

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

COVER SHEET

Plaintiff(s) Defendant(s) Vs	Case Number : - -
	Type of pleading :
	Code and Classification :
	Filed on behalf of
	(Name of the filing party)
	Counsel of Record Individual, If Pro Se
	Required Information: Name: Address: Phone Number: Email Address:
	Attorney's State ID :
	Attorney's Firm ID :

Kenneth Cramer-Cohen
Bar No. 330490
1065 Big Bend Station Drive
Manchester, MO 63088
(215) 518-8781
ken.cramercohen@gmail.com

—and—

Jake Davis*
CO Bar No. 54032
AK Bar No. 2505026
611 Pennsylvania Ave SE #345
Washington, DC 20003
(513) 833-5165
jdavis@nonhumanrights.org

**Pro hac vice* applicant
Attorneys for Angeline, Savanna, Tasha, Victoria, and Zuri

**IN THE COURT OF COMMON PLEAS
FOR ALLEGHENY COUNTY**

CIVIL DIVISION

NONHUMAN RIGHTS PROJECT, INC., on)
behalf of Angeline, Savanna, Tasha, Victoria, and)
Zuri, individuals,)

Petitioner,)

v.)

ZOOLOGICAL SOCIETY OF PITTSBURGH,)
which owns and operates the Pittsburgh Zoo; and)
DR. JEREMY GOODMAN, the CEO and President)
of the Pittsburgh Zoo,)

Respondents.)

Civil Case No. GD-25-010963

**PETITION OF PETITIONER FOR
SPECIAL AND PRELIMINARY
INJUNCTIVE RELIEF;
[PROPOSED] ORDER FOR
SPECIAL AND PRELIMINARY
INJUNCTIVE RELIEF**

**PETITION OF PETITIONER FOR
SPECIAL AND PRELIMINARY INJUNCTIVE RELIEF**

Petitioner Nonhuman Rights Project, Inc., (“NhRP”) by and through undersigned counsel,
respectfully petitions this Honorable Court for special and preliminary injunctive relief pursuant

to Rule 1531 of the Pennsylvania Rules of Civil Procedure (“Pa.R.C.P. No. 1531”), thereby enjoining the removal of Victoria and Zuri from the Pittsburgh Zoo until the conclusion of the above-captioned matter, for the following reasons.

I. BACKGROUND

On October 21, 2025, the NhRP filed a Verified Petition for a Common Law Writ of Habeas Corpus (“Petition”), which sought (1) the recognition of the common law right to bodily liberty protected by habeas corpus for female African elephants Angeline, Savanna, Tasha, Victoria, and Zuri, (2) a finding that their right is being violated at the Pittsburgh Zoo, and (3) their release from the Pittsburgh Zoo and transfer to a rewilding facility or an elephant sanctuary accredited by the Global Federation of Animal Sanctuaries (“GFAS”). Dkt. 1. The Petition is supported by eight declarations from nine of the world’s foremost elephant scientists (“Expert Declarations”) whose specialties include elephant cognition, elephant psychology, elephant physiology, elephant physicality, and elephant rehabilitation. Pet. at ¶ 13. The Expert Declarations establish elephants are autonomous beings who have highly specialized needs that cannot be met in any captive environment aside from a rewilding facility or a GFAS-accredited sanctuary. *See generally id.* at Exs. A-H.

Shortly before filing the Petition with this Honorable Court, the NhRP was made aware of the Pittsburgh Zoo’s intention to imminently send sisters Victoria and Zuri to the International Conservation Center (“ICC”) for the purpose of forced breeding. Pittsburgh Zoo & Aquarium, *Pittsburgh Zoo & Aquarium Planning Future of Elephant Herd* (Oct. 15, 2025), at: <https://www.pittsburghzoo.org/pittsburgh-zoo-aquarium-planning-future-of-elephant-herd/>. As set forth in the Petition, through reference to the Declaration of Michael Pardo (“Pardo Decl.”), the forced breeding of elephants is a highly invasive process that strips elephants of their

autonomy, leaving them zero decision-making power over one of the species' most joyous occasions.¹ Moreover, contrary to the Pittsburgh Zoo's statement that "the elephant breeding herd plays a vital role in preserving African elephants worldwide," forced breeding of elephants does not contribute to the species' survival as there has never been an elephant bred by an American zoo and then released back into the wild. *Id.* "Rather than breeding endangered animals for eventual release back into their natural environments, zoo breeding programmes breed animals to stock their public exhibits." Liz Tyson-Griffin, Ph.D., Born Free USA Programs Director, *Animal Captivity Is a Dangerous Distraction from Real Conservation Efforts*, Earth.org (Dec. 10, 2024), at: <https://earth.org/wild-animal-captivity/>. "Put simply, deaths of elephants in zoos outnumber births. As a result, zoos are net consumers of elephants rather than guardians of them as the industry would have us believe."² *Id.* As further set forth in the Petition:

