

May 16, 2022

Mark Hammond, Secretary of State

Kimberly Wickersham, Director of Public Charities & Municipalities

1205 Pendleton Street, Suite 525

Columbia, SC 29201

[charities@sos.sc.gov](mailto:charities@sos.sc.gov)

Via first-class mail and email

Re: Request to investigate Preservation Station Inc. dba Rare Species Fund (Charity Public ID: P55737) and suspend its registration for apparent violations of the South Carolina Solicitation of Charitable Funds Act

Dear Secretary Hammond and Director Wickersham,

I am writing on behalf of PETA to request that the Office of the South Carolina Secretary of State, Division of Public Charities (Division) investigate Preservation Station Inc. d.b.a. Rare Species Fund (Charity Public ID: P55737; FEIN: 59-3500232) and pursue all available civil and criminal penalties against it—including enjoining its solicitation activities and suspending its registration—for apparent violations of the South Carolina Solicitation of Charitable Funds Act (“Act,” Chapter 56 of the South Carolina Code of Laws [“Code”]).

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 the Division that it solicits contributions for the purpose of education, and federal filings confirm that the organization’s expenses primarily go toward direct animal care—not in-situ conservation. Preservation Station’s 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 the Division via its registration statement and Forms 990.

PETA requests that the Division investigate Preservation Station and its leadership and impose all appropriate criminal and civil penalties, including injunction of the

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.)

organization from soliciting charitable contributions within the state of South Carolina and suspension of its registration.

Thank you for your attention to this important matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Molly Johnson', with a stylized flourish at the end.

Molly Johnson  
Counsel, Captive Animal Law Enforcement

A solid black rectangular redaction box covering contact information.

## Appendix

### I. The legal requirements for organizations soliciting charitable contributions in South Carolina

The Solicitation of Charitable Funds Act requires a charitable organization intending to solicit contributions within the state of South Carolina to file a registration statement with the Secretary of State, which must include, among other things, the purpose for which the charitable organization is organized; “the names and addresses of the chief executive officer, chief financial officer, directors, trustees, officers, and board members”; “the general purpose for which the solicited contributions are to be used”; an annual financial report, which may consist of the organization’s Internal Revenue Service (“IRS”) Form 990; and “a statement as to the relationship of any of the charitable organization’s officers, directors, trustees, or board members by blood, marriage, or adoption to ... each other.”<sup>1</sup>

Section 33-56-120 of the Act expressly dictates that, “[i]n connection with the solicitation of contributions or the sale of goods or services for charitable purposes, a person shall not misrepresent or mislead, knowingly and wilfully, a person by any manner, means, practice, or device.”<sup>2</sup> As relevant here, the Office of the Attorney General for the State of South Carolina has recognized that, “if a donor *believes he or she was giving money for a particular purpose*, when in fact these funds were allocated to *support a different purpose*, a court may find such actions on the part of the charitable organization are a misrepresentation in violation of section 33-56-120.”<sup>3</sup>

Under the Act, a person who “knowingly and wilfully violates a provision of [the Act] with the intent to deceive or defraud an individual or a charitable organization is guilty of a misdemeanor.”<sup>4</sup> A person who commits a second or subsequent offense is guilty of a felony.<sup>5</sup> Likewise, a person who “knowingly and wilfully gives false or misleading information to the Secretary of State in a registration, filing statement, or report required by [the Act] is guilty of a misdemeanor,” or a felony for a second or subsequent offense.<sup>6</sup>

---

<sup>1</sup> Code § 33-56-30(A), (B)(2), (4), (9), (15), (16)(a). A “charitable organization” includes an organization determined by the IRS to be tax-exempt under section 501(c)(3) of the Internal Revenue Code. *Id.* § 33-56-20(1)(a)(i).

<sup>2</sup> *Id.* § 33-56-120(A). *See id.* § 33-56-20(7), defining “person” to include an individual, organization, or corporation. A “solicitation” is defined as a “request for money, credit, property, financial assistance, or other thing of value ... to be used for a charitable purpose or to benefit a charitable organization.” *Id.* § 33-56-20(10). “‘Charitable purpose’ means a purpose described in Section 501(c)(3) of the Internal Revenue Code or a benevolent, social welfare, scientific, educational, environmental, philanthropic, humane, patriotic, public health, civic, or other eleemosynary objective.” *Id.* § 33-56-20(2).

