

UNITED STATES DEPARTMENT OF AGRICULTURE

2017 NOV 14 PM 1: 50

BEFORE THE SECRETARY OF AGRICULTURE

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In re:)	HPA Docket No. 17-0030
)	HPA Docket No. 17-0031
MIKE HANNAH, an individual; and)	
HERB MURRATH, an individual,)	
)	CONSENT DECISION AND
Respondents.)	ORDER AS TO RESPONDENT
)	MIKE HANNAH

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on December 28, 2016, alleging that the respondents violated the Act.

Respondent Mike Hannah admits the jurisdictional allegations in the complaint, specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, and waives oral hearing and further procedure. The parties consent and agree to the entry of this decision for the purpose of settling this proceeding as to respondent Hannah, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 4, 2017. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Findings of Fact

1. Respondent Mike Hannah is an individual residing in [REDACTED] and at all times mentioned herein was a "person" and an "exhibitor," as those terms are defined in the regulations promulgated under the Act (9 C.F.R. Parts 11 and 12).

2. On or about August 29, 2016, respondent Mike Hannah entered a horse (Tarheel's Star of Ritz), for the purpose of showing the horse, in class 115C in a horse show in Shelbyville,

Tennessee.

Conclusion of Law

Respondent Mike Hannah having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent Mike Hannah is disqualified for eight months beginning November 5, 2017, and ending July 4, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Mike Hannah is assessed a civil penalty of \$1,100, which shall be paid by March 4, 2018, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0030, and sent to:

USDA, APHIS, MISCELLANEOUS
P.O. Box 979043
St. Louis, Missouri 63197-9000

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¹“Participating” means engaging in any activity beyond that of a spectator in connection with a horse show, horse exhibition, or horse sale or auction, and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas, or in any area where spectators are not allowed, and financing the participation of others in equine events.

The provisions of this order shall be final and effective as of November 5, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]

Mike Hannah
Respondent

[Redacted]

Thomas B. Kakassy
Attorney for Respondent

Colleen A. Carroll
Attorney for Complainant

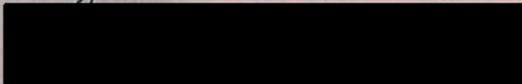
Done at Washington, D.C.,
this 14th day of November 2017

[Redacted]

Channing D. Strother
Administrative Law Judge

The provisions of this order shall be final and effective as of November 5, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

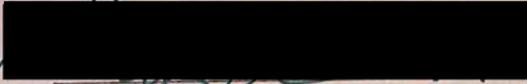
Mike Hannah
Respondent



Colleen A. Carroll
Attorney for Complainant

Thomas B. Kakassy
Attorney for Respondent

Done at Washington, D.C.,
this 14th day of November 2017



Channing D. Strother
Administrative Law Judge