

2. Corporate Respondent, at all times material herein, was:

(a) Engaged in the business of a dealer buying and selling livestock in commerce for its own account and the account of others; and

(b) Registered with the Secretary of Agriculture as a dealer buying and selling livestock in commerce and as a market agency buying livestock in commerce on a commission basis.

3. George N. Kittle, (hereinafter "Individual Respondent"), at all times material herein was:

(a) 100% shareholder of Corporate Respondent;

(b) President of Corporate Respondent; and

(c) Responsible for the day to day direction, management and control of Corporate Respondent.

Conclusions

By reason of the facts in Finding of Fact #3 above, Individual Respondent George N. Kittle is the alter ego of Corporate Respondent. Respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order


Respondents Triple K Cattle Dealers, Inc. and George N. Kittle, their agents and employees, directly or through any corporate or other device, in connection with operations subject to the Packers and Stockyards Act, shall cease and desist from failing to pay, when due, the full purchase price of livestock


In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondents Triple K Cattle Dealers, Inc. and George N. Kittle, jointly and severally, are assessed a civil penalty in the amount of Four Thousand and Five Hundred Dollars (\$4,300.00).

The provisions of this order shall become effective on the sixth day after service of this order on the Respondents.


Copies of this decision shall be served upon the parties.


George N. Kittle


William J. Better
Attorney for Respondents


Charles L. Kendall
Attorney for Complainant

Issued this 27th day of July 2008


Administrative Law Judge