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FILED
San Diego Superior Court

JAN 27 2026

Clerk of the Superior Court
By: Y. Mapula, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

ANIMAL PROTECTION AND RESCUE
LEAGUE, INC., a California nonprofit
corporation; and SHOWING ANIMALS
DEFENDANT PADRES, L.P.'S RESPECT
AND KINDNESS, an Illinois corporation,

Plaintiffs,

v.

PADRES, L.P., a California limited
partnership; C5 RODEO MT, LLLP, a
Montana limited partnership; CS RODEO
COMPANY, INC., a Canada corporation,

Defendants.

Case No. 37-2023-00048258-CU-BT-CTL

STATEMENT OF DECISION

Judge: Hon. Joel R. Wohlfeil
Dept.: 73

This case came on regularly for trial on January 12 – 15, 2026, before the Honorable Joel R. Wohlfeil, Judge presiding. Plaintiffs ANIMAL PROTECTION AND RESCUE LEAGUE, INC. and SHOWING ANIMALS DEFENDANT PADRES, L.P.'S RESPECT AND KINDNESS (collectively “Plaintiffs”) was represented by Bryan W. Pease of Pease & Ijadi, APC; Defendant Padres, L.P. (“Padres”) was represented by Elaine F. Harwell and Janine Parchment of PROCOPIO, CORY, HARGREAVES & SAVITCH LLP; Defendants C5 RODEO MT, LLLP and C5 RODEO COMPANY, INC. (collectively “C5”) were represented by MICHAEL W. HEALY

1 and JUSTIN T. CARTER of HIGGS FLETCHER & MACK LLP. The Court, after hearing
2 testimony of witnesses (Brenda Forsythe, PhD, DVM, Rodrigo Vazquez, DVM, Tim Eastman,
3 DVM, Timothy Bridwell, Susie Blackburn, Jace Huggins, Jed Pugsley, Douglas Corey, PhD,
4 DVM, Stephanie Grace and Anthony Tosca (through his deposition taken on May 22, 2025)),
5 receiving exhibits into evidence (Exhibits 7, 12, 16 – 22, 25, 27, 28, 30, 32 – 35, 39, 41, 42, 52, 59
6 – 67, 78, 82, 83, 85 – 87, 89, 91, 98, 99, 109, 200, 201, 509, 533, 806, 810, 815 and 816), viewing
7 demonstrative aids (Exh’s 823 – bucking strap – and 824 – rope), reading trial briefs, hearing
8 arguments of counsel, and good cause appearing therefore, hereby issues this Statement of Decision
9 (“SOD”).

10 **Preliminary Requirements of SOD**

11 In this SOD, the Court is not required to respond point by point to all issues posed by the
12 parties, needing only to explain the factual and legal basis of its decision regarding the principal
13 controverted questions. (Code of Civil Procedure section 632); In re Marriage of Balcof (2006) 141
14 Cal. App. 4th 1509, 1531; Ermoian v. Desert Hospital (2007) 152 Cal. App. 4th 475, 500.) Neither
15 must the Court specify the particular evidence it considered in reaching its decision. (See Muzquiz
16 v. City of Emeryville (2000) 79 Cal. App. 4th 1106, 1124, 25.)

17 **Introduction**

18 The San Diego Rodeo (“Rodeo”) is, first and foremost, an entertainment production, the
19 economic motivation of which is, from Padres and C5’s perspective, commercial gain or profit.

20 Fans of the Rodeo relish the competition, skill of and danger to the athletes and animals
21 alike and, yes, the glorious reminder of our western heritage and ranching traditions.

22 Detractors of the Rodeo disdain the competition, see cruelty to the animals, and consider the
23 Rodeo to be a relic of our past – which long ago outlived a useful purpose.

24 Despite their contrary, but genuine, perspectives, the purpose of this lawsuit is not to stop
25 the Rodeo - even Plaintiff acknowledges that the Rodeo is not illegal (ROA # 297, par. 192) – but
26 is, instead, to enjoin specific practices which allegedly subject the animals to “needless suffering”
27 or “unnecessary cruelty” (ROA # 297, prayer for relief 1(e)).

28 Though the Court largely agrees with Defendants, the Court finds, as reflected below, that a

1 limited number of practices need to be modified or, if not modified, enjoined altogether.

2 **Operative Pleadings**

3 In their Third Amended Complaint (“TAC” – ROA # 297), Plaintiffs allege a single claim
4 for Unfair Business Practices – Bus. & Prof. Code 17200, et seq. against Defendants PADRES,
5 L.P., C5 RODEO MT, LLLP and C5 RODEO COMPANY, INC.

6 In its Answer (ROA # 426) to Plaintiffs’ TAC, Defendant Padres, L.P. assert eight
7 affirmative defenses.

8 In their Answer (ROA # 429) to Plaintiffs’ TAC, Defendants C5 RODEO MT, LLLP and
9 C5 RODEO COMPANY, INC. assert eight affirmative defenses.

10 **Joint Trial Readiness Conference Report (“TRC Report” – ROA # 585) and Advance Trial**
11 **review Order (“ATRO – ROA # 587)**

12 In the TRC Report, the parties describe the nature of this dispute as follows:

13 “Plaintiffs seek an unfair business practices injunction pursuant to Bus. & Prof. Code
14 Section 17203 to enjoin certain practices they allege occurred at the 2024 and 2025 San Diego
15 Rodeo, which they contend violated Penal Code Section 597 regarding animal cruelty, and which
16 they assert are likely to occur again at the 2026 San Diego Rodeo.”

17 The parties identify the undisputed issues as follows:

18 “The parties have begun to and will continue to meet and confer over issues of admissibility
19 of evidence. C5 Rodeo, Inc. has advised it will not permit known pregnant mares to participate in
20 bucking events and the parties are conferring as to whether that narrows the disputes for the Court
21 at trial.”

