

May 16, 2022

Nicole “Nikki” Fried
Commissioner
Florida Department of Agriculture and Consumer Services

Via email: [REDACTED]

Re: Request to investigate Preservation Station Inc. dba Rare Species Fund (License No. CH13377) and cancel its registration for apparent violations of the Florida Solicitation of Contributions Act

Dear Commissioner Fried,

I am writing on behalf of PETA to request that the Florida Department of Agriculture and Consumer Services (FDACS) investigate Preservation Station Inc. d.b.a. Rare Species Fund (License No. CH13377; FEIN: 59-3500232) and pursue all available civil and criminal penalties against it, including cancellation of its registration, for numerous apparent violations of the Florida Solicitation of Contributions Act (Act), F.S.A. §§ 496.401-496.424.

As detailed in the attached appendix, Preservation Station solicits charitable contributions by touting international, on the ground (“in-situ”) wildlife conservation. Yet Preservation Station reports to FDACS that its charitable contributions pay for direct animal care, which is confirmed by the organization’s federal filings. Its president, Bhagavan Antle—who faces trial in Virginia in July for alleged wildlife trafficking and cruelty to animals, and whose alleged sexual misconduct and animal abuse were exposed in the Netflix docuseries “Tiger King” and its sequels—appears to be misappropriating the organization’s charitable contributions to offset the operating costs of his own for-profit roadside zoo.

By soliciting contributions for in-situ conservation then evidently diverting those contributions for Antle’s private business, Preservation Station appears to be misleading donors in violation of the Act. The organization appears to have further violated the Act by submitting false information to FDACS via its registration application and Forms 990.

PETA requests that FDACS investigate Preservation Station and its leadership and impose all appropriate criminal and civil penalties, including cancellation of the organization’s registration to solicit charitable contributions in the state of Florida.

Thank you for your attention to this important matter.

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS
FOUNDATION

Washington
1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk
501 Front St.
Norfolk, VA 23510
757-622-PETA

PETA FOUNDATION IS AN OPERATING
NAME OF THE FOUNDATION TO
SUPPORT ANIMAL PROTECTION.

ENTITIES:

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

Very truly yours,

A handwritten signature in black ink, appearing to read 'Molly Johnson', with a long horizontal flourish extending to the right.

Molly Johnson
Counsel, Captive Animal Law Enforcement



Appendix

I. The legal requirements for organizations soliciting charitable contributions in Florida

The Solicitation of Contributions Act serves to “protect the public by requiring full public disclosure of the identity of persons who solicit contributions from the public, and of the purposes for which such contributions are solicited and the manner in which the contributions are actually used.”¹ The legislature intended the Act “to prohibit deception, fraud, and misrepresentation in the solicitation and reporting of contributions.”²

Under the Act, “a charitable organization ... may solicit contributions *only for the purpose expressed in the solicitation for contributions or the registration statement* of the charitable organization ... and may apply contributions *only in a manner substantially consistent with that purpose*.”³

At “the point of solicitation,” a charitable organization must disclose, among other things, its “principal place of business” and “[t]he description of the purpose or purposes for which the solicitation is being made.”⁴ The charitable organization must also “conspicuously display the following statement on every solicitation, confirmation, receipt, or reminder of a contribution”: “A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE.”⁵ “If the solicitation occurs on a website, the statement must be conspicuously displayed on any web page that ... provides for online processing of contributions.”⁶

The Act expressly prohibits any person from “[m]isrepresent[ing] or mislead[ing] anyone by any manner, means, practice, or device whatsoever to believe that ... any of the proceeds of the solicitation ... will be used for charitable ... purposes, if that is not the fact.”⁷ The Act defines “charitable purpose” as “a benevolent, philanthropic, patriotic, educational, humane, scientific, artistic, public health, social welfare or advocacy, environmental conservation, civic, or other eleemosynary objective.”⁸

¹ F.S.A. § 496.402.

² *Id.*

³ *Id.* § 496.411(1) (emphasis added). A “charitable organization” is “a person who is or holds herself or himself out to be established for any benevolent, educational, philanthropic, humane, scientific, artistic, patriotic, social welfare or advocacy, public health, environmental conservation, civic, or other eleemosynary purpose.” *Id.* § 496.404(1). The term “person” includes an organization or corporation. *Id.* § 496.404(19). A “solicitation” is “a request, directly or indirectly, for money, property, financial assistance, or any other thing of value on the plea or representation that ... it will be used for a charitable ... purpose or will benefit a charitable organization.” *Id.* § 496.404(24). “‘Contribution’ means the promise, pledge, or grant of money or property, financial assistance, or any other thing of value in response to a solicitation.” *Id.* § 496.404(5).

⁴ *Id.* § 496.411(2)(a), (b).

⁵ *Id.* § 496.411(3).

⁶ *Id.*

⁷ *Id.* § 496.415(7).

⁸ *Id.* § 496.404(2).

The Act also makes it unlawful for any person to “[s]ubmit false, misleading, or inaccurate information in a document that is filed” with FDACS.⁹ “Each charitable organization ... that collects or takes control or possession of contributions made for a charitable purpose must keep records to permit accurate reporting and auditing as required by law ... and must be able to account for the funds.”¹⁰ If an organization fails to properly document and disclose its expenditures, “there exists a rebuttable presumption that the charitable organization ... did not properly expend such funds.”¹¹

“[A]ny person who willfully and knowingly violates [the Act] commits a felony of the third degree,” punishable by up to five years’ imprisonment and/or a fine not to exceed \$5,000.¹² In addition, FDACS may, upon finding that a charitable organization has violated the Act, issue an order canceling or suspending the organization’s registration and/or “[i]mposing an administrative fine not to exceed \$10,000 for a violation of this chapter that involves fraud or deception,” among other penalties.¹³ FDACS may also bring a civil action against a charitable organization to enforce the Act,¹⁴ and a violation of the Act is further punishable under the Florida Deceptive and Unfair Trade Practices Act as a violation thereof.¹⁵

II. Preservation Station’s varying mission statements and failure to comply with the Act’s disclosure requirements

Preservation Station is a Florida not-for-profit corporation¹⁶ that operates under the fictitious name “Rare Species Fund.”¹⁷ It is registered to solicit charitable contributions in both Florida and South Carolina¹⁸ and has been recognized as tax-exempt under section 501(c)(3) since April 2000.¹⁹ According to documents filed with the Internal Revenue Service (IRS), Preservation Station’s mission is “wildlife conservation/education.”²⁰ The organization claims to be “dedicated to the conservation and enhancement of threatened and endangered species, and their habitats, through public education with animal ambassadors, science based population management and the support and participation in community based, grass roots in-situ conservation projects worldwide.”²¹

⁹ *Id.* § 496.415(2).

