

**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**BEFORE THE SECRETARY OF AGRICULTURE**

HPA Docket No. 02-0003

In re: GWAIN WILSON, D/B/A DREAM STABLES;  
WILLIAM RUSSELL HYNEMAN;  
JOHN R. LEGATE, SR.; and  
JUSTIN LEGATE, D/B/A GATEWAY FARMS

Respondents

**ORDER**

This matter is back before the Administrative Law Judge pursuant to a Remand Order entered by Judicial Officer William G. Jenson on September 27, 2005. The Department and William Russell Hyneman seek to have the June 8, 2005 Decision and Order Upon Admission of Facts by Reason of Default vacated so that a Consent Decision might be entered against William Russell Hyneman.

Having examined the proposed Consent Decision and finding no error apparent upon the face of the proposed decision and order, so much of the Decision and Order Upon Admission of Facts by Reason of Default as relates to William Russell Hyneman entered on June 8, 2005 is **VACATED**.

Copies of this Order will be served upon the parties by the Hearing Clerk.

September 29, 2005

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**PETER M. DAVENPORT**  
Administrative Law Judge

Hearing Clerk's Office  
U.S. Department of Agriculture  
1400 Independence Avenue SW  
Room 1031, South Building  
Washington, D.C. 20250-9203  
202-720-9443  
Fax: 202-720-9776