

(b)(5)



Animal and  
Plant Health  
Inspection  
Service  
Investigative and  
Enforcement  
Services

UNITED STATES  
DEPARTMENT OF AGRICULTURE

EASTERN REGION  
920 MAIN CAMPUS DRIVE, SUITE 200  
RALEIGH, NC 27606  
(919) 855-7080

July 5, 2007

To: Dr. Donald Evans, Acting AVIC  
USDA APHIS Veterinary Services  
2815 Old Jacksonville Rd, Suite 104  
Springfield, Illinois 62704

Subject: Case No: IL07035-VS

Submitted for your information is a copy of the report of violation involving John Birdsong. On January 5, 2006, John Birdsong delivered a horse to Cavel International with a large hole on its side. The horse with tag#: USBI 7235 was not capable of exiting the trailer. The report documents violations of 9 CFR 88.4(a)(3)(vii), Requirements for transport and 9 CFR 88.4(b)(2), Requirements for transport.

This should conclude my investigation, if you need further assistance or any explanations please call me at: (b)(6),(b)(7)(C)

Individuals to be included in updates:

Dr. Donald Evans, Acting AVIC, USDA APHIS VS, IL  
William Groce, Assistant Regional Director, Raleigh, NC  
John Kinsella, Regional Director, Raleigh, NC

(b)(6),(b)(7)(C)

Investigator  
USDA, APHIS, IES  
Detroit, Michigan

Enclosure

Cc:

Allison Khroustalev, Assistant Director for Enforcement  
Riverdale, MD, (Original copy to staff)



UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
INVESTIGATIVE AND ENFORCEMENT SERVICES  
EASTERN REGION  
RALEIGH, NC

**REPORT OF VIOLATION**

Violator: **John Birdsong**  
2961 E. Hwy, 166  
Carrollton, GA 30116  
770-832-8329

Case Number: IL07035-VS

Violation(s): 9 CFR 88

Investigator: (b)(6),(b)(7)(C)  
920 Main Campus Drive  
Suite 200  
Raleigh, NC 27606

(b)(6),(b)(7)(C)

Date of Report: July 5, 2007

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without prior consent from USDA, APHIS, Investigative and Enforcement Services.

**SYNOPSIS****Violator**

**Information:** John Birdsong has been hauling horses to slaughter for years. And is not incorporated. John Birdsong buys horses for slaughter.

**Previous**

**History:** John Birdsong has one Official Warning Letter for failure to correctly complete the VS form 10-13, (GA05012). One open case for not indicating an injured horse on VS form 10-13, (IL07036). And one open case for leaving horses at the slaughter plant after normal hours, (IL07037).

**Violation**

**Events:** On January 5, 2006, John Birdsong delivered a horse to Cavel International with a large hole on its side. The horse with tag#: USBI 7235 was not capable of exiting the trailer

**EXPLANATION OF THE EVIDENCE****January 5, 2006**

9 CFR

88.4a(3)(vii)

88.4(b)(2)

Requirements for transport.Requirements for transport.

On January 5, 2006, John Birdsong delivered a horse to Cavel International with a large hole on its side. The horse with tag#: USBI 7235 was not capable of exiting the trailer, as evidenced by:

**Exhibit 1** - APHIS Form 7162, Affidavit of Doug Hoffman, dated 11/08/06, stating that John Birdsong told him that the horse was loaded onto the trailer injured.

**Exhibit 2** - APHIS Form 7162, Affidavit of Renee S. Oleck, USDA FSIS Veterinarian, dated 5/30/07, stating that horse with tag#:7235, was severely injured.

**Exhibit 3** - DVD of injured horse.

**Exhibit 4** - VS Form 10-13, dated 1/4/06, with horse tag#: USBI 7235, listed.

**Exhibit 5** - Carvel International Lot Sheet, dated 1/05/06, horse tag#: USBI 7235, is not listed.

**Exhibit 6** - Copy of Carvel International check, dated 1/05/06, to John Birdsong for horses.

**Exhibit 7** - Interview log by (b)(6),(b)(7)(C), Investigator, USDA APHIS IES of conversation with John Birdsong, dated 4/25/07.

**OTHER EVIDENCE**

**Exhibit 8 - Personal Summary Report for John Birdsong.**

## AFFIDAVIT

I, Douglas S. Hoffman, being duly sworn on oath make the following statement: to (b)(6),(b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Douglas S. Hoffman and I am currently employed as an Animal Health Technician for the USDA/APHIS Veterinary Services located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois 62704, Ph.217-241-6689 for the three years.

On January 5, 2006, I was working inspecting horses at Cavel International located in Dekalb, Illinois. A load of horses shipped and driven by John Birdsong 2961 E. Hwy 166 Carrollton, GA. 30116 (770-832-8329) arrived. Mr. Birdsong approached me before his trailer was unloaded and stated "one of the horses on his trailer had gone to see Jesus". I quickly explained to Mr. Birdsong if there was a dead horse on his trailer that he would have to take the body to be examined. I asked what had happened and Mr. Birdsong told me that he noticed a large hole in the side of the horse before he left Chatanooga, TN where he had loaded. I told Mr. Birdsong he should have never left the sale barn with the injured horse on his trailer. I also asked why he did not unload it there and get a Veterinarian to examine and treat it (which is a requirement of the Commercial Transportation of Equines to Slaughter Regulation). Mr. Birdsong's response was that the trailer was already loaded and it would be hard to unload and take to much time. I explained told Mr. Birdsong that was a bad decision because the horse needed to be seen by a Veterinarian. After looking in the trailer and before Mr. Birdsong unloaded we than realized that the horse was not dead but down and in very bad shape. I immediately got Dr. Renee Oleck (FSIS Veterinarian in Charge at Cavel) I quickly explained the problem and asked her to write up an affidavit or some form of documentation, Dr. Oleck agreed to do this and her statement is attached. On the VS Form 10-13 Mr. Birdsong documented the injury to this horse back tag# USBI 7235 but chose to ship the horse anyway. This was very bad judgment on Mr. Birdsong's

(b)(6),(b)(7)(C)

SIGNATURE OF AFFIRANT

Subscribed and sworn to before me at  
Cavel International, 108 Harvestore Dr, Dekalb, IL 60115  
On this 8th day of November, 2006.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)

(b)(6),(b)(7)(C)

AUTHORITY NO:

GOVERNMENT  
EXHIBIT

1207035

Page 1 of 2

PHS FORM 7070 (MAR 95)

NS.



## AFFIDAVIT

I, Douglas S. Hoffman, being duly sworn on oath make the following statement: to (b)(6),(b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

part and I believe he is responsible for this horse going down and suffering further. Dr. Oleck had the horse humanely euthinized on his trailer and disposed of. Mr. Birdsong has been transporting livestock for 20 years and hauling slaughter horses for over a year. I have explained the Commercial Transportation of Equines to Slaughter Regulation to Mr. Birdsong and he is quite aware of the requirements. Mr. Birdsong has been shipping/driving horses to Cavel for over a year.

(b)(6),(b)(7)(C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at  
Cavel International, 108 Harvestore Dr, Dekalb, IL 60115  
On this 8th day of November, 2006.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)

(b)(6),(b)(7)(C)

AUTHORITY NO (b)(6),(b)(7)(C)



## AFFIDAVIT

I, Renee S. Oleck, being duly sworn on oath make the following statement to: (b)(6),(b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services. .

My name is Renee S. Oleck and I am employed as a Public Health Veterinarian for the United States Department of Agriculture, Food Safety Inspection Service since July 1, 2004. Starting January 10, 2004, I became the Inspector In Charge at plant #15849, Cavel International Inc. located at 108 Harvestore Drive, Dekalb, Illinois 60115, phone 815-758-6061.

On January 5, 2006, I was alerted by Dog Hoffman, USDA APHIS animal health technician, that there was a horse down and unable to rise on one of the trailers. I was told that the shipper of this load was John Birdsong of Carrollton, Georgia. I was also informed that the shipper was aware that this horse had a wound on its right flank, and that the animal was not in good health prior to loading it on to the trailer.

I entered the trailer and identified an aged (approximately 20 years old according to dentition), female, palomino horse, USDA APHIS back tag # 7235, lying in right lateral recumbency. The mare was very near death. She was non-responsive/ moribund; cold to the touch, breathing infrequent shallow breathes, and had a putrid odor coming from her abdominal area. I had her humanely euthanized with a captive bolt pistol immediately. My brief post mortem examination revealed an approximately 4 inch long laceration in her right flank. Digital palpation revealed

(b)(6),(b)(7)(C)

Subscribed and sworn to before me at 160 Worcester, Providence Trpk, Sutton, MA 01590  
On this 30<sup>th</sup> day of May, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)

DESIGNATED  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY N (b)(6),(b)(7)(C)



# AFFIDAVIT

I, Renee S. Oleck , being duly sworn on oath make the following statement to: (b)(6),(b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services. .

the laceration had penetrated through the muscle layers and into her abdominal cavity. A putrid, rotten odor emanated through the wound. I diagnosed her with toxemia secondary to traumatic peritonitis. The body was condemned.

*[A large diagonal line is drawn across the body of the document, likely indicating a signature or a redaction.]*

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Subscribed and sworn to before me at 160 Worcester, Providence Trpk, Sutton, MA 01590  
On this 30<sup>th</sup> day of May , 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)



(b)(6),(b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY N (b)(6),(b)(7)(C)



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE <b>7:00 PM</b>	DATE <b>1-24-08</b>	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE <b>Chatanooga TN.</b>
VEHICLE LICENSE NO. AND DRIVER'S NAME <b>John Birdsong JR 4255 Ga.</b>	NAME OF AUCTION/MARKET <b>Triple B. Auction</b>	
CONSIGNOR (OWNER/SHIPPER) NAME <b>John Birdsong</b>	CONSIGNEE (RECEIVER/DESTINATION) NAME <b>Cavel Int.</b>	
STREET ADDRESS <b>2961 E Hwy. 166</b>	STREET ADDRESS <b>108 Harvest store Dr.</b>	
CITY, STATE, ZIP CODE <b>Carrollton Ga 30114</b>	CITY, STATE, ZIP CODE <b>Dekalb GA.</b>	
AREA CODE & TELEPHONE NO. <b>770 832-8329</b>	AREA CODE & TELEPHONE NO. <b>815 756-8051</b>	

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip. ☒ Horses are able to bear weight on all 4 limbs. ☒ Horses are able to walk unassisted.
- ☒ Foals are older than 6 months of age. ☒ Horses are not blind in both eyes.

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION							BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
1	USBI	7226					✓			✓				✓		<del>✓</del>			
2		27					✓			✓				✓			Ball face	<del>white on back</del> Y. W. in knee	
3		28						Palomino		✓				✓					
4		29					✓			✓						✓			
5		30			✓					✓						✓			
6		31						pal		✓				✓			Large R. + ankle	Star	
7		32	✓							✓									
8		33					✓			✓				✓			Bad left hind hake	Strip	
9		34						App		✓							✓ Bad skin left + right	Fresh	
10		35						pal		✓							hote in back front	Knee old	
11		36			✓					✓				✓			Right side L. R. back	Star	
12		37					✓			✓				✓			<del>434/40</del>	White on Back	
13		38	✓							✓				✓			434 445		
14		39					✓			✓				✓			415	Small Star white hair root	
15		40						Roma		✓				✓			9993	Blaze	

HORSES HAVE HAD ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY PRIOR TO LOADING

SIGNATURE (b)(6),(b)(7)(C)

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001)

SIGNATURE the best of my knowledge and belief contained in this form is true and correct to

(b)(6),(b)(7)(C)

CANADIAN FOOD INSPECTION AGENCY (CFIA)

EST.

DATE

TIME

GOVERNMENT  
EXHIBIT

4

1107035

Page 1 of 2

APHIS FORM 7070 (MAR 05)

PAGE 1 OF



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**

(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE <u>7:00 PM</u>	DATE <u>1-4-06</u>	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE <u>Channahon, Ill</u>
VEHICLE LICENSE NO. AND DRIVER'S NAME <u>IR 4255 J. Birdsong</u>	NAME OF AUCTION/MARKET <u>Truitt BLS Auction</u>	
CONSIGNOR (OWNER/SHIPPER) NAME <u>John Birdsong</u>	CONSIGNEE (RECEIVER/DESTINATION) NAME <u>Chavette Truitt</u>	
STREET ADDRESS <u>2561 E Hwy 166</u>	STREET ADDRESS <u>108 Haines St Dr</u>	
CITY, STATE, ZIP CODE <u>Carrollton Ga 30116</u>	CITY, STATE, ZIP CODE <u>Dekalb Ill.</u>	
AREA CODE & TELEPHONE NO. <u>770 832-8329</u>	AREA CODE & TELEPHONE NO. <u>815-756 8051</u>	

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip. ☒ Horses are able to bear weight on all 4 limbs. ☒ Horses are able to walk unassisted.
- ☒ Foals are older than 6 months of age. ☒ Horses are not blind in both eyes.

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE						SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
1	USBE	7241			✓					✓				✓			369	Star Brown/Nose	
2		42			✓					✓				✓				Blaze Right Ear	
3		43					✓			✓				✓			9991	L. Rear Blaze	
4		44									✓					✓	373	Blaze	
5		45									✓					✓	371	Blaze	
6		46					✓			✓				✓				R+L Rear Sock Oldscare Back	
7		47					✓			✓				✓				Bar R+L Rear Sock Jacks on Back	
8																			
9																			
10																			
11																			
12																			
13																			
14																			
15																			

HORSES HAVE HOURS IMMEDIATELY	NUMBER OF 6 CONSECUTIVE	CANADIAN FOOD INSPECTION AGENCY (CFIA)
SIGNATURE <div style="border: 1px solid black; padding: 5px; width: 200px; margin: 0 auto;">(b)(6),(b)(7)(C)</div>		EST. DATE TIME
I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001)		<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>GOVERNMENT EXHIBIT</b>  <u>4</u>  <u>IL07035</u>            Page <u>2</u> of <u>2</u>  <small>APHIS FORM 7070 (MAR 05)</small> </div>
SIGNATURE OF OWNER/SHIPPER (certify that the information contained in this form is true and correct to the best of their knowledge) <div style="border: 1px solid black; padding: 5px; width: 200px; margin: 0 auto;">(b)(6),(b)(7)(C)</div>		

Lot Sheet : 2060017

Vendor : Birdsong, John

Date : 01.05.06

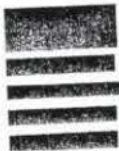
Tag	LWT	LG	Descr	Yard	YWGT	S	Died	Cond
4072	927	BO	SOR	7243		M		
4073	759	BO	BAY	7238		M		
4074	815	BO	SOR	7247		M		
4075	1.364	DB	SOR	7245		G		
4076	861	BO	BLK	7242		M		
4077	723	BO	SOR	7246		M		
4078	937	BO	SOR	7240		G		
4079	1.293	DB	SOR	7244		G		
4080	807	BO	BLK	7241		M		
4081	989	BO	BAY	7227		M		
4082	1.025	BO	SOR	7229		G		
4083	736	QC	SOR	0		M		
4084	950	BO	PAL	7228		M		
4085	745	QC	SOR	7237		M		
4086	680	BC	SOR	0		M		
4087	821	BO	BLK	7230		M		
4088	747	QC	PAL	7231		M		
4089	945	BO	APP	7234		G		
4090	871	BO	SOR	0		M		
4091	714	BB	SOR	7232		M		
4092	805	BO	BLK	7236		S		

S 21 18.514  
Avg 882






THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS	
DATE	AMOUNT
1/5/06	300.00
2060017	
Advance	


**Cavel International Inc.**  
 HORSE BUYING ACCOUNT Ph. 815-756-8051  
 108 Harvestore Dr. • DeKalb, IL 60115-8604

DATE 1/5/06 70-2406-719

PAY TO THE ORDER OF John Birdsong \$300.00

**THE SUN 300 DOLS 00 00** DOLLARS



**AMERICAN NATIONAL BANK**  
 of DeKalb County  
 815-756-1444  
 1985 DeKalb Avenue Sycamore, IL 60178  
 124 S. Main Street Sycamore, IL 60178  
 913 S. Fourth Street DeKalb, IL 60115

MP

23057

023057 (b)(4)


THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS	
DATE	AMOUNT
1/5/06	6323.91
2060017	
21 head	
4072-4092	
less Advance (300.00)	
CK# 23057	


**Cavel International Inc.**  
 HORSE BUYING ACCOUNT Ph. 815-756-8051  
 108 Harvestore Dr. • DeKalb, IL 60115-8604

DATE 1/5/06 70-2406-719

PAY TO THE ORDER OF John Birdsong \$6,023.91

**THE SUN 6023 DOLS 91 00** DOLLARS


**AMERICAN NATIONAL BANK**  
 of DeKalb County  
 815-756-1444  
 1985 DeKalb Avenue Sycamore, IL 60178  
 124 S. Main Street Sycamore, IL 60178  
 913 S. Fourth Street DeKalb, IL 60115

MP

23058

023058 (b)(4)



# INTERVIEW LOG

## USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)

CONTACTED: John A. Birdsong  
2961 E. Hwy 166  
Carrollton, GA 30116

DATE: April 25, 2007

TYPE OF INTERVIEW (BY PHONE OR IN PERSON): In Person	ORGANIZATION:	TELEPHONE NUMBER: (b)(6),(b)(7)(C)
SUBJECT: Movement of horses to slaughter Case Number IL07035-VS		LOCATION OF INTERVIEW: 2961 E. Hwy 16, Carrollton, GA 30116

## SUMMARY:

On April 25, 2007 I spoke with Mr. John A. Birdsong. His GA driver's license number is (b)(6),(b)(7)(C) and his date of birth is (b)(6),(b)(7)(C)

Q: Do you own your business and are you incorporated?

A: I own my business and it is just me I'm not incorporated

Q: How long have you been hauling horses to slaughter?

A: I have always been in the horse trading business. I try to buy a horse cheap and sell for more and if I can make more on the horse by taking it to slaughter I'll do it. Now that they stopped the slaughter of horses cost of horses and just dropped.

Q: On or about 01/5/2006 did you transport an injured horse to slaughter at Cavel International in Dekalb, IL?

A: I did.

Q: How did you pay for the Horse?

A: The owner just brought him by my place and dropped him off. People that just want to get rid of their horses will come by here and leave them.

Q: Who transported the horse to slaughter and who paid for it?

A: I did.

Q: Did you apply the back tag to the horse?

A: I did.

Q: Did he help load the horse on the trailer? Did he separate any of the horses on this load from other horses?

A: I load all my horses I ship.

Q: Were you the one who filled out the Owner Shipper Certificate and did you sign the form?

A: I did.

Q: Was horse USBI 7235 injured before being loaded on the trailer for transport to Cavel?

A: I don't know. If I knew the horse was injured before loading I wouldn't have taken him. I filled out a form and told them that the horse walked onto the trailer on without assistance.

Mr. Birdsong was in a hurry and he didn't want to wait till I typed an affidavit for him. He said he would answer all the questions I wanted but he wanted to leave as soon as possible because some people were waiting on him.

NAME OF PERSON DOCUMENTING  
INTERVIEW:

(b)(6),(b)(7)(C)

Investigator

SIGNATURE:

(b)(6),(b)(7)(C)

DATE: April 25, 2007



**Full Name**

BIRDSONG, JOHN A

**Address**

2961 E HIGHWAY 166  
CARROLLTON, GA 30116-8591  
COUNTY: CARROLL

**County**

CARROLL

**Phone**

(770) 832-8329

**ADDITIONAL PERSONAL INFORMATION**

(b)(6),(b)(7)(C)

GENDER

**Subject Summary****Name Variations**

- 1: BIRDSONG, JOHN A
- 2: BIRDSONG, JOHN

[Back To Top](#)

[Name Variations \(2\)](#) | [SSNs Summary \(1\)](#) | [DOBs \(1\)](#)

[View Name Variation Sources](#)

**SSNs Summary**

[View SSN Sources](#)

No.	SSN	State Iss.	Date Iss.	Warnings
-----	-----	------------	-----------	----------

(b)(6),(b)(7)(C)

**DOBs**

[View DOB Sources](#)

(b)(6),(b)(7)(C)

**Address Summary**

Address Summary - 8 records found for subject:

[Back To Top](#)

[View Address Sources](#)

#	Address
1:	2961 E HIGHWAY 166 CARROLLTON, GA 30116-8591 COUNTY: CARROLL

2:	(b)(6),(b)(7)(C)
3:	
4:	
5:	
6:	
7:	

**Actions**

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[View Details](#)

[Get Report](#)

[View Details](#)

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[Get Report](#)

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[View Details](#)

(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)





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(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)





Animal and  
Plant Health  
Inspection  
Service  
Investigative and  
Enforcement  
Services

UNITED STATES  
DEPARTMENT OF AGRICULTURE

EASTERN REGION  
920 MAIN CAMPUS DRIVE, SUITE 200  
RALEIGH, NC 27606  
(919) 855-7080

July 5, 2007

To: Dr. Donald Evans, Acting AVIC  
USDA APHIS Veterinary Services  
2815 Old Jacksonville Rd, Suite 104  
Springfield, Illinois 62704

Subject: Case No: IL07036-VS

Submitted for your information is a copy of the report of violation involving John Birdsong. On January 25, 2006, John Birdsong delivered a horse to Cavel International that had a fresh cut on its left eye. The VS form 10-13 did not indicate that horse with USDA tag#: USBI 7569 was injured. The report documents violation of 9 CFR 88.4(a)(3)(viii), Requirements for transport.

This should conclude my investigation, if you need further assistance or any explanations please call me at: 614-832-3186.

Individuals to be included in updates:

Dr. Donald Evans, Acting AVIC, USDA APHIS VS, IL  
William Groce, Assistant Regional Director, Raleigh, NC  
John Kinsella, Regional Director, Raleigh, NC

(b)(6),(b)(7)(C)

Investigator  
USDA, APHIS, IES  
Detroit, Michigan

Enclosure

Cc:

Allison Khroustalev, Assistant Director for Enforcement  
Riverdale, MD, (Original copy to staff)



UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
INVESTIGATIVE AND ENFORCEMENT SERVICES  
EASTERN REGION  
RALEIGH, NC

**REPORT OF VIOLATION**

Violator: **John Birdsong**  
2961 E. Hwy, 166  
Carrollton, GA 30116  
770-832-8329

Case Number: IL07036-VS

Violation(s): 9 CFR 88

Investigator: (b)(6),(b)(7)(C)  
920 Main Campus Drive  
Suite 200  
Raleigh, NC 27606

(b)(6),(b)(7)(C)

Date of Report: July 5, 2007

**FOR OFFICIAL USE ONLY**

This document and its contents are not to be distributed outside your agency, nor duplicated, without prior consent from USDA, APHIS, Investigative and Enforcement Services.

## SYNOPSIS

## Violator

Information: John Birdsong has been hauling horses to slaughter for years. And is not incorporated. John Birdsong buys horses for slaughter.

## Previous

History: John Birdsong has one Official Warning Letter for failure to correctly complete the VS form 10-13, (GA05012). One open case for having a horse with a large hole on its side and not capable of exiting the trailer, (IL07035). And one open case for leaving horses at the slaughter plant after normal hours, (IL07037).

## Violation

Events: On January 25, 2006, John Birdsong delivered a horse to Cavel International that had a fresh cut on its left eye. The VS form 10-13 did not indicate that horse with USDA tag#: USBI 7569 was injured.

**EXPLANATION OF THE EVIDENCE****January 25, 2006**

9 CFR

88.4(a)(3)(viii)

**Requirements for transport.**

On January 25, 2006, John Birdsong delivered a horse to Cavel International that had a fresh cut on its left eye. The VS form 10-13 did not indicate that horse with USDA tag#: USBI 7569 was injured, as evidenced by:

**Exhibit 1** - APHIS Form 7162, Affidavit of Doug Hoffman, dated 11/08/06, stating that the VS form 10-13 did not indicate injury on horse.

**Exhibit 2** - VS Form 10-13, dated 1/24/06, with horse tag#: USBI 7569, listed.

**Exhibit 3** - Carvel International Lot Sheet, dated 1/25/06, with horse tag#: 7569 listed.

**Exhibit 4** - Copy of Carvel International check, dated 1/25/06, to John Birdsong for horses.

**Exhibit 5** - Pictures of horse with injured eye, dated 1/25/06.

**Exhibit 6** - Picture of injured horse with USDA tag#: 7569, dated 1/25/06.

**Exhibit 7** - Interview log by (b)(6),(b)(7)(C) Investigator, USDA APHIS IES of conversation with John Birdsong, dated 4/25/07.

**OTHER EVIDENCE**

**Exhibit 8** - Personal Summary Report for John Birdsong.

**EXHIBIT LIST**

- Exhibit 1** - APHIS Form 7162, Affidavit of Doug Hoffman, dated 11/08/2006.
- Exhibit 2** - VS Form 10-13, dated 1/24/06.
- Exhibit 3** - Carvel International Lot Sheet, dated 1/25/06.
- Exhibit 4** - Copy of Carvel International check, dated 1/25/06.
- Exhibit 5** - Pictures of horse with injured eye, dated 1/25/06.
- Exhibit 6** - Picture of injured horse with USDA tag#: 7569, dated 1/25/06.
- Exhibit 7** - Interview log by (b)(6),(b)(7)(C), Investigator, USDA APHIS IES of, dated 4/25/07.
- Exhibit 8** - Personal Summary Report for John Birdsong.

**WITNESS LIST**

Doug Hoffman, AHT  
USDA/APHIS/VS  
2815 Old Jacksonville Road, Suite 104  
Springfield, Illinois 62704  
815-353-0233

(b)(6),(b)(7)(C) Investigator  
USDA/APHIS/IES  
920 Main Campus Drive, Suite 200  
Raleigh, NC 27606  
919-855-7080

## AFFIDAVIT

I, Douglas S. Hoffman, being duly sworn on oath make the following statement: to (b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Douglas S. Hoffman and I am currently employed as an Animal Health Technician for the USDA/APHIS Veterinary Services located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois 62704, Ph.217-241-6689 for the three years.

On January 25, 2006, I was working inspecting horses at Cavel International located in Dekalb, Illinois. A load of horses shipped and driven by John Birdsong 2961 E. Hwy 166 Carrollton, GA. 30116 (770-832-8329) arrived. While unloading the trailer and during my inspection of the horses shipped by Mr. Birdsong I noticed horse back tag # USBI 7569 had a fresh cut on the left eye. I looked on the VS form 10-13 that I had received from Mr. Birdsong and in the remarks block there were no comments about this injury being pre-existing. The pictures will show the injury and the no comments on the VS Form 10-13 presented by Mr. Birdsong. Mr. Birdsong has been transporting livestock for 20 years and hauling slaughter horses for over a year. I have explained the Commercial Transportation of Equines to Slaughter Regulation to Mr. Birdsong and he is quite aware of the requirements.

(b)(6),(b)(7)(C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at  
Cavel International, 108 Harvestore Dr, Dekalb, IL 60115  
On this 8th day of November, 2006.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)

(b)(6),(b)(7)(C)

AUTHORITY NO (b)(6),(b)(7)(C)





**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE 9:30 -	DATE 1-24-06	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE Chattanooga, TN
VEHICLE LICENSE NO. AND DRIVER'S NAME IL 4255 G. J. Birdsong	NAME OF AUCTION/MARKET Triple B Livestock Auction	CONSIGNEE (RECEIVER/DESTINATION) NAME Cavel International Inc
CONSIGNOR (OWNER/SHIPPER) NAME John Birdsong	STREET ADDRESS 108- Hawstone Dr	CITY, STATE, ZIP CODE DeKalb, IL 60115
STREET ADDRESS 2961 E Hwy 166	AREA CODE & TELEPHONE NO. 770-832-8329	AREA CODE & TELEPHONE NO. 815-754-8051

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip.  
☒ Foals are older than 6 months of age.  
☒ Horses are able to bear weight on all 4 limbs.  
☒ Horses are not blind in both eyes.  
☒ Horses are able to walk unassisted.

