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PETCONNECT RESCUE, INC.

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF CALIFORNIA**

PETCONNECT RESCUE, INC., a	)	Case No. <u>'20CV0527 H KSC</u>
Maryland corporation,	)	
	)	<b>VERIFIED COMPLAINT</b>
Plaintiff,	)	
v.	)	<b>TEMPORARY RESTRAINING</b>
	)	<b>ORDER REQUESTED</b>
DAVID SALINAS, an individual;	)	
VERONICA SALINAS, an individual;	)	
RICHARD ROBLES PENA, an	)	
individual; THE PUPPY STORE,	)	
LLC, a Wyoming limited liability	)	
company; YELLOW STORE	)	
ENTERPRISES, LLC, a Wyoming	)	
limited liability company; SOCAL	)	
PUPPY ADOPTIONS, INC., a	)	
California corporation; PET	)	

1 CONNECT RESCUE, INC., a )  
 2 Missouri corporation; ALYSIA )  
 3 ROTHMAN, an individual; RAY )  
 4 ROTHMAN, an individual; JASE )  
 5 DEMETRIUS SHAMORE, an )  
 6 individual; CRITTERS AND )  
 7 PETS/FURRY AND FEATHER, LLC, )  
 8 a California limited liability company; )  
 9 RICKIE GALLARDO, an individual; )  
 10 360 CLEAN N GO, LLC, a California )  
 11 limited liability company; and DOES )  
 1-10, )  
 )  
 Defendants. )  
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 13 Plaintiff PETCONNECT RESCUE, INC., a Maryland corporation, alleges  
 14 as follows against Defendants DAVID SALINAS, an individual; VERONICA  
 15 SALINAS, an individual; RICHARD ROBLES PENA, an individual; THE  
 16 PUPPY STORE, LLC, a Wyoming limited liability company; YELLOW STORE  
 17 ENTERPRISES, LLC, a Wyoming limited liability company; SOCAL PUPPY  
 18 ADOPTIONS, INC., a California corporation; PET CONNECT RESCUE, INC., a  
 19 Missouri corporation; ALYSIA ROTHMAN, an individual; RAY ROTHMAN, an  
 20 individual; JASE D. SHAMORE, an individual; CRITTERS AND PETS/FURRY  
 21 AND FEATHER, LLC, a California limited liability company; RICKIE  
 22 GALLARDO, an individual; 360 CLEAN N GO, LLC, a California limited  
 23 liability company and DOES 1-10:

24 **INTRODUCTION**

25 1. Defendants are operating an illegal puppy mill operation,  
 26 fraudulently labeling mass produced puppies from commercial breeders in  
 27 Missouri as “rescues,” taking them from their mothers at eight weeks of age or  
 28 younger, and shipping them across the country by the truckload to be sold in pet  
 stores in California, in order to evade a 2019 law banning the retail sale of non-

1 rescue dogs in pet stores. (Cal. Health & Safety Code § 122354.5)

2 2. Defendants DAVID SALINAS and VERONICA SALINAS (the  
3 “SALINASES”), RICHARD ROBLES PENA, ALYSIA ROTHMAN and RAY  
4 ROTHMAN (the “ROTHMANS”), JASE DEMETRIUS SHAMORE, and  
5 RICKIE GALLARDO are well known puppy mill dealers and con artists who,  
6 through their shell corporations, have set up various schemes to continue profiting  
7 from the illegal sale of puppy mill puppies in California after enactment of a 2019  
8 law banning this despicable practice.

9 3. **Despite the California Governor’s emergency order of March 19,**  
10 **2019 to “stay at home” except for essential services, the SALINAS/PENA and**  
11 **SHAMORE stores are still open for business as of this filing as confirmed by**  
12 **calling them, which is putting the public at risk as well as continuing to**  
13 **defraud consumers into believing they are supporting “rescues” during this**  
14 **difficult time by buying a puppy.** The SALINAS stores in California are  
15 Broadway Puppies (Escondido), Pups & Pets (Santee), Hello Puppies (Temecula),  
16 and The Fancy Puppy (Corona). The SHAMORE stores are Villaggio Family Pets  
17 and Town Puppies, both in Temecula. It is unknown at this time if the  
18 GALLARDO store, Puppy World in Montebello, is staying open despite the  
19 emergency order, as a phone number for the store cannot be located.

