



**Hagens Berman: Consumer Lawsuit Alleges SeaWorld Deceives Public While Its Orcas Suffer**  
*Lawsuit seeks to represent anyone who purchased tickets, memberships or SeaWorld orca experiences*

**SAN DIEGO** – SeaWorld customers today filed a groundbreaking [class-action lawsuit against SeaWorld Entertainment Inc. \(NYSE: SEAS\)](#) alleging that SeaWorld deliberately conceals the unethical treatment and conditions of its captive orcas, including psychoactive drugging, forced separation of calves from mothers, forced and unnatural breeding, and cramped conditions that lead to aggression and disease according to attorneys at Hagens Berman.

The lawsuit states that SeaWorld has also hidden dangers to whale trainers, misleading the public through a “deceptive and false illusion” that its whales are thriving and well cared for when the opposite is true. The lawsuit seeks to represent hundreds of thousands of visitors to SeaWorld’s entertainment parks located in California, Florida and Texas.

The lawsuit filed on Mar. 25, 2015 in the U.S. District Court for the Southern District of California focuses on the treatment of orcas captive at SeaWorld and performing in SeaWorld’s Shamu show in which orcas perform in a seemingly peaceful and cooperative manner with trainers to the delight of millions of consumers. During its signature Shamu show and in its massive global marketing campaign SeaWorld states that it “cares for,” protects and even “nourishes” its captive orcas, according to the complaint. “The deceptive and false illusion carefully scripted by SeaWorld that these orcas thrive and are willing – if not eager – performers has been created for the public and has concealed not only the mistreatment of these animals, but also concealed orca behavior that evidences how their captive lives at SeaWorld are harmful to their welfare,” the complaint reads.

“One has to put this in the context of how unique orcas are. They are highly social animals that form pods that speak the same dialect, and are highly intelligent and live in the wild with their family unit for life,” said Steve Berman, managing partner of Hagens Berman. “SeaWorld’s treatment of orcas disrupts this social structure and interferes with the orcas’ lives in a way not experienced by other captive animals.”

Consumers who have purchased tickets, memberships or SeaWorld orca experiences over the past four years at any of the three SeaWorld locations – San Diego, Orlando and San Antonio – may contact Hagens Berman by emailing [SeaWorld@hbsslw.com](mailto:SeaWorld@hbsslw.com) or by calling 206-623-7292. Additional information about the investigation is available at [seaworld.hbsslw.com](http://seaworld.hbsslw.com). To join this class action, consumers do not need to live in a state in which SeaWorld operates.

The complaint states, SeaWorld’s “orcas in the care of man” mantra is an “illusion [that] masks the ugly truth about the tortured and despairing lives of these whales. A truth that, if known to the purchasing public at the time families make the decision to visit SeaWorld, buy a membership, or pay for an ‘exclusive park experience,’ would lead them to seek entertainment elsewhere.”

“We have spent months researching this issue and talking with world experts. Simply put, we believe that SeaWorld as it exists now – an unhealthy corporation that uses orcas for its own profit – must finally tell the truth about the treatment and condition of its captive orcas,” Berman said. “It’s clear that the true condition of these orcas is not revealed to the public. Plaintiffs in this case would not have patronized SeaWorld had they known the disturbing truth.”

The lawsuit’s named plaintiff, Holly Hall, is a resident of Temecula, California who took her two grandchildren and her daughter to see the Shamu show at SeaWorld’s original, signature San Diego location in 2011 and 2012. The complaint states, “had SeaWorld disclosed the true facts about the conditions and behavior of its captive whales, and not made false and misleading statements,” she would not have purchased tickets.

### **Lawsuit: SeaWorld's Mistreatment of Orca Whales**

- **Psychoactive Drugs:** According to the complaint, the conditions and treatment of SeaWorld's orcas leads SeaWorld to administer a variety of powerful drugs to them, sometimes for their entire lives. Among the drugs forced upon its captive orcas are antacid products, used to treat stress-induced ulcers and antipsychotic and psychoactive drugs, including generic Valium given to calm captive whales, according to the lawsuit.
- **Teeth Damage and Infection:** The lawsuit states that due to forced confinement at SeaWorld, orcas routinely rip paint off the inner walls of their pools by using their teeth – something SeaWorld allegedly hides from the public. SeaWorld's orcas also obsessively damage their teeth along the ledges, floors and pool stages, wearing down their teeth and leaving holes ripe for bacteria to enter the bloodstream. Whales are often subjected to a lifelong daily flushing regimen to stave off infection, according to the complaint.
- **Severe Confinement:** Orcas often swim up to 100 miles a day in the wild but are kept in unnatural and unhealthy small tanks according to the lawsuit. SeaWorld keeps its orcas in a "series of interlocking chemical baths." When not actually performing, SeaWorld's captive orcas spend many hours a day in so-called "med pools" only eight feet deep, the lawsuit states.
- **Shortened Lifespan:** Orcas in the wild have an average life closer to that of human beings —their estimated maximum lifespan is 60 to 70 years for males and 80 to more than 90 for females. The suit states that in captivity, most die in their teens or 20s and only a handful have reached 35.
- **Separation of Calves:** The complaint states that SeaWorld separates mothers from calves, and separated mothers exhibit distressed behavior for years as a result – in at least one instance emitting unique long-range vocalizations long after a calf was taken to another amusement park.
- **Exposure to Harsh Sunlight:** The orcas are kept in shallow pools and have nearly perpetual sunburns that SeaWorld allegedly covers up with black zinc oxide, the suit states.
- **Collapsed Dorsal Fins:** The lawsuit alleges that as a result of captivity, orcas at SeaWorld have collapsed dorsal fins – a condition rarely found in the wild – though SeaWorld falsely denies this is the case.

According to the complaint, SeaWorld's misconduct violates, among other laws, California's Unfair Competition Laws and Consumers Legal Remedies Act, California false advertising laws, Florida's Unfair and Deceptive Trade Practice law, and also includes common law claims of deceit and unjust enrichment.

Consumers who have purchased tickets, memberships or SeaWorld experiences involving orcas over the past four years at any of the three SeaWorld locations – San Diego, San Antonio or Orlando – may contact Hagens Berman by emailing [SeaWorld@hbsslaw.com](mailto:SeaWorld@hbsslaw.com) or by calling 206-623-7292. Find out more about the [class-action lawsuit against SeaWorld](#).

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### **[About Hagens Berman](#)**

Hagens Berman Sobol Shapiro LLP is a consumer-rights class-action law firm with offices in nine cities. The firm has been named to the National Law Journal's Plaintiffs' Hot List eight times. More about the law firm and its successes can be found at [www.hbsslaw.com](http://www.hbsslaw.com). Follow the firm for updates and news at [@ClassActionLaw](#).

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