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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	
	)	
Mary K. Tilberg	)	FCIA Docket No. 20-J-0107
	)	
Respondent	)	
	)	

CONSENT DECISION

WHEREAS, the above-captioned matter involves a Complaint filed by Complainant, Federal Crop Insurance Corporation ("FCIC"), a wholly owned corporation of the United States Department of Agriculture (USDA), against Respondent Mary K. Tilberg. Complainant brought its complaint against Respondent under Section 515(h) (7 U.S.C. § 1515(h)) of the Federal Crop Insurance Act (7 U.S.C. § 1501 *et seq.*, the Act or FCIA) and its implementing regulations, 7 C.F.R. part 400, Subpar R, for assessment of a civil fine and FCIA disqualification against Respondent, due to Respondent's alleged willful and intentional violation of the prohibition against rebating, resulting from Respondent's alleged provision of hotel rooms, catered meals, open bar and prizes to crop insurance customers.

The parties have admitted that this case was properly filed with the 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 Act and 7 C.F.R. § 400.454(a)(1). Further, both parties voluntarily consent to the issuance of this stipulated Consent Decision, without further proceedings, and both parties acknowledge that this Consent Decision shall have the same force and effect as a decision issued after full hearing and shall become final upon issuance in accordance with the terms of this Consent Decision.

The voluntarily agreed upon terms for this Consent Decision are as follows:

1. For the next two (2) years, not later than April 30, Respondent shall report to RMA any and all benefits, meals, gifts, and funds provided to or spent on any policyholders or prospective policyholders regardless of the value of such. This report shall contain the reason for the expenditure, the total amount spent, the amount spent per policyholder or prospective policyholder, and the names of all policyholders or prospective policyholders who received such benefits, meals or gifts. However, Respondent shall not be required to identify the particular policyholders or prospective policyholders who receive promotional items made available to the public, including such promotional items as caps, mugs, pens and calendar. The report should be sent to the following address:

Scott Tincher
Director
USDA/Risk Management Agency
Northern Regional Compliance Office
3440 Federal Drive, Suite 200
Eagan, MN 55122-1301

2. Respondent agrees to a civil fine in the amount of $15,000. Payment for said fine shall be made within 60 days after this Consent Decision is entered, with said 60 days being calculated to include weekends and legal holidays, payable to the "**Federal Crop Insurance Corporation**" and sent to the following address:

USDA/Risk Management Agency
PAAD/FAOB– Mail Stop 0814
P.O. Box 419205
Kansas City, Missouri 64141-6205
(Account Name: Mary K. Tilberg– Civil Fine.)

ENTERED in Washington, D.C
This 21st day of July, 2020.

Channing D. Strother
Chief Administrative Law Judge