

2017 SEP 11 PM 1: 59

## UNITED STATES DEPARTMENT OF AGRICULTURE

## BEFORE THE SECRETARY OF AGRICULTURE

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|                                    |   |                        |
|------------------------------------|---|------------------------|
| In re:                             | ) | HPA Docket No. 17-0107 |
|                                    | ) | HPA Docket No. 17-0108 |
| BILL CANTRELL STABLES, INC.,       | ) | HPA Docket No. 17-0109 |
| an Alabama corporation;            | ) | HPA Docket No. 17-0110 |
| BILL CANTRELL, an individual;      | ) |                        |
| ANDREA CLABORN, an individual; and | ) |                        |
| LARRY HARRELL, an individual,      | ) |                        |
|                                    | ) |                        |
| Respondents.                       | ) | CONSENT DECISION AND   |
|                                    | ) | ORDER AS TO RESPONDENT |
|                                    | ) | ANDREA CLABORN         |

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

Respondent Andrea Claborn admits the jurisdictional allegations in the complaint, specifically admits that the Secretary has jurisdiction in this matter, neither admits nor 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 Claborn, and resolving any and all other alleged or potential violations of the Act by her occurring up to and including September 4, 2017. 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 Andrea Claborn is an individual residing in [REDACTED] 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 Andrea Claborn allowed the entry of a

horse she owned (Pusher's Redemption), for the purpose of showing the horse, in class 52 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Andrea Claborn 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 Andrea Claborn is disqualified for four months, beginning January 1, 2018, and ending April 30, 2018, 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.

2. Respondent Andrea Claborn is assessed a civil penalty of \$550, which shall be paid by October 1, 2017, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0109, and sent to:

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

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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.

The provisions of this order shall become final and effective as of September 4, 2017.


This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

  
Andrea Claborn  
Respondent

  
Thomas B. Kakassy  
Attorney for Respondent

  
Colleen A. Carroll  
Attorney for Complainant

Done at Washington, D.C.  
this 11<sup>th</sup> day of September 2017

  
Bobbie J. McCartney  
Chief Administrative Law Judge

The provisions of this order shall become final and effective as of September 4, 2017.

This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

\_\_\_\_\_  
Andrea Claborn  
Respondent

\_\_\_\_\_  
Colleen A. Carroll  
Attorney for Complainant

\_\_\_\_\_  
Thomas B. Kakassy  
Attorney for Respondent

Done at Washington, D.C.,  
this 11<sup>th</sup> day of September 2017

\_\_\_\_\_  
Bobbie J. McCartney  
Chief Administrative Law Judge

## CERTIFICATE OF SERVICE

Andrea Claborn, Respondent

Docket: 17-0109

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct and this is to certify that a copy of the (SIGNED) CONSENT DECISION AND ORDER AS TO RESPONDENT ANDREA CLABORN has been furnished and was served upon the following parties on September 11, 2017 by the following:

USDA (OGC) - Electronic Mail

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Respectfully Submitted,



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