

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

2012-07-19 13

In re:) P. & S. Docket No. D-12-0357
)
Ronald Ryan Shepard, Jr., a/k/a)
Ronald Ryan Sheppard, Jr., a/k/a)
Ron Shephard,)
)
Jeremy E Pierce,)
)
Brookfield Cattle Company, LLC,)
)
)
) Consent Decision and Order as to
) Respondents Jeremy E Pierce and
Respondents) Brookfield Cattle Company, LLC

This disciplinary proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. §§ 181 et seq.), by a Complaint filed on April 12, 2012, by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture (Complainant), alleging that respondents herein willfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. §§ 201.1 et seq.).

Respondents Jeremy E Pierce and Brookfield Cattle Company, LLC 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.

This Consent Decision and Order applies only to Respondents Jeremy E Pierce and Brookfield Cattle Company, LLC and does not apply to Respondent Ronald Ryan Shepard, Jr.

The complainant agrees to the entry of this decision.

Findings of Fact

(a) Respondent Jeremy E. Pierce (Pierce) is an individual whose home address is in the State of Illinois. In order to protect the personal privacy of respondent Pierce, his home address is not included herein but was provided to the Hearing Clerk for the purpose of effectuating service of process. Pierce at all times material herein was:

- (1) Engaged in the business of a dealer buying and selling livestock in commerce;
- (2) Not registered with the Secretary of Agriculture as a dealer buying and selling livestock in commerce;
- (3) Responsible for the direction, management and control of respondent Brookfield Cattle Company, LLC; and
- (4) The alter ego of respondent Brookfield Cattle Company, LLC.

(b) Respondent Brookfield Cattle Company, LLC, is a limited liability

company organized under the laws of the State of Florida, and has a mailing address of PO Box 317, Goreville, IL, 62939, and had its principal place of business at 5339 SE 3rd Lane, Trenton, FL, 32693. Brookfield Cattle Company, LLC, under the direction, management, and control of respondent Pierce, at all times material herein was:

- (1) Engaged in the business of a dealer buying and selling livestock in commerce;
- (2) Not registered with the Secretary of Agriculture as a dealer buying and selling and selling livestock in commerce.

Conclusions

Respondents Jeremy E Pierce and Brookfield Cattle Company, LLC having admitted the jurisdictional facts and Respondents Jeremy E Pierce and Brookfield Cattle Company, LLC and Complainant having agreed to the entry of this decision, such decision will be entered.

Order

Respondents Jeremy E Pierce and Brookfield Cattle Company, LLC, their agents and employees, directly or through any corporate or other device, in connection with their operations subject to the Act, shall cease and desist from:


1. Buying and selling livestock in commerce without being properly registered with GIPSA;


2. Buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent;
3. Failing to pay and failing to pay, when due, the full purchase price of livestock as required by section 409 of the Act (7 U.S.C. § 228b); and
4. Failing to have and maintain sufficient funds on deposit and available in the account upon which checks are drawn to pay them when presented.


Respondents Jeremy E Pierce and Brookfield Cattle Company, LLC are prohibited from being registered and engaging in any activities for which registration is required under the Act for a period of ten years. Pursuant to section 303 of the Act (7 U.S.C. § 203), respondents are prohibited from engaging in business subject to the Act without being registered with the Packers and Stockyards Program.

This Order shall have the same force and effect as if entered after full hearing. The provisions of this Order shall become final and effective on the sixth day after service of this consent decision and Order on the respondent.

Copies of this decision shall be served upon the parties.



Jeremy E Pierce
Respondent, for himself and for
Respondent Brookfield Cattle Company, LLC


Timothy Capps
Attorney for Respondent Pierce and
Attorney for Respondent Brookfield Cattle Company, LLC


Krishna G. Ramaraju
Attorney for Complainant

Done at Washington, D.C.

this 7th day of August, 2012


Peter M. Davenport
Chief Administrative Law Judge