

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

BREMERLEY FAMILY FARMS; WILLIAM  
BREMERLEY,

*Plaintiffs,*

v.

ANIMAL ACTION NOW; BLAINE CARDILLO,

*Defendants.*

Case No. 3:21-cv-86753-RWS

**AFFIDAVIT OF ALEXANDRA FINKLESWORTH IN SUPPORT OF DEFENDANTS' MOTION  
FOR SUMMARY JUDGMENT**

Being duly sworn, Alexandra Finklesworth, deposes and states the following as true, under oath.

1. I am a resident of Fort Bergh, North Carolina. I am at least 18 years of age, of sound mind, and would testify as follows if called as a witness in this matter.
2. I am the executive director of Animal Action Now (AAN), a role I've held for the past eight years. The mission of AAN is to combat systemic cruelty to farmed animals and transform our agriculture system to a more humane and ethical one, using public education, policy work, litigation, and corporate campaigns.
3. In my role as executive director I oversee the organization's programs and initiatives, including our undercover investigations program, our communications program, our legislative advocacy program, and our legal program.
4. We have conducted undercover investigations for over 20 years. We define undercover investigations as gaining lawful access to or employment at an animal facility and documenting, whether through video, audio, or simply observation, the conditions and practices inside the facility.
5. Undercover investigations capture conditions and practices inside normally closed farming and slaughter facilities, and, in my view, carry on this country's long tradition of muckraking investigative journalism. Undercover investigation videos have led to innumerable legislative, corporate, and institutional reforms, and have

proven an important part of the public dialogue concerning our food system and the raising of animals for food.

6. AAN contracts with individual investigators who gain access to or employment at these facilities, including industrial farms and slaughterhouses.
7. We have conducted over 40 such investigations, revealing evidence of gross animal mistreatment, neglect, and abuse in dozens of facilities across numerous states nationwide. Indeed, in every facility we have visited we have uncovered evidence of abuse.
8. On April 17th, 2021, one of our investigators, Blaine Cardillo, told me about an advertisement she had seen for a farmhand position at an egg farm in Wiscabama, Bremerley Family Farms. It was a large egg farm that we suspected was using battery cages.
9. Battery cages are tiny wire cages in which several egg-laying hens are confined for their entire lives, while they produce egg after egg. The barren cages deprive hens of virtually all freedom of movement and of the ability to engage in their natural behaviors, including scratching, pecking, and dust-bathing. If hens' get limbs trapped in the wire mesh, they can be unable to reach their food or water supply and die.
10. Inside battery cage facilities, dead hens can often be seen as mummified corpses plastered to the bottom of the wire cages in which their cage mates stand.
11. Battery cage facilities are widely condemned by animal welfare advocates. Animal Action now and dozens of other like-minded organizations have worked for years to end the use of these cruel cages.
12. For this reason, gaining evidence about the conditions inside battery cage facilities, documenting the way the hens suffer inside them, and engaging in advocacy targeted towards entities that continue to buy eggs from them, are critically important to Animal Action Now.
13. Therefore, our investigator, Blaine Cardillo, submitted an application to Bremerley Family Farms and, after an interview, was hired as a farmhand at the egg farm.
14. Blaine conducted a roughly three-month investigation of the egg farm. As we had instructed her, she was careful to follow all the farm's rules, protocols, and policies for animal care, biosecurity, food safety, and other standard practices.
15. We specifically advise and admonish all our investigators not to do *anything* that could allow the facilities to argue that the investigators are damaging the facilities, sabotaging the operations, or failing in their job duties. We always instruct our investigators to, at all times, act as model employees when working inside farms and slaughterhouses.
16. Each day of the investigation, when she returned to her hotel room, Blaine would upload to AAN's server the video footage that she had taken on the farm that day

and her notes of her contemporaneous observations and reactions to what she had witnessed and documented.

17. Employees at Animal Action Now, including our deputy investigations director and campaigns research associate, carefully monitored and analyzed each submission, and took notes on what Blaine was finding and observing in her investigation of the egg farm.
18. Attorneys with our legal program also analyzed the conditions and conduct documented for violations of anti-cruelty and food safety statutes in the relevant jurisdictions.
19. Each day, Blaine submitted anywhere from one hour to three hours of video footage. I have seen a lot of video footage from undercover investigations, but I was still surprised at the level of filth and the prevalence of injury and death that Blaine was documenting through her footage and her contemporaneous notes each day.
20. As instructed, Blaine attempted to use the official channels the company had provided to report her concerns, both to her immediate supervisor and using the company's animal welfare tip portal.
21. But as far as Blaine and I could determine, at no time did these official mechanisms result in any changes, including any retraining of employees, visits from a veterinarian, or responses from company management to the conduct that Blaine was reporting.
22. I became concerned when, after a few weeks of working inside the egg farm, Blaine began to report increasingly severe symptoms that were having a negative effect on her health. We purchased extra protective equipment for her, but it didn't really help because the conditions inside the farm were so noxious.
23. When I became convinced that Blaine's health would continue to suffer if she had to stay in the facility any longer, I strongly urged her to quit the job and conclude the investigation. She did.
24. This had been Blaine's fourth investigation, so she decided it would be her last, as the heavy toll of witnessing and participating in the architecture of animal suffering was getting to be too much. Blaine was ready to leave the field and go public about what she had witnessed and documented as an investigator.
25. After she left the facility, I assigned two extra employees to the task of analyzing Blaine's video footage and notes, to collect that particularly egregious and troubling incidents and conditions she had documented and begin to prepare the public release of the investigation.
26. The release would include a news release, web feature for AAN's website, social media posts, and a few short videos containing excerpts from Blaine's footage, with the narration explaining what she had found and documented inside Bremerley Family Farms.