22 The parties describe the disputed issues as follows:

23 “Specific violations of Penal Code 597 Plaintiffs contend Defendants engaged in.

24 Whether Plaintiffs have standing to obtain injunctive relief?

25 Whether Defendant Padres engaged in unlawful or unfair business practices in violation of
26 Business and Professions Code section 17200 by hosting the 2024 and 2025 San Diego Rodeos?”

27 The Court entered the ATRO at the TRC.

28

1 **Non – Jury Trial**

2 The parties stipulated to waive their right to a jury trial. ROA # 595

3 **Percipient Witnesses at Trial**

4 Rodrigo Vazquez, DVM, Tim Eastman, DVM, Timothy Bridwell, Susie Blackburn, Jace
5 Huggins, Jed Pugsley, Stephanie Grace and Anthony Tosca (through his deposition taken on May
6 22, 2025) testified to his or her recollection of events which have taken place over the course of
7 years. The recollection of these witnesses has been influenced by his or her bias, prejudice or
8 personal relationship with the parties involved in this case. If for no reason other than the passage
9 of time – much less the absence of reliable corroboration -- the Court questions the capacity of the
10 witnesses to accurately recollect and communicate his or her perception of the events. The
11 witnesses have “testified untruthfully about some things but told the truth about others” and,
12 accordingly, the Court has accepted the part it perceives to be true and has ignored the rest. CACI
13 107, 212.

14 **Evidentiary Record**

15 **Dr. Brenda Forsythe** is Plaintiffs’ expert veterinarian. Her qualifications (Exh. 109) and
16 the foundation on which she relied to form and express her opinions were adequate. She opined
17 that the events at issue (for example, calf roping) cause potential or actual “needless suffering” or
18 “unnecessary cruelty” to the livestock. In her opinion, the “behavior” in the events at issue is
19 contrary to the “fundamental relationship between animals and humans.” Defendants criticized the
20 nature of Dr. Forsythe’s practice, which focuses on smaller animals (like cats and dogs). According
21 to Defendants, her practice pales in comparison to Dr. Eastman, the Rodeo’s on-site veterinarian,
22 who’s practice focuses on larger animals (like horses). Ironically, it was Dr. Eastman’s radiograph
23 equipment that was inadequate to x-ray Waco Kid because of the “size of the animal.” Dr.
24 Eastman’s failure to foresee and provide adequate equipment to care for and treat Waco Kid is,
25 from the Court’s perspective, both unreasonable and a reason to discount the weight of Dr.
26 Eastman’s testimony.

27 **Dr. Rodrigo Vazquez** is the local veterinarian, who’s practice focuses on sports medicine
28 for animals (like horses who are jumpers). He is a member of the Rodeo’s veterinarian team. Exh.

1 91. Along with Dr. Eastman, he treated and diagnosed Waco Kid with a fracture of the cervical
2 spine. Exh's 25 and 34. In his opinion, Waco Kid had a "thin chance" to recover from his injuries.

3 **Dr. Tim Eastman** is the Rodeo's on-site veterinarian and a member of the Rodeo's
4 veterinarian team. Exh. 91. He testified that he has been neither paid for his services nor
5 reimbursed for his expenses. This testimony strikes the Court as unusual if not unbelievable. He
6 was present and observed Waco Kid's accident. He assumed that Waco Kid had fractured his
7 cervical spine, which turned out to be an accurate assumption. ("Waco Kid ... **collapsed**
8 **immediately and remained recumbent**. The emergency response crew transferred him to a sled
9 and into a trailer in a **recumbent position** ... At this time, he was ... **unable to rise or stand even**
10 **with assistance.**"). (emphasis added by the Court) Exh. 19. He had transported the radiograph
11 equipment from his practice to the Rodeo; however, the equipment was inadequate to x-ray Waco
12 Kid because of the "size of the animal." **The irony of Defendants' criticism of Dr. Forsythe's**
13 **practice focus on "smaller animals" with the inadequacy of Dr. Eastman's radiograph equipment to**
14 **x-ray Waco Kid (because of the "size of the animal") has not been lost on the Court.** His contacts
15 with C5 were Jed Pugsley, the Rodeo's livestock welfare coordinator (Exh. 82), and Gillian Grant.
16 He collaborated with C5 and Padres to draft a press release after Waco Kid's accident. Exh's 33 ("I
17 would probably make some notes in case the records get subpoenaed."), 89, 21, 30, 28, 59, 60, 61,
18 62, 63, 64, 65, 66, 67 and 78. **The press release ("Initial exam performed by the Veterinarian team**
19 **did not reveal any obvious signs of fracture or instability") was false and intended to mislead the**
20 **public.** CACI 107 states, in part: "... if you decide that a witness did not tell the truth about
21 something important, you may choose not to believe anything that witness said." Dr. Eastman
22 testified that he agreed with the press release. **This part of Dr. Eastman's testimony is not credible**
23 **and, since this testimony was "about something important," the Court rejects all of Dr. Eastman's**
24 **testimony.**

25 **Timothy Bridwell** is the stock contractor and, according to Sergeant Blackburn, is "very
26 knowledgeable in proper horse husbandry." Exh. 98, at page 9. He supplied Pearl Necklace to the
27 Rodeo. Pearl Necklace was 17 years old when she died at the 2025 rodeo. Mr. Bridwell had Pearl
28 Necklace "her whole career and he was the one who raised her." Exh. 98, page 4. During trial, the

1 Court viewed Exh. 201, clip 51 – a video of Pearl Necklace competing at the 2025 rodeo – and even
2 from the Court’s untrained eye, Pearl Necklace was obviously pregnant. Mr. Bridwell’s testimony
3 that he did not know Pearl Necklace was pregnant is not credible. Since this testimony was “about
4 something important,” the Court rejects all of Mr. Bridwell’s testimony.

