

Dear Mr. Holton,

My name is Jeff Duff and I am the director of Derby City Dog Rescue (DCDR). DCDR is an all-breed, foster based, 501(c)(3) dog rescue that gives individual dogs, who would otherwise be destroyed in area animal shelters, a second chance at life by providing foster homes, basic care, and medical care until final adoption as a valued family member.

I am writing you today in an effort to resolve this issue amicably and it is my hope that providing you this information up front, that this can be accomplished.

On January 7, 2019, we were contacted about a Dachshund that was owner surrendered on January 5, 2019 1:52 pm as a euthanasia request. The shelter staff asked the owners if they would be able to search for possible rescue to take him in and they were okay with this option. The owners who surrendered him stated that he had been a family dog for twenty-two years; the first two years with their daughter and the last 20 years with them. His intake medical records at LMAS indicated that he appeared to be blind, weighed 8.8 pounds, was unaltered, and was missing some teeth. He received Bravecto, Pyrantel, DAPP, Canine Influenza and Bordatella vaccinations upon intake and Rabies and a Microchip (registered to DCDR) upon his transfer out. Upon further review, it was determined that his teeth were significantly deteriorated and needed immediate attention. Brownie was transferred to DCDR's possession by LMAS on January 10, 2019. Brownie underwent a surgical procedure on January 15, 2019 to remove all of his rotten teeth (17 in total) and a neuter at Elk Creek Animal Hospital.

On Monday January 14, 2019 at 9:17 pm, we were contacted via Facebook Messenger by your client stating that her dog was stolen 5 years ago and that she thought that Brownie was that dog (Entire Facebook conversation is copied below). During that conversation, we asked for evidence that Brownie was her dog. The only evidence that was provided was a single medical record from Shively animal hospital, a letter that she was an excellent pet owner from Shively Animal Hospital, and an ongoing client at Fairleigh Animal Hospital and a good owner (received January 17, 2019 and attached below).

In the medical record that was provided, there are several items I believe are cause for concern regarding whether brownie is in fact her dog that was stolen from her yard 5 years ago. I will list them below.

1. Weight
  - a. Weight of Fred on 8/8/09 was 10.5 lbs
  - b. Weight of Brownie on 1/9/19 was 8.8 lbs
2. Altered
  - a. According to the medical record provided to us, Freddie was a neutered Male
    - i. Client indicated during messaging that he was unaltered
  - b. Brownie was unaltered until he underwent a dental procedure and neuter after being taken into DCDR.
3. Age
  - a. Your client states that Freddie would be 22. Medical record indicated age at 18
4. White out
  - a. Part of the record has been covered up and unable to be read.

Your client provided a photograph comparison with “our picture” in the bottom left and her pictures on the bottom right and top. The bottom right picture is hard to see, but if you compare the length of the ears, it appears that Brownie’s ears are quite a bit longer reaching past the bottom of his lower jaw.



In my last correspondence with your client just prior to my receipt of the letter from you, I stated to your client that I sympathized with her situation and in an effort to rectify it, I would agree to an x-ray of the front sinus area to determine history of a broken and healed frontal sinus area as indicated in the medical records dated September 4, 2009 from Shively Animal Clinic. On Saturday January 19, 2019 we took Brownie to our vet (Elk Creek Animal Hospital) in an attempt to get this x-ray completed. Unfortunately, we were informed by the Veterinarian (Dr. Jim Chambers) that an unrepaired fracture of this sort would be very difficult if not impossible to see on x-ray unless there was hardware put in place via a surgical repair. During this medical evaluation, we asked Dr. Chambers to review the claims that her dog has lines/scars on his back and rear legs. He looked brownie over and could see no scars or indications of previous surgeries to these areas.

Your client reached out to me personally via Facebook Messenger which I have also included in this document.

The latest piece of information that I have for you is that as of January 21, 2019, your client has taken to social media (Screenshot attached directly below) stating “Pretty sad when u have to get a lawyer and go to court to get ur 22 year old dog back from a rescue who’s refusing to give ur stolen dog back. See u there I don’t give up on my babies and I promise u I will get the news involved and EVERYBODY will see ur messages and kno what kind of heartless ppl u are!!!! That’s a promise”

I do not feel that this is in the best interest of resolving this issue. If your client persists with threats on social media, I will have to consider releasing a statement and I do not wish to escalate things in that manner.



Mr. Holton, with the information that I have gathered and have lined out above, I do not feel like Brownie is in fact your client’s dog that was stolen from her yard 5-6 years ago. I really sympathize with the heartbreak it must have been for her to lose her dog. I’m sorry for the pain that must have caused.

