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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	
	)	
Keith Wendell Hooks	)	**Docket No. 15-0025**
Respondent	)	
	)	

CONSENT DECISION

WHEREAS, the above-captioned matter involves a Complaint filed by Complainant, Federal Crop Insurance Corporation ("FCIC"), a wholly owned corporation of the United States Department of Agriculture (USDA), against Respondent Keith Wendell Hooks. Complainant brought its complaint against Respondent pursuant to the Federal Crop Insurance Act, 7 U.S.C. § 1515(h) and its implementing regulations, 7 C.F.R. part 400, seeking to impose a term of disqualification and a civil fine against Respondent, due to Respondent's alleged willful and intentional provision of false or inaccurate information to an approved insurance provider and/or FCIC, resulting from Respondent's alleged involvement in selling tobacco that was not properly reported on production worksheets which resulted in a production guarantee being paid.

The parties have admitted that this case was properly filed with the USDA's Office of Administrative Law Judges (OALJ) and that the OALJ has jurisdiction to hear this case based upon section 515(h) of the Federal Crop Insurance Act (7 U.S.C. § 1515(h)) and 7 C.F.R. § 400.454(a)(1). Further, both parties voluntarily consent to the issuance of the this stipulated Consent Decision, without further proceedings, and both parties acknowledge that this Consent Decision shall have the same force and effect as a decision issued after full hearing, and shall

become final upon issuance to become effective in accordance with the terms of this Consent Decision.

The voluntarily agreed upon terms for this Consent Decision are as follows:

1. Respondent has voluntarily agreed to be disqualified from receiving any monetary or non-monetary benefit provided under the programs or transactions offered under any of the Statutes listed in 7 U.S.C. § 1515(h)(3)(B) for a period of five years:

    a. The Federal Crop Insurance Act (7 U.S.C. § 1501 et.).

    b. The Farm Security and Rural Investment Act of 2002 (7 U.S.C. § 7333 et.).

    c. The Agricultural Act of 1949 (7 U.S.C. § 1421 et.).

    d. The Commodity Credit Corporation Charter Act (15 U.S.C. § 714 et.).

    e. The Agricultural Adjustment Act of 1938 (7 U.S.C. § 1281 et.).

    f. Title XII of the Food Security Act of 1985 (16 U.S.C. § 3801 et.).

    g. The Consolidated Farm and Rural Development Act (7 U.S.C. § 1921 et.).

    h. Any Federal law that provides assistance to a producer of an agricultural commodity affected by a crop loss or a decline in the prices of agricultural commodities.

2. Respondent shall be ineligible for all of the programs listed above beginning on **June 22, 2015** and ending on **June 22, 2020.** As a disqualified individual, Keith Wendell Hooks will be reported to the U.S. General Services Administration (GSA) and the System for Award Management (SAM). GSA publishes a list of all persons who are determined ineligible in its Excluded Parties List System (EPLS). The Excluded

Parties List System is in the process of being converted to the System for Award Management. SAM is a free website that consolidates the capabilities previously found in Central Contracting Registration (CCR)/Federal Agency Registration (FedReg), Online Representations and Certifications Applications (ORCA), and EPLS.

3. Respondent agrees to the civil fine in the amount of $11,000.00 to be treated as a general unsecured claim in the Respondent's bankruptcy case, which shall be payable to the "Federal Crop Insurance Corporation" pursuant to the terms and conditions of the Respondent's chapter 12 Bankruptcy, Case No. 14-60531-EJC Debtor in the Southern District of Georgia, Statesboro Division. Notwithstanding, in the event Respondent's bankruptcy case is dismissed for any reason prior to completion of any confirmed plan or the granting of the Respondent a discharge, the Petitioner shall be entitled to full balance of the civil fine minus any payments received during the pendency of the bankruptcy proceeding. Payment/s shall be sent to the following address:

Federal Crop Insurance Corporation
Attn: Dena Prindle, Accountant
Reinsurance Accounting and Eligibility Tracking Branch
Beacon Facility – Mail Stop 0814
P.O. Box 419205
Kansas City, Missouri 64141-6205
(Account Name: Keith Wendell Hooks – Civil Fine. Please include your Social Security Number on the check, cashier's check or money order).

Consent Decision shall have the same force and effect as a decision issued after full hearing, and shall become final upon issuance. The voluntarily agreed upon terms for this Consent Decision are as follows:

1. The parties agree Respondent admits no wrongdoing and accepts a five-year disqualification and an $11,000 civil fine to be treated as a general unsecured claim in the Respondent's bankruptcy Case No. 14-60531-EJC Debtor, in the Southern District of Georgia, Statesboro Division without further proceeding. Notwithstanding, in the event Respondent's bankruptcy case is dismissed for any reason prior to completion of any confirmed plan or the granting of the Respondent a discharge, the Petitioner shall be entitled to full balance of the civil fine minus any payments received during the pendency of the bankruptcy proceeding; and
2. The parties further agree that once a Consent Decision is entered upon these terms by this administrative tribunal, this matter in dispute will be fully resolved and decided.

This Joint Motion to Enter Consent Decision is made on this 26 day of JUNE, 2015.

[redacted]

Mark R. Simpson
Attorney for Complainant

[redacted]

Jon A. Lewis
Attorney for Respondent

[redacted]

FCIC Manager

[redacted]

Respondent

So entered this 28th day of JUNE, 2015 in Washington, D.C.

[redacted]

Administrative Law Judge
JANICE K. BULLARD