



JUL 30 2010

United States
Department of
Agriculture

Jason L. Swensrud

**CERTIFIED MAIL
RETURN RECEIPT**

(b)(6), (b)(7)c

Animal and
Plant Health
Inspection
Service

Dear Mr. Swensrud:

Marketing &
Regulatory
Programs Business
Services

The Animal and Plant Health Inspection Service (APHIS) enforces laws and regulations to protect American agriculture from pests and diseases of plants and livestock. APHIS has reason to believe that you violated the Commercial Transportation of Equine for Slaughter Act (7 U.S.C. § 1901 note) (CTESA) [and the regulations issued thereunder], as detailed on the enclosed APHIS Form 7060.

4700 River Road
Riverdale, MD
20737

The CTESA authorizes the imposition of civil penalties up to \$5,000 per violation. This is to notify you that APHIS is hereby holding in abeyance the penalties that it may impose in connection with the above-described violations (IL05151-VS), provided that you comply with the APHIS-administered animal and plant health laws in the future. If you again violate APHIS-administered animal and plant laws, APHIS may, if warranted, seek criminal penalties or the assessment of the civil penalties held in abeyance in addition to any penalties that may be warranted for any future violations.

If you have any questions concerning this letter, you may contact our office at (301) 734-8684.

Sincerely,

*Deborah C. Wayson
for*

Bernadette Juarez
Deputy Director
Investigative and Enforcement Services

Enclosure



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Program

An Equal Opportunity Provider and Employer

11-535 Torrance_000001



UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS

CASE NO.
IL05151-VS

VIOLATOR
Jason L. Swensrud

ADDRESS (Street, City, State, Zip Code)

(b)(6), (b)(7)c

The Department of Agriculture has evidence that on or about 03/2/05, you or your organization committed the following violation of Federal Regulations:

On or about March 2, 2005

9 CFR 88.4(c) Requirements for Transport. Shipped 45 head of horses for slaughter from North Dakota to Illinois. One horse arrived at the slaughter facility with injuries not noted on the Owner/Shipper certificate. The horses were transported by driver Jason Swensrud, driver for Triple R. Trucking.

Handling of all equines in commercial transportation to a slaughtering facility shall be done as expeditiously and carefully as possible in a manner that does not cause unnecessary discomfort, stress, physical harm or trauma.

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Bernadette Juarez, Deputy Director
Investigative and Enforcement Services

OFFICE ADDRESS:

4700 River Road, Unit 85
Riverdale, MD 20737

SIGNATURE

Southern Wayson for

DATE ISSUED

7/29/10

TELEPHONE NO.

(301) 734-8684

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
INVESTIGATIVE AND ENFORCEMENT SERVICES
EASTERN REGION
RALEIGH, NC

REPORT OF VIOLATION

Violator: 1 **Charles A. Carter**

[REDACTED]

SSN: [REDACTED]

Violator: 2 **Dennis R. Smebakken, dba Rushmore Livestock Inc.**

7128 Elk Creek Road

PO Box 152

Piedmont, SD 57769

PH (605) 390-1050

SSN: [REDACTED]

Violator: 3 **Edward Ressler, dba Triple R Trucking**

PO Box 684

Dickinson, North Dakota 58602

PH (800) 786-7241

SSN: [REDACTED]

Violator: 4 **Steven D. Smith Jr**

[REDACTED]

SSN: [REDACTED]

Violator: 5 **Jason L. Swensrud**

[REDACTED]

SSN: [REDACTED]

Case Number: IL05151-VS

Violation(s): 9 CFR, 88

Investigator:

[REDACTED]

920 Main Campus Drive -Suite 200

Raleigh, NC 27606

Phone (919) 855-7080

(815) 218-4243

Date of Report: November 30, 2005

FOR OFFICIAL USE ONLY

This document and its contents are not to be distributed outside your agency, nor duplicated, without prior consent from USDA APHIS Investigative and Enforcement Services

EXPLANATION OF THE EVIDENCE**March 2, 2005**

9CFR

88.4 (c)

Violators 1,3,5Requirements for transport.

Provided transportation to slaughter that caused unnecessary discomfort, stress, physical harm and trauma as evidenced by:

Exhibit 1 – VS Form 10-13 Owner Shipper Certificate, not dated, showing that Charles Carter signed the form shipping 45 head of horses to slaughter.

Exhibit 3- APHIS Form 7162, Affidavit of Doug Hoffman, USDA/APHIS/VS/AHT stating that he observed a horse with USDA backtag # USBZ4111 during inspection of horses that were being unloaded that had a face and eye injury. This horse was not listed as having any injuries on the VS Form10-13.

88.4 (a) (3)(ii)

Requirements for transport.

Failed to enter the receiver (destination address) on the VS Form 10-13.

Exhibit 1-VS Form10-13 showing that the receiver (destination address) was left off the form.

88.4 (a) (3)(iv)

Requirements for transport

Failed to enter the description of conveyance and vehicle license plate number on the VS Form 10-13.

Exhibit 1-VS Form 10-13 showing that the description of the conveyance and the vehicle license plate number was left off the form.

Exhibit 3-APHIS Form 7162, Affidavit of Doug Hoffman, USDA/APHIS/VS/AHT stating that the date, time horses were loaded on conveyance, vehicle license number and drivers name was not entered on the form.

88.4 (a)(3)(v)

Requirements for transport.

Failed to enter a color description, breed and sex of a horse. Also mis-entered the sex of six horses as stallions.

Exhibit 1-VS Form 10-13 showing that line 44, USBZ4117, failed to list the color description, breed and sex of the horse. It also shows that 7 stallions were marked down for sex type. The lot sheet only shows 1 stallion and the rest were geldings.

Exhibit 14- Cavel Lot sheet # 2050124 showing S column for sex, it shows only one stallion for the load, the rest were geldings.

88.4 (a)(3)(ix)

Requirements for transport.

Failed to enter the date and time the horses were loaded on the trailer.

Exhibit 1-VS Form 10-13 does not show a date or time.

SYNOPSIS**Violator**

Information: **Violator 1** –Charles Carter has been buying and shipping horses to slaughter for approximately one year. He has several people who buy horses for him.
Violator 2 – Dennis Smebakken has been buying slaughter horses for 20 years, recently for Charles Carter. He is doing business as Rushmore Livestock Inc.
Violator 3-Edward Ressler is the owner of Triple R. Trucking who transports horses to slaughter.
Violator 4- Steven Smith Jr. is employed as a truck driver for Triple R Trucking. This is his second or third load of slaughter horses he hauled to slaughter.
Violator 5- Jason Swensrud has been hauling horses for 7 or 8 years. He has delivered slaughter horses to BelTex in the past. This was his first load to Cavel.

