

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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OFFICE

2012 DEC 11 PM 3:07

In re:) Docket No. 13-0113
Gary Oliver and)
Lloyd Sebastian,)
Respondents) Complaint

There is reason to believe that the respondents named herein have violated the Horse Protection Act, as amended (15 U.S.C. § 1821 et seq.), herein referred to as the Act. Therefore, the Administrator of the Animal and Plant Health Inspection Service ("APHIS") issues this complaint alleging the following:

I

A. Respondent Gary Oliver is an individual whose mailing address is 3633 Richmond Road, Lancaster, KY 40444.

B. Respondent Lloyd Sebastian is an individual whose mailing address is 1131 Hurt Lane, Lancaster, KY 40444.

II

On September 20, 2008, on the grounds of the Kentucky Celebration Horse Show at Liberty, Kentucky, the respondents failed and refused to permit an APHIS Veterinary Medical Officer to inspect horses, in violation of section 5(9) of the Horse Protection Act (15 U.S.C. § 1824(9)).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondents have in fact violated the Act, this complaint shall be served upon the respondents. The respondents shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in

accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure to file an answer shall constitute an admission of all the material allegations of this complaint.

The Animal and Plant Health Inspection Service requests:

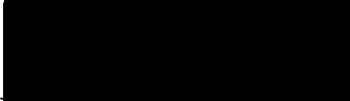
1. That unless the respondents fail to file an answer within the time allowed therefor, or file an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in conformity with the Rules of Practice governing proceedings under the Act; and

2. That such order or orders be issued as are authorized by the Act and warranted under the circumstances including an order:

(a) Assessing civil penalties against the respondents in accordance with section 6(b) of the Act (15 U.S.C. § 1825(b)); and

(b) Disqualifying each respondent for a specified period as provided in section 6(c) of the Act (15 U.S.C. § 1825(c)) from (1) showing, exhibiting or entering any horse, or otherwise participating in any horse show or exhibition, and (2) judging or managing any horse show, horse exhibition, horse sale or auction.

Done at Washington, D.C.
this 7th day of December, 2012


Acting Administrator, Animal and Plant
Health Inspection Service

ROBERT A. ERTMAN
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