

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) P&S Docket No. 19-J-0148  
 )  
 Freddy Lamb )  
 )  
 Respondent ) Consent Decision

REC'D - USDA/OALJ/OHC  
2019 DEC 12 PM 1:36

This proceeding was instituted under the Packers and Stockyards Act of 1921, as amended and supplemented (7 U.S.C. §§ 181 *et seq.*) (the "Act"), and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*) (the "Regulations"), by a Complaint filed by the Deputy Administrator of the Agricultural Marketing Service, United States Department of Agriculture, alleging that Freddy Lamb ("Respondent") willfully violated the Act and Regulations. This Consent Decision and Order ("Order") is entered pursuant to the consent decision provision of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in paragraph I of the Complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, waives all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees and other expenses incurred by Respondent in connection with this proceeding or any action against any USDA employee in their individual capacity, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this consent decision.

Complainant agrees to the entry of this consent decision.

Findings of Fact

1. Respondent is an individual whose current address is in the [REDACTED] His address will not be stated in this Order in order to protect his privacy but will be provided to the Hearing Clerk, United States Department of Agriculture, for the purpose of service of this Order.

Respondent is, and at all material times, was

- a. Engaged in the business of a dealer buying and selling livestock in commerce for his own account and for the accounts of others;
- b. Engaged in the business of a market agency buying livestock on a commission basis.
- c. Registered with the Secretary of Agriculture, under the name Freddy Lamb, as a dealer to buy and sell livestock in commerce for his own account and as a market agency buying livestock in commerce on a commission basis.

Conclusions of Law

Respondent Freddy Lamb having admitted the jurisdictional facts, and the parties having agreed to the entry of this Order, the Order will be entered.

Order

1. Respondent Freddy Lamb, his agents and employees, directly or through any corporate or other device, in connection with his operations subject to the Act, shall cease and desist from:

- a. Engaging in operations subject to the Act without maintaining an adequate bond or bond equivalent in accordance with section 312(a) of the Act (7 U.S.C. § 213(a)), and sections 201.29 and 201.30 of the Regulations (9 C.F.R. §§ 201.29, 201.30).

2. Pursuant to 7 U.S.C. § 204, Respondent Freddy Lamb is suspended as a registrant under the Act for a period of thirty (30) days and thereafter until Respondent Lamb completes the following:

a. Respondent Lamb will provide a completed "Application for Registration" form (P&SP Form 1000) to USDA-AMS.

b. Respondent Lamb shall provide proof of his bond coverage to USDA-AMS. Such bond coverage will be at least \$10,000.

3. However, Respondent Lamb is permitted to engage in salaried employment by another registrant provided Respondent Lamb fully discloses his employer and the employer is responsible for payment for the livestock so purchased. This Order may be modified to lift said suspension upon application to the Packers & Stockyards Division and upon demonstration that the above items have been completed.

4. Respondent shall submit the signed original of this Order to the following address:

Packers & Stockyards Division  
Attn: Timothy Hansen  
1400 Independence Avenue, SW.  
FTPP, Room 2507-S  
Washington, D.C. 20250-3601

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

Copies of this Order shall be served upon the parties.

Done at Washington, D.C.

This 11<sup>th</sup> day of December, 2019

[Redacted Signature]

Administrative Law Judge

*Channing D. Strother*

[Redacted Signature]

Grace Anne Wilhelm  
Attorney for Complainant

[Redacted Signature]

Respondent Freddy Lamb