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
			Bay	Grey	Blk	Pinto	Chestn	Other	TE	QT	Draft	Pony	Other	Mare	Stal	Geld		
1	USBI	7559						DN		✓				✓			Blind Rt Eye	2 Hr sock
2		60					✓			✓				✓			51 (603)	Blaze sock
3		61					✓			✓				✓			BH 590	Blaze 2 Hr sock
4		62					✓			✓							808	Star L R sock
5		63					✓			✓						✓	812	Blaze R R sock
6		64						DN		✓							801	L R R R sock
7		65					✓			✓						✓	798	Star R R sock
8		66					✓			✓				✓				L R R R sock
9		67					✓			✓						✓	9030	L R R sock
10		68					✓			✓				✓			9027	Star L R R sock
11		69					✓			✓				✓			38	Star L R R sock
12		70														✓		
13		71			✓		✓			✓				✓			4	N/A
14		72	✓				✓			✓				✓			930	Star L R R sock
15		73	✓				✓			✓				✓			044	L R sock

HORSES HAVE BEEN INSPECTED FOR 6 CONSECUTIVE HOURS IMMEDIATELY PRIOR TO LOADING.  
SIGNATURE \_\_\_\_\_

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE OF OWNER OR SHIPPER \_\_\_\_\_ form is true and correct to the best of my knowledge.

CANADIAN FOOD INSPECTION AGENCY (CFIA)

EST.

DATE

TIME

GOVERNMENT  
EXHIBIT

2

IL07036  
Page 1 of 2

APHIS FORM 7070 (MAR 95)



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY  
(CONTINUATION SHEET)**

(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO  
0579-0160

TAG PREFIX	Tag NO	COLOR DESCRIPTION							BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include precondition	
		Bay	Grey	Blk	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld				
16	USBI 1574																	432	Star
17	75																	431	Blaze
18	76																		4 soch
19	77																	RT 430	Star
20	78																	RR	Star
21	79																	RR	Star
22	80																	4 soch	Star
23	81																		Star
24	82																	428-RR	Blaze
25	83																	427RR	Blaze
26	84																	Scars	Star
27																		on	Head
28																			
29																			
30																			
31																			
32																			
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44																			
45																			



I HEREBY AUTHORIZE THE CFIA TO USE THE INFORMATION CONTAINED ON THIS FORM OR KNOWINGLY USE THE INFORMATION FOR NOT MORE THAN 10 YEARS.

SIGNATURE OF OWNER/SHIPPER (I certify that the information is true and correct to the best of my knowledge.)

(b)(6),(b)(7)(C)

ED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS INFORMATION IS A VIOLATION OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT AND IS PUNISHABLE BY A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS.

ny knowledge.)

Cavel International, Inc.

Lot Sheet : 2060098

Vendor : Birdsong, John

Date : 01.25.06

Tag	LWT	LG	Descr	Yard	YWGT	S	Died	Cond
6268	884	BO	BAY	7572		G		
6269	977	BO	SO	7563		M		
6270	1.052	BO	SO	7562		M		
6271	905	BO	SO	7565		G		
6272	1.285	DB	SO	7560		M		
6273	951	BO	BUK	7564		M		
6274	661	OB	BAY	7568		M		
6275	796	BO	SO	7567		M		
6276	858	BO	SO	7566		M		
6277	1.063	BO	BLK	7577		M		
6278	872	BO	SO	7561		M		
6279	940	BO	SO	7559		M		
6280	867	BO	SO	7569		M		
6281	925	BO	SO	7575		M		
6282	1.007	BO	SO	7574		M		
6283	803	BO	BLK	7571		M		
6284	708	BO	SO	7583		G		
6285	799	BO	BAY	7579		G		
6286	810	BO	BAY	7581		G		
6287	916	BO	BAY	7573		G		
6288	838	BO	SO	7576		M		
6289	893	BO	SO	7582		M		
6290	719	BO	BLK	7580		G		
6291	884	BO	BLK	7578		G		
6292	816	BO	BLK	7584		S		

S 25 22.229

Avg 889



THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS		Cavel International Inc.		23160
DATE	AMOUNT	HORSE BUYING ACCOUNT Ph. 815-756-8051 108 Harvestore Dr. • DeKalb, IL 60115-8604		70-2406-719
1/25/06				
Lot #				
2060098				
25 head				
# 6268-6292				
Advance	200.00			

PAY TO THE ORDER OF John Birdsang \$200.00

**THE SUM 200 DOLLARS**

**AMERICAN NATIONAL BANK**  
815-756-1444  
1985 DeKalb Avenue Sycamore, IL 60178  
124 S. Main Street Sycamore, IL 60178  
913 S. Fourth Street DeKalb, IL 60115

MP

023160 (b)(4)

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS		Cavel International Inc.		23161
DATE	AMOUNT	HORSE BUYING ACCOUNT Ph. 815-756-8051 108 Harvestore Dr. • DeKalb, IL 60115-8604		70-2406-719
1/25/06	8608.81			
Lot #				
2060098				
25 head				
# 6268-6292				
less Advance	200.00			
Net 25 1201/25				

PAY TO THE ORDER OF John Birdsang \$8,408.81

**THE SUM 8408 DOLLARS**

**AMERICAN NATIONAL BANK**  
815-756-1444  
1985 DeKalb Avenue Sycamore, IL 60178  
124 S. Main Street Sycamore, IL 60178  
913 S. Fourth Street DeKalb, IL 60115

MP

023161 (b)(4)

GOVERNMENT  
EXHIBIT  
4  
IL67036  
Page 1 of 1  
APHIS FORM 7070 (MAR 95)



CASE NUMBER: IL07036-VS



**SUBJECT NAME :** John Birdsong

**CASE NO. :** IL07036-VS

**SECTION NO. :** USBI 7569-1

**DESCRIPTION OF PHOTOGRAPH:** Horse with injured eye.

**PHOTOGRAPHER:** Douglas S. Hoffman

**DATE:** 25 January 2006



CASE NUMBER: IL07036-VS



**SUBJECT NAME :** John Birdsong

**CASE NO. :** IL07036-VS

**SECTION NO. :** USBI 7569-2

**DESCRIPTION OF PHOTOGRAPH:** Horse with injured eye.

**PHOTOGRAPHER:** Douglas S. Hoffman

**DATE:** 25 January 2006



CASE NUMBER: IL07036-VS



SUBJECT NAME : John Birdsong

CASE NO. : IL07036-VS

SECTION NO. : USBI 7569-3

DESCRIPTION OF PHOTOGRAPH: Injured horse with USDA Tag#: 7569.

PHOTOGRAPHER: Douglas S. Hoffman

DATE: 25 January 2006





# INTERVIEW LOG USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)  
CONTACTED: John A. Birdsong  
2961 E. Hwy 166  
Carrollton, GA 30116

DATE: April 25, 2007

TYPE OF INTERVIEW (BY PHONE OR IN  
PERSON): In Person

ORGANIZATION:

TELEPHONE NUMBER:

(b)(6),(b)(7)(C)

SUBJECT: Movement of horses to slaughter  
Case Number IL07036-VS

LOCATION OF INTERVIEW: 2961 E. Hwy 16,  
Carrollton, GA 30116

## SUMMARY:

On April 25, 2007 I spoke with Mr. John A. Birdsong. His GA driver's license number is (b)(6),(b)(7)(C) and his date of birth is (b)(6),(b)(7)(C)

Q: Do you own your business and are you incorporated?

A: I own my business and it is just me I'm not incorporated

Q: How long have you been hauling horses to slaughter?

A: I have always been in the horse trading business. I try to buy a horse cheap and sell for more and if I can make more on the horse by taking it to slaughter I'll do it. Now that they stopped the slaughter of horses cost of horses and just dropped.

Q: On or about 01/25/2006 did you transport an injured horse to slaughter at Cavel International in Dekalb, IL?

A: I did.

Q: How did you pay for the Horse?

A: I'm not sure where I got the horse. Sometimes people just dropped the horses off here at the house.

Q: Who transported the horse to slaughter and who paid for it?

A: I did.

Q: Did you apply the back tag to the horse?

A: I did.

Q: Did he help load the horse on the trailer? Did he separate any of the horses on this load from other horses?

A: I loaded the horse and this was a small load so I had each horse separated into his own stall.

Q: Were you the one who filled out the Owner Shipper Certificate and did you sign the form?

A: I did.

Q: Was horse USBI 7569 injured before being loaded on the trailer for transport to Cavel?

A: Yes

Mr. Birdsong was in a hurry and he didn't want to wait till I typed an affidavit up for him. He said he would answer all the questions I wanted but he wanted to leave as soon as possible because some people were waiting on him.

NAME OF PERSON DOCUMENTING  
INTERVIEW:

(b)(6),(b)(7)(C)

Investigator

SIGNATURE:

(b)(6),(b)(7)(C)

DATE: April 25, 2007



**Full Name**

BIRDSONG, JOHN A

**Address**2961 E HIGHWAY 166  
CARROLLTON, GA 30116-8591  
COUNTY: CARROLL**County**

CARROLL

**Phone**

(770) 832-8329

**ADDITIONAL PERSONAL INFORMATION**

SSN

DOB

GENDER

(b)(6),(b)(7)(C)

**Subject Summary****Name Variations**

- 1: BIRDSONG, JOHN A
- 2: BIRDSONG, JOHN

[Back To Top](#)  
[Name Variations \(2\)](#) | [SSNs Summary \(1\)](#) | [DOBs \(1\)](#)  
[View Name Variation Sources](#)

**SSNs Summary**[View SSN Sources](#)**No.****SSN****State Iss.****Date Iss.****Warnings**

(b)(6),(b)(7)(C)

**DOBs**

(b)(6),(b)(7)(C)

[View DOB Sources](#)**Address Summary**

Address Summary - 8 records found for subject:

[Back To Top](#)  
[View Address Sources](#)

#

**Address**

- 1: 2961 E HIGHWAY 166  
CARROLLTON, GA 30116-8591  
COUNTY: CARROLL

(b)(6),(b)(7)(C)

**Actions**[Get Report](#)[View Details](#)[Get Report](#)[View Details](#)[Get Report](#)[View Details](#)[Get Report](#)[View Details](#)[Get Report](#)[View Details](#)[Get Report](#)[View Details](#)[Get Report](#)[View Details](#)GOVERNMENT  
EXHIBIT

8

m707036

Page 1 of 12

APHIS FORM 7070 (MAR 95)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)





(b)(6),(b)(7)(C)





**BIRDSONG**

75

WICHITA KS

**USDOT 1087174**

**NOT FOR HIRE**

**FIRE EXTINGUISHER INSIDE**















Animal and  
Plant Health  
Inspection  
Service  
Investigative and  
Enforcement  
Services

UNITED STATES  
DEPARTMENT OF AGRICULTURE

EASTERN REGION  
920 MAIN CAMPUS DRIVE, SUITE 200  
RALEIGH, NC 27606  
(919) 855-7080

July 6, 2007

To: Dr. Donald Evans, Acting AVIC  
USDA APHIS Veterinary Services  
2815 Old Jacksonville Rd, Suite 104  
Springfield, Illinois 62704

Subject: Case No: IL07037-VS

Submitted for your information is a copy of the report of violation involving John Birdsong. On March 21, 2006, a load of horses was drop off by John Birdsong at Cavel International. John Birdsong did not meet with a USDA inspector before leaving Cavel International. The report documents violation of 9 CFR 88.5, Requirements at a slaughtering facility.

This should conclude my investigation, if you need further assistance or any explanations please call me at: (b)(6),(b)(7)(C)

Individuals to be included in updates:  
Dr. Donald Evans, Acting AVIC, USDA APHIS VS, IL  
William Groce, Assistant Regional Director, Raleigh, NC  
John Kinsella, Regional Director, Raleigh, NC

(b)(6),(b)(7)(C)

Investigator  
USDA, APHIS, IES  
Detroit, Michigan

Enclosure

Cc:  
Allison Khroustalev, Assistant Director for Enforcement  
Riverdale, MD, (Original copy to staff)



UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
INVESTIGATIVE AND ENFORCEMENT SERVICES  
EASTERN REGION  
RALEIGH, NC

**REPORT OF VIOLATION**

Violator: **John Birdsong**  
2961 E. Hwy, 166  
Carrollton, GA 30116  
770-832-8329

Case Number: IL07037-VS

Violation(s): 9 CFR 88

Investigator: (b)(6),(b)(7)(C)  
920 Main Campus Drive  
Suite 200  
Raleigh, NC 27606

(b)(6),(b)(7)(C)

Date of Report: July 6, 2007

**FOR OFFICIAL USE ONLY**

This document and its contents are not to be distributed outside your agency, nor duplicated,  
without prior consent from USDA, APHIS, Investigative and Enforcement Services.

## SYNOPSIS

## Violator

Information: John Birdsong has been hauling horses to slaughter for years. And is not incorporated. John Birdsong buys horses for slaughter.

## Previous

History: John Birdsong has one Official Warning Letter for failure to correctly complete the VS form 10-13, (GA05012). One open case for having a horse with a large hole on its side that was not capable of exiting the trailer, (IL07035). And one open case for not indicating injured horse on VS form 10-13, (IL07036).

## Violation

Events: On March 21, 2006, a load of horses was drop off by John Birdsong at Cavel International. John Birdsong did not meet with a USDA inspector before leaving Cavel International.



**EXPLANATION OF THE EVIDENCE****March 21, 2006**9 CFR  
88.5Requirements at a slaughtering facility.

On March 21, 2006, a load of horses was drop off by John Birdsong at Cavel International. John Birdsong did not meet with a USDA inspector before leaving Cavel International, as evidenced by:

**Exhibit 1** - APHIS Form 7162, Affidavit of Doug Hoffman, dated 11/08/06, stating that John Birdsong left a load of horse at Cavel International without meeting with a USDA inspector.

**Exhibit 2** - VS Form 10-13, dated 3/21/06.

**Exhibit 3** - Carvel International Lot Sheet, dated 3/21/06.

**Exhibit 4** - Interview log by (b)(6),(b)(7)(C) Investigator, USDA APHIS IES of conversation with John Birdsong, dated 4/25/07.

**OTHER EVIDENCE**

**Exhibit 5** - Personal Summary Report for John Birdsong.

**EXHIBIT LIST**

**Exhibit 1** - APHIS Form 7162, Affidavit of Doug Hoffman, dated 11/08/06.

**Exhibit 2** - VS Form 10-13, dated 3/21/06.

**Exhibit 3** - Carvel International Lot Sheet, dated 3/21/06.

**Exhibit 4** - Interview log by (b)(6),(b)(7)(C) Investigator, USDA APHIS IES, dated 4/25/07.

**Exhibit 5** - Personal Summary Report for John Birdsong.

WITNESS LIST

Doug Hoffman, AHT  
USDA/APHIS/VS  
2815 Old Jacksonville Road, Suite 104  
Springfield, Illinois 62704  
815-353-0233

(b)(6),(b)(7)(C) Investigator  
USDA/APHIS/IES  
920 Main Campus Drive, Suite 200  
Raleigh, NC 27606  
919-855-7080

## AFFIDAVIT

I, Douglas S. Hoffman, being duly sworn on oath make the following statement: to (b)(6),(b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Douglas S. Hoffman and I am currently employed as an Animal Health Technician for the USDA/APHIS Veterinary Services located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois 62704, Ph.217-241-6689 for the three years.

On March 21, 2006 A load of horses shipped and driven by John Birdsong 2961 E. Hwy 166 Carrollton, GA. 30116 (770-832-8329) arrived. I called and spoke to Mr. Birdsong on 3-20-06 and reminded him that a requirement of CFR Part 88 requires someone to be present and available to meet with the USDA inspector. I explained this to Mr. Birdsong because the previous week he dropped off horses at Cavel International in Dekalb, IL, and Tuesday afternoon which is not a normal kill day at Cavel. Mr. Birdsong has a past history of being late on kill days and dropping off horses any time. That is fine but a requirement of the Commercial Transportation of Equines to Slaughter regulation requires a responsible party be available to meet with the USDA inspector at the plant even if the horses are received after normal hours or on non kill days. Mr. Birdsong took it upon himself to leave the plant grounds and not return when the horses were inspected. This is blatant violation of the regulation only the day after I explained this requirement in depth to Mr. Birdsong by telephone. Mr. Birdsong has been transporting livestock for 20 years and hauling slaughter horses for over a year. I have explained the Commercial Transportation of Equines to Slaughter Regulation to Mr. Birdsong and he is quite aware of the requirements. Mr. Birdsong has been shipping/driving horses to Cavel for over a year.

(b)(6),(b)(7)(C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at  
Cavel International, 108 Harvostore Dr, Dekalb, IL 60115  
On this 8th day of November, 2006.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)

(b)(6),(b)(7)(C)



2217 TO

ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO: (b)(6),(b)(7)(C)



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE <b>1:45 AM</b>	DATE <b>3-21-06</b>	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE <b>Champaign IL</b>
VEHICLE LICENSE NO. AND DRIVER'S NAME <b>IL R4255 Gofch Bils</b>	NAME OF AUCTION/MARKET <b>(b)(6),(b)(7)(C)</b>	
CONSIGNOR (OWNER/SHIPPER) NAME <b>J. Birdson</b>	CONSIGNEE (RECEIVER/DESTINATION) NAME <b>Cavel Interach</b>	
STREET ADDRESS <b>2961 E Hwy 166 Candl H</b>	STREET ADDRESS <b>108 Hammskne Dr</b>	
CITY, STATE, ZIP CODE <b>Candl H Gns 30116</b>	CITY, STATE, ZIP CODE <b>DeKalb IL</b>	
AREA CODE & TELEPHONE NO. <b>770-832-8329</b>	AREA CODE & TELEPHONE NO. <b>815 756 8057</b>	

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip. ☒ Horses are able to bear weight on all 4 limbs. ☒ Horses are able to walk unassisted.
- ☒ Foals are older than 6 months of age. ☒ Horses are not blind in both eyes.

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
			Bay	Grey	Blk	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
1	USBI	7317					✓			✓						✓		Star
2		18	<del>Not Listed</del>							✓				✓			Reg Bone	Blk & L. side
3		19						Blue Roan		✓				✓			Scars	LR soch
4		20			✓					✓				✓			Star	LR soch
5		21					✓			✓				✓			Blk	Heaven
6		22			+			mdy								✓	Gruth	R side R Leg
7		23					✓			✓				✓			Star	Star
8		24	✓							✓				✓			RR	LR soch
9		25					✓			✓				✓			Blk	
10		26		✓						✓				✓				Star
11		27	✓							✓				✓			Star	Star
12		28					✓			✓						✓		Star
13		29					✓			✓							RR LR	Blk
14	USBI	7430			✓					✓					✓		RR	Blk
15		31			✓					✓				✓			NA	old

HORSES HAVE HAD ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY BEFORE LOADING INTO CONVEYANCE.

SIGNATURE

(b)(6),(b)(7)(C)

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE OF OWNER/SHIPPER (I certify that the information contained in this form is true and correct to the best of my knowledge)

(b)(6),(b)(7)(C)

CANADIAN FOOD INSPECTION AGENCY (CFIA)

EST.

DATE

TIME

GOVERNMENT  
EXHIBIT

1107037

Page 1 of 2

APHIS FORM 7070 (MAR 95)

PAGE 1 OF



# OWNER/SHIPPER CERTIFICATE FITNESS TO TRAVEL TO A SLAUGHTER FACILITY (CONTINUATION SHEET)

(Please type or print in ink)

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FORM  
APPROVED  
OMB NO.  
0579-0160

TAG PREFIX	Tag NO.	COLOR DESCRIPTION							BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include precondition
		Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
16	USBE 7432					✓			✓				✓					NA Stay
17	33				✓				✓									LIVER RR Bladed
18	34				✓				✓					✓				Star Strip Snip 4 white Reet
19	35			✓					✓				✓					Star Eye
20	36	✓							✓									Star
21	37	✓		✓					✓				✓					R. Eye Snip
22	38					✓			✓				✓					Star Snip
23	39					✓			✓				✓					Star Snip
24	40	✓				✓			✓				✓					Star - Strip - Snip
25	41				✓				✓				✓					Star - Strip - Snip
26	44					✓			✓				✓					Star / 262 L Hip
27	45	✓							✓									Borned
28																		
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Page 2 of 2  
APHIS FORM 7070 (MAR 95)

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE OF OWNER/SHIPPER (I certify that the information contained in this form is true and correct to the best of my knowledge.)

PAGE \_\_\_ OF \_\_\_



Cavel International, Inc.

Lot Sheet : 2060281

Vendor : Birdsong, John

Date : 03.21.06

*arrived about 4pm*

Truck Costs :

Other Costs :

Commission :

Tag	LWT	PPP	Value	TPPP	Tot Val	LG	Descr	Yard	YWGT	S	PPG	TPG	HWT	Yield	Died	Cond
2346	854					BO	SOR	7439		M						
2347	845					BO	BAY	7327		M						
2348	925					BO	BAY	7445		M						
2349	815					BO	BUK	7326		M						
2350	681					BO	BAY	7436		M						
2351	947					BO	BAY	7433		M						
2352	781					BO	SO	7432		M						
2353	848					BO	BAY	7435		M						
2354	780					BO	PAIN	7434		M						
2355	919					BO	BAY	7437		M						
2356	831					BO	SO	7438		M						
2357	851					BO	SO	1		M						
2358	891					BO	BAY	7430		M						
2359	775					BO	PAIN	7441		M						
2360	758					BO	BAY	7431		M						
2361	941					BO	BAY	7444		M						
2362	713					BO	BAY	7328		M						
2363	798					BO	SO	7323		M						
2364	631					BO	SO	7323		M						
2365	826					BO	GREY	7319		M						
2366	895					BO	SO	7325		M						
2367	624					BO	BAY	7322		M						
2368	906					BO	BAY	7320		M						
2369	928					BO	BAY	2		M						
2370	995					BO	SO	7317		M						

Total costs per pound :

S 25 20.758

Load

Avg 830

Diff 20.758



# INTERVIEW LOG

## USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)  
CONTACTED: John A. Birdsong  
2961 E. Hwy 166  
Carrollton, GA 30116

DATE: April 25, 2007

TYPE OF INTERVIEW (BY PHONE OR IN  
PERSON): In Person

ORGANIZATION:

TELEPHONE NUMBER:

(b)(6),(b)(7)(C)

SUBJECT: Movement of horses to slaughter  
Case Number IL07037-VS

LOCATION OF INTERVIEW: 2961 E. Hwy 16,  
Carrollton, GA 30116

### SUMMARY:

On April 25, 2007 I spoke with Mr. John A. Birdsong. His GA driver's license number is (b)(6),(b)(7)(C) and his date of birth is (b)(6),(b)(7)(C)

Q: Do you own your business and are you incorporated?

A: I own my business and it is just me I'm not incorporated

Q: How long have you been hauling horses to slaughter?

A: I have always been in the horse trading business. I try to buy a horse cheap and sell for more and if I can make more on the horse by taking it to slaughter I'll do it. Now that they stopped the slaughter of horses cost of horses and just dropped.

Q: On or about 03/21/2006 did you transport horses to slaughter at Cavel International in Dekalb, IL?

A: I did.

Q: How did you pay for the Horse?

A: I get them in different ways. I buy some at sale barns and sometimes I get them when people dropped them off at my house.

Q: Who transported the horses to slaughter and who paid for it?

A: I did.

Q: Did he help load the horse on the trailer?

A: I load all my horses I ship.

Q: Were you the one who filled out the Owner Shipper Certificate and did you sign the form?

A: I did.

Q: Where were the horses purchased?

A: I don't remember. I get them in different ways. Some I don't even pay for because the owner is just trying to get rid of the horse. Now if I can sell the horse for more to another owner I'll do that but if I can make more selling it for slaughter I'll do that.

Q: Why did you leave the horses at Cavel International, when the inspectors were not available?

A: I had a boy with me his last name was (b)(6),(b)(7)(C). I can't remember his first name. I usually stay till the next day but the boy's (b)(6),(b)(7)(C) So I left to take the boy home. I thought it was the right thing to do. I even offered to fly him back but he was afraid to fly so I drove him back.

Mr. Birdsong was in a hurry and he didn't want to wait till I typed an affidavit up for him. He said he would answer all the questions I wanted but he wanted to leave as soon as possible because some people were waiting on him.

NAME OF PERSON DOCUMENTING  
INTERVIEW:

Signature

DATE: April 25, 2007

(b)(6),(b)(7)(C)

Investigator

(b)(6),(b)(7)(C)



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**Full Name**

BIRDSONG, JOHN A

**Address**

2961 E HIGHWAY 166  
CARROLLTON, GA 30116-8591  
COUNTY: CARROLL

**County**

CARROLL

**Phone**

(770) 832-8329

**ADDITIONAL PERSONAL INFORMATION**

SSN

DOB

GENDER

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

**Subject Summary****Name Variations**

- 1: BIRDSONG, JOHN A
- 2: BIRDSONG, JOHN

[Back To Top](#)

[Name Variations \(2\)](#) | [SSNs Summary \(1\)](#) | [DOBs \(1\)](#)  
[View Name Variation Sources](#)

**SSNs Summary**

[View SSN Sources](#)

No.	SSN	State Iss.	Date Iss.	Warnings
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(b)(6),(b)(7)(C)

DOBs

(b)(6),(b)(7)(C)

[View DOB Sources](#)

**Address Summary**

Address Summary - 8 records found for subject:

[Back To Top](#)

[View Address Sources](#)

#	Address
1:	2961 E HIGHWAY 166 CARROLLTON, GA 30116-8591 COUNTY: CARROLL

2:	(b)(6),(b)(7)(C)
3:	
4:	
5:	
6:	
7:	

**Actions**

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8:

(b)(6),(b)(7)(C)

[Get Report](#)

[View Details](#)

#### Address Details

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)



[Get Report](#)

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[To Top](#)  
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<b>GOVERNMENT EXHIBIT</b>
<u>5</u>
<u>207037</u>
Page <u>4</u> of <u>50</u>
APHIS FORM 7070 (MAR 95)

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GOVERNMENT  
EXHIBIT

5

1107037  
Page 5 of 12

APHIS FORM 7070 (MAR 06)

(b)(6),(b)(7)(C)





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(b)(6),(b)(7)(C)



27 MAY 10 PM 4:10

RECEIVED

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	
	)	
Michael Lee McBarron, d/b/a	)	A.Q. Docket No. 06-0003
T&M Horse Company	)	
	)	
Respondent	)	Decision and Order

**Decision Summary**

1. I decide that Michael Lee McBarron, doing business as T&M Horse Company, was an owner/shipper of horses (9 C.F.R. § 88.1) who, during 2003 and 2004, failed to comply with the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) and the regulations promulgated thereunder, when he (and/or his partner or their agents) commercially transported horses for slaughter to Dallas Crown, Inc., in Kaufman, Texas. The testimony of Dr. Timothy Cordes (D.V.M.) persuades me that a \$21,000 civil penalty (9 C.F.R. § 88.6), for remedial purposes, is appropriate, justified, necessary, proportionate and not excessive.

**Procedural History**

2. The Complainant is the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (frequently herein "APHIS" or "Complainant"). The Complaint, filed on December 5, 2005, alleged violations of the Commercial Transportation of Equine for Slaughter Act, 7 U.S.C. § 1901 note (frequently herein the "Act"), and the regulations promulgated thereunder (9 C.F.R. § 88 *et seq.*) (frequently herein the "Regulations").



3. APHIS is represented by Thomas Neil Bolick, Esq., Office of the General Counsel, Regulatory Division, United States Department of Agriculture, South Building, 1400 Independence Ave. SW, Washington, D.C. 20250.

4. The Respondent, Michael Lee McBarron, d/b/a T&M Horse Company (frequently herein "Respondent McBarron" or the "Respondent"), represented himself at the hearing (appeared *pro se*) and is represented by Mark J. Calabria, Esq., 201 W. Mulberry, Kaufman, Texas 75142.

5. Respondent McBarron's Answer, filed on June 14, 2006, generally denied the allegations of the Complaint. The Answer also raised general defenses, that Respondent McBarron was not the true owner/shipper of the horses in question because he did not pay for them until after they had been unloaded, weighed, and processed at the horse slaughter plant; and that Respondent McBarron was not present when the horses were loaded onto conveyances for commercial transportation to slaughter and thus was unaware of (and cannot be held accountable for) violations involving those horses.

6. The hearing was conducted by audio-visual telecommunication<sup>1</sup> between the Little Rock, Arkansas site and the Washington, D.C. site, on February 27, 2007, Administrative Law Judge Jill S. Clifton presiding. The record includes one transcript volume (379 pages), prepared by Neal R. Gross & Co., Inc., Court Reporters, received by the Hearing Clerk on March 20, 2007.

7. The following exhibits (Complainant's exhibits) were admitted into evidence: CX 1 through CX 25, CX 27, CX 32, and CX 38 through CX 41.

