

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:) P. & S. Docket No. D-07-0199
)
Landon Livestock, L.L.C. and)
Richard A. Landon)
)
Respondent) Decision Without Hearing
) By Reason of Consent

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 *et seq.*), by a Complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that the Respondents willfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*). This decision is entered pursuant to the consent decision provision of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondents admit the jurisdictional allegations in paragraph I of 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, and consent and agree, 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

1. Landon Livestock, L.L.C. (hereinafter "Respondent L.L.C."), is a limited liability company organized and existing under the laws of the State of Idaho, with a mailing address of 3303 East 200 North, Rigby, Idaho 83442.

2. Respondent L.L.C., at all times material herein, was:
 - (a) Engaged in the business of a dealer buying and selling livestock in commerce for its own account;
 - (b) Engaged in the business of a market agency buying livestock in commerce on a commission basis; and
 - (c) Registered with the Secretary of Agriculture as a dealer buying and selling livestock in commerce, as a market agency buying livestock in commerce on a commission basis, and as a clearing service.

3. Richard A. Landon, at all times material herein, was:
 - (a) The owner of Respondent L.L.C.;
 - (b) The manager of Respondent L.L.C.; and
 - (c) Responsible for the day to day direction, management and control of Respondent L.L.C.

Conclusions

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

Order

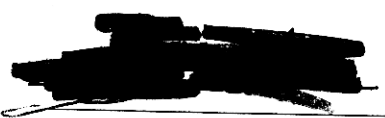
Respondents Landon Livestock, L.L.C. and Richard A. Landon, their agents and employees, directly or through any corporate or other device, in connection with operations subject to the Packers and Stockyards Act, shall cease and desist from failing to pay, when due, the full purchase price of livestock.

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondent Landon Livestock, L.L.C. and Respondent Richard A. Landon are jointly and severally assessed a civil penalty in the amount of Five Thousand and Seven Hundred Dollars (\$5,700.00).

Respondent Landon Livestock, L.L.C., in connection with its operations as a dealer buying and selling livestock in commerce for its own account and as a market agency buying livestock in commerce on a commission basis, shall keep and maintain such accounts, records, and memoranda as fully and correctly disclose its transactions subject to the Act and the regulations, including scale tickets for its dealer transactions and purchase invoices for all of its purchases.

The provisions of this order shall become effective on the sixth day after service of this order on the Respondents.

Copies of this decision shall be served upon the parties.



Richard A. Landon
for Respondent L.L.C.



Charles L. Kendall
Attorney for Complainant

Issued this 25th day of December, 2007



Administrative Law Judge