<sup>3</sup> *The Honorable John David Hawkins*, Aug. 2, 2006, 2006 WL 2593078 (S.C.A.G.) (emphasis added).

<sup>4</sup> *Id.* § 33-56-145(A).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* § 33-56-145(B).

## **II. Preservation Station's varying mission statements and misrepresentation of its purpose for soliciting charitable contributions, in apparent violation of the Act**

Preservation Station is a Florida not-for-profit corporation,<sup>7</sup> which operates under the fictitious name "Rare Species Fund."<sup>8</sup> It is registered to solicit charitable contributions in both Florida and South Carolina<sup>9</sup> and has been recognized as tax-exempt under section 501(c)(3) since April 2000.<sup>10</sup> According to documents filed with the IRS, Preservation Station's mission is "wildlife conservation/education."<sup>11</sup> 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."<sup>12</sup>

In its most recent South Carolina registration application, filed with the Division in October 2021, Preservation Station identifies "wildlife conservation/education" as its "[p]urpose [s]tatement."<sup>13</sup> As its "[s]olicited [c]ontribution [p]urpose," however, Preservation Station lists only "education," including no reference to conservation at all, let alone international, in-situ conservation work, specifically.<sup>14</sup>

Yet to the public, 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."<sup>15</sup> 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

---

<sup>7</sup> See 2021 Florida Not for Profit Corporation Annual Report, filed with the FL Sec. of State Apr. 30, 2021 (Ex. 1).

<sup>8</sup> 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).

<sup>9</sup> See Charitable Organizations/Sponsors Registration Application, dated Apr. 30, 2021 and filed with the FL Dept. of Ag. and Cons. Servs. (Ex. 6); Registration Statement for a Charitable Organization, filed with the SC Sec. of State Oct. 13, 2021 (Ex. 7).

<sup>10</sup> IRS letter responding to request for information regarding tax-exempt status (Feb. 26, 2010) (Ex. 8).

<sup>11</sup> Form 990 2020, Part I, line 1 (Ex. 2).

<sup>12</sup> *Id.*, Part III, "Statement of Program Service Accomplishments."

<sup>13</sup> Registration Statement for a Charitable Organization (Ex. 7).

<sup>14</sup> *Id.*

<sup>15</sup> Rare Species Fund, Facebook "About" page, available at [https://www.facebook.com/RareSpeciesFund/about/?ref=page\\_internal](https://www.facebook.com/RareSpeciesFund/about/?ref=page_internal) (last accessed Dec. 7, 2021) (Ex. 9).

conservation initiatives,” with no mention of any domestic conservation work, education, or “animal ambassadors.”<sup>16</sup> 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  
\$RareSpeciesFund<sup>17</sup>

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.”<sup>18</sup> 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.<sup>19</sup>

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 solicits donations under the banner “Support our Global Conservation Projects.”<sup>20</sup> 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.”<sup>21</sup>

Neither of these webpages soliciting contributions indicates that Preservation Station engages in any domestic conservation work, education, or direct animal care. Yet, on its registration statement filed with the Division, Preservation Station identifies “education” as the sole purpose for which it solicits contributions. Moreover, as detailed in section III below, Preservation Station’s federal Forms 990 reveal that the organization spends most of its charitable funds on animal food, habitat construction, and other direct animal care—not international, in-situ conservation as its online solicitations convey.<sup>22</sup>

The Act prohibits “any manner” of misrepresentation in connection with the solicitation of contributions.<sup>23</sup> Preservation Station appears to have violated this provision and misled donors by soliciting contributions

---

<sup>16</sup> Rare Species Fund Facebook post, Dec. 11, 2020, available at

<https://www.facebook.com/RareSpeciesFund/posts/1574254332762932> (last accessed Dec. 3, 2021) (Ex. 10).

<sup>17</sup> Rare Species Fund Instagram, available at <https://www.instagram.com/rarespeciesfund/> (last accessed Dec. 9, 2021) (Ex. 11).

<sup>18</sup> Rare Species Fund, “Mission Statement” page, available at <http://www.rarespeciesfund.org/mission.php> (last accessed Nov. 19, 2021) (Ex. 12).