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<sup>1</sup> See section 1.141 of the Rules of Practice (7 C.F.R. § 1.141) regarding using audio-visual telecommunication.

shipping of 43 horses in commercial transportation on June 10, 2003, from Southwest Livestock Auction in Los Lunas, New Mexico, to Dallas Crown, Inc., in Kaufman, Texas. CX 1 - CX 9. Animal Health Technician Chandler was responsible for identifying stallions, and he observed external genitalia on from seven to ten stallions in the trailer load that arrived at Dallas Crown on June 10, 2003.<sup>3</sup> Dr. Cordes used the lower figure (seven stallions), calculated the civil penalty at \$800 per unsegregated stallion,<sup>4</sup> and rounded down to the nearest thousand, equaling \$5,000. Tr. 300.

14. APHIS requested another \$5,000 for transporting 43 horses from Southwest Livestock Auction to Dallas Crown with (a) no owner/shipper certificates (\$100 each for the lack of owner/shipper certificates (VS 10-13s), rounded down to the nearest thousand, equaling \$4,000) and (b) no back tags (\$25 each for the lack of back tags, rounded down to the nearest thousand, equaling \$1,000).

15. The remaining \$1,000 requested by APHIS involved noncompliant paperwork regarding a total of 85 horses.

16. Respondent McBarron found the total of \$21,000 recommended by APHIS for the noncompliance to be "just absolutely preposterous," and "highly preposterous and unethical,"

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<sup>3</sup> Mr. Leslie Chandler testified that studs were mixed in the load, in the shipment - - stallions, intact males, adult male horses. Mr. Chandler specifically checked for testicles and personally thought that he counted roughly seven to ten stallions in the load. Mr. Chandler added that the brand inspector, who checked to make sure there were no stolen horses (for the Texas Southwest Cattle Raisers Inspection Report), noticed there were at least four stallions in the load. Tr. 106-108.

<sup>4</sup> APHIS does not hold Respondent McBarron responsible for what happened in the yard at Dallas Crown, the savaging of a mare by one of those stallions, savaging so severe that the mare had to be euthanized. The incident in the Dallas Crown yard does illustrate the need for the requirement that stallions be segregated. Tr. 298-99.

22. After careful consideration of all the evidence, I find credible the testimony of Mr. Wesley James Cummings, Mr. David Green, Mr. Leslie Chandler, Mr. Joseph Thomas Astling, Dr. Timothy Cordes, and Respondent McBarron, except that I find Respondent McBarron was mistaken in thinking the yellow horse was weight-bearing on all four limbs when he bought it.

23. On or about June 10, 2003, Respondent McBarron shipped 43 horses in commercial transportation from Southwest Livestock Auction in Los Lunas, New Mexico, to Dallas Crown, Inc., in Kaufman, Texas:

(a) for slaughter without applying a USDA back tag to each horse in the shipment, in violation of 9 C.F.R. § 88.4(a)(2).

(b) for slaughter without the required owner-shipper certificate, VS Form 10-13, in violation of 9 C.F.R. § 88.4(a)(3)(i-x).

(c) for slaughter, including in the shipment at least seven (7) stallions, and Respondent McBarron did not load the horses on the conveyance so that each stallion was completely segregated from the other horses to prevent it from coming into contact with any other horse on the conveyance, in violation of 9 C.F.R. § 88.4(a)(4)(ii).

24. On or about August 25, 2003, Respondent McBarron shipped 30 horses from Clovis Livestock, Inc., in Clovis, New Mexico, to Dallas Crown, Inc., in Kaufman, Texas:

(a) for slaughter, and one of the horses, a palomino gelding with USDA back tag # USAZ 0691 (and sale barn tag #1141),<sup>6</sup> had an old injury to its left hind foot such that it could not bear weight on all four limbs, yet Respondent McBarron

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<sup>6</sup> CX 40 is back tag USAZ 0691, and CX 41 is sale barn tag 1141.



old injury to its left hind foot such that it could not bear weight on all four limbs; yet Respondent McBarron did not describe this pre-existing injury on the VS 10-13, in violation of 9 C.F.R. § 88.4(a)(3)(viii).

25. On August 26, 2003, Joey Astling observed the yellow horse at Dallas Crown, and his testimony described the horse as emaciated, and the horse's ankle appeared to be fused, and it had two holes oozing pus. Tr. 172, CX 15, CX 20.

26. On or about March 14, 2004, Respondent McBarron shipped 15 horses in commercial transportation from Southwest Livestock Auction in Los Lunas, New Mexico, to Dallas Crown, Inc., in Kaufman, Texas:

(a) for slaughter but did not properly fill out the required owner-shipper certificate, VS Form 10-13. The form had the following deficiency: the prefix for each horse's USDA back tag number was not recorded properly, in violation of 9 C.F.R. § 88.4(a)(3)(vi).

CX 32.

27. On or about March 21, 2004, Respondent McBarron shipped 40 horses from Clovis Livestock, Inc., in Clovis, New Mexico, to Dallas Crown, Inc., in Kaufman, Texas, for slaughter but did not properly fill out the required owner-shipper certificate, VS Form 10-13. The form had the following deficiency: it did not indicate the breed or type of each horse, one of the physical characteristics that could be used to identify each horse, in violation of 9 C.F.R. § 88.4(a)(3)(v).

CX 38.

Albuquerque, Tr. 42) loaded 43 horses on June 10, 2003, without segregating the stallions and without the back tags and without the proper paperwork. Tr. 307-09. See paragraph 23.

Respondent McBarron testified that he told Dennis Chavez not to put studs in the load, and that he told Dennis Chavez the horses "had to have them green tags on there, they had to be wrote up in paperwork, and the whole nine yards." Tr. 307. Respondent McBarron testified that the 43 horses belonged to Dennis Chavez until they got to the Dallas Crown plant. Tr. 307-308. I find to the contrary, that Respondent McBarron bought the horses from Dennis Chavez over the phone, sight unseen, before Dennis Chavez loaded them, and that Dennis Chavez was Respondent McBarron's agent during the loading of those horses for shipping to Dallas Crown. Tr. 331-337. I conclude that Respondent McBarron was the owner/shipper of the 43 horses and responsible for purposes of the Act, for Dennis Chavez's failure to segregate each stallion from the other horses, Dennis Chavez's failure to applying a USDA back tag to each horse in the shipment, and Dennis Chavez's failure to initiate and forward the required owner-shipper certificate (VS Form 10-13), which required Respondent McBarron's signature.

30. I disagree with and reject Respondent McBarron's defense that he was not the true owner/shipper of the horses in question because he did not pay for them until after they had been unloaded, weighed, and processed at the horse slaughter plant. Tr. 54. CX 1. I find that Respondent McBarron's purchase occurred when he made his deal over the phone, even though he did not pay for the horses until later.

31. I disagree with and reject Respondent McBarron's defense that, if he was not present when the horses were loaded onto conveyances for commercial transportation to slaughter and thus was unaware of any violations involving those horses, he cannot be held accountable for



Programs within the agency. Tr. 187. Dr. Cordes' background is impressive, as found at Tr. 187-88.

Mr. Bolick: Can you please describe your educational background and any training that you've received that enabled you to perform your duties in this capacity?

Dr. Cordes: I did my undergrad at the University of Illinois, with a Bachelor of Science. I did my graduate school at the University of Illinois College of Veterinary Medicine. I'm a Doctor of Veterinary Medicine with post-graduate work in orthopedic surgery. I did both an internship and a residency in equine surgery at Iowa State University. I then went on to own and operate my own surgical referral practice for 20 years, most of that time being a veterinarian to the United States Equestrian Team. I currently still continue as Federation Equestrian Internationale Veterinarian. This is a group of select veterinarians that oversee olympic-level competitions. Tr. 187-88.

34. Dr. Cordes explained what he saw looking at the X-ray marked as CX 24, which showed a portion of the yellow horse's severed left hind leg. Tr. 191-195.

Mr. Bolick: I just want your opinion of that film.

Dr. Cordes: Well, first of all, I would point out that neither Dr. Tunnell, nor I, were attending, and so Dr. Tunnell, of course, simply saw the severed extremity, and read the radiographs, as I have done. I probably have the advantage in that I am also looking at photographs, and I see two draining lesions draining very purulent material. The x-rays clearly reveal a chronic injury, a tremendous amount of periosteal new bone production, and while it might be caused by any number of different possible entities, the end result is a longstanding fusion of the joint most

Dr. Cordes: Absolutely not. A joint infection always is excruciating in nature.

Mr. Bolick: In your opinion, should this horse have been loaded for transportation to slaughter?

Dr. Cordes: Never should have been put on the truck in the first place.

Mr. Bolick: Okay. And, again, in your opinion, should this horse have received some kind of veterinary attention?

Dr. Cordes: Well, the veterinarian -- yes. I'm sorry, the answer is yes. Whether or not, from an orthopedic standpoint that surgery and levaging that joint would affect the outcome at all, is highly unlikely.

Mr. Bolick: So what would you say was the recommended course of treatment had it received veterinary treatment?

Dr. Cordes: Well, the attending veterinarian would have immediately noticed that this horse was not able to bear weight. Not only that, but if the horse in a swaying trailer were forced to step on that limb, it would probably fall down, as it tried to get all of its weight off it. And, of course, these results could be catastrophic in a situation where there are other horses around, because when one horse goes down, of course, you can have that horse knocking other horses down, not only as it goes down, but additionally as it scrambles and attempts to get up.

Mr. Bolick: Okay.

Dr. Cordes: So the course of treatment would undoubtedly have been euthanasia, in the sale barn setting.

Tr. 191-95.

39. Paragraph 40 offers Respondent McBarron an opportunity to cut in half the civil penalty he must pay, on certain conditions; and paragraph 41 offers Respondent McBarron an opportunity to pay that one-half in installments, on those same conditions.

40. One-half (\$10,500.00) of Respondent McBarron's civil penalty is **held in abeyance** on condition that Respondent McBarron pay \$10,500.00 of his civil penalty **in full, timely, as required**; and on condition that Respondent McBarron, during the 5 years following the hearing, that is, **through February 27, 2012, commit no further violations** of the Act and the Regulations promulgated thereunder (9 C.F.R. § 88 et seq.). If Respondent McBarron fails to comply with either of these two conditions, the remaining balance of the full \$21,000.00 civil penalty will become due and payable 60 days following APHIS's filing of an application herein, supported by Declaration. Respondent McBarron shall file with the Hearing Clerk any change in mailing address or other contact information; otherwise, a copy of any filings will be sent to Respondent McBarron at the address in paragraph 19.

41. So long as Respondent McBarron complies with paragraph 40, with regard to the \$10,500.00 of his civil penalty that he shall pay within the 60 days following the effective date of this Order [*see* paragraph 35], he may, at his option, pay the \$10,500.00 of his civil penalty in installments, as follows:

\$2,500.00 within the 60 days following the effective date of this Order;

\$2,500.00 within the year thereafter;

\$2,500.00 within the year thereafter;

\$2,500.00 within the year thereafter; and

\$500.00 within the 90 days thereafter.



## APPENDIX A

### 7 C.F.R.:

#### TITLE 7—AGRICULTURE

#### SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

#### PART 1—ADMINISTRATIVE REGULATIONS

....

#### SUBPART H—RULES OF PRACTICE GOVERNING FORMAL

#### ADJUDICATORY PROCEEDINGS INSTITUTED BY THE SECRETARY UNDER

#### VARIOUS STATUTES

...

#### § 1.145 Appeal to Judicial Officer.

(a) *Filing of petition.* Within 30 days after receiving service of the Judge's decision, if the decision is a written decision, or within 30 days after issuance of the Judge's decision, if the decision is an oral decision, a party who disagrees with the decision, any part of the decision, or any ruling by the Judge or who alleges any deprivation of rights, may appeal the decision to the Judicial Officer by filing an appeal petition with the Hearing Clerk. As provided in § 1.141(h)(2), objections regarding evidence or a limitation regarding examination or cross-examination or other ruling made before the Judge may be relied upon in an appeal. Each issue set forth in the appeal petition and the arguments regarding each issue shall be separately numbered; shall be plainly and concisely stated; and shall contain detailed citations to the record, statutes, regulations, or authorities being relied upon in support of each argument. A brief may be filed in support of the appeal simultaneously with the appeal petition.

(b) *Response to appeal petition.* Within 20 days after the service of a copy of an appeal petition and any brief in support thereof, filed by a party to the proceeding, any other party may file with the Hearing Clerk a response in support of or in opposition to the appeal and in such response any relevant issue, not presented in the appeal petition, may be raised.

(c) *Transmittal of record.* Whenever an appeal of a Judge's decision is filed and a response thereto has been filed or time for filing a response has expired, the Hearing Clerk shall transmit to the Judicial Officer the record of the proceeding. Such record shall include: the pleadings; motions and requests filed and rulings thereon; the transcript or recording of the testimony taken at the hearing, together with the exhibits filed in connection therewith; any documents or papers filed in connection with a pre-hearing conference; such proposed findings of fact, conclusions, and orders, and briefs in support thereof, as may have been filed in connection with the proceeding; the Judge's decision; such exceptions, statements of objections and briefs in support thereof as may have been filed in the proceeding; and the appeal petition,

USDA  
OAS-VOHC  
MAY 28 AM 10:23  
RECEIVED

**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**BEFORE THE SECRETARY OF AGRICULTURE**

In re:	)	
	)	<b>A.Q. Docket No. 06-0003</b>
Michael Lee McBarron, d/b/a	)	
T&M Horse Company	)	<b>Notice that entire \$21,000.00</b>
	)	<b>civil penalty is required</b>
Respondent	)	<b>from Respondent McBarron</b>

1. Respondent Michael Lee McBarron was assessed a civil penalty of **\$21,000.00** (twenty-one thousand dollars) by Decision and Order dated May 10, 2007. Respondent McBarron was instructed to pay the civil penalty by certified check(s), cashier's check(s), or money order(s), made payable to the order of "**Treasurer of the United States,**" referencing **A.Q. Docket No. 06-0003**.

2. I issue this Notice to confirm that Respondent McBarron is required to pay that entire civil penalty, **\$21,000.00**, plus authorized costs, interest, debt collection fees, penalties, and the like. The Application filed by APHIS on November 4, 2008, is supported by Declaration showing that a search found no record, as of October 30, 2008, of any payment (a) from Michael Lee McBarron, (b) from Trent Wayne Ward, or (c) identified by docket number A.Q. Docket No. 06-0003.

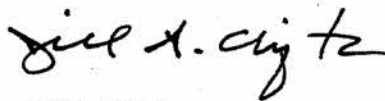
3. APHIS is represented by Thomas Neil Bolick, Esq., Office of the General Counsel, Regulatory Division, United States Department of Agriculture, South Building, 1400 Independence Ave. SW, Washington, D.C. 20250.



4. Because Respondent McBarron failed to pay the civil penalty in accordance with the Decision and Order dated May 10, 2007, he is required to pay the full **\$21,000.00** civil penalty plus authorized costs, interest, debt collection fees, penalties, and the like.

Copies of this Notice shall be served by the Hearing Clerk, by ordinary delivery (NOT by certified mail), upon each of the parties. Respondent McBarron shall be served by regular mail at both his last known business mailing address (Michael Lee McBarron, 154 Stanley Road, Hamburg, Arkansas 71646) and his attorney's address (Mark J. Calabria, Esq., 201 W. Mulberry, Kaufman, Texas 75142).

Done at Washington, D.C.  
this 28<sup>th</sup> day of January 2009



Jill S. Clifton  
Administrative Law Judge

Hearing Clerk's Office  
U.S. Department of Agriculture  
South Bldg Room 1031  
1400 Independence Ave SW  
Washington DC 20250-9203  
202-720-4443  
Fax: 202-720-9776

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

USDA  
OAL/CHC  
11 NOV -4 PM 3:46

In re:

Michael Lee McBarron  
d/b/a T&M Horse Company,  
  
Respondent

A.Q. Docket No. 06-0003

Application for Payment of Full Civil  
Penalty

RECEIVED

Complainant, the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (USDA APHIS), respectfully requests that, in accordance with the decision and order issued by the Honorable Jill S. Clifton, Administrative Law Judge, on May 10, 2007, in the matter referenced above, respondent Michael Lee McBarron d/b/a T&M Horse Company (hereinafter, respondent McBarron) be ordered to pay the full amount of the twenty-one thousand dollar (\$21,000.00) civil penalty assessed against him in this proceeding.

On February 27, 2007, Judge Clifton presided over an administrative hearing that was conducted in this proceeding by audiovisual teleconference between Little Rock, Arkansas, and USDA headquarters, Washington, D.C. On May 10, 2007, Judge Clifton issued a decision and order that assessed respondent McBarron with a civil penalty of twenty-one thousand dollars (\$21,000.00) (paragraph 37).<sup>1</sup> The order held ten thousand five hundred dollars (\$10,500.00) of this civil penalty in abeyance provided that respondent McBarron made full and timely payment of the remaining ten thousand five hundred dollars (\$10,500.00) and refrained from committing further violations of the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. §

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<sup>1</sup>On May 4, 2006, Judge Clifton issued a default decision and order against respondent McBarron's former business partner, Trent Wayne Ward d/b/a T&M Livestock Company (hereinafter, respondent Ward). The default decision and order assessed a civil penalty of twenty one thousand four hundred and fifty dollars (\$21,450.00) against respondent Ward and became binding and effective on June 8, 2006.

1901 note) (the Act) and its accompanying regulations in 9 C.F.R. part 88 for a period of five years from the date of the hearing (paragraph 40). The order divided Respondent McBarron's initial payment of ten thousand five hundred dollars (\$10,500.00) into four installments of two thousand five hundred dollars (\$2,500.00) each and a fifth installment of five hundred dollars (\$500.00) (paragraph 41). The first installment of two thousand five hundred dollars (\$2,500.00) was due within 60 days from the effective date of the order, the second installment of two thousand five hundred dollars (\$2,500.00) was due within the year thereafter, the third installment was due within the year thereafter, and the fourth installment was due within the year thereafter (paragraph 41). The fifth and final installment of five hundred dollars (\$500.00) was due within 90 days after payment of the fourth installment of two thousand five hundred dollars (\$2,500.00) (paragraph 41). The order became effective ten (10) days after the decision and order became final (paragraph 35), and the decision and order became final 35 days after it was served on respondent McBarron unless an appeal was filed with the Judicial Officer within 30 days of the date of service (paragraph 43). If respondent McBarron failed to comply with the order's payment schedule or failed to comply with the requirements of the Act and its accompanying regulations following the date of the hearing, any remaining balance of the full twenty-one thousand dollar (\$21,000.00) civil penalty would become due 60 days after complainant filed an application supported by a declaration (paragraph 40).

Judge Clifton's decision and order was mailed to respondent McBarron by certified mail, return receipt requested, on May 11, 2007, but it was returned to the Hearing Clerk marked by the U.S. postal service as unclaimed. On June 7, 2007, the Hearing Clerk re-mailed the decision and order to respondent McBarron at the same address by ordinary mail. Therefore, in



accordance with rule 1.147(c) of the rules of practice applicable to this proceeding (9 C.F.R. § 1.147(c)), Judge Clifton's decision and order was served on respondent McBarron on June 7, 2007. Respondent McBarron did not file an appeal and the decision and order became effective on July 23, 2007. In accordance with the payment schedule set forth in the order, respondent McBarron's first payment of two thousand five hundred dollars (\$2,500.00) thus became due on or before September 21, 2007, and his second payment of two thousand five hundred dollars (\$2,500.00) became due on or before September 21, 2008. His third payment of two thousand five hundred dollars (\$2,500.00) is due on or before September 21, 2009.

Despite Judge Clifton's generous payment schedule, respondent McBarron has not made any payments as required by Judge Clifton's decision and order. According to Ms. Bonnie J. Vevang, Debt Management Specialist, USDA APHIS, there are no records showing that APHIS has received any payments, in any amount, that bear respondent McBarron's name and/or the docket number of this proceeding since the date of Judge Clifton's decision and order. *See* attached Declaration of Bonnie J. Vevang, dated November 3, 2008. Therefore, respondent McBarron has not complied with the payment schedule set forth in paragraph 41 of Judge Clifton's decision and order of May 10, 2007, and, pursuant to paragraph 40 of that order, complainant respectfully requests that respondent McBarron be ordered to pay the full twenty-one thousand dollar (\$21,000.00) civil penalty<sup>2</sup> within 60 days of the filing date of this

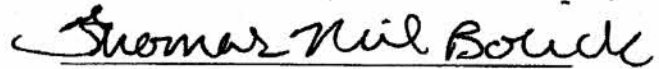
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<sup>2</sup>Paragraph 42 of the Judge Clifton's decision and order states that, if respondent McBarron becomes liable for the full twenty-one thousand dollars (\$21,000.00), his obligation shall be reduced by the amount of the civil penalty paid by respondent Ward, pursuant to the default decision and order of May 4, 2006, as of the date that complainant files this application and the accompanying declaration. According to Ms. Vevang, there are no records showing that APHIS has ever received a payment bearing respondent Ward's name and/or the docket number of this proceeding. *See* attached Declaration of Bonnie J. Vevang, dated November 3, 2008.



application.

Respectfully submitted,



THOMAS NEIL BOLICK

Attorney for Complainant

---

Therefore, respondent McBarron is not entitled to have the twenty-one thousand dollar (\$21,000.00) civil penalty reduced pursuant to paragraph 42 of Judge Clifton's decision and order of May 10, 2007.

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:

)  
) A.Q. Docket No. 06-0003  
)

)  
) Trent Wayne Ward and Michael  
) Lee McBarron d/b/a T&M Horse  
) Company,  
)

)  
) Respondent.  
)

DECLARATION OF BONNIE J. VEVANG

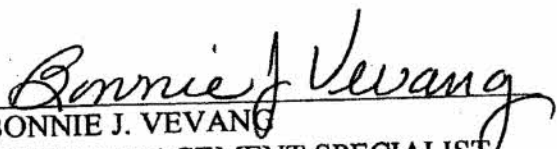
I, Bonnie J. Vevang, make the following representations based upon my personal knowledge and upon facts made known to me in my capacity as an employee of the United States Department of Agriculture (USDA).

1. I am a Debt Management Specialist with the Debt Management Team, Financial Management Division, Animal and Plant Health Inspection Service (APHIS), USDA. The Debt Management Team oversees accounts receivable for APHIS and is responsible for monitoring the collection of financial obligations owed to the agency.

2. On October 30, 2008, I conducted a search in the Foundation Financial Information System, our automated financial accounting system, for payments of civil penalties received by APHIS in the case referenced above. I searched for payments by the names of both respondents, Trent Wayne Ward and Michael Lee McBarron, and by the docket number, and found no records indicating that APHIS has received any payments, in any amount, from either respondent in this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 3, 2008, in Minneapolis, Minnesota.

  
BONNIE J. VEVANG  
DEBT MANAGEMENT SPECIALIST  
FINANCIAL MANAGEMENT DIVISION  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
U.S. DEPARTMENT OF AGRICULTURE



Ashley E  
Smith/MD/APHIS/USDA  
11/04/2010 10:45 AM

To Sarah King/MD/APHIS/USDA@USDA  
cc  
bcc  
Subject Re: Request for address verification (VS)

Hey Sarah,

I did not find any registered agent information on L&W Farms but here is the report for T&M Horse Company.



T&M Horse Company.pdf

Ashley Smith  
Investigative Analyst  
Intelligence Analysis Unit  
USDA  
Investigative and Enforcement Services  
Riverdale, Maryland  
(301) 851-2825

Sarah King

Hi Ashley. Thanks for the information.

11/04/2010 10:37:51 AM

From: Sarah King/MD/APHIS/USDA  
To: Ashley E Smith/MD/APHIS/USDA@USDA  
Date: 11/04/2010 10:37 AM  
Subject: Re: Request for address verification (VS)

---

Hi Ashley.  
Thanks for the information.

Did you find any information on T&M Horse Company or a registered entity associated with L&W Farms?

Thanks again,  
Sarah King  
(301) 734-0012

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Business Report

FOR INFORMATIONAL PURPOSES ONLY

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)



Ashley E  
Smith/MD/APHIS/USDA  
11/01/2010 04:41 PM

To Sarah King/MD/APHIS/USDA@USDA  
cc  
bcc  
Subject Re: Request for address verification (VS)

History: This message has been replied to.

Here is the information you requested.

mike mcbarron.pdf (b) (6), (b) (7) (C) (b) (6), (b) (7) (C) (b) (6), (b) (7) (C)  
(b) (6), (b) (7) (C)

Ashley Smith  
Investigative Analyst  
Intelligence Analysis Unit  
USDA  
Investigative and Enforcement Services  
Riverdale, Maryland  
(301) 851-2825

Sarah King

Please verify addresses for the following subject...

11/01/2010 03:48:09 PM

From: Sarah King/MD/APHIS/USDA  
To: IES\_Intel  
Date: 11/01/2010 03:48 PM  
Subject: Request for address verification (VS)

Please verify addresses for the following subjects:

Mike McBarron and/or T&M Horse Company: 1037 Lakeview Circle, Kaufman, TX 75142

(b) (6), (b) (7) (C)

L&W Farms: 202 County Road 3312, Annona, TX 75550 (please include registered entity if available)

(b) (6), (b) (7) (C)

Thanks,  
Sarah King  
(301) 734-0012

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Person Report

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Business Report

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(b) (6), (b) (7) (C)



Person Report

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(b)(6),(b)(7)(C)



USDA, APHIS, IES  
EASTERN REGION  
920 MAIN CAMPUS DRIVE, SUITE 200  
RALEIGH, NC 27606  
(919) 855-7080

## *Memorandum*

**TO:** IES EOB [REDACTED]  
[REDACTED]  
**FROM:** [REDACTED] Senior Investigator, Illinois  
**cc:**  
**DATE:** March 19, 2010  
**SUBJECT:** IL07071-VS Case Information

The information enclosed in the case file folder pertains to IES Case No. IL07071-VS.

On 06/05/07, Dr. Lennis Knight, prior AVIC, Veterinary Services Illinois provided the original documents which pertained to alleged violations by Michael L. McBarron and various truckers/trucking companies on the dates of 02/01/07, 03/16/07 and 03/26/07.

This case information on these alleged violation dates were included in IL07186-VS. In preparation of the case report IL07186-VS, my review of violation history on Michael L. McBarron revealed that the 02/01/07 shipment date was included in Case No. IL07071-VS.

I had submitted an additional information request was submitted to IES Minnesota in regards to the 02/01/07 shipment date [REDACTED] provided the additional information related to the contacts and interviews with the trucker, [REDACTED] and the trucking company Avalon Express. This information should be included in Case No. IL07071-VS.

The original documents contained in this case file folder should be added to the IES Case file folder already submitted to EOB by [REDACTED] on 11/17/08.



APR 18 2011

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Matthew Childres  
P.O. Box 171  
Bogata, TX 75417-0171

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Childres:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure



*Safeguarding American Agriculture*  
APHIS is an agency of USDA's Marketing and Regulatory Program  
An Equal Opportunity Provider and Employer



UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS

CASE NO.

IL07071-VS

VIOLATOR

Matthew Childres

ADDRESS (Street, City, State, Zip Code)

P.O. Box 171  
Bogata, Texas 75417-0171

The Department of Agriculture has evidence that on or about February 4, 2007, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . The date, time, and place the equine was loaded on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

SIGNATURE

(b) (6), (b) (7) (C)

DATE ISSUED

4/15/2011

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

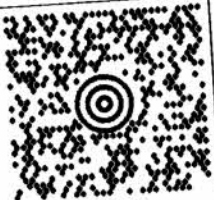
DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:



6602c

**RETURN TO SHIPPER** 05/May/2011 19:16 5471  
**REASON FOR RETURN:**  
CORRECT STREET # NEEDED, NOT DELIVERED  
**ORIGINAL RECEIVER:**  
N



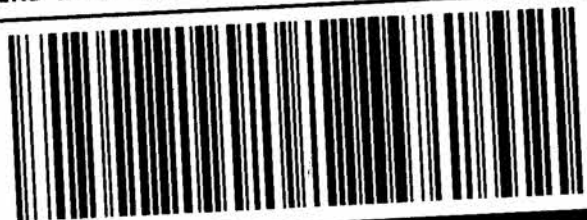
**MD 201 9-17**



1Z072Y8XA795652994

**UPS 3 DAY SELECT**  
TRACKING #: 1Z 072 Y8X A7 9565 2994

**3**



JTV5KKO TXSUL110 US 7540 Apr 29 20:50:03 2011 HIP 10.2.1 LP2844

OF 1

UPS CampusShip: Shipment Label

**4 0-01**



**2**

65 2996



BILLING: P/P  
ADULT SIGNATURE REQUIRED-MIN 21

Reference # 1: 1L07071-VS

CS 13.1.13 WXP1E70 12.0A 01/2011



## LexisNexis® Investigative Portal

## Person Report

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Others Using SSN (0)	Address Summary (16)	Voter Registrations (1)	Driver Licenses (5)
Professional Licenses (0)	Pilot Licenses (0)	Sport Licenses (0)	Weapon Permits (0)
Real Property Assets (0)	Motor Vehicle Registrations (10)	Boats (0)	Aircraft (0)
Bankruptcy Information (0)	Judgments/Liens (3)	UCC Liens (0)	Fictitious Businesses (0)
	Potential Relatives (16)	Business Associates (0)	Person Associates (8)
Neighbors (5)		Criminal Filings (8)	Sexual Offenders (0)
Sources (74)			

Full Name	Address	County	Phone
CHILDRES, MATTHEW PAUL	PO BOX 171 BOGATA, TX 75417-0171	RED RIVER	None Listed

## ADDITIONAL PERSONAL INFORMATION

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)



(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)

Individual Case Analysis On  
Returned Cases from OGC

**This Section to be completed by the DCS when case is returned by OGC.**

Case # IL07071-VS

Date returned from OGC 3/14/11

Entered into the Tracking System within 5 days of receipt Y ☒ N ☐

Investigator Name Bauman Assigned Specialist Na: Sarah

**This Section to be completed by the CRES Specialist assigned to the case.**

Why was the case returned from OGC?