20 4. The stores are further putting the public at extra risk during this  
21 pandemic, through the risk of spreading multidrug resistant *Campylobacter*  
22 infections linked to contact with pet store puppies. (Center for Disease Control  
23 and Prevention, [https://www.cdc.gov/campylobacter/outbreaks/puppies-12-](https://www.cdc.gov/campylobacter/outbreaks/puppies-12-19/index.html)  
24 [19/index.html](https://www.cdc.gov/campylobacter/outbreaks/puppies-12-19/index.html), last visited March 20, 2020.)

25 5. The ROTHMANS are known puppy mill dealers in Missouri who  
26 have set up a fake nonprofit, PET CONNECT RESCUE, INC., with a deliberately  
27 misleading name that is exactly the same as Plaintiff’s name, except there is a  
28 space between “PET” and “CONNECT” in the Defendant’s name.

1           6.       The sole purpose of the fake PET CONECT RESCUE, INC. is to  
2 continue supplying puppy mill puppies to the SALINASES, ROBLES,  
3 SHAMONE, GALLARDO, and other notorious puppy mill dealers, who  
4 fraudulently label the puppies “rescues” in order to evade laws prohibiting the sale  
5 of non-rescue dogs in pet stores, and to deceive the public into believing they are  
6 supporting animal rescues such as Plaintiff, when they pay thousands of dollars  
7 each for one of the purebred and designer puppies sold by Defendants, financed  
8 through lending companies Defendants make available for that purpose and to  
9 facilitate impulse buys.

10           7.       Defendant DAVID SALINAS is currently under a preliminary  
11 injunction issued by the San Diego Superior Court on behalf of different plaintiffs,  
12 enjoining him from selling puppies at one of his stores, National City Puppy.  
13 (*Animal Protection and Rescue League v. Salinas*, San Diego Superior Court Case  
14 No. 37-2019-00065377-CU-BT-CTL.) A hearing was set for March 27, 2020  
15 before Hon. Eddie Sturgeon to take witness testimony and issue a preliminary  
16 injunction against the two other SALINAS stores in San Diego County (Broadway  
17 Puppies and Pups & Pets), but that hearing has now been continued indefinitely  
18 due to the state court shutdown.

19           8.       Another preliminary injunction has also been issued by Hon. Ronald  
20 Styn on behalf of different plaintiffs against another pet store, Bark Avenue Pets  
21 in Escondido, which was running the same illegal scheme using another fake  
22 rescue called “Bark Adoptions.” Bark Avenue Pets has since shut down as a result  
23 of the preliminary injunction. (*Animal Protection and Rescue League v. Ramirez*,  
24 San Diego Superior Court Case No. 37-2019-00062397-CU-MC-CTL.)

25           9.       In the face of the COVID-19 public health emergency, Defendants  
26 are continuing to take advantage of an unsuspecting public, and defrauding  
27 consumers into believing they are supporting animal rescue during this crisis by  
28 purchasing puppies from Defendants’ stores.



1 VERONICA SALINAS, and RICHARD ROBLES PENA.

2 21. On information or belief, Defendant JASE DEMETRIUS  
3 SHAMORE (“SHAMORE”) is an individual residing in Riverside County.

4 22. On information or belief, Defendant CRITTERS AND  
5 PETS/FURRY AND FEATHER, LLC is a California limited liability company  
6 owned by SHAMONE.

7 23. On information or belief, Defendant RICKIE GALLARDO  
8 (“GALLARDO”) is an individual residing in Los Angeles County.,

9 24. On information or belief, Defendant 360 CLEAN N GO, LLC is a  
10 California limited liability company owned by GALLARDO.

11 25. The names and capacities of DOES 1-10 are unknown to Plaintiff at  
12 this time, who therefore sues these fictitiously named Doe Defendants as DOES 1-  
13 10. Plaintiff will seek leave to amend its complaint to add the names and  
14 capacities of these fictitiously named Doe Defendants when they are ascertained.  
15 On information or belief, each fictitiously named Doe Defendant is responsible in  
16 some manner for the harm alleged herein and was at all relevant times acting as  
17 the agent of each other Defendant.

#### 18 **JURISDICTION AND VENUE**

19 26. This Court has subject matter jurisdiction under 28 U.S.C. § 1332  
20 because Plaintiff and Defendants are citizens of different states, and the amount in  
21 controversy exceeds \$75,000 based on the profits Defendants will lose if an  
22 injunction is granted.

