

October 27, 2023

Major Grant Burton  
Section Leader, Captive Wildlife Investigations  
Division of Law Enforcement  
Florida Fish and Wildlife Conservation Commission

Via email: [REDACTED]

**Re: Request to Investigate Larry Wallach and Shae Hensley for Apparent Violations of Florida’s Captive Wildlife Laws**

Dear Major Burton:

I am writing on behalf of PETA to request that the Florida Fish and Wildlife Conservation Commission (FWC) investigate Larry Wallach (Wallach), an out of state traveling exhibitor located at 551 Veterans Memorial Highway, Hauppauge, New York 11788, and Shae Hensley (Hensley), located at [REDACTED], for the apparent unlawful possession of captive wildlife in Florida without the requisite licenses. Further, PETA requests that FWC terminate Wallach’s licenses to possess Class I/II and III wildlife for knowingly and repeatedly submitting false information to the agency.

In February 2023, Wallach and Hensley reportedly received two Kodiak bears—a Class I wildlife species—from Space Farms Zoo in Wantage, New Jersey. Wallach is licensed as a mobile exhibitor for Class I wildlife, including bears, but does not maintain a permanent facility in the state. Hensley owns and operates the exotic animal facility listed as the receiving address on the bears’ certificate of veterinary inspection (CVI). Hensley, however, is only licensed to possess game animals and Class III wildlife. As discussed further in the attached appendix, Wallach’s Class I license appears to have been used to unlawfully aid Hensley in circumventing the FWC’s licensing regulations, and two dangerous wild animals may currently be housed at an unlicensed facility in Florida.

Wallach has not exhibited animals in Florida for years. Wallach does not appear to even possess any of the Class I/II animals he claimed on his 2022 license renewal application. In fact, most, if not all, of the information Wallach provided to the FWC in recent years is either verifiably false or questionable at best.

Wallach skirted through the 2022 license renewal process by providing false inventories and itinerary information in order to maintain licenses that he clearly no longer needs for any lawful purpose (i.e. regularly exhibiting animals in Florida). Now, it appears that Wallach’s license was used to unlawfully import two Kodiak bears into the state to be housed at an unlicensed facility owned by Hensley. PETA respectfully requests that the FWC investigate Wallach and Hensley for their apparent unlawful conduct and hold them both fully accountable for any and all violations found.

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

Thank you for your attention to this important matter. I look forward to hearing from you.

Very truly yours,

A solid black rectangular redaction box covering the signature area.

Emily Lively  
Counsel, Captive Animal Law Enforcement

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Attachments

## Appendix

### I. Factual Background

#### A. Larry Wallach

Wallach owns and operates an unlawful<sup>1</sup> animal exhibition business, [Sloth Encounters](#), located at 551 Veterans Memorial Highway, Hauppauge, New York 11788. Wallach opened Sloth Encounters in early 2022, following the revocation of his Dangerous Animal License by the New York State Department of Environmental Conservation (NYDEC).<sup>2</sup> He has offered direct contact encounters with sloths at this facility since at least April 2022.<sup>3</sup>

This facility is currently operating unlawfully, and the town has brought civil litigation to shut it down. The New York Suffolk County Supreme Court entered a temporary restraining order (TRO) on September 15, 2022, prohibiting Wallach “from publicly exhibiting wild animals and/or operating the Premises located at 551 Veterans Highway, Hauppauge, New York.”<sup>4</sup> In response, Wallach started offering “home invasions,” where he will bring these animals to an individual’s home for a one-hour long encounter.<sup>5</sup>

Wallach is currently licensed as a Class C exhibitor, license No. 21-C-0069, with the United States Department of Agriculture (USDA) for the following species:<sup>6</sup>

Quantity	Common Name
1	Red Kangaroo
2	Hoffmann’s Two-Toed Sloth
5	Linnaeus’s Two-Toed Sloth
7	Sugar Glider
2	Chinchilla
2	Capybara

His federal license only covers one facility, his Sloth Encounters business in Hauppauge, New York.

Wallach is also licensed as a mobile exhibitor in Florida, authorized to bring Class I, II, and III wildlife into the state for exhibition only at the specific events listed on itineraries provided to FWC.<sup>7</sup> For at least the past three years, Wallach told FWC that he does not keep any wildlife in the state and that all the animals noted on his inventories are housed in New York.<sup>8</sup> However, there is no evidence that Wallach actually possesses any of the animals on his FWC inventories at his New York facility.

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<sup>1</sup> Wallach is facing [criminal charges](#) and civil litigation, *see* Ex. 1 (Complaint), in Suffolk County New York for the unlawful possession of wild animals and operating a prohibited animal exhibit in violation of the Town of Islip’s municipal and zoning codes.

<sup>2</sup> Ex. 2 (Joan Gralla, *Feds: East Rockaway Animal Rescuer Mistreated his Exotic Pets*, Newsday (Oct. 12, 2021)).

<sup>3</sup> Ex. 3 (Sloth Encounters Opening Announcement, Apr. 30, 2022).

<sup>4</sup> Ex. 4 (TRO entered on Sept. 19, 2022). A preliminary injunction was later granted on March 31, 2023. *See* Ex. 5.

<sup>5</sup> Ex. 6 (Home Invasion Advertisement, Sept. 8, 2023).

<sup>6</sup> Ex. 7 (Wallach’s USDA license).

<sup>7</sup> Exs. 8-9 (Wallach’s 2022 license applications to possess Class I/II and Class III wildlife).

<sup>8</sup> *Id.*; *see also* Exs. 10-11 (Wallach’s 2021 Class I/II and Class III license applications); Exs. 12-13 (Wallach’s 2020 Class I/II and Class III license applications).