¹⁰ *Id.* § 496.418(1).

¹¹ *Id.*

¹² *Id.* § 496.417; *see id.* §§ 775.082(3)(e), 775.083(1)(c). A “second or subsequent conviction” constitutes a second-degree felony, punishable by up to 15 years’ imprisonment and/or a fine not to exceed \$10,000. *Id.* § 496.417; *see id.* §§ 775.082(3)(d), 775.083(1)(b).

¹³ *Id.* § 496.419(5)(c), (g); *see id.* § 496.419(4).

¹⁴ *See id.* § 496.420(1).

¹⁵ *Id.* § 496.416.

¹⁶ *See* 2021 Florida Not for Profit Corporation Annual Report, filed with the FL Sec. of State Apr. 30, 2021 (Ex. 1).

¹⁷ *See* Form 990 2020 (Ex. 2). Preservation Station was previously known as Zooville USA between June 2007 and April 2009. *See* Articles of Amendment to Articles of Incorporation of Preservation Station, Inc., filed with FL Sec. of State June 20, 2007 (Ex. 3); Articles of Amendment to Articles of Incorporation, of Zooville USA, Inc., filed with FL Sec. of State Apr. 8, 2009 (Ex. 4). Zooville USA is now a separate Florida not-for-profit corporation (EIN: 27-0457726), which is not at issue in this complaint. *See* Certificate of Incorporation of Zooville USA, Inc., filed with FL Sec. of State Apr. 20, 2009 (Ex. 5).

¹⁸ *See* Charitable Organizations/Sponsors Registration Application, dated Apr. 30, 2021 and filed with FDACS (Ex. 6); Registration Statement for a Charitable Organization, filed with the S.C. Sec. of State Oct. 13, 2021 (Ex. 7).

¹⁹ IRS letter responding to request for information regarding tax-exempt status (Feb. 26, 2010) (Ex. 8).

²⁰ Form 990 2020, Part I, line 1 (Ex. 2).

²¹ *Id.*, Part III, “Statement of Program Service Accomplishments.”

On its most recent Florida registration application, Preservation Station identifies its purposes as “further[ing] the preservation of tigers, elephants, rhinos, lions, etc. in the world and in the United States” and “educat[ing] people on their habits [sic] and conservation of animal home [sic]”—yet it lists “education of wildlife animals to the public” as its only major program activity.²² Preservation Station reports that its “contributions are used” for the “care and maintenance of animal collection [sic], cage construction[,] transport, vet care, dietary needs, (incl. supplementation), and enrichment items,” as well as “general operating expenses.”²³ Preservation Station does not report using any of its contributions to support international, on-the-ground wildlife conservation.

To the public, however, Preservation Station presents itself as a major player in international wildlife conservation. On its Facebook page, Preservation Station states simply that it was “established by Bhagavan ‘Doc’ Antle to provide funding to critical on the ground international wildlife conservation programs.”²⁴ A post “pinned” to the top of the Facebook page similarly describes Preservation Station as “a grassroots organization that provides financial support and practical training to in-situ wildlife conservation initiatives,” but makes no mention of any domestic conservation work, education, or “animal ambassadors.”²⁵ Likewise, on its Instagram page, the organization includes the following in its “bio”:

Saving Wildlife Today with partners @myrtlebeachsafari
🌐Funding Critical International Conservation Projects DONATE🌐CashApp
\$RareSpeciesFund²⁶

Preservation Station’s website states that its mission is “to enhance wild species populations through the support of grassroots wildlife conservation projects, the maintenance of genetically representative viable populations of captive wildlife and the education of the public about conservation issues through the use of animal ambassadors.”²⁷ On its “Support” page, however, where Preservation Station solicits donations, the organization omits the latter charitable purposes entirely. Instead, a note from Antle himself claims that the organization “provides financial support and practical training to in-situ wildlife conservation initiatives” and is “among the world’s most effective conservation agencies,” without any reference to domestic education or animal ambassadors.²⁸

Preservation Station’s website also features a “Donate Now” link on its homepage, which redirects to a different website maintained by a company called “Network for Good,” where Preservation Station

²² Charitable Organizations/Sponsors Registration Application (Ex. 6). In South Carolina, Preservation Station reports its “[s]olicited [c]ontribution [p]urpose” as “education.” Registration Statement for a Charitable Organization (Ex. 7).

²³ *Id.*

²⁴ Rare Species Fund, Facebook “About” page, available at https://www.facebook.com/RareSpeciesFund/about/?ref=page_internal (last accessed Dec. 7, 2021) (Ex. 9).

²⁵ Rare Species Fund Facebook post, Dec. 11, 2020, available at <https://www.facebook.com/RareSpeciesFund/posts/1574254332762932> (last accessed Dec. 3, 2021) (Ex. 10).

²⁶ Rare Species Fund Instagram, available at <https://www.instagram.com/rarespeciesfund/> (last accessed Dec. 9, 2021) (Ex. 11).

²⁷ Rare Species Fund, “Mission Statement” page, available at <http://www.rarespeciesfund.org/mission.php> (last accessed Nov. 19, 2021) (Ex. 12).

