

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

USDA
OCHC
2012 OCT -3 PM 3:32
RECEIVED

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) Docket No.11-0307
)
Derrick S. Butner,)
Tyler Oliver,)
Lloyd W. Sebastian,)
and B-Sha Sebastian,)
)
Respondents)

Consent Decision and Order as to
Lloyd W. Sebastian and B-Sha Sebastian

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 Lloyd W. Sebastian and B-Sha Sebastian 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 purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

A. Respondents Lloyd W. Sebastian and B-Sha Sebastian are individual whose mailing address is 1131 Hurt Lane, Lancaster, Kentucky 40444.

B. At all times material hereto, respondents Lloyd W. Sebastian and B-Sha Sebastian were owners of the horse known as "Reflector's ET" which was entered as Entry No. 301, Class No. 65, On April 19, 2008, at the Spring Jubilee Charity Horse Show, Harrodsburg, Kentucky.

Conclusions

Respondents Lloyd W. Sebastian and B-Sha Sebastian having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

Respondents Lloyd W. Sebastian and B-Sha Sebastian are disqualified for an uninterrupted period of one year 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. For the purposes of this Order, "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 any horse show, horse exhibition, or horse sale or auction, personally giving instructions to exhibitors, and being present in the warm-up or inspection areas, or in any area where

spectators are not allowed. Jurisdiction is retained for the limited purpose of enforcement of this paragraph.

This order shall have the same effect as if entered after a full hearing and shall become effective upon issuance.

Copies of this decision shall be served upon the parties.

[Redacted signature]

Lloyd W. Sebastian
Respondent

[Redacted signature]

B-Sha Sebastian
Respondent

[Redacted signature]

Robert A. Ertman
Attorney for Complainant

Done at Washington, D.C.

[Redacted signature]

Administrative Law Judge

Jill S. Clifton