## ***B. Shae Hensley***

Hensley owns and operates an exotic animal facility, [Hundred Acre Gardens](#), located at [REDACTED]. Hensley appears to possess a number of Class II and III wildlife species, as well as game animals, at this facility. His website indicates that he intends to exhibit his animals in the future, stating his vision for the facility “is to create a special place for [f]amilies to spend time together building memories,” with year-round exotic animal adventures and workshops.<sup>9</sup>

Hensley is licensed by the FWC to possess all Class III mammal species, except capuchin, spider, and wooly monkeys, at Hundred Acre Gardens.<sup>10</sup> He is not licensed by the USDA, nor is he licensed to possess Class I or II wildlife in Florida.

Hensley’s Baker facility is also licensed as a game farm, authorizing him to possess game mammals of the Cervidae, Suidae, and Bovidae families.<sup>11</sup>

## **II. FWC should investigate Wallach and Hensley for the apparent unlawful possession of Class I and II wildlife in Florida without the requisite FWC licenses.**

Florida law prohibits the importation<sup>12</sup> and possession<sup>13</sup> of any wildlife species—i.e., birds, mammals, amphibians, and reptiles<sup>14</sup>—in captivity without a license issued by the FWC. The requisite license for a particular species depends upon their classification as either Class I, II, or III wildlife.<sup>15</sup>

### ***A. Wallach and Hensley reportedly received two Kodiak bears from Space Farms Zoo at Hensley’s Hundred Acre Gardens Facility in February 2023.***

According to a certificate of veterinary inspection (CVI) filed with New Jersey state officials, Space Farms Zoo—located in Wantage, New Jersey—transferred two Kodiak bears—one male and one female—to Wallach and Hensley on or about February 21, 2023.<sup>16</sup> Bears are a Class I wildlife species in Florida.<sup>17</sup> They may only be possessed for public exhibition or commercial sale purposes, not as personal pets.<sup>18</sup>

The CVI lists Wallach’s USDA license, No. 22-C-0069, and an FWC license number, No. 403-160862.<sup>19</sup> Wallach is only licensed in Florida as a mobile exhibitor. He does not have a permanent facility licensed in Florida. FWC licenses are site specific, and Wallach may only exhibit Class I wildlife in Florida at specific events disclosed on written itineraries submitted to the FWC on an annual basis.<sup>20</sup> He is not

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<sup>9</sup> *About*, Hundred Acre Gardens, <https://www.hundredacregardens.com/about>.

<sup>10</sup> Ex. 14 (Hensley’s 2022 license application to possess Class III wildlife).

<sup>11</sup> Ex. 15 (Hensley’s 2022 license application to operate a game farm).

<sup>12</sup> *Importation of Wildlife*, FLA. FISH & WILDLIFE CONSERVATION COMM’N, <https://myfwc.com/license/captive-wildlife/import/>.

<sup>13</sup> FLA. STAT. §§ 379.3761(1), 379.3762(1); *see also* FLA. ADMIN. CODE § 68A-6.003(1), (5).

<sup>14</sup> FLA. STAT. § 379.3761(1); *see also* FLA. ADMIN. CODE § 68A-1.004(91).

<sup>15</sup> FLA. STAT. § 379.3762(2)(a)-(b); *see also* FLA. ADMIN. CODE § 68A-6.003(6)-(8).

<sup>16</sup> Ex. 16 (Feb. 21, 2023 Certificate of Veterinary Inspection).

<sup>17</sup> FLA. ADMIN. CODE § 68A-6.002(a)(13).

<sup>18</sup> FLA. STAT. § 379.3762(2)(a); *see also* FLA. ADMIN. CODE § 68A-6.003(6).

<sup>19</sup> Ex. 16. Hensley does not have a Class I license to import and possess bears in Florida. Therefore, it is believed that the FWC license listed on the CVI likely belongs to Wallach. PETA does not have access to Wallach’s FWC license number, however, the FWC should be able to easily confirm whose license number is listed on this CVI.

<sup>20</sup> FLA. ADMIN. CODE § 68A-6.015(2)(e).

authorized to house Class I species, or any wildlife for that matter,<sup>21</sup> in Florida permanently, and he has no known stationary facility in the state to do so.

The receiving address listed on the attached CVI is Hensley's Hundred Acre Gardens facility—[REDACTED]—which is not a facility associated with Wallach, nor identified anywhere in Wallach's application materials.<sup>22</sup> PETA has been unable to confirm the current location of these two dangerous Class I animals as neither bear has appeared on Wallach or Hensley's social media pages,<sup>23</sup> nor on the "New Additions" page of the Hundred Acre Gardens website.<sup>24</sup> It is unknown whether the bears are currently at Hensley's facility or if they even arrived there to begin with.<sup>25</sup> Two Kodiak bears were apparently unlawfully imported into Florida and their whereabouts are currently unknown. That alone warrants investigation. Class I species are those who Florida considers to "present a real or potential threat to human safety."<sup>26</sup> Florida enacted strict experience,<sup>27</sup> facility/caging,<sup>28</sup> and financial responsibility<sup>29</sup> requirements that applicants and licensees must meet and maintain to possess these animals. The FWC must locate these two Kodiak bears and ensure that they are housed at a properly licensed facility that receives regular inspections for compliance with all regulations related to the possession of Class I wildlife species.

If the two Kodiak bears are at the Hundred Acre Gardens facility, Hensley is only licensed to possess Class III wildlife and game animals, which do not include bears. Further, Hensley is not currently eligible to obtain a Class I license to lawfully possess bears, as he does not exhibit animals to the public or sell such species commercially—the only two purposes for which Class I wildlife may be possessed. Hensley, likewise, has not obtained the requisite USDA license. As such, if Hensley has these bears, he would be in possession of Class I wildlife species without the proper license in apparent violation of FLA. STAT. § 379.3761.