²⁸ Rare Species Fund, “Support” page, available at <http://www.rarespeciesfund.org/support.php> (last accessed Nov. 21, 2021) (Ex. 13).

solicits donations under the banner “Support our Global Conservation Projects.”²⁹ On this page, donors can “[a]pply [their] donation” to one of three projects: “Anti-Poaching Drones in Uganda”; “Cheetah Outreach in Namibia”; or “Forest Research Station in the Leuser Ecosystem of Sumatra.”³⁰

Neither of these web pages soliciting donations discloses the organization’s principal place of business, as required by the Act at the point of solicitation.³¹ Indeed, Preservation Station does not list an address anywhere on its website.³² Moreover, the web pages where Preservation Station solicits donations fail to include—conspicuously or not—the required disclosure advising donors that they may contact FDACS for the nonprofit’s registration information and that registration does not imply endorsement. These omissions violate the express requirements of section 496.411 of the Act.³³

Section 486.411 further requires Preservation Station to disclose the “the purpose or purposes for which the solicitation is being made” on each of these donation web pages, as the point of solicitation. Although Preservation Station describes its purported in-situ conservation work on these web pages, this description does not adequately disclose the purposes for the solicitations in light of how the nonprofit uses its contributions. By soliciting contributions on the basis of in-situ wildlife conservation while simultaneously reporting to FDACS that contributions are used solely for the direct care of an animal collection, Preservation Station is apparently deceiving donors and violating the disclosure requirement of section 496.411(2)(b).

²⁹ Rare Species Fund, “Network for Good” donation page, available at <https://rarespeciesfund.networkforgood.com/projects/119501-general-donations> (last accessed Dec. 3, 2021) (Ex. 14). Preservation Station also includes a link to “Network for Good” from its “Support” page.

³⁰ Rare Species Fund, “Network for Good” donation page with drop-down menu open, available at <https://rarespeciesfund.networkforgood.com/projects/119501-general-donations> (last accessed Dec. 7, 2021) (Ex. 15).

³¹ F.S.A. § 496.411(2)(a).

³² According to its Forms 990, Preservation Station’s address is P.O. Box 31210, Myrtle Beach, SC 29588. *See e.g.* Form 990 2020 (Ex. 2). On state filings, however, Preservation Station claims two different physical addresses. In South Carolina, Preservation Station identifies its physical address as 861 Folly Ranch Lane, Myrtle Beach, SC 29588. *See* Registration Statement for a Charitable Organization (Ex. 7). In Florida, Preservation Station identifies its principal place of business as 6000 118th Avenue, Miami, FL 33183. *See* Charitable Organizations/Sponsors Registration Application (Ex. 6); *see also* 2021 Florida Not for Profit Corporation Annual Report (Ex. 1). This property is owned by Antle personally, and he is licensed in Florida to possess exotic animals at this address under the business name T.I.G.E.R.S. II. *See* Miami-Dade Property Appraiser Property Search Website, search results for 6000 118th Avenue, available at <https://www.miamidade.gov/Apps/PA/propertysearch/#/> (last accessed Nov. 18, 2021) (Ex. 16); Florida Fish and Wildlife Conservation Commission, “Commercial License Captive Wildlife Detail,” dated Apr. 24, 2019, showing licenses obtained by Antle from 2009 through 2020 (Ex. 17).

³³ *See* FDACS Administration Complaint and Settlement Agreement, Gay, Lesbian, Bisexual and Transgender Community Cntr. Of Cent. Fl., Inc. (Feb. 1, 2017), available at <https://p.orlandoweekly.com/media/pdf/glb-ac.pdf> (last accessed Dec. 7, 2021) (Ex. 18); *see also* F.S.A. § 496.415(1), dictating that it is unlawful for any person to “[o]perate in violation of, or fail to comply with, the requirements of ss. 496.401-496.424.”

Fig. 1: Preservation Station’s Charitable Purposes per Different Sources

Website	“Support” page solicitation	“Network for Good” solicitation	Facebook	Instagram	IRS Filings	FDACS Filings
Grassroots conservation; “viable” captive wildlife; education with animal ambassadors	In-situ conservation	Global conservation (specifically in Uganda, Namibia, Sumatra)	International, in-situ conservation	International conservation	Education with animal ambassadors; population management; in-situ conservation	“Preservation” in world/U.S.; education

III. Preservation Station appears to have violated the Act by misrepresenting that the proceeds of its solicitations will be used for charitable purposes

A. Preservation Station’s reported expenses

The expenses reported on Preservation Station’s federal Forms 990 further undermine the organization’s claims to be a major player in international conservation, as well as its purported operation for a valid charitable purpose at all.

In 2020, the most recent year for which information is publicly available, Preservation Station reported spending \$107,816 in “[g]rants and other assistance to foreign organizations, foreign governments, and foreign individuals.”³⁴ Under “[o]ther expenses,” the organization also reported spending \$54,286 on “animal food and care” and \$129,041 on “habatat [sic] repair and construct [sic],” both of which it identified as “[p]rogram service expenses.”³⁵ These direct animal care costs comprised more than 61% of Preservation Station’s total functional expenses for 2020. The organization did not report giving any grants or other assistance to domestic organizations or domestic individuals.

As illustrated in Fig. 2, below, Preservation Station similarly devoted significant portions of its total functional expenses to direct animal care in past years. In 2019, direct animal care costs comprised more than 84% of Preservation Station’s total functional expenses.³⁶ As with 2020, the organization did not report any grants to domestic organizations or individuals that year.

³⁴ Form 990 2020, Part IX, line 3 (Ex. 2).

³⁵ *Id.*, Part IX, line 24.

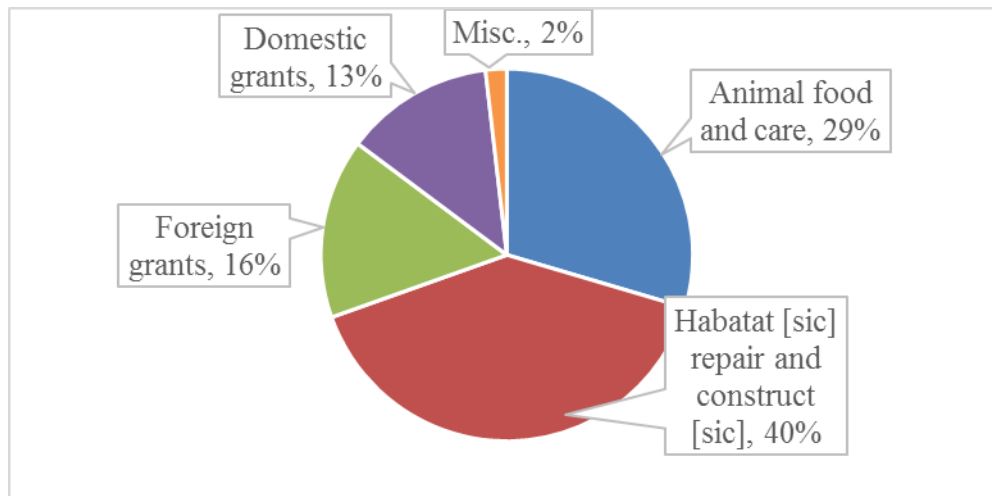
³⁶ Form 990 2019, Part IX, lines 3, 24, 25 (Ex. 19).

