



# BILLY BEHIND BARS

# Statutory Basis for Standing

C.C.P. Section 526a – permits “(a) An action to obtain a judgment, restraining and preventing any illegal expenditure of, waste of, or injury to, the estate, funds, or other property of a local agency, may be maintained ...”

We pursued two of the three available prongs.





The Trial Court found in our favor on the “Illegal Expenditure” clause, relying upon violations of animal cruelty statutes...AND it then made the following findings on our “Injury to Public Property” claim:

“It is undisputed that elephants are property... For the reasons stated above, the court finds that **plaintiff has met his burden of proof** that the Elephants of Asia exhibit of the Los Angeles Zoo **is injuring** the three elephants who live there.”

So, we had two independent bases for standing! While the animal cruelty Penal Code theory was contested, the injury prong was beyond dispute.





And yet, despite that finding, with only the following limited statement, the Trial Court **refused to enjoin the Zoo** from continuing to injure their elephants!

His rationale?

“The parties concede that **there are no reported cases [addressing] the injury” provision** ... and plaintiff has not provided any applicable legal standard against which the court could measure or “test” defendants’ injurious (but not abusive) conduct toward the elephants in the Los Angeles Zoo. **Plaintiff is not entitled to relief under the “injury” provision** of Code of Civil Procedure section 526a.”







## The Court of Appeals findings on our claim

After multiple trips to the Court of Appeal, they ultimately affirmed the "Illegal Expenditure" finding in our favor, **while acknowledging** that we were appealing the finding against us on the Injury to Public Property claim:

But, their decision said literally nothing about the “injury” issue on appeal.





The City relied on an adverse, factually distinguishable decision in northern California and convinced the Supreme Court to take up our case.

After oral argument, without questions from any Justice, or City argument on this issue the Supreme Court decision judicially emasculated the express statutory language of Section 526a.

Without finding Section 526a unconstitutional, they just concluded that **no taxpayer can file such civil actions, to enjoin animal abuse** which, in fact, violates existing California Animal Cruelty laws.

They made that finding despite the fact that the case was filed based on a **civil statute**, expressly authorizing **only injunctive relief**! Even so, they stated:

“No private citizen...**may institute criminal proceedings independently...**[and]

“Leider was permitted to exercise the discretion reserved for the district attorney **with regard to enforcement of the criminal law.**”



Their logic...offered without briefing on this narrow (civil vs. criminal) issue, and no oral argument questions to explore it, was as follows:

"Simply stated, the City violations of the Animal Cruelty statutes **could have been** prosecuted as a crime. Had that happened, the criminal defendant, the City, **would have been** entitled to a jury trial."

What they failed to acknowledge was that our case did not seek a criminal penalty, and in fact, **only the City Attorney's office or the District Attorney's offices were authorized to enforce criminal laws.**

Notably, this undeniable fact, coupled with the refusal of the City to request a jury trial, reveals the truth about this flawed argument. Not only did the City Attorney have the right to prosecute this blatant animal cruelty, the City Attorney had a direct conflict. They chose not to do so, preferring to **DEFEND** the City against this Civil case, than to **ENFORCE** the criminal law.

In short, the City had a serious conflict of interest, which was never raised or explored because the Court did not mention this new issue during oral argument. Instead, it sua sponte emasculated a longstanding **CIVIL** statute which is now effectively unavailable for use to this day!



And what did the Supreme Court say about the undisputed trial Court finding that the City **was, in fact, injuring the Los Angeles Zoo elephants....** which are undeniably **City property**?

Like the Court of Appeal, they **literally ignored the issue entirely!**

This is particularly significant given their other conclusions, because unlike the “**illegal expenditure**” prong of Section 526a, the “**injury to public property**” prong **DOES NOT involve any criminal laws!**

The sad truth is that the City Attorney's office has long chosen to ignore the City Zoo violations of the California Animal Cruelty laws and injuries to animals.

Rather than prosecute the Zoo to enforce the animal criminal laws, as the City Attorney's office should have been doing, they ignored their statutory duty as part of a blatant conflict of interest.

Rather than prosecute the Zoo, the City chose to **defend our civil case, and allow the Zoo to ignore the ongoing animal cruelty violations at issue!**

At the same time, the City Attorney's office **refused to enforce the "injuring public property" prong of Section 526a** leaving the suffering Zoo animals without any protection from the many violations of the Civil and Criminal laws.



A close-up photograph of an elephant's head and tusks, viewed through a metal cage with horizontal bars. The elephant's skin is dark and wrinkled, and its tusks are white and curved. The background is a sandy, arid landscape under a clear sky.

So, Billy is still behind bars...




The first not-for-profit streaming channel  
dedicated to saving animals and the planet.

