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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 17-0069
)	
SCOTT BEATY, also known as)	
MICHAEL SCOTT BEATY, an individual,)	
)	
Respondent.)	CONSENT DECISION AND
)	ORDER

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on December 29, 2016, and amended on September 6, 2018, alleging that the respondent violated the Act.

Respondent Scott Beaty admits the jurisdictional allegations in the complaint, specifically admits that the Secretary has jurisdiction in this matter, denies the remaining allegations, and waives oral hearing and further procedure. The parties consent and agree to the entry of this decision for the purpose of settling this proceeding as to respondent Scott Beaty and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 2, 2018. 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).

Findings of Fact

1. Respondent Scott Beaty, also known as Michael Scott Beaty, is an individual residing in [REDACTED] and at all times mentioned herein was a “person” and an “exhibitor,” as those terms are defined in the regulations promulgated under the Act (9 C.F.R. Parts 11 and 12).

2. On or about March 18, 2016, respondent Scott Beaty entered a horse (Roethlisberger) for showing in class 33 in a horse show in Shelbyville, Tennessee.

3. On or about August 26, 2016, respondent Scott Beaty entered a horse (She Has Status) for showing in class 57 in a horse show in Shelbyville, Tennessee.

4. On November 4, 2016, respondent Scott Beaty showed a horse (Siege) in class 32 in a horse show in Tunica, Mississippi.

Conclusion of Law

Respondent Scott Beaty having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent Scott Beaty is disqualified for one year, beginning September 1, 2019, and ending August 31, 2020, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Scott Beaty is assessed a civil penalty of \$3,000, which shall be paid by September 1, 2019, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0069, and sent to:

USDA, APHIS, MISCELLANEOUS
P.O. Box 979043
St. Louis, Missouri 63197-9000

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¹“Participating” means engaging in any activity beyond that of a spectator in connection with a horse show, horse exhibition, or horse sale or auction, 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 provisions of this order shall become final and effective on March 15, 2019. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]

Colleen A. Carroll
Attorney for Complainant

[Redacted]

Thomas B. Kakassy
Attorney for Respondent

[Redacted]

Scott Beaty, a/k/a Michael Scott Beaty
Respondent

Done at Washington, D.C.,
this 25th day of March 2019

[Redacted]

Channing D. Strother
Chief Administrative Law Judge