

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

Docket No. 13-0068

In re: George Finch,

Petitioner

and

Docket No. 13-0069

In re: John D. (Dennis) Honeycutt

Petitioner

Respondent

Order

This matter is before the administrative law judge upon the Motion of the Respondent filed on July 8, 2013 for a Decision Without Hearing by Reason of Admission. The Petitioners have filed a response in opposition to the Motion.

This action was commenced on November 2, 2013 by the filing of a "Petition for Review of PACA Division Determination" with the caption In re: Third Coast Produce Company, Ltd., George Finch and John D. (Dennis) Honeycutt and was assigned a primary Docket Number of 13-0067. Examination of the Petition indicated that the action was in fact two petitions for review of a determination by the Chief of the Perishable Agricultural Commodities Act (PACA) Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, United States Department of Agriculture that George

Finch and John D. (Dennis) Honeycutt were responsibly connected to Third Coast Produce Company, Ltd. when it violated the PACA and that inclusion of Third Coast Produce Company, Ltd. as a party was not an essential party for the review of those determinations. Third Coast Produce Company, Ltd. was dismissed as a party to the petitions for review of the responsibly connection determinations concerning Petitioners Finch and Honeycutt and the captions of their individual actions were amended to reflect that the actions would proceed with the above identified Docket Numbers.

Copies of this Order will be served upon the parties by the Hearing Clerk.

February 12, 2013

Peter M. Davenport
Chief Administrative Law Judge

Copies to: Shelton S. Smallwood, Esquire
 Michael A. Hirsch, Esquire
 Neal R. Gross & Co., Inc.