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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 17-0077
)	HPA Docket No. 17-0079
RODNEY DICK, an individual;)	HPA Docket No. 17-0080
CHAD THOMPSON, an individual; and)	
GAIL WALLING, an individual,)	
)	CONSENT DECISION AND
Respondents.)	ORDER AS TO RESPONDENT
)	GAIL WALLING

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on January 9, 2017, alleging that the respondents violated the Act.

Respondent Gail Walling admits the jurisdictional allegations in the complaint, specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, and waives oral hearing and further procedure. The parties consent and agree to the entry of this decision for the purpose of settling this proceeding as to respondent Walling, and resolving any and all other alleged or potential violations of the Act by her occurring up to and including September 4, 2017. 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).

Findings of Fact

1. Respondent Gail Walling is an individual residing in [REDACTED] and at all times mentioned herein was a "person" and an "exhibitor," as those terms are defined in the regulations promulgated under the Act (9 C.F.R. Parts 11 and 12).
2. On or about August 27, 2016, respondent Gail Walling allowed the entry of a horse she owned (The Dixie Lineman), for the purpose of showing the horse, in class 78 in a horse show

in Shelbyville, Tennessee.

Conclusion of Law

Respondent Gail Walling having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent Gail Walling is disqualified for six months, beginning December 1, 2017, and ending May 31, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Gail Walling is assessed a civil penalty of \$1,100, which shall be paid by December 1, 2017, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0080, and sent to:

USDA, APHIS, MISCELLANEOUS
P.O. Box 979043
St. Louis, Missouri 63197-9000

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¹“Participating” means engaging in any activity beyond that of a spectator in connection with a horse show, horse exhibition, or horse sale or auction, 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.

The provisions of this order shall be final and effective December 1, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]

Gail Walling
Respondent

[Redacted]

Thomas B. Kakassy
Attorney for Respondent

[Redacted]

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 30th day of October 2017

[Redacted]

Acting Chief ALJ

Joc

Bobbie J. McCartney
Chief Administrative Law Judge