

STATE OF MINNESOTA  
COUNTY OF OTTER TAIL

**FILED**  
APR 07 2008  
KATHRYN A. OUREN  
COURT ADMINISTRATOR  
OTTER TAIL COUNTY, MINN.

DISTRICT COURT  
SEVENTH JUDICIAL DISTRICT

COURT FILE NO.: 56-CR08-1131

PROSECUTOR FILE NO.: 08G-112

State of Minnesota,

Plaintiff,

v.

Kathy Jo Bauck DOB: 04/03/56  
51402 410th Street  
New York Mills, MN 56567

Defendant.

- Summons       Warrant
- Order of Detention
- Amended
- Tab charge Previously Filed

The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense(s):

**Count 1**

**Veterinarians-practice without license or permit.**  
**In Violation Of: 156.10**  
**Penalty: 0-1 years and/or \$3,000 fine**

On or about December, 2006, within the County of Otter Tail, one KATHY JO BAUCK, hereinafter referred to as the defendant, did practice veterinary medicine in the state without having first secured a veterinary license or temporary permit by neutering a miniature Schnauzer puppy purchased by Missy Becker Cook.

**Count 2**

**Veterinarians-practice without license or permit.**  
**In Violation Of: 156.10**  
**Penalty: 0-1 years and/or \$3,000 fine**

On or about August, 2007, within the County of Otter Tail, one KATHY JO BAUCK, hereinafter referred to as the defendant, did practice veterinary medicine in the state without having first secured a veterinary license or temporary permit by administering medication on a Basset Hound owned by Misty Kain through the prescription of medicine of 50 mg. of Doxycycline to be administered twice a day, plus one-half teaspoon of children's Tylenol every four hours and the administration of a canine medication called Parvel to the same dog.

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**Count 3**

**Veterinarians-practice without license or permit.**

**In Violation Of: 156.10**

**Penalty: 0-1 years and/or \$3,000 fine**

On or about August and September, 2007, within the County of Otter Tail, one KATHY JO BAUCK, hereinafter referred to as the defendant, did practice veterinary medicine in the state without having first secured a veterinary license or temporary permit by vaccinating ShitzuPeek and a Havanese Schnauser dogs owned by Karla Szama.

**Count 4**

**Veterinarians-practice without license or permit.**

**In Violation Of: 156.10**

**Penalty: 0-1 years and/or \$3,000 fine**

On or about September 13, 2007, within the County of Otter Tail, one KATHY JO BAUCK, hereinafter referred to as the defendant, did practice veterinary medicine in the state without having first secured a veterinary license or temporary permit by performing a C-section on a female Yorkshire Terrier at Pick of the Litter Kennels.

**Count 5**

**Veterinarians-practice without license or permit.**

**In Violation Of: 156.10**

**Penalty: 0-1 years and/or \$3,000 fine**

On or about December, 2006, within the County of Otter Tail, one KATHY JO BAUCK, hereinafter referred to as the defendant, did practice veterinary medicine in the state without having first secured a veterinary license or temporary permit by prescribing 100 mg. tablets of Doxycycline Hyclate to a Pub/Beagle named Stewy owned by Lisa Roberts.

**Count 6**

**Cruelty to Animals**

**In Violation Of: 343.21 Subd. 7 and 9**

**Penalty: 0-90 days and/or \$1,000 fine**

On or between August and September, 2007, within the County of Otter Tail, one Kathy Jo Bauck, the defendant, did willfully instigate or in any way further any act of cruelty to any animals, or any act tending to produce cruelty to animals, by picking up a puppy that had been born with a hole in its intestine and whacking its head against a pole in the barn of her facility at Pick of the Litter Kennels and throw the puppy in the garbage.

**STATEMENT OF PROBABLE CAUSE**

The Complainant states that the following facts establish probable cause:

