

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) P&S Docket No. D-05-0005
)
Todd Syverson, d/b/a)
Syverson Livestock Brokers,)
)
Respondent) **Order Lifting Stay Order**

I issued *In re Todd Syverson* (Decision on Remand), __ Agric. Dec. ____ (Nov. 16, 2010), in which I suspended Todd Syverson as a registrant under the Packers and Stockyards Act, as amended and supplemented (7 U.S.C. §§ 181-229b) [hereinafter the Packers and Stockyards Act]. On November 26, 2010, Mr. Syverson requested a stay of the Order in the Decision on Remand pending the outcome of proceedings for judicial review, which I granted.¹

On May 17, 2012, Mr. Syverson and the Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture [hereinafter GIPSA], filed a Joint Motion to Lift Stay Order stating proceedings for judicial review are concluded and requesting that I lift the December 22, 2010, Stay Order and make the Order issued in the Decision on Remand effective on June 1, 2012. Based upon the Joint Motion to Lift Stay

¹*In re Todd Syverson* (Stay Order), __ Agric. Dec. ____ (Dec. 22, 2010).

Order, the December 22, 2010, Stay Order is lifted and the Order in *In re Todd Syverson* (Decision on Remand), ___ Agric. Dec. ___ (Nov. 16, 2010), is effective, as follows:

ORDER

1. Mr. Syverson, his agents and employees, directly or indirectly through any corporate or other device, including, but not limited to, Syverson Livestock Brokers, in connection with his operations subject to the Packers and Stockyards Act, shall cease and desist from:

a. failing to comply with the requirements of section 312(a) of the Packers and Stockyards Act (7 U.S.C. § 213(a)), and specifically, Mr. Syverson shall not represent to any buyer that his cost of cattle is based on a “purchase price” resulting from the “purchase” of cattle from his own inventory unless he discloses that he bought the cattle from his own consignment and his initial purchase price of the cattle; and

b. failing without good cause to produce for examination, within a reasonable time when asked by GIPSA, all of the accounts, records, and memoranda as are required to be kept under section 401 of the Packers and Stockyards Act (7 U.S.C. § 221), including, but not limited to, a purchase journal (recording, at minimum: the date of purchase; seller; number of head; description of livestock; purchase price(s); date(s) received; commission charges, if any; other fees or charges; whether the livestock were purchased for the account of another, and if so, the identity of that person or firm)

together with all invoices, buyer bills, consignment sheets, and other records associated with individual livestock purchases and sales.

2. Mr. Syverson is suspended as a registrant under the Packers and Stockyards Act for a period of 16 months; *Provided, however*, That this Order may be modified upon application to Packers and Stockyards Programs to permit the salaried employment of Mr. Syverson by another registrant or packer after the expiration of 8 months of the suspension term.

This Order shall become effective on June 1, 2012.

Done at Washington, DC

May 21, 2012

William G. Jenson
Judicial Officer