David Holton

January 21, 2019

If you require anything further from me, please let me know.

Jeff Duff

Director, Derby City Dog Rescue

**Start of Facebook Messenger conversation**

Mon 9:17 PM



Redacted



### Carrie's Post



This little guy was surrendered to **Louisville Metro Animal Services** and his owner requested that he be euthanized. Thankfully the awesome folks at the shelter thought he deserved to live & asked **Derby City Dog Rescue** if they could help. His teeth have probably never been cleaned and as a result, he's going to lose all of them, tomorrow. He'll be neutered as well. Please keep "Brownie" in your thoughts. If you'd like to donate to his medical expenses, any amount would be appreciated. Thank You. ❤️ (Not a fan of the name, but he's a senior & don't know if I want to change it.)



Thank you for messaging us! Please be advised that DCDR is entirely volunteer based and we will get back to you as soon as possible. If you are requesting DCDR accept your pet into our rescue, please note that we get numerous messages every week requesting us to take people's pets. It's simply not possible to respond to every request we receive. If you receive no further response within 48 hours, then be advised we simply cannot take your pet at this time. All other messages will be forwarded to the proper board member within the rescue for response depending on the nature of the inquiry. Thank you, ~ Tonya, Outreach Coordinator, DCDR



Redacted

Mine was stolen 5 years ago

He was not neutered bc he was old when I got him and I was scared he wouldn't do well sedated.

He also had seizures







This was him but now he would be older looking now 🙏

Derby City Dog Rescue

Hi Redacted, The owner who surrendered Brownie stated that he was 22 years old and that she had him 20 of those years with her daughter having him for 2 years. She did mention any seizures but we have not had him long enough to know if he does. Did your dog have any identifying marks or was he microchipped?



