

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

2016 MAR 24 PM 12: 07

RECEIVED

In re:

Gerald Dan Waddell,)
)
)
Respondent.) Docket No. 13-0371
)
)
) Consent Decision

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. § 1821 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent violated the Act. 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).

Respondent admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

Respondent Gerald Dan Waddell is an individual whose mailing address is (b) (6)

(b) (6)

Conclusions

Respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent Gerald Dan Waddell is disqualified for a period of one year from the effective date of this Consent Decision.


2. During the period of disqualification, the Respondent shall be disqualified from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction. "Participating" means engaging in any activity beyond that of a spectator, 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.

3. During the disqualification period, the Respondent shall not gift or otherwise transfer ownership, title, or custody of any of his horses to any actual or potential participant in any horse show or exhibition.

4. This consent is intended to settle all outstanding claims against the Respondent, under the Act, up to and including February 24, 2016.


5. This order shall have the same effect as if entered after a full hearing and shall become final and effective on February 29, 2016.

Copies of this decision shall be served upon the parties.


Gerald Dan Waddell
Respondent


BRIAN HILL
Attorney for Complainant

Done at Washington, D.C.
this 24th day of MARCH, 2016


Administrative Law Judge

JANICE K BOLLARD