 15th, 17th, and 18th from 9:00am until 6:00pm each day.
3. Timothy Stark shall not be present within 1 mile of Wildlife in Need, 3320 Jack Teeple Road, 3328 Jack Teeple Road, or any adjacent properties on September 11th, 13th, 15th, 17th, and 18th from 9:00am until 6:00pm.
4. The wolf pup taken from 3320 Jack Teeple Road, Charlestown, Indiana and currently in the possession of Daniel Chambers shall be returned to 3320 Jack Teeple Road, Charlestown Indiana by September 10, 2020.
5. The wallaby taken from 3320 Jack Teeple Road, Charlestown, Indiana and currently in the possession of Twanna Simpson shall be returned to 3320 Jack Teeple Road, Charlestown Indiana by September 10, 2020.
6. Receiver has authority over all aspects of the animal placement process.
7. Wildlife in Need shall provide to the Receiver any codes, keys, or other means necessary to access all Animals at WIN no later than 9:00am on September 11, 2020 and Receiver shall return the same to counsel for WIN or a law enforcement officer upon the conclusion of the animal removal process.
8. Wildlife in Need shall provide an indoor air conditioned space be available to the animal removal team during the entire process. The space will be used to

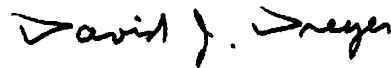
house crated animals as they are in queue to be loaded into the transport vehicles.

9. There shall be no photography, video, or audio recordings allowed unless approved in advance by Receiver. This includes any surveillance cameras that exist on WIN property, or devices used by anyone on grounds, such as mobile phones.
10. All personnel including but not limited to persons associated with Wildlife in Need on site during the animal removal process must be approved by Receiver. Any WIN personnel who wishes to assist in loading animals into transport cages shall be identified to Receiver and Receiver may approve of WIN personnel assisting in the animal removal. However, Timothy Stark shall not be allowed to assist in the animal removal.
11. Any animal records that have been generated since the date of the on-site inspection shall be provided to Receiver by September 10, 2020 at 4pm Eastern.
12. Receiver is authorized to modify animal enclosures for the purposes of accessing the animals, loading them into transport crates, or other related activities.
13. Receiver is authorized to take custody of any portable animal enclosures housing animals as well as animals' equipment including but not limited to food bowls, water bottles, and dens.
14. Any additional animals not in WIN's reports or the State's inspection inventory found during the animal removal shall be taken into the custody of Receiver.
15. Animal relocation and placement details shall not be shared publicly.
16. Law enforcement personnel including but not limited to Indiana State Police, Clark County Sheriff, and the Indiana Department of Natural Resources shall be allowed to accompany and provide protection.
17. Law enforcement personnel present shall be authorized to take all measures deemed in their discretion to be necessary to ensure the safety of all involved in the animal removal. This authorization includes but is not limited to protective sweeps of all areas and buildings on the property, blocking of Jack Teeple Road adjacent to Wildlife in Need's driveway, and forcible detention of any persons attempting to harass members of the removal team or interfere with the animal removal in any way.
18. Counsel for the State and counsel for WIN shall be allowed to be present during the days of animal removal.

19. If additional time is needed for animal removal, the State may petition the Court for additional time for Receiver to remove animals.
20. The Court enjoins all persons interested in this receivership, including Defendants, officers, directors, managers, agents, employees, and volunteers of Wildlife in Need from interfering with, transferring, selling, or disposing of Wildlife in Need property or from taking possession of or levying upon any of Wildlife in Need's property.
21. During the pendency of this receivership, the Court enjoins all creditors and other persons seeking possession or control over the Animals listed above (other than governmental authorities exercising their police powers to protect public health or safety) and all others acting on their behalf from doing anything to interfere with the possession, custody, control, use, or management by Receiver of the animals listed above.

IT IS FURTHER ORDERED that the Receivers shall report their actions to this Court and shall be and remain subject to the further orders and directions of this Court.

SO ORDERED September 10, 2020.



Judge, Marion Superior Court

**DISTRIBUTION TO COUNSEL OF RECORD AND PRO SE DEFENDANTS
MELISA LANE AND TIMOTHY STARK**