



## II

On or about the dates and in the transactions set forth in Appendix A, Respondent purchased livestock in commerce and failed to pay, when due, the full purchase price of such livestock.

## III

By reason of the facts alleged in paragraph II, Respondent has willfully violated sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a) and § 228b).

WHEREFORE, it is hereby ordered that this Complaint shall be served upon Respondent for the purpose of determining whether the Respondent has willfully violated the Act. Respondent shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 *et seq.*). Allegations not answered shall be deemed admitted for the purpose of this proceeding. Failure to file an answer shall constitute an admission of all the material allegations of this Complaint.

The Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), requests:

1. That unless Respondent fails to file an answer within the time allowed, or files an answer admitting all the material allegations of this Complaint, this proceeding be set for oral hearing in accord with the Rules of Practice governing proceedings under the Act; and

2. That such order or orders be issued, including an order requiring Respondent to cease and desist from violating the Act with respect to the matters alleged herein, and assessing such penalties as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.  
this 30<sup>th</sup> day of August, 2011

  
Alan R. Christian  
Deputy Administrator  
Packers and Stockyards Program

Brian Sylvester  
Attorney for Complainant  
U.S. Department of Agriculture  
Office of the General Counsel  
1400 Independence Avenue, S.W.  
Room 2313-S  
Washington, D.C. 20250-1413

## Appendix A

### Schedule of Failure to Pay within time period required by the Act for Livestock Purchases Entity Information

Purchase Date	Seller's Name	Number of Head	Livestock Amount	Net Invoice	Due Date	Payment Date	Check Number	Payment Amount	Days Late Per Instrument Date	Date Cleared Bank	Instrument Date to Date Cleared
2/2/2010	Bluegrass-Maysville Stockyards LLC	19	\$9,331.43	\$9,331.43	2/3/2010	2/5/2010	6571	\$9,331.43	2	2/9/2010	4
2/6/2010	Bluegrass-Maysville Stockyards LLC	19	\$9,590.94	\$9,590.94	2/8/2010	2/12/2010	6589	\$10,116.19	4	2/16/2010	4
2/9/2010	Bluegrass-Maysville Stockyards LLC	1	\$525.25	\$525.25	2/10/2010	2/12/2010	6589		2	2/16/2010	4
2/12/2010	Bluegrass-Maysville Stockyards LLC	12	\$7,817.05	\$7,817.05	2/15/2010	2/19/2010	6596	\$7,817.05	4	2/23/2010	4
2/19/2010	Bluegrass-Maysville Stockyards LLC	15	\$9,949.01	\$9,949.01	2/22/2010	2/23/2010	6611	\$9,949.01	1	2/25/2010	2
2/23/2010	Bluegrass-Maysville Stockyards LLC	27	\$12,916.25	\$12,916.25	2/24/2010	2/26/2010	6615	\$12,916.25	2	3/2/2010	4
2/26/2010	Bluegrass-Maysville Stockyards LLC	18	\$8,332.24	\$8,332.24	3/1/2010	3/2/2010	6626	\$8,332.24	1	3/4/2010	2
3/2/2010	Bluegrass-Maysville Stockyards LLC	12	\$5,528.15	\$5,528.15	3/3/2010	3/9/2010	6651	\$9,153.82	6	3/11/2010	2
3/6/2010	Bluegrass-Maysville Stockyards LLC	10	\$3,625.67	\$3,625.67	3/8/2010	3/9/2010	6651		1	3/11/2010	2
3/9/2010	Bluegrass-Maysville Stockyards LLC	11	\$2,906.00	\$2,906.00	3/10/2010	3/12/2010	6662	\$2,906.00	2	3/16/2010	4
3/23/2010	Bluegrass-Maysville Stockyards LLC	22	\$11,563.93	\$11,563.93	3/24/2010	3/26/2010	6722	\$11,563.93	2	3/30/2010	4
3/26/2010	Bluegrass-Maysville Stockyards LLC	11	\$5,904.26	\$5,904.26	3/29/2010	3/30/2010	6741	\$5,904.26	1	4/1/2010	2
3/30/2010	Bluegrass-Maysville Stockyards LLC	21	\$11,473.93	\$11,473.93	3/31/2010	4/2/2010	6742	\$11,473.93	2	4/6/2010	4
3/12/2010	Bluegrass-Maysville Stockyards LLC	7	\$4,584.03	\$4,584.03	3/15/2010	3/18/2010	6675	\$4,584.03	1	3/18/2010	2
3/16/2010	Bluegrass-Maysville Stockyards LLC	62	\$34,923.14	\$34,923.14	3/17/2010	3/19/2010	6689	\$34,923.14	2	3/23/2010	4
3/19/2010	Bluegrass-Maysville Stockyards LLC	11	\$4,491.17	\$4,491.17	3/22/2010	3/23/2010	6705	\$4,491.17	1	3/25/2010	2
2/6/2010	Farmers Stockyards, Inc.	45	\$27,837.46	\$1,096.38	2/8/2010	2/12/2010	6379	\$9,547.04	4	2/16/2010	4
2/9/2010	Farmers Stockyards, Inc.	13	\$8,448.66	\$8,448.66	2/9/2010	2/12/2010	6379		3	2/16/2010	4
3/1/2010	Farmers Stockyards, Inc.	26	\$14,030.04	\$14,030.04	3/2/2010	3/3/2010	6454	\$14,030.04	1	3/8/2010	5
3/6/2010	Farmers Stockyards, Inc.	31	\$17,456.26	\$17,456.26	3/9/2010	3/10/2010	6497	\$17,795.29	1	3/15/2010	5
3/22/2010	Farmers Stockyards, Inc.	16	\$10,007.25	\$10,007.25	3/23/2010	3/27/2010	6733	\$84,436.52	4	3/31/2010	4