

# Judge reserves decision on fate of Ikea monkey until at least Friday

OLIVER MOORE

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The fate of a monkey found wandering in an Ikea parking lot won't be known until at least Friday.

The Ontario judge who heard arguments today over whether the monkey should be returned to his owner for the holidays is reserving the decision for one day. Yasmin Nakhuda, the owner of a world-famous monkey is trying to get him back, arguing in court Thursday that he was unlawfully seized and unlawfully given to a sanctuary.

"The sanctuary possess him ... [and] therefore owns him," he argued.

Known as Darwin, the macaque is now in the custody of a primate centre northeast of Toronto. They insist he will have a better quality of life there and hope he will find a maternal figure in a resident baboon.

Ms. Nakhuda broke down in tears in court as her lawyer described how zoologists, media and others have been able to see the monkey, while she has been prevented from visiting.

"She's been trying to have access to Darwin since day one and has been denied," Theodore Charney said.

He called "unreasonable" the terms of a recent offer that required her to be searched by police before entering the sanctuary, escorted by them while there and not have any physical contact with the monkey.

"It's as if I'm Osama bin Laden going to see a child," Ms. Nakhuda said

But Mr. Toyne said that the case has raised enormous public interest and that sanctuary staff have safety concerns. And they worry about Ms. Nakhuda's effect on the monkey.

"There are concerns ... with our clients that things have gone wrong with Darwin while he has been in Ms. Nakhuda's custody."

This species is prohibited in Toronto, and the city's animal services staff warn that it can carry a type of herpes dangerous to humans.

Mr. Charney argued, though, that the bylaw doesn't give animal services the right to seize the monkey.

"The penalty for keeping Darwin in Toronto is a ticket, nothing more," he said.

The monkey shot to international attention after being found wandering earlier this month in the parking lot of Toronto-area Ikea store. Clad in a dirty faux-shearling coat and a diaper, he had apparently escaped his crate and then figured out how to get open the vehicle's door.

He entered the custody of animal services - they say it was a voluntary surrender, Ms. Nakhuda insists she was coerced - and from there moved to Story Book Farm Primate Sanctuary in Sunderland, Ont