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GIPSA Release 130-12

United States
Department of
Agriculture

Grain Inspection, Packers and Stockyards Administration STOP 3601 1400 Independence Ave., SW Washington, D.C.

Catherine M. Grasso 202-720-7201 Catherine.M.Grasso@usda.gov

20250-3601

Preliminary Injunction Ordered Against Ocala Livestock Market, Inc., Michael Yeomans and Tobitha Yeomans

WASHINGTON, May 16, 2012 – On May 11, 2012, Senior United States District Judge Wm. Terrell Hodges, United States District Court for the Middle District of Florida, ordered that Ocala Livestock Market, Inc. and its owners Michael Yeomans and Tobitha Yeomans be enjoined immediately from operating their livestock auction in Ocala, Florida, until administrative proceedings brought by the Department of Agriculture under the Packers and Stockyards Act of 1921 are resolved. Until that time, Ocala Livestock is not authorized to operate as a livestock auction.

The preliminary injunction follows an October 7, 2011, administrative complaint filed by the Deputy Administrator of the Packers and Stockyards Program at USDA alleging that Ocala Livestock failed to properly maintain its custodial account for shippers' proceeds. The complaint also alleged that Ocala Livestock operated with current liabilities that exceeded its current assets.

The Court found there is sufficient evidence that the Secretary of Agriculture has reason to believe that Ocala Livestock's operations could reasonably be expected to cause irreparable damage to another person, namely livestock consignors, and that an injunction was in the public interest. In ordering the injunction against Ocala Livestock and its owners, Judge Hodges wrote, "this risk of harm outweighs the damage to Ocala Livestock by virtue of ceasing operations for a temporary period of time, particularly where Ocala Livestock has been operating in violation of the [Packers and Stockyards] Act and its regulations."

An administrative hearing on the Department of Agriculture's complaint against Ocala Livestock, Michael Yeomans and Tobitha Yeomans is scheduled for the week of May 21, 2012.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

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