Previous

History: **Violator 1**- Charles Carter has numerous violations/cases (IL05002-VS) ect.
Violator 2- Dennis Smebakken has several cases (IL05154, IL05158, IL05176, IL06009-VS).
Violator 3- Edward Ressler has another alleged violation case IL06009-VS.
Violator 4- Steve Smith has no prior violations.
Violator 5- Jason Swensrud has no prior violations.

Violation

Events: On or about March 2, 2005, Charles Carter shipped 45 horses to slaughter to Cavel International in Dekalb, Illinois. Edward Ressler, dba Triple R Trucking was hired by Dennis Smebakken to transport the slaughter horses from Mandan, North Dakota to Cavel International in Dekalb, Illinois. A horse with backtag # USBZ4111 was found to have a head injury during the unloading process at the plant.
On or about June 9, 2005 Charles Carter shipped 45 horses to slaughter to Cavel International in Dekalb, Illinois. Dennis Smebakken hired Triple R. Trucking who sent truck driver Steven Smith Jr. to transport the horses from Sisseton, South Dakota to Cavel International in Dekalb, Illinois. Horse with USDA backtag # USBD 1106 was found dead on the truck during the unloading process. Horse with USDA backtag # USBD 1123 had a cut on its forehead.

EXPLANATION OF THE EVIDENCE

June 9, 2005

9CFR

88.4 (c)

Requirements for transport.**Violators 1,2,3,4**

Provided transportation to slaughter that caused unnecessary discomfort, stress, physical harm and trauma. Also failed to provide special handling needs for horse with backtag #USBD 1106, which had trouble seeing. The horse should have been separated from other horses as evidenced by:

Exhibit 2 – VS Form 10-13 Owner Shipper Certificate, dated 6/8/05, showing that Charles Carter signed the form.

Exhibit 5- APHIS Form 7162, Affidavit of Craig Bovard, USDA/APHIS/VS/ Veterinarian stating that he observed a horse that was dead with USDA backtag #USBD1106 that was found during inspection of horses that were being unloaded.

Exhibit 8-APHIS Form 7162, Affidavit of Steven Smith Jr. stating that he was aware that horse with USDA backtag # USBD1106 had infections in both eyes. Both of the eyes were swelled with pus making it difficult for the horse to see.

88.4 (a)(3)(ix)

Requirements for transport.

Failed to enter the date, time and place the horses were loaded on the trailer.

Exhibit 2-VS Form 10-13, page one does not show a date or time. Page 3, does not show a place (city & state) where the horses were loaded.

88.4 (a)(3)(v)

Requirements for transport.

Mis-entered color descriptions of six horses and failed to enter a sex of a horse. Tag prefixes were not entered correctly.

Exhibit 2-VS Form 10-13 showing that line 4, page1, USBD1104, failed to list the sex of the horse. Page 3 shows 6 horse color descriptions, mis- entered (1154,1155,1159,1161,1162,1163. Tag prefixes were not entered in the correct box on any of the five VS 10-13 forms.

88.4 (a)(3)(iii)

Requirements for transport.

Failed to enter the name of the auction market.

Exhibit 2-VS Form 10-13, page 3 failed to enter the name of the auction market.

88.4 (a) (1)

Requirements for transport.

Failed to sign owner shipper certificate for fitness to travel stating the horses had access to food, water and rest.

Exhibit 2-VS Form 10-13, page 3, failed to sign Owner/ Shipper Certificate for Fitness To Travel stating the horses had access to food, water and rest for a minimum 6 hours before loading.

OTHER EVIDENCE

Exhibit 4-APHIS Form 7162, Affidavit of Doug Hoffman stating that Charles Carter shipped two loads of horses on 3/2/05 and believes the paperwork was switched around.

Exhibit 6-Interview Log of Charles Carter by IES Investigator (b)(6) & (b)(7)(C)

Exhibit 7-Interview Log of Dennis Smebakken by IES Investigator (b)(6) & (b)(7)(C)

Exhibit 8-APHIS Form 7162, Affidavit of Steven Smith Jr. truck driver for Triple R. Trucking.

Exhibit 9-APHIS Form 7162, Affidavit of Jason Swensrud truck driver for Triple R. Trucking.

Exhibit 10-Slaughter Horse Shipment Information Sheet filled out by truck driver Jason Swensrud, employee of Triple R. Trucking.

Exhibit 11-Photographs of injured horse with USDA backtag #USBZ4111.

Exhibit 12-Photographs of injured horse USBD 1123, dead horse USBD1106, Semi truck and trailer owned by Triple R. Trucking.

Exhibit 13-Truck Driver Daily Log for Steve Smith Jr.

Exhibit 15-Cavel International check number 21652 issued to Charles Carter for lot number 2050124.

Exhibit 16- Cavel International Lot Sheet number 2050419 showing Charles Carter as the vendor dated 06/08/05.

Exhibit 17- Cavel International check number 22025 issued to Charles Carter for lot number 2050124.

Exhibit 18- Copy of envelope left for Steve Smith Jr. showing how the horses should be loaded on the trailer for 06/08/05.

Exhibit 19- Person Summary Report for Charles A. Carter.

Exhibit 20- Person & Business Summary Report for Dennis R. Smebakken dba, Rushmore Livestock INC.

Exhibit 21- Person Summary Report for Edward C. Ressler.

Exhibit 22- Person Summary Report for Jason L. Swensrud.

Exhibit 23- Person Summary Report for Steven D. Smith JR.

Exhibit 24- Disks of photographs of semi-truck, trailer, dead horse and injured horses.

