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**FOR IMMEDIATE RELEASE**

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The lawsuit regarding the July Tuscarora wild horse roundups and First Amendment Rights had some initial victories that I am not sure many people are aware of. I also wanted to give an update on *the action still pending on this lawsuit*.

As you know from reading the filings which are available on [www.grassrootshorse.com](http://www.grassrootshorse.com), *the lawsuit sought to have the Tuscarora roundup postponed until after peak foaling season. This would be in accordance with BLM's own policy on what they consider foaling season, which was outlined in their newly updated WH&B Program Handbook*. We just have to look back to previous wild horse roundups and remember especially the immense suffering of the young foals and the heavily pregnant mares.

*The lawsuit also sought that the public and press be allowed access to view the roundups and be able to document them as part of witnessing our government in action.* The BLM has been regularly denying the public access to view the round ups all together and closing public lands as well. These are both in direct violation of our First Amendment rights that are granted to us in the US Constitution.

*Thirdly, the action asked that the judge require the BLM to view the three roundups included under the umbrella name of Tuscarora as three separate roundups as they involve three separate herd areas.* Those are Owyhee, Rock Creek and Little Humboldt herd areas.

**This lawsuit was an important one, further evidenced by Judge Hicks stating he was presented with a classic Hobson's choice, meaning both sides had presented compelling arguments.**

The BLM began the roundup on schedule, and within the first hours seven horses were dead from roundup related issues. The BLM stopped of their own volition. Judge Hicks granted us a temporary restraining order (TRO) to stop the roundups until he heard the case in court. At this point the BLM testified in open court that a water emergency now existed in Tuscarora and that many horse lives would be lost if they could not conduct what they were now claiming was an 'emergency gather.' Judge Hicks believed the BLM's testimony, and not wanting horse lives to be lost , he lifted the TRO.

**Judge Hicks did rule that the BLM had indeed violated our First Amendment Rights. He ruled the BLM must allow both the public and press access and that it was unlawful to close public lands. He further ruled in our favor that the Tuscarora roundup needed to be recognized as three separate events and the public must be allowed access to the roundups.**

The basis of our case, which is now pending, is a result of the BLM denying the public and press access to the roundups and the use of intimidation to do so. This is in direct violation of Judge Hick's ruling. Also included in the case now pending is that no water emergency existed in Owyhee and that while the BLM

testified before the judge that there were no fences, no cattle and no water in Owyhee, there actually were all three present.

That case, which is asking Judge Hicks to find the BLM in Contempt of Court, is on Judge Hick's desk now, waiting the BLM's answers to the allegations.

This is an historic case, which has set two legal precedents.

Grass Roots Horse has no interest except in the welfare of the wild horses and burros. We keep our laser focus on our goal, which is to stop the wild horse roundups and do all we can to help facilitate positive changes for the wild horses and burros.