

2017 SEP 22 PM 12: 24

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

RECEIVED

In re:	)	HPA Docket No. 17-0138
	)	HPA Docket No. 17-0139
KAREN L. BEAN, an individual;	)	HPA Docket No. 17-0140
WILLIAM J. BEAN, an individual;	)	HPA Docket No. 17-0141
JERROD CAGLE, an individual;	)	HPA Docket No. 17-0143
STEPHANIE CAGLE, an individual;	)	HPA Docket No. 17-0145
DIANA CRUSE, an individual;	)	HPA Docket No. 17-0147
CHARLES RAY GREEN, an individual	)	HPA Docket No. 17-0149
dba CHARLIE GREEN STABLES;	)	HPA Docket No. 17-0150
PAM HENDRICKSON, an individual;	)	HPA Docket No. 17-0151
DEREK MONAHAN, an individual dba	)	HPA Docket No. 17-0153
DEREK MONAHAN STABLES;	)	HPA Docket No. 17-0154
JEANNE ROBERTS, an individual;	)	HPA Docket No. 17-0156
JIM ROBERTS, an individual;	)	HPA Docket No. 17-0157
MARY LOU ROLLINS, an individual;	)	HPA Docket No. 17-0158
ROBERT W. ROLLINS, an individual;)	
GINGER WILLIAMS, an individual;)	
MICHAEL WRIGHT, an individual;)	
and RONAL YOUNG, an individual,)	
	)	CONSENT DECISION AND
Respondents.	)	ORDER AS TO RESPONDENT
	)	WILLIAM J. BEAN

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 12, 2017, alleging that the respondents violated the Act.

Respondent William J. Bean 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 William J. Bean, and resolving any and all other alleged or potential violations of the Act by him 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 William J. Bean 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 28, 2016, respondent William J. Bean allowed the entry of a horse he owned (Oh My Darling), for the purpose of showing the horse, in class 88 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent William J. Bean 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 William J. Bean is disqualified for six months, beginning September 4, 2017, and ending March 3, 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 William J. Bean is assessed a civil penalty of \$550, which shall be paid by October 1, 2017, by check made payable to USDA/APHIS, indicating that the payment is in

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.

reference to IIPA Docket No. 17-0139, and sent to:

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

The provisions of this order shall be final and effective as of September 4, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]
[Redacted]

William S. Bean
Respondent

2
[Redacted]

Karin Cagle
Attorney for Respondent

[Redacted]

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,

[Redacted]

Sept. 2017
Acting Chief ALJ

For

Bobbie J. McCartney
Chief Administrative Law Judge

CERTIFICATE OF SERVICE

Respondents

WILLIAM J. BEAN

Docket #'s

17-0139

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct and this is to certify that a copy of the CONSENT DECISION AND SIGNED ORDER AS TO RESPONDENT WILLIAM J. BEAN has been furnished and was served upon the following parties on September 22, 2017 by the following:

USDA (OGC) - Electronic Mail

Colleen Carroll, OGC

Colleen.Carroll@ogc.usda.gov

Ciarra A. Toomey, OGC

Ciarra.Toomey@ogc.usda.gov

Ada Quick, OGC

Ada.Quick@ogc.usda.gov

USDA (APHIS) - Electronic Mail


IESLegals@aphis.usda.gov

Ac.rss.mailbox@aphis.usda.gov

Respondents' Counsel - Electronic Mail

kcaglelaw@gmail.com

Respectfully Submitted,


Rencé Leach-Carlos, Hearing Clerk
USDA/Office of Administrative Law Judges
Hearing Clerk's Office, Rm. 1031-S
1400 Independence Ave., SW
Washington, DC 20250-9203