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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	AWA Docket No. 19-J-0126
	)	19-J-0127
Renee Ray, an individual doing business as RDR Transport, LLC, a Domestic Limited Liability Company,	)	
	)	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 to the entry of this decision. Complainant consents and agrees to the entry of this decision.

FINDINGS OF FACT

1. Respondent Renee Ray (Respondent Ray) is an individual who lives in (b) (6) [redacted] Respondent Ray's mailing address will not be provided in the complaint to protect her personal privacy, but will be provided to the Hearing Clerk's Office, United States Department of Agriculture, for the purpose of serving this complaint and future documents. At all times mentioned herein, Respondent Ray operated as a carrier, as that term is defined in the Act and the Regulations, and held AWA registration (43-T-0035).

2. Respondent RDR Transport, LLC (Respondent RDR), is a Domestic Limited Liability Company (LC1311808) whose registered agent is Respondent Ray. Respondent Ray's address for service is (b) (6) [redacted] At all times mentioned herein, Respondent RDR operated as a carrier, as that term is defined in the Act and the Regulations, and operated under AWA registration (43-T-0035).

3. Respondent Ray previously held an AWA dealer license (43-B-0035) that was cancelled on August 30, 2018.

4. On or about August 30, 2018, Respondent Ray voluntarily surrendered her AWA carrier registration (43-T-0035).

CONCLUSIONS OF LAW

Respondents 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. AWA dealer license 43-B-0035 is revoked.

3. AWA carrier registration 43-T-0035 is cancelled.

4. Respondents, their agents and employees, successors and assigns, directly or through any corporate or other device, shall not apply for an AWA carrier registration in the future.

5. Respondents are jointly and severally assessed a civil penalty of $7,500, to be paid in full no later than thirty (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
USDA, Box APHIS, 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]
Renee Ray, an individual doing
business as RDR Transport, LLC,
a Domestic Limited Liability Company

By: [redacted]
Marshall Miller, Esq.
Marshall Miller Law, LLC
Attorney for Respondent

By: [redacted] 10 30 2019
John V. Rodriguez
Attorney for the Complainant

Done at Washington DC
this 30th day of October 2019

B[redacted]
Channing D. Strother
Chief Administrative Law Judge