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UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	AWA Docket No. 06-0003
	)	
KAREN C. LEICHTY, an individual doing	)	
business as Puppy Luv Kennel,	)	
	)	CONSENT DECISION
Respondent.	)	AND ORDER

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 *et seq.*), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent willfully violated the Act and the regulations and standards issued pursuant to the Act (9 C.F.R. § 1.1 *et seq.*). 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).

The respondent admits the jurisdictional allegations in 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, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Karen C. Leichty is an individual, doing business as Puppy Luv Kennel, a sole proprietorship or unincorporated association, and whose mailing address is 1121 Hickory Avenue, Mount Pleasant, Iowa 52641. At all times herein, said respondent was operating as a dealer as that term is defined in the Act and the Regulations and held Animal

Welfare Act license number 42-A-0834, issued to "KAREN LEICHTY DBA: PUPPY LUV KENNELS." On March 21, 2005, APHIS terminated Animal Welfare Act license number 42-A-0834, because it was not renewed.

#### Conclusions

The respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

#### Order

1. Respondent, her agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations and standards issued thereunder.

2. Respondent Karen C. Leichty is assessed a civil penalty of \$5,000, which shall be held in abeyance in accordance with the provisions set forth in paragraphs 3 and 4 of this Order.

3. For the purposes of this consent decision and order, the two-year period of time between the date in which the order for the consent decision is entered, and two years therefrom, shall be referred to as the "probation period." The respondent agrees that during the probation period she will not engage in any activity which is not in compliance with the provisions of the Animal Welfare Act (7 U.S.C. § 2131 et seq.) and regulations issued thereunder (9 C.F.R. § 1.1 et seq.).


4. The respondent further agrees that, if during the probation period, APHIS documents evidence of respondent's failure to comply with the provisions of the Animal Welfare Act (7 U.S.C. § 2131 et seq.) and regulations issued thereunder (9 C.F.R. § 1.1 et seq.), which,

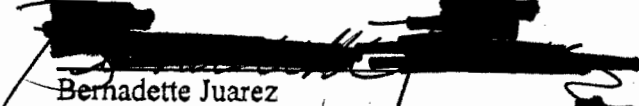
after notice and opportunity for a hearing results in the finding of a violation of the Act or the regulations and standard issued thereunder, respondent shall pay the \$5,000 civil penalty held in abeyance, in paragraph 2 of this Order. Respondent's payment of the aforementioned civil penalty shall be in addition to any penalty found to be warranted for such future violations.

5. Animal Welfare Act license number 42-A-0834 is hereby revoked.


The provisions of this order shall become effective on the first day after service of this decision on the respondents.

Copies of this decision shall be served upon the parties.

  
Karen C. Leichty  
Respondent

  
Bernadette Juarez  
Attorney for Complainant

Done at Washington, D.C.  
this 31<sup>st</sup> day of July, 2006

  
Peter M. Davenport  
Administrative Law Judge