Redacted

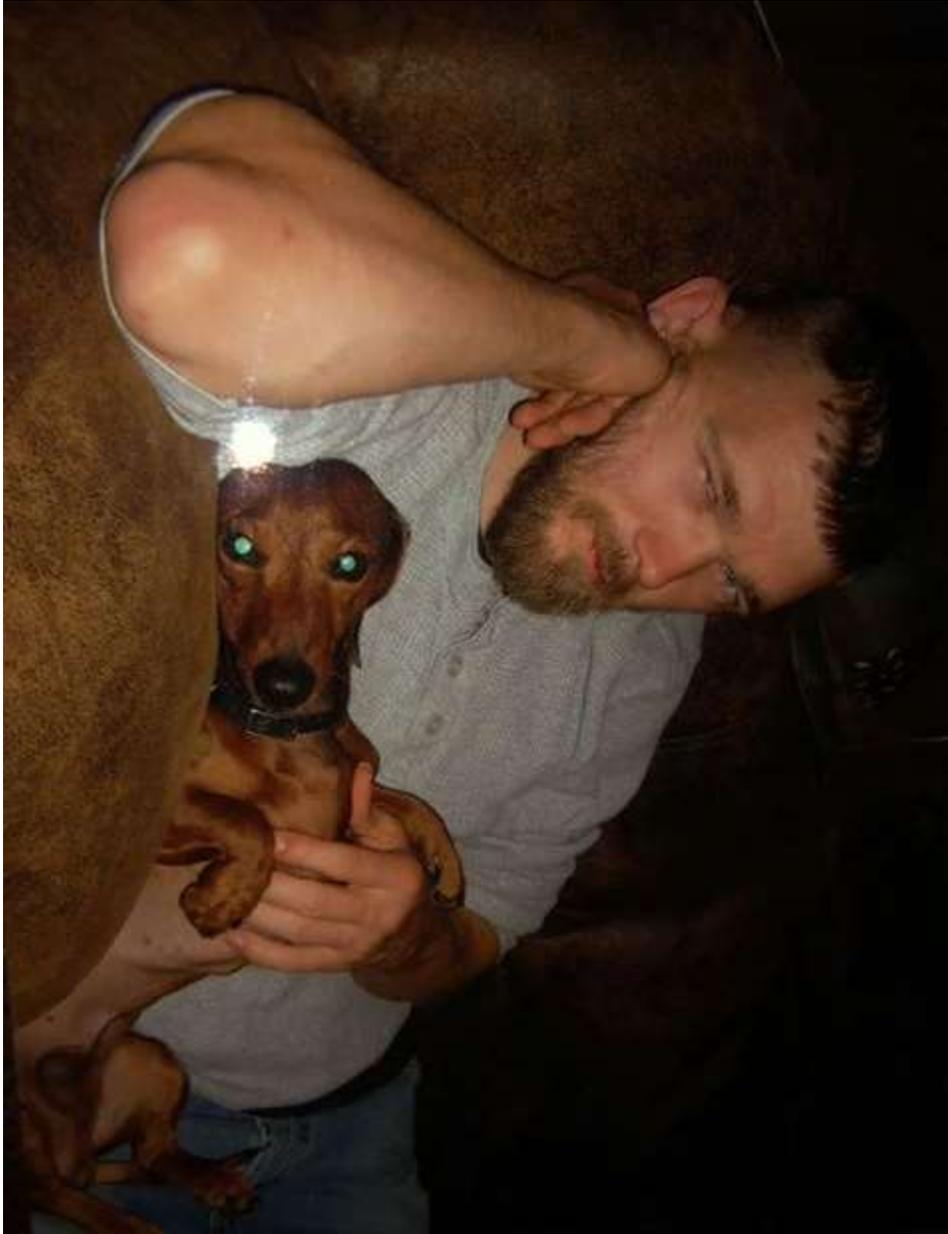
A a line on low back and a line on leg

I got him from someone who said his back had been broken previously

Back leg







Hates his nails cut

When I had him his name was freddie we called him Fred for short



Redacted

He wasn't microchipped when I had him but whoever took my dog could've microchipped him

I have records at shively animal clinic and Dixie animal clinic

Can I come to your rescue and see if it's my dog?

██████████ (Phone number redacted)

Is my number

Derby City Dog Rescue

We do not have a physical location. Unfortunately it may be hard to determine. I'm not sure that the lady who surrendered him would have made up a story that she had a dog for 20 years. I could see saying he was old and had him awhile but this lady said she or someone in her family had him his entire life. He is having surgery tomorrow that he desperately needs. He only has a few teeth and they are really bad. Vet says they have to come out now. I will ask the foster to look over Brownie to see if he has those marks. Anything else we really would need to table until he has recovered from his surgery.



Redacted

So ur telling me that I can't come see if he is my dog? Ppl lie she could've made that story up... I have pictures and medical records what else would I need?

He's in his 20s of course his teeth would be bad especially if that lady wasn't feeding him good food

Mine was a smaller one too so he was like 8 lbs

Derby City Dog Rescue

I totally understand that people can lie. And i am not saying that you will not be able to meet him. But we first have to think about this dogs health. And just having pictures and medical records of a dog that could look similar does not necessarily mean it is your Freddie. We cannot just assume that it is. A lot of dachshunds look very similar. And I'm not saying it isn't possible that it is him. I'm just saying he needs to get this medical issue taken care of tomorrow.



Redacted

Ok so after surgery then we can set it up

I mean I reported my dog stolen to metro

And posted on Fb and had signs

I think I would know if it was my dog

Plus he would remember me

He's a small skinny build too

And really his scars could've healed bc it's been years so we still need to set up a day

But he did have s line on back leg and low back

Derby City Dog Rescue

After we get him thru this surgery and a few days recovery under his belt, we can talk more about him. We would definitely speak with Metro regarding your prior report and look at your paperwork as well.



Redacted

That's fine u can talk to metro

And I'll bring g u my records

I don't have anything to hide

Why r u treating me like the bad guy my dog was stolen

If it is my dog don't u think he should be w me this is crazy

Derby City Dog Rescue

I am not. I am very sorry your dog was stolen. That must have been horrible. My first priority is to any dog we rescue so we just have to be careful. Right now, im just trying to focus on getting him on the right track medically. I've never said i dont believe your dog was stolen or anything. It is just our responsibility to take precautions with dogs in our care. I just want to get his medical addressed and then regroup. I dont think it is wrong of me to request that.



Redacted

Well I don't want my dog to die waiting to come home  
He's been missing for years



Redacted



My dog had shadows in his eyes 5-6 years ago u can see it in the picture  
Little short stubby legs



Redacted

And if the line is still on his low bAck it was gray but that could've healed

**Tue 9:40 AM**



Redacted

Can u let me kno how he did with surgery? I've been worried all night

**Tue 2:12 PM**

Derby City Dog Rescue

Brownie did well with surgery and all 17 of his teeth had to be removed so he will have to adjust to no teeth but his mouth should feel better.



Redacted



Thank u for updating me  
Please let me kno when I can come see him

Wed 10:40 AM



Redacted

How is he



Redacted

Can I come today?

