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UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:

David C. Polk d/b/a  
David Polk Stables,

Respondent

) HPA Docket No. 14-0121  
)  
)  
) Consent Decision  
) and Order

This proceeding was instituted under the Horse Protection Act (HPA), as amended (15 U.S.C. § 1821 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the Respondent violated the HPA. Respondent and Complainant have now agreed to the entry of a Decision by Reason of Consent as to these allegations as set forth herein. Therefore, this Decision and Order is entered without further procedure or hearing pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes (Rules of Practice)(7 C.F.R. § 1.138).

Findings of Fact

1. Respondent David C. Polk, doing business as David Polk Stables, is an individual whose mailing address is (b) (6)
2. On October 8, 2011, Respondent David C. Polk entered for the purpose of showing or exhibiting the horse known as "Armed With Grandeur" as entry number 281 in class number 54, at the NC Championship Walking Horse Show in Fletcher, NC.

Conclusions

Respondent admits the jurisdictional allegations in paragraph I of the Complaint and specifically admits that the Secretary has jurisdiction in this matter, and neither admits nor denies the remaining allegations of the Complaint.

Respondent waives oral hearing and further procedure, and consents to the entry of the following order. Complainant agrees to the entry of this decision.

Order

Respondent is disqualified for one year from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction.

"Participating" means engaging in any activity beyond that of a spectator, and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas, or in any area where spectators are not allowed, and financing the participation of others in equine events.

This Order shall become final upon issuance.

Copies of this decision shall be served upon the parties.

[REDACTED]  
David C. Polk  
Respondent

[REDACTED]  
Lori A. Renn  
Attorney for Respondent

[REDACTED]  
Charles L. Kendall  
Attorney for Complainant

Done at Washington, D.C.  
this 5 day of May, 2015

[REDACTED]  
Jill S. Clifton  
Administrative Law Judge