<sup>19</sup> Rare Species Fund, “Support” page, available at <http://www.rarespeciesfund.org/support.php> (last accessed Nov. 21, 2021) (Ex. 13).

<sup>20</sup> 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.

<sup>21</sup> 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).

<sup>22</sup> In Florida, 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.” Charitable Organizations/Sponsors Registration Application (Ex. 6).

<sup>23</sup> Code § 33-56-120(A).

on the basis of in-situ wildlife conservation, thus making donors believe they are “giving money for a particular purpose,” while simultaneously reporting to the Division that it solicits contributions solely for the purpose of education, and reporting to the IRS that the bulk of its charitable funds “support a different purpose” entirely—namely, direct animal care.<sup>24</sup>

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

<b>Website</b>	<b>“Support” page solicitation</b>	<b>“Network for Good” solicitation</b>	<b>Facebook</b>	<b>Instagram</b>	<b>IRS Filings</b>	<b>Division Filings</b>
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	Wildlife conservation, education

### **III. Preservation Station appears to have violated the Act by misleading donors to believe that their contributions will serve a charitable purpose**

#### **A. Preservation Station’s reported expenses**

The expenses reported on Preservation Station’s 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.”<sup>25</sup> 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.”<sup>26</sup> 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.<sup>27</sup> As with 2020, the organization did not report any grants to domestic organizations or individuals.

<sup>24</sup> *The Honorable John David Hawkins*, Aug. 2, 2006, 2006 WL 2593078 (S.C.A.G.).

<sup>25</sup> Form 990 2020, Part IX, line 3 (Ex. 2).

<sup>26</sup> *Id.*, Part IX, line 24.

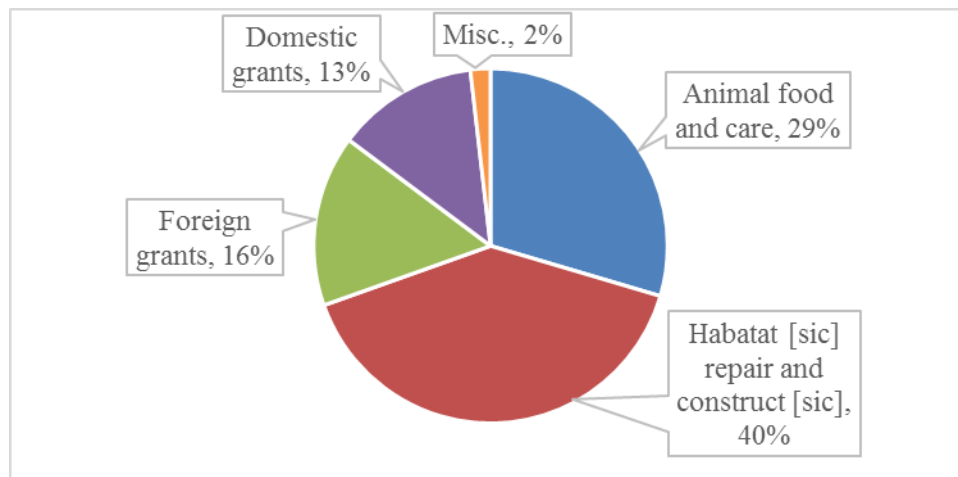
<sup>27</sup> Form 990 2019, Part IX, lines 3, 24, 25 (Ex. 16).

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

Year	Revenue <sup>28</sup>	Total expenses	Animal food and care	Habatat [sic] repair and construct [sic]	Foreign grants	Domestic Grants	Misc.
<b>2020</b>	43,170	297,643	54,286	129,041	107,816	0	6,500
<b>2019</b>	801,725	456,220	50,999	332,623	51,064	0	21,534
<b>2018<sup>29</sup></b>	177,877	193,937	42,988	26,823	88,948	23,500	11,678
<b>2017<sup>30</sup></b>	216,109	194,672	59,260	81,048	34,926	16,000	3,438
<b>2016<sup>31</sup></b>	288,575	430,737	165,773	145,715	91,954	27,000	295
<b>2015<sup>32</sup></b>	509,083	485,283	181,968	171,479	0	131,606	230
<b>2014<sup>33</sup></b>	375,698	259,960	102,937	72,555	0	84,200	268
<b>2013<sup>34</sup></b>	87,599	79,446	50,795	0	0	28,500	151
<b>AVG:</b>	<b>312,480</b>	<b>299,737</b>	<b>88,626</b>	<b>119,911</b>	<b>46838.5</b>	<b>38,851</b>	<b>5511.75</b>

Since 2013, Preservation Station has, on average, reported over two-thirds of its total functional expenses as “other expenses” attributed to animal food, care, and habitat construction—totaling nearly \$1.5 million. Although Preservation Station consistently solicits contributions for international conservation, foreign grants have comprised only 16% of the organization’s average expenses between 2013 and 2020.

