

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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| In re: |) | HPA Docket No. 17-0111 |
| |) | HPA Docket No. 17-0112 |
| LARRY GEORGE, an individual; CASSIE |) | HPA Docket No. 17-0113 |
| KATHMAN, an individual; CYNTHIA J. |) | HPA Docket No. 17-0114 |
| NAPIER, an individual; MANDIE |) | HPA Docket No. 17-0115 |
| NAPIER, an individual; BEVERLY |) | HPA Docket No. 17-0116 |
| TOWNES SHERMAN, an individual; and |) | |
| PATRICIA KELLY SHERMAN, |) | CONSENT DECISION AND |
| an individual, |) | ORDER AS TO RESPONDENTS |
| |) | CASSIE KATHMAN, |
| Respondents. |) | CYNTHIA J. NAPIER, AND |
| |) | MANDIE NAPIER |

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 Cassie Kathman, Cynthia J. Napier, and Mandie Napier admit the jurisdictional allegations in the complaint as to them, specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, and waive 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 respondents Cassie Kathman, Cynthia J. Napier, and Mandie Napier, and resolving any and all other alleged or potential violations of the Act by them 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. Respondents Cassie Kathman, Cynthia J. Napier, and Mandie Napier are individuals residing in [REDACTED] and at all times mentioned herein each 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 September 2, 2016, respondents Cassie Kathman and Mandie Napier entered a horse (Don Julio) for showing in class 160 in a horse show in Shelbyville, Tennessee.

3. On or about September 2, 2016, respondent Cynthia J. Napier allowed the entry of a horse she owned (Don Julio) for showing in class 160 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondents Cassie Kathman, Cynthia J. Napier, and Mandie Napier 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

Respondents Cassie Kathman, Cynthia J. Napier, and Mandie Napier are disqualified for eight months, beginning December 6, 2017, and ending August 5, 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.

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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 December 6, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted signature]

Cassie Kathman,
Respondent

[Redacted signature]

Cynthia J. Napier
Respondent

[Redacted signature]

Mandie Napier
Respondent

[Redacted signature]

Colleen A. Carroll
Attorney for Complainant

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

[Redacted signature]

Jill S. Clifton
Administrative Law Judge