

Would California cities or municipalities be better off if they could ban breed specific dogs from within the city limits?

Thirty-one people met their death last year in the United States because of dogs that have gone bad, that is 27 less than the number of people that met their death because of bee stings. ^{FN1} This may not seem like many unless you are one of those people that was attacked by a dog and survived. A person under these circumstances would be grateful the number was not 28. Considering there are 78.6 million canine's in the United States, the percentage of dogs that aren't man's best friend seems to be low. However when you look at the estimated number of non-fatal dog bites in the United States, the statistics start showing a different basis for "man's best friend". Dogs bite 4.5 million Americans each year, and one in five dog bites results in injuries that require medical attention. One in seventeen dogs will bite someone this year. In 2006, more than 31,000 people underwent reconstructive surgery as a result of being bitten by dogs. ^{FN2}

Thesis Statement

The main objective of this thesis is to survey and critically analyze the increased attention and call for legislation addressing dangerous dogs and more generally, animal control in urban landscapes. Breed Specific Legislation (BSL), the banning or restricting of ownership of a dog solely based on the dog's breed regardless of the dog's aggressiveness, is one suggestion put forward in response to the "dog bite" problem. In this thesis we will be looking at other ways to approach the "dog bite" problem in the state of California. This thesis will approach the control of vicious dog bites from a totally different approach rather than Breed Specific Legislation.

Background

In the early 20th century, the American pit bull terrier was considered the All-American dog. The image of the American pit bull terrier was frequently used on World War I propaganda as a symbol of American courage and tenacity.

The number of dog bite related fatalities between 1979 to 1996 in the State of California was 30 which is the highest in the nation followed by 28 in Texas, 18 in Alaska, 16 Illinois, 14 Florida, 13 Michigan and North Carolina. Utah, Montana, North Dakota and Maine reported 0 deaths during this period. California compared to the other heavily populated State of NY, which reported only 10 fatalities.

On a national basis the "Pit Bull" breed was involved in 60 of the 199-breed known involved in the total number of deaths during this period. Rottweiler was 29 and German Sheppard 19. My favorite stay away from dog, the Doberman Pincher, scored only 8 deaths during this period. ^{Fn3}

Because the Pit Bull runs at the top of these deaths and is probably the best-known dog because of its' jaw lock, we will take a bit of a look at the history of the Pit Bull. The Pit Bull comes in many different varieties and cross breeds as well as does many of the other dogs. I think the funniest variety of dog I've ever seen is a Dalmatian crossed with a Weiner Dog. Here's this short-legged Weiner dog running around with Dalmatian spots on him. So you can only imagine how many breeds may be mixed into your normal Pit Bull Terrier. If he looks like a pit bull, acts like a pit bull, he probably is a Pit Bull of some type.

History of the Pit Bull Terrier

In the early 20th century, Americans had a love affair with the Pit Bull Terrier and the dog was considered an All-American dog. ^{FN4} An American breed of Pit Bull, "Stubby" was picked up by soldier-to-be at the Yale University campus. Once Stubby and his new owner got to know each other they were inseparable. When it came time for deployment, Stubby's master snuck him onboard the ship that took them to France. Stubby soon came to be loved by all of the soldiers on the ship. Once in France, Stubby really started to show his talents off by going out into the field under fire and comforting wounded soldiers. Once Stubby was known about to the French population, even the women of the town presented him with a hand-sewn chamois coat, decorated with Allied flags and his name stitched in gold thread.

Upon his return to the U.S. after the Armistice, a wildly cheering American public greeted Stubby. Recognition of his valor came from all directions. Named a life member of the Red Cross and the American Legion, he was awarded many medals including one by General John J. Pershing. Called to the White House several times to meet Presidents Harding and Coolidge, he led more regimental parades than any other dog in history.^{FN4}

A pit bull is any of several breeds' similar history, with origins rooted from the bulldog and a variety of terriers. The dogs called bull terriers before the development of the modern Bull Terrier in the early 20th century also are called pit bulls. The American Pit Bull Terrier is the product of interbreeding between terrier and a breed of bulldogs.^{FN3}

Growing up in a small mid-western town that had a population of about a 1,000 people. Many of the population owned dogs. Our family was no different, I grew up with an Irish setter early on and later on one of my favorite dogs we owned was a Rat Terrier. I suppose they called them rat terriers because they were suppose to be pretty furious with catching rats. In such a small town, of course I knew everyone. One of my biggest memories is the Doctor and his family that lived down the street and owned Bull

Dogs. These dogs were caged out behind the garage and no one ever went near them because they seemed to be so mean by nature. I feared those dogs more than any other dog I'd ever been around. They definitely would be considered a "Vicious Dog" if ever they got out and attacked someone.

