

In re: SUGARCREEK LIVESTOCK AUCTION, INC. AND LEROY H. BAKER, JR.
P&S Docket No. D-02-0001.
Supplemental Order.
Filed January 10, 2003.

Christopher Young-Morales, for Complainant.
Ernest H. Van Hooser, for Respondents.
Order issued by James W. Hunt, Administrative Law Judge.

On December 3, 2002, A Decision was entered in this proceeding, whereby Respondent Sugarcreek Livestock Auction, Inc. and its *alter ego*, Respondent Leroy H. Baker, Jr., were suspended as registrants under the Packers and Stockyards Act (7 U.S.C. § 181 *et seq.*), hereinafter “the Act” for a period of 14 days and thereafter until they demonstrated that the shortage in the Custodial Account for Shippers’ Proceeds had been eliminated. Further, Respondent Sugarcreek Livestock Auction, Inc. and its *alter ego*, Respondent Leroy H. Baker, Jr. were jointly and severally assessed a civil penalty of \$3800.00. The suspension began on December 8, 2002, and the civil penalty was to be payed by or before that date.

The civil penalty of \$3,800.00 was paid in full before December 8, 2002, and on December 13, 2002, Respondent Sugarcreek Livestock Auction, Inc, and its *alter ego*, Respondent Leroy H. Baker, Jr. demonstrated by Custodial Audit Report Analysis as of December 13, 2002 that the shortage in the Custodial Account for Shippers’ Proceeds had been eliminated.

Complainant requested that a Supplemental Order be issued lifting Respondents’ suspension as registrants under the Act, effective Monday, December 23, 2002.

The provisions of this order shall become effective on the first day after service of this order on the Respondents Sugarcreek Livestock Auction, Inc., and Leroy H. Baker, Jr.
Copies of this order shall be served upon the parties.