Derby City Dog Rescue

I have not yet spoken to his foster this morning but the vet said he needs to rest and stay calm for a few days because he had both his dental work and neuter. We did have the vet do a complete exam while he was there. Brownie has no signs of any scarring or lines on his back or leg. The vet did find any indications of a prior back fracture.



Redacted

Yea he had a fractured back before I got him the scar could've healed in 6 years

Derby City Dog Rescue

Sorry that was supposed to say did not find any indications. Autocorrect.



Redacted

Well unless u do any xray u won't kno it was years ago  
He messed his back up years ago I'm positive this is my dog  
I really would like to get him back  
What else can I do to u to prove this is my dog?

Derby City Dog Rescue

Redacted, this is a different board member than who you have been speaking too. I have extensive experience with dachshunds and currently have three myself. The vet did not find any indication Brownie had a prior back fracture. This can be determined without x-rays. We will contact you when Brownie has recuperated when you can see him. We will do what's best for Brownie's recovery at this time. He has been stressed enough with surgery. If you believe this is your dog and care for him, you should understand that following surgery he does not need additional stress right now. ~ Tonya



Redacted

I do care about my dog and u all would feel the same way he's been missing for years

Derby City Dog Rescue

In the meantime please feel free to send any paperwork and police reports you may have to [derbycitydogrescue@gmail.com](mailto:derbycitydogrescue@gmail.com). We will evaluate the information you have provided as a board. However any meetings will be determined by his foster and vet. He won't be seen by the vet until he's at least one week post op. He's resting and recuperating and that is our current focus. By law, Brownie is a dog in our rescue and we will do what's in the best interest of Brownie.



Redacted

They told me I could see him [in a few days](#)

I will send his vet records as soon as I get them

I didn't kno I was supposed to make police report I made a report w lmas when he went missing  
And I looked for him at lmas everyday for months

Derby City Dog Rescue

Actually she said we could talk more about him a few days after his surgery. You stated above you reported him missing to Metro. We need a copy of that report.



Redacted

They don't keep them I was up there yesterday

Derby City Dog Rescue

then send us what you have.



Redacted

I have records and pictures



Redacted

Wouldn't u want closure when your dog has been missing for years stolen from your backyard?  
He was my baby. I don't understand why u all don't want him to be back w his family this is not right



Redacted

I had signs on the poles and speedway for etc. he was outside for 10 mins to potty and when I went to let him back in he was gone he was [about 16](#) when he disappeared I don't know what else I can say or do to prove this is my dog. U are a rescue and I would think you would want to reunite his family he is old and the longer we wait he can pass 🙏

Derby City Dog Rescue

Redacted, there is nothing we can do today. Please send us the information you have. If we believe there is sufficient information that he may be your dog then we will set up a meeting. At this time, we are not 100% convinced. Our vet stated he has never had a back fracture. The person that surrendered him stated he had none in their family all their life. We understand you believe he is your dog based on photos. However, we see this a lot and are not trying to be harsh. Again our priority is Brownie. Right now he is in a safe home recuperating from surgery. We will not continue to discuss this with you. Please send us your paperwork and we will review and get back to you. This is the last response you will receive until we receive your paperwork.



Redacted

Do u have a fax?

Derby City Dog Rescue

We do not. Records can be emailed to [derbycitydogrescue@gmail.com](mailto:derbycitydogrescue@gmail.com) or mailed to PO Box 99236, Louisville KY 40269

Thu 5:51 PM



Redacted

Email sent

Shively did not have all of Fred's records bc they only keep 4 years back they just happened to have this one bc my cat was on the same page. They don't keep deceased or missing pets records. Both of my vets have also included statements

Derby City Dog Rescue

Thank you for messaging us! Please be advised that DCDR is entirely volunteer based and we will get back to you as soon as possible. If you are requesting DCDR accept your pet into our rescue, please note that we get numerous messages every week requesting us to take people's pets. It's simply not possible to respond to every request we receive. If you receive no further response within 48 hours, then be advised we simply cannot take your pet at this time. All other messages will be forwarded to the proper board member within the rescue for response depending on the nature of the inquiry. Thank you, ~ Tonya, Outreach Coordinator, DCDR

Thu 7:02 PM



Redacted

Did u receive my email with attachments?

Thu 8:16 PM

Derby City Dog Rescue

We did.



Redacted

Ok thanks

Thu 9:47 PM



Redacted

So now where do we go from here? When can I see my dog?

