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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:

Kevin Gower	)	HPA Docket No. 15-0040
Respondent	)	Consent Decision and Order

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. §§ 1821-1831), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the Respondents violated the Act. 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).

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.

The Complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Kevin Gower is an individual whose mailing address is (b) (6) [redacted]

2. On August 25, 2012, Respondent Kevin Gower entered for the purpose of showing or exhibiting the horse known as "Jose's Diamond Doll" as entry number 820 in class

number 76, at the 74th Annual Tennessee Walking Horse National Celebration, in Shelbyville, TN.

3. On August 26, 2012, Respondent Kevin Gower entered for the purpose of showing or exhibiting the horse known as "Out On A Date" as entry number 819 in class number 91A, at the 74th Annual Tennessee Walking Horse National Celebration, in Shelbyville, TN.

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 Keven Gower is disqualified for three years beginning April 15, 2015 through April 15, 2018 from showing, exhibiting, or entering any horse from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction. "Participating" means engaging in any activity beyond that of a spectator, 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.

This order shall have the same effect as if entered after a full hearing and shall become effective on the date of issuance of this order.

Copies of this decision shall be served upon the parties.

[redacted]

Kevin Gower
Respondent

[redacted]

Rupa Chilukuri
Attorney for Complainant

Done at Washington, D.C.
this 31st day of MARCH, 2015

[redacted]

Administrative Law Judge
JANICE L. BULLARD