5 **Susie Blackburn** is a sergeant with the San Diego Humane Society. She was assigned to
6 the Rodeo and was present at every day of the 2024 – 25 rodeos. She accepted Dr. Eastman’s
7 representations about Waco Kid and did not question the accuracy of the press release. She
8 conducted an investigation into Pearl Necklace’s death. Exh. 98. As part of her investigation, she
9 interviewed Dr. Eastman, who appears to have been concerned with the Padres over his handling of
10 Pearl Necklace (“Let me know if the Padres are happy with that.”) Exh’s 17 and 21. She
11 interviewed and accepted the representations of Mr. Bridwell that he “had not noticed anything
12 unusual about Pearl Necklace,” despite that Pearl Necklace was, at the time of her death, 10 – 11
13 months pregnant. She interviewed Mr. Pugsley who said that “it was known that #700 Pearl
14 Necklace was pregnant, but she was thought to be about five months along in her pregnancy.” She
15 accepted a hearsay statement by and directly interviewed Dr. Eileen Henderson, who participated in
16 the “necropsy” performed on Pearl Necklace. Dr. Henderson represented that “no photos” were
17 “taken at the time of the necropsy.” She interviewed Dr. Francis Uzal, who represented that “they
18 frequently take photos when performing a necropsy.” She interviewed Dr. Alaina Vale who stated
19 that “the California Horse Racing Board (CHRB) has a rule that mares cannot compete after 120
20 days into their pregnancy.” She accepted Dr. Sara Harrison’s conclusion that Pearl Necklace’s
21 likely cause of death was “Ruptured uterus and / or uterine artery – there was a large amount of
22 blood and blood clots within the abdomen. The horse appears to have bled out internally.” At trial,
23 the Court observed Sergeant Blackburn deny that she thought Pearl Necklace was pregnant at the
24 rodeo. Sergeant Blackburn’s denial appeared to be rushed, defensive and lacked credibility. The
25 Court finds that her report’s conclusion that “We cannot prove definitely whether the horse’s
26 participation in the rodeo directly contributed to her death or that anyone had knowledge that she
27 was more pregnant than the assumed eight months ... (and) her death appears to have been
28 accidental and unforeseen” was based on inconsistent information and the product of a biased

1 perspective. To the contrary, the Court finds, based on this record, that Pearl Necklace's death was
2 both foreseeable and preventable, and that Pearl Necklace was subjected to "needless suffering" or
3 "unnecessary cruelty."

4 **Jace Huggins** is Chief of the San Diego Humane Society's law enforcement. He assigned
5 Sergeant Blackburn to monitor the Rodeo. He acknowledged that the Humane Society considers
6 the rodeo to be a cruel event, but insisted his team objectively enforces the state's animal cruelty
7 laws. The City of San Diego is a significant source of the Humane Society's budget.

8 **Jed Pugsley** is C5's "livestock welfare manager" (Exh. 82), the Rodeo's animal &
9 livestock director (Exh. 78), a member of the Rodeo's management team (Exh's 99, 7, 91 and 16)
10 and, at all times, acted within the course and scope of his authority on behalf of C5 and the Rodeo.
11 CACI 3705. He oversaw the Rodeo and attended every day of the 2024 – 25 Rodeo. He closely
12 interacted with the Padres. He is exceptionally knowledgeable of each of the Rodeo's events.
13 While on the witness stand, he was asked to comment on a number of video clips of the 2024 – 25
14 Rodeo events (Exh's 200 and 201). The Court noted that many of the field personnel were wearing
15 Padres uniforms, which is consistent with the Padres brand utilized by the Rodeo. Exh. 99. As of
16 2026, the Rodeo changed its policy to exclude "known pregnant mares." The Rodeo delegates
17 responsibility to the mare's owner to disclose whether the mare is pregnant. The Court finds that
18 this delegation of responsibility inadequately avoids the risk that pregnant mares, such as Pearl
19 Necklace, will be subjected to "needless suffering" or "unnecessary cruelty" in the future. He
20 denied knowledge of why Mr. Bridwell is no longer a stock contractor for the Rodeo. This denial is
21 not credible. The more likely explanation is that the Rodeo discontinued its relationship with Mr.
22 Bridwell because of his failure to disclose the extent of Pearl Necklace's pregnancy and, when
23 confronted, denied knowledge that Pearl Necklace was pregnant. He demonstrated the use of a
24 bucking strap (marked for identification as Exh. 823) and a lasso rope (marked for identification as
25 Exh. 824). He saw Waco Kid's accident and knew "immediately" that Waco Kid was injured. He
26 collaborated with C5 and the Padres to draft a press release after Waco Kid's accident. Exh's 33,
27 89, 21, 30, 28, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 78. The press release ("Initial exam performed
28 by the Veterinarian team did not reveal any obvious signs of fracture or instability") was false and

1 intended to mislead the public. Mr. Pugsley’s participation in the false press release is a reason to
2 discount, if not disbelieve, all of Mr. Pugsley’s testimony. CACI 107. He observed Pearl
3 Necklace’s demise. His denial of knowledge that Pearl Necklace was pregnant is not credible (not
4 to mention inconsistent with his statement to Sergeant Blackburn that “it was known that #700
5 Pearl Necklace was pregnant, but she was thought to be about five months along in her
6 pregnancy.)” Exh. 98. Despite these findings, the Court was generally impressed with Mr.
7 Pugsley’s attitude, demeanor and disposition for and toward the livestock in the Rodeo. Like Dr.
8 Corey, he understands that, to survive, rodeo practices must continue to evolve. He is a true
9 ambassador to the sport of rodeo.