Derby City Dog Rescue

Redacted, we will review what you have sent along with his history and photos and let you know something within the [next week](#). As we have stated before, Brownie just went through surgery and a major dental. Our first priority is his recovery. If we feel he may be your dog, we will discuss next steps. Thank you, Tonya



Redacted

It's been a hard 3 days you don't understand I've cried all day everyday. We just want our dog home he's been gone 6 years. I know he has had surgery I've been a vet tech many years I know how to care for him please let us have our dog.

I have friends, family and my husband also to prove he's ours

Derby City Dog Rescue

Redacted, I have never lost a dog and I can presume to know what you are going through. But the fact remains that the owner that surrendered him says they had him in their family all his life between her and her daughter. Brownie does not appear to have had a back injury and we trust out vets opinion. Please take a deep breath while we go through this process. You have gone [from Monday](#) asking to see if Brownie is your dog to demanding him because he is. There is likely more of a chance that he is not your dog than there is. Legally he belongs to DCDR at this point. We are discussing getting X-rays of his back to confirm one way or another but that's a discussion that will be made by the board because it will be talking a large chunk of money that we could use elsewhere. We will be in touch [in a week](#) once he's recovered.



Redacted

That is Freddie don't you know your dog when you see a picture of it? We know our dog your X-ray will show arthritis obviously. Those ppl couldn't even provide medical records or pics of him I've given u everything to prove he is ours and now your saying another long week to wait this is not how I expected any of this to happen w a rescue. I thought u all would want him w his family



Redacted

Since you've never lost one of your dogs I hope u never do

The pain of knowing for 6 years and u finally find him and now u can't have him u have no clue what we feeling right now

Derby City Dog Rescue

Redacted, we will be in touch in week once he's recovered and we have a chance to review everything you have sent and discuss internally. At this time we are not convinced Brownie and Freddie are the same dog. And to clarify, I have "lost" a dog. Just not one to being lost, it's heartbreaking.



Redacted

This is so wrong

Compare the pics he's is our dog

Derby City Dog Rescue

We will be in touch once we've reviewed everything. I will not respond to anything further until then.

Sent by [Tonya Stone](#)



Redacted

Ask Carmelita, Erin Elise, call our vets, kaydees promise, Kim Padgett I would not be going through all of this if he wasn't mine. This is so wrong how u are being towards me. Put yourself in our shoes how would u feel ? What if someone stole your dog and a rescue was refusing to give him back? I've given you all everything you've asked for my dog could die and nvr see his family and your expecting me to just wait another week after I've waited 3 heartbreaking days already. You all have my nerves shot and I'm balling my eyes out and you are giving every excuse why we can't have our dog. A rescue should want the best for the dog and that is for him to be w his family where he belongs



Redacted





Redacted

Your picture bottom left my pictures top and right



Look at the ears also. I mean idk what else you all r wanting from me but I am soo upset right now



1



Redacted

Ok so since u don't think he's mine what do I pay to adopt?



Now keep in mind my dog looks lil younger bc the pics were 6 years ago! These ppl aren't listening



Redacted

Everybody is asking if u all gave me my dog back ppl know he is mine



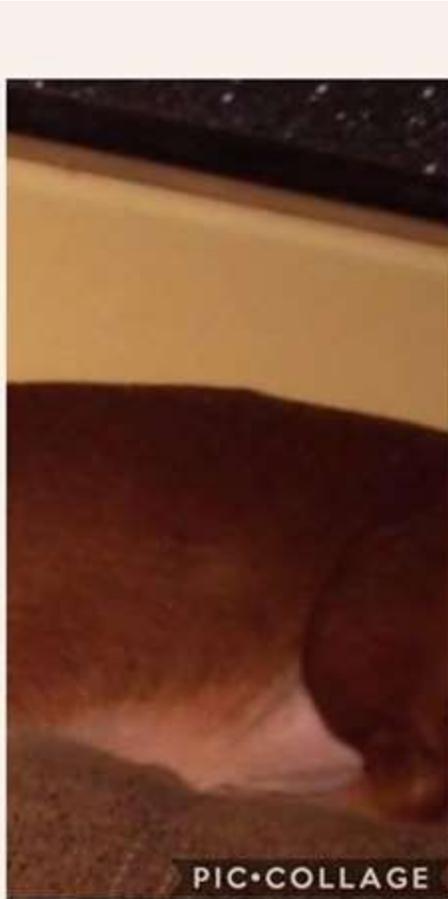
Redacted

I'm willing to pay ur adoption fee for my dog  
What else could u possibly want from me

Fri 9:11 AM



Redacted





There's the part of his back I was telling u about  
This is my dog







Redacted

He has kinda a big chest and then goes into a small waist and long skinny body idk what other proof u are wanting. I've given u pics w proof and pointed everything out, records to show, vet references, there are ppl who kno he is my dog, my husband friends rescue friends family etc.

