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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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| In re: | ) | HPA Docket No. 17-0096 |
| | ) | HPA Docket No. 17-0097 |
| BRAD BEARD, an individual; | ) | HPA Docket No. 17-0101 |
| HEATHER BEARD, an individual; | ) | HPA Docket No. 17-0104 |
| BETH REED, an individual; and | ) | |
| CLIFF WILSON, an individual, | ) | |
| | ) | CONSENT DECISION AND |
| Respondents. | ) | ORDER AS TO RESPONDENT |
| | ) | HEATHER BEARD |

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 January 10, 2017, alleging that the respondents violated the Act.

Respondents Heather Beard 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 Heather Beard, and resolving any and all other alleged or potential violations of the Act by her 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 Heather Beard 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 28, 2016, respondent Heather Beard allowed the entry of a

horse she owned (The Dixie Label) for the purpose of showing the horse, in class 94B in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Heather Beard 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

Respondent Heather Beard is disqualified for eight months, beginning December 1, 2017, and ending July 31, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating[1] in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

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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 1, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[redacted]

Heather Beard
Respondent

[redacted]

Thomas B. Kakassy
Attorney for Respondent

Colleen A. Carroll
Attorney for Complainant

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

[redacted]

~~Bobbie J. McCartney~~
~~Chief~~ Administrative Law Judge
Jill S. Clifton

The provisions of this order shall be final and effective as of November 1, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

Heather Beard
Respondent

Thomas B. Kakassy
Attorney for Respondent

[redacted]

Colleen A. Carroll
Attorney for Complainant

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

[redacted]

~~Bobbie J. McCartney~~
~~Chief~~ Administrative Law Judge
Jill S. Clifton