



(d) Respondent Eric Drees is an individual whose current business mailing address is the same as Respondent Magic Valley in subparagraph (c) above.

(e) At all times material herein, Respondent Eric Drees was:

(1) President of Respondent Magic Valley;

(2) named as the incorporator and registered agent of Respondent Magic Valley in its Articles of Incorporation;

(3) an owner of 50 % of the stock issued by Respondent Magic Valley;

(4) In conjunction with Respondent Mindy Drees, responsible for the direction, management and control of Respondent Magic Valley;

(f) Respondent Mindy Drees is an individual whose current business mailing address is the same as Respondent Magic Valley in subparagraph (c) above.

(g) At all times material herein, Respondent Mindy Drees was:

(1) Secretary/Treasurer of Respondent Magic Valley;

(2) an owner of 50 % of the stock issued by Respondent Magic Valley;

(3) In conjunction with Respondent Eric Drees, responsible for the direction, management and control of Respondent Magic Valley;

## II.

Respondent Magic Valley, under the direction, management and control of Respondents Eric Drees and Mindy Drees, on or about the dates and in the transactions set forth in the Appendix attached hereto, purchased a total of 166 head of livestock and failed to pay, when due, the full purchase price of such livestock purchases.

As of the date of March 12, 2012, there remained an unpaid total of approximately \$93,621.68 for such livestock purchases.

III.

By reason of the facts alleged in paragraph I, Respondent Magic Valley is the alter ego of Respondents Eric Drees and Mindy Drees.

By reason of the facts alleged in paragraph II, the respondents have willfully violated section 312(a) and 409 of the Act (7 U.S.C. § 213(a) and 228b).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondents have in fact willfully violated the Act and regulations issued thereunder, this complaint shall be served upon the respondents. The respondents shall have twenty (20) days following receipt of this complaint to file an answer with the Hearing Clerk, Room 1031 - South Building, United States Department of Agriculture, 1400 Independence Ave., S.W., Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing the proceedings under the Act (7 C.F.R. §§ 1.130 *et seq.*). Allegations not answered shall be deemed admitted for the purpose of this proceeding. Failure to file an answer will constitute an admission of all the material allegations of this Complaint.

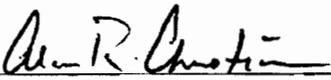
The Grain Inspection, Packers and Stockyards Administration, Packers and Stockyards Program, requests:

(1) That unless the respondents fail to file an answer within the time allowed, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice; and

(2) That an order be issued requiring the respondents to cease and desist from the violations of the Act and the regulations found to exist and assessing civil penalties against the respondent in accordance with the Act and as warranted by the facts and circumstances of this case.

Done at Washington, D.C.

this 30 day of May, 2012.

  
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Alan R. Christian  
Deputy Administrator  
Packers and Stockyards Program

Rick D. Herndon  
Attorney for the Complainant  
Office of the General Counsel—Regulatory Division  
Room 2319, South Building  
U.S. Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, D.C. 20250-1400  
Telephone: (202) 720-2003

## Appendix A

<u>PURCHASE DATE</u>	<u>PAYEE</u>	<u>APPROXIMATE AMOUNT</u>
8/16/10	Giltner Dairy, LLC Jerome, Idaho	\$874.50
8/7/10	Giltner Dairy, LLC Jerome, Idaho	\$2,163.00
8/13/10	Vandervegt Dairy, LLC Paul, Idaho	\$1,885.05
8/3/10	MidValley/Cordoza Buhl, Idaho	\$2,605.60
8/26/10	MidValley/Cordoza Buhl, Idaho	\$10,554.20
8/17/10	Turner Dairy Gooding, Idaho	\$3,610.00
7/30/10	South View Dairy #1 Wendell, Idaho	\$490.00
8/3/10	South View Dairy #1 Wendell, Idaho	\$2,958.20
8/5/10	South View Dairy #1 Wendell, Idaho	\$391.50
8/6/10	South View Dairy #1 Wendell, Idaho	\$2,670.98
8/10/10	South View Dairy #1 Wendell, Idaho	\$3,158.05
8/13/10	South View Dairy #1 Wendell, Idaho	\$408.75
8/14/10	South View Dairy #1 Wendell, Idaho	\$6,623.85
8/17/10	South View Dairy #1 Wendell, Idaho	\$2,162.85

8/18/10	South View Dairy #1 Wendell, Idaho	\$1,728.40
8/20/10	South View Dairy #1 Wendell, Idaho	\$464.00
8/21/10	South View Dairy #1 Wendell, Idaho	\$2,263.70
8/26/10	South View Dairy #1 Wendell, Idaho	\$1,461.35
8/27/10	South View Dairy #1 Wendell, Idaho	\$4,113.50
8/31/10	South View Dairy #1 Wendell, Idaho	\$1,421.20
9/2/10	South View Dairy #1 Wendell, Idaho	\$1,094.30
9/3/10	South View Dairy #1 Wendell, Idaho	\$6,317.75
8/21/10	South View Dairy #2 Wendell, Idaho	\$1,544.55
7/28/10	Sun View Dairy Mountain Home, ID	\$3,432.50
8/1/10	Sun View Dairy Mountain Home, ID	\$16,898.05
8/18/10	Sun View Dairy Mountain Home, ID	\$4,660.70
8/23/10	Sun View Dairy Mountain Home, ID	\$4,767.45
9/2/10	Sun View Dairy Mountain Home, ID	\$2,915.70