Discussion

One-third of the homeowner claims in California involve a dog bite. Pit Bulls, Rottweilers, and German Sheppard dogs account for half of the fatal dog attacks between 1979 and 1998. State Farm Insurance Company released its top 10 states for claims involving dog bites, with California on top in number of claims. State Farm says it doesn't refuse insurance based on dog breeds, but does require homeowners to answer questions about their dogs' history on an application for coverage. The one exception is in the State of Ohio, which has determined that pit bulls meets the definition of a "Vicious Dog" as a breed of dog, therefore the insurer excludes them for coverage under its homeowner's policies. ^{FN5}

Despite the refusal to cover pit bulls, Ohio ranks third in nation for the number of dog bite claims with State Farm at 215 claims, and representing in total payouts of \$5.7 million. ^{FN5}

California currently has legislation enacted that does not allow cities or municipalities to ban certain breeds of dogs from its city limits. Instead California is a Strict Liability State. *MARTIN O. SMYTHE, a Minor, etc., Respondent, V. DANIEL V. SCHACHT et al., Appellants. 93 Cal.App.2d 315, California Court of Appeals. Second Dist., Div. One, Decided Aug. 15, 1949.* "The so-called Dog Bite Statute, supra, insofar as here pertinent provides as follows: "The owner of any dog which shall bite any person while such person is on or in a public place, or lawfully on or in a private place, including the property of the owner of such dog, shall be liable for such damages as may be suffered by the person bitten, regardless of the former viciousness of such dog or the owner's knowledge of such viciousness. A person is lawfully upon the private property of such owner within the meaning of this act when he is on such property in

the performance of any duty imposed upon him by the laws of this state or by the laws or postal regulations of the United States of America, or when he is on such property upon the invitation, expressed or implied, of the owner thereof."^{FN6}

Many cities in the state of CA are considering Breed Specific Legislation that would require Pit Bulls dogs to be spayed or neutered if over four months of age and if the owners live within the city limits. Many of these city ordinances are being challenged before they go into law on the basis that they are Breed Specific Legislation and are very vague in which animals are specifically required to be spayed or neutered.

The city of Los Angeles had taken a totally different approach to the problem. In 2008, the City of Los Angeles passed an ordinance amending section 53.15.2 of the Los Angeles Municipal Code to require all dogs and cats within the city to be spayed or neutered within four months of birth unless one of the listed exemptions is met. The city adopted the Ordinance with the intent of controlling the rising pet population in the City. ***Concerned Dog Owners of California et al, Plaintiffs and Appellants, V. City of Los Angeles et al, Defendants and Respondents 194 Cal. App4th 1219 Court of Appeals of CA, Second District, Div One decided April 29, 2011.*** "As the law indicates the ownership of domestic animals is subject to reasonable government regulation. The ordinance and its provisions fall squarely within the ambit of the City's police powers and derive from the City's authority to regulate matters of public health and safety. Thus, no federal or state constitutional liberties are implicated here".^{FN7}

Legislation in other States

On July 31, 1989, the city council for the City and County of Denver enacted section 8-55, the "Pit Bull Prohibited" ordinance. The ordinance, which became effective on August 7, 1989, makes it unlawful for any person to "own, possess, keep, exercise control over, maintain, harbor, transport, or sell within the City any pit bull". The ordinance permits an owner of a previously licensed pit bull to

keep the dog only if the owner (1) annually renews a "pit bull license" which must have been obtained by November 1, 1989, (2) proves the dog has been spayed or neutered and has been vaccinated against rabies, (3) keeps the dog confined or securely leashed and muzzled and (4) maintains \$100,000 in liability insurance.^{FN8} ***The Colorado Dog Fanciers, Inc et al V The City and County of Denver et al 820 P.2d644, Supreme Court of Colorado, En Banc. decided November 12, 1991.*** "Because the ownership of a dog does not implicate fundamental rights such as speech or association, the ordinance should be upheld unless the dog owners are able to establish that the ordinance is unconstitutional on its face and incapable of any valid application. The ordinance is not invalid for failure to list the "majority of Physical traits" that are to be used to determine whether a dog is a pit bull. Admittedly, the ordinance does not list the specific physical traits of the American Pit Bull, American Staffordshire or the Staffordshire Bull Terriers. These Characteristics, however, may readily be ascertained by referring to the official standards of the American Kennel Club and the United Kennel Club (UKC)." ^{FN9}