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



Despite spending most of its charitable funds on direct animal care, Preservation Station does not report owning any animals. Instead, each year from 2013 to 2020, Preservation Station has claimed that its assets

<sup>28</sup> 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.

<sup>29</sup> Form 990 2018 (Ex. 17).

<sup>30</sup> Form 990 2017 (Ex. 18).

<sup>31</sup> Form 990 2016 (Ex. 19).

<sup>32</sup> Form 990 2015 (Ex. 20).

<sup>33</sup> Form 990 2014 (Ex. 21).

<sup>34</sup> Form 990-EZ 2013 (Ex. 22).



consist entirely of cash. The organization's Forms 990 thus fail to reveal who is benefitting from its direct animal care expenditures.

## **B. Antle's for-profit roadside zoo, and Preservation Station's promotion thereof<sup>35</sup>**

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.<sup>36</sup> 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."<sup>37</sup> This for-profit facility, which confines over a hundred wild animals including tigers, lions, cheetahs, leopards, chimpanzees, and an elephant,<sup>38</sup> charges

---

<sup>35</sup> 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. 23).

<sup>36</sup> *See* Form 990 2020 (Ex. 2), Form 990-EZ 2011 (Ex. 24); *see also* Form 990-EZ 2007 (Ex. 25), Form 990-EZ 2010 (Ex. 26).

<sup>37</sup> *See* Myrtle Beach Safari, "Meet Doc Antle" page, available at <https://myrtlebeachsafari.com/meet-doc-antle/> (last accessed Feb. 24, 2022) (Ex. 27). Myrtle Beach Safari/T.I.G.E.R.S. identifies its mailing address as P.O. Box 31210, Myrtle Beach, SC 29588, which is the same address that Preservation Station provides on its Forms 990. *See* Myrtle Beach Safari, "Contact Us" page, available at <https://myrtlebeachsafari.com/contact-us/> (last accessed Nov. 18, 2021) (Ex. 28). The roadside zoo'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 that Preservation Station claims as its physical address on its South Carolina registration statement. *See* Myrtle Beach Safari Wild Encounters Tour Facebook page, available at [https://www.facebook.com/tigersmyrtlebeachsafari/about/?ref=page\\_internal](https://www.facebook.com/tigersmyrtlebeachsafari/about/?ref=page_internal) (last accessed Nov. 18, 2021) (Ex. 29); *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. 30); *see also* Horry County Land Records for 851 Folly Ranch Lane (PIN: 44100000564), at 3 (showing the merger of several parcels) (Ex. 31). 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 Antle 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. 32); 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. 33). Antle is licensed by the United States Department of Agriculture (USDA) to exhibit animals at both this Florida address and the Myrtle Beach Safari address 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. 34). 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. 35).

<sup>38</sup> *See* USDA Animal and Plant Health Inspection Service Inspection Report (Nov. 15, 2021), indicating that 122 animals were inspected at Myrtle Beach Safari (Ex. 36).



visitors between \$339 and \$1,178 per person for tours,<sup>39</sup> and unspecified additional amounts for “private encounters” with animals.<sup>40</sup>

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.”<sup>41</sup> 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.<sup>42</sup> 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.”<sup>43</sup> 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.*<sup>44</sup>

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.

---

<sup>39</sup> 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. 37); 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. 38). 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. 39).

<sup>40</sup> See Myrtle Beach Safari, “Swim with the Animals” page, available at <https://myrtlebeachsafari.com/swim-with-the-animals/> (last accessed Dec. 9, 2021) (Ex. 40).

<sup>41</sup> Rare Species Fund, “Conservation Projects – North America” page, available at <http://www.rarespeciesfund.org/north-america.php> (last accessed Nov. 21, 2021) (Ex. 41). Preservation Station fails to disclose this website on its Forms 990, instead responding “N/A” on line J.

