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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:

Jade Ryan Schoneberg,
Respondent.

) A.Q. Docket No.: 09-0130
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Consent Decision

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This proceeding was instituted under the Commercial Transportation of Equines for Slaughter Act (7 U.S.C. § 1901 note) (the Act) by a complaint filed by the Acting Administrator of the Animal and Plant Health Inspection Service alleging that respondent Jade Ryan Schoneberg violated the Act and regulations promulgated thereunder (9 C.F.R. §§ 88 et seq.). The complainant and respondent Jade Ryan Schoneberg have agreed that this proceeding should be terminated by entry of this consent decision.

For the purposes of this consent decision only, respondent Jade Ryan Schoneberg specifically admits that the Secretary of the United States Department of Agriculture has jurisdiction in this matter, neither admits nor denies the remaining allegations in the complaint, and admits to the findings of fact set forth below.

Respondent Jade Ryan Schoneberg waives:

- (a) Any further procedure;
- (b) Any requirement that the final decision in this proceeding contain findings and conclusions with respect to all material issues of fact, law, or discretion, as well as the reasons or bases thereof;
- (c) All rights to seek judicial review and otherwise challenge or contest the validity of this decision; and
- (d) 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 the respondents in connection with this proceeding.

Findings of Fact

1. Jade Ryan Schoneberg, hereinafter referred to as respondent, has a mailing address of 209 South Butler, Sutton, Nebraska 68979. Respondent has been buying slaughter horses for about 8 years.
2. On or about August 24, 2004, 23 horses were commercially transported to slaughter.
3. On or about September 6, 2004, 30 horses were commercially transported to slaughter.
4. On or about October 10, 2004, 41 horses were commercially transported to slaughter.

Conclusions

Respondent has admitted the jurisdictional facts and has agreed to the following order in disposition of this proceeding; therefore, this consent decision will be issued.


Order

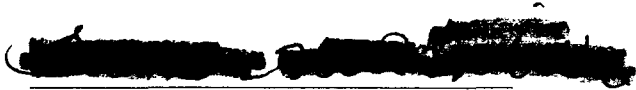
Respondent Jade Ryan Schoneberg is assessed a civil penalty of ten thousand dollars (\$10,00.00). Respondent Jade Ryan Schoneberg shall send a certified check or money order for one thousand dollars (\$1000.00), payable to the Treasurer of the United States, to United States Department of Agriculture, APHIS, Accounts Receivable, P.O. Box 3334, Minneapolis, Minnesota 55403, within sixty (60) days from the effective date of this Order. The certified check or money order should include the docket number of this proceeding. The remaining nine thousand dollars (\$9,00.00) shall be paid in nine monthly installments of one thousand dollars (\$1,00.00) each. The first installment shall be due on or before November 1, 2010; the second installment shall be due on or before December 1, 2010; the third installment shall be due on or before January 1, 2011; the fourth installment shall be due on or before February 1, 2011; the fifth installment shall be due on or before March 1, 2011; the sixth installment shall be due on or before April 1, 2011; the seventh installment shall be due on or before May 1, 2011; the eighth installment shall be due on or before June 1, 2011; and the ninth and final installment shall be due on or before July 1, 2011. Each installment shall be paid by a certified check or money order


made payable to the Treasurer of the United States at the mailing address listed above. Each certified check or money order should include the docket number of this proceeding.

If respondent Jade Ryan Schoneberg fails to pay any part of the ten thousand dollar (\$10,000.00) civil penalty in accordance with the schedule of payments set forth herein, the Administrator, APHIS, reserves the right to request a hearing and to seek the full amount of the civil penalties for all violations of the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) and 9 C.F.R. part 88 that respondent Schoneberg is alleged to have committed up to and including the effective date of this order, minus any amount already paid by him pursuant to this order.


This order shall become effective when served on respondent Jade Ryan Schoneberg.


JADE RYAN SCHONEBERG,
Respondent


THOMAS NEIL BOLICK
Attorney for Complainant


GREGORY G. JENSEN, ESQ.,
Attorney for Respondent

Issued this 27th day of July, 2010
at Washington, D.C.


Administrative Law Judge 