Given that Hensley cannot currently possess these bears legally and that Wallach has no known facility in the state of Florida, the inclusion of Wallach's name and license information on the CVI appears to be an attempt to circumvent state law. PETA requests that the FWC investigate the whereabouts of these two bears and hold Wallach and Hensley fully accountable for any violations regarding their apparent unlawful importation and possession in Florida.

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<sup>21</sup> Wallach is only licensed as a mobile exhibitor for Class I, II, and III wildlife.

<sup>22</sup> Ex. 16.

<sup>23</sup> Larry Wallach, FACEBOOK, <https://www.facebook.com/larry.wallach>; Shae Amanda Hensley, FACEBOOK, <https://www.facebook.com/shae.hensley.33>; Hundred Acre Gardens, FACEBOOK, <https://www.facebook.com/profile.php?id=100063770816824>.

<sup>24</sup> *Exotics – New Additions!!*, <https://www.hundredacregardens.com/exotics-new-additions>.

<sup>25</sup> Danielle Nicole Kanoy is listed as the truck driver who transported the two Kodiak bears to Hensley's facility and signed that the two bears were delivered "in apparent good condition." See Ex. 16. If the information on this CVI is accurate, the bears should be at Hensley's facility. However, if the bears are not at Hensley's property, Kanoy may be able to provide the FWC with information as to their whereabouts. Kanoy appears to own and operate a nonprofit organization known as the Wildlife Critters Circle of Life Rehabilitation Center Inc. at [REDACTED]. *Contact Information*, WILDLIFE CRITTERS CIRCLE OF LIFE REHAB. CTR., <http://www.wlcritters.com/contact-us.html>. Kanoy also appears to work as the CEO and animal trainer for Animals on Set, providing exotic and domestic animals for exploitation in the film industry. *The Wranglers*, ANIMALS ON SET, <http://www.animalsonset.com/nicole.html>; see also *Animal Trainer: "I Get to Do What I Love!"*, GEORGIA USA, <https://www.georgia.org/film-story/animal-trainer-i-get-do-what-i-love>.

<sup>26</sup> *Class I Wildlife*, FLA. FISH & WILDLIFE CONSERVATION COMM'N, <https://myfwc.com/license/captive-wildlife/class-i>.

<sup>27</sup> FLA. ADMIN. CODE § 68A-6.004(2)(c).

<sup>28</sup> *Id.* § 68A-6.010. Florida also imposes specific caging requirements for Kodiak Bears. See *id.* § 68A-6.0124(3).

<sup>29</sup> *Id.* § 68A-6.005.

***B. Hensley appears to possess Class II wildlife at his Hundred Acre Gardens property without the requisite Class II license from the FWC.***

The above discussed Kodiak bears do not appear to be the only animals potentially unlawfully housed by Hensley at his facility in Baker, Florida. On September 5, 2023, Hensley posted a video of himself to Facebook with at least five ostriches at the Hundred Acre Gardens site.<sup>30</sup>

Ostriches are considered Class II wildlife in Florida,<sup>31</sup> which Hensley is not licensed to possess. Ostriches are only exempt from the Class II licensing requirements if they are “domesticated and confined for commercial farming purposes.”<sup>32</sup> Commercial farming is defined as the possession of certain nonnative wildlife species, like ostriches, for the exclusive purpose of “produc[ing] [] meat, skins or hides, feathers or progeny thereof, and not for personal possession or public display.”<sup>33</sup> This exception does not apply to ostriches kept on game farms, for public display, or for personal possession.<sup>34</sup>

Hensley currently raises and trains exotic animals for his personal possession. As noted, his website indicates a long-term goal of exhibiting these animals to the public, but he has not yet met this goal. He provides no indication that he maintains these ostriches at his Baker facility to commercially sell their meat, skins, or feathers. Rather, Hensley refers to them as his “buddies” and himself as their “Ostrich Mamma,” and states that he plays with and trains them in his Facebook post.<sup>35</sup> As such, Hensley does not fall within the Class II licensure exception and is in possession of five or more ostriches in apparent violation of FLA. STAT. § 379.376(b).

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<sup>30</sup> ██████; *see also* Ex. 17 (Hundred Acre Gardens Facebook Post, Sept.5, 2023).

<sup>31</sup> FLA. ADMIN. CODE § 68A-6.002(b)(34).

<sup>32</sup> FLA. STAT. § 379.3762(4).

<sup>33</sup> FLA. ADMIN. CODE § 68A-6.003(11).

<sup>34</sup> FLA. STAT. § 379.3762(4); FLA. ADMIN. CODE § 68A-6.003(11).

<sup>35</sup> Ex 17.

***C. Hensley appears to have provided the FWC with false or incomplete inventories of the animals he possesses at his facility in Baker, Florida.***

Applicants must provide the FWC with a current inventory of all the species in their possession, or which they intend to acquire over the next year, with each license renewal.<sup>36</sup> With at least his 2021 and 2022 Class III license renewal applications, Hensley submitted incomplete inventories that did not accurately reflect all the species in his possession at the time of application.

