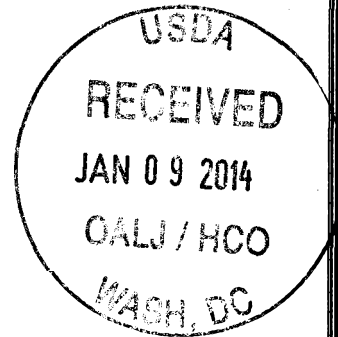


UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:

Tim Gray, d/b/a/ Southern Comfort
Facilities,

Respondent.

)
)
)
)
)

HPA Docket No. 13-0296

Consent Decision
and Order

Consent Decision and Order as to Tim Gray

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. §§ 1821-1831), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent violated the Act. 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).

Respondent Tim Gray admits the jurisdictional allegations as set forth herein 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 complainant agrees to the entry of this decision.

Conclusions

1. Respondent Tim Gray, doing business as Southern Comfort Facilities, is an individual whose mailing address is 3161 Highway 231 North, Shelbyville, Tennessee 37160.

2. On or about August 27, 2011, respondent Tim Gray entered for the purpose of showing or exhibiting the horse known as "Be Bopper" as entry number 332 in class number 77, at the 73rd Annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee.

3. On or about August 2, 2012, respondent Tim Gray entered for the purpose of showing or exhibiting the horse known as "Spend My Money" (also known as "Spin My Money") as entry number 234 in class number 8, at the 31st Fayetteville Blue Ribbon Horse Show in Fayetteville, Tennessee.

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

Order

1. Respondent Tim Gray is disqualified for four (4) years from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction. "Participating" means engaging in any activity beyond that of a spectator, 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.

2. Respondent Tim Gray is assessed a civil penalty of \$2,200.

This order shall have the same effect as if entered after a full hearing and shall become effective upon issuance on the respondent Tim Gray.

Copies of this decision shall be served upon the parties.

[Redacted signature]

Tim Gray, d/b/a/ Southern Comfort Facilities
Respondent

[Redacted signature]

Alicia N. Napier
Attorney for Respondent

[Redacted signature]

Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C. 2014
this 9 day of JAN, 2013 JSC

[Redacted signature]

Administrative Law Judge

Jill S. Clifton