10 **Dr. Douglas Corey** is C5’s expert veterinarian. His qualifications and the foundation on
11 which he relied to form and express his opinions were adequate. Throughout his 44 -year career, he
12 has advocated for rodeo and equine care, and agreed that rodeo practices have evolved. He
13 described the methods, along with the risks and costs, of determining whether a mare is pregnant.
14 He appears to be an advocate for the Rodeo. Exh. 7.

15 **Stephanie Grace** is Vice president of Special Events for the Padres. She oversees the
16 planning for “non baseball events” at Petco Park. The Padres have a revenue sharing agreement
17 with the City of San Diego. She has led the planning for, and attended every day of, the 2024 – 25
18 Rodeos. She worked closely with C5 and Outriders to produce the Rodeo. Exh’s 99, 806 and 816.
19 She identified the process to obtain a permit, as well as the permit which was obtained, by the
20 Padres to host the Rodeo. Exh’s 810, 815, 41 and 42. As the Custodian of records (“COR”) for the
21 Padres, she authenticated a series of texts exchanged between the Padres and C5 after Waco Kid’s
22 accident. Exh. 28. Her testimony that the press release was accurate is not credible. As set forth
23 above, the press release was false and intended to mislead the public. Exh’s 33, 89, 21, 30, 28, 59,
24 60, 61, 62, 63, 64, 65, 66, 67 and 78.

25 **Anthony Tosca** (through his deposition taken on May 22, 2025)) is the City of San Diego’s
26 deputy fire chief. His limited testimony did not influence the Court’s findings.

27 **Plaintiff’s Burden of Proof**

28

1 Plaintiffs bear the burden to show that their claims are “more likely to be true than not true.”
2 CACI 200.

3 **Plaintiffs’ Claim in the TAC (ROA # 297)**

4 In their TAC, Plaintiffs allege a single claim for Unfair Business Practices – Bus. & Prof.
5 Code 17200, et seq. against the Padres and C5 Rodeo.

6 In pertinent part, Plaintiffs allege:

7 “1. Plaintiffs / Petitioners bring this private attorney general action under Business and
8 Professions Code §17200, et seq. (the Unfair Competition Law or UCL) and CCP §§526a and 1085
9 on their own behalf and on behalf of the general public to stop Defendants / Respondents from
10 continuing to bring a cruel and illegal rodeo to Petco Park in downtown San Diego, in violation of
11 various state laws and San Diego Municipal Code (SDMC) provisions, and to enjoin Defendants C5
12 RODEO MT, LLLP and C5 RODEO COMPANY, INC. (“C5 Rodeo Defendants”) from continuing
13 to violate various animal cruelty laws in other areas of San Diego County and California.

14 2. Plaintiffs / Petitioners seek no different or greater relief for themselves than for the
15 general public in this action, which is an injunction to stop illegal business practices pursuant to
16 Bus. & Prof. Code §17203 ...”

17 At paragraphs 24 – 26, Plaintiffs allege “jurisdiction, venue and standing.” Though critical
18 of Plaintiffs’ standing in their pre-trial briefs, Defendants stipulated during trial that Plaintiffs
19 possess standing to assert their claim against Defendants.

20 The limited events, as alleged in the TAC, which Plaintiffs seek to enjoin are Bareback
21 Riding (paragraphs 72 – 78), Calf Roping (paragraphs 79 – 86), Steer Wrestling (paragraphs 87 –
22 93), Team Roping (paragraphs 94 – 97), Barrel Racing (paragraphs 98 – 102), Saddle Bronc
23 (paragraphs 103 – 107), and Bull Riding (paragraphs 108 – 113). Though initially at issue,
24 Plaintiffs have withdrawn their objection to the “Indigenous Relay Race” (paragraphs 114 et al.).

25 “162. The UCL prohibits businesses from engaging in unlawful, fraudulent, or unfair
26 business practices.

27 163. An action based on the UCL to redress an unlawful business practice borrows
28 violations of other laws and treats them as a violation of the UCL. In other words, a business

1 practice is “unlawful” under the UCL when it violates another federal, state, or local law. The
2 violated law that serves as a basis for a UCL claim is referred to as a “predicate” law.

3 ...

4 170. The animal cruelty engaged in by Defendants as described in the facts section above,
5 and which Defendants plan to continue engaging in at Petco Park in the future, and which C5
6 Rodeo Defendants plan to and continue to engage in at other locations in California, violate Penal
7 Code §597 and thereby constitute unlawful business practices.

8 ...

9 174. Penal Code §597o(8) provides, “Diseased, sick, blind, dying, or otherwise disabled
10 equine shall not be transported out of this state.” Defendants violated this section by transporting
11 Waco Kid out of state and plan to do so again at future rodeos. Eastman was directly involved in
12 and responsible for this unlawful business practice as an accomplice.

13 175. Business & Professions Code §17203 allows private parties who have lost money or
14 property to ask a court to enjoin unlawful business practices.

15 176. The unlawful business practices of C5 Rodeo in illegally shocking horses in the past as
16 well as causing injuries to animals in violation of Penal Code §597 have caused SHARK to need to
17 divert its limited organizational resources to expose such acts by hiring paid investigators to
18 document such unlawful acts, and to work to prevent C5 Rodeo Defendants from carrying out such
19 unlawful acts in the future. These expenditures were incurred prior to and not in anticipation of any
20 litigation.

21 ...

22 189. Defendants plan to continue engaging in the same unlawful business practices in the
23 future, including in Petco Park in 2025 and beyond, and in other areas of San Diego County and
24 California for C5 Rodeo Defendants.

25 ...

