

**IN THE CHANCERY COURT FOR LEWIS COUNTY, TENNESSEE
AT HOHENWALD**

CAROL BUCKLEY,)	
)	
Plaintiff,)	
)	Docket No. 2010-cv-133
v.)	
)	JURY DEMAND
THE ELEPHANT SANCTUARY)	
IN TENNESSEE, JANICE ZEITLIN)	
and MARY BAKER, individually,)	
)	
Defendants.)	

MOTION FOR PENDENTE LITE RELIEF

Plaintiff, Carol Buckley, by and through counsel, hereby moves the court for the following *pendente lite* relief:

1. For an order allowing Carol Buckley visitation with her elephant, Tarra; and
2. For an order requiring the defendants to remove certain documents filed before this Court from any and all public forums where it has caused them to be displayed, including its website, www.elephants.com.

For grounds for her first numbered request, Ms. Buckley would show that she owns Tarra, has raised her for the past thirty-six (36) years, and has a close emotional bond with her. Being fully aware of this fact, the defendants have intentionally refused Ms. Buckley access to Tarra.

As alleged in the Complaint, on March 26, 2010, shortly after the defendant wrongfully terminated Ms. Buckley, the defendant through its agent Mary Baker agreed to allow Ms. Buckley weekly access to Tarra. However, Ms. Buckley has never been allowed such access. The defendants have chosen simply to disregard the agreement they themselves made.

Counsel has attempted to obtain access for Ms. Buckley, but has had no success, and is

therefore forced to seek the Court's assistance in this regard. There is no valid justification for keeping Ms. Buckley from her elephant, and it is respectfully submitted that the Court should enter an order allowing her access equal to or more than that offered by the defendant in March of 2010.

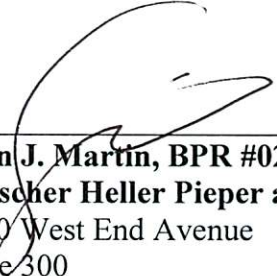
For grounds for her second numbered request, Ms. Buckley would show that on www.elephants.com, and possibly elsewhere, the defendants have caused to be displayed documents purportedly related to this lawsuit which put Ms. Buckley in an unfair light, at best, and which may be characterized as libelous and malicious as well. Defendants have specifically caused to be displayed on www.elephants.com exhibits attached to defendants' Answer and Counterclaim which amount to little more than personal attacks. Exhibit E comprises the offending documents: anonymous, unverified, redacted, and unsigned letters which are malicious and libelous in character and content.

The only purpose in including such documents in the public record (let alone the public eye via the internet) can be to harass and/or embarrass Ms. Buckley, to smear her good name and character, and/or to impermissibly attempt to influence the outcome of this case. While Ms. Buckley recognizes that the filings in this case are public documents, in that they are available to the public from the Court Clerk's office, it is submitted that Exhibit E such as it is has absolutely no place on the Elephant Sanctuary's website. It is respectfully requested that the Court order these documents removed immediately.

Based on the forgoing, plaintiff respectfully requests the Court enter an Order allowing Carol Buckley visitation with her elephant, Tarra, And requiring the defendants to removed at a minimum Exhibit E to its Answer and Counterclaim from any and all public forums where it has caused them to be displayed, including its website, www.elephants.com.

THIS MOTION WILL BE HEARD ON SEPTEMBER 7, 2011 AT 9:00 A.M.

Respectfully Submitted



Sean J. Martin, BPR #020196
Drescher Heller Pieper and Martin
1720 West End Avenue
Suite 300
Nashville, TN 37203
Phone: (615) 425-7116
Fax: (615) 425-7110

www.seanjmartin.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of Aug., 2011, a true and accurate copy of the foregoing was sent via U.S. mail, postage pre-paid to:

Robert E. Boston, Esq.
Catherine H. Molloy, Esq.
WALLER, LANSDEN DORTCH & DAVIS, LLP
511 Union Street, Suite 2700
Nashville, TN 37219

William B. Jakes, III, Esq.
HOWELL & FISCHER, PLLC
Court Square Building
300 James Robertson Parkway
Nashville, TN 37201

Noah C. McPike, Esq.
ALMON LAW, PLLC
1222 16th Avenue South
Suite 26
Nashville, TN 37212



Sean J. Martin