

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT  
CIVIL ACTION NO. 2481cv02577

NEWHOUSE WILDLIFE RESCUE, ET AL.

Plaintiffs,

v.

COMMONWEALTH OF MASSACHUSETTS, by  
and through its subdivision MASSWILDLIFE,

Defendants.

**DEFENDANT'S RESPONSE TO THE MOTION FOR INJUNCTIVE RELIEF**

Defendant MassWildlife is pleased to inform the Court that it has issued a permit to Plaintiff Newhouse Wildlife Rescue for Nibi the Beaver to remain at its rehabilitation facility and serve as an educational animal. A copy of this permit, which was sought by Plaintiffs in the verified complaint, is attached hereto.

For the last two years, Nibi has been under the care of Newhouse Wildlife Rescue, a licensed wildlife rehabilitator in Chelmsford, Massachusetts. Newhouse Wildlife Rescue has raised Nibi from a one-month old kit to a healthy, adult beaver. Through this permit, Plaintiff may continue to care and train Nibi, and accordingly MassWildlife has fulfilled all aspects of the relief that is sought in Plaintiffs' motion for preliminary injunction.

Respectfully submitted,

DEFENDANTS,

By their attorneys,

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

/s/ John R. Hitt

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Dated: October 3, 2024

## **CERTIFICATE OF SERVICE**

I hereby certify that on October 3, 2024, I served this Defendant's Response to Motion for Injunctive Relief on the other parties in this matter by email to:

### **Plaintiffs**

Adam Teper, Esq.  
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/s/ John R. Hitt  
John R. Hitt  
Assistant Attorney General



MASSWILDLIFE

## DIVISION OF FISHERIES & WILDLIFE

251 Causeway Street, Ste. 400, Boston, MA 02114

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MASS.GOV/MASSWILDLIFE

### LETTER PERMIT

# 2024

**Jane Newhouse**  
**13 Rivermeadow Drive**  
**Chelmsford Ma 01824**

**DATE: 2/16/2024**  
**PERMIT#: 044.24LP**

*is (are) hereby authorized, in accordance with the provisions of Section 4, Chapter 131, of the Massachusetts General Laws, and 321 Code of Massachusetts Regulations, part 2.12 to possess for educational purposes only, the following species:*

#### **1 Woodchuck, 1 Beaver**

*The above listed animals are under the custody of the above-named permittee(s) at the above-mentioned address. Said animals may not be sold, bartered, or transferred from the custody of the above-named permittee(s).*

*Said animals must be deemed permanently un-releasable and shall be acquired from licensed Wildlife Rehabilitators or other legal sources. The Division of Fisheries and Wildlife must be notified in advance in writing of each acquisition. An amendment must be granted prior to acquiring each animal.*

*The above listed animals may be transported within the Commonwealth of Massachusetts in conjunction with educational programs only.*

*Issuance of this permit does not absolve the permittee(s) from compliance in full with any and all other applicable federal, state, or local laws, regulations, or ordinances. This permit or a copy of same shall be carried by the permittee(s) or any supervised assistant, at all times, while engaged in the activities described herein.*

*This permit shall expire on December 31, 2024, unless sooner revoked or amended.*

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Mark Tisa, Ph.D., M.B.A., Director

MASSWILDLIFE