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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	AWA Docket No. 15-0107
	)	AWA Docket No. 15-0108
VIRGINIA SAFARI PARK AND PRESERVATION CENTER, INC., also known as VIRGINIA SAFARI PARK, INC., a Virginia corporation, MEGHAN MOGENSEN, an individual; and ERIC MOGENSEN, an individual,	)	AWA Docket No. 15-0109
Respondents.	)	CONSENT DECISION AND ORDER

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.)(AWA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on May 1, 2015, alleging that the respondents willfully violated the Act and the regulations promulgated pursuant to the Act (9 C.F.R. § 1.1 et seq.)(Regulations). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to these proceedings (7 C.F.R. § 1.138).

Respondents Virginia Safari Park and Preservation Center, Inc., Meghan Mogensen, and Eric Mogensen admit the jurisdictional allegations in 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 to the entry of this decision for the purpose of settling this proceeding. The complainant agrees to the entry of this decision.

FINDINGS OF FACT

1. Virginia Safari Park and Preservation Center, Inc., also known as Virginia Safari Park, Inc. (VSP), is a Virginia corporation. At all times mentioned in the complaint, respondent VSP was an exhibitor, as that term is defined in the Act and the Regulations, held AWA license

number 52-C-0166, and operated three zoos:

a. The Virginia Safari Park, at Natural Bridge, Virginia (Site 001);
b. The Reston Zoo, at Vienna, Virginia (Site 002); and
c. The Gulf Breeze Zoo, at Gulf Breeze, Florida (Site 003).

2. Meghan Mogensen is an individual who, from approximately fall 2010 until 2012, was the Director of the facility operated by respondent VSP and known as The Reston Zoo. At all times mentioned in the complaint, said respondent was an agent and employee of respondent VSP, and was acting for and/or employed by respondent VSP.

3. Eric Mogensen is an individual who, at all times mentioned in the complaint, was the Chief Executive Officer and a director of respondent VSP, and was acting for and/or employed by respondent VSP.

CONCLUSIONS OF LAW

Respondents VSP, Meghan Mogensen, and Eric Mogensen, 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. Respondents VSP, Meghan Mogensen, and Eric Mogensen, their 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.

2. Respondents VSP, Meghan Mogensen, and Eric Mogensen are jointly and severally assessed a civil penalty of $99,999, to be paid no later than September 15, 2018, by check made payable to "USDA, APHIS," and sent to:

USDA, APHIS, Miscellaneous,
P.O. Box 979043
St. Louis, MO 63197-9000

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The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.

VIRGINIA SAFARI PARK AND
PRESERVATION CENTER, INC., also
known as VIRGINIA SAFARI PARK,
INC., a Virginia corporation
Respondent

By [redacted]
Eric Mogensen
Its President and Chief Executive Officer

[redacted]
Eric Mogensen
Respondent

[redacted]
Meghan Mogensen
Respondent

[redacted]
John G. Dillard
Attorney for Respondents

[redacted]
Colleen A. Carroll
Attorney for Complainant

[redacted]
David L. Durkin
Attorney for Respondents

Done at Washington, D.C.,
this 13 day of SEP 2018

[redacted]
Jill S. Clifton
Administrative Law Judge