

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: )  
) P & S Docket No. D-10- 0062  
)  
Terry Roth d/b/a Indian Creek Meadows, )  
)  
)  
Respondent ) COMPLAINT

There is reason to believe that the Respondent named herein has willfully violated provisions of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*), hereinafter referred to as “the Act,” and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*), hereinafter referred to as “the regulations,” and therefore, this Complaint is issued alleging the following:

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- (a) Terry Roth (hereinafter “Respondent Roth”) is an individual doing business as Indian Creek Meadows (hereinafter “Indian Creek”), whose business mailing address is 418 State Highway BB, Millersville, Missouri 63766.
- (b) Respondent Roth is and at all times material herein was:
  - (1) One hundred percent owner of Indian Creek.
- (c) Respondent Roth, at all times material herein, was:
  - (1) Engaged in the business of buying and selling livestock in commerce for his own account as a dealer; and

(2) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account.

## II

On or about the dates and in the transactions listed below, Respondent Roth failed to pay, when due, the full purchase price of such livestock:

<b>Seller</b>	<b>Slaughter Date</b>	<b>No. Head</b>	<b>Total Invoice</b>	<b>Livestock Amount</b>	<b>Due Date Per \$409</b>	<b>Date Paid</b>	<b>Days Late</b>
Schreiner-Busch Farms Inc.	12/3/08	11	\$11,043.27	\$11,780.27	12/4/08	2/12/09	71
Paul & Lynn Buerck	12/3/08	8	\$8,999.95	\$9,535.95	12/4/08	12/17/08	13
Charles Heisserer	12/3/08	5	\$5,268.01	\$5,603.01	12/4/08	12/19/08	15
Willis Koenig	12/3/08	2	\$1,739.94	\$1,873.94	12/4/08	12/19/08	15
Stanley Sievers	12/3/08	3	\$3,387.67	\$3,588.67	12/4/08	12/19/08	15
Brent Verseemann	12/3/08	5	\$5,245.84	\$5,580.84	12/4/08	12/22/08	18
Roger & Darrell Verseemann	12/3/08	4	\$4,483.89	\$4,751.89	12/4/08	12/22/08	18
Schreiner-Busch Farms Inc.	12/16/08	8	\$6,618.42	\$7,354.42	12/17/08	3/6/09	81
Eugene Fritsche <sup>1</sup>	12/16/08	5	\$4,840.82	\$5,175.82	12/18/09	7/15/09	212
Christopher Haertling	12/16/08	8	\$7,563.44	\$8,099.44	12/17/08	1/8/09	20

<sup>1</sup> A bond payment in the amount of \$5,250.00 was received for this transaction on July 15, 2009.

Bachmann Farms	12/16/08	4	\$4,509.41	\$4,777.41	12/17/08	12/31/08	14
Crown Farms Inc.	12/16/08	10	\$11,610.73	\$12,280.73	12/17/08	12/31/08	14
Delbert Froeming	1/9/09	6	\$6,994.42	\$7,354.42	1/12/09	12/31/08	14
Christopher Haertling	1/9/09	10	\$10,440.07	\$11,040.07	1/12/09	2/2/09	21
Delbert Froemling <sup>2</sup>	1/9/09	6	\$6,926.91	\$7,286.91	1/12/09	7/15/09	185
Paul and Lynn Buerck d.b.a P&L Cattle <sup>3</sup>	3/3/09	8	\$7,804.89	8,324.09	3/4/09	7/15/09	134

### III

By reason of the facts alleged in paragraph II (a) herein, Respondent Roth d.b.a. Indian Creek Meadows has willfully violated sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a) and § 228b).

WHEREFORE, it is hereby ordered that this complaint shall be served upon Respondent for the purpose of determining whether the Respondent has willfully violated the Act and the regulations issued thereunder. Respondent shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, in accordance with the Rules of Practice Governing Proceedings under the Act (7 C.F.R. § 1.130 *et seq.*; “Rules of Practice”). Allegations not answered shall be deemed admitted for the purpose of this

<sup>2</sup> A bond payment in the amount of \$6,926.91 was received for this transaction on July 15, 2009.

<sup>3</sup> A bond payment in the amount of \$7,804.89 was received for this transaction on July 15, 2009.

proceeding. Failure to file an answer shall constitute an admission of all the material allegations of this complaint.

The Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), requests:

1. That unless Respondent fails to file an answer within the time allowed, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in accord with the Rules of Practice governing proceedings under the Act.

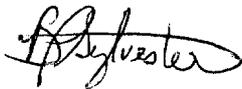
2. That such order or orders be issued, including an order requiring Respondent Roth d/b/a Indian Creek Meadows, to cease and desist from the violations of the Act with respect to the matters alleged herein, and assessing such penalties as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.  
this 22 day of December 2009



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Alan R. Christian  
Deputy Administrator  
Packers and Stockyards Program



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