



United States  
Department of  
Agriculture

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Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

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20737-1232

David P. Ross, Esq.  
Crowell & Moring  
1001 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2595

Dear Mr. Ross:

This is in response to your April 9, 2010, Freedom of Information Act (FOIA) request for copies of any records relating to inspections, investigations, and licensing of facilities associated with Kathy Jo Bauck and Allen Bauck, doing business under the following facilities: Puppy's on Wheels, Puppies on Wheels, Pick of the Litter, and Pine Lake Enterprises, etc. Your request was assigned on April 9, 2010, and assigned case number 10-364. We apologize for the delay of this response.

Agency employees conducted a search of their files and located 66 pages of records consisting of complaint letters, licensing documents, inspection reports, and press releases. We are granting partial access to, and enclosing a copy of the records on CD-ROM. We are denying access to personal home addresses, social security numbers, cell phone numbers, personal email addresses, financial information, signatures, and the identities of third party individuals. This information is exempt from release under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because the individuals' right to privacy outweighs the general public's interest in viewing this information. Along with Exemption 6, information has been under FOIA Exemption 7(C), 5 U.S.C. § 552(b)(7)(C). This exemption protects from disclosure records or information collected for law enforcement purposes when its release could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Please note, the enclosed inspection reports can be retrieved from our web site at <http://acissearch.aphis.usda.gov/LPASearch/faces/LPASearch.jspx>

With regard to investigations, the Agency is conducting enforcement proceedings involving Kathy Jo Bauck and Allen Bauck. The proceedings are still active and certain records are exempt from disclosure under Exemption (7)(A), 5 U.S.C. § 552(b)(7)(A). Exemption 7(A) permits the Government to withhold information that could reasonably be expected to interfere with law enforcement proceedings. We are unable to determine when the proceedings will be completed; however, you may submit a new request in the future. If you still desire these records, please reference case #MN08149 in your request.



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David P. Ross  
FOIA 10-364

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If you are not satisfied with this response to your request, you may appeal within 45 calendar days from the date of this letter stating the reasons why the requested information should be released under the Act; and why the denial may be in error. Address your written appeal to the: Administrator, Animal and Plant Health Inspection Service, Ag Box 3401, Washington, D.C. 20250-3401. Please refer to **FOIA 10-364** in your appeal letter and add the words **FOIA Appeal** to the front of the envelope.

Also contained on the CD-ROM are copies of your FOIA request, this response letter, and Adobe® Acrobat® Reader™, which is needed to view the responsive records. By opening rp505enu.exe and following the on-screen instructions, you will install Adobe Reader. After the installation, the Adobe Reader should render the PDF files correctly. If you have any questions, please contact the FOIA staff at (301) 734-8296.

Sincerely,

*fa:*

*Katy Wagner*

Tonya G. Woods

Director

Freedom of Information & Privacy Act  
Legislative and Public Affairs

Enclosure