

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

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In re: ) P. & S. Docket No. D-07- 0199  
)  
Landon Livestock, L.L.C. and )  
Richard A. Landon )  
)  
Respondents ) Complaint

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

I

(a) Landon Livestock, L.L.C. (hereinafter "Respondent L.L.C."), is a limited liability company organized and existing under the laws of the State of Idaho, with a mailing address of 3303 East 200 North, Rigby, Idaho 83442.

(b) Respondent L.L.C., at all times material herein, was:

- (1) Engaged in the business of a dealer buying and selling livestock in commerce for its own account;
- (2) Engaged in the business of a market agency buying livestock in commerce on a commission basis; and
- (3) Registered with the Secretary of Agriculture as a dealer buying and selling livestock in commerce, as a market agency buying livestock in commerce on a commission basis, and as a clearing service.

(c) Richard A. Landon, (hereinafter "Individual Respondent"), at all times material herein was:

- (1) The owner of Respondent L.L.C.;
- (2) The manager of Respondent L.L.C.; and
- (3) Responsible for the day to day direction, management and control of

Respondent L.L.C.

II

Respondent L.L.C., under the direction, management, and control of the Individual Respondent, on or about the dates and in the transactions set forth below, purchased livestock and failed to pay when due for such livestock purchases:

Purchase Date	Seller	No. of Head	Amount Due for Livestock	Payment Due Date	Payment Date	Days Late
07/06/04	Producers Lvstk. Mktng. Assn.-Jerome, ID	80	\$64,958.78	07/07/04	07/08/04	1
07/19/04	Shoshone Sale Yard	2	\$3,047.70	07/20/04	07/24/04	4
07/21/04	Idaho Lvstk. Auction LLC	1	\$234.00	07/22/04	07/23/04	1
08/05/04	Beaverhead Lvstk. Auction	12	\$7,147.22	08/06/04	08/07/04	1
08/09/04	Shoshone Sale Yard	6	\$3,750.98	08/10/04	08/11/04	1
08/18/04	Idaho Lvstk. Auction LLC	5	\$2,650.08	08/19/04	09/02/04	14
08/25/04	Idaho Lvstk. Auction LLC	14	\$8,060.12	08/26/04	09/02/04	7
08/31/04	Producers Lvstk. Mktng. Assn.-Jerome, ID	79	\$50,040.01	09/01/04	09/02/04	1
09/08/04	Producers Lvstk. Mktng. Assn.-Vale, OR	24	\$19,760.62	09/09/04	09/10/04	1
09/10/04	Shoshone Lvstk. Auction	9	\$5,644.35	09/13/04	09/16/04	3

Purchase Date	Seller	No. of Head	Amount Due for Livestock	Payment Due Date	Payment Date	Days Late
09/14/04	Producers Lvstk. Mktng. Assn.- Jerome, ID	10	\$6,312.33	09/15/04	09/24/04	9
09/20/04	Shoshone Lvstk. Auction	12	\$7,679.82	09/21/04	09/24/04	3
09/22/04	Producers Lvstk. Mktng. Assn.- Vale, OR	11	\$8,286.83	09/23/04	09/29/04	6
09/22/04	Twin Falls Lvstk. Commn.	20	\$12,027.02	09/23/04	09/29/04	6
09/24/04	Treasure Valley Lvstk. Auction	16	\$13,948.90	09/27/04	09/29/04	2
09/27/04	Shoshone Lvstk. Auction	5	\$2,928.91	09/28/04	09/29/04	1
09/27/04	Emmett Valley Lvstk. Auction	21	\$14,512.97	09/28/04	09/29/04	1
10/04/04	Shoshone Lvstk. Auction	27	\$19,154.90	10/05/04	10/06/04	1
10/06/04	Idaho Lvstk. Auction LLC	5	\$2,588.65	10/07/04	10/14/04	7
10/21/04	Beaverhead Lvstk. Auction	29	\$19,113.21	10/22/04	10/24/04	2
11/04/04	Beaverhead Lvstk. Auction	34	\$20,505.75	11/05/04	11/06/04	1
11/10/04	Idaho Lvstk. Auction LLC	3	\$1,930.05	11/12/04	11/15/04	3
11/11/04	Beaverhead Lvstk. Auction	2	\$1,005.08	11/12/04	11/15/04	3
11/22/04	MB Livestock	57	\$24,782.40	11/23/04	11/30/04	7
11/23/04	MB Livestock	111	\$65,423.47	11/24/04	11/30/04	6
12/07/04	Rexburg LS Company	30	\$19,250.43	12/08/04	12/10/04	2
12/10/04	Blackfoot Lvstk. Auction	9	\$5,651.50	12/13/04	12/14/04	1
12/14/04	Rexburg LS Company	67	\$42,954.99	12/15/04	12/16/04	1
12/20/04	Shoshone Lvstk. Auction	22	\$17,044.33	12/21/04	12/23/04	2
12/21/04	Rexburg LS Company	75	\$43,994.38	12/22/04	12/23/04	1
Total		798	\$514,389.78			

### III

Respondent L.L.C., under the direction, management, and control of Individual Respondent, in connection with its operations subject to the Act, failed to keep accounts, records and memoranda which fully and correctly disclosed all the transactions involved in its business as a livestock dealer in violation of Section 401 of the Act (7 U.S.C. § 221). Specifically, Respondent L.L.C. failed to keep scale tickets for its dealer transactions and purchase invoices for all of its purchases.

### IV

By reason of the facts alleged in paragraph II herein, Respondents willfully violated sections 312(a) and 409 of the Act (7 U.S.C. §§213(a), 228b) and section 201.43 of the regulations (9 C.F.R. §201.43).

By reason of the facts alleged in paragraph III herein, Respondents willfully violated section 312(a) of the Act (7 U.S.C. § 213(a)) by failing to keep accounts, records, and memoranda as required by section 401 of the Act (7 U.S.C. § 221).

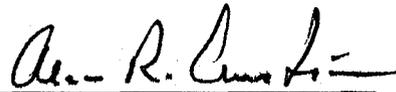
WHEREFORE, it is hereby ordered that for the purpose of determining whether Respondents have in fact willfully violated the Act and the regulations thereunder, this complaint will be served upon Respondents. Respondents shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 *et seq.*). 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 Respondents fail to file an answer within the time allowed therefor, or file an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice governing proceedings under the Act; and
2. That such order or orders be issued, including an order requiring Respondents to cease and desist from the violations found to exist, suspending Respondent as a registrant under the Act, and assessing such civil penalties as are authorized by the Act and warranted in the premises.

Done at Washington, D.C.

this 20 day of September 2007



Alan R. Christian  
Deputy Administrator  
Packers and Stockyards Program

Charles L. Kendall  
Attorney for Complainant  
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