

McDermott Will & Emery

Boston Brussels Chicago Dallas Düsseldorf Frankfurt Houston London Los Angeles Miami
Milan Munich New York Orange County Paris San Francisco Seoul Silicon Valley Washington, DC

Strategic alliance with MWE China Law Offices (Shanghai)

Jeremy White
Attorney at Law
jmwhite@mwe.com
+1 202 756 8694

November 26, 2018

**BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Shane Jeffries
Ochoco National Forest Supervisor
3160 NE Third Street
Prineville, Oregon 97754

Dear Mr. Jeffries,

This law firm, McDermott Will & Emery LLP, represents the Animal Legal Defense Fund (“ALDF”) in connection with the Ochoco National Forest Service’s (“Ochoco Forest”) interpretation of the Wild Free-Roaming Horses and Burros Act of 1971 (the “Act”) and associated regulations, particularly concerning the supplemental feeding of wild horses during severe winter conditions. It is our understanding that the Ochoco Forest has taken the position that it intends to criminally prosecute anyone who provides supplemental feed to wild horses, regardless of extreme winter and forage conditions or where and how the feeding occurs. As addressed below, this position is improper, unprecedented, and inconsistent with clear congressional intent and should be withdrawn immediately.

Further, the stated position of the Ochoco Forest is contradictory and outside the spirit of previous Memoranda of Understanding (“MOU”) in place for over ten years between the Ochoco Forest and the Central Oregon Wild Horse Coalition (“Coalition”). These MOUs established a collaborative and cooperative arrangement between the two parties, with the purpose of ensuring a thriving wild horse herd contemplating that the Coalition would provide practical assistance in support of the wild horse herd’s welfare.¹ We request that a new Memorandum of Understanding be commenced between Ochoco Forest and the Coalition to allow the Coalition to continue providing practical assistance and support, including the provision of feed to wild horses during severe winter conditions.

¹ See Exhibit A for an attachment of the most recent Memorandum of Understanding between Ochoco Forest and the Coalition.