

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:)
)
C.H. Cattle Company, LLC,) P&S Docket No. 14-0047
And)
Leonard Craig Hammond,) P&S Docket No. 14-0048
)
)
Respondents.) Consent Decision and Order
)
)
)

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. §§ 181-229) (Act) and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. §§ 201.1-.200) (regulations), by a Complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture, alleging that Respondents, C.H. Cattle Company, LLC, and Leonard Craig Hammond willfully violated the Act and the regulations promulgated thereunder (9 C.F.R. §§ 201.1 et seq.). This decision is entered pursuant to the consent decision provision of the rules of practice applicable to this proceeding (7 C.F.R. § 1.138).

The Respondents admit the jurisdictional allegations in paragraph I of the Complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

I.

(a) C.H. Cattle Company (Respondent C.H. Cattle) is a limited liability company organized under the laws of the Commonwealth of Virginia with an operating and mailing address of 25577 Blue Hills Drive, Glade Spring, VA 24340.

(b) At all times material to this case, Respondent C.H. Cattle was:

(1) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock for its own account, subject to the provisions of the Act; and

(2) Engaged in the business of a dealer buying and selling livestock in commerce for its own account.

(c) Leonard Craig Hammond (Respondent Hammond) is an individual, whose business and home mailing address is 25577 Blue Hills Drive, Glade Spring, VA 24340.

(d) Respondent Hammond, at all times material to this complaint, is:

(1) The president, manager, and 100% shareholder of Respondent C.H. Cattle;

(2) Responsible for the direction, management, and control of Respondent C.H. Cattle;

(3) Operates C.H. Cattle Company, LLC as his alter ego; and

(4) A dealer within the meaning of, and subject to the provisions of, the

Act.

II.

Conclusions

The Respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

III.

Order

Respondent C.H. Cattle, Respondent Hammond, and any of their agents and employees, directly or indirectly through any corporate or other device, shall cease and desist from failing to pay the full amount of the purchase price for livestock within the time period required by sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a) and 228b).

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondents are hereby assessed a civil penalty in the amount of six thousand dollars (\$6,000.00). Respondents shall send a certified check or money order for six thousand dollars (\$6,000.00), payable to the: **Treasurer of the United States**, and mail to:

Margaret Burns Rath
Office of the General Counsel
U.S. Department of Agriculture,
South Building - Room 2319
1400 Independence Avenue, S.W.,
Washington, D.C. 20250-1400

along with this signed consent decision and order. The certified check or money order should include the docket numbers of this proceeding, P&S Docket No. 14-

0047 and 14-0048.

The provisions of this Order shall become effective on the sixth day after service of this Consent Decision and Order on Respondents.

Copies of this decision shall be served upon the parties.


C.H. Cattle Company, LLC
Respondent


Leonard Craig Hammond
Respondent


Margaret A. Burns Rath
Attorney for Complainant

Done at Washington, D.C.

this 19th day of February, 2014


Administrative Law Judge

Margaret Burns Rath
Attorney for Complainant
Office of the General Counsel
United States Department of Agriculture
South Building Room 2319
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