

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	HPA Docket No. 17-0189
	)	HPA Docket No. 17-0190
TONY LOWE, an individual; BRANDYE	)	HPA Docket No. 17-0191
CRAIG MILLS, an individual; BETH	)	HPA Docket No. 17-0192
PIPPIN, an individual; GAIL PUTMAN, an	)	HPA Docket No. 17-0193
individual; WAYNE PUTMAN, an	)	HPA Docket No. 17-0194
individual; and TIMOTHY LEE SMITH,	)	
an individual,	)	
	)	
Respondents.	)	CONSENT DECISION AND
	)	ORDER AS TO RESPONDENT
	)	GAIL PUTMAN

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 February 1, 2017, alleging that the respondents violated the Act.

Respondent Gail Putman 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 Gail Putman, and resolving any and all other alleged or potential violations of the Act by her occurring up to and including September 1, 2017. 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 Gail Putman 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 August 25, 2016, respondent Gail Putman allowed the entry of a horse she owned (Ritz's Warrior), for the purpose of showing the horse, in class 26A in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Gail Putman 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 Gail Putman is disqualified for four months, beginning January 1, 2018, and ending April 30, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating<sup>1</sup> in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Gail Putman is assessed a civil penalty of \$550, which shall be paid by October 1, 2017, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0192, and sent to:

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

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<sup>1</sup>“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 as of September 2, 2017.  
This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]

Gail Putman  
Respondent

[Redacted]

Thomas B. Kakassy /  
Attorney for Respondent

\_\_\_\_\_  
Colleen A. Carroll  
Attorney for Complainant

Done at Washington, D.C.  
this 28<sup>th</sup> day of Sept 2017

[Redacted]

Bobbie J. McCartney  
Chief Administrative Law Judge

The provisions of this order shall become final and effective as of September 2, 2017.

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

\_\_\_\_\_  
Gail Putman  
Respondent



Colleen A. Carroll  
Attorney for Complainant

\_\_\_\_\_  
Thomas B. Kakassy  
Attorney for Respondent

Done at Washington, D.C.,  
this 28 day of Sept 2017



Bobbie J. McCartney  
Chief Administrative Law Judge

**CERTIFICATE OF SERVICE**

Gail Putman, Respondent(s)

Docket: 17-0192

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct and this is to certify that a copy of the (SIGNED) CONSENT DECISION AND ORDER AS TO RESPONDENT GAIL PUTMAN has been furnished and was served upon the following parties on September 29, 2017 by the following:

USDA (OGC) - Electronic Mail

Colleen Carroll, Esq. OGC

Ada Quick, OGC

USDA (APHIS) - Electronic Mail

[IESLegals@aphis.usda.gov](mailto:IESLegals@aphis.usda.gov)

AC RSS Mailbox, APHIS

[ac.rss.mailbox@aphis.usda.gov](mailto:ac.rss.mailbox@aphis.usda.gov)

Respondent's Representative: Electronic Mail

Thomas B. Kakassy, Esq.

Tom@kakassylaw.com

Respectfully Submitted,

  
Aiesha Bynum-Wimbley, Legal Assistant  
USDA/Office of Administrative Law Judges  
Hearing Clerk's Office, Rm. 1031-S  
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Washington, DC 20250-9203