23 27. Venue is proper in this district because some Defendants reside in  
24 this district, and all Defendants conduct substantial business operations in this  
25 district, including THE PUPPY STORE, LLC, YELLOW STORE  
26 ENTERPRISES, LLC, and the SALINASES owning and operating puppy stores  
27 in this district, with PET CONNECT RESCUE, INC. and the ROTHMANS  
28 supplying puppies into this district to be sold in these stores.

**FACTUAL ALLEGATIONS**

1  
2           28. The SALINASES, through THE PUPPY STORE, LLC, own several  
3 puppy stores throughout the country, including in Nevada and California  
4 (“SALINAS stores.”)

5           29. Currently operating SALINAS stores in California include Hello  
6 Puppies in Temecula, The Fancy Puppy in Corona, Broadway Puppies in  
7 Escondido, and Pups & Pets in Santee.

8           30. RICHARD ROBLES PENA is the general manager for all of the  
9 SALINAS stores.

10           31. GALLARDO owns a puppy store called “Puppy World” in  
11 Montebello through his LLC, 360 CLEAN N GO, LLC.

12           32. SHAMORE owns puppy stores “Villaggio Family Pets” and “Town  
13 Puppies,” both in Temecula, through his LLC, CRITTERS AND PETS/FURRY  
14 AND FEATHER, LLC.

15           33. On information or belief, the puppies sold in each of these stores are  
16 all supplied by the ROTHMANS from puppy mills in the Midwest, where mother  
17 dogs are kept in tiny wire cages in giant, windowless sheds for their entire lives,  
18 forced to deliver puppies every heat cycle, and never see the light of day.

19           34. The ROTHMANS have set up the fake PET CONNECT RESCUE,  
20 INC. to launder puppies from puppy mills, falsely labeling them as “rescues” so  
21 that con artists such as the SALINASES, PENA, SHAMORE, and GALLARDO  
22 can continue illegally selling these puppy mill puppies in their pet stores for the  
23 profit of all Defendants.

24           35. On information and belief, due to California shelters being aware that  
25 Defendant PET CONNECT RESCUE, INC. is a fake rescue and refusing to enter  
26 into a cooperative agreement with it, and two San Diego Superior Court judges  
27 ruling that cooperative agreements with rescues outside of California are not made  
28 pursuant to the Food & Agriculture Code and are therefore not compliant with the

1 language of Health & Safety Code § 122354.5, Defendants are in the process of  
2 adding another layer to the deception, by transferring puppies on paper to SOCAL  
3 PUPPY ADOPTIONS, INC., so that puppies being sold in the stores will no  
4 longer be labeled as coming directly from PET CONNECT RESCUE, INC.

5 36. All Defendants are aware of and participants in this illegal puppy  
6 laundering scheme that they specifically set up to evade California law.

7 37. Because the ROTHMANS' fake PET CONNECT RESCUE, INC.  
8 has no physical location or contact info, consumers purchasing sick puppies from  
9 puppy mills from Defendants often end up calling Plaintiff to ask about the source  
10 of the puppies. In many cases, employees at stores owned by Defendants have  
11 even directly given out Plaintiff's phone number and website to consumers who  
12 ask where the puppies came from, when in fact the puppies came from the  
13 ROTHMANS' fake PET CONNECT RESCUE, INC.

14 38. The actions of Defendants, and each of them, have caused diversion  
15 of significant organizational resources and cost Plaintiff economically due to staff  
16 time needing to be utilized explaining to consumers that the puppies being sold by  
17 Defendants are from puppy mills, not from an animal rescue, and that they are  
18 certainly not from Plaintiff's animal rescue organization.

### 19 **STATUTORY FRAMEWORK**

20 39. California's Unfair Competition Law ("UCL"), Business &  
21 Professions Code sections 17200 *et seq.*, prohibits businesses from engaging in  
22 unlawful, fraudulent, or unfair business practices.

23 40. An action based on Section 17200 to redress an unlawful business  
24 practice borrows violations of other laws and treats them as a violation of Section  
25 17200. In other words, a business practice is "unlawful" under Section 17200  
26 when it violates another federal, state or local law. The violated law that serves as  
27 a basis for a UCL claim is referred to as a "predicate" law.

28 41. Business and Professions Code § 17203 allows any party who has



1 lost money or property as a result of unlawful, fraudulent, or unfair business  
2 practices to ask a court to enjoin such practices.

3 42. Through their unlawful, fraudulent, and unfair business practices,  
4 Defendants, and each of them, have forced Plaintiff to divert its limited  
5 organizational resources, including staff time, to responding to members of the  
6 public who were deceived by Defendants, and each of them, into believing  
7 puppies sold by Defendants are “rescue puppies” that were obtained through  
8 Plaintiff.

