

In re: COOSEMANS SPECIALTIES, INC.

PACA Docket No. D-02-0024.

In re: EDDY C. CRECES.

PACA Docket No. APP-03-0002.

In re: DANIEL F. COOSEMANS.

PACA Docket No. APP-03-0003.

Stay Order filed September 20, 2006.

PACA – Perishable agricultural commodities – Stay Order.

Reuben D. Rudolph, Jr., for the Agricultural Marketing Service and the Chief of the PACA Branch.

Stephen P. McCarron, Washington, DC, for Coosemans Specialties, Inc., and Eddy C. Creces.

Martin Schulman, Woodside, NY, for Daniel F. Coosemans.

Order issued by William G. Jenson, Judicial Officer.

On April 20, 2006, I issued a Decision and Order: (1) concluding Coosemans Specialties, Inc. [hereinafter Respondent], violated the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. §§ 499a-499s) [hereinafter the PACA]; (2) revoking Respondent's PACA license; (3) concluding Eddy C. Creces and Daniel F. Coosemans [hereinafter Petitioners] were responsibly connected with Coosemans Specialties, Inc.; and (4) subjecting Petitioners to the licensing restrictions under section 4(b) of the PACA and the employment restrictions under section 8(b) of the PACA (7 U.S.C. cc 499d(b), 499h(b)).¹

On June 13, 2006, Respondent and Petitioners filed a petition for review of *In re Coosemans Specialties, Inc.*, ___ Agric. Dec. ___ (Apr. 20, 2006), *appeal docketed*, No. 06-5010 (D.C. Cir. June 13, 2006), with the United States Court of Appeals for the District of Columbia Circuit. On September 20, 2006, the Associate Deputy Administrator, Fruit and Vegetable Programs, Agricultural Marketing Service, United States Department of Agriculture, and the Chief, PACA Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, United States Department of Agriculture, filed a Motion for Stay requesting a stay of the order in *In re Coosemans Specialties, Inc.*, ___ Agric. Dec. ___ (Apr. 20, 2006), *appeal docketed*, No. 06-5010 (D.C. Cir. June 13, 2006), pending the outcome of proceedings for judicial review. On September 20, 2006, Respondent and Petitioners informed the Office of the Judicial Officer, by telephone, that they have no objection to the Motion for Stay.

In accordance with 5 U.S.C. § 705, the Motion for Stay is granted.

For the foregoing reasons, the following Order should be issued.

ORDER

The order in *In re Coosemans Specialties, Inc.*, ___ Agric. Dec. ___ (Apr. 20, 2006), *appeal docketed*, No. 06-5010 (D.C. Cir. June 13, 2006), is stayed pending the outcome of proceedings for judicial review. This Stay Order shall remain effective until lifted by the Judicial Officer or vacated by a court of competent jurisdiction.

¹*In re Coosemans Specialties, Inc.*, ___ Agric. Dec. ___ (Apr. 20, 2006), *appeal docketed*, No. 06-5010 (D.C. Cir. June 13, 2006).