Even though Denver enacted this legislation back in the 1980's the dog bite claims in the city of Denver were well over the levels of that for the City of Boulder, which is located next door. Denver had a population estimated at 573,000 people with a hospitalization rate of 273 people for dog bites for the period of 1995 to 2006 in comparison to Boulder with a population of 290,000 and a hospitalization rate of 46 dog bites for the same period. Denver had enacted Breed Specific Legislation in 1989 wherein Boulder has no such legislation. ^{FN10}

One of the things that I see that is interesting here is that Supreme Court of Colorado upheld this ordinance within the City and County of Denver and in that ordinance it is noted that a pit bull owner would have to have a minimum \$100,000 liability insurance. By having liability insurance and having to prove it to the county would eventually make every dog owner responsible for their dogs act by having liability insurance.

The state of Ohio enacted legislation under R.C. 955.11(A)(4)(a)(iii) provides in pertinent part: "Vicious dog' means any dog that, without provocation and subject to division (A)(4)(b) of this section, meets any of the following:

(iii) Belongs to a breed that is commonly known as a pit bull dog. The ownership, keeping, or harboring of such a breed of dog shall be *pria-facie* evidence of the ownership, keeping, or harboring of a "vicious dog."^{FN11} see, ***The State of Ohio, Appellant V Anderson, Appellee 57 Ohio St 3d 168 Supreme Court of Ohio, decided February 13, 1991.*** This is a landmark case in the State of Ohio, which virtually upholds the State Legislation that the Pit Bull Breed of dog is considered a "Vicious Dog" prior to a dog ever biting anyone. Because of this legislation in the State of Ohio, Insurers are able to exclude homeowner liability insurance for ownership or having a "Pit Bull" dog on premises if the dog bites someone. Ohio is the only state that has declared dogs known as pit bulls as "Vicious: for no reason other than their breeds. City of Toledo V Tellings, Ohio-975, Court of Appeals of Ohio, Sixth District, Lucas County, decided March 3, 2006. Limits ownership of pit bulls to only one per household and requires liability insurance and muzzles when they are in public for "vicious dogs" which by definition includes pit bulls. "Despite the special relationships that exist among many individuals and their dogs, dogs are personal property, and the state or the city has the right to control those that are a threat to the safety of the community. Legislatures have broad police power to regulate all dogs so as to protect the public against the nuisance posed by vicious dog." The trial court cited the substantial evidence supporting it's conclusion that pit bulls, compared to other breeds, cause disproportionate amount of danger to people. The chief dog warden of Lucas county testified that: (1) when pit bulls attack, they are more likely to inflict severe damage to their victim than other breeds of dogs; (2) pit bulls have killed ore Ohioans than any other breed of dog; (3) Toledo police officers fire their weapons in the line of duty at pit bulls more often than they fire their weapons at people and all other breeds of dogs combined (4) pit bulls are frequently shot during drug raids because pit bulls are encountered more frequently in drug raids than any other dog breed."^{FN12}

Experiencing a dog attack is unlike anything a person could go through. I'm a dog person and have always loved dogs a lot. I believe little dogs have the propensity to bite more often than the bigger dogs do. Having a little Chihuahua come out from under a car and grab you by the pants leg and try to pull you back to under the car is something you can almost laugh at. It's happened to me a couple of times and I've refrained from kicking in order not to hurt the dog.

There are people that just plainly own dogs and train them somehow to bite people when they come on the premises. I was out one day doing door-to-door sales for my employer in an upscale neighborhood outside of Portland, OR. I'd met a guy out in his front yard with his dogs who seemed to be very friendly. I petted them and talked to them that day. The next day I was in the neighborhood and I went back to the same premises. The dogs were in the yard and I crossed over to go up to the door, one of the dogs started circle me to the rear as the other came directly toward me. I kind of knew something was up when the black dog tried to get behind me and I started back for my vehicle. The dog approaching from the front lunged for my face and caught me in my rib cage with his teeth. I was lucky to get out of the situation by running for the road. Apparently there was a wireless fence in place that the dogs dared not to cross over.

I knew at the time that a dog in Oregon gets one free bite.

