

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

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In re:	)	
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Ayah Slaughter House Limited Liability Company	)	P&S Docket No. D-16-0111
(a cancelled Virginia entity),	)	
d/b/a Lebanese Butchers Slaughter House	)	
(an unregistered Virginia entity),	)	
	)	
Samir Rababeh,	)	P&S Docket No. D-16-0112
	)	
and	)	
	)	
Kheder Rababeh	)	P&S Docket No. D-16-0113
	)	
Respondents	)	Complaint
	)	and
	)	Notice of Hearing

There is reason to believe that the Respondents named herein have willfully violated provisions of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*) (Act) and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. §§ 201.1 *et seq.*) and, therefore, this complaint is issued alleging the following:

I.

1. ~~Ayah Slaughter House Limited Liability Company~~ (herein referred to as the Respondent Ayah) was a limited liability company organized and existing under the laws of the Commonwealth of Virginia. Respondent Ayah is a canceled Virginia entity; however, it continues doing business as Ayah Slaughter House Limited Liability Company and Lebanese Butchers Slaughter House. Respondent Ayah's business and mailing address is 241 West Shirley Avenue, Warrenton VA 20148. Respondent Ayah's

registered agent is Samir Rababeh whose business address is 241 West Shirley Avenue, Warrenton VA 20148.

2. Respondent Ayah doing business as Ayah Slaughter House Limited Liability Company and Lebanese Butchers Slaughter House, is, and, at all times material herein, was:

a. Engaged in the business of buying livestock in commerce for the purposes of slaughter; and

b. A packer within the meaning of and subject to the provisions of the Act.

3. Samir Rababeh is an individual. In order to protect the personal privacy of Respondent Samir Rababeh, Complainant is not providing Respondent Samir Rababeh's address in this Complaint, but Complainant has provided the address to the Hearing Clerk so that service can be effected.

4. Respondent Ayah doing business as Ayah Slaughter House Limited Liability Company and Lebanese Butchers Slaughter House is under the direction, management, and control of Respondent Samir Rababeh. Respondent Samir Rababeh is, and, at all times material herein, was:

a. Owner of the Respondent Ayah;

b. Registered Agent of Respondent Ayah;

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c. Engaged in the business of buying livestock in commerce for the purposes of slaughter; and

d. A packer within the meaning of and subject to the provisions of the Act.

5. Respondent Kheder Rababeh is an individual. In order to protect the personal privacy of Respondent Kheder Rababeh, Complainant is not providing Respondent

Kheder Rababeh's address in this Complaint, but Complainant has provided the address to the Hearing Clerk so that service can be effected.

6. Respondent Ayah doing business as Ayah Slaughter House Limited Liability Company and Lebanese Butchers Slaughter House is under the direction, management, and control of Respondent Kheder Rababeh. Respondent Kheder Rababeh is, and, at all times material herein, was:

- a. An employee and agent of Respondent Ayah;
- b. Engaged in the business of buying livestock in commerce for the purposes of slaughter; and
- c. A packer within the meaning of and subject to the provisions of the Act.

## II.

On or about June 14, 2013, and continuing until at least October 12, 2015, in three (3) transactions with Tjernagel Family Livestock LLP, totaling approximately \$176,874.68, Respondents purchased approximately 1,438 head of livestock in commerce and failed to pay the full purchase price of such livestock of which approximately \$128,174.68 is still owed to Tjernagel Family Livestock LLP.

## III.

On or about October 02, 2014, and continuing until at least October 03, 2014, in two (2) transactions with Kenneth L. Smoker, LLC, totaling approximately \$33,010.00, Respondents purchased approximately 176 head of livestock in commerce and failed to

pay the full purchase price of such livestock of which approximately \$20,000.00 is still owed to Kenneth L. Smoker, LLC.<sup>1</sup>

#### IV.

On or about December 23, 2015, in one (1) transaction with Enrique Rayos, totaling approximately \$6,884.00, Respondents purchased approximately 43 head of livestock in commerce and failed to pay the full purchase price of such livestock of which approximately \$6,884.00 is still owed to Enrique Rayos.

#### V.

On or about January 1, 2016, and continuing until at least January 29, 2016, in four (4) transactions with Michael T. Elam Livestock, LLC, totaling approximately \$53,674.50, Respondents purchased approximately 271 head of livestock in commerce and failed to pay the full purchase price of such livestock of which \$40,504.00 is still owed to Michael T. Elam Livestock, LLC.

#### VI.

By reason of the facts alleged in paragraphs II, III, IV, and V, the Respondents, their agents and employees, directly or through any corporate or other device, have willfully violated sections 202(a) and 409 of the Act (7 U.S.C. §§ 192(a) and 228b) and 9 C.F.R. § 201.43 of the regulations.

Wherefore, it is hereby ordered that for the purpose of determining whether the Respondents have, in fact, willfully violated the Act and regulations, this Complaint and Notice of Hearing shall be served upon the Respondents. Respondents shall have twenty

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<sup>1</sup> The approximately \$20,000.00 still owed by Ayah Slaughter House Limited Liability Company is an agreed upon amount by both Kheder Rababeh and Kenneth L. Smoker as of January 02, 2015. The approximately \$20,000.00 is still owed to Kenneth L. Smoker, LLC as of the filing of this complaint.

(20) days after receipt of this Complaint and Notice of Hearing in which to file with the Hearing Clerk, Room 1031 – South Building, United States Department of Agriculture, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9200, an answer fully and completely stating the nature of the defense and admitting or denying, specifically and in detail, each material allegation of this Complaint and Notice of Hearing. Allegations not answered will be deemed admitted for the purpose of this proceeding. Failure to file an answer shall constitute an admission of all the material allegations of this Complaint and Notice of Hearing unless the parties have agreed to a consent decision pursuant to section 1.138 of the Rules of Practice (7 C.F.R. § 1.138). Respondents are notified that unless a hearing is waived, whether expressly or by failure to answer and request a hearing as provided by sections 1.136 and 1.141 of the Rules of Practice (7 C.F.R. §§ 1.136, 1.141), a hearing for the above-mentioned purpose will be held at a place and time to be later designated before an administrative law judge authorized to conduct a hearing. At the hearing, respondents will have the right to appear and show cause why an appropriate order should not be issued, in accordance with the provisions of the Act, requiring respondents to cease and desist from violating the Act with respect to the matters alleged herein, and assessing an appropriate civil penalty.

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Done at Washington, D.C.

this 23<sup>rd</sup> day of May, 2016

  
Susan B. Keith  
Deputy Administrator  
Packers and Stockyards Program

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