

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)	P&S Docket Nos. 15-0170,
)	15-0171
Martin D. Yoder,)	
Martin D. Yoder Livestock, Ltd.)	
)	
Respondents)	Decision Without Hearing by
)	Reason of Consent

This is a disciplinary proceeding under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.) (Act) instituted by a Complaint filed on August 20, 2015, by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture, charging that Martin D. Yoder and Martin D. Yoder Livestock, Ltd., (respondents) willfully violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary Under Various Statutes (Rules of Practice) applicable to this proceeding (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in paragraph I of the Complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision. The parties agree to the entry of this Consent and Understanding to resolve all matters related to the Complainant filed in this matter and any unresolved violation of the Packers and Stockyards Act, known or unknown to Complainant, that may have arisen before or during the

pendency of this Complaint

Complainant agrees to the entry of this decision.

Findings of Fact

1. Martin D. Yoder, (individual respondent) is an individual, whose business address is P.O. Box 205, Kidron, OH, 44636.
2. Individual respondent, at all times material to this Decision, is:
 - a. Engaged in the business of a dealer, buying and selling livestock in commerce for his own account;
 - b. Registered with the Secretary of Agriculture as a dealer to buy and sell livestock for his own account.
3. Individual respondent, at the times material to the complaint, was:
 - a. The sole owner of Martin D. Yoder Livestock Ltd.
 - b. Directed, managed, and controlled Martin D. Yoder Livestock Ltd.
4. Martin D. Yoder Livestock Ltd. (corporate respondent) is an Ohio Corporation, with a business mailing address of P.O. Box 205, Kidron, Ohio 44636.
5. At all times material to this Decision, corporate respondent, is:
 - a. Engaged in the business of a dealer, buying and selling livestock in commerce for its own account;
 - b. Registered with the Secretary of Agriculture as a dealer to buy and sell livestock for its own account.

Conclusions

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

Order

Respondents, their agents and employees, directly or through any corporate or other device, in connection with his activities subject to the Act, shall cease and desist from failing to pay the full amount of the purchase price for livestock within the time period required by the Act and the regulations promulgated under it.

Pursuant to section 203(b) of the Act (7 U.S.C. § 193(b)), respondents are assessed, jointly and severally, a civil penalty in the amount of twenty-four thousand dollars (\$24,000), to paid according to the "Understanding Regarding Civil Penalty Payment Terms" entered into between the parties.

This decision shall become final and effective without further proceedings upon issuance.

Copies of this order shall be served on the parties.

Done at Washington, D.C.

this 16th day of November, 2015



Administrative Law Judge

JANICE K BULLARD

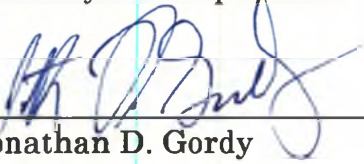


Martin D. Yoder
Respondent



Trent Snavley

Attorney for Respondents



Jonathan D. Gordy
Attorney for Complainant