

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)
)
Brian O’D. White, also known as) **PACA-APP Docket No. 03-0019**
Brian O White,)
)
Petitioner) **Order Dismissing Case**

Petitioner Brian O’D. White, also known as Brian O White (“Petitioner White”), is represented by Luis A. Toro, Esq. (and Joel Kiesey of the same law firm). Respondent Administrator, Fruit and Vegetable Programs, Agricultural Marketing Service, United States Department of Agriculture (“AMS”), is represented by Christopher P. Young-Morales, Esq.

Regarding the underlying disciplinary action, on October 28, 2008, I issued an Order Dismissing Case. That case was PACA Docket No. D-03-0005, In re: The Miles Smith Family Corp., d/b/a Cal Fresh Produce. AMS confirms, by letter filed April 1, 2009, that no employment or licensing restrictions under the PACA (7 U.S.C. § 499d(b), 499h(b)) are sought against Petitioner White; that AMS regards as moot the issue of Petitioner White’s responsibly connected status (7 U.S.C. § 499a(b)(9)); and that Petitioner White, accordingly, withdraws his petition for review filed August 20, 2003.

Consequently, I order this case DISMISSED. Copies of this Dismissal shall be served (by regular mail) by the Hearing Clerk upon each of the parties.

Done at Washington, D.C.
this 2nd day of April 2009

Jill S. Clifton
Administrative Law Judge

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