

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: )  
 )  
Gregg Ebner Jr., )  
 ) P&S Docket No. D-22-J-0029  
 )  
 )  
 )  
Respondent ) Consent Decision

REC'D - USDA/OALJ/HCO  
2022 MAY 23 11:45 AM

This proceeding was initiated under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181, et seq.) (the Act), by a Complaint filed on February 15, 2022, by the Deputy Administrator, Fair Trade Practices Program, Agricultural Marketing Service, United States Department of Agriculture, alleging that Respondent willfully violated the Act. This consent decision is entered pursuant to the consent decision provision of the Rules of Practice applicable to this proceeding (7 C.F.R. 1.138 et seq.).

Respondent Gregg Ebner Jr. 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, waives all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 et seq.) for fees and other expenses incurred by Respondent in connection with this proceeding or any action against any USDA employee in their individual capacity, and consent and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this consent decision.

Complainant agrees to the entry of this consent decision.

Findings of Fact

1. Respondent Greg Ebner Jr. ("Respondent") is an individual whose mailing address is in the [REDACTED] Respondent's address will not be stated in the consent decision and order to protect his privacy, but will be provided to the Hearing Clerk, United States Department of Agriculture, of the purpose of service of this consent decision and order.

2. Respondent is, and at all times material herein was:

a) Engaged in the business of a market agency buying in commerce livestock on a commission basis; and

b) Not bonded with the Secretary of Agriculture as a market agency buying livestock on a commission basis.

Conclusions of Law

Respondent having admitted the jurisdictional facts, and the parties having agreed to the entry of this consent decision, the consent decision will be entered.

Order

1. Respondent shall obtain a Bond in the amount of \$10,000.00 and submit proof of the same to Complainant.

2. Respondent, his agents and employees, directly or through any corporate or other

device, in connection with his operations subject to the Act, shall cease and desist from operating without a Bond.

3. In accordance with 7 U.S.C. § 213(b), the Respondent is assessed a civil penalty in the amount of two thousand five hundred (\$2,500.00), to be paid in two monthly installments the first of which in the amount of \$2,000.00 is due May 31, 2022, and the second of which in the amount of \$500.00 is due June 30, 2022 by certified check or money order made payable to the Treasurer of the United States and sent to USDA, AMS, FTPP, PSD, P.O. Box 790312, St. Louis Missouri 63179-0312. The certified check or money order shall include the docket number of this proceeding, D-22-J-0029.

This Order shall have the same force and effect as if entered after a full hearing. The provisions of this Order shall become effective on the day after service of this order on Respondent.

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

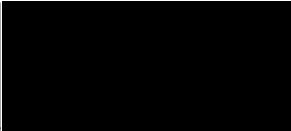
Issued in Washington, D.C.

This 23rd day of May, 2022

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Chief Administrative Law Judge



Gregg Ebner, Jr.  
Respondent

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MARK F. ROSEBROUGH  
Attorney for the Complainant