Exhibit List

- Exhibit 1-** VS Form 10-13 Owner Shipper Certificate, not dated.
- Exhibit 2-** VS Form 10-13 Owner Shipper Certificate, dated 06/08/05.
- Exhibit 3-** APHIS Form 7162, Affidavit of Doug Hoffman, dated 10/19/05.
- Exhibit 4-** APHIS Form 7162, Affidavit of Doug Hoffman, dated 10/19/05.
- Exhibit 5-** APHIS Form 7162, Affidavit of Craig Bovard DVM, dated 08/26/05.
- Exhibit 6-** Interview Log of Charles Carter, dated 08/18/05.
- Exhibit 7-** Interview Log of Dennis Smebakken, dated 10/19/05.
- Exhibit 8-** APHIS Form 7162, Affidavit of Steven Smith Jr., dated 06/09/05.
- Exhibit 9 -**APHIS Form 7162, Affidavit of Jason Swensrud, dated 03/02/05.
- Exhibit 10-**Slaughter Horse Shipment Information Sheet, dated 03/02/05.
- Exhibit 11-**Photographs of injured horse (USBZ411), dated 03/02/05.
- Exhibit 12-**Photograph of injured horses, truck & trailer, dated 06/09/05.
- Exhibit 13-**Drivers Daily Log for Steve Smith Jr., dated 06/09/08.
- Exhibit 14-**Cavel International Lot Sheet #2050124, dated 03/02/05.
- Exhibit 15-**Copy of Cavel International Check #21652, dated 03/02/05.
- Exhibit 16-**Cavel International Lot Sheet #2050419, dated 06/08/05.
- Exhibit 17-**Copy of Cavel International Check #22025, dated 06/09/05.
- Exhibit 18-**Copy of Envelope Cover from Sisseton Livestock for 06/08/05 load.
- Exhibit 19-** Person Summary Report for Charles Carter.
- Exhibit 20-**Person & Business Summary Report Dennis Smebakken/Rushmore Livestock Inc.
- Exhibit 21-**Person Summary Report for Edward Ressler.
- Exhibit 22-**Person Summary Report for Jason Swensrud.
- Exhibit 23-**Person Summary Report for Steven Smith.

WITNESS LIST

USDA/APHIS/VS

Craig Bovard DVM

2815 Old Jacksonville Road, Suite 104

Springfield, Illinois 62704

PH 217-241-6695

USDA/APHIS/VS

Doug Hoffman- AHT - Inspector

2815 Old Jacksonville Road, Suite 104

Springfield, Illinois 62704

PH 217-241-6695

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED
OMB NO.
0579-0160

**OWNER/SHIPPER CERTIFICATE
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**
(Please type or print in ink)

TIME HORSES LOADED ON CONVEYANCE	DATE	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE MANDAN ND
VEHICLE LICENSE NO. AND DRIVER'S NAME		NAME OF AUCTION/MARKET CAVEL INC
CONSIGNOR (OWNER/SHIPPER) NAME Charles Carter		CONSIGNEE (RECEIVER/DESTINATION) NAME CAVEL INC
STREET ADDRESS (b)(6), (b)(7)c		STREET ADDRESS
		CITY, STATE, ZIP CODE DEKIAB IL
		AREA CODE & TELEPHONE NO. 815 756 5092

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

- Pregnant mares are not likely to foal (give birth) during the trip. Horses are able to bear weight on all 4 limbs.
 Foals are older than 6 months of age. Horses are not blind in both eyes. Horses are able to walk unassisted.

TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions	
		Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
1	0562	6201					X		X					X				
2		02				X			X								X	
3		03			X				X					X				
4		04				X			X					X				
5		05	X						X					X				
6		06					X		X						X			
7		07				X			X								X	
8		08						X	X						X			
9		09		X					X							X		colt
10		10	X						X					X				
11		11			X				X							X		colt
12		12	X						X					X				
13		13		X					X							X		
14		14				X			X							X		
15		15	X						X							X		

HORSES HAVE HAD FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY PRIOR TO TRAVEL.	(b)(6), (b)(7)c	FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY PRIOR TO TRAVEL.	CANADIAN FOOD INSPECTION AGENCY (CFIA)
SIGNATURE			EST. _____ DATE _____ TIME _____
I HEREBY AUTHORIZE THE COMPLETION OF THIS FORM BY THE SIGNER AND THE INFORMATION IN IT AS A TRUE AND ACCURATE REPRESENTATION OF THE INFORMATION PROVIDED BY THE SIGNER. ANY FALSIFICATION OF THIS FORM OR KNOWINGLY PROVIDING FALSE INFORMATION WILL RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH (18 U.S.C. SECTION 1001).			contained in this form is true and correct to the best of my knowledge and belief.
SIGNATURE OF OWNER/SHIPPER			EST. _____ DATE _____ TIME _____



According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED
OMB NO.
0579-0160

**OWNER/SHIPPER CERTIFICATE
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY
(CONTINUATION SHEET)**

(Please type or print in ink)

TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include precondition	
		Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
USBL	6216		X										X					
	17		X										X					
	18		X										X					
	19							X					X				X	
	20							X					X					
	21		X										X					
	22							X					X					
	23							X					X					
	24		X										X					
	25	X											X				X	
	26							X					X					
	27							X					X					loan
USBL	4601	X											X				X	
	28			X									X				X	coll
	29												X				X	
	30							X					X				X	
	31	04	X										X				X	
	32	5							X				X					
	33	6							X				X					
	34	7	X										X					
	35	8	X										X				X	
	36	9	X										X				X	
	37	10	X										X				X	
	38	11						X					X					
	39	12						X					X					
	40	13						X					X				X	coll
	41	14	X										X					
	42	15					X						X				X	
	43	16						X					X					
	44	17											X					
	45	18					X						X					

THE INFORMATION CONTAINED IN THIS FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$5000 OR IMPRISONMENT FOR A TERM OF NOT MORE THAN 5 YEARS OR BOTH. (18 U.S.C. SECTION 1001).

(b)(6), (b)(7)c

THE INFORMATION CONTAINED IN THIS FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$5000 OR IMPRISONMENT FOR A TERM OF NOT MORE THAN 5 YEARS OR BOTH. (18 U.S.C. SECTION 1001).

The information contained in this form is true and correct to the best of my knowledge.

GOVERNMENT EXHIBIT
1
Page 2 of 2
APHIS FORM 7070 (MAR 95)

**OWNER/SHIPPER CERTIFICATE
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED
OMB NO.
0579-0160

TIME HORSES LOADED ON CONVEYANCE	DATE	CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE <i>Sisseton SD</i>
VEHICLE DRIVER'S NAME <i>(b)(6), (b)(7)c Steve</i>	NAME OF AUCTION/MARKET <i>Sisseton Livestock</i>	
CONSIGNEE (OWNER) NAME <i>Charles Condon</i>	CONSIGNEE (RECEIVER/DESTINATION) NAME <i>Corel International</i>	
STREET ADDRESS <i>(b)(6), (b)(7)c</i>	STREET ADDRESS <i>108 Hawthorne Drive</i>	
	CITY, STATE, ZIP CODE <i>DeKalb Illinois</i>	
	AREA CODE & TELEPHONE NO. <i>815 756 8051</i>	

CHECK THE BOX THAT INDICATES THE FOLLOWING IS TRUE FOR ALL THE HORSES ON THIS CERTIFICATE

Pregnant mares are not likely to foal (give birth) during the trip. Horses are able to bear weight on all 4 limbs.

