

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

2016 MAR 31 PM 1:40

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<p>In re:</p> <p>KEC Farms,</p> <p>Kyle Cannon,</p> <p>Respondents.</p>	<p>}</p> <p>}</p> <p>}</p> <p>}</p> <p>}</p> <p>}</p> <p>}</p>	<p>FCIA Docket No. 15-0121</p> <p>15-0122</p>
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CONSENT DECISION

WHEREAS, each of the parties has requested that this stipulated Consent Decision be entered in the above-stated case in accordance with 7 C.F.R. §1.138, the following is Decided:

The parties admit that this case is properly filed with USDA’s Office of Administrative Law Judges (“OALJ”) and that the OALJ has jurisdiction to hear this case based upon Section 515(h) of the Federal Crop Insurance Act (“Act”) (7 U.S.C. §1515(h), and 7 C.F.R. §400.454(f)).

After adequate opportunity to be heard, Respondent Kyle Cannon chose not to challenge this case in a full hearing, Respondent Kyle Cannon has voluntarily agreed to be disqualified from receiving any monetary or non-monetary benefit provided under the programs or transactions offered under any of the Statutes listed in 7 U.S.C. § 1515(h)(3)(B) for a period of two years. Respondent Kyle Cannon shall be ineligible for all of the programs listed above beginning on **March 24, 2016** and ending on **March 24,**

2018. As a disqualified individual Kyle Cannon will be reported to the U.S. General Services Administration (GSA) and the System for Award Management (SAM). GSA publishes a list of all persons who are determined ineligible in its Excluded Parties List System (EPLS). The Excluded Parties List System is in the process of being converted to the System for Award Management. SAM is a free website that consolidates the capabilities previously found in Central Contracting Registration (CCR)/Federal Agency Registration (FedReg), Online Representations and Certifications Applications (ORCA), and EPLS.

After adequate opportunity to be heard, Respondent KEC Farms chose not to challenge this case in a full hearing, and Respondent KEC Farms instead chooses to pay a civil fine in the amount of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) for the alleged violation of Section 515(h) of the Federal Crop Insurance Act ("ACT") without further proceedings. It is understood and agreed by the parties that this is a compromise of disputed claims and the agreement of KEC Farms to pay said fine is not to be construed as the admission of fault or liability whatsoever on the part of KEC Farms or Kyle Cannon. The parties agree that there will be no period of disqualification for KEC Farms, unless the Respondent KEC Farms fails to pay any part of said fine within thirty (30) days of its due date, after which 7 C.F.R. §400.454(f)(3) and provide for indefinite "*ineligibility*" until repayment of the civil fine.

THEREFORE, it is found that, pursuant to §515 of the Act (7 U.S.C. §1515), Respondent Kyle Cannon shall be disqualified for a period of two years beginning on March 24, 2016 and ending March 24, 2018, and KEC Farms will be civilly fined in the amount of \$2,500.00. Payments for said fine shall be made payable to the "*Federal Crop Insurance Corporation*" and sent to:

USDA/RMA/PAAD
Beacon Facility — STOP 0814
P.O. Box 419205
Kansas City, Missouri 64141-6205
(Account Name: KEC Farms — Civil Fine. Please include the Taxpayer Identification Number on the check, cashier's check or money order).

Payment shall be made within thirty (30) days after this Consent Decision is entered, with said 30 days being calculated to include weekends and legal holidays.

ENTERED in Washington, D.C.
This 31st day of March 2016.


JANICE BULLARD
Administrative Law Judge

SUBMITTED BY:

[REDACTED]
DANNY L. WOODYARD
Senior Counsel, OGC, USDA
Attorney for Complainant

3-21-2016
DATE

[REDACTED]
DONALD E. KNAPP, JR.
Attorney for Respondents

3-18-2016
DATE

[REDACTED]
KYLE CANNON
Respondent

3-18-16
DATE

[REDACTED]
KEC FARMS
Respondent

3-18-16
DATE

[REDACTED]
BRANDON WILLIS
FCIC Manager

3/25/16
DATE