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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	AWA Docket No. 18- 0076
	)	No. 18- 0077
HENRY HAMPTON, an individual doing business as THE FARM AT WALNUT CREEK and LAZY 5 RANCH; THE FARM AT WALNUT CREEK, INC., an Ohio domestic corporation; and LAZY 5 RANCH, INC., a North Carolina domestic corporation,	)	No. 18- 0078
	)	CONSENT DECISION AND ORDER
Respondents	)	

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. §§ 2131 et seq.) (AWA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents violated the Regulations and Standards issued pursuant to the Act (9 C.F.R. §§ 1.1 et seq.) (Regulations and Standards). 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).

Respondents admit the jurisdictional allegations in the Complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny 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 Consent Decision and Order under the Administrative Procedure Act and the Constitution of the United States and waive any action against the United States Department of Agriculture (USDA) under the Equal Access to Justice Act of 1980 (5 U.S.C. §§ 504 et seq.) for fees and other expenses incurred by the respondents 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. Respondent Henry Hampton is an individual doing business as The Farm at Walnut Creek and the Lazy 5 Ranch, and whose business mailing address is 14235 Highway 801, Mount Ulla, North Carolina 28125. At all times mentioned herein, Respondent was a dealer and an exhibitor, as those terms are defined in the Act and the Regulations, and held AWA license number 55-B-0069. Respondent Hampton operates two exotic animal parks — The Farm at Walnut Creek (The Farm) located in Sugarcreek, Ohio, and the Lazy 5 Ranch (Lazy 5 Ranch) located in Mount Ulla, North Carolina.

2. The Farm at Walnut Creek, Inc., is an Ohio domestic corporation (#1448476) whose registered agent is Henry Hampton, 8074 SR 241, Millersburg, Ohio 44654. As alleged herein, Respondent the Farm at Walnut Creek, Inc. (The Farm) was a dealer and an exhibitor, as those terms are defined in the Act and the Regulations, did not hold an AWA license, and together with Respondent Hampton, operated an animal park in Sugarcreek, Ohio.

3. Lazy 5 Ranch, Inc., is a North Carolina domestic corporation (#0448586) whose registered agent is Henry Hampton, 15100 Hwy 150E, Mooresville, North Carolina 28115. As alleged herein, Respondent Lazy 5 Ranch, Inc. (Lazy 5 Ranch) was a dealer and an exhibitor, as those terms are defined in the Act and the Regulations, did not hold an AWA license, and together with Respondent Hampton, operated an animal park in Mount Ulla, North Carolina.

CONCLUSIONS OF LAW

Respondent 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. Respondents, their agents and employees, successor and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the Regulations and Standards.

2. Respondents are jointly and severally assessed a civil penalty of $20,000, to be paid in full no later than 30 days after the effective date of this order, by certified check, money order, or a valid personal check made payable to "USDA/APHIS". Respondents will send payment to:

USDA, APHIS, Miscellaneous
P.O. Box 979043
St. Louis, MO 63197-9000

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.

By [redacted]
Henry Hampton, an individual
doing business as THE FARM AT
WALNUT CREEK and LAZY 5 RANCH;
THE FARM AT WALNUT CREEK,
INC., an Ohio domestic corporation; and
LAZY 5 RANCH, INC., a North Carolina
domestic corporation, Respondents

By [redacted] March 4, 2019
John V. Rodriguez
Attorney for Complainant

Done at Washington, D.C.,
This 4 day of MAR 2019

By [redacted]
Jill S. Clifton
Administrative Law Judge