Foals are older than 6 months of age. Horses are not blind in both eyes. Horses are able to walk unassisted.

TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions	
		Bay	Grey	Bk.	Pinto	Chesin	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
	1101					X				X						X		
	1102			X						X					X			
<i>50e</i>	1103			X						X					X			<i>2 bad eyes other scars</i>
	1104					X				X								
	1105					X				X					X			
<i>10e</i>	1106							AD					X	X				<i>Head s = 4.5 BRUISED</i>
	1107					X				X						X		
<i>80e</i>	1108		X															<i>Brand L Hip</i>
	1109					X				X						X		
	1110							Palom		X					X			
	1111			X						X					X			<i>Scars on nose Bump on knee</i>
	1112	X								X					X			
	1113			X						X					X			
	1114				X								X			X		
	1115	X								X					X			

HOURS	EST FOR A MINIMUM OF 6 CONSECUTIVE HOURS.	CANADIAN FOOD INSPECTION AGENCY (CFIA)
SIGNATURE	<i>(b)(6), (b)(7)c</i>	EST. _____
I HEREBY CERTIFY THAT THE INFORMATION IN THIS FORM OR KNOWINGLY USING A FORM OF NOT MORE THAN \$10,000 (S.C. SECTION 1001).		DATE _____
SIGNATURE of the base	<i>(b)(6), (b)(7)c</i>	TIME _____

GOVERNMENT EXHIBIT
2
Page 1 of 5
APHIS FORM 7070 (MAR 95)

**OWNER/SHIPPER CERTIFICATE
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY
(CONTINUATION SHEET)**
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 6 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED
OMB NO.
0579-0160

207
01
207

50c

TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include precondition	
		Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
	1116		X						X							X		
	1117		X						X							X		
	1118		X						X				X			X		
	1119					X			X							X		
	1120		X						X				X			X		
	1121	X							X				X			X		
	1122		X						X							X		
	1123		X						X							X		
	1124			X					X				X			X		
	1125					X		X	X				X			X		
	1126	X							X				X			X		
	1127			X					X				X			X		
	1128							Palmiro	X							X		
	1129	X							X							X		
	1130					X			X				X			X		
	1131				X				X				X			X		
	1132				X				X				X			X		Cut on left BS
	1133				X				X				X			X		
	1134				X				X				X			X		
	1135	X							X							X		
	1136							Buckskin	X							X		
	1137	X							X				X			X		
	1138							Do AP	X				X			X		
	1139							AP	X				X			X		
	1140							Palmiro	X				X			X		Both left eye & pink
	1141							X	X				X			X		
	1142							Palmiro	X				X			X		
	1143	X							X							X		
	1144					X			X							X		
	1145	X							X							X		Senque Bayli R's

I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

SIGNATURE
11-5

(b)(6), (b)(7)c

Information contained in this form is true and correct to the best of my knowledge.)

GOVERNMENT EXHIBIT
2
Page 2 of 5

**OWNER/SHIPPER CERTIFICATE
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY**
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED
OMB NO.
0579-0160

TIME HORSES LOADED ON CONVEYANCE 3:30pm DATE 01-9-15 CITY AND STATE WHERE HORSES WERE LOADED ON CONVEYANCE _____

NAME OF AUCTION/MARKET _____
(b)(6) (b)(7)(c)

CONSIGNOR (OWNER/SHIPPER) NAME Charles Cousen CONSIGNEE (RECEIVER/DESTINATION) NAME Cavel International

STREET ADDRESS _____
(b)(6) (b)(7)(c) 108 Hanover Lee Drive

CITY, STATE, ZIP CODE _____
DeKalb Illinois

AREA CODE & TELEPHONE NO. _____
815 756 8051

- Pregnant mares are not likely to foal (give birth) during the trip. Horses are able to bear weight on all 4 limbs.
 Foals are older than 6 months of age. Horses are not blind in both eyes. Horses are able to walk unassisted.

TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include existing conditions	
		Bay	Grey	Bk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld			
	1152					X				X						X		
	1153				X							X				X		
	1154	X							X							X		
	1155	X							X							X		
	1156					X			X							X		
	1157					X			X							X		
	1158					X			X							X		
	1159	X							X				X			X		Scan Right Rib
	1160					X			X							X		Right eye Left knee
	1161	X							X							X		
	1162	X							X							X		
	1163	X							X							X		
	1164					X			X			X				X		
	1165					X			X							X		
	1166					X			X							X		
	1167					X			X							X		

HORSES HAVE HAD ACCESS TO FOOD, WATER, AND REST FOR A MINIMUM OF 6 CONSECUTIVE HOURS IMMEDIATELY BEFORE LOADING INTO CONVEYANCE.

CANADIAN FOOD INSPECTION AGENCY (CFIA)

SIGNATURE _____
I HEREBY AUTHORIZE THE CFIA TO DISCLOSE THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THE USDA. FALSIFICATION OF THIS FORM OR KNOWINGLY USING A FALSIFIED OR IMPRIS... RESULT IN A FINE OF NOT MORE THAN \$10,000 OR BOTH (18 U.S.C. SECTION 1001).
Information contained in this form is true and correct to
SIGNATURE _____
the best of (b)(6) (b)(7)(c)

EST. _____
DATE _____
TIME _____
GOVERNMENT EXHIBIT 2
Page 3 of 5
APHIS FORM 7070 (MAR 05)

**OWNER/SHIPPER CERTIFICATE
FITNESS TO TRAVEL TO A SLAUGHTER FACILITY
(CONTINUATION SHEET)**
(Please type or print in ink)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0160. The time required to complete this information collection is estimated to average 5 min. per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM
APPROVED
OMB NO.
0579-0160

	TAG PREFIX	Tag NO.	COLOR DESCRIPTION						BREED/TYPE					SEX			BRANDS Tattoos, etc.	REMARKS Include precondition
			Bay	Grey	Blk.	Pinto	Chestn	Other	TB	QT	Draft	Pony	Other	Mare	Stal	Geld		
16	1146						Roan		X							X		
17	1147					X							X	X				
18	1148		X							X			X					
19	1149					X				X						X		
20	1150					X				X						X		
21	1151					X				X				X				
22																		
23																		
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I HEREBY AUTHORIZE THE USE OF THIS FORM OR INFORMATION CONTAINED HEREIN FOR IMPRISONMENT FOR VIOLATION OF FEDERAL LAWS.