Fri 1:42 PM



Redacted

I have given you everything to prove this is my dog I have given you my vet records pictures letters from my vet why are you not responding and letting me know when I can pick up my dog

Derby City Dog Rescue

Redacted,

My name is Jeff Duff and I am the Director of Derby City Dog Rescue. We have reviewed the paperwork that you submitted regarding Brownie being your dog. You claim that you have provided us with proof that he is yours, but the medical record you provided only indicate that you had a Dachshund, not proof that Brownie is indeed him.

Our resources are very thin but we sympathize with your situation and in an effort to rectify it, we will agree to an x-ray of his frontal sinus area to determine history of broken and healed frontal sinus area as indicated in medical records dated Sept 4, 2009 from Shively Animal Clinic.

We will be in touch after the exam early [next week \(Tuesday or Wednesday\)](#). We will not continue to go back and forth via messenger. As asked before, I ask that you respect the process of determining if he is your lost dog from 5 years ago.

We will let you know the status of our veterinarian's findings by Wednesday 1/23/19.

Jeff Duff Jr  
Director  
Derby City Dog Rescue

**End of Facebook Messenger conversation**

Email received 1/17/19 at 5:51 pm.

**Shively Animal Clinic & Hospital, P.S.C**  
 2401 Dixie Highway, Louisville, KY 40216

(502)778-8317 (502) 778-3682 (FAX)  
 Fran Vogt, Office Manager

**Richard J. Fuchs, D.V.M., P.S.C.**

John M. Florence, D.V.M.  
 Mary Jane Fuchs, D.V.M.  
 Joyce Fuchs, D.V.M.  
 David Fuchs, D.V.M.  
 Joseph Fuchs, D.V.M.

Marsha L. G. Scobee, D.V.M.  
 Scott Strohman, D.V.M.  
 Sara Caffrey D.V.M.  
 Brian L. Tripp, D.V.M.  
 Mason Gauss, D.V.M.  
 Kimberly Green, D.V.M.

15 January 19

**MEDICAL HISTORY**  
 Freddie-Min. Dachshund-MN-18yrs-Red

Presented by: [REDACTED]

8 Aug 09- Initial visit- new patient exam; update rabies vaccine 10.5#  
 One-year rabies  
 Owner declined DHPP/C, Bordatella, HWC-negative, fecal-negative  
 Patient limping on left rear leg

