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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:) HPA Docket No. 09-0064
))
Coy Michael Ellis also known as))
Mike Ellis, John Lamont Tudor,))
Pam Ellis and John Tudor Stables,) Consent Decision and
) Order as to
) John Lamont Tudor and
Respondents) John Tudor Stables

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. § 1821 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents violated the Act. 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).

Respondents John Lamont Tudor and John Tudor Stables admit the jurisdictional allegations in paragraph I of the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding and for such purposes only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

A. Respondent John Lamont Tudor is an individual whose mailing address is 3270 Sugarcreek Road, Lancaster, KY 40444. Respondent John Tudor Stables is a business entity whose mailing address is 3270 Sugarcreek Road, Lancaster, KY 40444.

B. On or about April 20, 2007, John Lamont Tudor transported "Gymkhana" to the Spring Jubilee Charity Horse Show in Harrodsburg, Kentucky.

C. On or about April 20, 2007, respondents John Lamont Tudor and John Tudor Stables entered a horse known as "Gymkhana" as Entry No. 581, Class No.25 at the Spring Jubilee Charity Horse Show in Harrodsburg, Kentucky.

Conclusions

Respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order


1. Respondents John Lamont Tudor and John Tudor Stables are jointly and severally assessed a civil penalty of \$1,100.


2. Respondents John Lamont Tudor and John Tudor Stables are disqualified for eight uninterrupted months from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction.


"Participating" means engaging in any activity beyond that of a spectator, 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. The disqualification shall start on August 24, 2011. The disqualification shall continue until the civil penalty is paid in full.

This order shall have the same effect as if entered after a full hearing and shall become effective on the first day after service of this decision on the respondents.


Copies of this decision shall be served upon the parties.


John Lamont Tudor for himself
and for John Tudor Stables
Respondents


Caywood Metcalf
Attorney for Respondents
8-26-11


Sharlene Deskins
Attorney for Complainant

Done at Washington, D.C.
this 9 day of Sept, 2011


for Janice K. Bullard
Administrative Law Judge