SIGNATURE OF OWNER

(b)(6) (b)(7)(c)

THIS DOCUMENT AND THE INFORMATION IN IT AS COMPLETED BY THE CFIA TO THIS CERTIFIED FORM IS A CRIMINAL OFFENSE AND MAY RESULT IN A FINE OF NOT MORE THAN \$5000 AND/OR IMPRISONMENT FOR UP TO 5 YEARS OR BOTH (18 U.S.C. SECTION 1001).

I certify that the information contained in this form is true and correct to the best of my knowledge.

GOVERNMENT
EXHIBIT
2
Page 55 of 55
APHIS FORM 7070 (MAR 95)

AFFIDAVIT

I, Douglas S. Hoffman, being duly sworn on oath make the following statement: to (b)(6) & (b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Douglas S. Hoffman and I am currently employed as an Animal Health Technician for the USDA/APHIS Veterinary Services located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois 62704, Ph.217-241-6689 for the two years.

On March 2, 2005 I was working inspecting horses at Cavel International located in Dekalb, Illinois. A load of horses shipped by Charles Carter from Colorado and driven by Jason Swensrud P.O.Box 327 Mandan, ND. 58554. Phone number 701-225-7119 arrived. During my inspection I noticed that a horse had face and eye injuries I looked at the VS Form 10-13 that accompanied the load to see if the injuries were pre-existing. There was nothing noted in the remarks block for either of the horses. The horse that was injured was back tag # USBZ 4111. The pictures will show the face and eye injuries on the horse and no remarks on the VS Form 10-13. The driver Jason Swensrud was issued a binder on 2 Mar 2005 but refused to sign my form but did sign a Slaughter Horse Shipment Information sheet. The information included in the binder is a copy of the CFR, a videotape, program aid 1682 (a handout outlining the regulation), points of contact for the program and various other information on safe handling and hauling of equines to slaughter. Mr. Swensrud stated he was aware of the Commercial Transportation of Equines to Slaughter Regulation because he has been driving horses to Beltex in Texas for 7 or 8 years. He did also state he did NOT know the particulars of the regulations just that it existed and most of the requirements. I briefly explained the regulation and its requirements to Mr. Swensrud. Also during my inspection I noticed that there was no date, time horses were loaded on conveyance, vehicle license number or drivers name on the VS Form 10-13. Also the back tag numbers were not correct the horse that was injured had a back tag with prefix of USBZ and on

(b)(6) (b)(7)(c)

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Cavel International Inc. in Dekalb, Illinois on this 28th day of June, 2005. 10-19-05
APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete. (NOV 92)

DESIGNATED ADMINISTRATOR

(b)(6) (b)(7)(c)

GOVERNMENT EXHIBIT 3 Page 1 of 2 (AR 95)

AFFIDAVIT

I, Douglas S. Hoffman , being duly sworn on oath make the following statement: to (b)(6) & (b)(7)(C) (b)(6 & (7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services. .

the VS For 10-13 it has a USBL instead. Mr. Carter was verbally spoken to and instructed how to properly fill out the VS Form 10-13's on 3 separate occasions before submitting any paperwork violations to IES. This will now be one of many VS Form 10-13's that are not properly filled out. Mr. Carter is quite aware of the Commercial Transportation of Equines to Slaughter regulation as he has been shipping horses to Cavel since the middle of October and has had previous violations.

(b)(6) (b)(7)(c)

GOVERNMENT EXHIBIT
3
of 2
70 (MAR 95)

Subscribed and sworn to before me at Cavel International Inc. in Dekalb
On this ~~28th~~ day of June, 2005 10-19-05
APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

(b)(6) (b)(7)(c)

ADMINIS

AFFIDAVIT

I, Douglas S. Hoffman, being duly sworn on oath make the following statement: to (b)(6) & (b)(7)(C) (b)(6) & (b)(7)(C) who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Douglas S. Hoffman and I am currently employed as an Animal Health Technician for the USDA/APHIS Veterinary Services located at 2815 Old Jacksonville Rd. Suite 104, Springfield, Illinois 62704, Ph.217-241-6689 for the two years.

On March 2, 2005 I was working inspecting horses at Cavel International located in Dekalb, Illinois. A load of horses shipped by Charles Carter from Colorado and driven by (b)(6), (b)(7)c (b)(6), (b)(7)c arrived. I collected the VS Form 10-13 from the driver when he arrived. During my inspection I noticed that the back tag numbers were not correct Mr. Carter shipped 2 loads of horses to Cavel this day and I believe the paperwork was switched around. Mr. Carter was verbally spoken to and instructed how to properly fill out the VS Form 10-13's on 3 separate occasions before submitting any paperwork violations to IES. This will now be one of many VS Form 10-13's that are not properly filled out. Mr. Carter has been shipping to Cavel since the middle of October and has had previous paperwork violations. I have read the above statement and it is true and correct to the best of my knowledge.

(b)(6), (b)(7)c

Subscribed and sworn to before me at Cavel International in Dekalb, Illinois
On this ~~14~~ day of ~~June~~, 2004. 10-19-05 JA

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

GOVERNMENT EXHIBIT
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Page 1 of 1
APHIS FORM 2070 (MAR 95)

(b)(6), (b)(7)c

DESIGNATED
ADMINISTER OATH

AUTHORITY NO: 3347

AFFIDAVIT

I, Craig Bovard, being duly sworn on oath make the following statement: to [redacted] who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Craig Bovard. I am currently employed as a Veterinary Medical Officer with the United States Department of Agriculture since August 2005. One of my duties is to check the transportation of slaughter horses at Cavel International in Dekalb, IL.

On June 9, 2005, I observed a truck and trailer that backed into the unloading chute had a dead horse in the front compartment of the upper deck. The horse had died with its right side down in the trailer. The USDA back tag # USBD 1106 was on the horse. The shipper on the VS Form 10-13 was Charles Carter and the truck driver was Steve Smith who worked for Triple R Trucking from Sisseton, South Dakota. While observing the horse in the trailer, I could see that the horse was thin but not emaciated and a purulent discharge had come out of the left eye before the horse had died. I opened the mouth to try to determine the age of the horse and decided that the horse was over 10 years old.

Because of mechanical reasons at the plant, the horse was not brought off the trailer until 14:30. I examined the head closer before starting the necropsy and found the ocular discharge was present in both eyes. In addition, there was an abscess above the left eye, which had been expelled from other horses stepping on the animals head. During the necropsy, I opened the thoracic cavity and found a grossly possible interstitial pneumonia. I would deduce that the animal was weak from the possible pneumonia and got down in the trailer. I did not open the abdominal cavity due to the fact that the body was quickly going through autolysis because of the warm conditions on that day. In addition, because of the warm day, I could not make out when the animal died. I have read the above statement and it is true and correct to the best of my knowledge.


