

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

AWA Docket No. 07-0177

In re: JULIUS VON UHL,
an individual d/b/a
CIRCUS WINTERQUARTERS,

Respondent

ORDER

This matter is before the Administrative Law Judge upon the Motion of the Administrator of the Animal and Plant Health Inspection Service (APHIS) to Enforce Terms of Consent Decision and Order issued in this matter on December 16, 2008. In that Consent Decision and Order the Respondent Von Uhl was assessed a \$3,750.00 civil penalty which was suspended on condition that the Respondent spend no less than \$3,750 on or before December 31, 2009 to expand each primary enclosure used to house large felids so as to provide each animal with sufficient space to make normal postural and social adjustments with adequate freedom of movement in its primary enclosure.

As the Decision and Order provided that the Administrative Law Judge shall issue an enforcement Order upon the Motion of the Administrator in the event the Respondent failed to make the required expenditures, the following Order is issued.

A Motion having been filed by the Administrator, which Motion is supported by the Declaration of Elizabeth J. Goldentyer, D.V.M. attesting as to the failure of the

Respondent to make the expenditures required by the Consent Decision and Order entered in this case, it is **ORDERED** as follows:

1. So much of the Consent Decision and Order entered on December 16, 2008 as suspended payment of a civil penalty of \$3,750.00 upon condition of making specified expenditures is **VACATED** and the Respondent Julius Von Uhl, an individual d/b/a Circus Winterquarters is **ASSESSED** and **ORDERED** to pay a civil penalty of \$3,750.00.

Payment should be notated as being in AWA Docket No. 07-0177 and delivered

to: Colleen A. Carroll, Esquire
Office of General Counsel
United States Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250-1417

2. The Animal Welfare Act License No. 32-C-0102 issued to the Respondent is **SUSPENDED** until such time as payment of the civil penalty is received by Counsel for APHIS.

Copies of this Order will be served upon the parties by the Hearing Clerk.

Done at Washington, D.C.
January 26, 2010

PETER M. DAVENPORT
Administrative Law Judge

Copies to: Colleen A. Carroll, Esquire
Julius Von Uhl

Hearing Clerk's Office
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