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UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) P & S Docket No. D-08-0054  
)  
Todd Syverson and Marilyn )  
Syverson, d/b/a Syverson Livestock )  
Brokers, Syverson Cattle Co., and )  
Triple S Ranch Cattle Company )  
)  
Respondents ) Consent Decision and Order

This is a disciplinary proceeding under the Packers and Stockyards Act (7 U.S.C. § 181 *et seq.*), hereinafter the "Act." On January 31, 2008, a Complaint ("Complaint") was issued against Todd Syverson and Marilyn Syverson, doing business as Syverson Livestock Brokers, Syverson Cattle Co., and Triple S Ranch Cattle Company ("Respondents") alleging that Respondents willfully violated section 312(a) of the Act (7 U.S.C. § 213(a)) by fraudulently altering livestock sales invoices and failing to keep records in accordance with section 401 of the Act (7 U.S.C. § 221).

Complainant and Respondents have now agreed to entry of this decision, without hearing or further procedure, pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes (7 C.F.R. § 1.138).

Respondents admit the jurisdictional allegations in paragraph I of the Complaint and specifically admit that the Secretary has jurisdiction in this matter; neither admit nor deny the remaining allegations; waive oral hearing and further procedure; and consent and agree, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

### Findings of Fact

1. Todd Syverson and Marilyn Syverson are individuals having a residential mailing address of 45302 135<sup>th</sup> Avenue, Wanamingo, Minnesota 55983.
2. Respondents at all times material to this complaint were:
  - (a) Engaged in the business of buying and selling livestock in commerce; and
  - (b) Operating as a dealer or market agency within the meaning of and subject to the provisions of the Act.
3. Respondent Todd Syverson is, and at all times material in the Complaint was, registered as a dealer and market agency under the Act and responsible for the day-to-day management, direction, and control of Respondents' dealer and market agency business operations.
4. Respondent Marilyn Syverson is, and at all times material in the Complaint was, not registered as a dealer or market agency under the Act.

### Conclusions

Respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

### Order

Respondent Todd Syverson, his agents and employees, directly or through any corporate or other device, in connection with activities subject to the Packers and Stockyards Act, shall cease and desist from fraudulently, or otherwise without authorization, amending or altering in any way, livestock sales invoices or any other document in connection with a livestock transaction, including, but not limited to, misrepresenting or concealing actual livestock weight, purchase price, or other livestock character or quality, or falsely representing a market agency transaction as a dealer purchase or sale.

Respondent Marilyn Syverson, her agents and employees, directly or through any corporate or other device, in connection with activities subject to the Act, shall cease and desist from engaging in business in any capacity for which registration and bonding is required under the Act and the regulations without registering with the Secretary of Agriculture and filing and maintaining an adequate bond or its equivalent as required by the Act and the regulations.

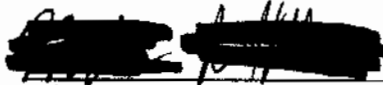
Respondent Todd Syverson is hereby assessed a civil penalty of twenty-five thousand dollars (\$25,000.00).

The provisions of this Order shall become final and effective upon its issuance.


Copies of this Decision and Order shall be served on the parties.

Issued in Washington D.C.

this 18<sup>th</sup> day of March, 2008



Administrative Law Judge



Todd Syverson, Respondent



Marilyn Syverson, Respondent



E. Lawrence Oldfield  
Attorney for Respondent



Gary F. Ball  
Attorney for Complainant