Fig. 2: Preservation Station’s Revenue and Expenses, 2013-2020

Year	Revenue ³⁷	Total expenses	Animal food and care	Habatat [sic] repair and construct [sic]	Foreign grants	Domestic grants	Misc.
2020	43,170	297,643	54,286	129,041	107,816	0	6,500
2019	801,725	456,220	50,999	332,623	51,064	0	21,534
2018³⁸	177,877	193,937	42,988	26,823	88,948	23,500	11,678
2017³⁹	216,109	194,672	59,260	81,048	34,926	16,000	3,438
2016⁴⁰	288,575	430,737	165,773	145,715	91,954	27,000	295
2015⁴¹	509,083	485,283	181,968	171,479	0	131,606	230
2014⁴²	375,698	259,960	102,937	72,555	0	84,200	268
2013⁴³	87,599	79,446	50,795	0	0	28,500	151
AVG:	312,480	299,737	88,626	119,911	46838.5	38,851	5511.75

Since 2013, Preservation Station has reported, on average, over two-thirds of its total functional expenses as “other expenses” attributed to animal food, care, and habitat construction—totaling nearly \$1.5 million.

Fig. 3: Preservation Station’s Average Reported Expenses, 2013 -2020



³⁷ Each year, Preservation Station claimed all revenue as “other contributions, gifts, grants, and similar amounts.” It did not report receiving any funding from related organizations, nor did it report any program service revenue.

³⁸ Form 990 2018 (Ex. 20).

³⁹ Form 990 2017 (Ex. 21).

⁴⁰ Form 990 2016 (Ex. 22).

⁴¹ Form 990 2015 (Ex. 23).

⁴² Form 990 2014 (Ex. 24).

⁴³ Form 990-EZ 2013 (Ex. 25).

Despite this, Preservation Station does not report owning any animals. Instead, each year from 2013 to 2020, Preservation Station has claimed that its assets consist entirely of cash. The organization's Forms 990 thus fail to reveal who is benefitting from these direct animal care expenditures.

B. Antle's for-profit roadside zoo, and Preservation Station's promotion thereof⁴⁴

Although Preservation Station does not own any animals, its president does. Bhagavan Antle (a.k.a. Kevin or "Doc" Antle) has been the president of Preservation Station since 2011 and was a director of the organization from 2007 to 2010.⁴⁵ He is also the owner and operator of a private roadside zoo in Myrtle Beach, South Carolina, which is known interchangeably as [Myrtle Beach Safari](#) and [The Institute of Greatly Endangered and Rare Species](#), or "T.I.G.E.R.S."⁴⁶ This for-profit facility, which confines over a hundred wild animals including tigers, lions, cheetahs, leopards, chimpanzees, and an elephant,⁴⁷ charges visitors between \$339 and \$1,178 per person for tours,⁴⁸ and unspecified additional amounts for "private encounters" with animals.⁴⁹

⁴⁴ For reference, a table illustrating certain key information about and connections between Preservation Station and Antle's private business entities is attached. See "Entities Controlled by Bhagavan Antle" Table (Ex. 26).

⁴⁵ See Form 990 2020 (Ex. 2), Form 990-EZ 2011 (Ex. 27); see also Form 990-EZ 2007 (Ex. 28), Form 990-EZ 2010 (Ex. 29).

⁴⁶ See Myrtle Beach Safari, "Meet Doc Antle" page, available at <https://myrtlebeachsafari.com/meet-doc-antle/> (last accessed Feb. 24, 2022) (Ex. 30). Myrtle Beach Safari/T.I.G.E.R.S. identifies its mailing address as P.O. Box 31210, Myrtle Beach, SC 29588—the same as Preservation Station's. See Doc Antle's Myrtle Beach Safari, "Contact Us" page, available at <https://myrtlebeachsafari.com/contact-us/> (last accessed Nov. 18, 2021) (Ex. 31). The facility's physical address is 851 Folly Ranch Lane, Myrtle Beach, SC 29588, which is part of the same parcel as 861 Folly Ranch Lane—the address Preservation Station claims on its South Carolina filings. See Myrtle Beach Safari Wild Encounters Tour Facebook page, available at https://www.facebook.com/tigersmyrtlebeachsafari/about/?ref=page_internal (last accessed Nov. 18, 2021) (Ex. 32); see Horry County Land Records Website, search results for 861 Folly Ranch Lane, available at <https://www.horrycounty.org/apps/landrecords> (last accessed Nov. 18, 2021) (Ex. 33); see also Horry County Land Records for 851 Folly Ranch Lane (PIN: 4410000564), at 3 (showing the merger of several parcels) (Ex. 34). Antle is licensed by the United States Department of Agriculture (USDA) to exhibit animals at both Myrtle Beach Safari and his Florida address (listed on Preservation Station's FDACS registration application) under the business name T.I.G.E.R.S. See USDA Public Search Tool, available at <https://aphis-efile.force.com/PublicSearchTool/s/> (last accessed Dec. 9, 2021); USDA Applications for License Renewal, July 4, 2006-July 30, 2009, identifying "T.I.G.E.R.S." as the name of licensee (pg. 6) and listing both the Florida (pg. 1) and South Carolina (pg. 3) addresses as locations housing animals under the license (Ex. 35). Antle does not maintain licenses to possess or exhibit animals under the names Preservation Station or Rare Species Fund. See email from Florida Fish and Wildlife Conservation Commission (Nov. 22, 2021), indicating that the agency possesses no records for "Rare Species Fund" and that the "last license for 'Preservation Station' expired in 2007" (Ex. 36).

