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Northbrook pet store sues protesters, not-for-profit for defamation

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December 8, 2009

By **TODD SHIELDS** tshields@pioneerlocal.com

A Northbrook pet store filed a defamation lawsuit against a not-for-profit corporation and three women, stating their public protests and e-mails have publicly damaged the business.

Owners of Pawsh Puppies at Northbrook Court mall named Save-A-Pet, a nonprofit in Grayslake, and Adrienne Grade, Pamela Kramer and Cari Meyers as defendants in the two-count lawsuit filed Dec. 3 in Circuit Court of Cook County.

The lawsuit stated on Nov. 14 about 40 people demonstrated against Pawsh Puppies with signs, telling passersby the dog pet store in Northbrook Court mall was a puppy mill.

Puppy mills are run by careless breeders who mistreat dogs, according to people who oppose their practices.

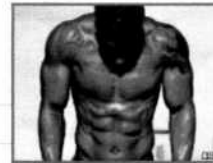
Attorney Anthony Sciara is representing owner Laurence Portnoy and store manager Alex Gershbeyn.

The legal action also stated on Nov. 17 Kramer posted on her online Facebook page, "(p)lease lend a hand and inform possible customers of this horrible store."

On Nov. 24, in an e-mail to Northbrook Court management, Grade linked to an online YouTube video of Johnson County sheriffs and the Humane Society raiding an Arkansas breeder. The lawsuit states the Arkansas site does not supply dogs to Pawsh Puppies.

Sciara also stated since the protests, General Growth Properties, the corporation that owns Northbrook Court, has "now stalled indefinitely" plans to rent space to two more Pawsh Puppies stores at other commercial locations.

However, Mary Schlachter, a senior general manager of General Growth Properties, said she was unaware



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of opening more Pawsh Puppies stores.

"I don't have future information relative to future deals that are pending. My sense is that we were seeing how this one concept was working," she said.

Sciara claimed Save-A-Pet was a provider of adopted dogs.

"As a consequence of its position in the marketplace for canines, Save-A-Pet is in competition with (my clients)," he stated in the lawsuit, adding defendants have falsely said dogs arrive dead at Pawsh Puppies and the store does not provide breeder information to customers.

The lawsuit pointed out that any dealers selling animals as pets must have federal licenses, and that seven of the Pawsh Puppies suppliers have compliance inspection reports enforced by the U.S. Department of Agriculture.

"We believe in First Amendment rights of free speech, but this right does not protect defamation," said Sciara in an interview.

"Here is a group of people targeting my clients' business without being accurate. My clients run a lawful business in compliance with the law. These people have done extreme disrepute on this business," he said.

Grade and Save-A-Pet were unavailable for comment, but in a Nov. 19 **Northbrook Star** article about the Northbrook Court demonstration, Janie Jenkins said good pet stores provided customers with breeder backgrounds.

"If they did have it, (customers) could do a check on the breeder before purchasing. Some breeder farms treat their dogs like livestock," said Jenkins, of Wilmette.

In response, Gershbeyn said Pawsh Puppies supplied breeder information and registration papers from the USDA.

Pawsh Puppies also has a store in Chicago's Lincoln Park.

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