Sallybeth KATHREN, by Her Guardian, Susan Kathren, Guardian Ad Litem, Appellant, v. Paul OLENIK and John Olenik, Respondents. 613 P.2d 69 Court of Appeals of Oregon, Decided June 23, 1980

"Applying those principles to the Washington County Ordinance, section 4(A)(5)(b), we conclude a dog owner is not in violation of the ordinance simply by the fact that his dog bit a person. The words "fails to prevent" imply fault in terms of intentional or negligent conduct. This in turn implies a requirement that the owner have

knowledge of a risk the dog will bite before the duty to prevent the bite is imposed. If the owner knows or should have known the dog will bite a person he is charged with a duty to prevent the biting. Because we have concluded there was no evidence from which the jury could find that defendants had such knowledge, there is no basis for a finding that defendants violated this section of the ordinance.”^{FN13}

All I could think of is what these dogs would do to a child that would accidentally cross into a yard where these dogs were. I contacted the individual and told him about the incident and his basic response was “you got what you deserved by coming onto my premises”. I informed him it might be a good idea to put up warning signs about his dogs. He basically gave me the brush off. For that reason I contacted animal control and informed them of the bite the dog had caused and made a statement about what the individual said to me. I also had pictures taken of where the dog had broken the skin and left his teeth marks on my rib cage. The animal control officer said she loved talking to this type of individual about their animals. When I left I felt I had done my duty because the next time this dog bit anyone, he would have to be put down. It was an experience I would never forget.

Deep Pocket theory of Recovery

Most dog owners are responsible people; they own homes or rent apartments, carry liability insurance on their homes and try to keep their dogs from causing problems in the neighborhood. For the most part even Pit Bull owners fit into this category. Pit Bulls have never been my favorite breed of dog but there was a time when I lived in

Portland Oregon and knew of a person that had a pit bull that she rescued from the dog pound. Whenever I came to the house the dog would hang out with me hoping we would go for a walk. The problem with walking a pit bull is your arm really gets tired from holding on to them. They are so strong that they have no idea that they pull you around the block. The idea was, this dog was really docile and went against the grain of everything I had learned about pit bulls. In this instance I even liked the dog and started to doubt she was even a pit bull, but she was all pit bull. What is the terminology that 5% of the people cause 95% of the problems? I believe this is true when it comes to ownership of a pit bull. That 5% of the people that own a pit bull cause 95% of the problem that we hear about of pit bulls. If our society, here in California enacts legislation that virtually puts Pit bulls in the classification of "Vicious Dog" as the State of Ohio has, the insurance industry can exclude liability insurance on any and all pit bull owners for any bodily injury harm they may cause another person.

The 5% Pit Bull owners that cause 95% of the problems are questionable if they ever have had liability insurance. This is why there is always the deep pockets theory when it comes to dog bite claims. If a person cannot recover damages from the owner of the dog they will many times seek out those that, may have the ability to pay and could be involved in some way. In California, the Bank of America foreclosed on a home and became the owner of the property after foreclosure. However, they had to go through the eviction process, because the person occupying the home refused to move out. After foreclosure proceedings and before the bank could evict the former owner, the former owners dog got through a badly maintained fence and caused a fatality to the child next door. **See *Ruben Martinez et al Plaintiffs and Appellants V. Bank of America National Trust & Savings Assoc. Defendant and Respondent 82 Cal.App.4th 883, Court of Appeal, Second District, div 3 decided August 1, 2001.*** "A policy favoring preventing death by injury to children has extremely high value. The question, however, is whether imposing liability on the bank would advance the valuable policy in any concrete or practical way, particularly given the remote or nonexistent connection between the

Bank's conduct and the Martinez's har. Other then the stop the Bank did take-bring a legal action to evict the former owners-we have difficulty articulating what steps the Bank should or could take to repair an allegedly defective fence or to remove dogs owned by the occupier of property who contested possession of that property." ^{FN14}

Can Landlord's be responsible for their tenant's actions?

"Monica Smalley, a six year-old child and Henry Scepurek were neighboring tenants of The Alaskan Village, Inc., an Anchorage trailer park. Scepurek's rental agreement with Village includes a comprehensive set of rules and regulations. Paragraph 1 of these rules states the tenancy is terminable on thirty days notice. Paragraph 4 prohibits the tenant for keeping vicious dogs or more then one dog. Paragraph 23 states that a renter's failure to obey the rules I grounds to cancel the rental agreement."

Alaska State Statue deems the following as a "Vicious Dog".

Sec. 03.55.010 Killing of vicious or mad dog authorized.
Any person may lawfully kill any vicious or mad dog running at large.

