

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

Docket No. 10-0138

In re:

VINCENT MINEO,

Petitioner.



ORDER OF DISMISSAL

On February 26, 2010, Vincent Mineo ("Petitioner") filed a petition for review of an unfavorable determination made against him by the Chief, PACA Branch of the Agricultural Marketing Service of the United States Department of Agriculture ("Respondent"). Petitioner's case was consolidated with that of Docket No. 09-0189, involving Respondents Anthony J. Spinale and Mister Sprout, Inc. A hearing was scheduled for Wednesday, September 3, 2014.

By Consent Order filed and approved on August 26, 2014, Complainant and Respondents in Docket No. 09-0189 resolved that case. On August 27, 2014, I held a telephone conference with counsel for Petitioner and Respondents and Complainant. Counsel assured me that the resolution of Docket No. 09-0189 by consent decision eliminated Petitioner Mineo's exposure to the imposition of monetary sanctions. The parties agreed that the PACA determination regarding Petitioner and his petition were moot, and that the instant cause of action should be dismissed.

For good cause shown, the instant matter, Docket No. 10-0138, is hereby DISMISSED. Hearing in this matter is CANCELED.

Copies of this Order shall be served upon the parties and their representatives.

So ORDERED this 27th day of August, 2014, at Washington, D.C.



Janice K. Bullard
Administrative Law Judge