9 43. Defendants’ unlawful, fraudulent, and unfair puppy laundering  
10 scheme as detailed in this complaint both frustrates Plaintiff’s core mission of  
11 rescuing animals and impedes the organization’s ability to expend valuable time  
12 and resources to promote its mission to further animal protection.

13 44. As a party “who has suffered injury in fact and has lost money or  
14 property as a result of ...unfair competition,” Plaintiff has standing under  
15 Business and Professions Code section 17204 to enjoin Defendants’ unlawful  
16 conduct.

17 **FIRST CAUSE OF ACTION**

18 **(Unfair Business Practices)**

19 45. Plaintiff realleges and incorporates by reference all previous  
20 allegations as is fully set forth herein.

21 46. California Health & Safety Code § 122354.5(a) provides:

22 A pet store operator shall not sell a live dog, cat, or rabbit in a pet store  
23 unless the dog, cat, or rabbit was obtained from a public animal control  
24 agency or shelter, society for the prevention of cruelty to animals shelter,  
25 humane society shelter, or rescue group that is in a cooperative agreement  
26 with at least one private or public shelter pursuant to Section 31108, 31752,  
or 31753 of the Food and Agricultural Code.

27 47. Subsection (f) provides:  
28

1 For purposes of this section, a “rescue group” is an organization that is tax  
2 exempt under Section 501(c)(3) of the Internal Revenue Code, and that does  
3 not obtain animals from breeders or brokers for compensation.

4 48. On information or belief, Defendant PET CONNECT RESCUE,  
5 INC. is not “in a cooperative agreement with at least one private or public shelter  
6 pursuant to Section 31108, 31752, or 31753 of the Food and Agriculture Code.”

7 49. On information or belief, Defendant PET CONNECT RESCUE,  
8 INC. is not tax exempt under Section 501(c)(3) of the Internal Revenue Code  
9 because it does not meet the requirements for such organizations. Among other  
10 things, PET CONNECT RESCUE, INC. does not have a disinterested board, and  
11 its revenue goes to the private inurement of the ROTHMANS.

12 50. On information or belief, Defendant PET CONNECT RESCUE,  
13 INC. obtains animals from breeders or brokers for compensation.

14 51. On information or belief, Defendant PET CONNECT RESCUE,  
15 INC. has never rescued a single animal from any shelter.

16 52. Defendants DAVID SALINAS, VERONICA SALINAS, THE  
17 PUPPY STORE, LLC, YELLOW STORE ENTERPRISES, LLC, JASE  
18 DEMETRIUS SHAMORE, CRITTERS AND PETS/FURRY AND FEATHER,  
19 LLC, RICKIE GALLARDO, and 360 CLEAN N GO, LLC are all deliberately,  
20 knowingly, and unlawfully continuing to sell puppies in pet stores obtained from  
21 breeders or brokers for compensation in violation of California law.

22 53. Defendants PET CONNECT RESCUE, INC., the ROTHMANS, and  
23 DOES 1-10 are all accomplices in this deliberate scheme to evade California law.

24 54. On information or belief, all Defendants are knowingly and willfully  
25 acting as accomplices to all other Defendants to evade California law and defraud  
26 consumers into believing they are “adopting” a “rescue” animal, when in fact their  
27 purchases are supporting the puppy mill industry of which Defendants are a part.

28 55. Defendants, and each of them, are misleading consumers and  
unlawfully interfering with the efforts of bona fide rescue groups and animal

1 shelters, including Plaintiff’s own legitimate nonprofit efforts, to seek homes for  
2 stray and abandoned animals, which also causes economic harm to Plaintiff  
3 through frustration of Plaintiff’s mission and diversion of Plaintiff’s  
4 organizational resources.

5 56. Instead of spending its limited resources rescuing and placing  
6 animals, Plaintiff instead must spend significant organizational resources on  
7 explaining to the public that the animals for sale in Defendants’ stores are not  
8 “rescues” and are not from Plaintiff or any other legitimate nonprofit organization  
9 or shelter, but are instead falsely advertised and illegally sourced from puppy  
10 mills and breeders.

11 57. On information or belief, all of the Defendants, both independently  
12 and collectively, have violated and are continuing to violate Health and Safety  
13 Code § 122354.5 by knowingly participating in and profiting from Defendants’  
14 unlawful scheme to sell puppy mill puppies in pet stores and falsely advertise to  
15 the public that the puppies are “rescues” from a shelter, Plaintiff, or other  
16 legitimate rescue operation.