Prior Codifications: ACLA 1949, § 33-3-91.

Sec. 03.55.020 Dogs deemed vicious.

Any dog which when unprovoked has ever bitten or attacked a human being is considered vicious within the meaning of AS 03.55.010. ^{FN15}

The Alaska Village, Inc Appellant, V. Mary Smalley, for and on Behalf of Monica Smalley 720 P.2d 945 Supreme Court of Alaska rehearing denied July 11, 1986

Village undertook to control pets on the trailer park premises by the lease provision prohibiting tenants from keeping vicious dogs and requiring Scepurek to immediately remove annoying pets. One of the trailer park managers agreed that he had "an obligation to enforce

the rules concerning pets of the safety and well-being of the tenants in that park. Smalley was entitled to rely on Village to perform its duty.” ^{FN16}

The court instructed the jury that Village is under a duty to exercise ordinary care in the enforcement of its rules and regulations providing for effective animal control in order to avoid exposing persons in the park to an unreasonable risk of harm. A failure to fulfill this duty, resulting in exposing persons to an unreasonable risk of harm, would be negligence.

Under Alaska State Statute a dog is not considered a "Vicious Dog" until such a time that it attacks and/or bites another person. By putting a statement in a lease that a vicious dog is not allowed in the trailer park would mean that a dog that has previously bitten or assaulted someone would not be allowed in the trailer park. At no time in any of the newspaper findings or the court is it mentioned that these pit bulls owned by Scephurek had ever attacked anyone or previously bit anyone. There were complaints of the dogs being pinned on the Scephurek property and the dogs jumped at the fence when anyone approached. However this does not meet the State Statute that defines a "Vicious Dog." One wonders if circumstances were different that somehow Scephurek's Chihuahuas had managed to get the Smalley child down and be able to maul her in the face. Would have the outcome of the trial been different?

This is a case of where the owner of the dogs, Scephurek, filed for bankruptcy after the dogs had mauled the child and it is quite evident that he did not carry homeowner's liability insurance on the residence he was living in. The next in line for the lawsuit was the mobile home court for negligence.

Conclusion

Most of the problems with fatal dog attacks occur with just certain breeds of dogs. However, it is also a public concern about dog bites

other than the ones that are just fatal. Once again we look at the figure of 31,000 people in 2006 that had to have reconstructive surgery because of dog bites. There will always be responsible pet owners and not so responsible pet owners. The question is, how do we get those pet owners that are not responsible to become responsible. It is not an overnight undertaking by just enacting legislation. It will take a lot of hard work by those in public service, especially those that work in animal control.

The City of Los Angeles has come to the conclusion that the city has an overpopulation of pets. I think we can safely say, with pet a population of 78.6 million and rising in the U.S., most urban landscapes, especially in California, are over populated with pets. Your basic pet owners are requesting more greenways and dog parks across the U.S. with most cities have leash ordinances enacted by the cities and municipalities. By requiring pets to be spayed and neutered, if they do not fall into one of six categories, will help reduce the pet population in Los Angeles over time. The city of Los Angeles also requires pet owners to license and vaccinate their pets.

Other cities in California need to take a look at what "City Ordinances" have been upheld by the courts and follow the lead of what does work rather than try to enact city ordinances that will be challenged as vague and unjust police laws. If the cities or municipalities followed the ordinance that the City of Los Angeles has done with their particular situation and added that a pet owner provide proof of Insurance to the existing law, they would be able to deal with their current dog problems.

Because dogs and cats can be considered a public health situation when they bite or claw someone, a pet owner should be required to provide a certificate of insurance to the city. The Homeowner or renters insurance company could provide this certificate to the municipality that the homeowner is covered by liability insurance.

This would really be no different than a driver of a motor vehicle providing insurance proof at the DMV upon registering a car.

If an incident occurs with the pet, the investigating officer will require that proof of licensing and insurance be provided. If no proof of insurance or licensing is provided the animal would be taken into custody and either the owner would pay for all charges incurred for housing the animal, provide proof of licensing and proof of insurance before having the animal returned to the owner.

I believe many pet owners could be compared to gamblers, those that least can afford to own pet, do so. Many are not responsible in the ownership of those pets. The irresponsibility of the owner appears to be what the overall cause of the problem is to begin with. So by either making the person responsible by their actions of owning a pet or giving the city the police power of making that individual give up that pet will help society in maintaining a healthier lifestyle.