26 191. On February 8, 2024, Defendant PADRES, L.P. filed a lobbyist registration form with
27 the CITY OF SAN DIEGO listing its CEO Erik Greupner, COO Caroline Perry, Esq., and its vice
28

1 president of public affairs Diana Puetz as lobbyists to oppose a “Proposal to ban rodeos.” This
2 indicates that PADRES, L.P. plans to engage in the same unlawful business practices in Petco Park.

3 192. **Even though rodeos are not per se illegal**, the specific acts engaged in by Defendants
4 are illegal, and Defendants would have no opportunity to engage in such acts if rodeos were
5 completely banned. Defendants’ opposition to a complete ban shows that they intend to continue
6 engaging in such unlawful acts in connection with putting on a rodeo in the future.” (emphasis
7 added by the Court)

8 In their TAC, Plaintiffs’ prayer for relief states, in pertinent part:

9 “Wherefore, Plaintiffs / Petitioners pray for judgment against Defendants / Respondents as
10 follows:

11 1. For a preliminary and permanent injunction pursuant to Bus. & Prof. Code §17203
12 enjoining Defendants Padres, L.P. and C5 Rodeo Defendants from engaging in any of the following
13 acts:

14 ...

15 (e) torturing, tormenting, cruelly beating, mutilating, or subjecting any animal to needless
16 suffering, or inflicting unnecessary cruelty upon any animal, or in any manner abusing an animal, in
17 violation of Penal Code §597(b) ...

18 2. For a preliminary and permanent injunction pursuant to Bus. & Prof. Code §17203
19 enjoining C5 Rodeo Defendants from shocking animals for purposes of riling them up to buck
20 wildly just prior to releasing them from the chutes into the arena at rodeos anywhere in California
21 in violation of Penal Code §596.7(e);”

22 **Trial Briefs**

23 In their Trial Brief (ROA # 598), **Plaintiffs** assert, in part:

24 At page 2:

25 “Plaintiffs seek an unfair business practices injunction pursuant to Bus. & Prof. Code Section
26 17203 to enjoin certain specific practices of Defendants that violate Penal Code Section 597,
27 California’s general animal cruelty law.

28 ...

1 Penal Code Section 597(a) applies to “a person who maliciously and intentionally maims,
2 mutilates, tortures, or wounds a living animal.” Malice under this section only means to carry out
3 an act without legal justification, as that term is defined in Penal Code §7. (People v. Ah Toon
4 (1886) 68 Cal. 362, 362-363; People v. Kernaghan (1887) 72 Cal. 609, 613, both defining a
5 “malicious” act as “any unlawful and injurious act committed without legal justification.”)

6 At page 4:

7 “The Unfair Competition Law (“UCL,”) Business & Professions Code (“BPC”) sections
8 17200 et seq., prohibits businesses from engaging in unlawful, fraudulent, or unfair business
9 practices.

10 ...

11 Courts have broadly interpreted the term “business practice,” generally finding the UCL to
12 apply to virtually any conduct with any pecuniary element. (See, e.g., People v. McKale (1979) 25
13 Cal. 3d 626, 632 (“California courts have consistently interpreted such language broadly. An
14 ‘unlawful business activity’ includes “‘anything that can properly be called a business practice and
15 that at the same time is forbidden by law.’” [Citation.] The Legislature ‘intended ... to permit
16 tribunals to enjoin on-going wrongful business conduct in whatever context such activity might
17 occur.’ [Citation.]”).”

18 In their Trial Brief (ROA # 591), **Defendant C5** asserts, in part:

19 At page 1:

20 “Rodeos are lawful in California. Likewise, they are lawful in San Diego. This action is
21 Plaintiffs' improper attempt to obtain from the Court what has not been obtained from the
22 legislature: a ban on rodeos.”

23 At pages 3 – 4:

24 “Plaintiffs’ TAC asserts a single claim against C5 Rodeo for injunctive relief under Business
25 & Professions Code § 17200. (TAC, ¶ 2.) Specifically, Plaintiffs seek injunctive relief for alleged
26 violations of Penal Code §§ 596.7(e), 597(b) and 597o(8) ...

1 Penal Code 596.7(e): The rodeo management shall ensure that no electric prod or similar
2 device is used on any animal once the animal is in the holding chute, unless necessary to protect the
3 participants and spectators of the rodeo ...

4 Penal Code 597(b): Except as otherwise provided in subdivision (a) or (c), a person who
5 overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary
6 sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills an animal, or causes or
7 procures an animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured,
8 tormented, deprived of necessary sustenance, drink, shelter, or to be cruelly beaten, mutilated, or
9 cruelly killed; and whoever, having the charge or custody of an animal, either as owner or
10 otherwise, subjects an animal to needless suffering, or inflicts unnecessary cruelty upon the animal,
11 or in any manner abuses an animal, or fails to provide the animal with proper food, drink, or shelter,
12 or protection from the weather, or who drives, rides, or otherwise uses the animal when unfit for
13 labor, is, for each offense, guilty of a crime punishable pursuant to subdivision (d).

14 Penal Code 597o(8): Any person who transports an equine in a vehicle to slaughter shall
15 meet the following requirements: Diseased, sick, blind, dying, or otherwise disabled equine shall
16 not be transported out of this state ...”

17 At pages 5 – 6:

18 “a. Saddle Bronc Riding

19 The saddle bronc event, a competition in which a rider attempts to stay on a bucking horse
20 for an eight-second period, is a technical event focused on balance and control. Riders are judged
21 based on their control and technique in concert with the degree of bucking power demonstrated by
22 the animal itself ...

23 b. Bareback Riding

24 The bareback riding event is a rodeo event in which a rider uses a leather rigging, without a
25 saddle, to stay on a bucking horse for an eight-second period. The rigging is required to be wide
26 enough to prevent chafing or cutting, and the same requirements governing the flank strap in the
27 saddle bronc event apply here.

