USDA
OALJ/OHC

2018 DEC 20 AM 11:06

RECEIVED

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	HPA Docket No. 17-0096
	)	HPA Docket No. 17-0101
BRAD BEARD, an individual, also known as WILLIAM BRADLEY BEARD; BETH REED, an individual; and CLIFF WILSON, an individual,	)	HPA Docket No. 17-0104
	)	CONSENT DECISION AND
Respondents	)	ORDER AS TO BETH REED

This proceeding was instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 et seq.)(HPA or Act), by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on January 10. 2017, alleging that the respondents violated the Act.

Respondent Beth Reed admits the jurisdictional allegations in the complaint, specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, and waives oral hearing and further procedure. The parties consent and agree to the entry of this decision for the purpose of settling this proceeding as to respondent Beth Reed, and resolving any and all other alleged or potential violations of the Act by her occurring up to and including September 2, 2018. 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).

Findings of Fact

1. Respondent Beth Reed is an individual residing in [redacted] and at all times mentioned herein 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).

2. On or about September 3, 2016, respondent Beth Reed allowed the entry of a horse she owned (Gin Fusion) for showing in class 187 in a horse show in Shelbyville, Tennessee.

3. On or about August 26, 2016, respondent Beth Reed allowed the entry of a horse she owned (Spooky Jazz) for showing in class 53 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Beth Reed 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 Beth Reed is disqualified for six months, beginning January 1, 2019, and ending June 30, 2019, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating[1] in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Beth Reed is assessed a civil penalty of $1,100, which shall be paid by January 1, 2019, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0101, and sent to:

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

////

////

////

[1]"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 the warm-up or inspection areas, or 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 on December 1, 2018. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[redacted]

Colleen A. Carroll
Attorney for Complainant

[redacted]

Thomas B. Kakassy
Attorney for Respondent

[redacted]

Beth Reed
Respondent

Done at Washington, D.C.,
this 20 day of DEC 2018

[redacted]

Jill S. Clifton
Administrative Law Judge