<sup>42</sup> See Rare Species Fund, “Home” page, available at <http://www.rarespeciesfund.org/> (last accessed Nov. 18, 2021) (Ex. 42).

<sup>43</sup> Rare Species Fund Facebook post (Oct. 6, 2021), available at <https://www.facebook.com/RareSpeciesFund/posts/1791253657729664> (last accessed Nov. 23, 2021) (Ex. 43).

<sup>44</sup> Rare Species Fund Instagram Post (Feb. 21, 2019), available at <https://www.instagram.com/p/BuKfEnjh4Ft/> (last accessed Nov. 23, 2021) (emphasis added) (Ex. 44).

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

Beyond misrepresenting its purpose for soliciting contributions by identifying one purpose to donors, reporting another to the Division, and using the bulk of its charitable funds for yet another purpose per its Forms 990, Preservation Station also seems to have violated the Act by misleading donors into believing that their contributions will serve any charitable purpose *at all*, when the organization's charitable funds instead appear to largely 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 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 that 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.”<sup>45</sup> 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.”<sup>46</sup> Notably, Myrtle Beach Safari/T.I.G.E.R.S. is not accredited by the Association of Zoos & Aquariums (AZA)<sup>47</sup>—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 tigers<sup>48</sup>—the species most prevalent at Antle's facility.<sup>49</sup> 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 Safari<sup>50</sup>—and breeding or otherwise

---

<sup>45</sup> Myrtle Beach Safari, “Meet Doc Antle” page (Ex. 27).

<sup>46</sup> Rare Species Fund, “Conservation Projects – North America” page (Ex. 41).

<sup>47</sup> 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).

<sup>48</sup> 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. 45).

<sup>49</sup> See USDA Animal and Plant Health Inspection Service Inspection Report (Ex. 36), indicating that Antle possesses 70 tigers at Myrtle Beach Safari.

<sup>50</sup> 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. 46).

acquiring “hybrid” species and subspecies—such as the [ligers](#) (lion-tiger hybrids)<sup>51</sup> and non-subspecies-specific, “generic” tigers at Myrtle Beach Safari.<sup>52</sup> 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.<sup>53</sup>

Although Myrtle Beach Safari claims to promote conservation via its pay-to-play, “up-close encounters” like [cub petting](#) and [swimming with tiger cubs](#),<sup>54</sup> 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.”<sup>55</sup> 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.”<sup>56</sup> 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.<sup>57</sup> 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](#)<sup>58</sup> and to [visitors](#)<sup>59</sup>—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.<sup>60</sup>

---

<sup>51</sup> 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. 47).

<sup>52</sup> Nyhus, *Thirteen Thousand and Counting*, 232-236 (Ex. 45). 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. 48).

<sup>53</sup> 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. 49).

<sup>54</sup> 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. 50); Myrtle Beach Safari, “Swim with the Animals” page (Ex. 40).

<sup>55</sup> *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).

<sup>56</sup> Nyhus, *Thirteen Thousand and Counting*, at 236 (Ex. 45).

<sup>57</sup> *Id.* at 235.

<sup>58</sup> 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. 51).

<sup>59</sup> 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. 52).

<sup>60</sup> 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. 53).

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.”<sup>61</sup> 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. Despite Antle’s marketing efforts, Myrtle Beach Safari is undeniably a for-profit roadside zoo with no significant value to conservation or education.<sup>62</sup>

A charitable organization violates the Act when “funds raised by solicitation activities are not devoted to the charitable purposes of the charitable organization.”<sup>63</sup> Here, Preservation Station appears to have done exactly that by soliciting contributions for the charitable purpose of wildlife conservation then evidently misappropriating those funds to prop up Antle’s for-profit business activities, which do not further any legitimate charitable purpose.

#### **IV. Preservation Station appears to have further violated the Act by submitting false information in documents filed with the Division**

In addition to deceiving donors by misrepresenting how their contributions will be used, Preservation Station has evidently submitted false and misleading information to the Division.

