

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) P&S Docket No. D- 12-0141  
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)  
Steve Lukens, )  
)  
)  
Respondent ) **Complaint**

There is reason to believe that the Respondent named herein has willfully violated the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. §§ 181 - 229) (Act) and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 et seq.) (regulations), and, therefore, this Complaint is issued alleging the following:

I.

(a) Steve Lukens, referred to herein as the Respondent, is an individual whose business mailing address is his home address in the State of Kansas. Respondent's address has been omitted from this Complaint in order to protect his personal privacy. Complainant has provided Respondent's address to the Hearing Clerk so that service can be effectuated.

(b) Respondent is, and at all times material herein was:

(1) Engaged in the business of a market agency buying livestock in commerce on a commission basis; and

(2) Not registered with the Secretary of Agriculture.

## II.

On August 13, 2010, Respondent was notified by the Packers and Stockyards Program, via certified mail, that he was required to be bonded under the Act and regulations. Notwithstanding this notice, Respondent continued to engage in the business of buying livestock in commerce on a commission basis without obtaining a bond or bond equivalent as required by the Act and the regulations.

## III.

During the period of August 17, 2010, through December 30, 2010, in thirty-five transactions involving the purchase of 2,059 head for a total purchase price of \$1,880,240.41, Respondent engaged in the business of a market agency purchasing livestock in commerce on a commission basis without maintaining an adequate bond or bond equivalent. The livestock were purchased at Anthony Livestock Sales Co. in Anthony, Kansas; Pratt Livestock in Pratt, Kansas; and Cherokee Sales Company LLC in Cherokee, Oklahoma

#### IV.

By reason of the facts alleged in paragraphs II and III herein, Respondent has willfully violated section 312(a) of the Act (7 U.S.C. § 213(a)), and sections 201.29 and 201.30 of the regulations (9 C.F.R. §§ 201.29, 201.30) by engaging in operations subject to the Act without maintaining an adequate bond or bond equivalent.

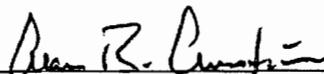
WHEREFORE, it is hereby ordered that this Complaint shall be served upon Respondent for the purpose of determining whether Respondent has willfully violated the Act. Respondent shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 *et seq.*). Failure to file an answer shall constitute an admission of all the material allegations in this Complaint.

Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration, requests:

1. That unless Respondent fails to file an answer within the time allowed therefore, or files an answer admitting all the material allegations in this Complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice governing proceedings under the Act; and
2. That such order or orders be issued requiring Respondent to cease and desist from the violations found to exist and assessing such civil penalties as are authorized by the Act and warranted under the facts and circumstances of this case.

Done at Washington, D.C.

this 21 day of December 2011



Alan R. Christian  
Deputy Administrator  
Packers and Stockyards Program

Charles E. Spicknall  
Attorney for Complainant  
Office of the General Counsel  
United States Department of Agriculture  
Regulatory Division  
1400 Independence Avenue, S.W.  
Room 2320, South Building  
Washington, D.C. 20250  
Telephone: (202) 720-8564