

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

REC'D - USDA/OALJ/OHC
2019 JUL 31 09:01

In re:)	HPA Docket No. 16-0029
)	
MARTHA BLACKMON MILLIGAN,)	
an individual,)	
Respondent.)	
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In re:)	HPA Docket No. 17-0143
)	HPA Docket No. 17-0147
DIANA CRUSE, an individual;)	HPA Docket No. 17-0148
PAM HENDRICKSON, an individual;)	HPA Docket No. 17-0152
MARTHA MILLIGAN, an individual; and)	
PAUL DAVID ROBBINS, an individual,)	
Respondents.)	CONSENT DECISION AND ORDER AS TO RESPONDENT MARTHA MILLIGAN
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These consolidated proceedings were all instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 et seq.)(HPA or Act), by complaints filed by APHIS, alleging that the respondents violated the Act. The instant proceedings pending against respondent Martha Milligan (also known as Martha Blackmon Milligan) were commenced by a complaint filed on December 14, 2015, and amended on October 28, 2016, and by a complaint filed on January 12, 2017, and amended on July 22, 2019.

Respondent Martha Milligan admits the jurisdictional allegations as to her in the amended complaints in which she is a named respondent (HPA Docket Nos. 16-0029 and 17-0148), 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 these proceedings as to respondent Martha Milligan, and resolving any and all other alleged or potential violations of the Act by her 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 Martha Milligan 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 April 26, 2013, respondent Martha Milligan showed a horse (José's Night Train) in class 33 in a horse show in Panama City Beach, Florida.

3. On or about April 2, 2016, respondent Martha Milligan allowed the entry of a horse she owned (Paroled From Hard Times) for showing in class 61 in a horse show in Jackson, Mississippi.

4. On or about August 4, 2016, respondent Martha Milligan allowed the entry of a horse she owned (Gen's Not Kid N) for showing in class 24 in a horse show in Fayetteville, Tennessee.

5. On or about April 23, 2016, respondent Martha Milligan allowed the showing of a horse she owned (Paroled From Hard Times) in class 43 in a horse show in Panama City Beach, Florida.

6. On or about May 26, 2016, respondent Martha Milligan allowed the entry of a horse she owned (Dixie Majorette) for showing in class 9 in a horse show in Shelbyville, Tennessee.

7. On or about May 28, 2016, respondent Martha Milligan allowed the showing of a horse she owned (Final High Tribute) in class 47 in a horse show in Shelbyville, Tennessee.

8. On or about August 27, 2016, respondent Martha Milligan allowed the entry of a

horse she owned (Ms. José Walks Again) for showing in class 77A in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Martha Milligan 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 Martha Milligan is disqualified for one year and eight months, beginning November 7, 2022, and ending July 6, 2024, 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 Martha Milligan is assessed a civil penalty of \$7,700, which shall be paid no later than August 31, 2019, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Dockets Nos. 16-0029 and 17-0148, and sent to:

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

The period of disqualification set forth in paragraph 1 of this order shall remain in effect so long as the aforementioned civil penalty is not paid in full.

The provisions of this order shall become final and effective on July 31, 2019. This order

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.

may be executed in counterparts. Copies of this decision shall be served upon the parties.


Martha Milligan
Respondent

Thomas B. Kakassy
Attorney for Respondent


Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 31 day of July 2019



Jill S. Clifton
Administrative Law Judge

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