

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:)
)
Jeffery L. Gorr, Sr.,) Docket No. 13-0358
)
)
Respondent) **Consent Decision**
)

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*) (Act), by a Complaint the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that multiple Respondents, including Jeffery L. Gorr, Sr., wilfully violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary Under Various Statutes applicable to this proceeding (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in paragraph I of the Complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

Complainant agrees to the entry of this decision.

Findings of Fact

1. Jeffery L. Gorr, Sr., (Gorr) is an individual, whose business and home address is in Monroe, MI, and the address is separately provided to the Hearing Clerk to protect his personally identifiable information.

2. Gorr, at all times material to the amended complaint, was:

a. Engaged in the business of a dealer, buying and selling livestock in commerce for his own account or the account of others;

b. Engaged in the business of a market agency, buying livestock on a commission basis;

c. Registered with the Secretary of Agriculture as a dealer to buy and sell livestock for his own account.

d. Registered with the Secretary of Agriculture as a market agency buying on commission.

Conclusions

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

Order

Respondent, and his agents and employees, directly or indirectly through any corporate or other device, shall cease and desist from:

1. Agreeing, or otherwise arranging, to take turns with other buyers when bidding on livestock at livestock auction markets; and

2. Failing to conduct his buying operations in competition with, and

independent of, other packers and dealers similarly engaged as set forth in Section 201.70 of the regulations (9 C.F.R. 201.70).

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondent is assessed a civil penalty in the amount of six thousand dollars (\$6,000). The provisions of this order shall become final and effective on issuance.

Copies of this decision shall be served upon the parties.

Done at Washington, D.C.

this 8 day of May, 2014


Administrative Law Judge


Jeffery L. Gorr, Sr.
Respondent


Ernest Van Hooser
Attorney for Respondent


Jonathan Gordy
Attorney for Complainant