27. I also tasked another attorney with helping analyze the evidence for potential legal violations. The attorneys in our legal program soon concluded that the conduct the investigator had documented at Bremerley would give rise to criminal liability for the farm owner and the supervisor under Wiscabama’s anti-cruelty laws which, unlike many other states’ laws, do not contain an exception or exemption for “normal” agricultural practices.
28. The attorneys prepared a letter outlining the evidence collected and the basis for the legal violations. I reviewed the letter and we sent it, along with the full video footage and the clips for public release, to the District Attorney in Sharingsworth County, where Bremerley Family Farms is located. We asked the District Attorney to investigate and file charges against Bremerley Family Farms, William Bremerley, and a farm supervisor.
29. When, after a week, we had received no response from the District Attorney's office, we called and emailed to ensure that they had received our letter and accompanying evidence. They confirmed that they had, and were looking into it.
30. About four weeks had passed since Blaine left the facility, and we were ready to publicly release the investigation.
31. I personally reviewed the content of the news release, social media posts, web feature, and videos for the Bremerley investigation, to ensure their accuracy.
32. I wanted to be conservative in describing the conditions and practices we documented—to describe them accurately and factually.
33. On June 22nd, 2021, we released the investigation to the public, the media, and our supporters.
34. When we release our investigations we typically have a “call to action”: a focal point for our supporters to call for change to address what's documented in the investigation.
35. The “call to action” for the Bremerley investigation was to urge Vegman’s grocery stores to drop Bremerley Family Farms as their egg supplier. We had determined that the farm was one of Vegman’s top egg suppliers.
36. Along with the news release, we released two short videos: one describing the legal violations that we had uncovered, and the other showing some of the worst conduct we had documented. It was in this second video that we called on Vegman’s to drop Bremerley Family Farms as a supplier and convert all of their egg supply to cage-free immediately.
37. We shared the videos on our social media pages and sent the news release to numerous outlets throughout Wiscabama and the greater United States.
38. The investigation generated a lot of media coverage.
39. Blaine was interviewed by UBC News, and I gave numerous interviews to other major publications, including the Associated Print. That resulted in a story that was syndicated nationwide.

40. In these interviews, in our descriptions of what we had documented and witnessed at Bremerley Family Farms, both Blaine and I hewed very closely to previously agreed-upon talking points that echoed the news release AAN had issued.
41. A week after the release of our investigation, Vegman's announced that it would no longer be sourcing eggs from Bremerley Family Farms. All of us at AAN were thrilled.
42. In our corporate campaigns and our public advocacy, we always try to stress to businesses that cruelty should have no place in their supply chain, and that their customers expect them to do their due diligence to ensure that animal products do not come from animals raised in the worst types of cruel confinement.
43. After about three months, during which we continued to feature the public videos of our Bremerley Family Farms investigation on our social media pages and website, we received a letter from an attorney representing the farm and its owner, William (Bill) Bremerley.
44. The letter accused us of making false statements about the farm and its animal care practices, but did not say which of our statements was false and why. It merely said that Bremerley Family Farms was a leader in animal care, certified by numerous third party organizations for its animal welfare practices, and overseen by an experienced veterinarian.
45. We decided not to change, retract, or otherwise step away from the statements we had made about Bremerley Family Farms in our news release, social media pages, and public statements related to the investigation, because all of the statements in those materials are accurate.
46. After we sent a letter back to Mr. Bremerley stating that we would not retract the news release or any of our statements about Bremerley Family Farms, they filed this lawsuit against us.
47. Because we shined a light on the poor treatment of hens inside this egg farm, I believe that Bremerley is trying to make an example of us, to intimidate us, and to bankrupt us.
48. We are not a large or well-resourced organization, and we rely on individual donors to fund our advocacy work. This lawsuit could be financially devastating for us. But we will not be intimidated from telling the truth about what the hens at Bremerley Family Farms endured.

April 12, 2022

Alexandra Finklesworth