

2. Respondent, at all times material herein, was:

- (1) Engaged in the business of buying livestock in commerce on a commission basis; and
- (2) Not registered, as required, as a market agency buying livestock in commerce on a commission basis, with the Secretary of Agriculture.

Conclusions

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

Order

1. Respondent, his agents and employees, directly or through any corporate or other device, in connection with activities subject to the Act, shall cease and desist from:

- a) engaging in operations subject to the Act without maintaining an adequate bond or bond equivalent as required by section 204 of the Act (7 U.S.C. § 204) and section 201.29 of the regulations (9 C.F.R. § 201.29); and
- b) engaging in operations subject to the Act without maintaining proper registration as required by section 303 of the Act (7 U.S.C. § 203).

2. In accordance with section 312(b) of the Act (7 U.S.C. 213(b)), Respondent is assessed a civil penalty of \$6,500.00 to be paid in accordance with the Understanding Regarding Civil Penalty Terms executed by the parties.

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

Copies of this decision shall be served upon the parties.

Issued in Washington D.C.

this 14 day of sept, 2011

Jill S. Clifton

Administrative Law Judge

Jill S. Clifton

Randy Myers

Randy Myers
Respondent

Brian Sylvester

Brian Sylvester, Esq.
Attorney for Complainant

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