<b>Comparison of Hensley’s Reported Inventory vs. Actual Species Possessed</b>							
<b>2021 Reported Inventory<sup>37</sup></b> <i>Submitted to FWC</i> <i>12/09/2021</i>		<b>Unreported Species</b>		<b>2022 Reported Inventory<sup>38</sup></b> <i>Submitted to FWC</i> <i>12/15/2022</i>		<b>Unreported Species</b>	
<u>Quantity</u>	<u>Species</u>	<u>Date</u>	<u>Species</u>	<u>Quantity</u>	<u>Species</u>	<u>Date</u>	<u>Species</u>
3	Raccoon	10/20/21	Tortoise <sup>39</sup>	3	Racoons	07/30/22 <sup>40</sup>	Ring-tailed lemur
1	Ring-tailed lemur			6	Foxes	11/05/22 <sup>41</sup>	Beaver
1	Virginia Opossum			1	Skunk	11/06/22 <sup>42</sup>	Emus
				2	African Crested Porcupines		

Hensley publicly posted to his social media accounts that he possessed the above unreported species prior to the dates he submitted his respective renewal applications. He cannot honestly claim that he did not know the inventories he provided to the FWC were incomplete. Knowingly submitting false information on an application to the FWC is a misdemeanor of the first degree,<sup>43</sup> punishable by up to either<sup>44</sup> a \$1,000 fine<sup>45</sup> or one year imprisonment.<sup>46</sup>

Hensley appears to continue to acquire new exotic animals at his facility on a frequent basis. Since his 2022 license renewal application, he has acquired at least one camel,<sup>47</sup> one kangaroo,<sup>48</sup> and two sulcata tortoises.<sup>49</sup> Complete and accurate inventories are critical for ensuring a licensee is complying with all regulations regarding the acquisition and disposition of wildlife.<sup>50</sup> The FWC should investigate Hensley to ensure that he is maintaining accurate records for his Class III wildlife and is not unlawfully in

<sup>36</sup> FLA. ADMIN. CODE § 68A-6.004(5)(f).

<sup>37</sup> Ex. 18 at 2 (Hensley’s 2021 license to possess Class III wildlife).

<sup>38</sup> Ex. 14 at 5.

<sup>39</sup> Ex. 19 (Hundred Acre Gardens Facebook Post, Oct. 20, 2021).

<sup>40</sup> Hensley reported owning one ring-tailed lemur in 2021 but did not include any ring-tailed lemurs on his 2022 inventory. It is unclear if this is the same individual from the 2021 inventory or not. *See* Ex. 20 (Hundred Acre Gardens Facebook Post, July 30, 2022); *see also* Exotics – *New Additions!!*, *supra* note 25; Ex. 21 (Hundred Acre Gardens Facebook Post, June 21, 2023) (recent posting showing that Hensley continues to possess at least one ring-tailed lemur).

<sup>41</sup> Ex. 22 (Shae Amanda Hensley Facebook Post, Nov. 5, 2022); *see also* Ex. 23 (Shae Amanda Hensley Facebook Post, Apr. 27, 2023) (recent posting reflecting Hensley is constructing a new habitat for at least one beaver in his possession).

<sup>42</sup> Ex. 24 (Shae Amanda Hensley Facebook Post, Nov. 6, 2022).

<sup>43</sup> FLA. STAT. at § 379.4015(3)(a)(5).

<sup>44</sup> *Id.* § 379.4015(3)(b)(1).

<sup>45</sup> *Id.* § 775.083(1)(d).

<sup>46</sup> *Id.* § 775.082(4)(a).

<sup>47</sup> Ex. 25 (Hundred Acre Gardens Facebook Post, Mar. 2, 2023).

<sup>48</sup> Ex. 26 (Hundred Acre Gardens Facebook Post, Oct. 2, 2023).

<sup>49</sup> Ex. 27 (Shae Amanda Hensley Facebook Post, Oct. 11, 2023).

<sup>50</sup> All licensees must maintain accurate records of changes to their inventory, including all acquisitions, sales, and transfers. FLA. ADMIN. CODE § 68A-6.008.

possession of any additional undisclosed Class I or II wildlife species.

**III. The FWC should terminate Wallach’s licenses to possess Class I/II and Class III wildlife for repeatedly submitting false information to the agency on his license renewal applications.**

To apply for or renew a license with the FWC, an applicant must submit a completed application form, which requires, among other information, “the complete facility address where the wildlife is located to include city, state, and zip code,”<sup>51</sup> a current inventory of all species possessed or intending to acquire,<sup>52</sup> and an “acknowledgement that the information provided in the application is true, accurate, and complete.”<sup>53</sup> Traveling exhibitors must also provide an itinerary of planned exhibition times and locations with each annual renewal.<sup>54</sup>

The FWC may suspend or revoke any license for the possession of captive wildlife, if the licensee commits a criminal offence or noncriminal infraction violating any of Florida’s captive wildlife laws or regulations.<sup>55</sup> Knowingly submitting false information on an application is a misdemeanor of the first degree.<sup>56</sup>

**A. Wallach does not appear to possess most of the wildlife listed on inventories submitted to the FWC and cannot lawfully possess any of them at the address he provided to the agency.**

On August 30, 2022, Wallach submitted an application to renew his license to possess Class I and II wildlife, which the FWC ultimately renewed on December 1, 2022.<sup>57</sup> On his application, Wallach claimed that he possessed the following Class I and II wildlife species:

<b>Wallach’s Class I/II Inventory as of 2022</b>			
<i>Class I Wildlife</i>		<i>Class II Wildlife</i>	
<b>Quantity</b>	<b>Common Name</b>	<b>Quantity</b>	<b>Common Name</b>
Not Provided	Cougars	2	American Alligators
Not Provided	Snow Leopards	1	Clouded Leopard
Not Provided	Leopards	2	Binturong
Not Provided	Jaguars	1	Lynx
Not Provided	Tigers	2	Bobcat
Not Provided	Lions	2	Gray Wolves
Not Provided	Cheetahs	1	Caracal
Not Provided	Bears		

<sup>51</sup> *Id.* §§ 68A-6.004(3)(d), (5)(d).

<sup>52</sup> *Id.* §§ 68A-6.004(3)(h), (5)(f).

<sup>53</sup> *Id.* §§ 68A-6.004(3)(i), (5)(g).

<sup>54</sup> *Id.* § 68A-6.015(2)(e).

<sup>55</sup> FLA. STAT. § 379.4015(5).

<sup>56</sup> *Id.* at § 379.4015(3)(a)(5).

<sup>57</sup> Ex. 8.