⁴⁷ See USDA Animal and Plant Health Inspection Service Inspection Report (Nov. 15, 2021), indicating that 122 animals were inspected at Myrtle Beach Safari (Ex. 37).

⁴⁸ See Myrtle Beach Safari, "Wild Encounters Tour" page, available at <http://docantlesdaysafari.com/#> (showing the base-level \$339 price) (last accessed Dec. 9, 2021) (Ex. 38); Myrtle Beach Safari, "Tour & Activity Pricing & Photo Packages" page, available at <https://myrtlebeachsafari.com/tour-pricing-photo-packages/> (showing variable pricing from \$978 to \$1,178 for combined day and night tours plus a "Preservation Station Photo Encounter") (last accessed Feb. 24, 2022) (Ex. 39). Myrtle Beach Safari/T.I.G.E.R.S. sells off-site animal photo shoots—which take place at Barefoot Landing, a shopping center in North Myrtle Beach—under the name "Preservation Station Photo Encounters," thereby coopting the exempt organization's name. See Myrtle Beach Safari, "Preservation Station" page, available at <http://docantlespreservationstation.com/> (last accessed Apr. 5, 2022) (Ex. 40).

⁴⁹ See Myrtle Beach Safari, "Swim with the Animals" page, available at <https://myrtlebeachsafari.com/swim-with-the-animals/> (last accessed Dec. 9, 2021) (Ex. 41).

On its website, Preservation Station lists Myrtle Beach Safari/T.I.G.E.R.S. among its North American “conservation projects,” describing the facility as “a zoo times a zillion.”⁵⁰ Despite indicating that it supports T.I.G.E.R.S. as one of its own projects, Preservation Station simultaneously indicates that it is funded, in part, by “a percentage of revenues taken in by T.I.G.E.R.S.”—suggesting a circular financial arrangement.⁵¹ As noted above, Preservation Station does not report receiving any program service revenue or contributions from related organizations on its Forms 990.

On social media, Preservation Station often advertises Myrtle Beach Safari. For example, on October 6, 2020, Preservation Station posted a photo of two chimpanzees, captioned: “Come meet these boys at the Myrtle Beach Safari Wild Encounters Tour.”⁵² In other posts, Preservation Station goes beyond promotion and expressly identifies the animals at Myrtle Beach Safari/T.I.G.E.R.S. as its own. On February 21, 2019, Preservation Station posted a [photo](#) depicting Antle with a tiger on his shoulders, captioned in relevant part:

*Come experience our fabulous collection of tigers living there [sic] best life at our wonderful preserve at the @MyrtleBeachSafari in so doing you help us find [sic] real time active conservation in the wild. Come see us and all our animal ambassadors in 2019 it's like no other place on earth. MyrtleBeachSafari.com.*⁵³

Based on these representations—coupled with the fact that Preservation Station does not claim to own any animals and instead reports that its assets consist entirely of cash—the funds that Preservation Station spends on direct animal care such as food and habitat construction appear to benefit Antle’s for-profit operation, Myrtle Beach Safari/T.I.G.E.R.S.

C. Antle’s for-profit business expenses are not a charitable purpose

In addition to the disclosure requirements of section 496.411 discussed above, Preservation Station has seemingly violated section 496.415(7) of the Act by misleading donors and the public at large to believe that the proceeds from its solicitations will be used for any charitable purposes *at all*, when the proceeds instead appear to support Antle’s for-profit business.

Offsetting the operating costs of a for-profit roadside zoo is not a charitable purpose. Since 2013, the majority of Preservation Station’s reported expenses—totaling nearly \$1.5 million—have apparently gone toward feeding, housing, and providing care to animals whom Antle exhibits and exploits for profit via pay-to-play cub petting, photo opportunities, and similar encounters, for which Antle charges hundreds to thousands of dollars per person. These animals are the backbone of Antle’s business, yet the cost of caring

⁵⁰ Rare Species Fund, “Conservation Projects – North America” page, available at <http://www.rarespeciesfund.org/north-america.php> (last accessed Nov. 21, 2021) (Ex. 42). Preservation Station fails to disclose this website on its Forms 990, instead responding “N/A” on line J.

⁵¹ See Rare Species Fund, “Home” page, available at <http://www.rarespeciesfund.org/> (last accessed Nov. 18, 2021) (Ex. 43).

⁵² Rare Species Fund Facebook post (Oct. 6, 2021), available at <https://www.facebook.com/RareSpeciesFund/posts/1791253657729664> (last accessed Nov. 23, 2021) (Ex. 44).

⁵³ Rare Species Fund Instagram Post (Feb. 21, 2019), available at <https://www.instagram.com/p/BuKfEnjh4Ft/> (last accessed Nov. 23, 2021) (emphasis added) (Ex. 45).

for them appears to be covered, at least in part, by contributions that Preservation Station solicits for the claimed charitable purpose of wildlife conservation.

To the extent Antle purports that his private ownership and commercial exploitation of exotic animals somehow promote wildlife conservation, these claims do not render his business a charitable purpose. Myrtle Beach Safari asserts that the animals there “are living examples of current worldwide environmental issues and are the best possible surrogates to help promote the importance of wildlife conservation and global biodiversity.”⁵⁴ Preservation Station—on the webpage where it claims Myrtle Beach Safari/T.I.G.E.R.S. as a “conservation project”—similarly asserts, without evidence, that guests of the roadside zoo “have had the unique and transformative experience of up-close encounters with some of the world’s most beautiful and endangered animals” and that “[m]any have become active in conservation efforts as a result of these experiences.”⁵⁵ Notably, Myrtle Beach Safari/T.I.G.E.R.S. is not accredited by the Association of Zoos & Aquariums (AZA)⁵⁶—a respected accrediting body that evaluates and verifies the conservation work of its member organizations and facilitates coordinated conservation initiatives.

