

UNITED STATES DEPARTMENT OF AGRICULTURE

2017 FEB -6 AM 10: 20

BEFORE THE SECRETARY OF AGRICULTURE

In re:

AWA Docket No. 07-0208
RECEIVED

ZOOCATS, INC., a Texas corporation; MARCUS)
COOK, aka MARCUS CLINE-HINES COOK, an)
individual, and MELISSA COODY, aka MISTY)
COODY, an individual, jointly doing business as)
ZOO DYNAMICS and ZOOCATS)
ZOOLOGICAL SYSTEMS,)

Respondents.)

CONSENT DECISION

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.)(the "Act"), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents willfully violated the regulations and standards issued pursuant to the Act (9 C.F.R. § 1.1 et seq.). 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 admit the jurisdictional allegations in 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, to the entry of this decision. The complainant agrees to the entry of this decision.

Findings of Fact

1. ZooCats, Inc. ("ZooCats"), is a Texas non-profit corporation (#161122101) doing business variously as ZooCats, Zoo Dynamics and ZooCats Zoological Systems and whose registered agent for service of process is Bryan L. Sample, 25 Highland Park Village, Suite 100, Dallas, Texas 75205-2726. At all times mentioned in the complaint, respondent ZooCats was operating as an

exhibitor, as that term is defined in the Act and the Regulations and held Animal Welfare Act license number 74-C-0426.

2. Marcus Cook, also known as Marcus Cline-Hines Cook, is an individual whose address is 1781 River Oak, Kaufman, Texas 75142, and/or 25 Highland Park Village, Suite 100, Dallas, Texas 75205, and who does business variously as ZooCats, Zoo Dynamics and ZooCats Zoological Systems, as well as under other fictitious names. At all times mentioned in the complaint, respondent Cook was a principal, director, and officer of respondent ZooCats.

3. Melissa Coody, also known as Misty Coody, is an individual whose mailing address is 465 Kenya Street, Cedar Hill, Texas 75104-2888, and who, together with respondent Cook, does business variously as ZooCats, Zoo Dynamics and ZooCats Zoological Systems, as well as under other fictitious names. At all times mentioned herein, respondent Coody was a principal, director, officer and agent of respondent ZooCats, and an agent of respondent Cook.

Conclusion

The 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, their agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations and standards issued thereunder.

2. Respondents are jointly and severally assessed a civil penalty of \$7,500, which shall be paid by certified check or money order made payable to the Treasurer of the United States.

The provisions of this order shall become effective immediately. Copies of this decision

shall be served upon the parties.

ZOOCATS, INC.
a Texas corporation

By
Its



[Handwritten signature]



Melissa Coody
aka Misty Coody



Colleen A. Carroll
Attorney for Complainant



Marcus Cook
aka Marcus Cline-Hines Cook

Done at Washington, D.C.
this 6th day of February, 2012



Peter M. Davenport
Chief Administrative Law Judge