

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

2004-03-13-08

In re:)
) AWA Docket No. 01-0056
)
Team Associates, Inc.,)
)
Glenn S. Lawton II,)
)
Robert J. Lamourex, and)
)
Urie Jesse Peachey)
)
Respondents) Consent Decision
) and Order

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the Respondents willfully violated the Act and the regulations issued pursuant to the Act (9 C.F.R. § 1.1 et seq.). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The 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.

The complainant agrees to the entry of this decision. It is the intent of the parties that this decision resolves any potential allegations under the Act for action by respondents prior to April 22, 2004.

MTWRAZ

Findings of Fact

A. Respondent Team Associates, Inc., is a corporation and at all times material hereto was licensed and operating as a dealer as defined in the Act and regulations.

B. Respondents Glenn S. Lawton II, Robert J. Lamourex, and Urie Jesse Peachey are individuals and at all times material hereto were officers or employees of Respondent Team Associates, Inc.

Conclusions

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

Order

1. The Respondents, directly or through any corporate or other device, are permanently disqualified from becoming licensed under the Animal Welfare Act.

2. The Respondents are jointly and severally assessed a civil penalty of \$6,000.00, which shall be paid by certified check or money order made payable to the Treasurer of the United States and sent to the Attorney for Complainant.

3. Each of the Respondents is also assessed a separate civil penalty of \$10,000.00, each of which is suspended provided that, after notice and opportunity for hearing, the particular Respondent is not found to have violated the Act, the regulations thereunder, and this Order by operating as a dealer under the Act without being licensed.

4. The provisions of this order shall become effective upon issuance of this order

Copies of this decision shall be served upon the parties.


Robert J. Lamourex
Respondent, for himself
and as President of
Team Associates, Inc.


Glenn S. Lawton II,
Respondent, for himself
and as Secretary of
Team Associates, Inc.


Urie Jesse Peachey
Respondent


Michael T. Winters
Gray, Patterson, Cody and Taylor
Attorney for Respondents


Robert A. Ertman
Attorney for Complainant

Done at Washington, D.C.
this 3rd day of May, 2004


Administrative Law Judge