

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	P&S Docket No.	19-J-0058
)		19-J-0059
)		19-J-0060
Four R Ranch, LLC,)		
)		
Greg Ryan,)		
)		
and)		
)		
Tim Ryan,)		
)		
)		
Respondents)		

REC'D - USDA/DAL/J/DHC
2019 OCT 2 AM 9:29

Decision without Hearing by Reason of Consent

This proceeding was instituted under the Packers and Stockyards Act of 1921, as amended and supplemented (7 U.S.C. § 181 et seq.) (the Act) by a Complaint filed by the Deputy Administrator, Fair Trade Practices Program, Agricultural Marketing Service, United States Department of Agriculture, alleging that the Respondents willfully violated the Act and the regulations promulgated thereunder (9 C.F.R. § 201.1 et seq.) (Regulations). This consent decision is entered pursuant to the consent decision provision of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondents Four R Ranch, LLC, Greg Ryan, and Tim Ryan, admit the jurisdictional allegations in paragraph I of the Complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waive oral hearing and further procedure, waive all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Decision and Order under the

Administrative Procedure Act and the Constitution of the United States, and waives any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 et seq.) for fees and other expenses incurred by respondent in connection with this proceeding or any action against any USDA employee in their individual capacity.

Respondents consent and agree, for the purpose of settling this proceeding, to the entry of this decision. Complainant agrees to the entry of this decision.

Findings of Fact

1. Four R Ranch, LLC (Respondent Corporation) is a business organized under the laws of /located in the State of Kentucky, with a mailing address of 2592 Blueball Rd., Rineyville, KY 40162.

2. Corporate respondent is, and at all times material herein was:

a. Engaged in the business of conducting and operating a posted stockyard subject to the provisions of the Act:

b. Engaged in the business of a market agency buying and selling consigned livestock in commerce on a commission basis at the stockyard; and

c. Registered with the Secretary of Agriculture as a market agency selling livestock in commerce on a commission basis, and a dealer buying and selling livestock.

3. Respondent Greg Ryan is an individual whose current address is in the (b) (6)

(b) (6) Respondent's address will not be stated in the Consent to protect his privacy but has been provided to the Hearing Clerk, United States Department of Agriculture, for the purpose of service.

4. Respondent Greg Ryan is, and at all times material herein was:

a. The 50% percent owner and member of Respondent Corporation;

b. Responsible for the day-to-day direction, management, and control of Respondent Corporation; and

c. A market agency and dealer within the meaning of and subject to the provisions of the Act.

5. Respondent Tim Ryan is an individual whose current address is in the (b) (6)

(b) (6) Respondent's address will not be stated in this Consent to protect his privacy but has been provided to the Hearing Clerk, United States Department of Agriculture, for the purpose of service.

6. Respondent Tim Ryan is, and at all times material herein was:

a. The 50% percent owner and member of Respondent Corporation;

b. Responsible for the day-to-day direction, management, and control of Respondent Corporation; and

c. A market agency and dealer within the meaning of and subject to the provisions of the Act.

Conclusion

Respondents having admitted the jurisdictional facts, and the parties having agreed to the entry of this consent decision, the consent decision and order will be entered.

Order

Respondents, their agents and employees, directly or through any corporate or other device, in connection with his activities subject to the Act, shall cease and desist from:

1. Failing to remit the full amount of the purchase price for livestock within the time period required by the Act and the regulations promulgated under it, and

2. Failing to properly use and maintain custodial accounts for shipper's proceeds in strict conformity with the Act and section 201.42(a) of the regulations (9 C.F.R. § 201.42(a)).

Pursuant to section 203(b) of the Act (7 U.S.C. § 193(b)), respondents are assessed, jointly and severally, a civil penalty in the amount of six thousand dollars (\$6,000), to paid according to the "Understanding Regarding Civil Penalty Payment Terms" entered into between the parties.

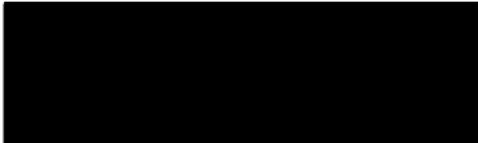
This decision shall become final and effective without further proceedings upon issuance.

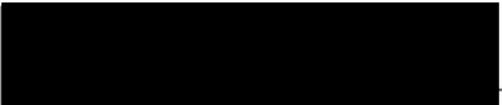
Copies of this order shall be served on the parties.
Done at Washington, D.C.

this 2 day of Oct, 2019


Administrative Law Judge

Jill S. Clifton


Jonathan Gordy
Attorney for the Complainant


Dwight Preston
Attorney for Respondents


Greg Ryan
Respondent


Tim Ryan
Respondent