

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWA Docket No. 06-0010
)
Sam Mazzola, an individual, d/b/a)
World Animal Studios, Inc., a)
former Ohio domestic corporation,)
and Wildlife Adventures of Ohio,)
Inc., a former Florida domestic)
stock corporation currently)
licensed as a foreign corporation)
in Ohio,)
)
Respondent)
)
and)
)
In re:) AWA Docket No. D-07-0064
)
Sam Mazzola,)
)
Petitioner) **Stay Order**

I issued *In re Sam Mazzola*, __ Agric. Dec. __ (Nov. 24, 2009), in which I found that Sam Mazzola violated the Animal Welfare Act, as amended (7 U.S.C. §§ 2131-2159) [hereinafter the Animal Welfare Act]; and the regulations and standards issued under the Animal Welfare Act (9 C.F.R. §§ 1.1-3.142). Mr. Mazzola filed a request that I reconsider the November 24, 2009, Decision and Order, and I subsequently issued an order denying Mr. Mazzola's request, *In re Sam Mazzola* (Order Denying Petition for Reconsideration and Ruling Denying Motion for Oral Argument), __ Agric. Dec. __ (Mar. 29, 2010).

On May 27, 2010, Mr. Mazzola filed a request that I stay the Orders in *In re Sam Mazzola*, __ Agric. Dec. ____ (Nov. 24, 2009), and *In re Sam Mazzola* (Order Denying Petition for Reconsideration and Ruling Denying Motion for Oral Argument), __ Agric. Dec. ____ (Mar. 29, 2010), pending the outcome of proceedings for judicial review. On June 1, 2010, the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture [hereinafter the Administrator], filed “Complainant’s Response to Petition for Stay” in which the Administrator states he neither supports nor opposes Mr. Mazzola’s request. On June 1, 2010, the Hearing Clerk transmitted the record to the Office of the Judicial Officer for a ruling on Mr. Mazzola’s request for stay.

In accordance with 5 U.S.C. § 705, Mr. Mazzola’s request for stay is granted.

For the foregoing reasons, the following Order is issued.

ORDER

The Orders in *In re Sam Mazzola*, __ Agric. Dec. ____ (Nov. 24, 2009), and *In re Sam Mazzola* (Order Denying Petition for Reconsideration and Ruling Denying Motion for Oral Argument), __ Agric. Dec. ____ (Mar. 29, 2010), are stayed pending the outcome of proceedings for judicial review. This Stay Order shall remain effective until lifted by the Judicial Officer or vacated by a court of competent jurisdiction.

Done at Washington, DC

June 1, 2010

William G. Jenson
Judicial Officer