

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	
)	
Great Lakes Cattle Marketing)	P&S Docket No. 19-J-0134
Company, LLC and)	P&S Docket No. 19-J-0135
Gary Labor)	
)	
Respondents)	Consent Decision

REC'D - USDA/DALJ/OHC
2020 JAN 13 PM4:15

This proceeding arises under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*) (Packers and Stockyards Act) and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*) (Regulations). On August 12, 2019, a Complaint was filed by the Deputy Administrator, Fair Trade Practices Program (Packers and Stockyards Division), Agricultural Marketing Service, United States Department of Agriculture, alleging that the Respondents willfully violated sections of the Packers and Stockyards Act and its attendant regulations. Complainant and Respondents have agreed to entry of this Decision, without hearing or further procedure, pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes (7 C.F.R. § 1.138) (Rules of Practice).

Respondents admit the jurisdictional allegations in paragraph I of the Complaint and specifically admit that the Secretary has jurisdiction in this matter; neither admit nor deny the remaining allegations; waive oral hearing and further procedure; and consent and agree, for the purpose of settling this proceeding and for

such purpose only, to the entry of this Decision.

Findings of Fact

- 1) Great Lakes Cattle Marketing Company, LLC (Respondent Great Lakes) is a limited liability company organized under the laws of the State of Delaware, with the authority to transact business within the State of Michigan. The physical address for Respondent Great Lakes is 7758 Croswell Road, Saint Louis, Michigan 48880. The mailing address for Respondent Great Lakes is P.O. Box 60, Saint Louis, Michigan 48880.
- 2) At all times material herein, Respondent Great Lakes was:
 - a) Engaged in the business of a dealer buying and selling livestock in commerce for its own account and for the account of others;
 - b) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce.
- 3) Gary Labor (Respondent Labor) is a member of Respondent Great Lakes and participated in the direction, management and control of Respondent Great Lakes.
- 4) At all times material herein, Respondent Labor was engaged in the business of a dealer, as that term is defined and used in the Act and the regulations promulgated thereunder.

Conclusions

Respondents, having admitted the jurisdictional facts, and the parties having agreed to the entry of this Consent Decision, this Consent Decision will be entered.

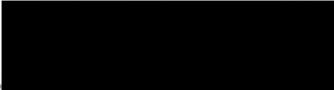
Order

Respondents, their agents and employees, successors and assigns, directly or through any device, in connection with Respondents' activities subject to the Packers and Stockyards Act, shall cease and desist from purchasing livestock in commerce and failing to pay or failing to pay when due, the full purchase price of such livestock as prescribed by sections 312(a) and 409 of the Packers and Stockyards Act (7 U.S.C. §§ 213(a) and 228b) and 9 C.F.R. § 201.43.

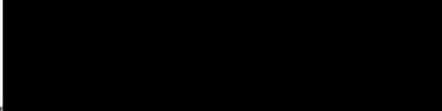
Pursuant to 7 U.S.C. § 204, Respondents, operating individually or through any corporate or other device, are prohibited from registering under the Act for a period of five (5) years. However, Respondents may be allowed to register under the Act after a period of three (3) years, provided Respondents provide proof of payment in full for all amounts shown as owed in Appendix A of this Consent Decision and Order.

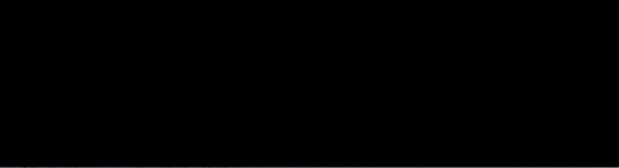
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This Order shall have the same force and effect as if entered after full hearing. The provisions of this Order shall become final and effective upon the sixth (6th) day after service of this Consent Decision and Order of Respondents.


Great Lakes Cattle Marketing Company, LLC
Respondent


Keith A. Schofner
Attorney for Respondents


Gary Labor
Respondent


Matthew T. Schmit
Attorney for Complainant

Done at Washington D.C.
this 3rd Day of January, 2020


Chief Administrative Law Judge
Channing D. Strother

Appendix A

Purchase Date	Livestock Seller	# Head	Net Invoice Amount	Date Payment Due	Unpaid Balance Less Bond Proceeds
10/17/2017	Bayside	38	\$49,237.68	10/18/2017	\$163,554.59
10/19/2017	Bayside	39	\$49,986.33	10/20/2017	
10/23/2017	Bayside	39	\$51,762.70	10/24/2017	
10/24/2017	Bayside	39	\$48,663.09	10/25/2017	
10/16/2017	Bischer	36	\$44,396.84	10/17/2017	\$225,635.27
10/16/2017	Bischer	35	\$44,364.80	10/17/2017	
10/17/2017	Bischer	37	\$48,003.75	10/18/2017	
10/17/2017	Bischer	37	\$46,851.66	10/18/2017	
10/18/2017	Bischer	36	\$46,892.04	10/19/2017	
10/19/2017	Bischer	36	\$48,247.40	10/20/2017	
10/23/2017	Bischer	36	\$46,821.62	10/24/2017	
10/23/2017	Bischer	37	\$46,683.64	10/24/2017	
10/24/2018	Bischer	35	\$46,981.63	10/25/2018	
10/24/2017	Bischer	36	\$48,165.15	10/25/2017	
10/16/2017	Gentner	36	\$44,849.88	10/17/2017	\$0.00
10/17/2017	Holdwick	36	\$43,050.99	10/18/2017	\$43,050.99
10/13/2017	Kluesner	34	\$42,681.17	10/16/2017	\$0.00
10/13/2017	Kluesner	34	\$43,939.09	10/16/2017	
10/16/2017	Roggenbuck	34	\$45,223.74	10/17/2017	\$136,528.71
10/17/2017	Roggenbuck	34	\$46,020.97	10/18/2017	
10/23/2017	Roggenbuck	34	\$44,338.14	10/24/2017	
10/24/2017	Roggenbuck	35	\$46,169.60	10/25/2017	
10/11/2017	Trost	34	\$46,597.38	10/12/2017	\$142,673.88
10/12/2017	Trost	33	\$47,060.48	10/13/2017	
10/18/2017	Trost	36	\$49,016.02	10/19/2017	
10/17/2017	Voelker	35	\$41,183.55	10/18/2017	\$164,404.84
10/17/2017	Voelker	34	\$41,011.19	10/18/2017	
10/18/2017	Voelker	35	\$45,151.12	10/19/2017	
10/23/2017	Voelker	34	\$40,665.76	10/24/2017	
10/23/2017	Voelker	34	\$41,486.94	10/24/2017	
10/14/2017	Whittemore	35	\$40,402.04	10/16/2017	\$126,524.33
10/16/2017	Whittemore	35	\$41,685.96	10/17/2017	
10/17/2017	Whittemore	36	\$44,436.33	10/18/2017	
Totals		1,174	\$1,502,028.68		\$1,002,372.61