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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

John Connery and
Mississippi Valley Livestock, Inc.

P. & S. Docket No. 18-0023

Complaint

There is reason to believe that John Connery and Mississippi Valley Livestock, Inc. ("Respondents") have willfully violated the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*) ("Act"), and therefore, this complaint is issued alleging the following:

I.

(a) Respondent Mississippi Valley Livestock, Inc., is an Illinois corporation with a business mailing address of P. O. Box 55, East Dubuque, Illinois 61025, and a business address of 43 Roosevelt drive, East Dubuque, Illinois 61025.

(b) Respondent Mississippi Valley Livestock, Inc., at all times material to this complaint was:

- (1) Engaged in the business of buying and selling livestock for its own account;
- (2) Registered with the Secretary of Agriculture as a dealer;
- (3) Registered with the Secretary of Agriculture to provide clearing services.

(c) Respondent John Connery is an individual with a business mailing address of P.O. Box 55, East Dubuque, Illinois 61025, and whose business address is 43 Roosevelt Road, East Dubuque, Illinois 61025.

(d) At all times material to this complaint, Respondent John Connery was:

- (1) President, Secretary, and owner of all the issued stock of Respondent Mississippi Valley Livestock, Inc., and responsible for the management,

direction and control of the Respondent Mississippi Valley Livestock, Inc.,
and

(2) Engaged in the business of buying and selling livestock for his own account.

II.

Respondents, on or about the dates and in the transactions set forth below, issued checks in payment for livestock purchases which checks were returned unpaid by the bank upon which they were drawn because Respondents did not have and maintain sufficient funds on deposit and available in the accounts upon which the checks were drawn to pay the checks when presented.

Purchase date	Payee	Livestock Amount
03/20/2007	Bloomington Livestock Exchange, Inc. Bloomington, WI	\$190,273.11
03/27/2007	Bloomington Livestock Exchange	\$328,430.13
03/14/2007	Boswell Livestock Commission, Co., Inc. Boswell, IN	\$217,905.73
03/13/2007	Galesburg Livestock Auction Galesburg, IL	\$48,914.79 ¹
03/20/2007	Manchester Livestock Auction, Inc. Manchester, IA	\$67,992.13
03/22/2007	Sheldon Livestock Sheldon, IA	\$153,808.44
03/21/2007	Sioux Falls Regional Livestock Worthing, SD	\$173,820.37
Totals		\$1,181,144.70

¹ The check for this transaction was for \$49,543.63.

III.

(a) On or about the dates and in the transactions set forth in paragraph II and in the transactions set forth below, Respondents failed to pay, when due, for livestock purchases.

Purchase date	Livestock Seller	Amount
03/25/2007	Bloomington Livestock Exchange	\$23,735.24
04/03/2007	Bloomington Livestock Exchange	\$211,290.43
03/26/2007	Cascade Sales Barn New Vienna, IA	\$168,582.61
04/02/2007	Cascade Sales Barn	\$213,712.71
03/26/2007	Cresco Livestock Market Cresco, IA	\$35,290.21
03/27/2007	Manchester Livestock Auction	\$147,269.21
11/02/2006	North Country Livestock Bonduel, WI	\$43,346.25
03/26/2007	O. & S. Cattle Company South St. Paul, MN	\$61,751.66
03/28/2007	O. & S. Cattle Company	\$41,244.96
03/29/2007	O. & S. Cattle Company	\$44,755.91
04/02/2007	O. & S. Cattle Company	\$43,397.12
03/28/2007	Reel Livestock Center Congerville, IL	\$9,451.16 ²
03/29/2007	Sheldon Livestock	\$201,732.80
03/28/2007	Sioux Falls Regional Livestock	\$44,811.51
03/28/2007	United Auction Center Maquoketa, IA	\$41,928.41
Totals		\$1,332,300.19

(b) Of the total amount due for livestock purchases described in paragraphs II & III(a), above, Respondents have failed to pay a balance of \$1,889,369.37.

IV.

By reason of the facts alleged in paragraph I, the individual Respondent, John Connery, is the alter ego of the corporate Respondent, Mississippi Valley Livestock, Inc.

² Includes \$75 of non-livestock charges.

By reason of the facts alleged in paragraphs II and III, Respondents willfully violated sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a), 228b).

WHEREFORE, it is ordered that for the purpose of determining whether Respondents have willfully violated the act, this complaint shall be served upon Respondents. Respondents shall file an answer within twenty days with the Hearing Clerk, United States Department of Agriculture, Washington, D. C. 20250, in accordance with the Rules of Practice. Failure to file an answer shall 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, 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; 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 Respondents as registrants 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 ____ day of _____ 2007

Alan R. Christian
Deputy Administrator
Packers and Stockyards Program



Jonathan Gordy
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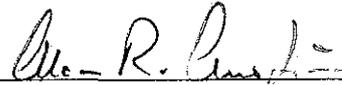
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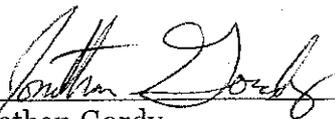
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This 27 day of November 2007



Alan R. Christian
Deputy Administrator
Packers and Stockyards Program



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