28 c. Bull Riding

1 Bull riding, much like bareback and saddle bronc, requires a rider demonstrate balance and
2 control during an eight-second bucking period. The San Diego Rodeo imposes the same saddle
3 requirements and flank strap regulations that govern saddle bronc riding.

4 d. Calf / Tie Down Roping

5 Calf roping, also called tie-down roping, is a timed event where a calf is released from a
6 chute and a horse and rider follow while attempting to lasso the animal. If the rider successfully
7 lassos the calf, the rider dismounts and ties three of the calf's legs together with a short rope while
8 the horse remains in a steadfast position, keeping the rope taught and preventing the calf from
9 departure prior to being tied.

10 e. Steer Wrestling

11 Steer wrestling is a timed event in which a steer is released while a mounted rider pursues,
12 dismounts, and attempts to catch the steer and take it to the ground as quickly as possible.

13 f. Team Roping

14 Team roping is a timed event in which a steer is released from a chute while two mounted
15 riders follow; one rider attempts to rope the horns while the other rider attempts to rope the rear
16 legs of the animal.

17 g. Barrel Racing

18 Barrell racing is a timed event in which a horse and rider maneuver in a cloverleaf pattern
19 around three barrels.

20 h. Breakaway Roping

21 Breakaway roping is a women's rodeo event in which a calf is released, followed in pursuit
22 by a horse-mounted rider."

23 At pages 8 – 9:

24 "... Plaintiffs seek an order enjoining the following conduct:

25 • Roping calves running at full speed around the neck, yanking them backwards by the neck,
26 and then grabbing and body slamming them into the ground;

27 • Roping steers running at full speed around the neck and a rear ankle at the same time,
28 yanking them to the ground, and pulling them in two directions at the same time;

1 • Taking steers to the ground by twisting their necks;
2 • Use of pregnant mares in bucking events; and
3 • Discharging animals unable to stand or walk from veterinary care without a competent,
4 comprehensive examination, including but not limited to X-rays, scans, diagnostics, and necessary
5 treatment.”

6 At page 9:

7 “[The rule of lenity] generally requires that ‘ambiguity in a criminal statute should be
8 resolved in favor of lenity, giving the defendant the benefit of every reasonable doubt on questions
9 of interpretation.’” (People v. Nuckles (2013) 56 Cal. 4th 601, 611.) ...

10 Penal Code section 597(b) does not encompass the conduct that takes place at the San Diego
11 Rodeo.”

12 At page 11:

13 “Injunction is an extraordinary remedy and courts have consistently proceeded with great
14 caution in exercising their power, and have required a clear showing that the threatened and
15 impending injury is great, and can be averted only by injunction.” (Wilkins v. Oken (1958) 157 Cal.
16 App. 2d 603, 621 ...

17 Any injunction must be narrowly tailored such that it would remedy only the specific harm
18 shown by the moving party. (See Price v. City of Stockton, 390 F. 3d 1105, 1117 (9th Cir. 2004).)”

19 In its Trial brief (ROA # 593), **Defendant Padres** asserts, in part:

20 At page 1:

21 “This case presents a straightforward issue as to Defendant Padres, L.P. (“Padres”), who
22 operate Petco Park: whether it can be held liable under the Unfair Competition Law (Business and
23 Professions Code section 17200, et seq.) for alleged animal cruelty that occurred at rodeos it hosted
24 at Petco Park, but did not produce, manage, or control and, as a result, whether the Court can issue
25 any injunctive relief against Padres at all ...

26 California law is settled that liability under the Unfair Competition Law (“UCL”) must rest
27 on a defendant’s personal participation and control over the allegedly unlawful conduct. (Emery v.
28 Visa Internat. Serv. Ass’n (2002) 95 Cal. App. 4th 952, 960.)”

1 At page 2:

2 “Plaintiffs’ sole cause of action against Padres under the UCL has no merit because: (1) this
3 Court has already determined that SDMC sections 44.0307 and 44.0308 do not bar rodeos and thus,
4 Padres could not have violated those statutes by merely hosting a rodeo; (2) as Padres were a venue
5 host with no charge, custody or control of any animals used in the rodeos, Penal Code sections 597
6 and 597o(8) do not apply to Padres; (3) as a general rule, vicarious liability is not recognized under
7 the UCL; (4) Plaintiffs have failed to prove any actual or ostensible agency relationship between
8 any entity that had care, custody and control of the animals, and Padres; and (5) Plaintiffs also lack
9 standing under the UCL, as they have not demonstrated an economic injury or diversion of
10 resources caused by Padres’ conduct.”

11 At pages 3 – 4:

12 “Padres did not engage in any conduct violating Penal Code sections 597 or 597o(8), animal
13 cruelty statutes which aim to prevent the purposeful mistreatment of animals. These statutes target
14 the intentional mistreatment or neglect of animals by those with custody, charge, or control over
15 them. For purposes of the rodeos, Padres’ only role was to operate Petco Park as a venue for
16 hosting events and manage routine facility operations. At no point before, during or after the
17 rodeos did Padres have custody or control of any animals. As such, Plaintiffs are improperly
18 attempting to impute liability against Padres for violations of Penal Code sections that are clearly
19 not attributable to it.”

20 At page 6:

21 “Claims under the UCL cannot rest on vicarious liability. (Ibid.; People v. Toomey (1984)
22 157 Cal. App. 3d 1, 14.) Although normal agency principles may apply in limited circumstances,
23 Plaintiffs cannot prove any such relationship here. (People v. JTH Tax, Inc. (2013) 212 Cal. App.
24 4th 1219, 1242.) The record will establish that Padres had no agents, contractors, or employees
25 involved with any animals before, during, or after the rodeos.”

