

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

**STATE OF IOWA *ex rel.***  
**THOMAS J. MILLER,**  
**ATTORNEY GENERAL OF IOWA**

Plaintiff,

v.

**HOBO K9 RESCUE**, an Iowa non-profit corporation; **RESCUE PETS IOWA CORP.**, an Iowa non-profit corporation; **J.A.K.’S PUPPIES, INC.**, an Iowa for-profit corporation; **JOLYN K. NOETHE, KIMBERLY K. DOLPHIN, MEGAN PETERSON,** and **RUSSELL KIRK,**

Defendants.

**EQUITY NO.**\_\_\_\_\_

**AFFIDAVIT OF TOM COLVIN**

State of Iowa            )  
                                  ) ss:  
County of Polk         )

I, Tom Colvin, being first duly sworn on oath, state as follows:

1. I am over the age of 18 and have personal knowledge of all the facts stated herein.
2. I am the Chief Executive Officer of the Animal Rescue League of Iowa (“ARL”).

(I was previously referred to as the Executive Director of the ARL, but my duties stayed the same after my title changed to Chief Executive Officer.) I have held my leadership position with the ARL since 1996, though I have been engaged in animal rescue work since 1974. I have been President of the Iowa Federation of Humane Societies since 1981. I am a member of the Association for Animal Welfare Advancement and the Association of Fundraising Professionals, which promotes ethical fundraising practices. I am also a Board member of the Better Business Bureau and serve on the Iowa State University External Stakeholders Advisory Group. I have previously served on the Iowa Board of Veterinary Medicine and on the Board of the Iowa

Wildlife Center.

3. In the above capacities, I have been involved in numerous leadership roles regarding animal welfare. I have knowledge regarding the administration and best practices of non-profit animal rescue operations.

4. Legitimate canine rescues generally do not expend the time and resources necessary to transport dogs to new owners hundreds of miles away in order to make profits.

5. Most legitimate canine rescues of which I am familiar are typically comprised of, almost primarily, older dogs.

6. Legitimate canine rescues seldom have “designer” and “pure-bred” puppies that, upon their arrival, were not in need of shelter, care and adoption.

7. Legitimate canine rescues generally do not expend the time and resources necessary to provide “pedigrees” to new owners.

8. Legitimate canine rescues spay or neuter dogs prior to “re-homing” them with new owners to prevent for-profit breeding.

9. Legitimate canine rescues within the State of Iowa accept donations from the general public to offset the costs of their work and to fund programs to reduce the number of animals being surrendered.

10. Legitimate canine rescues usually have *de minimis* fees associated with shots and other essentials prior to transferring rescue dogs to new owners. In no event would dogs from legitimate rescues within Iowa be consistently transferred to new owners for fees of any kind more than \$1,000.

The above is true and correct to the best of my knowledge.

**FURTHER AFFIANT SAYETH NOT**

Tom J. Colvin  
Tom Colvin of ARL

3/18/19  
Date

Signed and sworn to by Tom Colvin before the undersigned Iowa Public Notary on this 18<sup>th</sup> day of March, 2019.

Candy Bell  
Notary Public, State of Iowa

