



Findings of Fact

- (1) Respondent Stony Pike Livestock Commission, Inc. is a corporation organized and existing under the laws of the State of Indiana. Its business mailing address is P.O. Box 49, Logansport, Indiana 46947.
- (2) Respondent Ronald R. Bullard, Jr., is an individual whose home address is in the State of Indiana. In order to protect the personal privacy of respondent Ronald R. Bullard, Jr., his address is not included in this Decision but has been provided to the Hearing Clerk for purpose of effecting service of process.
- (3) Respondent Kevin R. Bullard is an individual whose home address is in the State of Indiana. In order to protect the personal privacy of respondent Kevin R. Bullard his address is not included in this Decision but has been provided to the Hearing Clerk for purpose of effecting service of process.
- (4) Respondent Stony Pike Livestock Commission, Inc., under the direction, management, and control of respondents Ronald R. Bullard, Jr., and Kevin R. Bullard, at all times material herein was:
  - (a) Engaged in the business of conducting and operating Stony Pike Livestock Commission, Inc., a stockyard posted under and subject to the provisions of the Act;
  - (b) Engaged in the business of a livestock dealer buying and selling livestock in commerce and as a market agency selling livestock in commerce on a commission basis; and
  - (c) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce, and as a market agency to sell livestock in commerce on a commission basis.

- (5) Respondent Ronald R. Bullard, Jr. at all times material herein was:
- (a) President of respondent Stony Pike Livestock Commission, Inc.;
  - (b) Owner of 50% of the stock issued by respondent Stony Pike Livestock Commission, Inc.; and
  - (c) Responsible, along with respondent Kevin R. Bullard, for the direction, management, and control of respondent Stony Pike Livestock Commission, Inc.

- (6) Respondent Kevin R. Bullard at all times material herein was:
- (a) Secretary and Treasurer of respondent Stony Pike Livestock Commission, Inc.;
  - (b) Owner of 50% of the stock of respondent Stony Pike Livestock Commission, Inc.; and
  - (c) Responsible, along with respondent Ronald R. Bullard, Jr., for the direction, management, and control of respondent Stony Pike Livestock Commission, Inc.

#### Conclusion

Respondent Stony Pike Livestock Commission, Inc., respondent Ronald R. Bullard, Jr., and respondent Kevin R. Bullard having admitted the jurisdictional facts, and the parties having agreed to the entry of this consent decision, the consent decision will be entered.

#### Order

Respondent Stony Pike Livestock Commission, Inc., respondent Ronald R. Bullard, Jr., and respondent Kevin R. Bullard, their agents and employees, directly or through any corporate or other device, in connection with their operations subject to the Act and regulations, shall cease and desist from:

1. Failing to properly maintain their Custodial Account for Shippers' Proceeds in strict conformity with the Act and section 201.42 of the regulations (9 C.F.R. § 201.42);
2. Failing to fully reimburse the custodial account within the times prescribed in section 201.42 of the regulations (9 C.F.R. § 201.42); and
3. Failing to otherwise maintain the custodial account in strict conformity with the provisions of section 201.42 of the regulations (9 C.F.R. § 201.42).

Respondent Stony Pike Livestock Commission, Inc., respondent Ronald R. Bullard, Jr., and respondent Kevin R. Bullard, their agents and employees, shall keep such accounts, records, and memoranda that fully and correctly disclose all transactions involved in their business as packer as required by section 401 of the Act (7 U.S.C. § 221), including but not limited to, accounts of sale stating the true and correct names of the purchasers of consigned livestock, and all other facts necessary to show fully the true nature of each transaction.

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), respondents are assessed, jointly and severally, a civil penalty in the amount of two thousand five hundred dollars (\$2,500.00), which shall be paid by a certified check or money order made payable to the Treasurer of the United States and shall be sent to Ciarra A. Toomey, Attorney, Office of the General Counsel, U.S. Department of Agriculture, Room 2019 South Building, 14<sup>th</sup> and Independence Avenue, S.W., Washington, D.C. 20250. The certified check or money order should include the docket number of this proceeding, P&S Docket No. 12-0400.

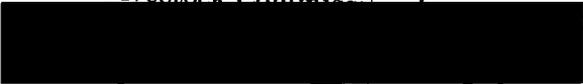
The provisions of this Order shall become effective on the sixth day after service of this order on the respondents.

Copies of this decision and order shall be served upon the parties.

Done at Washington, D.C.

this 25<sup>th</sup> day of June, 2012

  
Administrative Law Judge  
JAMES K. BULLARD

Stony Pike Livestock Commission  
 dent

By:

Title:

President

  
Ronald R. Bullard, Jr.  
Respondent

  
Kevin R. Bullard  
Respondent

  
Bradley A. Reitzl  
Attorney for Respondents

  
Ciarra A. Toomey  
Attorney for Complainant