26 At page 8:

27 “No evidence exists that Padres had authority over any aspect of animal handling, feeding,
28 veterinary decisions, or rodeo operations. Instead, the evidence will confirm that all animal care

1 and transport decisions were made independently by the animals' owners and others with charge
2 over the animals.”

3 At page 11:

4 “Courts applying the UCL are bound by traditional principles of equity that strictly limit the
5 scope of available injunctive relief. Business and Professions Code section 17200 defines unfair
6 competition to include “any unlawful, unfair or fraudulent business act or practice”. (Bus. & Prof.
7 Code, § 17200.) Section 17203 authorizes courts to enjoin “any person who engages, has engaged,
8 or proposes to engage in unfair competition” and grants courts broad discretionary power to “make
9 such orders or judgments, including the appointment of a receiver, as may be necessary to prevent
10 the use or employment by any person of any practice which constitutes unfair competition.” (Bus.
11 & Prof. Code, § 17203.) This broad language, however, is constrained by fundamental principles
12 of equity that strictly limit injunctive relief where defendants lack meaningful control over the
13 enjoined conduct.”

14 At page 13:

15 “California courts have also rejected private efforts to directly enforce criminal animal
16 protection statutes through civil litigation. In Animal Legal Defense Fund v. Mendes (2008) 160
17 Cal. App. 4th 136, 142, the Court of Appeal held that the Legislature intended “there not be a
18 private right of action to enforce Penal Code section 597t”¹ and concluded that “the Legislature did
19 not intend to create a private right of action in other private entities ...

20 The California Supreme Court reinforced these limitations in Leider v. Lewis (2017) 2
21 Cal.5th 1121, emphasizing that Civil Code section 3369 provides that “[n]either specific nor
22 preventive relief can be granted to enforce a penalty or forfeiture in any case, nor to enforce a penal
23 law, except in a case of nuisance or as otherwise provided by law.” (Id. at 1135.)”

24 **Findings and Orders**

25 Preliminarily, the Court rejects the assertion that Padres had “no agents, contractors, or
26 employees involved with any animals before, during, or after the rodeos.” ROA # 593, at page 6.
27 The Court finds that Padres were integrally involved in the Rodeo’s “management team,” which
28 included, but was not limited to, Dr. Eastman and Mr. Pugsley. On multiple occasions, Dr.

1 Eastman and Mr. Pugsley sought comments from Padres on the handling of the livestock, the most
2 obvious example of which is Waco Kid. Padres assumed responsibility for the care and treatment
3 of the livestock through the extent of the control and supervision Padres exercised in hosting,
4 planning and directing the Rodeo. Again, the obvious example is Waco Kid and the false press
5 release Padres issued to minimize the public's perception of Waco Kid's injuries knowing, at the
6 same time, that the chances of Waco Kid's survival were "thin."

7 The Court agrees with C5's assertion that "Injunction is an extraordinary remedy and courts
8 have consistently ... required a clear showing that the threatened and impending injury is great, and
9 can be averted only by injunction" ... **and** "Any injunction must be narrowly tailored such that it
10 would remedy only the specific harm shown by the moving party." ROA # 591, at page 11.

11 In Caru Society for Prevention of Cruelty to Animals v. Anthony (2025) 113 Cal. App. 5th 751,
12 the Court stated, at page 758:

13 "A court may order injunctive relief to abate a public nuisance or other unlawful activity.
14 (*People v. Padilla-Martel* (2022) 78 Cal. App. 5th 139, 150 - 151 [293 Cal. Rptr. 3d 314] (*Padilla-*
15 *Martel*.) "The scope of injunctive relief available to address a public nuisance or unlawful business
16 practice is limited, however. 'It is a familiar doctrine of equity that the scope of [an] injunction will
17 be limited to the wrongful act sought to be prevented.' [Citation.] Our high court has
18 cautioned, 'Injunctive process ought never to go beyond the necessities of the case.' (*Anderson v.*
19 *Souza* (1952) 38 Cal. 2d 825, 840 - 841 [243 P.2d 497]) 'In fashioning a remedy, a court should
20 "strive for the least disruptive remedy adequate to its legitimate task" and tailor it to the harm at
21 issue.'" (*Padilla-Martel*, at p. 151; accord, *People v. Uber Technologies, Inc.* (2020) 56
22 Cal. App. 5th 266, 313 [270 Cal. Rptr. 3d 290] (*Uber*) ["an injunction against legitimate business
23 activities 'should go no further than is absolutely necessary to protect the lawful rights of
24 the parties seeking such injunction'"].) Consistent with this principle, the court may use its broad
25 equitable powers to ""create new remedies to deal with novel factual situations."" (*Salazar v.*
26 *Matejcek* (2016) 245 Cal. App. 4th 634, 648 [199 Cal. Rptr. 3d 705].)"
27
28

1 Though the context is a preliminary injunction, the Court considers the principles in Jamison
2 v. Department of Transportation (2016) 4 Cal. App. 5th 356, in which the Court stated, at pages
3 361, 362:

4 "In deciding whether to issue a preliminary injunction, a trial court must evaluate two
5 interrelated factors: (i) the likelihood that the party seeking the injunction will ultimately prevail on
6 the merits of his [or her] claim, and (ii) the balance of harm presented, i.e., the comparative
7 consequences of the issuance and non-issuance of the injunction. [Citations.]' (*Common Cause v.*
8 *Board of Supervisors* (1989) 49 Cal. 3d 432, 441, 442.) 'The trial court's determination must be
9 guided by a "mix" of the potential-merit and interim-harm factors; the greater the plaintiff's
10 showing on one, the less must be shown on the other to support an injunction. [Citation.]' (*Butt v.*
11 *State of California* (1992) 4 Cal. 4th 668, 678.) However, '[a] trial court may not grant a
12 preliminary injunction, regardless of the balance of interim harm, unless there is some possibility
13 that the plaintiff would ultimately prevail on the merits of the claim.' (*Ibid.*)"