Complainant, Mark Englund, is a duly acting and appointed Deputy Sheriff for the County of Otter Tail, Minnesota, who received information regarding the below-described offense. Between August, 2007, and September 13, 2007, KATHY JO BAUCK, hereinafter referred to as the defendant, was operating Pick of the Litter, Inc. aka, Pick of the Litter Kennels, located at 51402 - 410<sup>th</sup> Street in New York Mills, Minnesota, in Otter Tail County. On October 12, 2006, the Executive Director, John King, D.V.M., issued a Cease and Desist Order and Notice of Right to Hearing to the defendant, with allegations of the defendant performing a 2002 spay surgery on a female Papillion puppy she had sold, a 2002 spay surgery of a Rat Terrier she had sold, and a 2003 surgery of a Golden Retriever that she had sold. Also alleged was that defendant performed neuter surgeries on puppies she owned as recently as April, 2006, and ear crops on puppies she owned as recently as 2006. In an interview conducted by Investigator Earl Fleck of the Office of the Attorney General on July 21, 2006, with the defendant, she admitted she had performed tail dockings on puppies she owned, performed Cesarean sections on dogs she owned, performed hernia repairs on puppies or dogs she owned and removed dew claws on puppies or dogs she owned, and vaccinations to puppies after she sold them. In December of 2006, Missy Becker-Cook purchased a miniature Schnauzer who was six weeks old from the defendant that had already been neutered, which concerned Ms. Becker-Cook and her family to question the defendant about this and she stated that the puppies belonged to her and she can do anything she wants with her own animals. The puppy Ms. Becker-Cook purchased became sick when it was brought home and died after six days. The puppy had been brought to the Elbow Lake Vet Clinic where veterinarian Dr. Kendra Greiner looked at it and was concerned over the puppy being neutered at such an early age. Investigator Earl Fleck contacted Pamela Shore and learned that in last two weeks of August of 2007, she worked for defendant at Pick of the Litter Kennels. Shore informed Investigator Fleck that she understood the defendant docked the tails of dogs at Pick of the Litter Kennels. Shore also observed an English Bulldog in the puppy barn upon whom defendant had performed a C-section and indicated that the C-section incision for this dog kept opening up. Misty Kain was also employed by defendant at Pick of the Litter for four (4) weeks in August and September of 2007. Kain spoke to Investigator Earl Fleck and informed him that there was a situation where a Yorkie female had a C-section performed on her by the defendant and that the dog had stitches on her abdomen. Kain further reported to Investigator Fleck that the defendant docked tails and ears on mini Schnauzers without the use of sterile procedures, anesthesia or pain killers. Kain observed puppies in the puppy barn that were four or five days old bleeding from their ears. Kain informed Investigator Fleck that employees were instructed to just throw dead puppies into the garbage. On August 22, 2007, Kain purchased a Bassett Hound dog from the defendant. Within a few days of purchasing the dog, it became sick with what was later diagnosed as kennel cough by Dr. Dennis Stanford at All Creatures Veterinary Hospital in Perham, Minnesota. Prior to taking the dog to Dr. Stanford, Kain brought the dog back to the defendant who gave Kain 50 mg of doxycycline to be administered twice a day plus one half teaspoon of children's Tylenol every four hours. Kain also reported to Investigator Fleck that the defendant administered a canine medication called Parvel, which was supposed to be a three stage shot spaced out every two weeks, but that the defendant gave the dog a shot one week apart. Kain learned from Dr. Stanford that the doxycycline administered by the defendant was ten times the normal dose and that dogs were not supposed to be given Tylenol. Kain also reported that the defendant performed C-sections of two female dogs named Elsie and Claudia at her facility and the incisions on these dogs would break open and bleed and the defendant was constantly