Unable to prosecute the violations documented in case if it went to a hearing. See attached letter.

Action to be taken to address issue(s) within 30 days of reassignment to specialist. Case closed as DP

Date Completed 3/25/2011

**This Section to be completed by the C,CRES during review and analysis of OGC case returns.**

How has the cause of the issue been resolved so that the issue does not repeat?

T51 Cases Returned from OGC 4/10

(b)(5)



(b)(5)

(b)(5)

(b)(5)



DEC 27 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Jason Weemes  
1800 County Road 15700  
Paris, TX 75462

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Weemes:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing:SAK: 734-0012:11/2/10:I:DCS 7060s IL07071-VS Weemes Cover ltr.doc

T02 APHIS 7060 Cover Letter, Rev 6 (4-10)



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An Equal Opportunity Provider and Employer



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USDA/APHIS/IES  
4700 River Rd, Unit 85  
Riverdale, MD 20737-1234

7060 - Jason Weemes - IL07071-VS



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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
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Sent To: Jason Weemes

Street Apt. No., or PO Box No. IL07071-VS

City, State, ZIP+4

PS Form 3800 August 2006 See Reverse for Instructions



IL07071-VS

VIOLATOR

Jason Weemes

ADDRESS (Street, City, State, Zip Code)

1800 County Road 15700  
Paris, TX 75462

**OFFICIAL WARNING**  
**VIOLATION OF FEDERAL REGULATIONS**

The Department of Agriculture has evidence that on or about 2/20/07 and 2/25/07, you or your organization committed the following violation of Federal Regulations:

**On or about February 20, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses from AR to Cavel International, Inc. in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the time horses were loaded on the conveyance.

**9 C.F.R. 88.4(a)(4)(ii) Requirements for transport.**

Shipped 32 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, including one stallion with backtag USCD 5036 that was comingled with other horses on the conveyance.

**On or about February 25, 2007**

**9 C.F.R. 88.4(a)(3)(v),(vi)&(ix) Requirements for transport.**

Shipped 34 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) a description of the breed/type of the horses, (2) a description of the physical characteristics of horses with backtags USCD 5234 & 5235, (3) the number of the USDA backtag applied to the horses with backtags USCD 5234 & 5235, and (4) the date horses were loaded on the conveyance.

**9 C.F.R. 88.4(a)(4)(ii) Requirements for transport.**

Shipped 32 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, including four stallions with backtags USCD 5215, 5224, 5229 & 5232 that were comingled with other horses on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . A description of the equine's physical characteristics . . . The number of the USDA backtag applied to the equine" and "The date, time, and place the equine was loaded on the conveyance" "Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Load the equines on the conveyance so that . . . each stallion . . . are completely segregated so that no stallion . . . can come into contact with any other equine on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

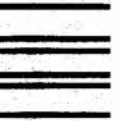
TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

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7060 - Wesley & Nancy Minter

d/b/a L & W Farms - IL07071-VS  
|||||

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Sent to **Wesley & Nancy Minter**

Street, Apt. No.,  
or PO Box No. **d/b/a L & W Farms**

City, State, ZIP+4 **IL07071-VS**

PS Form 3800, August 2006 See Reverse for Instructions

7009 2250 0003 8770 7353





DEC 27 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Wesley Minter and Nancy Minter  
d/b/a L & W Farms  
202 County Road 3312  
Annona, TX 75550

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Sir(s):

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing:SAK: 734-0012:11/2/10:I:DCS 7060s IL07071-VS L&W Cover ltr.doc

T02 APHIS 7060 Cover Letter, Rev 6 (4-10)



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APHIS is an agency of USDA's Marketing and Regulatory Program  
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UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

CASE NO.

IL07071-VS

VIOLATOR

Wesley Minter and Nancy  
Minter d/b/a L & W Farms

ADDRESS (Street, City, State, Zip Code)

202 County Road 3312  
Annona, TX 75550

**OFFICIAL WARNING**  
**VIOLATION OF FEDERAL REGULATIONS**

The Department of Agriculture has evidence that on or about 2/4/07, 2/20/07 and 2/25/07, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

**On or about February 20, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses from AR to Cavel International, Inc. in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the time horses were loaded on the conveyance.

**9 C.F.R. 88.4(a)(4)(ii) Requirements for transport.**

Shipped 32 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, including one stallion with backtag USCD 5036 that was comingled with other horses on the conveyance.

*See continuation sheet for additional violations.*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:

<p><b>On or about 2/25/07</b></p>	<p><b>9 C.F.R. 88.4 (a)(3)(v),(vi)&amp; (ix)</b></p>	<p><b>Requirements for transport.</b> Shipped 34 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-Shipper certificate. The owner-shipper certificate lacked the following required information: (1) a description of the breed/type of the horses, (2) a description of physical characteristics of the horses with backtags USCD 5234 &amp; 5235, (3) the number of the USDA back tag applied to two horses identified with horses backtags USCD 5234 &amp; 5235, and (4) the date horses were loaded on the conveyance.</p>
<p><b>On or about 2/25/07</b></p>	<p><b>9 C.F.R. 88.4(a)(4)(ii)</b></p>	<p><b>Requirements for transport.</b> Shipped 34 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, including four stallions with backtags USCD5215, 5224, 5228, 5229 &amp; 5232 that was comingled with other horses on the conveyance.</p> <p><i>“Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . A description of the equine’s physical characteristics . . . The number of the USDA backtag applied to the equine” and “The date, time, and place the equine was loaded on the conveyance”</i></p> <p><i>“Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Load the equines on the conveyance so that . . . each stallion and any aggressive equines are completely segregated so that no stallion or aggressive equine can come into contact with any other equine on the conveyance.”</i></p>





DEC 27 2010

United States  
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Animal and  
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Inspection  
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4700 River Road  
Riverdale, MD  
20737

Matthew Childres  
P.O. Box 171  
Bogata, TX 75417

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Childres:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing:SAK: 734-0012:11/2/10:I:DCS 7060s IL07071-VS Childres Cover ltr.doc

T02 APHIS 7060 Cover Letter, Rev 6 (4-10)



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PS Form 3800, August 2006 See Reverse for Instructions



CASE NO.  
**IL07071-VS**

VIOLATOR  
**Matthew Childres**

ADDRESS (Street, City, State, Zip Code)

P.O. Box 171  
Bogata, Texas 75417

**OFFICIAL WARNING**  
**VIOLATION OF FEDERAL REGULATIONS**



The Department of Agriculture has evidence that on or about February 4, 2007, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . The date, time, and place the equine was loaded on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

SIGNATURE

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:



DEC 27 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

John Drummer  
1212 Southhaven Dr.  
Mankato, MN 56001

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Drummer:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing:SAK: 734-0012:11/2/10:I:DCS 7060s IL07071-VS Drummer Cover ltr.doc

T02 APHIS 7060 Cover Letter, Rev 6 (4-10)



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7060 - John Drummer - IL07071-VS

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City, State, ZIP+4 IL07071-VS

PS Form 3800, August 2006

See Reverse for Instructions



UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

CASE NO.

**IL07071-VS**

VIOLATOR

**John Drummer**

ADDRESS (Street, City, State, Zip Code)

1212 Southhaven Dr.  
Mankato, MN 56001

**OFFICIAL WARNING**  
**VIOLATION OF FEDERAL REGULATIONS**



The Department of Agriculture has evidence that on or about January 31, 2007, you or your organization committed the following violation of Federal Regulations:

**On or about January 31, 2007**

**9 C.F.R. 88.4(a)(3)(v),(vi)&(ix) Requirements for transport.**

Shipped 34 horses from LA to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information:

(1) a description of the physical characteristics and the number of the USDA backtag applied to the horse identified with backtag USCD 3198, and (2) the accurate place where horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . A description of the equine's physical characteristics . . . The number of the USDA backtag applied to the equine . . ."* and *"The date, time, and place the equine was loaded on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

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DEC 27 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
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Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Mark Brockway  
RR 1, Box 170  
Pattonville, TX 75468

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Brockway:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing:SAK: 734-0012:11/2/10:I:DCS 7060s IL07071-VS Brockway Cover ltr.doc

T02 APHIS 7060 Cover Letter, Rev 6 (4-10)



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Street, Apt. No., or PO Box No.	IL07071-VS
City, State, Zip+4	

PS Form 3800, August 2006

See Reverse for Instructions

VIOLATOR  
**Mark Brockway**

ADDRESS (Street, City, State, Zip Code)

RR 1, Box 170  
Pattonville, Texas 75468

**OFFICIAL WARNING**  
**VIOLATION OF FEDERAL REGULATIONS**



The Department of Agriculture has evidence that on or about February 4, 2007, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . The date, time, and place the equine was loaded on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

SIGNATURE

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:



(b) (5)

**EQUINE TO SLAUGHTER PENALTY WORKSHEET**  
September 2005

(b) (5)



**Matthew Childres and Mark Brockway**

Tia N Medina to: Willie D Harris, John S Kinsella, William D  
Reinburg, Kathleen J Burda, Sarah King

04/20/2011 11:22 AM

The subject case has been resent a 7060. Attached are the 7060 and Cover Sheet.  
If you have any questions, please contact Sarah King @ 301-734-0012. Thank  
You.

Tracking #:

Matthew Childres (UPS):  
1Z072Y8XA695652996

Mark Brockway (UPS):  
1Z072Y8XA697716986

Thank You,

Tia N. Medina  
Compliance Assistant  
Investigative & Enforcement Services  
4700 River Road, Unit 85  
Riverdale, Maryland 20737  
Phone: 301-734-0866  
Email: Tia.N.Medina@aphis.usda.gov



IL07071-VS Brockway Cover Letter Resend-Scanned Copy.pdf



IL07071-VS Brockway Cover Letter Resend.doc



IL07071-VS Brockway 7060 Resend.doc



IL07071-VS Childres Cover Letter Resend-Scanned Copy.pdf



IL07071-VS Childres Cover Letter Resend.doc



IL07071-VS Childres 7060 Resend.doc

## Shipment Receipt

Transaction Date:  
Tracking Number:19 Apr 2011  
1Z072Y8XA697716986**1** Address Information

<b>Ship To:</b> Mark Brockway RR 1 Box 170 PATTONVILLE TX 754689720	<b>Ship From:</b> USDA/APHIS 8 Ember Smootz 4700 RIVER RD unit 85 RIVERDALE MD 20737 Telephone:301-734-8684	<b>Return Address:</b> USDA/APHIS 8 Sarah L. Conant 4700 RIVER RD unit 85 RIVERDALE MD 20737 Telephone:301-734-8684
--	---	---

**2** Package Information

Weight	Dimensions / Packaging	Declared Value	Reference Numbers
1.	Letter	UPS Letter	Reference # 1 - IL07071-VS

**3** UPS Shipping Service and Shipping OptionsService:  
UPS 2nd Day AirGuaranteed By: **1**  
End of Day Thursday, 4/21/2011

<b>Shipping Fees Subtotal:</b>	<b>19.78 USD</b>	<b>Additional Shipping Options:</b>	
Transportation	15.65 USD	<b>Delivery Confirmation:</b>	
Fuel Surcharge	2.28 USD	Package 1: Adult Signature Required	4.25 USD
<b>Delivery Area Surcharge</b>		<b>Total Shipping Charges</b>	<b>24.03 USD</b>
Package 1	1.85 USD		

**4** Payment Information

Bill Shipping Charges to: Shipper's Account 072Y8X


Daily rates were applied to this shipment

Total Charged:

24.03 USD

**Note:** Your invoice may vary from the displayed reference rates.

\* For delivery and guarantee information, see the UPS Service Guide. To speak to a customer service representative, call 1-800-PICK-UPS for domestic services and 1-800-782-7892 for international services.

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APR 18 2011

United States  
Department of  
Agriculture

Mark Brockway  
RR 1 Box 170  
Pattonville, TX 75468-9720

CERTIFIED MAIL  
RETURN RECEIPT

Animal and  
Plant Health  
Inspection  
Service

Dear Mr. Brockway:

Marketing &  
Regulatory  
Programs Business  
Services

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

4700 River Road  
Riverdale, MD  
20737

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: W. Harris, IES, ER J. Kinsella, IES, ER  
W. Reinburg, AM, IL K. Burda, AVIC, IL

APHIS:IES:SKing:tnm:734-0012:4/15/11:i:DCS:7060:IL07071-VS Brockway Cover Letter Resend.doc  
T02 APHIS 7060 Cover Letter, Rev 6 (4-10)



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UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS

CASE NO.

**IL07071-VS**

VIOLATOR

**Mark Brockway**

ADDRESS (Street, City, State, Zip Code)

RR 1 Box 170  
Pattonville, Texas 75468-9720

The Department of Agriculture has evidence that on or about February 4, 2007, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . The date, time, and place the equine was loaded on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

S

(b) (6); (b) (7) (C)

DATE ISSUED

4/15/2011

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:



## Shipment Receipt

Transaction Date:

19 Apr 2011

Tracking Number:

1Z072Y8XA695652996

**1** Address Information

<b>Ship To:</b> Matthew Childres PO Box 171 BOGATA TX 754170121	<b>Ship From:</b> USDA/APHIS 8 Ember Smootz 4700 RIVER RD unit 85 RIVERDALE MD 20737 Telephone:301-734-8684	<b>Return Address:</b> USDA/APHIS 8 Sarah L. Conant 4700 RIVER RD unit 85 RIVERDALE MD 20737 Telephone:301-734-8684
--	---	---

**2** Package Information

Weight	Dimensions / Packaging	Declared Value	Reference Numbers
--------	---------------------------	----------------	-------------------

1. Letter	UPS Letter		Reference # 1 - IL07071-VS
-----------	------------	--	----------------------------

**3** UPS Shipping Service and Shipping Options

**Service:**  
UPS 2nd Day Air

**Guaranteed By: 1**  
End of Day Thursday, 4/21/2011

<b>Shipping Fees Subtotal:</b>	19.78 USD	<b>Additional Shipping Options:</b>	
Transportation	15.65 USD	<b>Delivery Confirmation:</b>	
Fuel Surcharge	2.28 USD	Package 1: Adult Signature Required	4.25 USD
<b>Delivery Area Surcharge</b>		<b>Total Shipping Charges</b>	<b>24.03 USD</b>
Package 1	1.85 USD		

**4** Payment Information

**Bill Shipping Charges to:** Shipper's Account 072Y8X


Daily rates were applied to this shipment

**Total Charged:**

**24.03 USD**

**Note:** Your invoice may vary from the displayed reference rates.

\* For delivery and guarantee information, see the UPS Service Guide. To speak to a customer service representative, call 1-800-PICK-UPS for domestic services and 1-800-782-7892 for international services.

 Close Window



APR 18 2011

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Matthew Childres  
P.O. Box 171  
Bogata, TX 75417-0171

CERTIFIED MAIL  
RETURN RECEIPT

Dear Mr. Childres:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: W. Harris, IES, ER J. Kinsella, IES, ER  
K. Burda, AVIC, IL W. Reinburg, AM, IL

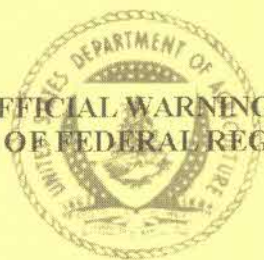
APHIS:IES:SKing:SAK:734-0012:4/15/11:i:DCS:7060:IL07071-VS Childres Cover Letter Resend.doc  
T02 APHIS 7060 Cover Letter, Rev 6 (4-10)



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UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS

CASE NO.

IL07071-VS

VIOLATOR

Matthew Childres

ADDRESS (Street, City, State, Zip Code)

P.O. Box 171

Bogata, Texas 75417-0171

The Department of Agriculture has evidence that on or about February 4, 2007, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . The date, time, and place the equine was loaded on the conveyance"*

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APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

(b) (6), (b) (7)(C)

DATE ISSUED

4/15/2011

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:

## LexisNexis® Investigative Portal

## Person Report

1L07071-VS

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Others Using SSN (0)	Address Summary (16)	Voter Registrations (1)	Driver Licenses (6)
Professional Licenses (0)	Pilot Licenses (0)	Sport Licenses (0)	Weapon Permits (0)
Real Property Assets (0)	Motor Vehicle Registrations (10)	Boats (0)	Aircraft (0)
Bankruptcy Information (0)	Judgments/Liens (0)	UCC Liens (1)	Fictitious Businesses (0)
	Potential Relatives (11)	Business Associates (0)	Person Associates (0)
Neighbors (1)		Criminal Filings (2)	Sexual Offenders (0)
Sources (66)			

Full Name

Address

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)



(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)

**1: Texas Voter Registration**

**Registrant Information**

(b) (6), (b) (7) (C)





DEC 27 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Mark Brockway  
RR 1, Box 170  
Pattonville, TX 75468

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Brockway:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure



*Safeguarding American Agriculture*  
APHIS is an agency of USDA's Marketing and Regulatory Program  
An Equal Opportunity Provider and Employer

JAN 25 2011

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

**OFFICIAL WARNING**  
**VIOLATION OF FEDERAL REGULATIONS**



CASE NO.  
**IL07071-VS**

VIOLATOR  
**Mark Brockway**

ADDRESS (Street, City, State, Zip Code)

RR 1, Box 170  
Pattonville, Texas 75468

The Department of Agriculture has evidence that on or about February 4, 2007, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . The date, time, and place the equine was loaded on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:

1 OF 1 RECORD(S)

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**Full Name**  
CHILDRES, MATTHEW  
PAUL

**Address**  
PO BOX 171  
BOGATA, TX 75417-0171  
RED RIVER COUNTY

**Phone**  
None Listed

(b)(6),(b)(7)(C)

(b) (6), (b) (7) (C)



(b)(6),(b)(7)(C)

(b) (6), (b) (7) (C)

(b)(6),(b)(7)(C)

(b) (6), (b) (7) (C)





DEC 27 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
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Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Matthew Childres  
P.O. Box 171  
Bogata, TX 75417

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Childres:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

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If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure



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APHIS is an agency of USDA's Marketing and Regulatory Program  
An Equal Opportunity Provider and Employer

JAN 25 2011

# M E M O R A N D U M

**To:** Bernadette Juarez, APHIS  
**From:** Thomas N. Bolick, OGC Regulatory Division  
**Date:** March 14, 2011  
**Subject:** Michael L. McBarron, IL07071-VS

(b) (5)



DEC 27 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Jason Weemes  
1800 County Road 15700  
Paris, TX 75462

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Weemes:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing: SAK: 734-0012:11/2/10:I:DCS 7060s I



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Jason Weemes

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or PO Box No.  
City, State, ZIP+4

IL07071-VS

T02 A1

0961 048 0003 8770 7360  
7009 2250 0003 8770 7360



IL07071-VS

VIOLATOR

Jason Weemes

ADDRESS (Street, City, State, Zip Code)

1800 County Road 15700  
Paris, TX 75462

**OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS**

The Department of Agriculture has evidence that on or about 2/20/07 and 2/25/07, you or your organization committed the following violation of Federal Regulations:

**On or about February 20, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses from AR to Cavel International, Inc. in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the time horses were loaded on the conveyance.

**9 C.F.R. 88.4(a)(4)(ii) Requirements for transport.**

Shipped 32 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, including one stallion with backtag USCD 5036 that was comingled with other horses on the conveyance.

**On or about February 25, 2007**

**9 C.F.R. 88.4(a)(3)(v),(vi)&(ix) Requirements for transport.**

Shipped 34 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) a description of the breed/type of the horses, (2) a description of the physical characteristics of horses with backtags USCD 5234 & 5235, (3) the number of the USDA backtag applied to the horses with backtags USCD 5234 & 5235, and (4) the date horses were loaded on the conveyance.

**9 C.F.R. 88.4(a)(4)(ii) Requirements for transport.**

Shipped 32 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, including four stallions with backtags USCD 5215, 5224, 5229 & 5232 that were comingled with other horses on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . A description of the equine's physical characteristics . . . The number of the USDA backtag applied to the equine" and "The date, time, and place the equine was loaded on the conveyance" "Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Load the equines on the conveyance so that . . . each stallion . . . are completely segregated so that no stallion . . . can come into contact with any other equine on the conveyance"*

**Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.**

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:



DEC 27 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Wesley Minter and Nancy Minter  
d/b/a L & W Farms  
202 County Road 3312  
Annona, TX 75550

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Sir(s):

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

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If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing:SAK: 734-0012:11/2/10:I:DCS 7060s II

T02 AP



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Wesley & Nancy Minter

Street, Apt. No.,  
or PO Box No.

d/b/a L & W Farms

City, State, ZIP+4

IL07071-VS



UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS



USE NO.

IL07071-VS

VIOLATOR

Wesley Minter and Nancy  
Minter d/b/a L & W Farms

ADDRESS (Street, City, State, Zip Code)

202 County Road 3312  
Annona, TX 75550

The Department of Agriculture has evidence that on or about 2/4/07, 2/20/07 and 2/25/07, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

**On or about February 20, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses from AR to Cavel International, Inc. in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the time horses were loaded on the conveyance.

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Shipped 32 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, including one stallion with backtag USCD 5036 that was comingled with other horses on the conveyance.

*See continuation sheet for additional violations.*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

SIGNATURE

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:

<p><b>On or about 2/25/07</b></p>	<p><b>9 C.F.R. 88.4 (a)(3)(v),(vi)&amp; (ix)</b></p>	<p><b>Requirements for transport.</b> Shipped 34 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-Shipper certificate. The owner-shipper certificate lacked the following required information: (1) a description of the breed/type of the horses, (2) a description of physical characteristics of the horses with backtags USCD 5234 &amp; 5235, (3) the number of the USDA back tag applied to two horses identified with horses backtags USCD 5234 &amp; 5235, and (4) the date horses were loaded on the conveyance.</p>
<p><b>On or about 2/25/07</b></p>	<p><b>9 C.F.R. 88.4(a)(4)(ii)</b></p>	<p><b>Requirements for transport.</b> Shipped 34 horses from AR to Cavel International, Inc., in Dekalb, IL for slaughter, including four stallions with backtags USCD5215, 5224, 5228, 5229 &amp; 5232 that was comingled with other horses on the conveyance.</p> <p><i>"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . A description of the equine's physical characteristics . . . The number of the USDA backtag applied to the equine" and "The date, time, and place the equine was loaded on the conveyance"</i></p> <p><i>"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Load the equines on the conveyance so that . . . each stallion and any aggressive equines are completely segregated so that no stallion or aggressive equine can come into contact with any other equine on the conveyance."</i></p>





DEC 27 2010

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Matthew Childres  
P.O. Box 171  
Bogata, TX 75417

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Childres:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing:SAK: 734-0012:11/2/10:I:DCS 7060s I



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Matthew Childres

IL07071-VS

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UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS



ASE NO.

IL07071-VS

VIOLATOR

Matthew Childres

ADDRESS (Street, City, State, Zip Code)

P.O. Box 171  
Bogata, Texas 75417

The Department of Agriculture has evidence that on or about **February 4, 2007**, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . The date, time, and place the equine was loaded on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:





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United States  
Department of  
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Plant Health  
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Service

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Services

4700 River Road  
Riverdale, MD  
20737

John Drummer  
1212 Southhaven Dr.  
Mankato, MN 56001

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Drummer:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing:SAK: 734-0012:11/2/10:I:DCS 7060s 1



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City, State, ZIP+4 IL07071-VS

T02 A

9462 0229 0000 8770 7346

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS



FILE NO.

IL07071-VS

VIOLATOR

John Drummer

ADDRESS (Street, City, State, Zip Code)

1212 Southhaven Dr.  
Mankato, MN 56001

The Department of Agriculture has evidence that on or about January 31, 2007, you or your organization committed the following violation of Federal Regulations:

**On or about January 31, 2007**

**9 C.F.R. 88.4(a)(3)(v),(vi)&(ix) Requirements for transport.**

Shipped 34 horses from LA to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) a description of the physical characteristics and the number of the USDA backtag applied to the horse identified with backtag USCD 3198, and (2) the accurate place where horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . A description of the equine's physical characteristics . . . The number of the USDA backtag applied to the equine . . ." and "The date, time, and place the equine was loaded on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

SIGNATURE

(b) (6), (b) (7) (C)

DATE ISSUED

12/21/2010

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

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4700 River Road  
Riverdale, MD  
20737

Mark Brockway  
RR 1, Box 170  
Pattonville, TX 75468

**CERTIFIED MAIL  
RETURN RECEIPT**

Dear Mr. Brockway:

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL07071-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

(b) (6), (b) (7) (C)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

Enclosure

cc: Dr. Kathleen Burda, AVIC, IL  
William Reinburg, Area Manager, IL  
Willie Harris, Deputy Regional Director, ER  
John Kinsella, Regional Director, ER

APHIS: IES: SKing:SAK: 734-0012:11/2/10:LDCS 7060s II



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ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS



FILE NO.

IL07071-VS

VIOLATOR

Mark Brockway

ADDRESS (Street, City, State, Zip Code)

RR 1, Box 170  
Pattonville, Texas 75468

The Department of Agriculture has evidence that on or about February 4, 2007, you or your organization committed the following violation of Federal Regulations:

**On or about February 4, 2007**

**9 C.F.R. 88.4(a)(3)(ix) Requirements for transport.**

Shipped 32 horses originating from AR and TX to Cavel International, Inc., in Dekalb, IL for slaughter, but failed to accurately complete the owner-shipper certificate. The owner-shipper certificate lacked the following required information: (1) the accurate time and place horses were loaded on the conveyance.

*"Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must . . . Complete and sign an owner-shipper certificate for each equine being transported . . . and must include . . . The date, time, and place the equine was loaded on the conveyance"*

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Sarah L. Conant  
Chief, Animal Health and Welfare Enforcement Branch  
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85  
Riverdale, MD 20737

SIGNATURE

(b) (6), (b) (7) (C)

DATE ISSUED

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TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

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(b) (5)

(b) (5)



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Agriculture

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Administrative  
Law Judges

Hearing Clerk

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South Building

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Avenue SW

Washington, DC  
20250-9200

(202) 720-4443  
(202) 720-9776 fax

**CERTIFIED RECEIPT REQUESTED**

May 11, 2007

Mr. Michael Lee McBarron  
d/b/a T&M Horse Company  
154 Stanley Road  
Hamburg, Arkansas 71646

Mark J. Calabria, Esquire  
201 W. Mulberry  
Kaufman, Texas 75142

Dear Mr. McBarron:

Subject: In re: Michael Lee McBarron, d/b/a T&M Horse Company,  
Respondents – A.Q. Docket No. 06-0003

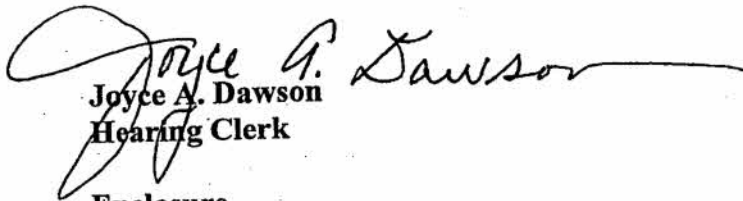
Enclosed is a copy of the Default Decision and Order issued in this proceeding by Administrative Law Judge Jill S. Clifton on May 10, 2007.