On its registration statement, Preservation Station answered “No” in response to the question “Are organization’s officers related to one another?”<sup>64</sup> Moreover, the organization failed to identify any officers or board members other than Antle.<sup>65</sup> To the contrary, Preservation Station’s Forms 990 reveal that, besides Antle, the organization’s governing body consists of: (1) Kodi Antle, director; (2) Rajani Ferrante, director; (3) China York, secretary; and (4) Moksha Boybee, treasurer.<sup>66</sup> Kodi Antle—whose first name is often spelled “Kody”—is Antle’s son.<sup>67</sup> In addition, Ferrante, York, and Boybee—whose surname is

---

<sup>61</sup> Nyhus, *Thirteen Thousand and Counting*, at 236 (Ex. 45).

<sup>62</sup> 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.

<sup>63</sup> Code § 33-56-140(C)(6).

<sup>64</sup> Registration Statement for a Charitable Organization (Ex. 7).

<sup>65</sup> *Id.*

<sup>66</sup> See e.g. Form 990 2020, Part VII, Section A (Ex. 2).

<sup>67</sup> 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. 54). 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. 55).

often spelled “Bybee”—are all in long-term romantic relationships with Antle.<sup>68, 69</sup> Accordingly, Preservation Station failed to submit information expressly required under section 33-56-30(B)(4) and (16).

Furthermore, Preservation Station appears to have filed false information with the Division via its Forms 990, which it submits as its annual financial report required under section 33-56-30(B)(15). As discussed 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.”<sup>70</sup> 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.<sup>71</sup>

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;<sup>72</sup> South Carolina Conservation Farm LLC;<sup>73</sup> and Wildlife Preserve Land LLC.<sup>74</sup> As such, Antle controls these companies under the IRS definition, making them brother/sister

---

<sup>68</sup> 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. 56). 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. 57). 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. 58).

<sup>69</sup> All four of these individuals are also affiliated with/employed by Myrtle Beach Safari/T.I.G.E.R.S. 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. 59). “Miami Facility” presumably refers to the 6000 118th Avenue address owned by Antle and listed on Preservation Station’s Florida 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.

<sup>70</sup> 2020 Instructions for Form 990, at 71, available at <https://www.irs.gov/pub/irs-pdf/i990.pdf> (last accessed Nov. 24, 2021).

<sup>71</sup> *Id.* at 57.

<sup>72</sup> See Amended Articles of Organization for T.I.G.E.R.S. LLC, filed with S.C. Sec. of State Feb. 24, 2015 (Ex. 60).

<sup>73</sup> See Amended Articles of Organization of South Carolina Conservation Farm, filed with the S.C. Sec. of State Feb. 24, 2015 (Ex. 61).

<sup>74</sup> See Articles of Organization for Wildlife Preserve Land LLC, filed with S.C. Sec. of State Feb. 9, 2015 (Ex. 62). 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 Horry County Land Records for 851 Folly Ranch Lane (Ex. 31). 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. 63); Articles of Organization of South Carolina Conservation Farm, filed with the S.C. Sec. of State Feb. 14, 2011 (Ex. 64); Notice of Change for Wildlife Preserve Land LLC, filed with S.C. Sec. of State May 17, 2021 (Ex. 65); see also “Entities Controlled by Bhagavan Antle” Table (Ex. 23).



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 the Division—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](http://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**.”<sup>75</sup> 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.<sup>76</sup>
- **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. As stated above, Antle is the father of director Kody Antle, constituting a family relationship under the IRS definition. In addition, Kody Antle, Moksha Bybee, Rajani Ferrante, and China York are all affiliated with Antle’s business activities and potentially would 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. 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

---

<sup>75</sup> 2020 Instructions for Form 990, at 20 (emphasis in original).

<sup>76</sup> See *supra* note 69.

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 the Division thus further violates the Act and compounds the misrepresentation made on the organization's registration statement.<sup>77</sup>

## **V. Conclusion**

A review of Preservation Station's registration statement and Forms 990 compared to its public representations and solicitations for charitable contributions implicates several apparent violations of the South Carolina Solicitation of Charitable Funds Act. As demonstrated herein, Preservation Station has evidently misrepresented its purpose for soliciting contributions; misled donors into believing that their contributions are used for any charitable purpose at all; and submitted false information to the Division, all in violation of the Act. Accordingly, PETA respectfully requests that the Division investigate Preservation Station and its leadership and impose all appropriate civil and criminal penalties, including cancellation of Preservation Station's registration.

---

<sup>77</sup> See Code §§ 33-56-140(A), (C)(2); 33-56-140(B).