Moreover, true experts agree that roadside zoos such as Myrtle Beach Safari “have little or no impact on conservation efforts” and are “possibly even counterproductive” to the conservation of exotic species such as tigers⁵⁷—the species most prevalent at Antle’s facility.⁵⁸ For example, roadside zoos weaken rather than contribute to tigers’ overall genetic diversity by intentionally inbreeding animals to achieve rare recessive traits—such as the [white tigers](#) bred at Myrtle Beach Safari⁵⁹—and breeding or otherwise acquiring “hybrid” species and subspecies—such as the [ligers](#) (lion-tiger hybrids)⁶⁰ and non-subspecies-specific, “generic” tigers at Myrtle Beach Safari.⁶¹ The breeding of ligers—a man-made exotic species that does not exist in the wild—plainly has no place in conservation efforts, and the U.S. Fish and Wildlife Service has recognized that generic tigers likewise have no conservation value “due to their mixed or unknown genetic composition,” in contrast to “the value of conservation breeding of individual tiger subspecies,” which takes place within the confines of species survival programs at AZA-accredited zoos.⁶²

⁵⁴ Myrtle Beach Safari, “Meet Doc Antle” page (Ex. 30).

⁵⁵ Rare Species Fund, “Conservation Projects – North America” page (Ex. 42).

⁵⁶ Association of Zoos & Aquariums, “Currently Accredited Zoos and Aquariums” page, available at <https://www.aza.org/current-accreditation-list#M> (last accessed Nov. 24, 2021).

⁵⁷ Philip J. Nyhus, Ronald Tilson & Michael Hutchins, *Thirteen Thousand and Counting: How Growing Captive Tiger Populations Threatens Wild Tigers*, in *Tigers of the World: The Science, Politics and Conservation of Panthera Tigris* (Philip J. Nyhus & Ronald Tilson eds., 2nd ed. 2010) 223, 226 (Ex. 46).

⁵⁸ See USDA Animal and Plant Health Inspection Service Inspection Report (Ex. 37), indicating that Antle possesses 70 tigers at Myrtle Beach Safari.

⁵⁹ Myrtle Beach Safari Instagram post of white tiger cubs, Sep. 24, 2021, available at <https://www.instagram.com/p/CUOgYKID56B/> (last accessed Dec. 1, 2021) (Ex. 47).

⁶⁰ Myrtle Beach Safari Instagram post of a liger, Nov. 26, 2021, available at <https://www.instagram.com/p/CWwAWiODw3-/> (last accessed Dec. 1, 2021) (Ex. 48).

⁶¹ Nyhus, *Thirteen Thousand and Counting*, 232-236 (Ex. 46). See also Association of Zoos & Aquariums, Animal Welfare Committee: Taskforce on Animal Breeding Practices, *Welfare and Conservation Implications of Intentional Breeding for the Expression of Rare Recessive Alleles*, June 2011, at 4, available at <https://bigcatrescue.org/wp-content/uploads/2011/12/AZAbansBreedingWhiteTigersLions2011from2008.pdf> (last accessed Nov. 24, 2021) (Ex. 49).

⁶² U.S. Fish and Wildlife Service, *Questions and Answers - U.S. Captive-bred Inter-subspecific Crossed or Generic Tigers – Final Rule*, available at <https://www.fws.gov/home/feature/2016/pdfs/Generic-Tiger-Final-Rule-FAQs.pdf> (last accessed Dec. 1, 2021) (Ex. 50).

Although Myrtle Beach Safari claims to promote conservation via its pay-to-play, “up-close encounters” like [cub petting](#) and [swimming with tiger cubs](#),⁶³ these claims are severely undermined by the fact that federal courts have held that such events actually violate the Endangered Species Act by harming and harassing cubs when they are prematurely separated from their mothers and forced into situations where “they cannot escape the public touching and petting them,” subjecting them to “extreme stress.”⁶⁴ Furthermore, this kind of “‘petification’ of the tiger” undermines legitimate conservation efforts by leading the public to “become less connected [to] and thus less knowledgeable about wildlife and nature.”⁶⁵ Indeed, “the growth of private owners,” including for-profit roadside zoos, “is detracting from our understanding and conservation of wild tigers ... through the perception that these and other large cats can be bought, sold, hand-raised, and bred on commercial scales,” causing the public to take the threats facing wild tiger populations less seriously.⁶⁶ This phenomenon has been documented in the context of other species, as well; for example, a study from scientists at the AZA-accredited Lincoln Park Zoo revealed that people who observe chimpanzees in unnatural and anthropomorphic settings—such as how Myrtle Beach Safari depicts chimpanzees on [social media](#)⁶⁷ and to [visitors](#)⁶⁸—are “more likely to find chimpanzees appealing as pets” and “more likely to consider wild populations to be stable/healthy,” to the detriment of conservation efforts.⁶⁹

Thus, the miseducation of guests at roadside zoos such as Myrtle Beach Safari is “entirely different” than the “carefully crafted education message put out by zoological institutions, whose mission includes significant support for wildlife conservation, backed up by millions of dollars of contributions directed at in situ research and conservation.”⁷⁰ Antle promotes Myrtle Beach Safari/T.I.G.E.R.S. as the latter type of institution by extolling its ties to Preservation Station; however, as detailed above, Preservation Station spends the majority of its money on direct animal care—not in-situ conservation—and the nonprofit appears to do so via arm-in-arm transactions with Antle and/or his for-profit company. Thus, despite Antle’s marketing efforts, Myrtle Beach Safari is undeniably a for-profit roadside zoo with no significant value to conservation or education.⁷¹ Accordingly, Preservation Station has evidently violated the Act by

⁶³ Myrtle Beach Safari Instagram post of cub petting event, Oct. 5, 2021, available at <https://www.instagram.com/p/CUpm2AKjGPM/> (last accessed Dec. 1, 2021) (Ex. 51); Myrtle Beach Safari, “Swim with the Animals” page (Ex. 41).

⁶⁴ *People for the Ethical Treatment of Animals, Inc. v. Wildlife in Need and Wildlife in Deed, Inc.*, 476 F.Supp.3d 765, 783, 784 (S.D. Ind. 2020); see generally *People for the Ethical Treatment of Animals, Inc. v. Dade City’s Wild Things, Inc.*, 2018 WL 7253076, *5-*6 (M.D. Fl. 2018), report & rec adopted 2019 WL 245343 (M.D. Fl. 2019).