Each party has thirty (30) days from the service of this decision and order in which to file an appeal to the Department's Judicial Officer.

If no appeal is filed, the Decision and Order shall become binding and effective as to each party thirty-five (35) days after its service. However, no decision or order is final for purposes of judicial review except a final order issued by the Secretary or the Judicial Officer pursuant to an appeal.

In the event you elect to file an appeal, an original and three (3) copies are required. You are also instructed to consult § 1.145 of the Uniform Rules of Practice (7 C.F.R. § 1.145) for the procedure for filing an appeal.

Sincerely,

  
Joyce A. Dawson  
Hearing Clerk

Enclosure

sent to: Thomas Bolick, Regulatory Division, OGC ✓  
Dr. Allison Khroustalev, APHIS Unit 85  
RAParis: 5/11/07



Kathleen J  
Burda/IL/APHIS/USDA  
11/03/2010 04:25 PM

To Sarah King/MD/APHIS/USDA@USDA  
cc  
bcc  
Subject Re: Mike McBarron (IL07071-VS & IL07186-VS) [1]

I concur with the proposed actions.

Kathleen Burda, DVM  
AVIC Illinois

Sarah King/MD/APHIS/USDA

Sarah King/MD/APHIS/USDA  
11/03/2010 02:30 PM

To Kathleen J Burda/IL/APHIS/USDA@USDA  
cc Joseph T Astling/TX/APHIS/USDA@USDA  
Subject Mike McBarron (IL07071-VS & IL07186-VS)

Hi Dr. Burda,

I'm preparing to send two cases involving Mike McBarron to OGC for violations of the Commercial Transportation of Equine to Slaughter Act. As provided in the attached letter to OGC, I'm requesting a civil penalty in the amount of \$(b) (5) for these violations. In addition, I have prepared several warnings for the truck drivers and trucking companies associated with these violations. Please see the attached documents below, and let me know if you concur the proposed actions.

[attachment "Letter to OGC.doc" deleted by Kathleen J Burda/IL/APHIS/USDA] [attachment "McBarron Penalty Worksheet.doc" deleted by Kathleen J Burda/IL/APHIS/USDA] [attachment "Brockway 7060 Official Warning.doc" deleted by Kathleen J Burda/IL/APHIS/USDA] [attachment "Childres 7060 Official Warning.doc" deleted by Kathleen J Burda/IL/APHIS/USDA] [attachment "Drummer 7060 Official Warning.doc" deleted by Kathleen J Burda/IL/APHIS/USDA] [attachment "L&W Farms 7060 Official Warning.doc" deleted by Kathleen J Burda/IL/APHIS/USDA] [attachment "Shelquist 7060 Official Warning.doc" deleted by Kathleen J Burda/IL/APHIS/USDA] [attachment "Weemes 7060 Official Warning.doc" deleted by Kathleen J Burda/IL/APHIS/USDA]

FYI We previously issued warnings to Joe Denney and Parrish Trucking for their involvement in IL07186-VS as they were associated with the Bill Richardson cases as well.

[attachment "Joe Denney 7060.doc" deleted by Kathleen J Burda/IL/APHIS/USDA] [attachment "Parrish trucking 7060.doc" deleted by Kathleen J Burda/IL/APHIS/USDA]

Thanks,  
Sarah King  
Enforcement Specialist  
Animal Health and Welfare Enforcement Branch  
(301) 734-0012

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Ruth A  
McDermott/MD/APHIS/USDA  
11/05/2010 10:57 AM

To Sarah King/MD/APHIS/USDA@USDA  
cc  
bcc  
Subject Re: McBarron (TX03234-VS & TX03304-VS)

Hi Sarah

McBarron has been sent to cross-servicing (Treasury) for collection.

Ruth Ann

Ruth Ann McDermott  
Chief, Document Control Branch  
Investigative and Enforcement Services  
Riverdale, MD  
301-734-0575  
e-mail: Ruth.A.McDermott@aphis.usda.gov

Sarah King

Hi Ruth Ann, Do you know the status of our previ...

11/01/2010 03:33:21 PM

From: Sarah King/MD/APHIS/USDA  
To: Ruth A McDermott/MD/APHIS/USDA@USDA  
Date: 11/01/2010 03:33 PM  
Subject: McBarron (TX03234-VS & TX03304-VS)

---

Hi Ruth Ann,

Do you know the status of our previous judgement (\$21,000 D&O) against Mr. McBarron? In particular, did we refer this case to the U.S. Attorney's office for collection?

Thanks,  
Sarah King  
(301) 734-0012

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UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
INVESTIGATIVE AND ENFORCEMENT SERVICES

REPORT OF INVESTIGATION

Case Number: IL07071-VS

Subject(s): **Mike Mc Barron**  
747 Hwy 8 W  
Hamburg, Arkansas 71646  
(469) 595-6289

**L & W Farms**  
202 County Road 3312  
Annona, Texas 75550  
(903) 427-7265  
(903) 517-1021

Investigator:

(b) (6), (b) (7) (C)

Date of Report: August 20, 2008

Finding: ☒ Substantiated alleged violation(s)  
☐ No violation(s)  
☐ Insufficient evidence  
☐ Fact finding

☐ CONTAINS CONFIDENTIAL BUSINESS INFORMATION

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**SYNOPSIS**

Mike McBARRON of Hamburg, Arkansas, shipped slaughter horses to Cavel International Inc in DeKalb, Illinois during the months of January and February of 2007. Several violations were found to have occurred when the horses arrived at the slaughter plant by USDA APHIS/VS/AHT, Ellen Koch. Some of those violations were paperwork violations along with failure to completely separate stallions from other horses during loading and transporting horses to slaughter. L & W FARMS of Annona, Texas transported several loads for Mike MCBARRON.

**ALLEGED VIOLATIONS**

<b>SUBJECT(S)</b>	<b>DATE(S)</b>	<b>CITATION</b>
McBarron	02/04/07	9 CFR 88.4 (a) (2)
McBarron	01/15/07 01/31/07 02/04/07 02/25/07	9 CFR 88.4 (a) (3)
McBarron	01/15/07 01/22/07 01/31/07 02/25/07	9 CFR 88.4 (a)(3)(v)
McBarron	01/15/07 01/31/07 02/25/07	9 CFR 88.4 (a)(3)(vi)
Mc Barron	02/04/07 02/20/07 02/25/07	9 CFR 88.4 (a) (3) (ix)
McBarron	02/20/07 02/25/07	9 CFR 88.4 (a) (4) (ii)
L & W Farms	02/20/07 02/25/07	9 CFR 88.3 (a) (2)

**BACKGROUND****Subject(s) Information**

Mike MCBARRON has been buying and selling slaughter horses for several years. He has sold slaughter horses in the past to Texas slaughter plants. He recently started selling horses to Cavel International in Dekalb, Illinois.

L & W FARMS was owned by Wesley Minter and Lee Garrison. They were in business together as partners but have recently separated.

**Subject(s) Previous History****Prior Enforcement Actions**

Mike MCBARRON has another open case IL07186-VS for a similar violation. Mike MCBARRON received a (TK), APHIS Form 7060, for case TX03304 with similar violations on 06/12/03.

**Prior Adjudications**

Mike MCBARRON has an appeal decision order on 05/10/07 for \$ 21,000 in reference to case TX03234-VS.

Mike MCBARRON has a final decision order on 07/13/07 in reference to case TX03304-VS.

**NARRATIVE****Basis for Investigation**

This investigation was requested by Dr. Lennis Knight, AVIC Illinois, USDA, APHIS, Veterinary Services.

**Investigative Findings**

On 01/15/07, Mike MCBARRON shipped 28 slaughter horses from Conway, Arkansas to Cavel International in Dekalb, Illinois. The VS Form 10-13 that accompanied the above mentioned load did not list a bay mare with back tag # USCE 3066, which was on the load (Exhibit 1). The Cavel International Lot Sheet and check written to Mike MCBARRON (Exhibit 2, 3) shows 28 horses and the VS Form 10-13 shows 27 shipped. Mike MCBARRON also failed to enter the color description and sex of horse with back tag # 3084.



On 01/22/07, Mike MCBARRON shipped 30 slaughter horses from Conway, Arkansas to Cavel International in Dekalb, Illinois. On the VS Form 10-13, line 20, he failed to list the color of an equine with backtag # USCX 3020, line 20 on the VS Form 10-13 (Exhibit 4). Cavel International Lot Sheet & check written to Mike MCBARRON shows he was paid for the load (Exhibit 5, 6).

On 01/31/07, Mike MCBARRON shipped 34 slaughter horses from Conway, Arkansas to Cavel International in Dekalb, Illinois. He failed to list a horse with USDA back tag #USCD 3198 on the VS Form 10-13 (Exhibit 7). The Cavel International Lot Sheet and check written (Exhibit 8, 9), dated 02/01/07, shows Mike MCBARRON was paid for the load of horses.

When the semi-truck arrived at Cavel International on 02/01/07, with the slaughter horses, truck driver John Drummer met with USDA/APHIS/AHT Ellen Kroc to tell her that he had two down horses. Interview log (Exhibit 36) of (b) (6), (b) (7) (C) 7/12/07, said he had too many horses on his place as the past hurricanes in Louisiana had destroyed most of his pasture. So he sold three horses at Dominique's Livestock Market in Lafayette, Louisiana. The first down horse was a female black mare with only a sale barn tag of 72DL2-161. It was euthanized on the truck and the other down horse Brown Gelding with USDA Backtag # USCD 3203 was dead by the time they got the truck unloaded. Mr. Drummer refused an affidavit but verbally stated to USDA/APHIS/ IES Investigator Joe Bauman (Exhibit 13) that he did what he could to get the horses up. He checked them several times and when he got fuel. He further stated he did his best to get the rest of the horses to slaughter as quickly & safely as he could. He did not load the truck. This was Mr. Drummer's first time for delivering horses to slaughter. The side of the door of the truck showed the name for the trucking company as Ayalon of Northfield, MN.

Ellen Kroc, USDA/APHIS/VS/AHT, and Larry Davis, DVM, state in separate affidavits that several horses in the above mentioned load, appeared thin and weak (Exhibits 10, 11). Joseph Lowery, DVM, stated one of the above mentioned downed horses was a 24 year old brown gelding, with poor body condition. He stated the horse died from head trauma and hemorrhages due to being kicked and stepped on (Exhibit 12).

The Louisiana Horse Check In Form (Exhibit 37) shows the back tag as number 161. Photographs of the subject two down horses show backtag numbers of 72DL2-161 and 3203 (Exhibit 39).



On 02/04/07, Mike MCBARRON shipped 32 horses to slaughter from Arkansas to Cavel International in Dekalb, Illinois. According to the truck drivers Mathew Childres & Mark Brockway for L & W Farms who took turns driving, they stopped a total of 3 times and added horses to the shipment. Only one VS Form 10-13 (Exhibit 14) was filled out and accompanied the shipment of horses to slaughter. The wrong loading place, Conway, Arkansas was listed as where the horses were loaded on to the conveyance. The Cavel International Lot Sheet and check shows payment to Mike MCBARRON for 32 horses (Exhibit 15, 16). Affidavit of Ellen Kroc, (Exhibit 18), states only one VS Form 10-13 was filled out. L & W FARMS invoice number 001, show the three towns where the subject horses were loaded (Exhibit 19). L & W FARMS Truck drivers Mark Brockway and Matt Childres received the Commercial Equines to Slaughter Binder after arriving at the slaughter plant (Exhibit 20).

The L & W FARMS truck drivers stated they first stopped at Texarkana, Texas and picked up 7 head of slaughter horses. No VS Form 10-13 had been filled out and the horses were not back tagged. They were given coggins and sale barn papers in a mailbox. They were then told by Mike MCBARRON to drive to his residence located near Hamburg, Arkansas and pick up 10 more slaughter horses. A VS-Form 10-13, was then filled out by Mike MCBARRON to include the first two stops and the next stop at Glenwood, Arkansas where they were supposed to pickup 15 more slaughter horses for a total of 32 slaughter horses. Backtags were applied at Mike MCBARRON's place for the first two loads of horses (Exhibit 17). Backtags were already applied to horses waiting at Glenwood, Arkansas by Mike MCBARRON. There should have been a VS Form 10-13 filled out for each time horses were loaded on the truck/conveyance. This would accurately show where the horses were loaded and the times they were loaded. This was the first time the subject truck drivers and L&W FARMS transported slaughter horses, therefore, were not aware of the horse slaughter regulations.

On 2/11/07, Mike MCBARRON shipped 31 horses to slaughter, VS Form 10-13, (Exhibit 21) from Conway, Arkansas to slaughter at Cavel International in Dekalb, Illinois. The Cavel International Lot Sheet and check shows payment to Mike MCBARRON for 31 horses (Exhibit 22, 23). The horses arrived at the slaughter plant with all the horses standing. After waiting in line to unload for 1 ½ hours, USDA/APHIS/VS/AHT, Ellen Kroc noticed a horse that went down on the trailer. She then instructed the truck driver to move his truck ahead and start unloading next. When the unloading took place, the down horse with back tag # USCD 5115 would not get up even when assisted by the truck driver. It was euthanized by Cavel plant personnel on the truck. In her affidavit (Exhibit 24), USDA/APHIS/VS/AHT Ellen Kroc states, that the horse was in a weakened state and emaciated. Mike MCBARRON had signed the VS Form 10-13 stating that all horses had rest, food and water at least 6 hours or less before shipping.



On 02/20/07, Mike MCBARRON shipped 32 head of slaughter horses from Conway, Arkansas to Cavel International in Dekalb, Illinois. The Cavel International Lot Sheet and check, dated 02/21/07, shows payment to Mike MCBARRON for 32 horses (Exhibit 26, 27). One horse with USDA backtag # USCD 5036, was listed as a gelding on the VS Form 10-13 (Exhibit 25) by Mike MCBARRON. This horse was later found at slaughter to be a stallion over two years of age and was comingled (not separated) with other horses upon arrival at the plant (Exhibits 28, 29). Mike MCBARRON also failed to list the time the horses were loaded on the truck. The slaughter horses were transported by L & W FARMS of Annona, Texas. Interview Log of L & W FARMS, (Exhibit 30, 31) Wesley Minter stated that after their first load of horses his drivers were given binders of transportation regulations. He read the regulations over and then installed two stud gates on the trailer for future use.

On 02/25/07, at 5:00 PM, it is assumed, no date was listed on the VS Form 10-13 (Exhibit 32) that Mike MCBARRON shipped 34 head of slaughter horses from Conway, Arkansas to Cavel International in Dekalb, Illinois. The horses arrived at the slaughter plant, on 02/26/07, and were transported by L & W Farms of Annona, Texas. The Cavel International Lot Sheet and check shows payment to Mike MCBARRON for 34 horses (Exhibit 33, 34). USDA/APHIS/VS/AHT, Ellen Kroc stated in her affidavit (Exhibit 35) that there were no stud gates on the trailer at this time. Four stallions were marked on the VS Form 10-13 as stallions by Mike MCBARRON. The stallions were shipped comingled (not separated) from other horses on the truck. There were two other horses with USDA back tags that were not listed on the VS Form 10-13, (USCD 5234 & USCD 5235). A further inspection of the horses in the plant corral showed a horse with USDA backtag # USCD 5203 had a head injury with blood draining off of it. The USDA/APHIS/ AHT Ellen Kroc, had stated in her affidavit that the truck had already been unloading horses when she arrived, and that it was not until further inspection in the plant that she noticed a horse, (Exhibit 40), with a head injury.

Memorandum from IES Investigator (b)(6) (b)(6) states MCBARRON did not return his phone calls and did not show up for a scheduled meeting with Mr. (b)(6) (Exhibit 38). (b)(6) (b)(6) also stated that he contacted Lewis Livestock in reference to selling horses to MCBARRON. He said, Lewis Livestock told him they hadn't sold any horses to McBarron in January or February of 2007 however, Mc Barron had used their facility for bunching and loading horses.



These finding substantiate the following alleged violation(s):

**9 CFR 88.3 (a) (2) Standards for conveyances**

On 02/20/07, and 02/25/07, L & W FARMS transported 5 stallions to slaughter that were one year of age or older, that were not completely separated from other horses on the trailer. The regulation specifies that it includes a means of completely segregating each stallion and aggressive equine on the conveyance, to protect contact with any other equines on the conveyance.

**9 CFR 88.4 (a) (2) Requirements for transport**

On 02/04/07, MCBARRON failed to apply a USDA official backtag to seven horses that were being shipped to slaughter. The regulation specifies prior to the commercial transportation of equines to a slaughter facility, that a USDA backtag be applied to each equine in the shipment.

**9 CFR 88.4 (a) (3) Requirements for transport**

On 01/15/07, 01/31/07, 02/04/07 and 02/25/07, MCBARRON failed to list each horse shipped to slaughter on the certificates, VS Form 10-13. The regulation specifies that prior to the commercial transportation of equines to a slaughtering facility, the owner shipper must complete and sign an owner shipper certificate for each equine being transported.

**9 CFR 88.4 (a) (3) (v) Requirements for transport**

On 01/15/07, 01/22/07, 01/31/07 and 02/25/07, MCBARRON failed to list a description of the equines physical characteristics on the certificate, VS Form 10-13. The regulation specifies that prior to commercial transportation of equines to a slaughtering establishment, that the equines physical characteristics, including such the sex, breed, coloring, distinguishing markings, permanent brands, tattoos and electronic devices that could be used to identify the equine, be entered on the VS Form 10-13.

**9 CFR 88.4 (a) (3) (vi) Requirements for transport**

On 01/15/07, 01/31/07, and 02/25/07, MCBARRON failed to list the number of the USDA backtag applied to the horse on the certificate, VS Form 10-13. The regulation specifies that prior to commercial transportation of equines to a slaughtering establishment, that the equines USDA backtag number that was applied to the equine, be entered on to the VS Form 10-13.

**9 CFR 88.4 (a) (3) (ix) Requirements for transport**

On 02/04/07, 02/20/07 and 02/25/07, MCBARRON failed to enter the date, time or place where horses were loaded on to the conveyance. The regulation specifies that prior to commercial transportation of equines to a slaughtering establishment, that the date, time, and place the equine was loaded on the conveyance be entered on the VS Form 10-13.

**9 CFR 88.4 (a) (4) (ii) Requirements for transport**

On 02/20/07, and 02/25/07, MCBARRON failed to separate stallions when loading horses for transporting to slaughter. The regulation specifies that prior to commercial transportation of equines to a slaughtering establishment, that each stallion and any aggressive equines are completely segregated so that no stallion or aggressive equine can come in contact with any other equine on the conveyance.



**MITIGATING AND/OR AGGRAVATING FACTORS**

N/A

**ADDITIONAL INFORMATION**

N/A

**WITNESS LIST****Ellen Kroc**

Former USDA/APHIS/VS/AHT  
2815 Old Jacksonville Road, Suite 104  
Springfield, Illinois 62704  
(217) 862-6689

(b)(6), (b)(6)

USDA/AHIS/IES- Investigator  
2150 Centre Avenue  
Bldg B-3W10  
Fort Collins, Colorado 80526  
(970) 494-7485

(b)(6), (b)(7)(C)

USDA/AHIS/IES- Investigator  
2150 Centre Avenue  
Bldg B-3W10  
Fort Collins, Colorado 80526  
(970) 494-7485

(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C)

USDA/AHIS/IES- Investigator  
2150 Centre Avenue  
Bldg B-3W10  
Fort Collins, Colorado 80526  
(970) 494-7485

**Dr. Larry A. Davis, DVM**

USDA/FSIS- Public Health Veterinarian  
108 Harvestore Drive  
Dekalb, Illinois 60115  
(815) 758-6061

**Dr. Joseph T. Lowry, DVM**

15199 Route 72 East  
Davis Junction, Illinois 61020  
(815) 393-4411

**CASE REPORT DISTRIBUTION (CC)**

**Program Official:**

Dr. Kathleen Burda  
Area Veterinarian In Charge of Illinois  
USDA, APHIS, VS

**CASE UPDATES**

**Primary Investigator:**

(b) (6), (b) (7)(C), (b) (7)(D)

USDA, APHIS, IES Investigator, AZ

**Others:**

Lennis Knight  
Area Veterinarian In Charge of Montana  
USDA, APHIS, VS

Elizabeth Kelpis, Area Manager  
USDA, APHIS, IES, Mountain Area

Nick (Eric) Nickerson  
USDA, APHIS, IES, DRD-WR

William (Terry) Groce  
USDA, APHIS, IES, DRD-ER

John Kinsella  
USDA, APHIS, IES, RD-ER

Timothy Fordahl  
USDA, APHIS, IES, RD-WR

**EXHIBIT LIST**

<b>EXHIBIT</b>	<b>DESCRIPTION</b>	<b>DATE</b>	<b>TOTAL PAGES</b>
<b>Exhibit 1</b>	- VS Form 10-13, Owner/Shipper Certificate	01/15/07	2
<b>Exhibit 2</b>	- Cavel International Inc. Lot Sheet	01/16/07	1
<b>Exhibit 3</b>	- Cavel International Inc. check issued to Mike MCBARRON	01/16/07	1
<b>Exhibit 4</b>	- VS Form 10-13, Owner Shipper Certificate	01/22/07	2
<b>Exhibit 5</b>	- Cavel International Inc. Lot Sheet	01/23/07	1
<b>Exhibit 6</b>	- Cavel International Inc. check issued to Mike MCBARRON	01/23/07	1
<b>Exhibit 7</b>	- VS Form 10-13, Owner Shipper Certificate	01/31/07	3
<b>Exhibit 8</b>	- Cavel International Inc. Lot Sheet	02/01/07	1
<b>Exhibit 9</b>	- Cavel International Inc. check issued to Mike MCBARRON	02/01/07	1
<b>Exhibit 10</b>	- APHIS Form 7162, Affidavit of Ellen Kroc	04/12/07	3
<b>Exhibit 11</b>	- APHIS Form 7162, Affidavit of Dr. Larry Davis	02/01/07	2
<b>Exhibit 12</b>	- Statement from Joseph T. Lowry, DVM	02/01/07	1
<b>Exhibit 13</b>	- Interview Log of John Drummer	02/01/07	1
<b>Exhibit 14</b>	- VS Form 10-13, Owner Shipper Certificate	02/04/07	2
<b>Exhibit 15</b>	- Cavel International Inc. Lot Sheet	02/05/07	1
<b>Exhibit 16</b>	- Cavel International Inc. check issued to Mike MCBARRON	02/05/07	1
<b>Exhibit 17</b>	- APHIS Form 7162, Affidavit of Matthew P. Childres & Mark W. Brockway	02/05/07	2
<b>Exhibit 18</b>	- APHIS Form 7162, Affidavit of Ellen Kroc	02/05/07	2
<b>Exhibit 19</b>	- L & W Farms Invoice	02/04/07	1
<b>Exhibit 20</b>	- USDA Equine to Slaughter, Binder Log	02/05/07	1
<b>Exhibit 21</b>	- VS Form 10-13, Owner Shipper Certificate	02/11/07	2
<b>Exhibit 22</b>	- Cavel International Inc. Lot Sheet	02/12/07	1
<b>Exhibit 23</b>	- Cavel International Inc. check issued to Mike MCBARRON	02/12/07	1
<b>Exhibit 24</b>	- APHIS Form 7162, Affidavit of Ellen Kroc	04/12/07	2
<b>Exhibit 25</b>	- VS Form 10-13, Owner Shipper Certificate	02/20/07	2
<b>Exhibit 26</b>	- Cavel International Inc. Lot Sheet	02/21/07	1
<b>Exhibit 27</b>	- Cavel International Inc. check issued to Mike MCBARRON	02/21/07	1
<b>Exhibit 28</b>	- APHIS Form 7162, Affidavit of Ellen Kroc	04/12/07	2
<b>Exhibit 29</b>	- APHIS Form 7162, Affidavit of Dr. Larry Davis	02/21/07	1
<b>Exhibit 30</b>	- Interview Log of Wesley Minter	04/22/08	1
<b>Exhibit 31</b>	- Interview Log of Lee Garrison	04/22/08	1
<b>Exhibit 32</b>	- VS Form 10-13, Owner Shipper Certificate	None	2
<b>Exhibit 33</b>	- Cavel International Inc. Lot Sheet	02/26/07	1
<b>Exhibit 34</b>	- Cavel International Inc. check issued to Mike MCBARRON	02/26/07	1

<b>Exhibit 35</b>	- APHIS Form 7162, Affidavit of Ellen Kroc	07/12/07	1
<b>Exhibit 36</b>	- Interview Log of (b)(6), (b)(6), (b)(6)	04/12/07	1
<b>Exhibit 37</b>	- Louisiana Dept. of Agriculture Horse Check-In Sheet for (b)(6), (b)(6), (b)(6)	01/24/07	1
<b>Exhibit 38</b>	- USDA/APHIS/IES Memorandum of (b)(6), (b)(6)	11/29/07	2
<b>Exhibit 39</b>	- Photograph of down horses	02/05/07	5
<b>Exhibit 40</b>	- Photographs of horse with backtag USCD 5203	02/26/07	2



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

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FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE 2:00 P.M.	DATE 01.15.07	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE Conway AR
VEHICLE LICENSE NO. AND DRIVER'S NAME FAG 6650 (b)(6),(b)(7)(C)	NAME OF AUCTION/MARKET Lewis Livestock	CONSIGNEE (RECEIVER/DESTINATION) NAME Cavele International
CONSIGNOR (OWNER/SHIPPER) NAME M. Mc Na Barron	STREET ADDRESS 108 Harvestone Dr	CITY, STATE, ZIP CODE Dekalb IL 60115
STREET ADDRESS 747 Hwy 8 W	AREA CODE & TELEPHONE NO. 409-595-6289	AREA CODE & TELEPHONE NO. 815-756-8051

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip.  
☒ Foals are older than 6 months of age.  
☒ Horses are able to bear weight on all 4 limbs.  
☒ Horses are not blind in both eyes.  
☒ Horses are able to walk unassisted.

TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc	REMARKS Include existing conditions	
		Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
✓ 1	3507	✓							✓					✓				
✓ 2	68	✓							✓					✓				
✓ 3	69	✓							✓							✓		
✓ 4	70	✓					✓		✓					✓				
✓ 5	71	✓	✓						✓					✓				
✓ 6	72	✓				✓			✓							✓		
✓ 7	73	✓				✓			✓					✓				
✓ 8	74	✓				✓			✓							✓		
✓ 9	75	✓				✓			✓							✓		
✓ 10	76	✓					✓		✓					✓				
✓ 11	77	✓				✓			✓							✓		
✓ 12	78	✓				✓			✓							✓		
✓ 13	79	✓					✓		✓							✓		
✓ 14	80	✓				✓			✓							✓		
✓ 15	81	✓							✓							✓		

HORSES HAVE HAD ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS

SIGNATURE (b)(6),(b)(7)(C)

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH. (18 U.S.C. SECTION 1001).

SIGNATURE (b)(6),(b)(7)(C) maintained in this form is true and correct to

CANADIAN FOOD INSPECTION AGENCY (CFIA)

EST. \_\_\_\_\_  
DATE \_\_\_\_\_  
TIME \_\_\_\_\_



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
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FORM  
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OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE 2:00 P.M.	DATE 04.15.07	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE Conway AR
VEHICLE LICENSE NO. AND DRIVER'S NAME PAG 6650	(b)(6), (b)(7)(C)	NAME OF AUCTION/MARKET Lewis Livestock
CONSIGNOR (OWNER/SHIPPER) NAME Mike McBarron		CONSIGNEE (RECEIVER/DESTINATION) NAME Cavelo International
STREET ADDRESS 747 Hwy 8W		STREET ADDRESS 108 Homestead Dr
CITY, STATE, ZIP CODE Hamburg AR 71646		CITY, STATE, ZIP CODE Dekalb IL 60115
AREA CODE & TELEPHONE NO. 469-595-6289		AREA CODE & TELEPHONE NO. 815-756-8051

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip. ☒ Horses are able to bear weight on all 4 limbs. ☒ Horses are able to walk unassisted.
- ☒ Foals are older than 6 months of age. ☒ Horses are not blind in both eyes.

