

## HUMANE SOCIETY CASE MAY GO TO TRIAL

Dyana Bagby  
Gwinnett Daily Post

November 7, 2002

The Lawrenceville woman who blasted the Atlanta Humane Society and its director in an Internet chat room Wednesday attempted to have their \$75,000 lawsuit dismissed, but a Gwinnett judge wants more time to rule.

Kathi Mills, 32, a cat rescuer and Web site developer, says the First Amendment protects her if she wants to tell others via the Internet that Bill Garrett, the executive director of the AHS, is "evil" and "delights in slaughtering pets for fun and profit" as she did in an e-mail posted on the Internet last November.

However, Edward Greenblatt, attorney for the AHS and Garrett, who are both plaintiffs in the suit, say these kinds of comments are malicious, libelous and ruinous to the organization's reputation and cost them \$250,000 in public contributions last year.

"The media and the public would not have known about my statements if the AHS had not filed a lawsuit against me," said Mills.

"Bill Garrett made the decision to file this suit, which he admits has cost the pets at the humane society a quarter of a million dollars as a direct result. His conduct is shameful and he should be fired immediately," she added.

Mills alleges the AHS, based in Fulton County, euthanizes animals too quickly after they are placed in the animal shelter and wrote the e-mail following a scathing report about the AHS and Garrett broadcast on an Atlanta TV station last year.

According to testimony Wednesday, Fulton County ordinance mandates a 3 day waiting period before an animal is put to sleep. And in 2001, out of the approximately 22,805 strays placed in the shelter, more than 15,000 were euthanized, according to Mills' attorney, Rob Adelson.

"My statements were made in a private Internet e-mail group consisting of local pet rescuers who share a low opinion of the Atlanta Humane Society. My statements did not cost the AHS one penny," Mills said.

Greenblatt and the AHS hope the judge will allow a jury to decide whether or not Mills' comments were libelous and even suggested a judgment of more than \$75,000 is possible.

Gwinnett Superior Court Judge Billy Ray will make a ruling in about two weeks, he said, while he explores Mills' argument that the AHS, which receives funding from Fulton County government, is a quasi-governmental agency and is not eligible to sue in such a scenario.

Garrett and AHS are also suing a former humane society employee in Cobb County for \$225,000, alleging the same kind of defamation of character. That case is also pending.

The comments the AHS and Garrett say Mills made that are libelous include:

- "Mr. Kill (referring to Garrett) is also the figurehead president of the Humane Association of Georgia."
- ("I am personally withdrawing my support from the group until") "they get a leader who does not delight in slaughtering pets for fun and profit."
- "Bill Garrett is not worthy to lick the dog or cat poop off our shoes. He is evil and it is time for the Atlanta animal rescue community to unite in ending his long and tragic career, both at the AHS and in every pet-related capacity."

"And I'm not stopping my criticisms until they change," Mills said following the hearing.

###