

Findings of Fact

1. Cole Brother Circus, Inc. ("Cole") is a Florida corporation whose registered agent for service of process is John J. Mercurio, 713 South Orange Avenue, Sarasota, Florida 34236. Cole does or has done business as Cole Bros. Circus. Respondent Cole held Animal Welfare Act license 58-C-0080 from January 27, 1977, until February 15, 2008, when it elected not to renew its Class C Exhibitor's license.

2. John W. Pugh is an individual whose mailing address is 2615 Branchwater Bend, DeLand, Florida 32720. Respondent Pugh was the President, Chief Executive Officer and a director of respondent Cole, and therefore acted for or was employed by an exhibitor (respondent Cole, who held a Class C license from January 27, 1977 to February 15, 2008).

Conclusion

Respondents John W. Pugh and Cole., having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondents, their agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations and standards issued thereunder.

2. Respondents are jointly and severally assessed a civil penalty of \$15,000, to be paid by check made payable to the Treasurer of the United States on or before December 31, 2012.

////

////

////

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.

COLE BROTHERS CIRCUS, INC.
a Florida corporation
Respondent

By 
Its PRASIDANT


John W. Pugh
Respondent


Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.
this ____ day of March 2012

Administrative Law Judge