	TAG PREFIX	Tag NO	COLOR DESCRIPTION							BREED/TYPE				SEX			BRANDS Tattoos, etc	REMARKS Include existing conditions
			Bay	Grey	Blk	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
✓ 1	3082	US06																
✓ 2	83																	
✓ 3	84																	
✓ 4	85																	
✓ 5	86																	
✓ 6	87																	
✓ 7	6893																	
✓ 8	6894																	
✓ 9	95																	
✓ 10	96																	
✓ 11	97																	
✓ 12	98																	
13																		
14																		
15																		

HORSE HOURS	(b)(6), (b)(7)(C)	OR A MINIMUM OF 6 CONSECUTIVE	CANADIAN FOOD INSPECTION AGENCY (CFIA)
SIGNATURE	(b)(6), (b)(7)(C)		EST. _____
I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 (18 U.S.C. SECTION 1001).			DATE _____
(b)(6), (b)(7)(C)		contained in this form is true and correct to	TIME _____

Previous editions are obsolete  
(SEP 2002)



Cavel International, Inc.

Lot Sheet : 2070080

Vendor : McBarron, Mike

Date : 01.16.07

Tag	LWT	LG	Descr	Yard	YWGT	S	Died	Cond
6456	727	BO	BAY	3061		S		
6457	917	BO	SOR	3077		G		
6458	780	BO	GREY	3070		M		
6459	944	BO	BAY	3071		M		
6460	523	BO	BAY	3087		M		
6461	662	BO	SOR	3080		M		
6462	886	BO	BAY	3066		M		Y
6463	977	BO	DUN	3068		M		
6464	839	BO	BAY	3067		M		
6465	767	BO	SOR	3073		M		
6466	684	BO	PAL	3076		M		
6467	834	BO	SOR	0		M		
6468	674	BO	BLK	6895		M		
6469	876	BO	BAY	6897		M		
6470	1.020	BO	SOR	3082		G		
6471	772	BO	SOR	3086		M		
6472	961	BO	SOR	3072		M		
6473	769	BO	SOR	3074		G		
6474	866	BO	SOR	3078		G		
6475	904	BO	BAY	3083		M		
6476	615	BO	BAY	3081		M		
6477	778	BO	SOR	3075		G		
6478	919	BO	GREY	0		G		
6479	838	BO	BAY	6898		G		
6480	746	BO	APP	6893		M		
6481	739	BO	SOR	0		M		
6482	1.177	BO	BAY	6894		G		
6483	909	BO	SOR	3085		M		

S 28 23.103

Avg 825



THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS	
DATE	AMOUNT
1/16/07	7 06987
LOTH	
2070086	
28 head	
#6420-1683	



Cavel International Inc.

HORSE BUYING ACCOUNT Ph. 815-756-8051  
108 Harvestore Dr. • DeKalb, IL 60115-8604

25131

DATE 1/16/07 70-2406-719

PAY  
TO THE  
ORDER OF

MIKE McBarron

\$ 706987

THE SUM OF 706,987 DOLLARS

DOLLARS

AMERICAN NATIONAL BANK  
815-756-1444  
1985 DeKalb Avenue Sycamore, IL 60178  
124 S. Main Street Sycamore, IL 60178  
913 S. Fourth Street DeKalb, IL 60115

⑈025131⑈ ⑆071924063⑆ ⑈0001008895⑈

GOVERNMENT  
EXHIBIT  
3  
Page 1 of 1  
APHIS FORM 7070 (MAR 95)



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

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FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE 7:00 PM	DATE 1-22-07	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE Conway AR
VEHICLE LICENSE NO. AND DRIVER'S NAME P/A 7466	(b)(6), (b)(7)(C)	NAME OF AUCTION/MARKET Lewis Livestock
CONSIGNOR (OWNER/SHIPPER) NAME Mike McBarrow		CONSIGNEE (RECEIVER/DESTINATION) NAME Cavel Int.
STREET ADDRESS 747 Hwy 8 West		STREET ADDRESS 108 HARVESTOR DR.
CITY, STATE, ZIP CODE Hamburg Ark 71646		CITY, STATE, ZIP CODE Dekalb AL 36015
AREA CODE & TELEPHONE NO. 870 853 5838		AREA CODE & TELEPHONE NO. 815 756 8051

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip. ☒ Horses are able to bear weight on all 4 limbs.  
☒ Foals are older than 6 months of age. ☒ Horses are not blind in both eyes. ☒ Horses are able to walk unassisted.

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
✓ 1	USCY	3001					X				X			X				Strip
2		1003	X							X				X				35 inch
✓ 3		02					X			X	X					X		Strip 35 inch
✓ 4		04						PM		X				X				no
✓ 5		05		X						X				X				Red Roan
✓ 6		06					X			X				X				Strip 25 inch
✓ 7		07					X			X				X				Star
✓ 8		08								X				X				1 year 4
✓ 9		09						DM		X				X				no
✓ 10		10					X			X	X					X		5 star
✓ 11		11					X			X	X					X		4 star
✓ 12		12			X					X	X					X		
✓ 13		13		X						X	X			X				two
✓ 14		14					X			X	X			X				one
✓ 15		15					X			X	X			X				25 inch 5 star

HORSES HAVE HAD ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY BEFORE LOADING INTO CONVEYANCE.

SIGNATURE

(b)(6), (b)(7)(C)

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA OR DGIF TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE OF OWNER/SHIPPER (I certify that the information contained in this form is true and correct to the best of my knowledge)

(b)(6), (b)(7)(C)

**CANADIAN FOOD INSPECTION AGENCY (CFIA)**

EST.

DATE

TIME

**DIRECCION GENERAL DE INSPECCION EN  
FRONTERAS (DGIF)**

EST.

DATE

TIME

GOVERNMENT  
EXHIBIT

4

Page 1 of 2

APHIS FORM 7070 (MAR 95)

# OWNER/SHIPPER CERTIFICATE FITNESS TO TRAVEL TO A SLAUGHTER FACILITY (CONTINUATION SHEET)

(Please type or print in ink)

are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION							BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include precondition		
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld					
✓ 16	USEX	30/1							APP												
✓ 17		17				X															Brown
✓ 18		18				X															Brown
✓ 19		19	X					X													
✓ 20		20						X													
✓ 21		21			X									X							
✓ 22		22						X						X							2 Small
✓ 23		23						X						X							
✓ 24		24			X			X						X			X				Star
✓ 25		25						X						X							
✓ 26		26						X						X							
✓ 27		27						X						X							
✓ 28		28						X						X							Shy
✓ 29		29						X						X							Shy
✓ 30		30	X							X				X			X				Bay
✓ 31		31	X							X				X							Bay white
✓ 32		32								X				X							
✓ 33		33			X					X				X							
✓ 34		34								X				X							
✓ 35		35						X						X							Bay
✓ 36		36						X						X							
✓ 37		37																			
✓ 38		38																			
✓ 39		39																			
✓ 40		40																			
✓ 41		41																			
✓ 42		42																			
✓ 43		43																			
✓ 44		44																			
✓ 45		45																			

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$5000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001)

SIGNATURE OF OWNER

(b)(6), (b)(7)(C)

and correct to the best of my knowledge.)

GOVERNMENT  
EXHIBIT

4

Page 2 of 2

APHIS FORM 7070 (MAR 95)



Lot Sheet : 2070115

Vendor : McBarron, Mike

Date : 01.23.07

Tag	LWT	LG	Descr	Yard	YWT	S	Died	Cond
7179	1.357	BO	BAY	3028		M		
7180	1.148	CA	BAY	3008		M		
7181	1.324	CA	SO	3026		M		
7182	1.242	CA	BAY	3029		M		
7183	1.265	CA	SO	3022		M		
7184	1.491	CA	BLK	3024		M		
7185	1.303	CA	BLK	3025		M		
7186	1.141	CA	SO	3014		M		
7187	1.154	CA	SO	3020		M		
7188	1.156	CA	SO	3015		M		
7189	1.211	CA	GRE	3005		M		
7190	1.527	CA	SO	3006		M		
7191	1.261	CA	APP	3016		M		
7192	1.179	CA	SO	3004		M		
7193	1.235	CA	BLK	3007		M		
7194	1.275	CA	SO	3010		M		
7195	1.244	CA	BAY	2		M		
7196	1.227	CA	BAY	32		M		
7197	1.256	XB	PAIN	3710		M		
7198	1.145	CA	BLK	3031		G		
7199	1.325	CA	GREY	3013		M		
7200	1.078	BO	PAIN	3		M		
7201	1.339	XB	SO	3001		M		
7202	1.348	CA	PALL	3009		M		
7203	1.272	CA	SO	3011		G		
7204	1.481	CA	PAIN	3018		M		
7205	1.200	CA	BAY	3030		M		
7206	1.144	CA	BLK	3012		M		
7207	1.256	CA	SO	3002		M		
7208	1.441	CA	BLK	3021		M		

S 30 38.025

Avg 1.268



25175

Cavel International Inc.

HORSE BUYING ACCOUNT Ph. 815-756-8051  
108 Harvestore Dr. • DeKalb, IL 60115-8604


DATE 1/23/07 70-2406-719

PAY  
TO THE  
ORDER OF

Mike McBarron

\$ 20,533.80

THE SUM OF 20,533 DOLLARS AND 80 CENTS

DOLLARS  Security Features  
Included  
Details on Back

**AMERICAN NATIONAL BANK**  
of DeKalb County  
815-756-1444  
1985 DeKalb Avenue Sycamore, IL 60178  
124 S. Main Street Sycamore, IL 60178  
913 S. Fourth Street DeKalb, IL 60115

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS			
DATE		AMOUNT	
1/23/07	20	533	80
LOT#			
2070115			
30 head			
4-7179-			
7208			

⑈025175⑈ ⑆071924063⑆ ⑈0001008895⑈

GOVERNMENT  
EXHIBIT  
6  
Page 1 of 1  
APHIS FORM 7070 (MAR 95)



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE 12:00 PM DATE 01.31.07 CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE Conway AR  
VEHICLE LICENSE NO. AND DRIVER'S NAME John Drummer PR# 4280 NAME OF AUCTION/MARKET Leaves Lister  
CONSIGNOR (OWNER/SHIPPER) NAME Mike McBarrow CONSIGNEE (RECEIVER/DESTINATION) NAME Cavele International  
STREET ADDRESS 747 Hwy 8 W STREET ADDRESS 108 Havesore Dr  
CITY, STATE, ZIP CODE Hamburg AR 71646 CITY, STATE, ZIP CODE Dekalb FL 33015  
AREA CODE & TELEPHONE NO. 469-595-6289 AREA CODE & TELEPHONE NO. 815-756-8051

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip. ☒ Horses are able to bear weight on all 4 limbs.  
☒ Foals are older than 6 months of age. ☒ Horses are not blind in both eyes. ☒ Horses are able to walk unassisted.

Foals are older than 6 months of age.																		
TAG PREFIX	Tag NO.	COLOR DESCRIPTION							BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
		Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
1	USCD3178	✓							✓				✓					
2	3179					✓			✓				✓				lane	
3	3180					✓			✓				✓					
4	3181					✓			✓				✓					
5	3182	✓							✓				✓				lane hair loss	
6	3184	✓							✓				✓					
7	3185					✓			✓				✓					
8	3186	✓							✓				✓					
9	3187	✓							✓				✓					
10	3188					✓			✓				✓					
11	3189	✓							✓				✓					
12	3190						✓		✓				✓					
13	3191					✓			✓				✓		✓			
14	3192	✓							✓				✓					
15	3193	✓							✓				✓					

GOVERNMENT  
EXHIBIT  
7

CANADIAN FOOD INSPECT

HORSES HAVE HAD ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS PRIOR TO LOADING ON CONVEYANCE.

SIGNATURE

(b) (6), (b) (7) (C)

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CIA OR DCM TO THE BEST OF MY KNOWLEDGE IS TRUE AND CORRECT. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE  
the best of

(b) (6), (b) (7) (C)

contained in this form is true and correct to

CANADIAN FOOD INSPECTOR

EST.

DATE

TIME

DIRECCION GENERAL DE INSPECCION EN  
FRONTERAS (DGIF)

EST.

DATE

TIME

GOVERNMENT  
EXHIBIT

7

Page 1 of 3  
APHIS FORM 7070 (MAR 96)



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE <b>1200pm</b>	DATE <b>01.31.07</b>	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE <b>Conway AR</b>
VEHICLE LICENSE NO. AND DRIVER'S NAME <b>John Drummer PAG4280</b>	NAME OF AUCTION/MARKET <b>Lewis Livestock</b>	
CONSIGNOR (OWNER/SHIPPER) NAME <b>Mike McBaron</b>	CONSIGNEE (RECEIVER/DESTINATION) NAME <b>Cavele International</b>	
STREET ADDRESS <b>797 Hwy 8W</b>	STREET ADDRESS <b>108 Harvestore Dr</b>	
CITY, STATE, ZIP CODE <b>Hamburg AR 71646</b>	CITY, STATE, ZIP CODE <b>DeKalb IL 60</b>	
AREA CODE & TELEPHONE NO. <b>509-595-6289</b>	AREA CODE & TELEPHONE NO. <b>815-756-8051</b>	

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip.
 ☒ Horses are able to bear weight on all 4 limbs.
 ☒ Horses are able to walk unassisted.
- ☒ Foals are older than 6 months of age.
 ☒ Horses are not blind in both eyes.

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
✓ 1	USCD	3194					✓			✓				✓				
✓ 2		3195	✓							✓				✓				
✓ 3		3196	✓							✓				✓				
✓ 4		3197		✓						✓				✓				
✓ 5		3199		✓						✓				✓				
✓ 6		3200		✓							✓			✓				
✓ 7		3201	✓							✓				✓				
✓ 8		3202	✓							✓				✓				
9		3203						✓		✓						✓		
✓ 10		3204	✓							✓				✓				
✓ 11		3205	✓							✓				✓				
✓ 12		3206	✓							✓				✓				
✓ 13		3207					✓			✓				✓				
✓ 14		3208	✓							✓				✓				
✓ 15		3209	✓							✓				✓				

HORSES HAVE HOURS IMMEDIATELY AVAILABLE	SUM OF 6 CONSECUTIVE	CANADIAN FOOD INSPECTION AGENCY (CFIA) EST. DATE TIME
SIGNATURE (b) (6), (b) (7) (C)		DIRECCION GENERAL DE INSPECCION FRONTERAS (DGIF) EST. DATE TIME
I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA OR DGIF TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS (18 U.S.C. SECTION 1001).	SIGNATURE OF THE BEST OF MY KNOWLEDGE (b) (6), (b) (7) (C)	<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>GOVERNMENT EXHIBIT</b>  <b>7</b>                      Page <b>2</b> of <b>2</b>                      APHIS FORM 7070 (MAR 04)                 </div>



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE 12:00PM	DATE 01.31.07	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE Conway AR
VEHICLE LICENSE NO. AND DRIVER'S NAME Sohn Drummer PAG 4280	NAME OF AUCTION/MARKET Lewis Livestock	
CONSIGNOR (OWNER/SHIPPER) NAME Mike Mc Barron	CONSIGNEE (RECEIVER/DESTINATION) NAME Cavel International	
STREET ADDRESS 747 Hwy 8W	STREET ADDRESS 108 Harvestone Dr	
CITY, STATE, ZIP CODE Hamburg AR 71646	CITY, STATE, ZIP CODE Dekalb FL 33015	
AREA CODE & TELEPHONE NO. 469-595-6289	AREA CODE & TELEPHONE NO. 815-756-8051	

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip.
 ☒ Horses are able to bear weight on all 4 limbs.
 ☒ Horses are able to walk unassisted.
- ☒ Foals are older than 6 months of age.
 ☒ Horses are not blind in both eyes.

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
✓ 1	USCP	3210	✓							✓				✓				
✓ 2		3211						✓		✓				✓				
3		3212	✓							✓						✓		
4																		
5																		
6																		
7																		
8																		
9																		
10																		
11																		
12																		
13																		
14																		
15																		

HORSES HOURS	(b) (6), (b) (7) (C)	OR A MINIMUM OF 6 CONSECUTIVE	CANADIAN FOOD INSPECTION AGENCY (CFIA)	
SIGNATURE			EST.	
			DATE	
			TIME	
I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA OR DGIF TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).			DIRECCION GENERAL DE FRONTERAS (DGIF)	
SIGNATURE the best of	(b) (6), (b) (7) (C)	ed in this form is true and correct to	EST. DATE TIME	
			Page 3 of 3 APHIS FORM 7070 (MAR 95)	

Cavel International, Inc.

Lot Sheet : 2070168

Vendor : McBarron, Mike

Date : 02.01.07

Truck Costs :

Other Costs :

Commission :

Tag	LWT	PPP	Value	TPPP	Tot Val	LG	Descr	Yard	YWGT	S	PPG	TPG	HWT	Yield	Died	Cond
8499	708					BO	SO	3180		M						
8500	819					BO	BAY	3182		M						
8501	741					BO	BLK	156		M						
8502	868					BO	BAY	3184		M						
8503	760					BO	BAY	3190		M						
8504	1.108					BO	WHT	3197		M						
8505	1.196					BO	WHT	3200		M						
8506	877					BO	BAY	3186		M						
8507	808					BO	WHT	3199		M						
8508	690					BO	SO	3185		M						
8509	712					BO	BLK	3187		M						
8510	747					BO	SO	3188		M						
8511	889					BO	SO	3181		M						
8512	638					BO	BAY	3189		M						
8513	919					BO	SO	3179		M						
8514	1.087					BO	BAY	3206		M						
8515	705					BO	PALL	3211		G						
8516	1.135					BO	BAY	3202		M						
8517	1.069					BO	SO	3207		M						
8518	755					BO	BAY	3201		M						
8519	847					BO	BAY	3204		M						
8520	776					BO	BAY	3210		M						
8521	929					BO	BAY	3209		M						
8522	955					BO	BAY	3205		G						
8523	722					BO	BLK	3208		M						
8524	1.162					BO	SO	3198		M						
8525	791					BO	BAY	3194		G						
8526	741					BO	SO	3195		M						
8527	738					BO	SO	3191		G						
8528	844					BO	BAY	3196		M						
8529	925					BO	BAY	3193		M						
8530	759					BO	ROUM	3190		M						



Total costs per pound :

S 32 27.420  
Avg 857

Load  
Diff 2





25241

THIS CHECK IS DELIVERED FOR PAYMENT  
ON THE FOLLOWING ACCOUNTS

DATE	AMOUNT
2/1/07	\$8346.85
LOA#	
20701108	
32 head	
#8499-850	
less LOAN 4225.00	

Cavel International Inc.

HORSE BUYING ACCOUNT Ph. 815-756-8051  
108 Harvestore Dr. • DeKalb, IL 60115-8604

DATE

2/1/07

70-2406-719

PAY  
TO THE  
ORDER OF

Mike McBarren

\$ 8621.85

THE SUM 8621 DOLS 015

DOLLARS

Security Features  
Indicated  
Details on BackAMERICAN NATIONAL BANK  
of DeKalb County815-756-1444  
1985 DeKalb Avenue Sycamore, IL 60178  
124 S. Main Street Sycamore, IL 60178  
913 S. Fourth Street DeKalb, IL 60115

MP

⑈02524⑈ ⑈071924063⑈ ⑈0001008895⑈

GOVERNMENT  
EXHIBIT

9

Page 1 of 1

APHIS FORM 7070 (MAR 95)

## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b) (6), (b) (7) (C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Ellen E. Kroc and I am currently employed with the USDA/APHIS Veterinary Services as an Animal Health Technician in Horse Transport, starting on Dec. 10, 2006. My home office is located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois, 62704, Ph.217-862-6689.

On February 1, 2007 I was working inspecting horses at Cavel International located in DeKalb, Illinois. A load of horses shipped by Mike McBarron from Conway, Arkansas and driven by John Drummer of Minnesota, Truck DOT 1268732 arrived at 3:00 p.m. Before the truck backed up to the dock to unload I met up with Mr. Drummer. Mr. Drummer stated he had 2 down horses in his trailer. Both horses were looking moribund. I was beginning to question Mr. Drummer but then directed him to get back into the dock so we could attend to these horses.

As unloading began, the first down horse was a Female Black Mare with no USDA Back tag but a sale barn tag number 72DL2- 161. The horse was in a much weakened, moribund, state and in a curled position within the back compartment with 3 other horses. The compartment was sublevel and only 5 feet deep. During my inspection of the horses in this compartment they were all of poor condition being weak and very thin. The black mare had facial lacerations along the right side of her face below the eye. There was minimal blood seen within this compartment and had found no injuries to the other three horses. Humane Euthanasia, with a captive bolt, was done by a Cavel Employee on the trailer. The carcass was condemned.

(b) (6), (b) (7) (C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois  
On this 12th day of April, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.

(b) (6), (b) (7) (C)



(NOT TO BE DESTROYED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO. (b) (6), (b) (7) (C)

## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: (b) (6), (b) (7) (C)  
 who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

By the time the mid compartment was unloaded the other down horse was dead. This horse was a Male, Brown/Buckskin, Gelding, Back Tag # USCD 3203. Photos provided show blood in the compartment which is located at the head of the horse. No major injury of trauma to the body was seen except for the emaciated and poor condition of the dead horse from the photos provided.

During the time of unloading I had called upon Dr. Larry Davis to take notice of the condition and status of these horses within this load of Mike McBarron's. An Affidavit from Dr. Davis is provided with this affidavit. I had also noticed a Sorrel horse with a Back Tag # USCD 3198 which was not included on the APHIS 10-13 Form. Photos and collection of the tag are provided.

After all the horses were unloaded I proceeded to speak with Mr. Drummer. I began questioning him of his knowledge of Commercial Transport of Equines to Slaughter. He stated no, his first time doing this and that he was only the messenger. I then started to go into the rules and regulations and Mr. Drummer became more agitated and did not agree with this being his responsibility. I asked him if he checked on the horses at any time and he stated he had at 185 miles out from his departure and had tried getting them up. As I tried to pursue more questioning Mr. Drummer just got more agitated and did not want to go into any more and would not provide any personal data for me nor interested in receiving the USDA Guidebook for Transp

(b) (6), (b) (7) (C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois  
 On this 12th day of April, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.

(b) (6), (b) (7) (C)



(NOV 92) DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
 ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
 AUTHORITY NO. (b) (6), (b) (7) (C)



## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

I gave him some time to calm down and let him vent his opinions. I informed that the dead horse needed to be autopsied and that I would see to getting this done. He would have to wait in the meantime. I also called for assistance from IES investigator (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) to come to my aide.

Dr. Lowry was able to arrive to do the autopsy of the deceased equine and his findings are provided. IES Investigator (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) came after the animal was autopsied and able to meet with Mr. Drummer and myself. By this time Mr. Drummer had calmed down.

From the APHIS VS Form 10-13 Form and Cavel Lot sheet there was a head count discrepancy of one horse. The VS Form 10-13 Form indicated 33 head and the lot sheet indicated 32 head, which excludes the 1 down and 1 dead horse in addition with horse BTag 3198 that was not included on the 10-13 Form. I have read the above statement and it is true and correct to the best of my knowledge.

(b) (6), (b) (7)(C)

SIGNATURE OF AFFIRANT

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois  
On this 12th day of April, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.

(b) (6), (b) (7)(C)

(NOV 92) DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO. (b) (6), (b) (7)(C)





## AFFIDAVIT

I, Larry A. Davis, being duly sworn on oath make the following statement: to (b)(6), (b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services..

My name is Larry A. Davis and I am currently employed with the USDA Food Safety Inspection Service as a Public Health Veterinarian starting on Oct. 12, 2005. I am a relief Public Health Veterinarian, whose duty station is Beardstown, IL. I am currently assigned as Inspector In Charge at plant #15849 E, Cavel International Inc., located at 108 Harvestore Drive; Dekalb, Illinois 60115; phone 815-758-6061.

On February 01, 2007 I was conducting ante mortem inspection on the horses as they entered the barn. Ellen Kroc, USDA APHIS Animal Health Technician, was inspecting horses that day at Cavel International in Dekalb, Illinois. The last load of the day had two downed horses on the trailer. The shipper of the load was Mike McBarron from Hamburg, Arkansas. The driver of the load was John Drummer having a license plate from Minnesota. One downed horse was located in a small compartment at the back of the trailer, which was approximately five feet across, with three other horses. All four horses were in poor shape. They were all thin and weak with bony prominences extruding along the ribs, dorsal spinal processes, and the wings of the iliums. One horse exhibited an abnormal gait and was condemned on postmortem after being tagged as a suspect. The downed horse was condemned for being moribund and was humanely euthanized using a captive bolt. In the back middle compartment of the trailer, which was approximately eighteen feet across, there were twelve horses including another downed horse. These horses were also extremely thin and weak with bony prominences extruding along the ribs, dorsal spinal processes, and wings of the iliums. The downed horse in the back middle compartment was dead by the time the other horses were off loaded. Postmortem was conducted by a private

(b)(6), (b)(7)(C)

Subscribed and sworn to before me at Cavel International, Dekalb, Illinois  
On this 1st day of February 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)

(b)(6), (b)(7)(C)

DESIGNATED OFFICIAL TO ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO: (b)(6), (b)(7)(C)



AFFIDAVIT

Page 2

I, Larry A. Davis, being duly sworn on oath make the following statement: to (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services..

veterinarian. I have read the above statement and it is true and correct to the best of my knowledge.

(b)(6), (b)(7)(C)

Subscribed and sworn to before me at Cavel International, Dekalb, Illinois  
On this 1st day of February 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)

(b)(6), (b)(7)(C)

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO: (b)(6), (b)(7)(C)





JOSEPH T. LOWRY, D.V.M.

15199 Route 72 East  
Davis Junction, IL 61020  
Phone (815) 393-4411  
Fax (815) 393-4919

2/1/07

On the above date I examined a dark brown  
male Arabian, Northfield Manor.

24 year old, Brown, G, Body Condition - Poor.

Post Mortem of Abdomen + Thoracic Cavity  
upper Normal.

I find heavy trauma & hemorrhage due  
to horse being down on the head in the  
trailer & being ~~hit~~ Kicked + stepped on  
while down. I find in Thoracic Cavity  
with this stress.

In my opinion horse got down on head  
& trauma to head lead to death.

(b)(6), (b)(7)(C)

GOVERNMENT  
EXHIBIT

12

Page 1 of 1

APHIS FORM 7070 (MAR 95)



# INTERVIEW LOG

## USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)  
CONTACTED:  
John Drummer  
Minnesota

DATE:  
02/01/2007

TYPE OF INTERVIEW (BY PHONE OR IN  
PERSON): IN-Person

ORGANIZATION:  
Truck Driver

TELEPHONE NUMBER:  
none

SUBJECT:  
Slaughter horses delivered to Cavel

LOCATION OF INTERVIEW:  
Cavel Int. DeKalb, Illinois

### SUMMARY:

I was asked by USDA/APHIS/VS/AHT Ellen Kroc to come and assist her in reference to gathering information from a truck driver who brought in a load of slaughter horses. I arrived today in the afternoon at Cavel International Inc. in DeKalb, Illinois and was meet by USDA/APHIS/IES/AHT, Ellen Kroc who explained she had a truck driver by the name of John Drummer, who was upset and refused to give her any information about two horses that were down on the truck when it arrived at the slaughter plant. She pointed to where Mr. Drummer was and I went and introduced myself to him.

Mr. Drummer stated he was still somewhat upset and I explained that there appears to have been a potential violation that occurred and that was what Ellen Kroc, USDA APHIS/VS/AHT was trying to determine. Ellen Kroc then went out to her vehicle.

Mr. Drummer stated to me that he had checked his truck load of horses several times during the transportation of the horses to slaughter. Mr. Drummer stated he also checked on the welfare of the horses when he stopped and purchased fuel.

Mr. Drummer stated two horses would go down on the truck and he would get them back up and continue on to slaughter. Mr. Drummer stated the two horses appeared to be okay and that he did the best he could to get the horses to slaughter as quickly as possible to prevent injury to the horses.

Mr. Drummer stated that this was his first time delivering horses to slaughter and he did not load the horses on to the truck. Mr. Drummer refused an affidavit and did not tell me what company he worked for nor would he provide me with any identification. Mr. Drummer stated he needed to be going and got in his truck and left.

NAME OF PERSON DOCUMENTING  
INTERVIEW:

SIGNATURE:

DATE:  
02/01/07

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) Investigator

(b) (6), (b) (7)(C)

GOVERNMENT  
EXHIBIT

13

Page 1 of 1

APHIS FORM 7070 (MAR 05)



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE <b>7:00pm</b>	DATE <b>02.04.07</b>	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE <b>Conway AR</b>
VEHICLE LICENSE NO. AND DRIVER'S NAME <b>W61709TX Matchibros</b>	NAME OF AUCTION/MARKET <b>Lewis Livestock</b>	
CONSIGNOR (OWNER/SHIPPER) NAME <b>Mike McBarron</b>	CONSIGNEE (RECEIVER/DESTINATION) NAME <b>Cavele International</b>	
STREET ADDRESS <b>747 Hwy 8 West</b>	STREET ADDRESS <b>108 Harvestone Dr</b>	
CITY, STATE, ZIP CODE <b>Hamburg AR 71646</b>	CITY, STATE, ZIP CODE <b>Dekalb IL 60115</b>	
AREA CODE & TELEPHONE NO. <b>469-595-6289</b>	AREA CODE & TELEPHONE NO. <b>815-756-8051</b>	

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- ☒ Pregnant mares are not likely to foal (give birth) during the trip.
 ☒ Horses are able to bear weight on all 4 limbs.
 ☒ Horses are able to walk unassisted.
 ☒ Foals are older than 6 months of age.
 ☒ Horses are not blind in both eyes.

TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE						SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
		Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
✓ 1	W500	5051	✓						✓							✓		
✓ 2		5052					✓		✓					✓				ears flap
✓ 3		5053					✓		✓					✓				
✓ 4		5054	✓						✓							✓		
✓ 5		5055	✓						✓					✓				
✓ 6		5056				✓			✓							✓		
✓ 7		5057					✓		✓							✓		
✓ 8		5058				✓			✓					✓				
✓ 9		5059				✓			✓					✓				
✓ 10		5060	✓						✓					✓				line left hind
✓ 11		5061			✓				✓					✓				
12		5062				✓			✓							✓		done in front of center tail
✓ 13		5063			✓				✓					✓		✓		
✓ 14		5064	✓						✓					✓				
✓ 15		5065	✓						✓					✓				

HORSES HAVE HAD ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY PRIOR TO LOADING

SIGNATURE

(b) (6), (b) (7) (C)

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA OR DGIF TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE OF THE SHIPPER

(b) (6), (b) (7) (C)

This form is true and correct to the best of my knowledge

**CANADIAN FOOD INSPECTION**

EST.

DATE

TIME

**DIRECCION GENERAL DE INSPECCION EN FRONTERAS (DGIF)**

EST.

DATE

TIME

GOVERNMENT  
EXHIBIT

14

Page 1 of 2  
APHIS FORM 7070 (MAR 95)



According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY  
(CONTINUATION SHEET)**  
(Please type or print in ink)

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include precondition	
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
✓ 16	USCD	5066	✓							✓							✓		
✓ 17		5067	✓							✓						✓			
18		5068	✓							✓							✓		
✓ 19		5069					✓			✓					✓				
✓ 20		5070						✓		✓							✓	lane	
✓ 21		5071						✓		✓					✓				
✓ 22		5072	✓							✓					✓				
✓ 23		5073	✓							✓							✓	cut on front leg	
✓ 24		5074	✓							✓					✓				
✓ 25		5075	✓									✓					✓		
✓ 26		5076					✓			✓					✓				
27		5077					✓					✓		✓					
✓ 28		5078	✓							✓							✓		
✓ 29		5079	✓							✓							✓		
✓ 30		5080					✓			✓					✓				
✓ 31		5081					✓			✓					✓				
✓ 32		5082					✓			✓							✓	scr	
33																			
34																			
35																			
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45																			



I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS DOCUMENT IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT (U.S.C. SECTION 1001).

SIGNATURE

(b) (6), (b) (7) (C)

The information contained in this form is true and correct to the best of my knowledge.)

Lot Sheet : 2070186

Vendor : McBarron, Mike

Date : 02.05.07

Tag	LWT	LG	Descr	Yard	YWGT	S	Died	Cond
2934	1.098	BO	PAIN	0		G		
2935	840	BO	APP	5053		G		
2936	1.162	CA	SOR	5059		M		
2937	984	BO	SOR	5057		M		
2938	934	BO	SOR	5061		M		
2939	956	BO	PAIN	5056		G		
2940	825	BO	PAIN	5058		M		
2941	1.189	CA	BAY	5055		M		
2942	754	BO	SOR	5065		M		
2943	770	BO	SOR	5082		M		Y
2944	789	BO	BAY	5064		M		
2945	1.014	BO	BAY	5054		M		
2946	817	BO	BLK	5068		G		
2947	984	BO	BAY	5060		G		
2948	830	BO	BAY	5073		G		
2949	1.041	BO	PAL	5052		G		
2950	753	BO	PAL	5070		G		
2951	698	BO	SOR	5076		G		
2952	790	BB	BAY	5072		M		
2953	817	BO	SOR	5081		M		
2954	906	EQ	SOR	0		M		
2955	921	BO	BLK	5063		G		
2956	1.051	BO	BAY	5074		M		
2957	1.083	BO	BAY	5079		M		
2958	938	BO	SOR	5080		M		
2959	876	BO	SOR	5069		M		
2960	1.139	BO	SOR	5071		M		
2961	705	BO	BAY	5061		M		
2962	683	BB	BAY	5066		M		
2963	1.029	BO	BAY	5078		M		
2964	1.062	BO	BAY	5071		G		
2965	549	EQ	BAY	5075		G		

S 32 28.987

Avg 906

GOVERNMENT  
EXHIBIT

15

Page 1 of 1

APHIS FORM 7070 (MAR 98)

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS			
DATE		AMOUNT	
2/5/07	1	255	40
LOT #			
2070180			
32 head			
#2934-2905			



Cavel International Inc.

25266

HORSE BUYING ACCOUNT Ph. 815-756-8051  
108 Harvestore Dr. • DeKalb, IL 60115-8604

PAY  
TO THE  
ORDER OF

Mike McBarron

DATE

2/5/07

70-2406-719

THE SUM OF \$11,255.40

\$11,255.40

AMERICAN NATIONAL BANK  
of DeKalb County

815-756-1444  
1985 DeKalb Avenue Sycamore, IL 60178  
124 S. Main Street Sycamore, IL 60178  
913 S. Fourth Street DeKalb, IL 60115

DOLLARS

⑈025266⑈ ⑆071924063⑆ ⑈0001008895⑈





## AFFIDAVIT

I, Matthew P. Childres & Mark W. Brockway being duly sworn on oath make the following statement: to (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services. .

My name is Mathew P. Childres and my date of birth is (b)(6),(b)(7)(C) My mailing address is PO Box (b)(6),(b)(7)(C) The other driver is Mark Brockway. Mark W. Brockway and my date (b)(6),(b)(7)(C) My mailing address is (b)(6),(b)(7)(C)

We both work for L & W Farms located at 202 CR 3312 Annona, Texas 75550, Phone 903-427-7265, mobile 903-427-7265 as truck drivers. We were not aware of any rules and regulations regarding the transportation of horses to slaughter. This is our first shipment for us and our company.

We picked up our first part of the horses (7 head) at J & J Livestock in Texarkana, Texas. We were given the coggins and sale papers in a mail box. We were not given the VS Form 10-13 Owner/ Shipper Statement until we meet Mike McBarron at his pens at his residence located at 747 HWY 8 West, Hamburg, Arkansas. We were given the VS Form 10-13 at his residence. We were then directed to go to Glenwood, Arkansas to pick up the last part of the horses. We picked up 10 horses at his residence and 15 more horses at Glenwood, Arkansas at the sale barn. We were given the VS Form 10-13 at his residence where he pre-filled in the horses we were picking up at Glenwood, Arkansas.

The times we finished (2/04/07) loading the horses on the truck is approximately 5:00PM at Texarkana, Texas, 7:30PM in Hamburg, Arkansas and approximately 11:30 PM- 12:00 AM in Glenwood, Arkansas. We arrived at the slaughter plant in Dekalb, Illinois at approximately 4:30PM on 2/05/07. We checked the horses approximately 5 times. I feel we took excellent care of the horses during shipment and they arrived at the slaughter plant with no injuries.

I have read the above statement and it is correct to the best of my knowledge. The horses were all back tagged when we picked them up except Texarkana, Texas. He tagged those seven horses at his house. MC

**Mark Brockway, Matt Childres**  
SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Harvestore Drive, Dekalb, Illinois  
On this 5th day of February, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)

(b)(6),(b)(7)(C)  
DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND INSPECTIONS,  
AUTHORITY NO (b)(6),(b)(7)(C)





AFFIDAVIT

I, (name of affiant) MATTHEW P. CHILDRS & MARK W. BROCKWAY being duly sworn on oath make the following statement: to (b)(6), (b)(7)(C)

who has identified himself to me as an investigator with the USDA-APHIS- Investigative & Enforcement Service. My name is Matthew P Childs and my (b)(6), (b)(7)(C) My mailing address is (b)(6), (b)(7)(C) The other driver is Mark Brockway. Mark W/ Brockway and my (b)(6), (b)(7)(C) My mailing address is (b)(6), (b)(7)(C)

We both work for L & W Farms located at, MC 202 CR 3312, Annona, TX 75550, PH 903-427-1265 <sup>903-697-3669 WORK</sup> truck drivers. We were not aware of any rules & regulations regarding the transporting of horses to slaughter. This is our 1<sup>ST</sup> shipment for us and our company. We picked up the first part of the horses at a <sup>THEA (MC)</sup> Livestock in Texarkana, TX. We were given the cognate & sale papers in a mail box. We were not given the VS FORM 10-13 OWNER/Shipper Statement until we met <sup>MIKE MC CARTER</sup> him at his place at his residence located at 747 HWY 8 WEST, HAMBURG, ARK. We were given the VS FORM-10-13 at his residence. We then were directed to go to Glenwood Ark to pick-up the last part of the horses. We picked up <sup>MC</sup> 10 at his residence and 15 more horses at Glenwood, ARK at the sale barn. We were given the VS FORM 10-13 at his residence where he prefilled in the horses we were picking up at Glenwood, Ark. <sup>APPROX</sup> The times we finished loading the horses on the truck is <sup>APPROX</sup> 5:00 PM at Texarkana, Ark, 7:30 PM in Hamburg Ark, and approx 11:30 PM 12:00 AM in <sup>MC</sup> Glenwood Ark. We arrived at slaughter plant in DeKalb, IL, at approx 4:30 PM on 2/5/07. We checked the horses approx 5 times. I feel we took excellent care of the horses during shipment and they arrived at the slaughter plant with no injuries. I have read the above statement and it is correct to the best of my knowledge. The horses were all bled when we picked them up except at Texarkana where those horses were bled at his house.

SIGNATURE OF AFFIANT

(b)(6), (b)(7)(C)

Subscribed and sworn to before me at Cavel International, DeKalb, IL on this 5TH day of February, 20 07

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO ADMINISTER OATHS AND AFFIRMATIONS. AUTHORITY NO (b)(6), (b)(7)(C)

APHIS FORM 7162 (NOV 92)

Replaces VS Form 3-59G which is obsolete.

GOVERNMENT EXHIBIT 17

Page 2 of 2

APHIS FORM 7070 (MAR 95)



## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Ellen E. Kroc and I am currently employed with the USDA/APHIS Veterinary Services as an Animal Health Technician in Horse Transport, starting on Dec. 10, 2006. My home office is located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois, 62704, Ph.217-862-6689.

On February 5, 2007 I was working inspecting horses at Cavel International located in DeKalb, Illinois. A load of horses shipped by Mike McBarron from Conway, Arkansas and driven by Matt Childres & Mark Brockway, P.O. Box 171, Bogata, Tx, 903-715-0772 & 903-249-5933 arrived around 4:30p.m.

Before the driver's arrival, Mr. McBarron had called me to communicate that the driver would be arriving within 30 minutes. I inquired when the horses were loaded and Mr. McBarron stated around 4:30 the day before and then another load later. He also stated the paper work would be correct this time. I commented back that I will know for sure on this when the load arrived.

At this time Mr. (b)(6),(b)(7)(C) IES investigator, was present and witness to my phone conversation with Mr. McBarron. When the load arrived Mr. (b)(6),(b)(7)(C) assisted me and took photos. The 10-13 Owner Shipper form only indicated one load pickup. This was a first time of transporting horses for both drivers. I asked them to meet up with me to go over the regulations of the USDA Commercial Transport of Equines to Slaughter.

(b)(6),(b)(7)(C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois.  
On this 5<sup>th</sup> day of February, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.

(b)(6),(b)(7)(C)

(NOV 92) DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO: (b)(6),(b)(7)(C)



## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

It was brought to the attention of both drivers that the load arrived free of injuries but that there were questions and concerns about how many pickup locations for the horses and how long the horses may have been on the truck. At this point Mr. (b)(6),(b)(7)(C) presented the load issues and began questioning the drivers and explaining the matter of load pick-ups, time and paper work needed.

Both drivers indicated no understanding or awareness of the issues mentioned. Mr. (b)(6),(b)(7)(C) proceeded and asked the drivers to consent to a sworn affidavit and also communicated that if they chose not to that this was fine too. Each driver preferred to have an affidavit to make clear of their part and knowledge of the arranged pickups they had done.

(b)(6),(b)(7)(C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois.  
On this 5<sup>th</sup> day of February, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.

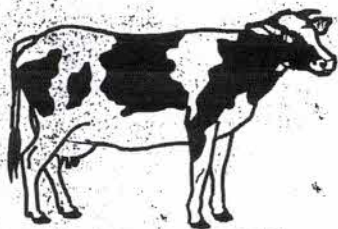
(b)(6),(b)(7)(C)

(NOV 94) DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO: (b)(6)





#001



# L & W FARMS

202 CR 3312

Annona, TX 75550

903-427-7265 or 903-517-1021

Destination From: Texarkana, TX  
Grossett, AR  
Clenwood, AR

To: DeKalb, IL

Start Mileage	End Mileage	Total Mileage	Number of Head
81668	82693	1,025	Tex. - 7 hd Gross. AR - 10 hd Clen. AR - 15 hd

32 Ad

Date: 2-4-07

Received by: Paul Bessly

Total Cost: \_\_\_\_\_

Comments:

(b) (6), (b) (7) (C)

Driver: Mark Chiles  
Mark Brock



Driver Name, Address And Phone Number	Trucking For Address And Phone Number	Plate# and State	Date Binder Issued	Signature
--	--	------------------	--------------------	-----------

Ellis Hogenmiller 417-235-3878 (H) 417-849-3143 (M)	21672 Hwy PP Pierce City Missouri	87-335 MO	2-4-07 Les Chandler	(b)(6), (b)(7)(C)

Mark Brockway Rt. 1 Box 170 Pattonville, Tx. (903) 249 5933 h&w Farms	W 61-709 TX. (903) 697-3669	2-5-07	(b)(6), (b)(7)(C)
---	--------------------------------	--------	-------------------

Matt Childres P.O. Box 171 Bogata, TX 75417 903-715-0772	Q + W Farms Anna, TX 903-697-3669	2-5-07	(b)(6), (b)(7)(C)
---	---	--------	-------------------

I have received the Commercial Transportation Of Equines to Slaughter Binder.  
I also agree to view the video tape provided with the binder and to abide by ALL  
Regulations pertaining to the Transportation of Equines to Slaughter.



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE

DATE

CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE

VEHICLE LICENSE NO. AND DRIVER'S NAME

NAME OF AUCTION/MARKET

CONSIGNOR (OWNER/SHIPPER) NAME

CONSIGNEE (RECEIVER/DESTINATION) NAME

STREET ADDRESS

STREET ADDRESS

CITY, STATE, ZIP CODE

CITY, STATE, ZIP CODE

AREA CODE & TELEPHONE NO.

AREA CODE & TELEPHONE NO.

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

☒ Pregnant mares are not likely to foal (give birth) during the trip.

☒ Horses are able to bear weight on all 4 limbs.

☒ Foals are older than 6 months of age.

☒ Horses are not blind in both eyes.

☒ Horses are able to walk unassisted.

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION					BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal		
✓ 1	USED	5101				✓				✓						✓	
✓ 2		5102					✓			✓					✓		
✓ 3		5103	✓							✓					✓		
✓ 4		5104					✓			✓					✓		
✓ 5		5105	✓							✓					✓		
✓ 6		5106					✓			✓					✓		
✓ 7		5107	✓							✓							✓
✓ 8		5108				✓				✓							✓
✓ 9		5109					✓			✓					✓		
✓ 10		5110	✓							✓					✓		
✓ 11		5111	✓							✓							✓
12		5112					✓			✓							✓
✓ 13		5113	✓							✓							✓
✓ 14		5114	✓							✓					✓		
15		5115					✓			✓					✓		one eye repair off on h. 2/29

HORSES HAVE HAD ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY BEFORE LOADING

SIGNATURE

(b) (6), (b) (7) (C)

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA OR DGIF TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE OF OWNER/SHIPPER (I certify that the information contained in this form is true and correct to the best of my knowledge)

(b) (6), (b) (7) (C)

CANADIAN FOOD INSPECTION AGENCY (CFIA)

EST.

DATE

TIME

DIRECCION GENERAL DE INSPECCION  
FRONTERAS (DGIF)

EST.

DATE

TIME

GOVERNMENT  
EXHIBIT

21

Page 1 of 2  
APHIS FORM 7070 (MAR 95)



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY  
(CONTINUATION SHEET)**  
*(Please type or print in ink)*

[illegible]

Signature	Information contained in this form is true and correct to the best of my knowledge.)
-----------	--

(b) (6), (b) (7) (C)

Page 2 of 2

APHIS FORM 7070 (MAR 95)



Lot Sheet : 2070220

Vendor : McBarron, Mike

Date : 02.12.07

Tag	LWT	LG	Descr	Yard	YWGT	S	Died	Cond
3864	911	BO	SOR	5112		M		
3865	1.029	BO	PAIN	5130		G		
3866	866	BO	BAY	5126		G		
3867	934	BO	BAY	5113		G		
3868	943	BO	BAY	5114		M		
3869	803	BO	SOR	5131		M		
3870	796	BO	BAY	5132		M		
3871	774	BO	PAIN	5128		M		
3872	779	BO	GREY	5128		M		
3873	875	BO	BAY	5129		M		
3874	1.082	BO	SOR	5119		G		
3875	1.007	BO	BAY	5117		M		
3876	1.162	BO	SOR	5118		G		
3877	754	BO	ROAN	5121		G		
3878	826	BO	SOR	5124		G		
3879	909	BO	PAIN	5122		M		
3880	1.062	BO	SOR	5123		M		
3881	801	BO	BAY	5120		M		
3882	1.052	BO	SOR	5125		M		
3883	1.095	BO	BAY	5116		M		
3884	862	BO	SOR	5154		M		
3885	777	BO	PAIN	5101		M		
3886	955	BO	SOR	5106		M		
3887	1.149	CA	BLK	5110		M		
3888	818	BO	BLK	5103		M		
3889	1.038	BO	BAY	5111		M		
3890	783	BO	PAIN	5108		G		
3891	801	BO	SOR	5102		M		
3892	879	BO	BAY	5107		M		
3893	854	BO	BAY	5105		M		
3894	965	BO	SOR	5109		M		

S 31 28.341  
Avg 914



THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS	
DATE	AMOUNT
2/2/07	11,779.00
LOT#	
2075220	
31 head	
#386423894	



**Cavel International Inc.**

HORSE BUYING ACCOUNT Ph. 815-756-8051  
108 Harvestore Dr. • DeKalb, IL 60115-8604

25307

70-2406-719

PAY  
TO THE  
ORDER OF

Mike McBarron

DATE 2/2/07

THE SUM OF ELEVEN THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS

\$ 11,779.00

DOLLARS

Security Features  
Included  
Printed on Back

**AMERICAN NATIONAL BANK**  
of DeKalb County

815-756-1444  
1985 DeKalb Avenue Sycamore, IL 60178  
124 S. Main Street Sycamore, IL 60178  
913 S. Fourth Street DeKalb, IL 60115

(b) (6), (b) (7) (C)

⑈025307⑈ ⑆071924063⑆ ⑈0001008895⑈

GOVERNMENT  
EXHIBIT

23

Page 1 of 1

APHIS FORM 7070 (MAR 95)

## AFFIDAVIT

Page 1

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b) (6), (b) (7) (C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Ellen E. Kroc and I am currently employed with the USDA/APHIS Veterinary Services as an Animal Health Technician in Horse Transport, starting on Dec. 10, 2006. My home office is located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois, 62704, Ph.217-862-6689.

On February 12, 2007 I was working inspecting horses at Cavel International located in DeKalb, Illinois. A load of horses shipped by Mike McBarron from Conway, Arkansas and driven by Jason Weemes, L&W Farms, Annona TX, License Plate R8R J50, Texas, 903-427-7265.

The load arrived around 9 am this morning. All horses were standing at this time. Within an hour and half a horse went down on the trailer. Mr. Weemes had not noticed this. I informed him and had him move his truck ahead to get his horse unloaded. As unloading began, the down horse, Back Tag, USCD 5115 was laid out on its right lateral side and had no desire to move. Mr. Weemes attempted to assist the horse to trying to get up as provided photos show. The horse was in a weakened state and very emaciated. The horse was put down (euthanized) on the trailer by Cavel plant employee using a captive bolt.

Other horses on this particular load were of a thin condition too, as photos provided will show, but not as extreme as BT USCD 5115. In my observations of the trailer other stressors can be contributors to this animal going down. The Trailer had no extra bedding on the floor and had opened panels which allowed colder air exposure to the horses. Temperatures were in the mid 20's this day and considerably colder from where the animals had departed from.

(b) (6), (b) (7) (C)

Subscribed and sworn to before me at Cavel International in Dekalb,  
On this 12th day of April, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.

(b) (6), (b) (7) (C)

(NOV 9 2006) U.S. DEPT. OF AGRICULTURE  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO. (b) (6), (b) (7) (C)



## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b) (6), (b) (7) (C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

In my opinion this horse was not in good body condition for transport. Mr. Weemes just stated he had no part in loading the horses.

A Cavel Lot sheet with the down horse Back Tag is provided along with documentation of Mr. Weemes date of issued binder of the Transport of Equines to Slaughter.

(b) (6), (b) (7) (C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois  
On this 12th day of April, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.

(b) (6), (b) (7) (C)

(NOV 22) DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO (b) (6), (b) (7) (C)





**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**

(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE

DATE

CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE

VEHICLE LICENSE NO. AND DRIVER'S NAME

NAME OF AUCTION/MARKET

CONSIGNOR (OWNER/SHIPPER) NAME

CONSIGNEE (RECEIVER/DESTINATION) NAME

STREET ADDRESS

STREET ADDRESS

CITY, STATE, ZIP CODE

CITY, STATE, ZIP CODE

AREA CODE & TELEPHONE NO.

AREA CODE & TELEPHONE NO.

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

☒ Pregnant mares are not likely to foal (give birth) during the trip.

☒ Horses are able to bear weight on all 4 limbs.

☒ Foals are older than 6 months of age.

☒ Horses are not blind in both eyes.

☒ Horses are able to walk unassisted.

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
1	USCD	5028					✓			✓						✓		lame
✓ 2		5029					✓			✓						✓		Big Front ankles
3		5030					✓			✓				✓				
4		5031	✓							✓						✓		lame
✓ 5		5032					✓			✓						✓		lame
6		5033					✓			✓				✓				hip off cut off L. eye
7		5034					✓			✓						✓		scars on front legs
8		5035	✓							✓				✓				Large R.H. leg R. ear flopped
9		5036			✓					✓						✓		
10		5037	✓							✓						✓		
11		5038					✓			✓						✓		
12		5039					✓			✓						✓		
13		5040					✓			✓						✓		
14		5041					✓			✓				✓				
15		5042				✓				✓				✓				

HORSES HAVE ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY PRIOR TO LOADING

SIGNATURE

(b) (6), (b) (7) (C)

I HEREBY AUTHORIZE THE SIGNATURE OF THE PERSON WHO HAS COMPLETED THIS FORM AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA OR DGIF TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE  
the best of

(b) (6), (b) (7) (C)

CANADIAN FOOD INSPECTION AGENCY (CFIA)

EST.

DATE

TIME

DIRECCION GENERAL DE  
FRONTERAS (DGIF)

EST.

DATE

TIME

GOVERNMENT  
EXHIBIT

25

Page 1 of 2

APHIS FORM 7070 (MAR 95)



According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

# OWNER/SHIPPER CERTIFICATE FITNESS TO TRAVEL TO A SLAUGHTER FACILITY (CONTINUATION SHEET)

(Please type or print in ink)

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include precondition
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
16	USCD	5048			✓					✓				✓				
17		1151		✓						✓				✓				
18		1152		✓						✓				✓				
19		1153						✓		✓				✓				
20		1154		✓						✓				✓				
21		1155		✓						✓				✓				
22		1156						✓		✓				✓				
23		1157						✓		✓				✓				
24		1158						✓		✓						✓		
25		1159						✓		✓				✓				
26		1160						✓		✓				✓				
27		1161		✓						✓						✓		
28		1162						✓		✓				✓				
29		1163						✓		✓				✓				
30		1164		✓						✓						✓		
31		1165						✓		✓						✓		
32		1166		✓						✓						✓		
33																		
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41																		
42																		
43																		
44																		
45																		

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE  
OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE  
THAN \$500,000 OR BOTH (18 U.S.C. SECTION 1001).

The information contained in this form is true and correct to the best of my knowledge.)

(b) (6), (b) (7) (C)

GOVERNMENT  
EXHIBIT

25

Page 2 of 2

APHIS FORM 7070 (MAR 95)

Cavel International, Inc.

Lot Sheet : 2070274

Vendor : McBarron, Mike

Date : 02.21.07

Tag	LWT	LG	Descr	Yard	YWGT	S	Died	Cond
5384	1.024	BO	SOR	5029		M		
5385	951	BO	SOR	5032		M		
5386	836	BO	SOR	5041		G		
5387	838	BO	PAIN	0		M		
5388	1.071	BO	BAY	5031		G		
5389	667	BO	SOR	5030		G		
5390	1.042	BO	SOR	5039		G		
5391	794	BO	SOR	5033		G		
5392	926	BO	SOR	5038		G		
5393	948	BO	SOR	5028		G		
5394	522	BC	SOR	1166		M		
5395	863	BO	PAIN	1162		M		
5396	903	BO	SOR	5040		M		
5397	1.017	BO	BAY	0		M		
5398	775	BO	BLK	0		G		
5399	866	BO	SOR	1165		M		
5400	956	BO	BAY	5035		M		
5401	804	BO	SOR	0		G		
5402	634	BC	BAY	1164		G		
5403	947	BO	BLK	1163		M		
5404	1.010	BO	SOR	0		M		
5405	1.115	BO	SOR	1157		M		
5406	998	BO	GREY	1151		M		
5407	1.182	CA	BAY	1153		M		
5408	746	QC	GREY	1161		G		
5409	1.057	BO	SOR	5036		G		
5410	1.063	BO	GREY	1155		M		
5411	756	QC	SOR	1158		M		
5412	1.009	BO	SOR	1159		M		
5413	897	BO	SOR	0		M		
5414	1.190	CA	SOR	1156		M		
5415	963	BO	DUN	1152		M		

S 32 29.370  
Avg 918



THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS	
DATE	AMOUNT
2/21/07	12 632 90
LOT #	
2815 214	
32 head	
\$5389.5415	



Cavel International Inc.

HORSE BUYING ACCOUNT Ph. 815-756-8051  
108 Harvestore Dr. • DeKalb, IL 60115-8604

25373

70-2406-719

DATE

2/21/07

PAY  
TO THE  
ORDER OF

Mike McBarron

\$ 12,632.90

THE SUM OF TWELVE THOUSAND SIX HUNDRED THIRTY TWO AND 90/100 DOLLARS

DOLLARS

AMERICAN NATIONAL BANK  
815-756-1444 of DeKalb County

1985 DeKalb Avenue Sycamore, IL 60178  
124 S. Main Street Sycamore, IL 60178  
913 S. Fourth Street DeKalb, IL 60115

(b)(6), (b)(7)(C)

⑈025373⑈ ⑆071924063⑆ ⑈0001008675⑈

GOVERNMENT  
EXHIBIT

27

Page 1 of 1

APHIS FORM 7070 (MAR 95)



## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b) (6), (b) (7) (C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Ellen E. Kroc and I am currently employed with the USDA/APHIS Veterinary Services as an Animal Health Technician in Horse Transport, starting on Dec. 10, 2006. My home office is located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois, 62704, Ph.217-862-6689.

On February 21, 2007 I was working inspecting horses at Cavel International located in DeKalb, Illinois. A load of horses shipped by Mike McBarron from Conway, Arkansas and driven by Jason Weemes, L&W Farms, Annona TX, License Plate R8R J50, Texas, 903-427-7265 had arrived.

Initially noticed was the missing load time of the horses on the conveyance. I inquired with Mr. Weemes and he thought it was around 8 or 9 p.m.