100% of your membership fees go to an NGO you choose!







A close-up, high-resolution photograph of a lion's face, focusing on its eyes, nose, and whiskers. The lion has a golden-brown coat and intense orange eyes. The background is dark and out of focus.


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DEVICES, INCLUDING APPLE TV.**

**WE FREE TO SCHOOLS WORLDWIDE.**

**OUR MISSION IS TO EDUCATE AND  
INSPIRE...TO BE THE CHANGE WE  
NEED TO SEE!**



A close-up photograph of two blue parrots, likely Hyacinth Macaws, perched on a branch. They have vibrant blue feathers and a distinctive yellow ring around each eye. The parrot on the right is slightly higher and has its beak open, while the one on the left is looking towards it. The background is a soft-focus green, suggesting a natural habitat.

**AT THE SAME TIME, WE ARE  
ALSO TRYING TO ADDRESS  
SEVERAL PRESSING ISSUES  
WHICH NO ONE ELSE SEEMS  
TO BE TRYING TO FIX...**

An aerial photograph of a whale breaching the ocean surface, creating a large splash. Two white drones with yellow and green lights are flying in the sky, one on the left and one on the right. The background shows a calm sea and distant mountains under a clear sky.

# WHALE WATCH

Drone-based Marine  
Mammal Observation

The first open ocean system to save whales

ecoflix



# System overview

- Autonomous sophisticated two drone system for all ocean crossing vessels
- Drone pairs fly in front of ships to spot whales in time to take avoidance action
- Drones use artificial intelligence to calculate necessary remedial action
- Drones immediately notify the bridge with required course correction data and live video feed
- All data is stored and sent by satellite to a global database for multiple uses