SIGNATURE OF AFFIANT

Subscribed and sworn to before me at 108 Harvestore Drive, Dekalb, Illinois
On this 26 day of August, 2005.

APHIS FORM 7162 Replaces VS Form 3-59G which is obsolete.
(NOV 92)

DE
ADMINISTRATIVE

GOVERNMENT EXHIBIT 5 Page 1 of 1 APHIS FORM 7070 (MAR 95)

[redacted] (b)(6), (b)(7)c

INTERVIEW LOG

USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)
CONTACTED:

Charles Carter

DATE:

8/18/05

TYPE OF INTERVIEW (BY PHONE OR IN PERSON): In Person	ORGANIZATION: N/A	TELEPHONE NUMBER: (970)227-7798
SUBJECT: Slaughter Horses	LOCATION OF INTERVIEW: 4054 Cty Rd. 20, Loveland, CO 80537	

SUMMARY:

I interviewed Charles Carter at his residence in Loveland, CO. Mr. Carter has been in the horse business for over 10 years. Mr. Carter and I discussed the following VS cases: IL05137, IL05150, IL05151, IL05154, IL05175, IL05176, IL05180, IL05183 and IL05188. He stated all of the loads mentioned in the above mentioned cases, with exception to IL0150, were his horses purchased and sold for slaughter.

Mr. Carter stated in all of the above mentioned transports, the horses were examined by the loading person (usually the truck driver) and all bodily injuries noticed at the time were documented on the VS Form 10-13s. He said injuries noted at Cavel Slaughter that were not already documented, occurred while en-route or during the unloading process at the plant. Mr. Carter stated his drivers have told him that "Doug" a USDA Animal Health Technician that works at the plant, often does not let Carter's horses unload right away. He said he often makes them wait until numerous other trucks unload, even those that arrived after his drivers. Mr. Carter said he is notified by the driver of additional horse injuries or death after the unloading of the horses at the plant. He stated all horses are loaded according to USDA slaughter horse regulations and are checked periodically by the truck driver during transport. Mr. Carter said if the horses were purchased and loaded at a livestock sale, the back tags were applied by the sale barn personnel. All other tags were applied by him. He said the VS 10-13s were normally filled out by him if he was at the livestock barn at time of purchase. Mr. Carter stated he often times left the first two lines of the VS 10-13 blank, as he didn't always know who the truck drivers would be. He said the truck drivers usually picked up the horses the day after a sale and all paperwork was left with the sale barn to be given to the truck driver to accompany the load. Mr. Carter said the drivers have been instructed in the past to fill out this portion of the VS 10-13 and therefore feels no responsibility for this lack of information, as he feels it's out of his control once he leaves the livestock barn. Mr. Carter stated he pays for the transport of the horses; however, he pays the transport company, not the driver. He said if his buyer, Dennis Smebacker buys horses for him, Mr. Smebacker pays the trucker for transport and Mr. Carter pays Mr. Smebacker. He stated he was the owner of all the horses in the above mentioned cases.

The following specific information pertains to the listed investigations:

IL05137-VS: 3/30/05shipment: these horses were purchased and loaded in Billings, MT. Mr. Carter stated he filled out the VS10-13 and noted all injuries on the horses while they were being corralled. He stated he was not present for loading, as it occurred the following day. Mr. Carter said all injuries noted at Cavel that were not documented on the VS10-13 happened en-route from MT to IL.

3/31/05 shipment: these horses were purchased and loaded in North Dakota by Mr. Carter's buyer. The VS10-13 was filled out by his buyer's assistant, as Mr. Carter was not at the sale at time of purchase.

4/1/05 shipment: these horses were purchased and loaded in Billings, MT. Mr. Carter stated he filled out the VS10-13 and noted all injuries on the horses while they were being corralled. He stated he was not present for loading, as it occurred the following day. Mr. Carter said all injuries noted at Cavel that were not documented on the VS10-13 happened en-route from MT to IL.



INTERVIEW LOG

USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)
CONTACTED:

Charles Carter

DATE:

8/18/05

All redactions on this page are pursuant to (b)(6) & (b)(7)(C)

4/4/05 shipments: Mr. Carter stated these horses were purchased in South Dakota by his buyer, Dennis Smebacker. He said Mr. Smebacker filled out the VS10-13 and noted all pre-existing injuries on the VS10-13. Mr. Carter stated all injuries noted at Cavel that were not documented on the VS10-13 occurred en-route from SD to IL.

IL05150-VS: Mr. Carter has purchased horses from [REDACTED] in the past, however he has never heard of [REDACTED]

IL05151-VS: 3/1/05 shipment: Backtag #USBZ4111 is listed on the VS10-13 on line 38 for the 3/1/05 transported load....note on line 28, the prefix for the numbers below it is "USBZ41__". He stated he filled out this VS10-13 form. As for the 6/8/05 shipment, there were two loads used to transport these horses to the slaughter plant, as they wouldn't all fit on one truck. Mr. Carter was made aware by the driver, Steve Smith of Triple R Trucking, about the horse that died en-route. Mr. Carter stated the driver was not aware that when he stopped and unloaded the horses in Iowa due to tornadoes, that he was to fill out another VS10-13 form. Mr. Smith filled out the VS10-13 form, as Mr. Carter was not present during the purchase and loading of these horses. He stated he has a buyer named Dennis Smebacker who purchases horses for him at various sales.

IL05154-VS: 5/10/05 shipment: Mr. Carter was not present during the purchase and transport of this load, as his buyer, Dennis Smebacker, purchased and loaded the horses for him. He did not fill out this VS10-13 for this load. Mr. Carter stated Dennis Smebacker's assistant [REDACTED] filled out the paperwork for this load. He said he paid Mr. Smebacker for the transport of these horses. Mr. Carter stated the top portion of page two and three were not filled out, as they were continuation sheets from the first page, which contained all of the load information. He stated he did not have Randall Transportation information readily accessible. Mr. Carter stated he was made aware a horse had died en-route and did not notify the USDA or a veterinarian, as the dead horse was discovered at the plant. He was also notified about cuts on a horses head, but again, the driver was already at the plant and there was nothing he could do about at that point, as it occurred while en-route.

5/24/05 shipment: Mr. Carter filled out the VS10-13 himself, applied back tags and loaded the horses at his farm. He documented all pre-existing injuries on the VVS10-13. He was notified of additional horse injuries after the driver arrived at the slaughter plant, which occurred en-route.

