

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) OFPA Docket No. 08-0134
)
Promiseland Livestock, LLC, and)
Anthony J. Zeman,)
) **Ruling Denying Motion**
Respondents) **to Lift Stay Order**

On December 2, 2010, Promiseland Livestock, LLC, and Anthony J. Zeman filed a motion requesting that I stay the Order in *In re Promiseland Livestock, LLC*, ___ Agric. Dec. ___ (Oct. 19, 2010), pending the outcome of proceedings for judicial review, and I granted Promiseland Livestock, LLC, and Mr. Zeman's motion.¹ On February 11, 2011, the Administrator, Agricultural Marketing Service, United States Department of Agriculture, filed Complainant's Motion to Lift Stay. On February 24, 2011, Promiseland Livestock, LLC, and Mr. Zeman filed Objection to Complainant's Motion to Lift Stay stating, on February 18, 2011, they instituted proceedings for judicial review which are

¹*In re Promiseland Livestock, LLC* (Stay Order), ___ Agric. Dec. ___ (Dec. 2, 2010).

not yet concluded.² As proceedings for judicial review are not yet concluded, Complainant's Motion to Lift Stay is denied.

Done at Washington, DC

February 24, 2011

William G. Jenson
Judicial Officer

²Attached to Promiseland Livestock, LLC, and Mr. Zeman's Objection to Complainant's Motion to Lift Stay is a copy of a Complaint filed in *Promiseland Livestock, LLC v. U.S. Dep't of Agric.*, Civ. Action No. 8:11-CV-62 (D. Neb. Feb. 18, 2011), in which Promiseland Livestock, LLC, and Mr. Zeman seek review of *In re Promiseland, LLC*, __ Agric. Dec. __ (Oct. 19, 2010).