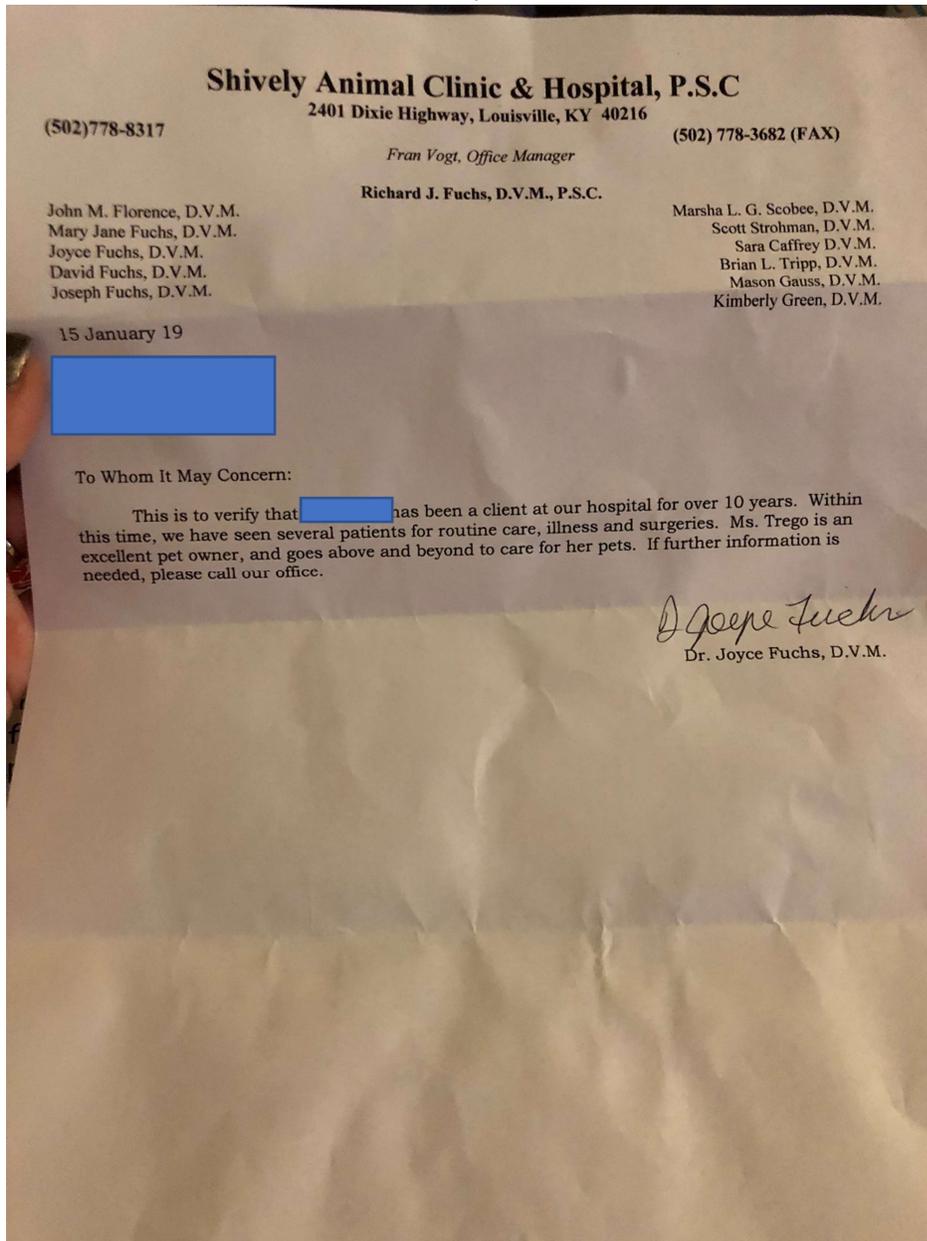
4 Sep 09- Kicked in head by goat 10.10#  
 Fractured frontal sinus area; puffs up with breaths  
 Bloodwork  

ALKP	40	ALT	48
BUN	15	CREA	0.7
GLU	89	TP	6.4

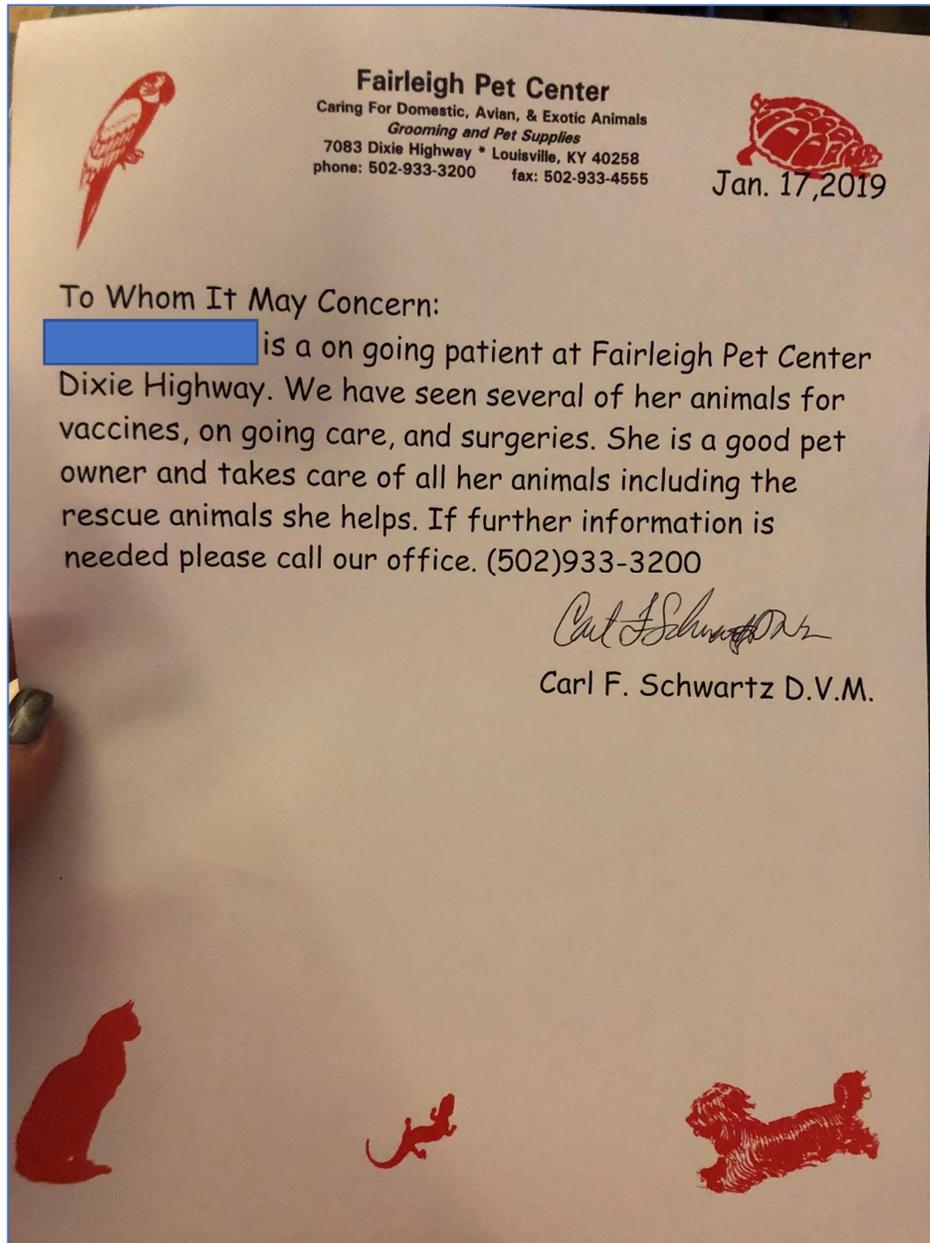
 Rx: Tramadol ¼ tablet TID, Cephalexin 2cc TID  
 Plan fracture repair