On the same day, Wallach also applied to renew his license to possess the following Class III wildlife species:<sup>58</sup>

<b>Wallach's Class III Inventory as of 2022</b>	
<b>Quantity</b>	<b>Common Name</b>
5	Wallabies
1	Red Kangaroo

Wallach is licensed as a mobile exhibitor and stated in his applications that he does not house any wildlife in the state. Rather, Wallach claimed that all of these animals are housed at his Sloth Encounters facility—551 Veterans Memorial Highway, Hauppauge, New York 11788. Despite swearing that all this information was “true and correct,” the records detailed below demonstrate that Wallach does not possess most of the animals listed on his inventories and *cannot* possess any of these animals at the Sloth Encounters location.<sup>59</sup> Wallach has completely failed to keep the FWC informed as to the whereabouts of more than nineteen (19) dangerous animals whom the agency has licensed him to bring into Florida.

- i. Wallach's Sloth Encounters facility is not equipped to house big cats and other Class I/II wildlife and none of these animals appear on Sloth Encounters' most recent USDA inspection.**

The most reliable information available regarding the number and species of animals in Wallach's possession is the most recent inspection report of Sloth Encounters from the USDA, which identified the following mammals at the facility as of August 15, 2023.<sup>60</sup>

<b>Wallach's Current Inventory as of August 2023</b>		
<b>Quantity</b>	<b>Scientific Name</b>	<b>Common Name</b>
1	<i>Osphranter rufus</i>	Red Kangaroo
2	<i>Choloepus hoffmanni</i>	Hoffmann's Two-Toed Sloth
5	<i>Choloepus didactylus</i>	Linnaeus's Two-Toed Sloth
7	<i>Petaurus breviceps</i>	Sugar Glider
2	<i>Chinchilla lanigera</i>	Chinchilla
2	<i>Hydrochaeris hydrochaeris</i>	Capybara

Sloth Encounters is Wallach's only licensed facility. Based on this USDA inspection report, it does not appear that Wallach possesses *any* of the Class I or II wildlife species he listed on his most recent inventory, and he certainly does not appear to possess them at the location he provided to the FWC.

Notably, the Sloth Encounters facility is only a 900 sq. ft. commercial building,<sup>61</sup> which would be dangerously ill-equipped to house 19 or more dangerous exotic animals the size of big cats, alligators, bears, and such similar wildlife. Over the years, Wallach has posted numerous videos and photographs taken from inside Sloth Encounters.<sup>62</sup> None of the animals listed on Wallach's Class I/II wildlife

<sup>58</sup> Ex. 9.

<sup>59</sup> Of note, while the red kangaroo does appear to be housed at Sloth Encounters, Wallach's possession of them at the facility is still in violation of local municipal and zoning codes.

<sup>60</sup> Ex. 28 (August 16, 2023, USDA Inspection Report for Sloth Encounters).

<sup>61</sup> Ex. 29 (Building Certificate for 551 Veterans Memorial Highway).

<sup>62</sup> See generally Larry Wallach, FACEBOOK, <https://www.facebook.com/larry.wallach>; Sloth Encounters, FACEBOOK, <https://www.facebook.com/p/Sloth-Encounters-100083063835790/>; Sloth Encounters Pet Shop, FACEBOOK, <https://www.facebook.com/SlothEncountersLI>.

inventory ever appear in his posts, nor do there appear to be any caging areas sufficiently large enough to house such wildlife at the facility. Rather, Wallach primarily utilizes the property to operate a retail storefront with a small adjacent room where he conducts direct contact sloth encounters. It is hard to believe sufficient space would remain in a 900 sq. ft. building for Wallach to house even one of the Class I/II wildlife he claims to possess, much less nineteen or more.

**ii. Wallach cannot possess dangerous wild animals at the Sloth Encounters facility under both New York State and local municipal laws.**

Not only are these Class I/II animals apparently not in Wallach's possession, but also he cannot legally keep such animals at his Sloth Encounter's facility. In New York, a person must maintain a Dangerous Animal License (DAL) from the NYDEC in order to possess wildlife species "present[ing] a danger to the health or welfare" of the public.<sup>63</sup> Such species include all of the Class I and II wildlife species Wallach allegedly maintains at Sloth Encounters.<sup>64</sup> The NYDEC revoked Wallach's DAL in 2021.<sup>65</sup> As such, Wallach is prohibited from possessing any of the species he lists on his most current inventory in the state of New York.

Further, Sloth Encounters is located in the Town of Islip, which prohibits the possession of wild animals at the retail store front where Wallach's facility is located. Wallach is currently facing criminal charges and civil litigation for his possession of sloths at this facility—animals who are not listed on any of the inventories submitted to FWC.<sup>66</sup> Were Wallach housing any of the Class I/II wildlife species he claims to possess at his Sloth Encounters facility, he would be in further violation of the Town of Islip's code.

There is no evidence that Wallach actually possesses any of the Class I and II wildlife that he lists on his current inventory with the FWC. Even if he did, he would be in violation of both New York State and local municipal laws that prohibit him from keeping these animals at the Sloth Encounters facility. Wallach knows what animals are in his possession, and providing false information to the FWC regarding those animals is intentional, which is a sufficient basis for the agency to revoke his licenses to possess wildlife in Florida.

***B. Wallach has not exhibited any regulated animals in Florida since at least 2020.***

As a mobile exhibitor, Wallach must provide the FWC with an itinerary with his "planned exhibition times and locations" on an annual basis in order to renew his Class I/II and III licenses.<sup>67</sup> In 2020 and 2021, Wallach did not submit itinerary information with his license renewal applications, instead claiming he would notify the FWC 30 days in advance of any events he booked in Florida.<sup>68</sup> PETA received copies of these license applications through public records requests submitted on April 1, 2021 and July 19, 2023, respectively.<sup>69</sup> Both record requests were submitted over a year or more after the FWC received Wallach's renewal applications and requested copies of any itineraries he submitted to the FWC for the applicable license periods.<sup>70</sup> None were received in, or noted as withheld from, either of the FWC's responses, reflecting Wallach never booked any events in Florida during 2020 and 2021.