FN1 History List, Human death in the U.S. caused by animals, May 29, 2008
<http://historylist.wordpress.com/2008/05/29/human-deaths-in-the-us-caused-by-animals/>
Animal related deaths, dogs vs bee stings.

FN2 Insurance Journal , Dog bite claims up 8.7% in 2008, Sept 17, 2009
<http://www.insurancejournal.com/news/national/2009/09/17/103790.htm> opening statement

FN3 Wikipedia “Pit Bull”
http://en.wikipedia.org/wiki/Pit_bull Pit Bull an All American dog.

FN4 Wikipedia Sergeant Stubby
http://en.wikipedia.org/wiki/Sergeant_Stubby Pit Bull by name of stubby

FN5 State Farm, It’s not the Breed, it’s the bite, May 12, 2011
http://www.statefarm.com/aboutus/_pressreleases/2011/its-not-the-breed-its-the-bite-mi.asp state farm

FN6 *MARTIN O. SMYTHE, a Minor, etc., Respondent, V. DANIEL V. SCHACHT et al.*,
[http://scholar.google.com/scholar_case?case=8841666761534932025&q=MARTIN+O.+SMYTHE,+a+Mi](http://scholar.google.com/scholar_case?case=8841666761534932025&q=MARTIN+O.+SMYTHE,+a+Minor,+etc.,+Respondent,+V.+DANIEL+V.+SCHACHT+et+al.,+&hl=en&as_sdt=2,5)

FN7 *Concerned Dog Owners of California et al, Plaintiffs and Appellants, V. City of Los Angeles et al* <http://caselaw.findlaw.com/ca-court-of-appeal/1565638.html>

FN8 Colorado - Denver Sec. 8-55. - Pit bulls prohibited

http://www.animallaw.info/local/louscodenver8_55.htm

FN9 The Colorado Dog Fanciers, Inc et al V The City and County of Denver et al 820 P.2d644, Supreme Court of Colorado, En Banc. decided November 12, 1991

[http://scholar.google.com/scholar_case?case=8956919589633806808&q=COLORADO+DOG+FANCIER+S,+INC.+v.+CITY+AND+COUNTY+OF+DENVER+\(1991\)+&hl=en&as_sdt=2,5](http://scholar.google.com/scholar_case?case=8956919589633806808&q=COLORADO+DOG+FANCIER+S,+INC.+v.+CITY+AND+COUNTY+OF+DENVER+(1991)+&hl=en&as_sdt=2,5)

FN10 Failure to improve safety, Denver compared to Boulder Co dog bites.

<http://stopbsl.com/bsloversview/the-failure-to-improve-safety/>

Fn11 Ohio 126th General Assembly H. B. No. 189

http://www.legislature.state.oh.us/bills.cfm?ID=126_HB_189

FN12 The State of Ohio, Appellant V Anderson, Appellee 57 Ohio St 3d 168 Supreme Court of Ohio, decided February 13, 1991

http://www.legale.com/xmlResult.aspx?xmlDoc=199122557OhioSt3d168_1188.xml&docbase=CSLWAR2-1986-2006

FN13 Sallybeth KATHREN, by Her Guardian, Susan Kathren, Guardian Ad Litem, Appellant, v. Paul OLENIK and John Olenik, Respondents. 613 P.2d 69 Court of Appeals of Oregon, Decided June 23, 1980

http://scholar.google.com/scholar_case?case=16169719880035510071&q=+Sallybeth+KATHREN,+by+Her+Guardian,+Susan+Kathren,+Guardian+Ad+Litem,+Appellant,+v.+Paul+

FN14 Ruben Martinez et al Plaintiffs and Appellants V. Bank of America National Trust & Savings Assoc. Defendant and Respondent 82 Cal.App.4th 883, Court of Appeal, Second District, div 3 decided August 1, 2001. <http://caselaw.findlaw.com/ca-court-of-appeal/1130857.html>

FN15 West's Alaska Statutes Annotated. Title 3. Agriculture, Animals, and Food. Chapter 55. Care of Animals; Control of Dogs. Article 1. Dogs.

http://www.animallaw.info/statutes/stusakst3_55.htm

FN16 The Alaska Village, Inc Appellant, V. Mary Smalley, for and on Behalf of Monica Smalley 720 P.2d 945 Supreme Court of Alaska rehearing denied July 11, 1986

http://scholar.google.com/scholar_case?case=8592115333832037938&q=The+Alaska+Village,+Inc+Appellant,+V.+Mary+Smalley&hl=en&as_sdt=2,5