## WHALE WATCH ALERT

Steer 10°  
Starboard

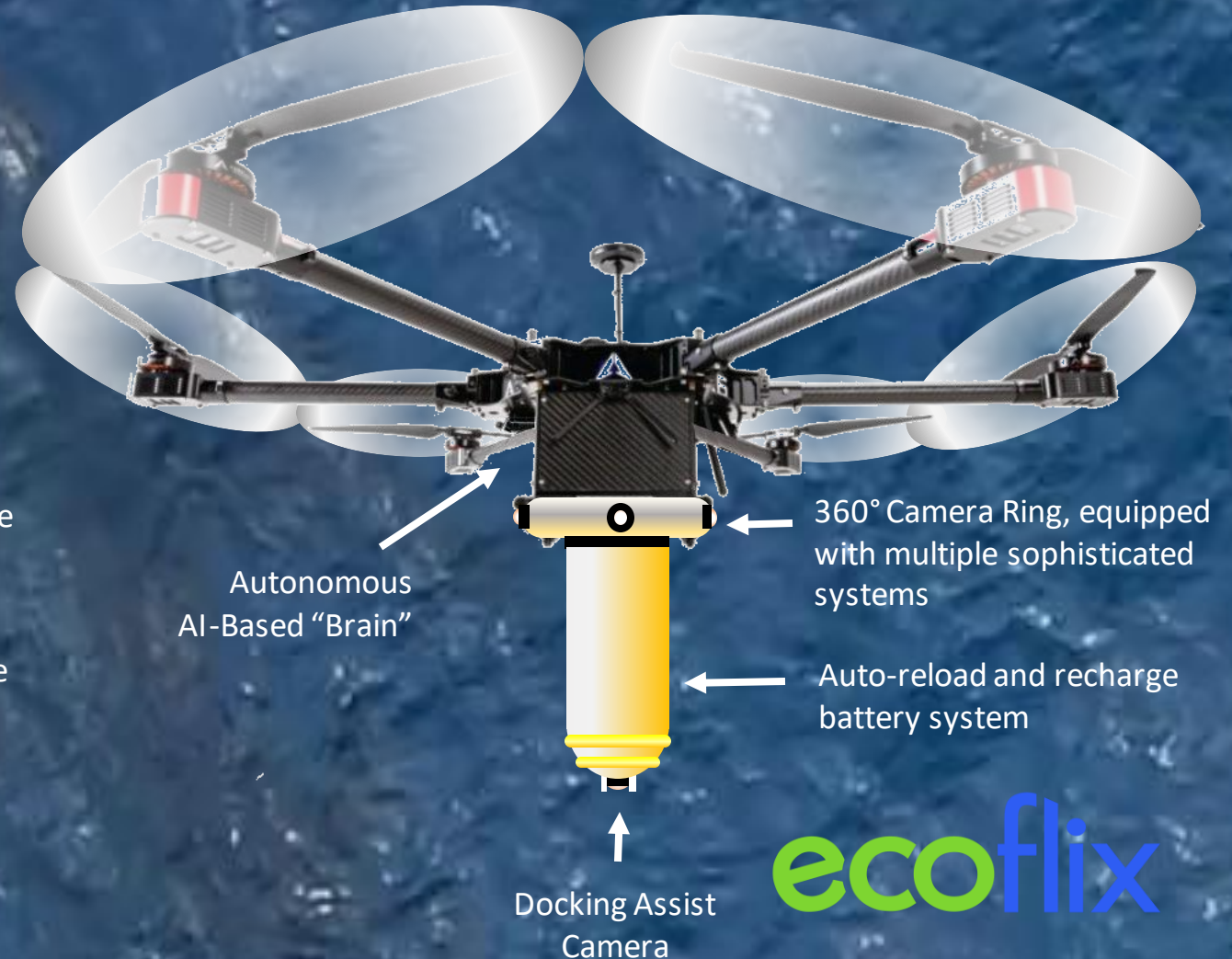


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# The Drone

- *No pilots required - Totally Autonomous*
  - Drones take off, follow ship movements, finds whales, recharge and land completely automatically
- *360° Multi-purpose camera views*
- *Built-in AI-based Intelligence designed for:*
  - Auto-identification of marine mammals
  - Auto-tracking of other designated targets
  - Ship/Whale route calculations and collision avoidance
  - Auto-notification of whale locations to the ship bridge
  - Automatic recording and upload of event log to a global database available for carbon credit and scientific uses
- *Automatic Battery Recharge and Reloading*
  - Every drone can return to base, drop its spent battery then move on reserve power to pick up a fresh battery
  - All drones are designed to withstand ocean weather conditions, with low maintenance, permitting long-term unattended operation

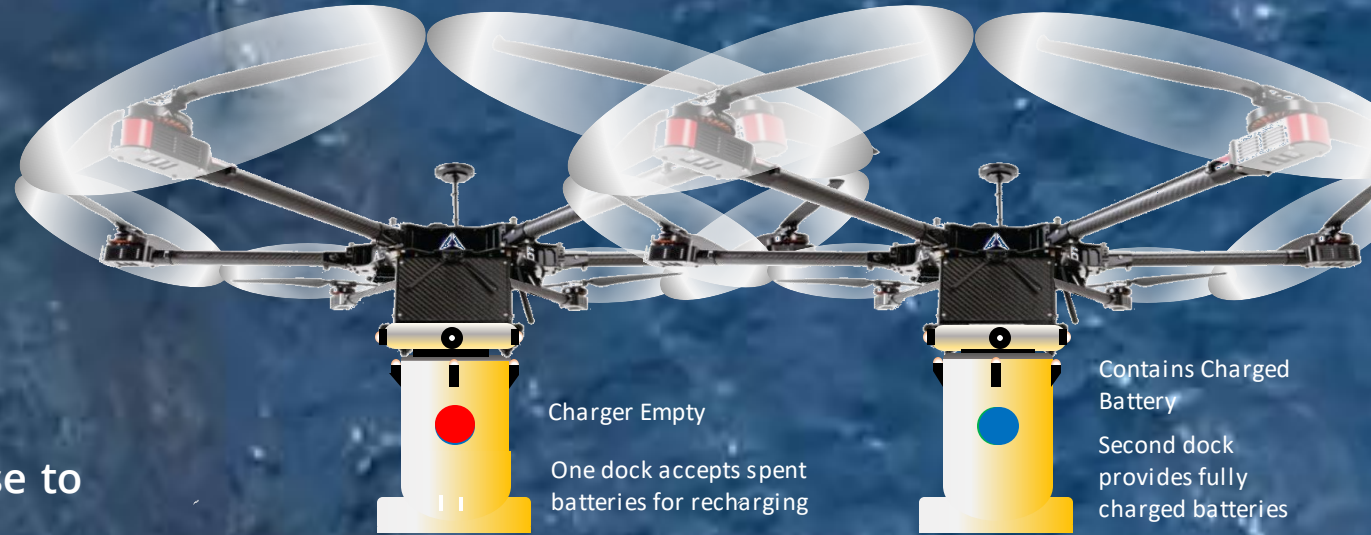


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## Automatic Battery Recharge

- Drones detect low battery status and automatically return to on-ship recharge stations
- Drones then dock into empty charging receiver
- Drones drop low battery then fly to an adjacent base to accept a fully charged battery
- With new battery in place, they resume monitoring





# System Benefits

- Provide first ever system to detect and saves whales in the open ocean
- Eliminate need for manpower to detect whales to avoid ship strikes
- Allow the collection and sharing of international whale data
- Provide financial (carbon credit) incentives for shippers to avoid whales