UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

RECD - USDA/OALJ/OHC
2019 SEP 11 PM3:34

In re:	)	
	)	
TERRY NICHOLAS,	)	
	)	FCIA Docket No. 19-J-0128
	)	
Respondent	)	

CONSENT DECISION

WHEREAS each of the parties have requested that this Stipulated Consent Decision be entered in the above-stated case in accordance with 7 C.F.R. § 1.138. The parties have agreed to the following:

The parties admit that this case is properly filed with USDA's Office of Administrative Law Judges (OALJ) and that the OALJ has jurisdiction to hear this case based upon section 515(h) of the Federal Crop Insurance Act (7 U.S.C. § 1515(h)) and 7 C.F.R. § 400.454(f).

After adequate opportunity for the parties to be heard, the Respondent chooses not to challenge this case in a full hearing and instead opts to pay a civil fine in the amount of $1,000 for violation of section 515(h) of the Federal Crop Insurance Act (Act) without further proceedings. Both parties consent to the issuance of this agreed decision without further procedure or admissions or statements by either party. The parties further agree that the failure of Respondent to pay the civil fine in accordance with the terms of this Consent Decision shall allow Complainant to immediately list the matter for hearing before the USDA OALJ based on the Complaint that was filed on July 29, 2019.

THEREFORE, it is found that, pursuant to section 515 of the Act (7 U.S.C. § 1515), Respondent will be civilly fined in the amount of $1,000. This civil fine shall be paid by

personal check, cashier's check, money order or certified check, made payable to the order of the **"Federal Crop Insurance Corporation"** and sent to:

Federal Crop Insurance Corporation
PAAD/FAOB-Mail Stop 0814
P.O. Box 419205
Kansas City, MO 54141-6205
(Account Name: Terry Nicholas - Civil Fine)

Payment shall be made in two parts. Payment of $500.00 shall be made within 30 days after this Consent Decision is entered, with said 30 days being calculated to include weekends and legal holidays. Payment of the remaining balance, $500.00, shall be made within 60 days after this Consent Decision is entered, with said 60 days being calculated to include weekends and legal holidays.

Entered in Washington, D.C.
this 11th day of September, 2019

[redacted]

Administrative Law Judge

Chief
Channing D. Strother

REC'D - USDA/OALJ/OHC
2019 SEP 11 PM1:50

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	
	)	
TERRY NICHOLAS,	)	
	)	FCIA Docket No. 19-J-0128
	)	
Respondent	)	

STIPULATED PROPOSED CONSENT DECISION

WHEREBY the Complainant, Federal Crop Insurance Corporation (FCIC), and the Respondent, Terry Nicholas, have a desire to stipulate to a Consent Decision. The parties request that the attached Consent Decision be entered in this case pursuant to 7 C.F.R. § 1.138. Once this stipulated Consent Decision is entered by this administrative tribunal, the matter in dispute will be resolved and decided.

This joint stipulation and request is made on this 11th day of September 2019.

[redacted]

EBONIE DAVIS
Attorney for Complainant

[redacted]

TERRY NICHOLAS
Respondent

[redacted]

/FOR/ MARTIN R. BARBRE
FCIC Manager