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<sup>63</sup> 6 NYCRR § 180.1(a).

<sup>64</sup> *Id.* §§ 180(b)(1), (7), (8), (13).

<sup>65</sup> Ex. 2.

<sup>66</sup> Ex. 1 at 5.

<sup>67</sup> FLA. ADMIN. CODE § 68A-6.015(2)(e).

<sup>68</sup> Ex. 12 at 4; Ex. 10 at 4.

<sup>69</sup> Exs. 30-31 (PRR requests submitted to FWC).

<sup>70</sup> *Id.*

Wallach did provide an itinerary with his 2022 renewal applications,<sup>71</sup> claiming that he would be exhibiting animals at the following events:

<b>Wallach's 2022 Itinerary</b>		
<b>Date/Time</b>	<b>Event</b>	<b>Location</b>
10/13/22 – 10/16/22	The 30 <sup>th</sup> Annual Biketoberfest	<u>Daytona International Speedway</u> 1801 W. International Speedway Blvd. Daytona Beach, Florida
11/10/22 – 11/13/22 *Rescheduled for 12/1/22 – 12/4/22	Gator Bike Rally, Fall 2022	<u>Gator Harley-Davidson</u> 1745 US-441 Leesburg, Florida
02/25/23, 12:00 p.m.	Florida Bikefest 2023	<u>Cocoa Beach Fish Camp Grill</u> 5602 N. Atlantic Ave. Cocoa Beach, Florida
03/03/23 – 03/12/23	Daytona Bike Week	<u>Daytona Beach Main Street Pier</u> 1200 Main Street Bridge Daytona Beach, Florida
04/14/23	Tallahassee Bike Fest	<u>Apalachee Regional Park</u> 7550 Apalachee Pkwy. Tallahassee, Florida

There is no evidence that Wallach actually exhibited animals at any of these events. In fact, the *only* evidence that Wallach even so much as *attended* the noted events is his renewal application to the FWC.

All of the events Wallach listed on his itinerary are biker rallies, which do not appear to be events conducive to the exhibition of any animals, much less species such as big cats, bears, and alligators. As outlined below, these rallies invite vendors to set up pop-up tents lining certain streets or parking lots near the routes the bikers drive through. Each individual Class I or II animal at a mobile event must be confined in a cage that is double their body length, “with a width that is equal to the[ir] body length and a height that permits the animal to stand on all fours with head clearance.”<sup>72</sup> For each additional animal housed in the same cage, the length must increase by a minimum of one-third per animal.<sup>73</sup> Mobile exhibitors must also set up a physical barrier to prevent the public from accessing or having direct contact with the animal(s).<sup>74</sup> It is highly unlikely, if not impossible, that Wallach could have met these requirements inside the average 10x10 vendor tent for even one of his Class I or II wildlife.

At best, Wallach exhibited one or two sloths—whom he claims travels with him 24/7<sup>75</sup>—at these events, which he is not authorized to do.<sup>76</sup> That is if Wallach even attended these events to begin with, which seems highly unlikely. Neither the event hosts nor Wallach advertised that he would be exhibiting animals at these events. In fact, Wallach’s social media often advertised or showed him conducting sloth encounters *in New York* on the same dates he told the FWC he would supposedly be exhibiting in Florida. Given Wallach can hardly be in two states at once, it appears that he not only lied about possessing Class I/II wildlife and their location, but also seems to have fabricated his itineraries as well—a further basis for terminating his exhibitor licenses.

<sup>71</sup> Ex. 8 at 7; Ex. 9 at 6.

<sup>72</sup> FLA. ADMIN. CODE § 68A-6.015(2)(a).

<sup>73</sup> *Id.*

<sup>74</sup> *Id.*

<sup>75</sup> Ex. 32 (Sloth Encounters Facebook Post, Oct. 15, 2022) (Wallach comments that two sloths travel with him 24/7).

<sup>76</sup> Sloths are a Class III species in Florida. Wallach has not listed sloths on any of his Class III license renewal applications, and, therefore, cannot currently exhibit them in the state.

**i. The 30<sup>th</sup> Annual Biketoberfest**

The Biketoberfest is an annual four-day bike rally.<sup>77</sup> None of the articles or advertisements for the 30<sup>th</sup> Annual Biketoberfest mention that Wallach, or even any animal exhibits generally, would be present.<sup>78</sup> Wallach is highly active on social media and frequently utilizes Facebook to promote and generate business.<sup>79</sup> Wallach never advertised or even mentioned that he would be exhibiting at the 30th Annual Biketoberfest in Daytona Beach—or any of the events described in his renewal application. Wallach never posted any photos or videos of himself in attendance at these events—with or without his animals.

On October 13, 2022—the first day of Biketoberfest—Wallach posted a *live* video to Facebook, showing that he was at his Sloth Encounters facility in New York that day, not in Florida or even in route to Florida.<sup>80</sup> Not only was he without question in New York on the first day of Biketoberfest, but the event ended just three days later on October 16th. It is unlikely Wallach could manage to transport any Class I or II wildlife supposedly in his possession the 1,071 miles<sup>81</sup> from Hauppauge, New York—the location all Wallach’s animals are supposedly housed—to the Daytona International Speedway and still have had time to exhibit them before the event closed on October 16th.

There are several additional posts depicting Wallach’s sloths being exhibited at private homes (referred to as “home invasions” by Wallach) in New York throughout Biketoberfest.