⁶⁵ Nyhus, *Thirteen Thousand and Counting*, at 236 (Ex. 46).

⁶⁶ *Id.* at 235.

⁶⁷ Myrtle Beach Safari Instagram post of a chimpanzee washing a car with Kody Antle, Nov. 14, 2021, available at <https://www.instagram.com/p/CWRMsZTjsYN/> (last accessed Dec. 1, 2021) (Ex. 52).

⁶⁸ Myrtle Beach Safari Instagram post of a chimpanzee wearing a diaper and being hugged by visitors, July 3, 2021, available at <https://www.instagram.com/p/CQ3uTubDKyG/> (last accessed Dec. 1, 2021) (Ex. 53).

⁶⁹ Stephen R. Ross, et al., *Specific Image Characteristics Influence Attitudes about Chimpanzee Conservation and Use as Pets*. PLoS ONE 6(7) (2011), available at <https://journals.plos.org/plosone/article/file?id=10.1371/journal.pone.0022050&type=printable> (last accessed Dec. 1, 2021) (Ex. 54).

⁷⁰ Nyhus, *Thirteen Thousand and Counting*, at 236 (Ex. 46).

⁷¹ Under 26 C.F.R. § 1.501(c)(3)–1(d)(3)(ii), a zoo may qualify as a tax-exempt educational organization if it otherwise meets the requirements of Internal Revenue Code § 501(c)(3); however, Myrtle Beach Safari is plainly not a tax-exempt educational organization but a for-profit business.

misrepresenting that the proceeds of its solicitations for contributions will be used for a charitable purpose when they are in fact misappropriated to fund Antle’s for-profit business.⁷²

IV. Preservation Station appears to have submitted false information in documents filed with FDACS, in violation of the Act

On top of deceiving donors by misrepresenting how their contributions will be used, Preservation Station has evidently submitted false and misleading information to FDACS in violation of section 496.415(2).

On its registration application, Preservation Station reports that its contributions are used for the care and maintenance of an animal collection, but the nonprofit fails to disclose that this collection apparently consists of animals who are exploited for profit at Antle’s private business. Moreover, the organization expressly denies in its registration application that it has engaged in any unlawful practices or that any part of its assets or income inure to the benefit of any officer or member. Contrary to these statements, Preservation Station’s apparent use of its contributions to offset the costs of Antle’s for-profit business plainly inures to Antle’s benefit, and the organization has evidently engaged in unlawful practices under the Act by misleading donors into believing that their contributions will be used for a legitimate charitable purpose—specifically, international, in-situ conservation.

Preservation Station has additionally submitted false information to FDACS via its Forms 990, which it submits in lieu of an annual financial statement pursuant to F.S.A. § 496.407(2)(a). As mentioned above, Preservation Station’s Forms 990 identify the funds that the organization spends on direct animal care as its own expenses, not as grants or assistance provided to Antle or his companies, despite the fact that Preservation Station does not appear to own any animals and instead identifies the animals at Myrtle Beach Safari as its “animal ambassadors.” This misrepresentation is compounded by the fact that Preservation Station’s Forms 990 entirely deny the existence of Antle’s for-profit companies.

The IRS defines the term “related organization” to mean, among other things, a brother/sister organization, which is an organization—including a limited liability company—that is “controlled by the same person or persons that control the filing organization.”⁷³ For purposes of determining related organizations, control of a limited liability company is vested in: (1) one or more persons who control more than 50% of the profits or capital interests therein or (2) a managing member, if the limited liability company has three or few managing members.⁷⁴

Based on available records, Antle is the sole managing member of at least three South Carolina limited liability companies: T.I.G.E.R.S. LLC;⁷⁵ South Carolina Conservation Farm LLC;⁷⁶ and Wildlife Preserve Land LLC.⁷⁷ As such, Antle controls these companies under the IRS definition, making them brother/sister

⁷² See F.S.A. § 496.415(7).

⁷³ 2020 Instructions for Form 990, at 71, available at <https://www.irs.gov/pub/irs-pdf/i990.pdf> (last accessed Nov. 24, 2021).

⁷⁴ *Id.* at 57.

⁷⁵ See Amended Articles of Organization for T.I.G.E.R.S. LLC, filed with S.C. Sec. of State Feb. 24, 2015 (Ex. 55).

⁷⁶ See Amended Articles of Organization of South Carolina Conservation Farm, filed with the S.C. Sec. of State Feb. 24, 2015 (Ex. 56).

⁷⁷ See Articles of Organization for Wildlife Preserve Land LLC, filed with S.C. Sec. of State Feb. 9, 2015 (Ex. 57). The relationship between these entities and Antle’s operation of his private roadside zoo is unclear from available records; however, Wildlife Preserve Land LLC owns the 851 Folly Ranch Lane property where Myrtle Beach Safari is located. See

organizations of Preservation Station, which Antle likewise controls as president. Yet, Antle has reported on Preservation Station’s Forms 990—which he signs under penalty of perjury and submits to FDACS—that it has no related organizations, among several other apparent material misrepresentations. Specifically, Antle appears to have submitted false information with respect to the following statements, which he made on each Form 990 filed between 2015 and 2020:

- **Line J:** Antle responded “N/A” when prompted to provide the organization’s website. As mentioned above, Preservation Station in fact maintains a website under its fictitious name, RareSpeciesFund.org.
- **Part I, line 5:** Antle reported that all 5 of Preservation Station’s voting members are independent, which would require that each member “wasn’t compensated as an **officer** or other employee of the organization or of a **related organization**.”⁷⁸ This information is presumably false insofar as Antle operates at least three related organizations that are for-profit companies, and all five members of Preservation Station’s governing body participate in Antle’s for-profit business activities, as discussed below.⁷⁹
- **Part IV, lines 25a, 25b:** Antle reported that Preservation Station did not presently or previously engage in any excess benefit transactions with a disqualified person. Antle and the limited liability companies he controls meet the IRS definition of “disqualified person,” and any transaction between them and Preservation Station would constitute an excess benefit transaction in addition to violating the prohibition on inurement.
- **Part IV, line 27:** Antle reported that Preservation Station did not provide any grants or other assistance to, among other things, any current officer or a 35% controlled entity. As entities controlled by Antle, his three limited liability companies appear to meet the IRS definition of a 35% controlled entity.
- **Part IV, lines 28a, 28c:** Antle reported that Preservation Station was not a party to any business transaction with a current officer or a 35% controlled entity.
- **Part IV, lines 34:** Antle reported that Preservation Station was not related to any tax-exempt or taxable entity.
- **Part VI, Section A, line 1b:** Antle again reported that all 5 of Preservation Station’s voting members are independent.
- **Part VI, Section A, line 2:** Antle reported that no officer or director has a family or business relationship with any other officer or director. In addition to Antle, Preservation Station’s governing body consists of: (1) Kodi Antle, director; (2) Rajani Ferrante, director; (3) China York, secretary; and (4) Moksha Boybee, treasurer.⁸⁰ Kodi Antle—whose first name is often spelled

