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UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

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In re:	)	HPA Docket 15-0019
	)	HPA Docket 15-0020
DR. BARBARA L. MOERSCH, an	)	HPA Docket 15-0021
individual; SARAH E. MOERSCH, an	)	
individual; and E. LINCOLN "LINK"	)	CONSENT DECISION AND
WEBB,	)	ORDER AS TO RESPONDENTS
	)	DR. BARBARA L. MOERSCH
Respondents	)	AND SARAH E. MOERSCH

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*) (Act) by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, on October 31, 2014, alleging, *inter alia*, that respondents Dr. Barbara L. Moersch and Sarah E. Moersch (referred to jointly as Respondents) violated the Act. On September 1, 2016, complainant filed an amended complaint as to respondent Dr. Barbara L. Moersch. On September 6, 2016, complainant filed an amended complaint as to respondent Sarah E. Moersch. 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).

Respondents admit the jurisdictional allegations in the amended complaints, 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, to the entry of this decision. The complainant agrees to the entry of this decision.

Findings of Fact

1. At all times mentioned herein, Respondents were individuals residing in Alabama, and each was a "person" and an "exhibitor," as those terms are defined in the regulations promulgated under the Act (9 C.F.R. Parts 11 and 12). At all times mentioned herein, respondent

Dr. Barbara L. Moersch was the owner of two horses (Ecstatic and Splashing at the Ritz), which horses, according to the Tennessee Walking Horse Breeders and Exhibitors Association, foaled on March 3, 2003, and October 24, 2007, respectively, and registered as Nos. 20311213 (Ecstatic) and 20708089 (Splashing at the Ritz).

3. On or about May 18, 2012, respondent Dr. Barbara L. Moersch allowed a horse that she owned (Ecstatic) to be shown in class 26 in a horse show in Petersburg, Tennessee.

4. On or about May 18, 2012, respondent Sarah E. Moersch showed a horse (Ecstatic) in class 26 in a horse show in Petersburg, Tennessee.

5. On or about August 26, 2012, respondent Dr. Barbara L. Moersch allowed a horse that she owned (Splashing at the Ritz) to be shown in class 91B in a horse show in Shelbyville, Tennessee.

6. On or about August 26, 2012, respondent Sarah E. Moersch showed a horse (Splashing at the Ritz) in a horse show in Shelbyville, Tennessee.

#### Conclusions of Law

Respondents having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

#### Order

1. Respondent Dr. Barbara L. Moersch is assessed a civil penalty of \$1,100, which shall be paid in full by September 4, 2017, by check made payable to USDA/APHIS, indicating that the payment(s) is in reference to HPA Docket 15-0019, and sent to:

USDA, APHIS, MISCELLANEOUS  
P.O. Box 979043  
St. Louis, Missouri 63197-9000

2. Respondent Sarah E. Moersch is assessed a civil penalty of \$1,100, which shall be paid in full by September 4, 2017, by check made payable to USDA/APHIS, indicating that the payment(s) is in reference to HPA Docket 15-0020, and sent to:

USDA, APHIS, MISCELLANEOUS  
P.O. Box 979043  
St. Louis, Missouri 63197-9000

3. Respondent Dr. Barbara L. Moersch is disqualified for eight months, beginning September 4, 2017, and ending May 3, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating<sup>1</sup> in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

4. Respondent Sarah E. Moersch is disqualified for eight months, beginning September 4, 2017, and ending May 3, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating<sup>1</sup> in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

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<sup>1</sup>"Participating" means engaging in any activity beyond that of a spectator in connection with a horse show, horse exhibition, or horse sale or auction, 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 any area where spectators are not allowed, and financing the participation of others in equine events.


The provisions of this order shall become final and effective June 23, 2017. This consent decision may be executed in counterparts. Copies of this decision shall be served upon the parties.

  
Dr. Barbara L. Moersch  
Respondent

  
Sarah E. Moersch  
Respondent

  
Colleen A. Carroll  
Attorney for Complainant

Done at Washington, D.C.,  
this 27 day of June 2017

  
Jill S. Clifton  
Administrative Law Judge

CERTIFICATE OF SERVICE

Barbara Moersch and Sara Moersch, E. Lincoln "Link" Webb, Respondent(s)

Docket: 15-0019; 15-0020; 15-0021

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct and this is to certify that a copy CONSENT DECISION AND ORDER AS TO RESPONDENT'S DR. BARBARA L. MOERSCH AND SARAH E. MOERSCH has been furnished and was served upon the following parties on June 27, 2017 by the following:

**USDA (OGC) - Electronic Mail**

Colleen A. Carroll, OGC

Ada Quick, OGC

**USDA (APHIS) - Electronic Mail**

[IESLegals@aphis.usda.gov](mailto:IESLegals@aphis.usda.gov)

[ac.rss.mailbox@aphis.usda.gov](mailto:ac.rss.mailbox@aphis.usda.gov)

**Respondent(s) - Regular Mail**

Docket # 15-0019

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Docket # 15-0020

Sarah E. Moersch

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(b) (6)

Docket # 15-0021- Electronic Mail

E. Lincoln "Link" Webb

(b) (6)

Respectfully Submitted,

(b) (6)

Aiesha Bynum-Wimbley, Legal Assistant  
USDA/Office of Administrative Law Judges  
Hearing Clerk's Office  
1400 Independence Ave., SW, Room 1031-S  
Washington, DC 20250-9203