

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

REC'D - USDA/OALJ/OHC  
2019 JUN 24 PM 1:10

In re: ) HPA Docket No. 17-0096  
) HPA Docket No. 17-0104  
BRAD BEARD, an individual, also )  
known as WILLIAM BRADLEY )  
BEARD; and CLIFF WILSON, )  
an individual, )  
)  
Respondents ) CONSENT DECISION AND ORDER AS  
TO RESPONDENT BRAD BEARD

This proceeding was instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on January 10, 2017, alleging that the respondents violated the Act.

Respondent Brad Beard admits the jurisdictional allegations as to him in the second amended complaint, specifically admits that the Secretary has jurisdiction in this matter, denies the remaining allegations, and waives 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 respondent Brad Beard, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 2, 2018. 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. Respondent Brad Beard, also known as William Bradley Beard, is an individual residing in (b) (6) and at all times mentioned herein 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 August 26, 2016, respondent Brad Bead entered a horse (Spooky Jazz) for showing in class 53 in a horse show in Shelbyville, Tennessee.

3. On or about August 26, 2016, respondent Brad Beard entered a horse (Ritzie General) for showing in class 55 in a horse show in Shelbyville, Tennessee.

4. On August 28, 2016, respondent Brad Beard entered a horse (The Dixie Label) for showing in class 94B in a horse show in Shelbyville, Tennessee.

5. On or about August 31, 2016, respondent Brad Beard entered a horse (Nightshades Maiden) for showing in class 139 in a horse show in Shelbyville, Tennessee.

6. On or about September 3, 2016, respondent Brad Beard entered a horse (Gin Fusion) for showing in class 187 in a horse show in Shelbyville, Tennessee.

7. On or about August 25, 2018, respondent Brad Beard showed a horse (Pixie's Dixie) in class 70B in a horse show in Shelbyville, Tennessee.

#### Conclusion of Law

Respondent Brad Beard 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

1. Respondent Brad Beard is disqualified for three years, beginning September 6, 2020, and ending September 5, 2023, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating<sup>1</sup> 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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<sup>1</sup>“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.

2. Respondent Brad Beard is assessed a civil penalty of \$3,850, which shall be paid by September 6, 2020, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0096, and sent to:

USDA, APHIS, MISCELLANEOUS  
P.O. Box 979043  
St. Louis, Missouri 63197-9000

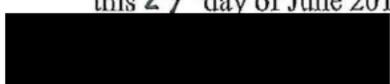
The provisions of this order shall become final and effective on June 30, 2019. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

  
Brad Beard  
Respondent

  
Thomas B. Kakassy  
Attorney for Respondent

  
Colleen A. Carroll  
Attorney for Complainant

Done at Washington, D.C.,  
this 24<sup>th</sup> day of June 2019

 Chief ALJ,  
*in behalf of full bench of*  
Jill S. Clifton  
Administrative Law Judge