

II

On or about the dates and in the transactions set forth in Appendix A, Respondent purchased livestock in commerce and failed to pay, when due, the full purchase price of such livestock.

III

By reason of the facts alleged in paragraph II, Respondent 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. 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.*). Allegations not answered shall be deemed admitted for the purpose of this 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; and

2. That such order or orders be issued, including an order requiring Respondent to cease and desist from violating 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 14 day of September 2011



Alan R. Christian
Deputy Administrator
Packers and Stockyards Program

Brian Sylvester
Attorney for Complainant
U.S. Department of Agriculture
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Appendix A

Seller/Purchased From	Amount Outstanding	Payment Due Date	Actual Payment Date	Days Late
Mt. Hope Auction	\$575.00	6/17/2010	6/23/2010	6
Mt. Hope Auction	\$1,031.25	6/24/2010	6/30/2010	6
Mt. Hope Auction	\$1,086.25	7/1/2010	7/16/2010	15
Mt. Hope Auction	\$1,090.00	7/15/2010	7/23/2010	8
Mt. Hope Auction	\$3,257.00	7/29/2010	8/4/2010	6
Mt. Hope Auction	\$2,133.00	8/5/2010	8/14/2010	9
Mt. Hope Auction	\$1,000.00	8/12/2010	8/20/2010	8
Mt. Hope Auction	\$157.50	8/19/2010	8/26/2010	7
Mt. Hope Auction	\$183.00	9/2/2010	9/9/2010	7
Mt. Hope Auction	\$1,689.76	9/9/2010	9/29/2010	20
Mt. Hope Auction	\$1,890.38	9/16/2010	9/29/2010	13
Mt. Hope Auction	\$1,119.75	9/23/2010	10/7/2010	14
Mt. Hope Auction	\$1,021.38	10/14/2010	10/28/2010	14
Mt. Hope Auction	\$110.25	10/28/2010	11/4/2010	7
Mt. Hope Auction	\$529.50	11/4/2010	11/18/2010	14
Mt. Hope Auction	\$925.00	11/12/2010	11/18/2010	6
Mt. Hope Auction	\$628.00	11/18/2010	11/26/2010	8
Mt. Hope Auction	\$760.00	11/22/2010	12/9/2010	17
Mt. Hope Auction	\$535.75	11/26/2010	12/2/2010	6
Mt. Hope Auction	\$872.00	12/2/2010	12/9/2010	7

\$20,594.77

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