



April 18, 2022

The Honorable John Wilhoit
Woodford County Sheriff
Woodford County Sheriff's Department

Via e-mail: jwilhoit@woodfordso.org

Dear Sheriff Wilhoit:

I'm writing on behalf of People for the Ethical Treatment of Animals U.S.—PETA entities have more than 9 million members and supporters globally and nearly 63,000 in Kentucky—to request that you investigate and pursue all appropriate charges related to an apparent act of cruelty to animals by veterinarian Dr. Heather Wharton, McCormick Racing LLC and Southern Equine Stable LLC, Cypress Creek Equine, and WinStar Farm. Wharton was the attending veterinarian when the Thoroughbred Laoban was administered expired substances, resulting in his death.¹ McCormick Racing LLC and Southern Equine Stable LLC and Cypress Creek Equine were the owners of the stallion. Laoban stood at WinStar Farm when he was injected with substances and died.²

Wharton admittedly administered a “black shot,” a combination of vitamins and minerals, to the stallion Laoban on May 24, 2021, at WinStar Farm.³ Minutes after the injection, the horse died. As reported by the Louisville *Courier Journal*, the North American Specialty Insurance Company found that three of the substances were expired—including one that was nearly nine years past its expiration date. It was also found that Wharton had used the medications contrary to label instructions in at least 10 different ways, including the following: “[V]itamins intended to be administered intramuscularly were instead injected intravenously; expired Vitamin B₁₂ was administered at five times the recommended dosage; and expired Vitamin B Complex was administered despite a warning about the risk of anaphylactic shock. One of the ingredients, Iron Hydrogenated Dextran, carried an expiration date of July 2012, and was indicated only for iron deficiency anemia in baby pigs.”⁴

While it appears that Wharton bears responsibility, the influence of the breeding manager and others at the stable as well as that of the owners should also be examined. It is well known in horse racing that veterinarians are expected to follow the instructions of the owners, managers, trainers, and others who are

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¹Sullivan, T. (2022, April 14). ‘Black Shot’ and gone: Kentucky stallion’s death after libido injection raises questions. Louisville Courier Journal. <https://www.courier-journal.com/story/sports/horses/horse-racing/2022/04/14/winstar-farm-stallion-laoban-dies-after-injection-help-his-libido/9515181002/>

²Finley, B. (2022, April 14). Courier-Journal reports new details in Laoban suit. Thoroughbred Daily News. <https://www.thoroughbreddailynews.com/courier-journal-reports-new-details-in-laoban-suit/>

³Sullivan.

⁴Sullivan.

Entities:

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

responsible for horses. The role of these individuals and their specific instructions regarding veterinary care should be investigated.

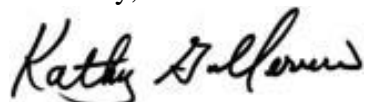
According to The Jockey Club's breeding statistics, Laoban was one of WinStar Farm's most frequently bred stallions. In 2021, he was bred to 126 mares.⁵ Veterinary staff may have injected him with the "black shot" in an attempt to maximize breeding profits in order to satisfy the request or expectation of the owners, even though reports show that he was displaying signs of breeding fatigue just a few days prior to this incident.⁶

The failure to provide proper care by Wharton, McCormick Racing LLC and Southern Equine Stable LLC, Cypress Creek Equine, and WinStar Farm may violate Kentucky law prohibiting cruelty to animals, which makes it unlawful to subject an animal to cruel neglect. KRS 525.130(1)(b) states, "A person is guilty of cruelty to animals in the second degree when ... he intentionally or wantonly ... [s]ubjects any animal in his custody to cruel neglect."⁷

Accordingly, we strongly urge you to investigate the incident involving Laoban and pursue appropriate charges for any unlawful actions.

Thank you for your time and consideration. We look forward to hearing from you.

Sincerely,



Kathy Guillermo
Senior Vice President

⁵The Jockey Club. (2022). *Report of mares bred: Number of mares reported bred to Thoroughbred stallions in 2021*. JockeyClub.com.

<https://www.jockeyclub.com/default.asp?section=Resources&area=16&report=RMB&letter=all>

⁶Sullivan.

⁷Cruelty to animals in the second degree—Exemptions—Offense involving equines, Ky. Rev. Stat. § 525.130 (2017). <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=46728>