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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	HPA Docket No. 17-0167
	)	HPA Docket No. 17-0168
BRITTANY BAUM, an individual;	)	HPA Docket No. 17-0171
JACOB BAUM, an individual; TRISH	)	HPA Docket No. 17-0172
HARRISON-SPIVEY, an individual;	)	HPA Docket No. 17-0173
KEITH ROSBURY, an individual;	)	HPA Docket No. 17-0175
LORRAINE ROSBURY, an individual;	)	
and BRAD SPIVEY, an individual,	)	
	)	CONSENT DECISION AND
Respondents.	)	ORDER AS TO RESPONDENT
	)	TRISH HARRISON-SPIVEY

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 12, 2017, alleging that the respondents violated the Act.

Respondent Trish Harrison-Spivey 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 Trish Harrison-Spivey, 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 Trish Harrison-Spivey 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 26, 2016, respondent Trish Harrison-Spivey allowed the entry of a horse she owned (O'Lainey), for the purpose of showing the horse in class 55 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Trish Harrison-Spivey 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 Trish Harrison-Spivey is disqualified for four months, beginning January 1, 2018, and ending April 30, 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.

2. Respondent Trish Harrison-Spivey is assessed a civil penalty of $550, which shall be paid by January 1, 2018, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0171, 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 13, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[redacted]

Trish Harrison-Spivey
Respondent

[redacted]

Karin Cagle
Attorney for Respondent

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 16 day of NOV 2017

[redacted]

Jill S. Clifton
Administrative Law Judge

The provisions of this order shall be final and effective as of November 13, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

Trish Harrison-Spivey
Respondent

Karin Cagle
Attorney for Respondent

[redacted]

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 16 day of NOV 2017

[redacted]

Jill S. Clifton
Administrative Law Judge