

STATE OF TENNESSEE
COUNTY OF SHELBY

AFFIDAVIT OF JOY SMITH


COMES NOW the Affiant, Joy Smith, and hereby states under oath as follows:

1. My name is Joy Smith. I am a resident citizen of Desoto County, Mississippi.
2. I have been the President of the Mississippi Walking Horse Association since February 2007.
3. I personally worked with APHIS representatives in coordinating a Scar Rule Clinic which was held on March 12, 2007 in Holly Springs, Mississippi. I hired a Court videographer to record the Scar Rule Clinic and maintain a dvd copy of the clinic.
4. The purpose of this Scar Rule Clinic was to have APHIS representatives explain the Scar Rule, including what constitutes a violation and how those violations are detected. The clinic was a hands on teaching clinic for horse industry participants by the USDA.
5. Lynn Bourgeois, VMO and John Poe, VMO conducted the Scar Rule Clinic on behalf of the USDA.
6. Twenty-two (22) horses were presented by participants for evaluation and teaching purposes by Dr. Bourgeois and Dr. Poe.
7. Dr. Bourgeois and Dr. Poe performed twenty-three (23) Scar Rule evaluations on twenty-two horses.
8. One horse was presented on two occasions by two different handlers. This single horse was found to be out of compliance with the Scar Rule at the initial evaluation, but was later found to be compliant with the Scar rule when presented the second time by a different handler.
9. Overall, Dr. Bourgeois and Dr. Poe, both seasoned veterans of the Horse Protection Act, failed to render the same opinion concerning compliance with the Scar Rule on 6 horses, or 26%. The findings of both VMOs are noted on the attached chart which I created. Exhibit 1 hereto.
10. Photographs of the front right and left foot of one horse which rendered different opinions by Dr. Bourgeois and Dr. Poe are attached hereto as Exhibit 2A and 2B.

Further, Affiant sayeth not.


JOY SMITH

Sworn to and subscribed before me, a Notary Public, this 16 day of August, 2012.

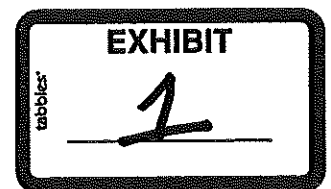

Notary Public

My Commission Expires: 1-31-2016



Horse	Dr. Poe	Dr. B	DPQ - Ira
1	OUT	OUT	
2	OUT	OUT	OUT
3	IN	IN	IN
4	IN	OUT	IN
5	OUT	OUT	OUT
6	OUT	OUT	OUT
7	OUT	IN	IN
8	IN	OUT	OUT
9	OUT	OUT	
10	OUT	IN	IN
11	IN	IN	IN
12	IN	IN	IN
13	OUT	IN	OUT
14	OUT	OUT	IN
15	IN	IN	IN
16	IN	IN	IN
17	IN	IN	IN
18	IN	IN	IN
19	IN	IN	IN
20	IN	IN	IN
21	IN	IN	OUT
22	OUT	IN	IN
23	OUT	OUT	OUT

Dr. B and Poe disagreed on 6 of the 23, or 26% and agreed on 17, or 74%.



HS 3/12/07

~~#~~ L

12 4:57 PM

EXHIBIT
2A

12 4:57 PM

HS 3/12/07

#4 R

EXHIBIT
2B