

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:) P. & S. Docket No. D-00-012
)
Ravenna Livestock, Inc.)
and Ronald Lamoreaux,)
)
Respondents) Decision Without Hearing
) By Reason of Consent

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This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 et seq.) by a complaint filed by the Deputy Administrator, Packers and Stockyards Programs, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that the financial condition of the corporate Respondent did not meet the requirements of the Act, and that the Respondents wilfully violated the Act and the regulations promulgated thereunder (9 C.F.R. § 201.1 et seq.). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The Respondents admit the jurisdictional allegations in paragraph I of the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The Complainant agrees to the entry of this decision.

Findings of Fact

1. Ravenna Livestock, Inc., hereinafter referred to as Respondent Ravenna, is a corporation organized and existing under the laws of the state of Michigan. Its business mailing address is 11628 Old Belding Road, Belding, Michigan 48809.

2. Respondent Ravenna is not now but at all times material herein was:

- (a) Engaged in the business of conducting and operating the Ravenna Livestock, Inc. stockyard, a posted stockyard under the Act;
- (b) Engaged in the business of buying and selling livestock in commerce on a commission basis and on its own account; and
- (c) Registered with the Secretary of Agriculture as a market agency to buy and sell livestock in commerce on a commission basis and as a dealer.

3. Ronald Lamoreaux is an individual whose mailing address is 11628 Old Belding Road, Belding, Michigan 48809.

4. Respondent Ronald Lamoreaux is and at all material times herein was:

- (a) Secretary/Treasurer of Respondent Ravenna; and
- (b) Owner of fifty percent of the stock issued by Respondent Ravenna.

5. Respondent Ronald Lamoreaux is not now but at all times material herein was:

(a) Responsible for the direction, management, and control of Respondent Ravenna; and

(b) Engaged in the business of buying and selling livestock in commerce on a commission basis and as a dealer.

Conclusions

The Respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

Respondent Ravenna Livestock, Inc., and its shareholder, officer, and director, Ronald Lamoreaux, its agents, and employees, directly or through any corporate or other device, in connection with its operations subject to the Packers and Stockyards Act, shall cease and desist from:

1. Engaging in business subject to the Act while insolvent, i.e., while current liabilities exceed current assets;

2. Failing to deposit in their Custodial Accounts for Shippers' Proceeds within the times prescribed in Section 201.42 of the regulations (9 C.F.R. § 201.42) amounts equal to the outstanding proceeds receivable due from the sale of consigned livestock;

3. Failing to otherwise maintain the Custodial Accounts for Shippers' Proceeds in strict conformity with the provisions of Section 201.42 of the regulations (9 C.F.R. § 201.42);

4. Using funds received from the sale of consigned livestock for purposes of their own or for any purpose other than payment to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges;

5. Issuing checks in payment of the net proceeds derived from the sale of livestock on a commission basis without having and maintaining sufficient funds on deposit and available in the account upon which such checks are drawn to pay such checks when presented;

6. Failing to remit, when due, the net proceeds due from the sale of livestock on a commission basis; and

7. Failing to remit the net proceeds due from the sale of livestock on a commission basis.

Respondent Ravenna Livestock, Inc., and its shareholder, officer, and director, Ronald Lamoreaux, are suspended as registrants under the Act for a period of five (5) years and thereafter until they demonstrate that the corporate Respondent is solvent and that the shortage in the Custodial Account for Shippers' Proceeds has been eliminated. It is provided further that this order may be modified upon application to the Grain Inspection, Packers and Stockyards Administration to permit Respondent Lamoreaux's salaried employment by another registrant or packer after the expiration of the two-year period of suspension upon demonstration of circumstances warranting modification of the order.

The provisions of this order shall become effective on the sixth day after service of this decision on the Respondents.

Copies of this decision shall be served upon the parties.

Thomas Bruinsma, as Trustee

THOMAS A. BRUINSMA 9-24-01
U.S. Bankruptcy Trustee In Re Ravenna Livestock, Inc.
Bankruptcy Case Number: SG 98-04154
In his capacity as Trustee, only

JASON C. LAMOREAUX
Conservator for Ronald Lamoreaux

ROBERT H. GILLETTE
Attorney for Respondent

CLARA A. KIM
Attorney for Complainant

Issued this 4th day of January 2002

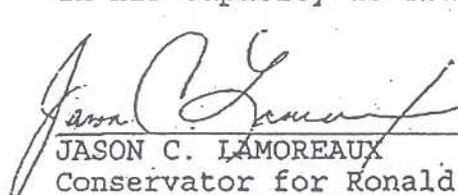
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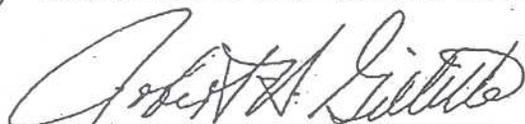
Administrative Law Judge

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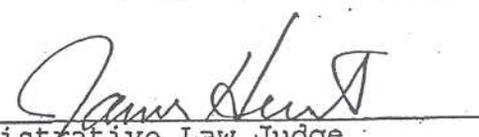
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Bankruptcy Case Number: SG 98-04154
In his capacity as Trustee, only

 Conservator for Ronald Lamoreaux
JASON C. LAMOREAUX
Conservator for Ronald Lamoreaux


ROBERT H. GILLETTE
Attorney for Respondent

CLARA A. KIM
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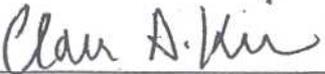
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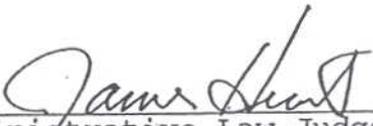
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