5/5/05: These horses were loaded at Mr. Carter's residence. He applied the back tags himself. His employee filled out the VS10-13 while he was loading the horses. Mr. Carter stated he documented all pre-existing injuries on the VS10-13. He said any additional injuries noted at the slaughter plant occurred while en-route.

4/28/05: These horses were purchased by his buyer, Dennis Smebacker. Mr. Carter was not present during the purchase or loading of these horses. He did not fill out the VS10-13...he assumes Dennis Smebacker filled it out. He said Dennis is aware to note all pre-existing injuries on the VS10-13 so all injuries that were noted at the plant occurred en-route. He said he was aware the driver stopped and watered the horses but was unaware they were unloaded, which would've required a new VS10-13.

IL05175-VS: 5/24/05 shipment: Mr. Carter back tagged and loaded these horses at his farm. He noted all pre-existing injuries on the VS10-13, including horse #USCI2557, which had a blood wart and a cut on her leg. Mr. Carter felt this horse was fit to travel and did not require veterinary care prior to loading her onto the truck. Mr. Carter stated the driver notified him of a dead horse upon arrival at the plant.

IL05176-VS: 6/3/05 shipment: These horses were purchased by his buyer, Dennis Smebacker, at a sale in Billings, MT. Mr. Carter stated [REDACTED] Mr. Smebacker's assistant, filled out the VS10-13 and evidently errored in listing some of the horses in this load. He was not present during the purchase or the loading of the horses. Mr. Carter assumed

INTERVIEW LOG

USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)
CONTACTED:

Charles Carter

DATE:

8/18/05

ALL redactions on this page are pursuant to (b)(6) & (b)(7)(C)

that since the horses were going to Cavel Slaughter plant, the brand inspector put Cavel on the brand paperwork. Steve Smith of Triple R Transportation hauled these horse to Cavel from MT. Mr. Carter said he paid Triple R Transportation for the transport. He said he was notified several horses were injured en-route form MT to Cavel slaughter plant. Mr. Carter stated Mr. Smith said horse #1433 was injured while off loading at Cavel slaughter plant.

IL05080-VS: 6/22/05 shipment: These horses were purchased and loaded by [REDACTED] for Mr. Carter in Stroud, OK. He said he didn't know who tagged the horses. Mr. Carter said the VS10-13 was filled out by [REDACTED] who signed his name instead of her own. He said he was not present during the purchase and loading of these horses. Mr. Carter said he was the owner of these horses during transport. He said he was notified by the truck driver that a horse had died en-route and discovered upon arrival at the slaughter plant. Mr. Carter said [REDACTED] must have figured this horse was fit to travel when he loaded it.

IL05083-VS: 7/24/05 shipment: This load of horses were back tagged and loaded at Mr. Carter's farm by him and his employee. He said his employee filled out the VS10-13 while he was loading the horses, and noted all pre-existing injuries. He said there were no problems with horse #USCO 4063 when it was loaded. Mr. Carter said he was notified by the driver, [REDACTED] who is self employed, that this horse had broke its leg en-route. He said he was notified after the driver had arrived at the slaughter plant. Mr. Carter said when he found this out, he contacted an IL USDA laboratory and [REDACTED] brought it to the laboratory to be checked by a veterinarian. He stated he was notified that the horse had died. Mr. Carter did not have documentation to provide me concerning this laboratory visit. Mr. Carter said he was not aware there were aged stallions on this load. He said he is aware of the regulations pertaining to separation of aged stallions.

IL05188-VS: 7/26/05 Shipment: These horses were purchased at Billings Livestock Commission Company in MT. He said he was present during the purchase but not the loading of these horses, as they were loaded and transported the day after the sale. Mr. Carter stated he filled out all the VS10-13s that accompanied this shipment. He said he forgot to complete the auction information and left the driver information to be filled out by the driver, [REDACTED] as he wasn't sure who the driver was going to be and left MT before the horses were loaded. Mr. Carter stated he listed all pre-existing injuries on the VS10-13 while they were being corralled at the Livestock barn after purchase. Mr. Carter stated all other horses noted to have injuries upon arrival at Cavel slaughter plant happened while en-route, which he had no control over. Mr. Carter stated he purchased approximately 99 horses during the sale, however, not all of the horses purchased went to slaughter. He said he brought some of the horses to his farm in Colorado. Mr. Carter said he was not aware the horses were unloaded in North Dakota.

Mr. Carter was very cooperative during this interview. He said he was not willing to sign a statement, as he was advised not to sign anything without an attorney. Mr. Carter said USDA Doug Hoffman hassles his drivers almost every time they arrive at the slaughter plant. He stated there were times Mr. Hoffman made his drivers wait in the hot parking lot for hours prior to unloading, which is when the horses fight and get injured. Mr. Carter expressed that he does not understand how he can be responsible or prevent the loaded horses from injuring one another while en-route.

NAME OF PERSON DOCUMENTING
INTERVIEW:

Senior Investigator

DATE:

August 18, 2005



INTERVIEW LOG

USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)
CONTACTED:

Dennis Smebakken
7128 Elk Creek Road,
Piedmont, South Dakota 57769-2003

DATE:

10-19-2005

TYPE OF INTERVIEW (BY PHONE OR IN
PERSON):

In Person

ORGANIZATION:

Rushmore Livestock Inc.

TELEPHONE NUMBER:

(b)(6), (b)(7)c

SUBJECT:

Violations of the Slaughter Horse Transportation Regulations

LOCATION OF INTERVIEW:

Rushmore Livestock Inc.
7128 Elk Creek Road
Piedmont, SD 57769

SUMMARY:

On 10-19-2005, I met with Mr. Dennis Smebakken, owner of Rushmore Livestock Inc. at his facilities located at 7128 Elk Creek Road, Piedmont, SD 57769.

Mr. Sembakken stated he had been buying slaughter horse business for 20 years and had been purchasing slaughter horses for Charles Carter out of Loveland, CO for a while now.

Mr. Sembakken stated that he paid for the horses he purchased for Charles Carter arranged for the horses transport to the slaughter plant and paid for the trucking and was reimbursed for these charges by Charles Carter after the slaughter plant paid Charles Carter for the horses.

Mr. Sembakken stated he was aware of the Slaughter Horses Transportation Regulations and had a copy of the note book and video regarding Slaughter Horses Transportation Regulations.

Mr. Sembakken stated that this really was not much of a value to him as he could not remember or comprehend the things he read for vary long and preferred to just buy horses and ship them because he was good at that.

I showed Mr. Sembakken the VS forms 10-13 owner / shipper certificates in question and discussed the items that he needed to address when filling them out, Mr. Sembakken followed along and then stated he would most likely not remember all we had talked about.