Horry County Land Records for 851 Folly Ranch Lane (Ex. 34). In addition, both T.I.G.E.R.S. LLC and South Carolina Conservation Farm LLC identify 851 Folly Ranch Lane as their office address, while the office address for Wildlife Preserve Land LLC is the same P.O. Box that is used by both Myrtle Beach Safari and Preservation Station. *See* Articles of Organization for T.I.G.E.R.S. LLC, filed with S.C. Sec. of State Feb. 14, 2011 (Ex. 58); Articles of Organization of South Carolina Conservation Farm, filed with the S.C. Sec. of State Feb. 14, 2011 (Ex. 59); Notice of Change for Wildlife Preserve Land LLC, filed with S.C. Sec. of State May 17, 2021 (Ex. 60); *see also* “Entities Controlled by Bhagavan Antle” Table (Ex. 26).

⁷⁸ 2020 Instructions for Form 990, at 20 (emphasis in original).

⁷⁹ *See infra* note 83.

⁸⁰ *See e.g.* Form 990 2020, Part VII, Section A (Ex. 2).

“Kody”—is Antle’s son,⁸¹ constituting a family relationship under the IRS definition. Ferrante, York, and Boybee—whose surname is often spelled “Bybee”—are all in long-term romantic relationships with Antle.⁸² All four of these individuals are affiliated with/employed by Myrtle Beach Safari/T.I.G.E.R.S.⁸³ As such, they would potentially qualify as having business relationships with Antle and each other.

- **Part VII, Section A:** Antle reported that neither Preservation Station nor any related organization compensated any current officer or director. Bhagavan Antle, Kody Antle, Moksha Bybee, Rajani Ferrante, and China York are all deeply involved with Antle’s for-profit business activities and are presumably compensated by one or more of the companies he controls.⁸⁴ Indeed, none of Preservation Station’s officers or directors appear to participate in any professions or activities outside of their roles within Antle’s entities, and, upon information and belief, they all live on the Folly Ranch Lane property where Myrtle Beach Safari is located.
- **Part VIII, line 1d:** Antle did not report that Preservation Station received any contributions or grants from related organizations, despite Myrtle Beach Safari/T.I.G.E.R.S. advertising that proceeds from its various for-profit animal encounters benefit the exempt organization.

By repeatedly making these seemingly false statements on Preservation Station’s Forms 990 from 2015 through 2020, Antle has created an illusory distance between Preservation Station and his for-profit activities, presumably in an effort to obscure his apparent use of the nonprofit’s funds for his personal benefit and/or the benefit of his companies. Preservation Station’s submission of these Forms 990 to FDACS thus further violates section 496.415(2) of the Act and compounds the misrepresentations made on the organization’s registration application.

V. Conclusion

A review of Preservation Station’s registration statement and Forms 990 compared to its public representations and solicitations for charitable contributions reveals several apparent violations of the Florida Solicitation of Contributions Act. As demonstrated herein, Preservation Station has evidently failed to comply with disclosure requirements; misled donors into believing that their contributions are used for a charitable purpose; and submitted false information to FDACS, all in violation of the Act. Accordingly, PETA respectfully requests that FDACS investigate Preservation Station and its leadership

⁸¹ See Ian S. Port, “The Man Who Made Animal Friends,” *Rolling Stone* (Sep. 21, 2015), available at <https://www.rollingstone.com/culture/culture-features/tiger-king-doc-antle-zoo-myrtle-beach-70838/> (last accessed Nov. 19, 2021) (Ex. 61). See also Kody Antle Instagram post identifying Antle as his father (Mar. 15, 2015), available at <https://www.instagram.com/p/0Q7ZetJvua/> (last accessed Nov. 19, 2021) (Ex. 62).

⁸² Kayleigh Roberts, “What Happened to Bhagavan ‘Doc’ Antle from ‘Tiger King?’” *Marie Claire* (Mar. 27, 2020), available at <https://www.marieclaire.com/culture/a31946234/what-happened-to-doc-antle-tiger-king/> (last accessed Nov. 19, 2021) (Ex. 63). See also Antle’s Instagram post depicting himself with his son Kody and his partners Rajani, Moksha, and China (Nov. 15, 2021), available at <https://www.instagram.com/p/CWTBMYeLmKQ/> (last accessed Nov. 19, 2021) (Ex. 64). This image was also shared on the Facebook page that Preservation Station maintains under its fictitious name, Rare Species Fund, available at <https://www.facebook.com/RareSpeciesFund/posts/1821147771406919> (last accessed Nov. 23, 2021) (Ex. 65).

⁸³ Kody Antle is the “main trainer,” Ferrante the assistant director, Bybee the general manager, and York the director of its “Miami Facility.” See Myrtle Beach Safari Facts, “About the Safari” page, available at <https://myrtlebeachsafari.com/> (last accessed Nov. 19, 2021) (Ex. 66). “Miami Facility” presumably refers to the 6000 118th Avenue address owned by Antle and listed on Preservation Station’s registration application. Moreover, [Kody Antle](#), [China York](#), and [Moksha Bybee](#) all regularly promote Myrtle Beach Safari/T.I.G.E.R.S. and their involvement with the facility on their public Instagram accounts.

⁸⁴ See *supra* note 83.

and impose all appropriate civil and criminal penalties, including cancellation of Preservation Station's registration.