<b>Evidence of Wallach in New York during Biketoberfest</b>			
<b>Exhibit</b>	<b>Date Posted</b>	<b>Caption</b>	<b>Description</b>
33	10/14/2022	“Sloth invasion from sloth encounters mastic Ny”	Home invasion by Sloth Encounters. Two girls holding sloth on a couch.
34	10/16/2022	“Sloth encounters Sunday”	Home invasion by Soth Encounters. Young girl holding a sloth at a birthday party.
35	10/16/2022	“Happy young man sloth at home Encounter”	Home invasion by Sloth Encounters. Young boy holding a sloth.
36	10/16/2022	“Saturdays are sloth visit days call us”	Home invasion by Sloth Encounters. Two woman and a man holding sloths.
37	10/16/2022	“Sloth Encounters Sunday”	Home invasion by Sloth Encounters. Woman and young girl holding sloths at a birthday party.
38	10/16/2022	“Sloth Saturdays don’t miss out on your home visit with sloth Encounters.”	Home invasion by Sloth Encounters. Woman holding a sloth in a backyard.

While Wallach is not specifically depicted in these social media posts, the only animals he possesses with certainty—those animals listed on his August 2023 USDA inspection report—were. Since these animals cannot be in two states at once any more than Wallach can, Wallach could not have also been exhibiting them in Florida on those dates.

<sup>77</sup> Jim Abbott, *Biketoberfest ready to rumble into 30<sup>th</sup> anniversary event Oct. 13 in Daytona Beach*, DAYTONA BEACH NEWS J. (Sept. 20, 2022, 11:51 AM), <https://www.news-journalonline.com/story/news/local/volusia/2022/09/20/biketoberfest-2022-marks-its-30th-anniversary-oct-13-15-daytona-beach/10365244002/>.

<sup>78</sup> *Id*; see also Jacob Langston, *Biketoberfest gears up for 30<sup>th</sup> annual event after Hurricane Ian cleanup*, LOCAL NEWS 6 (Oct. 5, 2022, 3:48 PM), <https://www.clickorlando.com/news/local/2022/10/04/biketoberfest-2022-soon-to-kick-off-in-volusia-county/>.

<sup>79</sup> See generally Wallach social media accounts, *supra* note 65.

<sup>80</sup> [REDACTED]

<sup>81</sup> A 15 hour and 32 minute drive without traffic, according to MapQuest.

## ii. Fall 2022 Gator Bike Rally

Much like Biketoberfest, the event host never advertised Wallach would be exhibiting animals at the Gator Bike Rally. The host posted several advertisements to their Facebook page during the months leading up to the event,<sup>82</sup> including one that provided a list of food, merchandise, and performance vendors.<sup>83</sup> Wallach, nor any sort of animal exhibitor, is listed among them.<sup>84</sup> Wallach, similarly, never advertised he would be exhibiting at the event either.<sup>85</sup> The Gator Bike Rally was originally scheduled for November 10-13, 2022, but was ultimately rescheduled due to weather for December 1-4, 2022. Even if Wallach could no longer attend the event on their rescheduled dates, these advertisements—or lack thereof—show no indication that he ever intended to exhibit animals at the original rally scheduled for November.

During the rally in December, Wallach appears to have been exhibiting sloths at private homes and at his facility in New York. Wallach posted a picture of himself and a group of guests at Sloth Encounters on December 4, 2022<sup>86</sup>—the final day of the Gator Bike Rally. Wallach also posted on his Facebook page that they had “[a]nother great weekend at [S]loth Encounters Home Invasions” and “were beyond busy,”<sup>87</sup> indicating that he was indeed working in New York for the entire weekend of the Gator Bike Rally. Further evidence of those “home invasions” include the following:

<b>Evidence of Wallach in New York during Gator Bike Rally</b>			
<b>Exhibit</b>	<b>Date Posted</b>	<b>Caption</b>	<b>Description</b>
45	12/1/2022	None	Woman holding a sloth from Sloth Encounters at a mall.
46	12/2/2022	“Sloth Encounters just now[.] [E]veryone loves our sloths. Call and make your home invasion the best [phone number]”	Home invasion by Sloth Encounters. Large group posing with two sloths.

## iii. Florida Bikefest 2023

Florida Bikefest 2023 was a one-day event that took place on February 25, 2023, in Cocoa Beach, Florida.<sup>88</sup> As with the other events discussed, Wallach’s social media posts reflect he was in New York at his Sloth Encounters facility on February 24, 2022<sup>89</sup>—the day before Florida Bikefest. Unless Wallach drove all night, he and his animals could not have traveled the 1,140 miles, an estimated 16+ hour drive, to the rally location in Cocoa Beach by the time the event started at 12 p.m. on February 25th.

## iv. Daytona Bike Week

Harley-Davidson published an “Ultimate Guide” to Daytona Bike Week 2023, covering all the major

<sup>82</sup> Ex. 39 (Gator Bike Rally Facebook Post, Oct. 12, 2022); Ex. 40 (Gator Rally Facebook Post, Nov. 2, 2022); Ex. 41 (Gator Rally Facebook Post, Nov. 12, 2022); Ex. 42 (Gator Bike Rally Facebook Event).

<sup>83</sup> Ex. 40.

<sup>84</sup> *Id.*

<sup>85</sup> See generally Wallach social media accounts, *supra* note 64.

<sup>86</sup> Ex. 43 (Larry Wallach Facebook Post, Dec. 4, 2022).

<sup>87</sup> Ex. 44 (Larry Wallach Facebook Post, Dec. 4, 2022).

<sup>88</sup> Ex. 47 (Advertisement for Florida Bikefest).