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FROM : WBBM TV MIS

sewing up the dogs. Kain further overheard the defendant telling customers to bring their dogs back for vaccinations and that she would had mouth veterinarians to new dog owners, telling them veterinarians were just out to rip them off financially. Also employed by the defendant from mid-August, 2007, to mid-September, 2007, was Karla Sasama. Sasama spoke with Investigator Earl Fleck who explained that her job was to get dogs prepared for shipping to pet stores and that she was hired as a dog groomer and also to clean kennels for the defendant at Pick of the Litter in New York Mills. Sasama informed Investigator Earl Fleck that on September 13, 2007, at approximately 9:30 to 10:00 a.m., she entered the office area of Pick of the Litter and observed the defendant performing a C-section on a female Yorkshire Terrier. Later in the day the same female was returned to the puppy barn and the stitches on the underbelly of the dog broke open. Sasama also stated that if a puppy died, employees were told to just throw it in the garbage. Sasama reported to Investigator Fleck that she purchased two dogs from the defendant while she worked there in August or September of 2007 and that the defendant had vaccinated her dogs and then came down with some kind of fever. The defendant then gave her dogs a shot with some kind of medication. Sasama also observed a puppy born in the puppy barn of the defendant who had a "hole in its belly." Sasama informed Investigator Fleck that she observed the defendant pick up the puppy and whack its head against a pole in the barn and throw the puppy in the garbage. Sasama further reported to Investigator Fleck that she observed the defendant giving doxycycline to puppies at one-half tab a day, equaling 50 milligrams. Investigator Fleck spoke further with Lisa Roberts, who had purchased a dog from the defendant at Pick of the Litter on September 8, 2007. Roberts informed investigator Fleck that the defendant "sprayed" the dog for kennel cough and informed her that they could bring the dog back to her for vaccination shots for only \$5.00. Roberts also stated that the defendant gave them a syringe and some distemper vaccine to give to the dog after two weeks when they purchased the dog. Roberts further indicated to Investigator Fleck that the dog they had purchased, a Pug/Beagle canine named Stewy, started coughing on day two. Roberts called the defendant who said she would give them a new dog. The defendant mailed Roberts some type of antibiotic medication and told her not to take the dog to a veterinarian. The defendant mailed Roberts antibiotic tablets with instructions to give a half-tab two times per day. The antibiotic was Doxycycline Hyclate 100 mg tablets. Roberts took the dog, Stewy, to Dr. Toft, DVM at the Montevideo Veterinary Clinic.

MN0560000/08005317

STATUTE AND OFFENSE GRID

Chg	Statute Type	Offense Date	Statute Number & Description	Offense Level	MOC	GOC	Controlling Agencies	Control Number(s)
1	Charge		156.10 Veterinarians-practice without license or permit.	GM	M8197	N	MN0560000 Arresting	08005317
2	Charge		156.10 Veterinarians-practice without license or permit.	GM	M8197	N	MN0560000 Arresting	08005317
3	Charge		156.10 Veterinarians-practice without license or permit.	GM	M8197	N	MN0560000 Arresting	08005317
4	Charge	09/13/07	156.10 Veterinarians-practice without license or permit.	GM	M8197	N	MN0560000 Arresting	08005317
5	Charge		156.10 Veterinarians-practice without license or permit.	GM	M8197	N	MN0560000 Arresting	08005317
6	Charge		343.21 Subd. 7 and 9 Cruelty to Animals	M	M8101	N	MN0560000 Arresting	08005317

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FROM : WBBM TV M15

**FILED**  
 MAY 19 2008  
 KATHRYN A. DUREN  
 COURT ADMINISTRATOR  
 OTTERTAIL COUNTY, MINN.

STATE OF MINNESOTA  
COUNTY OF OTTER TAIL

IN DISTRICT COURT  
SEVENTH JUDICIAL DISTRICT

State of Minnesota, )

Plaintiff, )

vs. )

Kathy Jo Bauck, )

Defendant. )

**PLEA AGREEMENT**

Court File No. 56-CR-08-1131

OTCAO No. 08G-112

Should the Defendant plead guilty to Count <sup>5</sup> of the complaint (Practicing Veterinary Medicine without a license), I would recommend that she serve 120 days in the Otter Tail County Detention Facility and pay a \$900.00 fine. 110 days would be stayed on the following conditions:

1. The Defendant serve ten (10) days in the Otter Tail County Detention Facility;
2. The Defendant pay the \$900.00 fine;
3. The Defendant pay a court surcharge of \$72.00;
4. The Defendant pay a law library fee of \$10.00;
5. That the Defendant immediately cease the practice of veterinary medicine without a license;
6. The Defendant have no same or similar violations for two (2) years.


~~Count 5 would be a conviction with no further penalty.~~

The remaining counts would be dismissed.

Dated: 5/19/08

  
Defendant

  
Prosecuting Attorney

  
Defense Attorney

cc: Otter Tail County Sheriff's Office (08005317)

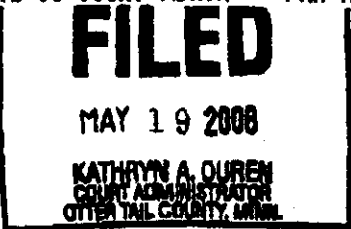
*Det Free to Argue for Electronic Monitoring or Community Service  
Warrant — in lieu of jail.*

STATE OF MINNESOTA  
COUNTY OF Otter Tail

State of Minnesota,

vs.