17 58. Defendants, and each of them, have engaged in acts or practices that  
18 constitute unfair competition, as that term is defined in section 17200 et seq. of the  
19 Business & Professions Code.

20 59. Defendants, and each of them, have violated, are violating, and plan  
21 to continue to violate Business & Professions Code §§ 17200 et seq. through their  
22 unlawful business acts and practices, which violate Health and Safety Code §  
23 122354.5 and other consumer protection laws.

24 60. Defendants, and each of them, have independently and collectively  
25 engaged in and will continue to engage in the unlawful and unfair business  
26 practices through the illegal sale of puppies in pet stores obtained from puppy  
27 mills as set forth in this complaint unless specifically enjoined from doing so by  
28 this Court.



1 by Defendants are obtained from puppy mills for profit, and Defendants’ false  
2 statements cause the general public to believe Plaintiff is involved in Defendants’  
3 illegal puppy laundering scheme.

4 68. As a proximate result of Defendants’ false statements, the public has  
5 been deterred from supporting and otherwise dealing with Plaintiff, and Plaintiff  
6 has thereby suffered damages in an amount to be proven at trial.

7 69. By falsely representing to the general public that puppies sold by  
8 Defendants are “rescue puppies” obtained from Plaintiff, each Defendant has  
9 injured the reputation of Plaintiff and imputed Plaintiff with involvement in  
10 Defendants’ illegal puppy laundering scheme.

11 70. Defendants, and each of them, made these false representations with  
12 actual malice, and with intentional or reckless disregard for the impact that such  
13 statements would have on Plaintiff, entitling Plaintiff to an award of punitive  
14 damages.

### 15 **THIRD CAUSE OF ACTION**

#### 16 **(Negligence)**

17 71. Plaintiff realleges and incorporates by reference all previous  
18 allegations as is fully set forth herein.

19 72. Defendants, and each of them, had a duty not to fraudulently deceive  
20 consumers into purchasing puppies from puppy mills by falsely telling consumers  
21 the puppies were “rescues” obtained from Plaintiff.

22 73. Defendants, and each of them, breached their duty by falsely telling  
23 consumers the puppies Defendants are selling are “rescues” obtained from  
24 Plaintiff.

25 74. Plaintiff has suffered damages as a proximate cause of Defendants  
26 breaching their duty to Plaintiff to not impute Plaintiff with involvement in  
27 Defendants’ fraudulent and criminal enterprise.  
28

**PRAYER FOR RELIEF**

Wherefore, Plaintiff prays for judgment against Defendants as follows:

1. For a temporary restraining order, preliminary injunction, and permanent injunction enjoining all Defendants and their principals, members, agents, officers, employees, representatives, co-conspirators, and all persons acting in concert, collaboration or participation with them during the pendency of this action and permanently thereafter, from shipping any dogs into the State of California for purposes of being sold in a pet store;

2. For a temporary restraining order, preliminary injunction, and permanent injunction enjoining all Defendants and their principals, members, agents, officers, employees, representatives, co-conspirators, and all persons acting in concert, collaboration or participation with them during the pendency of this action and permanently thereafter, from falsely representing to the public that they are selling “rescue puppies”;

3. For a temporary restraining order, preliminary injunction, and permanent injunction enjoining all Defendants and their principals, members, agents, officers, employees, representatives, co-conspirators, and all persons acting in concert, collaboration or participation with them during the pendency of this action and permanently thereafter, from selling or offering for sale any dogs in the State of California in violation of Cal. Health & Safety Code § 122354.5;

4. For damages to be proven at trial;

5. For restitution and disgorgement as allowed by law;

6. For reasonable attorneys’ fees as provided by, *inter alia*, Code of Civil Procedure § 1021.5;

7. For costs of suit incurred herein;

8. For pre- and post-judgment interest;

9. For such other and further relief as the Court deems just and proper.


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Dated: March 20, 2020 By: /s/ Bryan W. Pease  
Bryan W. Pease, Esq.  
Attorney for Plaintiffs

**VERIFICATION**

I, Lizette Chanock, am the founder and a board member of PETCONNECT RESCUE, INC., the Plaintiff in the above-captioned action. I have read the foregoing Verified Complaint and am familiar with its contents. The same is true of my own personal knowledge, except those matters alleged on information or belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of California the foregoing is true and correct.

Dated: March 20, 2020 By:   
Lizette Chanock