Captive breeding programs in zoos remove elephant autonomy over their reproduction, in contrast to the wild where choice is an important component of elephant sexual behavior. Declaration of Michael Pardo ("Pardo Decl.") ¶ 102. Captive breeding in North American zoos most often occurs via artificial insemination. *Id.* This involves first collecting semen from the male by inserting an arm into his rectum to stimulate his prostate. *Id.* A similarly invasive procedure is then performed on the female to insert the semen into her reproductive tract, often multiple times. *Id.* Elephants are usually restrained (with ropes or chains) during these procedures. *Id.*

Pet. at ¶ 11 n.3.

¹ The birth of a wild elephant calf is indeed a joyous occasion; friends and relatives come from far and wide to greet the newborn and trumpet to celebrate the birth. *See, e.g.,* Sheldrick Wildlife Trust, *Yatta's first born wild calf*, at: <https://www.sheldrickwildlifetrust.org/news/updates/yatta-s-first-born-wild-calf> ("Over fifty elephants had appeared that morning to greet and support Yatta and her baby, celebrating the birth with much trumpeting and rumbling, showering Yetu in trunk-kisses and gentle embraces."). This is not the case in captivity. *See generally* Pet. at Exs. A-H.

² *See also* *Elephants in Zoos: A Legacy of Shame*, BORN FREE USA, 31 (May 2022), at: <https://www.bornfreeusa.org/campaigns/animals-in-captivity/elephant-report/> ("The African Elephant Specialist Group of the IUCN Species Survival Commission . . . has stated that it does not see any contribution to the effective conservation of the species through captive breeding per se.") (citation omitted).

Victori and Zuri have also already suffered extreme psychological harm having been forcibly separated from their mother, Moja, when in 2014 the Pittsburgh Zoo sent Moja to the Winston Wildlife Safari in Oregon. *Id.* at ¶ 82 (citing Pardo Decl. ¶ 113). Moving Victoria and Zuri from the Pittsburgh Zoo, and from the elephants with whom they have now created life-long bonds, will only deepen the substantial emotional trauma they have carried since 2014 because wild female African elephants live with their mothers and in matriarchal herds for life. *Id.* Ultimately, Victoria and Zuri will lose their adoptive family in favor of insidious exploitation, a vicious cycle of placement, removal, and impregnation for the sole purpose of increasing the Pittsburgh Zoo's bottom line.

II. LEGAL STANDARD

“A court shall issue a preliminary or special injunction only after written notice and hearing unless it appears to the satisfaction of the court that immediate and irreparable injury will be sustained before notice can be given or a hearing held.”³ Pa.R.C.P. No. 1531(a). “Although the former equity rules made minor distinctions between ‘special’ and ‘preliminary’ injunctions, the current Rules of Civil Procedure treat them exactly alike and the words are used interchangeably.” *Special injunctions*, 15 Standard Pennsylvania Practice 2d § 83:11; *SBG Mgmt. Servs., Inc. v. Philadelphia Gas Works*, 341 A.3d 242, 247 (Pa. Commw. Ct. 2025) (“A special injunction is the same as a preliminary injunction.”).

“‘[T]he purposes of a preliminary injunction are to preserve the status quo and prevent imminent and irreparable harm which might occur before the merits of the case can be heard.’”

³ *Rosenzweig v. Factor*, 457 Pa. 492, 493 (1974) (“We note that under Pa.R.C.P. 1531(d), any preliminary or special injunction granted without notice to the defendant is deemed dissolved unless a hearing on the continuance of the injunction is held within 5 days after it is granted (or within such other time as the parties may agree or the court upon cause shown may direct).”).

