

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

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In re:	)	P & S Docket No. 16-0135
	)	
Gregg Paskewitz	)	
d.b.a. Paskewitz Livestock,	)	
	)	
Respondent.	)	Consent Decision

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. §§ 181 et seq.) (Act), by a Complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that Respondent Gregg Paskewitz, d.b.a. Paskewitz Livestock, willfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. §§ 201.1 et seq.). This Consent Decision is entered pursuant to the consent decision provision of the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary (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, and consents and agrees, for the purpose of settling this proceeding, to the entry of this Consent Decision.

Complainant agrees to the entry of this Consent Decision.

Findings of Fact

1. Respondent Gregg Paskewitz, d.b.a. Paskewitz Livestock, is an individual with a business mailing address of 22270 Fairview Avenue, Lucan, MN 56255.

2. Respondent is, and at all times material herein, was:
  - (a) Engaged in the business of a dealer buying and selling livestock in commerce for his own account or for the account of others;
  - (b) Engaged in the business of a market agency buying livestock in commerce on a commission basis;
  - (c) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account or for the account of others; and
  - (d) Registered with the Secretary of Agriculture as a market agency to buy livestock in commerce on a commission basis.

#### Conclusion

Respondent having admitted the jurisdictional facts, and the parties having agreed to the entry of this Consent Decision, the Consent Decision will be entered.

#### ORDER

1. Respondent Gregg Paskewitz, d.b.a. Paskewitz Livestock, 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) Failing to pay the full purchase price for livestock;
- (b) Failing to pay, when due, the full purchase price for livestock; and
- (c) Issuing checks in purported payment of livestock purchases without having and maintaining sufficient funds on deposit and available in the account upon which such checks are drawn to pay such checks when presented.

2. In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondent is assessed a civil penalty in the amount of Six Thousand Dollars (\$6,000.00).

This Order shall have the same force and effect as if entered after full hearing. The provisions of this Order shall become effective upon issuance. Copies of this decision shall be served upon the parties.

Done at Washington, D.C.

This 16<sup>th</sup> day of December, 2016



Administrative Law Judge

*C. Manning D. Strother*



Gregg Paskewitz, d.b.a. Paskewitz Livestock  
Respondent



Tracy McGowan  
Attorney for Complainant