

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 17-0143
)	HPA Docket No. 17-0147
DIANA CRUSE, an individual;)	HPA Docket No. 17-0152
PAM HENDRICKSON, an individual; and)	
PAUL DAVID ROBBINS, an individual,)	
)	CONSENT DECISION AND
Respondents.)	ORDER AS TO RESPONDENT
)	PAUL DAVID ROBBINS

REC'D - USDA/OALJ/OHG
2019 DEC 5 PM12:59

This proceeding was instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by APHIS on January 12, 2017, alleging that the respondents violated the Act.

Respondent Paul David Robbins admits the jurisdictional allegations in the complaint as to him in the above-captioned complaint in which he is a named respondent (HPA Docket 17-0152), specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, waives all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees and other expenses incurred by respondent in connection with this proceeding or any action against any USDA employee in their individual capacity.

The parties consent and agree to the entry of this decision for the purpose of settling this proceeding as to respondent Paul David Robbins, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including November 30, 2019. 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 Paul David Robbins 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 26, 2016, respondent Paul David Robbins entered a horse (Chumlee) for showing in class 54 in a horse show in Shelbyville, Tennessee.
3. On August 28, 2016, respondent Paul David Robbins entered a horse (War Bird) for showing in class 97 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Paul David Robbins 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

Respondent Paul David Robbins is disqualified for six months, beginning December 1, 2019, and ending May 31, 2020, 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.

Respondent David Paul Robbins is assessed a civil penalty of \$1,100, which shall be paid

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.

~~by December 1, 2019~~ ^{May 31, 2020}, by check made payable to USDA/ APHIS, indicating that the payment is in reference to HPA Docket No. 17-0152, and sent to:

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

The provisions of this order shall be final and effective on November 30, 2019. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]

David Paul Robbins
Respondent

[Redacted]

Thomas B. Kakassy
Attorney for Respondent

[Redacted]

Clarra A. Toomey
Attorney for Complainant

Done at Washington, D.C.,
this 5th day of November 2019

[Redacted]

Chief Administrative Law Judge
for Channing D. Strother
Jill S. Clifton
Administrative Law Judge