Constantakis v. Bryan Advisory Servs., LLC, 275 A.3d 998, 1016 (2022) (citation omitted). ““The status quo to be maintained by a preliminary injunction is the last actual, peaceable and lawful noncontested status which proceeded the pending controversy.”” *Id.* at 1031 (citation omitted). “The law of this Commonwealth requires that a petitioner seeking a preliminary injunction must establish every one of the following prerequisites.” *Id.* at 1022.

The party must show: 1) that the injunction is necessary to prevent immediate and irreparable harm that cannot be adequately compensated by damages; 2) that greater injury would result from refusing an injunction than from granting it, and concomitantly, that issuance of an injunction will not substantially harm other interested parties in the proceedings; 3) that a preliminary injunction will properly restore the parties to their status as it existed immediately prior to the alleged wrongful conduct; 4) that the activity it seeks to restrain is actionable, that its right to relief is clear, and that the wrong is manifest, or, in other words, must show that it is likely to prevail on the merits; 5) that the injunction it seeks is reasonably suited to abate the offending activity; and 6) that a preliminary injunction will not adversely affect the public interest.

Id.

III. ARGUMENT

(1) Victoria and Zuri will suffer immediate⁴ and irreparable harm if they are allowed to be moved from the Pittsburgh Zoo to the ICC during the pendency of this matter. Not only will Victoria and Zuri lose their one opportunity to be released from their unlawful confinement, but they will also be subjugated to forced breeding, which will further violate their autonomy by taking away their decision-making over reproduction. Both elephants risk successful artificial inseminations that would burden them with forced offspring, calves who may one day themselves be removed for forced breeding opportunities and thus cause Victoria and Zuri to suffer even more emotional trauma. Damages cannot compensate the loss of one’s bodily liberty and the devastating physical

⁴ “Very soon [Victoria and Zuri] have a big move coming.” CBS Pittsburgh, *Pittsburgh Zoo moving 2 elephants to conservation center with hope of growing herd*, 00:29, YOUTUBE (Oct. 16, 2025), at: https://www.youtube.com/watch?v=jgmPfw_I2LU.

and psychological harm of being forcibly impregnated and then having your calf taken from you; as Victoria and Zuri were taken from their mother, Moja, by the same zoo.

(2) Far greater harm will result from refusing an injunction because Victoria and Zuri will be relegated to a lifetime of subjugation and forced invasions of their autonomy without any opportunity for the liberty at stake in this matter. Maintaining the status quo of having Victoria and Zuri remain at the Pittsburgh Zoo, where they have been since September 12, 1999, and July 25, 2008, respectively, will not harm any interested parties in the proceedings. Pet. at ¶ 11.

(3) As of the filing of the Petition, Victoria and Zuri had not left the Pittsburgh Zoo. The NhRP requests that this does not change until the conclusion of the above-captioned case.

(4) The NhRP is likely to prevail on the merits of the Petition. The Petition establishes a prima facie case of unlawful confinement. Specifically, the Petition establishes that (a) the elephants have the common law right to bodily liberty protected by habeas corpus and (b) their right is being violated because the Pittsburgh Zoo is depriving them of their ability to exercise their autonomy. Having established a prima facie case of unlawful confinement, this Court will be required to issue an order to show cause (“OSC”) pursuant to 42 Pa.C.S. § 6504. Once the OSC is issued, the NhRP is likely to prevail on the merits of the Petition because it is irrefutable that the elephants are autonomous, and it is irrefutable that their autonomy is being violated by the Pittsburgh Zoo, which means the elephants are being illegally confined under the common law and entitled to habeas corpus relief.

(5) The injunction is reasonably suited to abate the offending activity, which is the Pittsburgh Zoo’s current plan of transferring Victoria and Zuri from the Pittsburgh Zoo to the ICC.

