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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)
) P & S Docket No. D-11- 0069
))
Eddie Bennett, d/b/a)
Preferred Livestock,)
))
) Respondent)
))
)) Complaint

There is reason to believe that the Respondent named herein has willfully violated 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:

I.

- (a) Eddie Bennett, doing business as Preferred Livestock, hereinafter referred to as the "Respondent," is an individual. Respondent's mailing address is a home address, and will not be stated in this complaint to protect his privacy, but will be provided to the Hearing Clerk's Office, United States Department of Agriculture, for the purposes of service of this complaint.
- (b) Respondent at all times material to this complaint was:
 - 1. Engaged in the business of buying and selling livestock in commerce as a dealer; and
 - 2. Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce.

THE NATIONAL BUREAU OF STANDARDS
DEPARTMENT OF COMMERCE

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The following information is being furnished to you for your information and guidance. It is based on the results of the tests conducted on the material submitted to the Bureau for the purpose of determining its compliance with the requirements of the National Bureau of Standards.

(a) The material submitted to the Bureau for the purpose of determining its compliance with the requirements of the National Bureau of Standards was found to be in compliance with the requirements of the National Bureau of Standards.

The following information is being furnished to you for your information and guidance. It is based on the results of the tests conducted on the material submitted to the Bureau for the purpose of determining its compliance with the requirements of the National Bureau of Standards.

II.

(a) On or about the dates and in the transactions set forth below, Respondent purchased livestock and failed to pay, within the time period required by the Act, the full purchase price of the livestock.

SELLER	NO. OF HEAD	LIVESTOCK AMOUNT	PURCHASE DATE	DUE DATE PER § 409 (a)	CHECK DATE	DAYS LATE
Mayfield Auction Barn	28	\$2,135.000	1/3/10	1/4/10	2/2/10	29
Patton Junction Livestock Auction, Inc.	9	\$2,767.95	1/4/10	1/5/10	1/12/10	7
Kentucky Tennessee Livestock Market, Inc.	3	\$694.30	1/7/10	1/8/10	1/11/10	3
West Kentucky Livestock Market, LLC	10	\$295.00	1/9/10	1/11/10	1/20/10	9
United Producers, Inc.	265	\$29,384.66	1/14/10	1/15/10	1/20/10	5
United Producers, Inc.	11	\$888.00	1/15/10	1/19/10	2/1/10	13
Patton Junction Livestock Auction, Inc.	7	\$1,707.25	1/18/10	1/19/10	1/25/10	6
Mayfield Auction Barn	49	\$3,788.00	1/20/10	1/21/10	2/2/10	12
Mayfield Auction Barn	31	\$1,761.00	1/27/10	1/28/10	1/30/10	2
Kentucky Tennessee Livestock Market, Inc.	5	\$1,135.25	1/28/10	1/29/10	2/1/10	3
Patton Junction Livestock Auction, Inc.	2	\$277.45	2/1/10	2/2/10	2/9/10	7
Mayfield Auction Barn	4	\$264.00	2/10/10	2/11/10	2/12/10	1
The Wildlife Ranch	318	\$38,617.10	2/23/10	2/24/10	2/25/10	1
TOTALS	742	\$83,714.96	AVERAGE DAYS LATE			7.5

(b) On or about the dates and in the transactions set forth below, Respondent purchased livestock and failed to pay the full purchase price of the livestock.

SELLER	NO. OF HEAD	LIVESTOCK AMOUNT	PURCHASE DATE	DUE DATE PER § 409 (a)	AMOUNT PAID	UNPAID BALANCE
Bullitt County Stockyards	20	\$1,989.95	1/2/10	1/4/10	\$233.70	\$1,756.25

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), 228b).

WHEREFORE, it is hereby ordered that this complaint shall be served upon Respondent for the purpose of determining whether Respondent has willfully violated the Act and Regulations. 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 proceeding. Failure to file an answer will constitute an admission of all the material allegations of this complaint.

Packers and Stockyards Program, 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 accordance with the Rules of Practice; and
2. That such order be issued, including an order requiring Respondent to cease and desist from the violations of the Act and the Regulations found to exist,

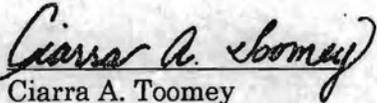
suspending the Respondent as a registrant under the Act, and assessing such civil penalties against the Respondent as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.

this 29 day of November, 2010



Alan R. Christian
Deputy Administrator,
Packers and Stockyards Program



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