8 Sep 09- Repair fractured frontal sinus - Cancelled  
 Radiographs: defect right frontal sinus - no longer leaking, stable  
 No surgery needed  
 If SubQ emphysema or mucous develops, defect can be closed  
 Rx: 250mg Cephalexin TID

Email received 1/17/19 at 5:51 pm.



Email received 1/17/19



at 5:51 pm.

Start of Facebook Messenger directly with Jeff Duff

[Redacted]

MON 10:34 PM



Redacted



This little guy was surrendered to **Louisville Metro Animal Services** and his owner requested that he be euthanized. Thankfully the awesome folks at the shelter thought he deserved to live & asked **Derby City Dog Rescue** if they could help. His teeth have probably never been cleaned and as a result, he's going to lose all of them, tomorrow. He'll be neutered as well. Please keep "Brownie" in your thoughts. If you'd like to donate to his medical expenses, any amount would be appreciated. Thank You. ❤️ (Not a fan of the name, but he's a senior & don't know if I want to change it.)





This little guy was surrendered to **Louisville Metro Animal Services** and his owner requested that he be euthanized. Thankfully the awesome folks at the shelter thought he deserved to live & asked **Derby City Dog Rescue** if they could help. His teeth have probably never been cleaned and as a result, he's going to lose all of them, tomorrow. He'll be neutered as well. Please keep "Brownie" in your thoughts. If you'd like to donate to his medical expenses, any amount would be appreciated. Thank You. ❤️ (Not a fan of the name, but he's a senior & don't know if I want to change it.)



I really think this is my dog that was stolen 5 years ago  
I wrote the Fb page but it kinda seems they r treating me like the bad guy I have pictures and vet records. I got him when he was older do He was not neutered bc shively told me he was old  
He would be in his 20s

TUE 9:11 AM

Redacted added you on Messenger.

Jeff

Redacted, I have seen all of the messages and no one is treating you like the bad guy.

Number 1, he will complete his surgery and begin recovery as scheduled.

Number 2, the likelihood that this is your dog is very slim. We get this a lot and never once has it been the persons dog they were looking for.

After his recovery, we will attempt to determine if he in fact was your dog by trying to identify the marks you have indicated.

I cannot promise anything except that we will do what is best for him.

I ask that you respect our process and what we are trying to do.

You can now call each other and see information like Active Status and when you've read messages.



Redacted

And I did feel like they were treating me bad I was told just bc I have records and pics doesn't prove he was mine and that they would check w metro about me. I have nothing to hide. So after he has recovered a couple days can I come see him to confirm?

U would be the same way if your dog was stolen and u thought this was him

End of Facebook Messenger conversation with Jeff Duff