

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) P. & S. Docket No. D-09-0145
)
Michael J Seubert,)
)
Respondent) Decision Without Hearing
) By Reason of Consent

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 *et seq.*), by a Complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that the Respondent willfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*). This decision is entered pursuant to the consent decision provision of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted By the Secretary (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in paragraph I of the Complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The Complainant agrees to the entry of this decision.

Findings of Fact

1. Michael J. Seubert, doing business as Dorchester Hog Market, hereinafter referred to as the Respondent, is an individual whose mailing address is ~~P.O. Box 38, Abbotsford,~~

Dorchester, Wisconsin ~~54405.~~
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N 1689 State Highway 13,

2. Respondent, at all times material herein, was:

(a) Engaged in the business of a dealer buying and selling livestock in commerce for his own account and the account of others; and

(b) Registered with the Secretary of Agriculture as a dealer buying and selling livestock in commerce.

Conclusions

Respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

Respondent Michael J. Seubert, his agents and employees, directly or through any corporate or other device, in connection with operations subject to the Packers and Stockyards Act, shall cease and desist from engaging in the business of a dealer without maintaining an adequate bond or bond equivalent.

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondent Michael J. Seubert is assessed a civil penalty in the amount of Twelve Thousand Dollars (\$12,000.00).

The provisions of this order shall become effective on the sixth day after service of this order on the Respondent.

Copies of this decision shall be served upon the parties.



Michael J. Seubert

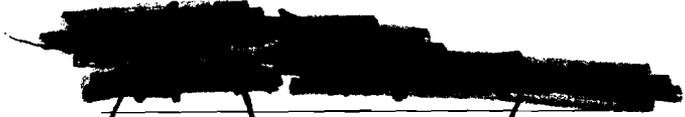


Michael D. Shiffler, Esq.
Attorney for Respondent



Charles L. Kendall
Attorney for Complainant

Issued this 8th day of October 2009



Administrative Law Judge