This load had no injuries but a certain horse stood out within this group of horses. A dark Bay horse USDA Back Tag, USCD 5036, with a long mane and wild look. The horse was not cooperative while being weighed on the scale which made it difficult to look closer at its sex. Overall, the horses' body characteristics and its uncooperative behavior and temperament stood out. I also noticed that most of the horses from this compartment load of the trailer were mares. Two younger horses were included in the group and characterized novice in their behavior. Both of these horses were stated as geldings on the 10-13 form, as was the USDA Back Tag 5036. I have read the above statement and it is true and correct to the best of my knowledge.

(b) (6), (b) (7) (C)

SUBSCRIBED AND SWORN TO before me at Cavel International in Dekalb, Illinois

On this 12th day of April, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete

(b) (6), (b) (7) (C)

(NOT TO BE USED FOR OATHS TO 7 U.S.C. 2217 TO ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS, AUTHORITY NO. (b) (6), (b) (7) (C)



## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b) (6), (b) (7) (C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

While observing the horses in the pen I could not help to notice how horse 5036 would try to attempt to get closer with the mares. The mares would snort, kick out and throw their heads to bite. They did not want any par-taking with Back tag 5036.

I asked Dr. Davis to look at Back tag 5036 in the pen. He too felt suspicious of the sex of this horse also. It was apparent from my own check sheet provided, and to that of the Cavel lot sheet that this horse was loaded mainly among mares.

There are no stud gates on this trailer and it contains 3 gates for 3 separate compartments. It is more of a cattle trailer size and style than to that of a standard straight trailer used for hauling horses.

Dr. Davis followed Back Tag USCD 5036 thru the slaughter line and found that the horse was a stallion. An affidavit is provided from Dr. Davis and his findings. Photos are provided of the horse and testicle findings provided by Dr. Davis.

(b) (6), (b) (7) (C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois  
On this 12th day of April, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete

(b) (6), (b) (7) (C)

(NOV 92) DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO. (b) (6),  
(b) (7) (C)



## AFFIDAVIT

I, Larry A. Davis, being duly sworn on oath make the following statement: to (b) (6), (b) (7) (C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services..

My name is Larry A. Davis and I am currently employed with the USDA Food Safety Inspection Service as a Public Health Veterinarian starting on Oct. 12, 2005. I am a relief Public Health Veterinarian, whose duty station is Beardstown, IL. I am currently assigned as Inspector In Charge at plant #15849 E, Cavel International Inc., located at 108 Harvestore Drive; Dekalb, Illinois 60115; phone 815-758-6061.

On February 21, 2007 I was conducting ante mortem inspection on the horses as they entered the barn. Ellen Kroc, USDA APHIS Animal Health Technician, was inspecting horses that day at Cavel International in Dekalb, Illinois. The last load for the day had a male horse (stallion) with USDA backtag number USCD 5036 that was co-mingled with the other horses on the load, which acted very suspicious as being an uncastrated male stud. The shipper of the load was Mike McBarron from Hamburg, Arkansas. The horse was too wild to exam on ante-mortem for testicles. I followed the carcass through on post mortem exam and found the horse to have a right testicle. No left testicle was present. I aged the horse (stallion) as being over two years old.

(b) (6), (b) (7) (C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International, Dekalb, Illinois  
On this 21st day of February 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.  
(NOV 92)

DES  
ADMINISTER

(b) (6), (b) (7) (C)





# INTERVIEW LOG

## USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)  
CONTACTED:

(b) (6), (b) (7) (C)

DATE:

4/22/08

TYPE OF INTERVIEW (BY PHONE OR IN  
PERSON): **In Person**

ORGANIZATION:  
**Transportation**

TELEPHONE NUMBER:

(b) (6), (b) (7) (C)

SUBJECT:

**Transportation of slaughter horses for Mike McBarron**

LOCATION OF INTERVIEW:  
**USDA/APHIS**

SUMMARY:

**Bauman spoke with**

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C)

(b) (6), (b) (7) (C) stated that they were still in business together when they were hauling horses to slaughter. (b) (6), (b) (7) (C) stated that it was Wesley Minter, (b) (6), (b) (7) (C) who made the arrangements for transporting the horses to slaughter for Mike McBarron. (b) (6), (b) (7) (C) stated that I should contact Mr. Minter at his phone number (903-517-1021).

NAME OF PERSON DOCUMENTING  
INTERVIEW:

(b) (6), (b) (7) (C)

**Investigator**

SIGNATURE

(b) (6), (b) (7) (C)

DATE: 4/22/08

GOVERNMENT  
EXHIBIT

30

Page 1 of 1  
APHIS FORM 7070 (MAR 95)



# INTERVIEW LOG

## USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)  
CONTACTED:  
Wesley Minter  
Dba L&W Farms  
202 CR 3312  
Annona, TX 75550

DATE:  
4/22/08

TYPE OF INTERVIEW (BY PHONE OR IN  
PERSON): In Person

ORGANIZATION:  
Transportation

TELEPHONE NUMBER:  
903-427-7265

SUBJECT:  
Transportation of slaughter horses for Mike McBarron

LOCATION OF INTERVIEW:  
USDA/APHIS

### SUMMARY:

Bauman spoke today with Wesley Minter, who stated that he had been in business in the past with Lee Garrison in L&W Farms. They dissolved their business relationship approximately 3 to 4 months ago.

Mr. Minter stated that Mike McBarron had contacted him about transporting horses to slaughter. L&W Farms hauled 3 or 4 loads to slaughter for Mike McBarron in the early part of 2007.

Mr. Minter stated that they quit hauling horses to slaughter for Mike McBarron because McBarron was slow in paying them. Mike McBarron usually wrote them a check for the transportation. Mr. Minter stated that Mike McBarron would want them to pick up horses at different places all over the state, and this would make it hard for them to get to the slaughter plant, Cavel International, in DeKalb Illinois, on time.

Mr. Minter further stated that after the first load of horses that his drivers had hauled to slaughter, they were given books concerning the transportation regulations for horses to slaughter. Mr. Minter read over the book and installed 2 stud gates in the trailer to individually transport stallions separately, as the Code of Federal Regulations stated.

Mr. Minter stated that they sold the trailer that he had altered to haul the stallions to Mike McBarron. Mr. Minter stated that they were not aware of any rules or regulations on hauling horses to slaughter when they first started, and that Mike McBarron did not inform them of any such rules or regulations.

NAME OF PERSON DOCUMENTING  
INTERVIEW:

Joseph Bauman , Investigator

SIGNATURE:

*Joseph W. Bauman*

DATE: 4/22/08

GOVERNMENT  
EXHIBIT

31

Page 1 of 1

APHIS FORM 7070 (MAR 95)



**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**  
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

TIME HORSES LOADED ON CONVEYANCE

DATE

CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE

VEHICLE LICENSE NO. AND DRIVER'S NAME

NAME OF AUCTION MARKET

CONSIGNOR (OWNER/SHIPPER) NAME

CONSIGNEE (RECEIVER/DESTINATION) NAME

STREET ADDRESS

STREET ADDRESS

CITY, STATE, ZIP CODE

CITY, STATE, ZIP CODE

AREA CODE & TELEPHONE NO.

AREA CODE & TELEPHONE NO.

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

☒ Pregnant mares are not likely to foal (give birth) during the trip.

☒ Horses are able to bear weight on all 4 limbs.

☒ Foals are older than 6 months of age.

☒ Horses are not blind in both eyes.

☒ Horses are able to walk unassisted.

TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions
		Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
1	USCD 5201																
2	5202																
3	5203																
4	5204																
5	5205																
6	5206																
7	5207																
8	5208																
9	5209																
10	5210																
11	5211																
12	5212																
13	5213																
14	5214																
15	5215																

HORSES HAVE HAD ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY BEFORE LOADING INTO CONVEYANCE

SIGNATURE

(b) (6), (b) (7) (C)

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA OR DGIF TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE OF  
the best of my knowledge

(b) (6), (b) (7) (C)

CANADIAN FOOD INSPECTION AGENCY (CFIA)

EST.

DATE

TIME

DIRECCION GENERAL  
FRONTERAS (DGIF)

EST.

DATE

TIME

GOVERNMENT  
EXHIBIT

32

Page 1 of 2

APHIS FORM 7070 (MAR 99)



According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM  
APPROVED  
OMB NO.  
0579-0160

**OWNER/SHIPPER CERTIFICATE  
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY  
(CONTINUATION SHEET)**  
(Please type or print in ink)

TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include precondition
		Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
✓	16	USCD	5216				✓						✓				
✓	17		5217	✓									✓				
	18		5218	✓												✓	
✓	19		5219				✓						✓				
✓	20		5220				✓						✓				
✓	21		5221	✓												✓	
✓	22		5222					✓								✓	
✓	23		5223				✓									✓	
✓	24		5224				✓						✓			✓	
✓	25		5225	✓												✓	
✓	26		5226													✓	
✓	27		5227				✓									✓	
✓	28		5228				✓									✓	
✓	29		5229				✓						✓			✓	
✓	30		5230				✓									✓	
✓	31		5231	✓												✓	
✓	32		5232	✓												✓	
✓	33		5233	✓			✓									✓	
✓	34		5222													✓	
✓	35																
✓	36																
✓	37																
✓	38																
✓	39																
✓	40																
✓	41																
✓	42																
✓	43																
✓	44																
✓	45																

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE U.S. DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICE, AND TO ANY OTHER AGENCY OR PERSON TO WHOM THE INFORMATION IS RELEVANT. THE USE OF THIS FORM OR KNOWINGLY USING A FALSIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$500,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE OF OWNER/SHIPPER

(b) (6), (b) (7) (C)

I certify that the information in this form is true and correct to the best of my knowledge.)

GOVERNMENT  
EXHIBIT  
32

Page 2 of 2  
APHIS FORM 7070 (MAR 95)

Cavel International, Inc.

Lot Sheet : 2070293

Vendor : McBarron, Mike

Date : 02.26.07

Truck Costs :

Other Costs :

Commission :

Tag	LWT	PPP	Value	TPPP	Tot Val	LG	Descr	Yard	YwGT	S	PPG	TPG	HWT	Yield	Died	Cond
5911	1.015					BO	BAY	1		G						
5912	872					BO	ROUN	2		M						
5913	881					BO	GREY	5225		G						
5914	969					BO	SO	5224		M						
5915	1.014					BO	SO	5219		M						
5916	1.162					BO	PAIN	5222		G						
5917	895					BO	BAY	5217		M						
5918	873					BO	SO	5216		M						
5919	906					BO	BAY	5221		G						
5920	965					BO	WHT	5215		G						
5921	969					BO	SO	3		G						
5922	648					BO	SO	5205		M						
5923	818					BO	BAY	5203		G						
5924	698					BO	WHT	5206		M						
5925	754					BO	WHT	5207		M						
5926	926					BO	BAY	5212		M						
5927	865					BO	WHT	5209		G						
5928	919					BO	SO	5211		M						
5929	1.203					CA	BAY	5210		M						
5930	871					BO	BAY	5226		G						
5931	919					BO	BAY	5220		M						
5932	618					BO	SO	5204		M						
5933	710					BO	SO	5229		M						
5934	1.006					BO	SO	5201		M						
5935	689					BO	BAY	5202		M						
5936	876					BO	BAY	5214		G						
5937	821					BO	BAY	5235		M						
5938	863					BO	BAY	5231		M						
5939	992					BO	SO	5230		M						
5940	938					BO	BAY	5233		M						
5941	659					BO	SO	5227		G						
5942	1.089					BO	BAY	5232		M						
5943	784					BO	BAY	5234		M						
5944	639					BO	BAY	5208		M						

Total costs per pound :

S 34 29.826  
Avg 877

Load  
Diff 29.826

GOVERNMENT  
EXHIBIT

33

Page 1 of 1

APHIS FORM 7070 (MAR 95)



THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS	
DATE	AMOUNT
2/26/07	12 288 25
LOT #	
2070 293	
24 head	
59 11	5944



**Cavel International Inc.**

HORSE BUYING ACCOUNT Ph. 815-756-8051  
108 Harvestore Dr. • DeKalb, IL 60115-8604

PAY  
TO THE  
ORDER OF

Mike McBarron

DATE

2/26/07

70-2406-719

\$12,288.25

THE SUM OF TWELVE THOUSAND TWO HUNDRED EIGHTY EIGHT AND 25/100 DOLLARS

DOLLARS

MP

**AMERICAN NATIONAL BANK**  
of DeKalb County  
815-756-1444  
1985 DeKalb Avenue Sycamore, IL 60178  
124 S. Main Street Sycamore, IL 60178  
913 S. Fourth Street DeKalb, IL 60115

⑈025396⑈ ⑆071924063⑆ ⑈0001008895⑈

GOVERNMENT  
EXHIBIT  
34  
Page 1 of 1  
APHIS FORM 7070 (MAR 95)

## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b) (6), (b) (7) (C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Ellen E. Kroc and I am currently employed with the USDA/APHIS Veterinary Services as an Animal Health Technician in Horse Transport, starting on Dec. 10, 2006. My home office is located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois, 62704, Ph.217-862-6689.

On February 26, 2007 I was working inspecting horses at Cavel International located in DeKalb, Illinois. A load of horses shipped by Mike McBarron from Conway, Arkansas and driven by Jason Weemes, L&W Farms, Annona TX, License Plate R8R J50, Texas, 903-427-7265 had arrived.

The horses were already in the process of being unloaded. On my initial inspection it was noticed that the date was missing on the VS Form 10-13. After looking closer at the form it was also noticed that Mr. McBarron had indicated 4 horses to be stallions on the load. There were still no stud gates on the trailer at this time. I indicated the importance of this to the driver and he agreed. He also stated he had no involvement with the loading of the horses.

The driver also indicated to me that he was not sure if USDA back tag 5228 was on the form or if there were 33 or 34 horses. We looked at it together and found that a lightly written USDA back tag 5228 was put on the form in line 34 but also noticed that it was already on the form. I stated that this would be redundant and we could cross off.

(b) (6), (b) (7) (C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois  
On this 12<sup>th</sup> day of April, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.

(b) (6), (b) (7) (C)

GOVERNMENT  
EXHIBIT

35

Page 1 of 2

APHIS FORM 7070 (MAR 05)

(Notary Public for the State of Illinois, No. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS,  
AUTHORITY NO. (b) (6), (b) (7) (C)

## AFFIDAVIT

I, Ellen E. Kroc, being duly sworn on oath make the following statement: to (b) (6), (b) (7) (C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

One horse stood out in the load to show stallion characteristics. Photos were taken of the horse USDA back tag USCE 5214 in the pen. It had mounted other horses in the pen but did not have any other misbehaving temperament. This horse was of a dark bay/black color. The scale area does not provide good lighting and the horse was of a smaller stature. The load had been unloaded and weighed by another caval employee than by the regular caval barn manager

My communication to (b) (6), (b) (7) (C) got crossed and he was not able to observe the horse on the slaughter line. Testicles though were found and seen by both of us on the kill floor. The kill floor was cleaned previous to this load being slaughtered. I attest that all four horses were stallions older than 12 months of age. I determined this by there body mass, stature and behavior characteristics.

Also found with this load were two horses with USDA back tags that were not included on the VS 10-13 form; USCD 5234 and USCD 5235. One horse, USDA back tag USCD 5235 was not of good behavior and not easy to validate sex to be a mare as caval employee stated on lot sheet provided. USDA back tag USCD 5235 was black in color, and USDA back tag 5234 was Sorrel as photos provided show tags and colors. The final load number ended up being 34 with neither of these horses USDA back tag's being sited on the 10-13 form.

In further inspection USDA back tag USCD 5203, had a noticeable head injury with blood draining off from the poll of the head. There were no pre-existing conditions listed for this horse on the VS Form 10-13. Photos are provided to show injury. I have read the above statement it is true and correct to the best of my knowledge.

(b) (6), (b) (7) (C)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois  
On this 12<sup>th</sup> day of April, 2007.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.

(b) (6), (b) (7) (C)

(NOV 92) DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND INFORMATION,  
AUTHORITY NO: (b) (6),  
(b) (7)





# INTERVIEW LOG

## USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)  
CONTACTED:

(b) (6), (b) (7) (C)

DATE:

07/12/2007

TYPE OF INTERVIEW (BY PHONE OR IN  
PERSON):

By Phone

ORGANIZATION:

(b) (6), (b) (7) (C)

TELEPHONE NUMBER:

(b) (6), (b) (7) (C)

SUBJECT:

Additional Information for IL07071-VS

LOCATION OF INTERVIEW:

BY cell phone from (b) (6), (b) (7) (C)

(b) (6),

### SUMMARY:

On July 12, 2007 at 7:00 AM, I received a call from (b) (6), (b) (6), (b) (6), (b) (7) (C) agreed to talk to me over the phone from (b) (6), (b) (7) (C) He stated the following:

(b) (6), (b) (7) (C)

NAME OF PERSON DOCUMENTING  
INTERVIEW:

(b) (6), (b) (7) (C)

Investigator

SIGNATURE:

(b) (6), (b) (7) (C)

DATE:

07/12/2007





LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY  
BOB ODOM, COMMISSIONER

Livestock Brand Commission, P.O. Box 1951, Baton Rouge, LA 70821-1951, (225) 925-3962, FAX (225) 925-4103



HORSE CHECK-IN

NAME  
First two letters of last  
ADDRESS

(b)(6), (b)(7)(C)

BARN CODE

DL DATE 01 24 2007

CITY

maurice

LIC#

Inspector Initials

2

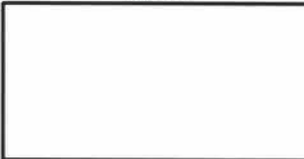
MAKE YOUR NUMBERS & LETTERS EXACTLY LIKE THESE EXAMPLES USE CAPITAL LETTERS ONLY

1 2 3 4 5 6 7 8 9 0 A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

BARN BACK TAG	MICROCHIP	ACCESSION NUMBER / LAB / STATE	DATE OF EIA TEST	BREED	SEX
161				TB	F

TATTOO	SECOND MICROCHIP
MO 26	

BRAND



SELECT THE PROPER MARKINGS

☐ (a) BAY: body color ranging from tan, through red to reddish brown; mane and tail black - usually black on lower legs.

☐ (b) BLACK: body color true black without light areas; mane and tail black.

☐ (c) BROWN: body color brown or black with light areas at muzzle, eyes, flank and inside upper legs; mane and tail black.

☐ (d) SORREL: body color reddish or copper red; mane and tail usually same color as body, but may be flaxen.

☐ (e) CHESTNUT: body color dark red or brownish red; mane and tail usually dark red or brownish red, but may be flaxen.

☐ (f) DUN: body color yellowish or gold; mane and tail are black or brown; has dorsal stripe and usually zebra stripes on legs, and transverse stripe over withers.

☐ (g) RED DUN: a form of dun with body color yellowish or flesh colored, mane and tail are red or reddish, flaxen, white or mixed; has red or reddish dorsal stripe and usually red or reddish zebra stripes on legs and transverse stripe over withers.

☐ (h) GRULLO: body color smoky or mouse-colored (not a mixture of black and white hairs, but each hair mouse-colored); mane and tail black; usually has black dorsal stripe and black on lower legs.

☐ (i) BUCKSKIN: body color yellowish or gold; mane and tail black; black on lower legs; buckskins do not have dorsal stripes.

☐ (j) PALOMINO: body color a golden yellow; mane and tail white; palominos do not have dorsal stripes.

☒ (k) GRAY: mixture of white with any other colored hairs; often born solid-colored or almost solid-colored and gets lighter with age as more white hairs appear.

☐ (l) RED ROAN: more or less uniform mixture of white with red hairs on a large portion of the body, but usually darker on head and lower legs; can have red, black or flaxen mane and/or tail.

☐ (m) BLUE ROAN: more or less uniform mixture of white with black hairs over a large portion of the body, but usually darker on head and lower legs; can have a few red hairs in mixture.

☐ (n) OTHER:

- ☐ Star
- ☐ Snip
- ☐ Strip
- ☒ Star and Strip
- ☐ Bald Face
- ☐ Disconnected Star, Strip and Snip
- ☐ Blaze
- ☐ Star, Strip and Snip

Right Front

- ☐ Comet
- ☐ Half Pastern
- ☐ Pastern
- ☐ Sock
- ☐ Stocking

Left Front

- ☐ Comet
- ☐ Half Pastern
- ☐ Pastern
- ☐ Sock
- ☐ Stocking

Right Rear

- ☐ Comet
- ☐ Half Pastern
- ☐ Pastern
- ☐ Sock
- ☐ Stocking

Left Rear

- ☐ Comet
- ☐ Half Pastern
- ☐ Pastern
- ☐ Sock
- ☐ Stocking

AHS-21-39 (3/05)





United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing & Regulatory  
Programs Business  
Services

Investigative &  
Enforcement Services

2150 Centre Avenue  
Bldg B-3W10  
Ft. Collins, CO 80526

PH# (970) 494-7485  
Fax# (970) 494-7487

# Memorandum

TO

(b) (6), (b) (7) (C)

FROM

(b) (6), (b) (7) (C)

DATE: 11/29/07

SUBJECT: IL07071-VS

I am returning what I could get for the subject case. I apologize for the delay but I have ran into numerous unexpected obstacles. I have very limited information to provide, but it is all that is available.

I had two appointments to interview Mr. McBarron, the first I had to cancel (b) (6), (b) (7) (C) (b) (6), (b) (7) (C) the second I arrived at McBarron's residence twenty minutes before the scheduled meeting, he was not home. His mother saw me at his residence and she and I tried to reach him on his cell phone and he did not answer. I stayed in the area most of the day but he did not return home and has never responded to my voice message on his cell phone. I also looked for him at markets on several occasions. It is my understanding that he has recently moved back to Texas. He has not been seen at an Arkansas market for several months.

I contacted Lewis Livestock, Conway, AR and they had no records of purchases for McBarron in January or February, and he has not been at that sale since April. Lewis Livestock did state that in the past McBarron had used their facility to bunch and load horses.

There is no sale at Bastrop, LA, however local horse traders have used the old pens there in the past to hold and load horses.





I have enclosed the following documents:

Recap from J and J Livestock, Texarkana, TX which shows no purchases by McBarron between 1/01/07 and 2/15/07.

Buyers invoices from Mena, Livestock, Mena, AR, dated 2/2/07.

Buyers Invoices from Arkansas Equine Sales, Glenwood, AR, dated 2/3/07.

~~If you have any questions, please call.~~

(b)(6), (b)(7)(C)



*Safeguarding American Agriculture*  
APHIS is an agency of USDA's Marketing and Regulatory Program  
An Equal Opportunity Provider and Employer







GOVERNMENT  
EXHIBIT  
39  
Page 1 of 5  
APHIS FORM 7070 (MAR 95)





GOVERNMENT  
EXHIBIT  
39  
Page 25 of 5  
APHIS FORM 7070 (MAR 99)





GOVERNMENT  
EXHIBIT  
39  
Page 3 of 5  
APHIS FORM 7070 (MAR 95)







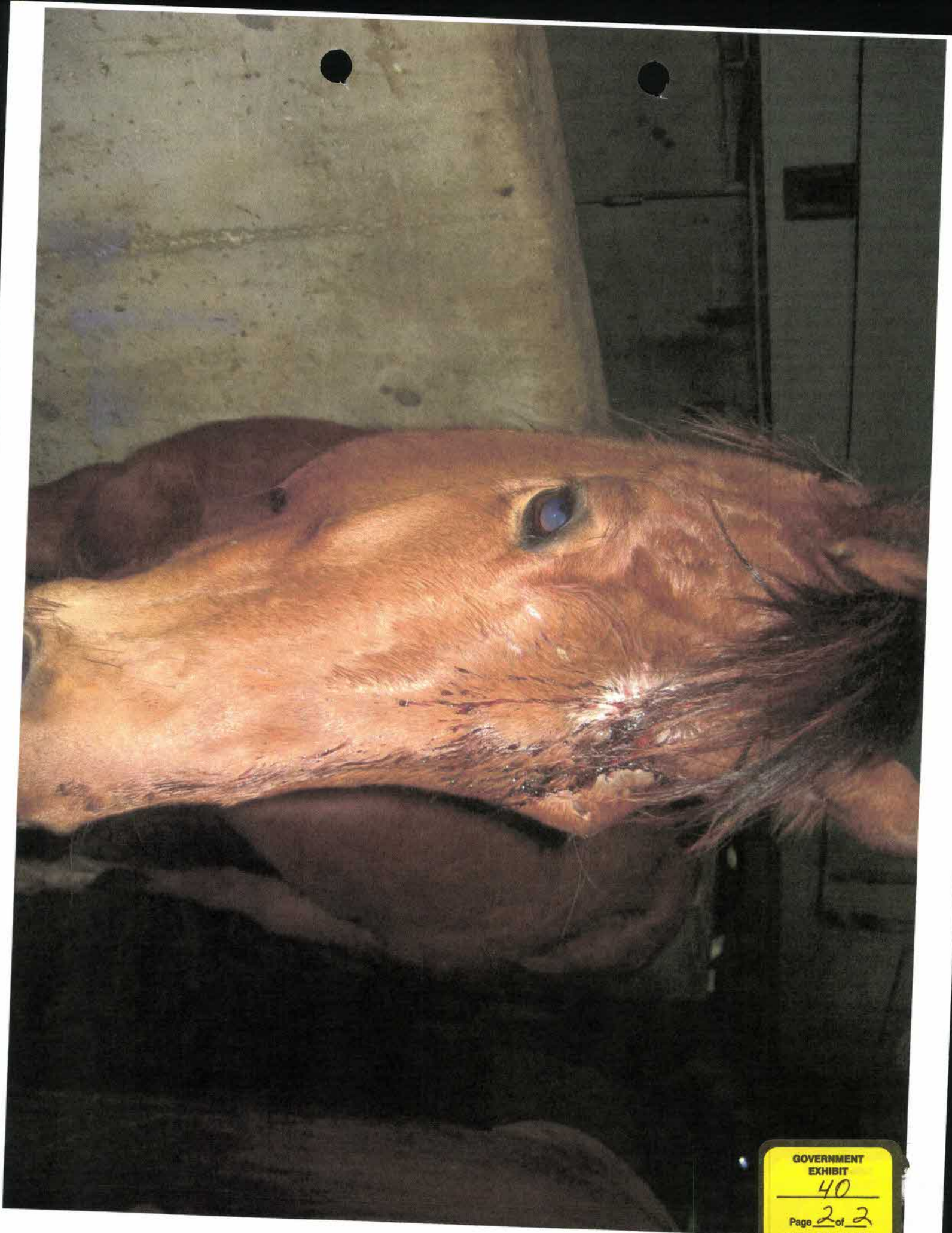


GOVERNMENT  
EXHIBIT  
39  
Page 5 of 5  
APHIS FORM 7070 (MAR 96)









GOVERNMENT  
EXHIBIT  
40  
Page 2 of 2  
APHIS FORM 7070 (MAR 95)



Lot Sheet : 2070293

Vendor : McBarron, Mike

Date : 02.26.07

Tag	LWT	LG	Descr	Yard	YWGT	S	Died	Cond
5911	1.015	BO	BAY	1		G		
5912	872	BO	ROUN	2		M		
5913	881	BO	GREY	5225		G		
5914	969	BO	SO	5224		M		
5915	1.014	BO	SO	5219		M		
5916	1.162	BO	PAIN	5222		G		
5917	895	BO	BAY	5217		M		
5918	873	BO	SO	5216		M		
5919	906	BO	BAY	5221		G		
5920	965	BO	WHT	5215		G		
5921	969	BO	SO	3		G		
5922	648	BO	SO	5205		M		
5923	818	BO	BAY	5203		G		
5924	698	BO	WHT	5206		M		
5925	754	BO	WHT	5207		M		
5926	926	BO	BAY	5212		M		
5927	865	BO	WHT	5209		G		
5928	919	BO	SO	5211		M		
5929	1.203	CA	BAY	5210		M		
5930	871	BO	BAY	5226		G		
5931	919	BO	BAY	5220		M		
5932	618	BO	SO	5204		M		
5933	710	BO	SO	5229		M		
5934	1.006	BO	SO	5201		M		
5935	689	BO	BAY	5202		M		
5936	876	BO	BAY	5214		G		
5937	821	BO	BAY	5235		M		
5938	863	BO	BAY	5231		M		
5939	992	BO	SO	5230		M		
5940	938	BO	BAY	5233		M		
5941	659	BO	SO	5227		G		
5942	1.089	BO	BAY	5232		M		
5943	784	BO	BAY	5234		M		
5944	639	BO	BAY	5208		M		

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Avg 877





































