

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:) P & S Docket No. D-08-0040
)
) Michael E. Julian,)
) d/b/a Cameron Livestock Sales)
))
))
) 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 there under by the Secretary of Agriculture (9 C.F.R. § 201.1 et seq.; hereinafter referred to as the "Regulations"), therefore, this complaint is issued alleging the following:

I.

(a) Michael Julian, d/b/a Cameron Livestock Sales, hereinafter referred to as "Respondent," is an individual owner whose mailing address is Post Office Box 595, 399 NE Highway 13, Warrensburg, MI 64093.

(b) At all times material herein, Respondent was:

(1) A market agency, engaged in the business of selling in commerce livestock on a commission basis; and

(2) Registered with the Secretary of Agriculture as a market agency to sell livestock in commerce on a commission basis.

Peter

II.

Respondent was notified by certified letter, on July 3, 2006 , that the Packers and Stockyards Program had information indicating that Respondent's bond would be expiring and that it was necessary to obtain a new bond or equivalent to secure the performance of his livestock operations under the Act before engaging in business after the date of expiration, August 15, 2006. Further Respondent was notified that, if he continued his livestock operations under the Act, after said date without providing adequate bond coverage or its equivalent, he would be in violation of section 312(a) of the Act (7 U.S.C. § 213) and section 201.29 of the regulations (9 C.F.R §§ 201.29). Notwithstanding this notice, Respondent continued to engage in the business of selling livestock in commerce on a commission basis, without maintaining an adequate bond as required by the Act and the Regulations.

On October 24, 2006 , a Packers and Stockyards Program representative personally met with the Respondent and instructed Respondent to submit the required bonding information and to refrain from engaging in activities subject to the Act until the bonding requirements had been met.

III.

On or about the dates and in the transactions set forth below, Respondent engaged in the business of selling livestock in commerce on a commission basis without maintaining an adequate bond or bond equivalent. The Respondent sold livestock at a posted stockyard in Warrensburg, MI. The dates of the livestock transactions and the number of livestock involved are as follows:

Summary of Livestock Transactions

<u>Date of Sale</u>	<u>Location of Sale</u>	<u>Number of Head Sold</u>
10/6/06	Warrensburg, MI	7
10/7/06	Warrensburg, MI	5
10/20/06	Warrensburg, MI	4
10/21/06	Warrensburg, MI	15

IV.

By reason of the facts alleged in paragraphs II and III, Respondent has engaged in operations subject to the Act without maintaining an adequate bond and has willfully violated section 312(a) of the Act (7 U.S.C. § 213(a)), and sections 201.29 and 201.30 of the Regulations (9 C.F.R. §§ 201.29, 201.30).

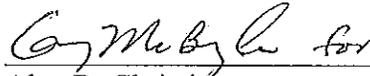
WHEREFORE, it is hereby ordered that this complaint shall be served upon Respondent for the purpose of determining whether Respondent has willfully violated the Act and Regulations. Respondent shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, 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 or orders be issued, including an order requiring Respondent to cease and desist from the violations of the Act found to exist, requiring that Respondent not engage in operations subject to the Act unless or until he is bonded as required by 7 U.S.C. § 204 of the Act and assessing such civil penalty, as authorized by the Act and warranted in the premises.

Done at Washington, D.C.

this 31 day of December, 2007



Alan R. Christian
Deputy Administrator,
Packers and Stockyards Program

Mary Hobbie
Attorney for Complainant
Office of the General Counsel
United States Department of Agriculture
Room 2309, South Building
1400 Independence Avenue, S.W.
Washington, D.C. 20250-1413
Telephone: (202) 720-5293