14 In addition, in Smith v. Adventist Health System / West (2010) 182 Cal. App. 4th 729, the
15 Court stated, at page 749:

16 "A superior court must evaluate two interrelated factors when ruling on a request for a
17 preliminary injunction: (1) the likelihood that the plaintiff will prevail on the merits at trial and (2)
18 the interim harm that the plaintiff would be likely to sustain if the injunction were denied as
19 compared to the harm the defendant would be likely to suffer if the preliminary injunction were
20 issued. (*Cohen v. Board of Supervisors*, *supra*, 40 Cal. 3d at p. 286.) Weighing these factors lies
21 within the broad discretion of the superior court. (*Ibid.*; see pt. VI., *post*, for discussion of Butt v.
22 State of California (1992) 4 Cal. 4th 668.)"

23 The Court finds that, except as specified below, Plaintiffs have failed to carry their burden that
24 1) the events at issue (including, but not limited to, calve roping and steer roping) cause potential or
25 actual "needless suffering" or "unnecessary cruelty" to the livestock; **and** 2) based on the balance
26 of harm presented, Plaintiffs are likely to suffer greater injury if the injunction is denied compared
27 to the harm Defendants will likely suffer if the injunction is granted.

28

1 The Court declines to get caught up in Dr. Forsythe’s opinion that the “behavior” in the events
2 at issue is contrary to the “fundamental relationship between animals and humans.”

3 On the other hand, the Court finds that Plaintiffs have carried their burden with two of their
4 claims:

5 1) The prohibition of “pregnant mares” in any events including, but not limited to, “bucking
6 events” - The Court recognizes that, as of 2026, the Rodeo changed its policy to exclude “known
7 pregnant mares.” The Rodeo delegates responsibility to the mare’s owner to disclose whether the
8 mare is pregnant. The Court finds that this delegation of responsibility inadequately avoids the risk
9 that pregnant mares, such as Pearl Necklace, will be subjected to “needless suffering” or
10 “unnecessary cruelty.” Dr. Corey testified to the procedures and costs to determine whether a mare
11 is pregnant. **The Court directs that the Rodeo, by and through its management team, be responsible
12 for verifying that no pregnant mares compete in the Rodeo. The cost to the Rodeo seems to be a
13 small price to pay to avoid a repeat of Pearl Necklace’s tragedy as well relying on untrustworthy
14 representations from stock contractors (such as Mr. Bridwell).**

15 2) The requirement that the veterinary care include on-site competent, comprehensive medical
16 equipment, including but not limited to, radiograph equipment, to adequately x-ray, scan, diagnose
17 and treat the livestock - no matter the “size of the animal” - The Court applauds Dr. Eastman for
18 taking it upon himself to transport radiograph equipment from his practice to the Rodeo; however,
19 the effort was diminished when the equipment proved inadequate to x-ray Waco Kid because of the
20 “size of the animal.” **The Court directs that the Rodeo, by and through its management team, be
21 responsible for providing veterinary care that includes on-site competent, comprehensive medical
22 equipment, including but not limited to, radiograph equipment, to adequately x-ray, scan, diagnose
23 and treat the livestock - no matter the “size of the animal.” The cost to the Rodeo seems to be a
24 small price to pay to avoid a repeat of Waco Kid’s debacle.**

25 **Conclusion**

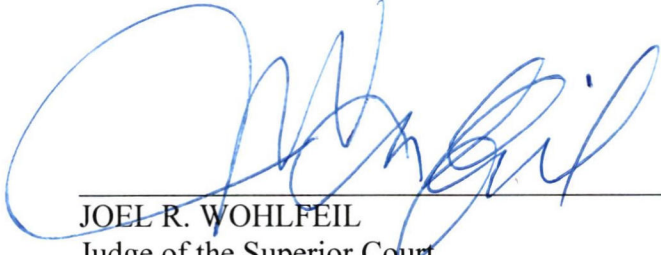
26 The San Diego Rodeo is a non-sanctioned Professional Cowboys Rodeo Association
27 (“PCRA”) event. Exh. 18. It can and, to its credit, has set its own rules. Exh’s 91, 533. Whether
28 through conscious, to protect the Padres brand, or the risk of litigation, the Rodeo’s management

1 team (Padres, C5 and Outriders) have adjusted their rules from the first Rodeo in 2024 to the
2 present. For example, “electric prods” are not permitted at Petco Park. Exh. 99. No “**known**
3 pregnant mares” are permitted to compete in the Rodeo. These adjustments are consistent with
4 evolving rodeo practices described by Dr. Corey; however, **more can and should be done to**
5 **minimize the risk of “needless suffering” by or “unnecessary cruelty” to the animals**, while, at the
6 same time, preserving the sanctity of the rodeo. It is this balance that the Court has strived to
7 accomplish in this SOD.

8 As set forth above, the Court 1) finds, in part, in favor of Plaintiffs and against Defendant
9 C5 and Padres **and** 2) finds, in part, in favor of Defendants C5 and Padres and against Plaintiffs.
10 The parties are directed to file and serve their objections, if any, to the SOD within the time period
11 required by law. The Court sets a status conference on Friday March 6, 2026, at 3:00 p.m., the
12 purpose of which will be to hear objections, if any, to the SOD and to establish a hearing and
13 briefing schedule through the entry of Judgment.

14
15 IT IS SO ORDERED.

16
17 Dated: 1-27-26


18 _____
19 JOEL R. WOHLFEIL
20 Judge of the Superior Court
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