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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

RECEIVED

In re:	)	HPA Docket No. 17-0039
	)	HPA Docket No. 17-0040
DEBORAH BONNER, an individual;	)	HPA Docket No. 17-0041
SANDY BRUMBAUGH, an individual;	)	HPA Docket No. 17-0042
KENNY COMPTON, an individual;	)	HPA Docket No. 17-0043
RICK COMPTON, an individual;	)	HPA Docket No. 17-0044
JAMIE HANKINS, an individual;	)	HPA Docket No. 17-0045
STEVE HANKINS, an individual; and)	
BRUCE VAUGHN, an individual;)	
	)	CONSENT DECISION
Respondents.	)	AND ORDER AS TO
	)	SANDY BRUMBAUGH

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 23, 2016, alleging that the respondents violated the Act.

Respondent Sandy Brumbaugh admits the jurisdictional allegations in the amended complaint, specifically admits that the Secretary has jurisdiction in this matter, neither admits nor 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 Brumbaugh, and resolving any and all other alleged or potential violations of the Act by her occurring up to and including August 30, 2017. 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 Sandy Brumbaugh 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 August 25, 2016, respondent Brumbaugh allowed the entry of a horse she owned (Usher), for the purpose of showing the horse, in class 30 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Brumbaugh 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 Brumbaugh is disqualified for four months, beginning January 1, 2018, and ending April 30, 2018, 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 Brumbaugh is assessed a civil penalty of \$550, which shall be paid by October 1, 2017, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0040, 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 August 30, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]

Sandy Brumbaugh
Respondent

[Redacted]

Colleen A. Carroll
Attorney for Complainant

[Redacted]

Thomas B. Kakassy
Attorney for Respondent

Done at Washington, D.C.,
this 3rd day of August 2017

[Redacted]

Channing D. Strother
Administrative Law Judge

CERTIFICATE OF SERVICE

Sandy Brumbaugh, Respondent

Docket No. HPA 17-0040

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct and this is to certify that a copy of CONSENT DECISION AND ORDER AS TO SANDY BRUMBAUGH has been furnished and was served upon the following parties on September 1, 2017 by the following:

USDA (OGC) - Electronic Mail

Colleen Carroll, OGC

Leah Battaglioli, OGC

Ada Quick, OGC

USDA (HPA) - Electronic Mail

IESLegals@aphis.usda.gov

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Respondent's Representative: Electronic Mail

THOMAS B. KAKASSY, Esq.

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Respectfully Submitted,



Afeshia Bynum-Wimbley, Legal Assistant
USDA/Office of Administrative Law Judges
Hearing Clerk's Office
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Washington, DC 20250-9203