Kathy Dauck



IN DISTRICT COURT  
SEVENTH JUDICIAL DISTRICT  
CRIMINAL DIVISION

- 1. File No. 56-CR-08-1131 charge Vet Practice w/o B
- 2. File No. \_\_\_\_\_ charge Vet Practice w/o B
- 3. File No. \_\_\_\_\_ charge Vet Practice w/o B
- 4. File No. \_\_\_\_\_ charge Vet Practice w/o B

Vet Practice w/o B  
Cruelty to Animal

This case came on before the Honorable Waldemar Smyk on 5-19-08 and,

- (a) the defendant (entered a plea of guilty to) was found guilty of) of the above charge(s);
- (b) after trial, the defendant was found NOT GUILTY of \_\_\_\_\_;

NOW, THEREFORE, IT IS HEREBY ORDERED, THAT:

- (a) the matter is continued \_\_\_\_\_ without judgment of guilt entered, on the conditions below.
  - (b) judgment of guilt is entered, and imposition of sentence is stayed on the conditions below.
  - (c) stay of adjudication up to \_\_\_\_\_ on the conditions below.
  - (d) judgment of guilt is hereby entered/defendant is sentenced to a fine of:
    - 1. \$ \_\_\_\_\_ (\$ \_\_\_\_\_ hereby suspended)
    - 2. \$ \_\_\_\_\_ (\$ \_\_\_\_\_ hereby suspended)
    - 3. \$ \_\_\_\_\_ (\$ \_\_\_\_\_ hereby suspended)
    - 500 \$ 900 (\$ \_\_\_\_\_ hereby suspended)
- and / or 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. VS 120 days in the Otter Tail County Jail, which sentence is to be stayed/executed on the conditions below:

CONDITIONS

- 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. 510 days in jail are stayed for 2 yrs. if other conditions are met.
- 2. The defendant is to report to jail morning 5-23-08, make arrangements
- 3. The defendant's jail time may:
  - (a) be served on weekends.
  - (b) be served with work release privileges as approved by the Sheriff. balance of 5 days.
  - (c) be with credit for \_\_\_\_\_ days already served.
  - (d) be served with STS/CSW for fine as approved by the Sheriff.

4. Defendant shall pay:

Fine	1. \$ _____	2. \$ _____	3. \$ _____	4. \$ <u>900</u>
Surcharge	1. \$ _____	2. \$ _____	3. \$ _____	4. \$ <u>72</u>
APA Fee	1. \$ _____	2. \$ _____	3. \$ _____	4. \$ _____
Law Lib. Fee	1. \$ _____	2. \$ _____	3. \$ _____	4. \$ <u>10</u>
Restitution	1. \$ _____	2. \$ _____	3. \$ _____	4. \$ _____
	1. \$ _____	2. \$ _____	3. \$ _____	4. \$ _____

- 5. Payments are to be made as approved by Court Administration.
- 6. Defendant may work off fine (up to \$ \_\_\_\_\_) by performing community service work at the rate of \$8.00 per hour. Work to be completed by \_\_\_\_\_.
- 7. Defendant shall remain law abiding and not be charged with/convicted of any same or similar violations within 2 months/years.
- 8. Defendant will complete a \_\_\_\_\_ evaluation/assessment at \_\_\_\_\_ and follow the recommendations made.
- 9. Defendant is placed on:
  - (a) formal, supervised probation to Court Services / Department of Corrections.
  - (b) informal, unsupervised probation to Court Services / Community Corrections / Department of Corrections.
- 10. Defendant will abstain from all mood-altering chemicals.  Attend AA/NA weekly with verification to agent.
- 11. Court Services / Department of Corrections is authorized to conduct chemical use testing.  Defendant to pay costs chemical use testing.  Fees are waived.
- 12. Prohibition of use/possession of handguns for 3 years as per statute.

13. Cease all practices that would be considered veterinary practice

14. \_\_\_\_\_  
 15. \_\_\_\_\_  
 16. Courts 1, 2, 3, 4, 6 DISMISSED

Dated: 5-19-08

[Signature]  
Judge of District Court

I understand the conditions of this sentence and I acknowledge that I have received a copy of this Order. I also understand that any violation of any provision of this Order may result in the imposition of the stayed portion of this sentence, or a citation for contempt of court.

[Signature]  
Defendant's signature

Payment to be sent to:  
Court Administration, Otter Tail County Courthouse, 121 W. Junius Ave., Suite 310, Fergus Falls, MN 56447

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