

# Lawsuit Filed by CPM Client against PetSmart and PetSmart Groomer for Loss of Puppy

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## Practice Areas

Commercial Litigation

Today, Cotchett, Pitre & McCarthy filed a lawsuit on behalf of Terrie Peacock and Stefan Zier, whose beloved dachshund puppy, Henry, was crushed to death at the hands of a PetSmart groomer, Juan Zarate. Henry was more than just a pet, he was a member of the Peacock-Zier family. On May 15, 2016, Henry was brought to a PetSmart location in San Mateo, California for a routine nail trim. The nail trim turned ugly within moments. Henry went from healthy to having two broken ribs and a punctured lung. When Zarate emerged from the grooming station, Terrie and Stefan were stunned to see Henry's limp and broken body, struggling to breathe with bright red blood foaming from his mouth. Henry died minutes later at the on-site veterinary hospital. Adding to the shock of what Terrie and Stefan observed was the failure of the PetSmart groomer to offer any explanation or apology for what happened.

The Complaint alleges that an alarming number of consumers have reported serious injury and/or death to pets while being groomed at PetSmart. The injuries range from severe cuts, to overheating and "cooking" the animal, to strangulation and blunt force trauma. According to the Complaint, PetSmart had knowledge and awareness of the harm its groomers were causing for years prior to Henry's death, but failed to correct the problem. This failure is especially appalling in an unregulated industry, such as pet grooming, where PetSmart makes countless representations to the public regarding its commitment to safety in caring for pets.

Alison Cordova of Cotchett, Pitre & McCarthy said, "The volume of reports of dogs and cats sustaining serious, and sometimes lethal, injuries while being groomed at PetSmart undermines the claim that PetSmart is 'where pets are family'. PetSmart claims that it trains its

LAWSUIT FILED BY CPM CLIENT AGAINST PETSMART AND PETSMART GROOMER FOR LOSS OF PUPPY

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groomers and annually certifies its groomers in safety. If that is the case, then it seems the system is broken.”