

REC'D - USDA/OALJ/OHC
2019 MAY 15 PM 3:06

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 17-0135
)	HPA Docket No. 17-0136
RAY JONES TRUCKING, INC., a)	HPA Docket No. 17-0137
Kentucky corporation; JIMMY REECE, an)	
individual; and CHAD WAY, an individual,)	
)	
Respondents.)	CONSENT DECISION AND
)	ORDER AS TO RESPONDENT
)	CHAD WAY

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*) (HPA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on January 11, 2017, alleging that the respondents violated the Act.

Respondent Chad Way 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 Chad Way and resolving any and all other alleged or potential violations of the Act by him 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 Chad Way 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 June 10, 2016, respondent Chad Way entered a horse (General Willie) for showing in class 6 in a horse show in Lawrenceburg, Tennessee.

3. On or about August 25, 2016, respondent Chad Way entered a horse (Strolling Thru the Ritz) for showing in class 32 in a horse show in Shelbyville, Tennessee.

4. On or about September 3, 2016; respondent Chad Way entered a horse (Ironworks Tin Man) for showing in class 179 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Chad Way, 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 Chad Way is disqualified for eight months, beginning September 1, 2019, and ending April 30, 2020, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Chad Way is assessed a civil penalty of \$1,650, which shall be paid by April 30, 2020, by check made payable to USDA/APIIS, indicating that the payment is in reference to HPA Docket No. 17-0137, and sent to:

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

The provisions of this order shall become final and effective on May 30, 2019. This order

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.

may be executed in counterparts. Copies of this decision shall be served upon the parties,

[Redacted signature area]

Chad Way
Respondent

Attorney for Respondent

[Redacted signature area]

Concetta E. Carlton
Attorney for Complainant

Done at Washington, D.C.,
this 15th day of May 2019.

[Redacted signature area]

Channing D. Strother
Chief Administrative Law Judge