



VIA: USPS Certified Mail  
Shipping Event: 1st

May 29, 2012

Laverne and Kathryn Whetstone  
d/b/a River Bend Kennels and Outback  
Enterprises, Inc.  
14304 CR 22  
Goshen, IN 46528

## SETTLEMENT AGREEMENT

Dear Sir or Madam:

### Why You Are Receiving This Letter

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described in the attached Settlement Agreement. Our agency, the Animal and Plant Health Inspection Service (APHIS), is responsible for enforcing the AWA, and other agriculture laws that help prevent the spread of animal and plant pests and diseases, and ensure the welfare of animals.

After providing you with an opportunity for a hearing, we may impose civil penalties of up to \$10,000, or other sanctions, for each violation described in this Settlement Agreement. We are offering you the opportunity to resolve this matter by paying an amount that is much lower than the maximum civil penalty.

### What You Need To Do Immediately

You should review the information in this Settlement Agreement, including the citation and notification of penalty.

- If you agree to waive your right to a hearing and pay the penalty, then do the following:
  - Pay the amount due, \$1,857, by **July 6, 2012**. You can pay by check, money order, or credit card. For your convenience, we have included additional instructions for making payments.



- If you are unable to pay the full amount due by **July 6, 2012**, you may be eligible for a payment plan. To request a payment plan, you must use the enclosed form to submit a written response to this letter by **July 6, 2012**, that indicates you wish to pay the penalty and waive your right to a hearing. You must also submit a copy of your most recent federal tax return. As part of your response, please include a phone number and an email address so that we may contact you.
- If you do not agree with the terms of this Settlement Agreement, submit a written request for a hearing, with your Reference Number, to our office by **July 6, 2012**, at 4700 River Rd., Unit 85, Riverdale, MD, 20737.

### **If We Do Not Hear From You**

If we do not receive a payment or hearing request from you by **July 6, 2012**, we will forward this matter to our Office of the General Counsel for litigation.

### **What To Do If You Need Help**

If you have any questions concerning this letter, contact Kelly Briscoe at (301) 851-2755, or call our main office at (301) 851-2948.

## **CITATION AND NOTIFICATION OF PENALTY**

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

### **Date of Violation: June 24, 2010**

**9 C.F.R. § 2.40(b)(2)** Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain programs of adequate veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

You failed to provide adequate veterinary care for the following animals:

- 1) A bulldog with cherry eye in both eyes.

### **Date of Violation: June 29, 2010**

**9 C.F.R. § 2.40(b)(2)** Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain programs of adequate veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability or emergency, weekend and holiday care.



You failed to provide adequate veterinary care for the following animals:

- 1) A bulldog with cherry eye in both eyes that had not been seen by a veterinarian but, by a non-professional who sedated the animal and performed the surgery.

**Date of Violation: June 29, 2010**

**9 C.F.R. § 3.6(a)(2) Primary enclosures.** You failed to construct and maintain primary enclosures so that they enable all surfaces in contact with dogs and cats to be readily cleaned and sanitized.

You failed to repair or replace flooring in one of the Beagle enclosures that was rusty, had cross pieces missing and contained broken, sharp edges.