(6) Victoria and Zuri remaining at the Pittsburgh Zoo (where they have always lived) through the duration of this matter will not adversely affect the public interest because their confinement at the

Pittsburgh Zoo has been the status quo. On the other hand, an injunction will not adversely affect the public interest because the public no longer accepts the misinformation espoused by zoos to justify the confinement of autonomous and extraordinarily cognitively complex individuals like Victoria and Zuri. In an analogous case, almost 1.5 million individuals called for the release of an elephant named Happy from the Bronx Zoo to a GFAS-accredited sanctuary. *End Happy the Elephant's 10 Years of Solitary Confinement*, Change.org, at: <https://www.change.org/p/end-happy-the-elephant-s-10-years-of-solitary-confinement>. This case is likely to generate similar interest because the Pittsburgh Zoo is even more impoverished than the Bronx Zoo. *See, e.g., 10 Worst Zoos for Elephants 2019, #1 Worst Zoo, Pittsburgh Zoo, Pittsburgh PA*, IN DEFENSE OF ANIMALS, at: <https://www.idausa.org/campaign/elephants/10-worst-zoos-for-elephants-2019/>.

IV. CONCLUSION

WHEREFORE, the NhRP prays that this Honorable Court:

1. Issue a special injunction, enjoining and restraining Respondents Zoological Society of Pittsburgh, which owns and operates the Pittsburgh Zoo, and Dr. Jeremy Goodman, the CEO and President) of the Pittsburgh Zoo (collectively, "Respondents"), their officers, their agents, members, representatives, employees, and other persons, known or unknown, acting in their behalf or in concert with them, until hearing and thereafter until further Order of this Court, from causing Victoria and Zuri to leave the Pittsburgh Zoo under any circumstances, known or unknown.
2. Issue an Order setting a hearing date to determine why a Preliminary Injunction Should Not be Ordered enjoining Respondents and those acting in concert with them, from the act described.
3. Award the NhRP such other relief as may be just and proper.

/s/ Kenneth Cramer-Cohen
Kenneth Cramer-Cohen

Attorney for Angeline, Savanna, Tasha, Victoria, and Zuri

Kenneth Cramer-Cohen
Bar No. 330490
1065 Big Bend Station Drive
Manchester, MO 63088
(215) 518-8781
ken.cramercohen@gmail.com

—and—

Jake Davis*
CO Bar No. 54032
AK Bar No. 2505026
611 Pennsylvania Ave SE #345
Washington, DC 20003
(513) 833-5165
jdavis@nonhumanrights.org

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Attorneys for Angeline, Savanna, Tasha, Victoria, and Zuri

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**[PROPOSED] ORDER FOR
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AND NOW _____ day of October 2025, upon consideration of the Verified
Petition for a Common Law Writ of Habeas Corpus (“Petition”) and Petition of Petitioner for
Special and Injunctive Relief and having determined:

- (1) Victoria and Zuri will suffer immediate and irreparable harm if they are allowed to be moved from the Pittsburgh Zoo to the International Conservation Center during the pendency of the above-captioned matter;
- (2) Greater harm will result from refusing an injunction because Victoria and Zuri will be relegated to a lifetime of subjugation and forced invasions of their autonomy without the opportunity to prevail in the above-captioned matter;
- (3) Injunctive relief will maintain the status quo of this lawsuit as it existed immediately prior to the filing of the above-captioned matter;
- (4) The Petition establishes a prima facie case of unlawful confinement;
- (5) Injunctive relief is reasonably suited to abate the offending activity;
- (6) An injunction will not adversely affect the public interest;

IT IS HEREBY ORDERED AND DECREED THAT:

1. Respondents, their officers, agents, members, representatives, employees and all other persons, known or unknown, acting in their behalf or in concert with them are hereby ENJOINED from engaging in or causing any of the following acts:
 - (a) Removing, or causing to be removed, Victoria and Zuri from the Pittsburgh Zoo to the International Conservation Center during the pendency of the above-captioned matter.
2. Any violation shall be sufficient reason for holding the Respondents so violating in contempt upon due and proper notice to this Court, pursuant to the rules governing the Courts of Pennsylvania.
3. NhRP shall file with the Court security in the amount of \$_____.00 as required by the provisions of Pennsylvania Rule of Civil Procedure 1531.
4. The Sheriff of Allegheny County and all local law enforcement agencies having jurisdiction over the enjoined parties are hereby directed to take all steps necessary to enforce the provisions of this Order.
5. The NhRP or its agent(s) is hereby authorized to serve copies of this Order for Special and Injunctive Relief upon Respondents and all those acting in concert with them.
6. A Rule to Show Cause why Preliminary Injunction should not be Ordered shall issue.
7. This Order shall remain in full force and effect until such time as this Court specifically orders otherwise.

Honorable: _____

Date: _____