<sup>89</sup> Ex. 48 (Sloth Encounters Facebook Post, Feb. 24, 2023) (Wallach holding kangaroos at his New York facility); Ex. 49 (Sloth Encounters Facebook Post, Feb. 24, 2023) (Wallach posing with group of guests at Sloth Encounters); Ex. 50 (Sloth Encounters Facebook Post, Feb. 24, 2023) (Sloth encounter occurring at Wallach’s New York facility).

happenings at the week-long event.<sup>90</sup> The guide outlines that there will be a 200-mile race at the Daytona Speedway, a V8 parade, concerts, bike shows and competitions, group rides and vendors. The types of vendors the guide identifies were to be in attendance included those selling motorcycle-related merchandise, clothing, and accessories. The fairly comprehensive guide highlights that the event is not family-friendly and makes no mention of any animal exhibits or performances.

Wallach, like with the aforementioned events, never publicly advertised that he would be exhibiting at this event.<sup>91</sup> Rather, Wallach posted a Facebook live video<sup>92</sup> of himself at his Sloth Encounters facility in New York—over 1,000 miles away from Daytona Beach—on March 4, 2023, the second day of Daytona Bike Week. Just two days later, on March 6th—right in the middle of Daytona Bike Week—Sloth Encounters posted a photo of Wallach and two of his sloths attending an event with several children present and no bikers in sight.<sup>93</sup>

Evidence on social media further demonstrates that Wallach was conducting sloth encounters and his “home invasion” business in New York throughout Daytona Bike Week:

<b>Evidence of Wallach in New York during Daytona Bike Week</b>			
<b>Exhibit</b>	<b>Date Posted</b>	<b>Caption</b>	<b>Description</b>
53	03/07/2023	“hangin w my son roo”	Woman holding a baby kangaroo at Sloth Encounters.
54	03/07/2023	“Awesome weekend with the fam! There is [a] small place called ‘Sloth Encounters’ in Hauppauge that has sloth and kangaroo playtime. The kids had a blast. 10/10 everyone should hold a sloth at some point in their life!”	Photos of woman and her children holding sloths and playing with baby kangaroos at Sloth Encounters.
55	03/08/2023	“Sloth Encounters pet shop tonight huge sa[le] for first time owners of reptiles and exotic pets”	Photo of large group of children holding sloths and kangaroos at Sloth Encounters to advertise a sale at the shop that day.
56	03/08/2023	“Ruth can boogie with the best of them”	A photo of someone holding a sloth. It is suspected to be Wallach, as it appears to be the same sweatshirt he was wearing at the March 6, 2023 event referenced above.
57	03/08/2023	“Spending night of crazy with my animal handler’s at temple[.] what a crazy night.”	Photo of woman holding sloth at an event with numerous children.

#### **v. Tallahassee Bike Fest**

The Tallahassee Bike Fest was a one-day bike rally that occurred on April 14, 2023, which was advertised to include bands, vendors, bike shows, poker runs, and other “unique biking experience[s].”<sup>94</sup>

<sup>90</sup> *Daytona Bike Week 2023: The Ultimate Guide*, HARLEY-DAVIDSON (Jan. 27, 2023), <https://www.insurance.harley-davidson.com/the-open-road/events/daytona-bike-week>.

<sup>91</sup> See generally Wallach social media accounts, *supra* note 65.

<sup>92</sup> ██████████ (Wallach and others bottle feeding young kangaroos at Sloth Encounters); see also Ex. 51 (showing video was taken live on March 4, 2023).

<sup>93</sup> Ex. 52 (Sloth Encounters Facebook Post, Mar. 6, 2023).

<sup>94</sup> Ex. 58 (Tallahassee Bike Fest Facebook Event).

The event host posted a list of participating vendors expected to attend the event,<sup>95</sup> and after the event to thank all those who participated.<sup>96</sup> Wallach is not included on either list.

Additionally, as the below table reflects, Wallach was in New York conducting sloth encounters and “home invasions” both the day before the Tallahassee Bike Fest, April 13th, and the day after, April 15th. It is highly unlikely that Wallach could have traveled 2,296 miles roundtrip and exhibited his animals at the event all in a single day.

<b>Evidence of Wallach in New York during Tallahassee Bike Fest</b>			
<b>Exhibit</b>	<b>Date Posted</b>	<b>Caption</b>	<b>Description</b>
61	04/13/2023	“NYC detective brings his 6 year old daughter and 11 year old daughter to hold baby cosmo and Ruth our toddler sloth [emojis]”	Young girl holding sloth at Sloth Encounters.
62	4/13/2023	“#sloth #sloths”	Woman feeding sloth during encounter at Sloth Encounters.
63	4/15/2023	“Open and [h]aving a non stop sale of reptiles[,] exotics and all supplies for your animal needs. Saturday, April 15 come on down...”	Photos animals at Sloth Encounters and a brownies troop visiting to advertise a sale happening at the facility.
64 <sup>97</sup>	4/15/2023	None	Live [REDACTED] of Wallach at Sloth Encounters in New York. Wallach gives a tour of the facility.

In sum, Wallach appears to have blatantly and knowingly submitted falsified information to the FWC on his renewal applications in order to maintain licenses for dangerous wild animals that he no longer possesses, and can no longer legally possess in New York. Wallach has failed to exhibit any wildlife in Florida for at least the past three years, if not longer. He does not appear to currently, and in fact *cannot*, possess any Class I or II wildlife at the New York address he provided to the FWC. Even if he possesses such species *somewhere* in the country, he has failed to keep the FWC informed of the physical location of 19+ dangerous wild animals covered by his FWC-issued license. PETA urges the FWC to stop allowing Wallach to skirt by without meeting even the most basic of regulatory requirements and hold him fully accountable for his continued unlawful conduct by terminating his Class I/II and III wildlife licenses pursuant to FLA. STAT. § 379.4015(5).

<sup>95</sup> Ex. 59 (Tallahassee Bike Fest Facebook Post, Apr. 7, 2023).

<sup>96</sup> Ex. 60 (Tallahassee Bike Fest Vendors List).

<sup>97</sup> Reflecting video was taken live on April 15, 2023.