Mr. Sembakken and I discussed the following cases at this time: IL05151, IL05154-VS, IL05158-VS, IL05176-VS, IL05188-VS, IL06009-VS

At the time of this interview Mr. Smebakken went over the case information with me and discussed his involvement in the purchasing and shipping of these horses, when asked to sign an affidavit Mr. Dennis Smebakken stated he did not wish to sign a statement as he felt the other persons involved in the case were not there to represent themselves. I reminded Mr. Smebakken that we had only talked about his involvement in these shipments and had not covered anything any of the other persons involved in the shipments had done, but Mr. Sembakken again declined to sign a statement.

Mr. Sembakken was pleasant while I was interviewing him and also when declining to sign the statement but he felt he should not sign any statements which involved other persons. Mr. Sembakken invited me to stop by

INTERVIEW LOG

USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)
CONTACTED:

Dennis Smebakken
7128 Elk Creek Road,
Piedmont, South Dakota 57769-2003

DATE:

10-19-2005

All redactions on this page are pursuant to (b)(6) & (b)(7)(C)

again but stated he would most likely never sign a statement regarding slaughter horses shipments.

IL05151

Load #1 45 horses Mandan, ND

Mr. Smebakken stated he purchased these horses at Kist Livestock in Mandan, ND, he paid for the horses and arranged for the trucking and paid for the trucking.

The colts were over 6 months of age

He filled out the paperwork regarding the horses and tagged the horses, he left the paperwork for the trucker to finish he the horses were loaded; he was not present when the horses were loaded.

Load #2 54—57 horses Sisseton, SD

Mr. Smebakken stated he purchased these horses at Sisseton livestock in Sisseton, SD, he paid for the horses and arranged for the trucking and paid for the trucking.

He filled out the paperwork regarding the horses and tagged the horses, he left the paperwork for the trucker to finish he the horses were loaded, he was not present when the horses were loaded

IL05154-VS – 45 horses St. Onege, SD

Mr. Smebakken stated he purchased these horses at St Onege Livestock in St Onege, SD, he paid for the horses and arranged for the trucking and paid for the trucking.

His friend/ helper [redacted] filled out the paperwork regarding the horses and he tagged the horses, he left the paperwork for the trucker to finish he the horses were loaded; he was not present when the horses were loaded.

IL05158-VS – 48 horses Billings, MT

Mr. Smebakken stated he purchased these horses at Billings Livestock commission in Billings, MT, he paid for the horses and arranged for the trucking and paid for the trucking.

He filled out the paperwork regarding the horses and tagged the horses, he left the paperwork for the trucker to finish he the horses were loaded; he was not present when the horses were loaded.

IL05176-VS – 101 horses Billings, MT

Mr. Smebakken stated he purchased these horses at Billings Livestock commission in Billings, MT, he paid for the horses and arranged for the trucking and paid for the trucking.

His friend/ helper [redacted] filled out the paperwork regarding the horses and he tagged the horses, he left the paperwork for the trucker to finish he the horses were loaded; he was not present when the horses were loaded.

IL05188-VS

Load #1 – 50 horses Billings Mt.

Load # 2 – 39 horses Corsica, SD

Load #3 – 45 horses Loveland, CO

Mr. Smebakken stated Charles Carter purchased these horses, paid for the horses and arranged for the trucking and paid for the trucking. And he did not know anything about these horses.

IL06009-VS – 99 horses Billings, MT / Piedmont, SD

Mr. Smebakken stated he purchased these horses at Billings Livestock commission in Billings, MT, he paid for the horses and arranged for the trucking and paid for the trucking.

INTERVIEW LOG

USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)
CONTACTED:

Dennis Smebakken
7128 Elk Creek Road,
Piedmont, South Dakota 57769-2003

DATE:

10-19-2005

He filled out the paperwork regarding the horses and tagged the horses, he left the paperwork for the trucker to finish he the horses were loaded; he was not present when the horses were loaded.

The horses may have come from Billings, MT to Piedmont, SD where they were unloaded and rested while the truckers slept and then reloaded, Mr. Sembakken was not sure if all the same horses were reloaded he thought they should have been the same horses. Mr. Sembakken did not know he should have filled out new paperwork when these horses were reloaded and could not see what good new paperwork would be if it was the same horses.

The need for new paperwork to be filled out to better track shipments was explained to Mr. Sembakken.

NAME OF PERSON DOCUMENTING
INTERVIEW:

(b)(6) & (b)(7)(C) Investigator ND

(b)(6) & (b)(7)(C)

DATE:

11-16-2005



AFFIDAVIT

I, Steven D. Smith, being duly sworn on oath make the following statement: to [redacted] who has identified himself as an investigator with the USDA/APHIS Investigative Enforcement Services.

My name is Steven D. Smith Jr. and my date of birth is [redacted] social security number [redacted] My home address is [redacted] My phone number is [redacted] I am employed as a truck driver for Triple R Trucking located at RR-1, Gordon, Nebraska 69343 phone 800-786-7241. This is my second or third load of horses I have transported to slaughter.

I picked these horses up in Sisseton South Dakota from Sisseton Livestock. Charles Carter had purchased these horses for slaughter and hired Triple R Trucking to transport the horses to Cavel International in Dekalb, Illinois. I left Sisseton South Dakota at approximately 3:30am on June 8, 2005 with a load of 49 horses. I ran in to bad weather near Canton, South Dakota and I decided to pull off the road, as it was not safe to drive. The storm lasted about 60-90 minutes. I would not be able to make it in time to get to the plant in Dekalb, Illinois before they shut down for the day. The plant (Cavel International) does not have corrals or outside holding pens. I drove to Manchester Iowa and decided to unload all 49 horses at Manchester Livestock at approximately 3:30pm on June 8, 2005. The horses were provided rest, food and water. I then started reloading the horses at approximately 10:00pm and left Manchester, Iowa at 11:00pm on June 8, 2005. I arrived at Cavel International in Dekalb, Illinois at 3:45 am.

I stopped and checked the horses every 50- 75 miles and when I got fuel and did not notice any problems with the horses. I also checked the horses when I arrived at the plant and did not notice any problems or down horses. I had just starting going to sleep at the plant waiting to get unloaded when I noticed some horses started fighting on the truck. They would fight for a little bit and then quit. Next thing I remember is being woke up to unload my truck and then finding one horse down dead on the truck USDA backtag #USBD 1106. Also one other horse with USDA backtag #USBD 1123, grey mare had a cut on its forehead and was in the upper top rear compartment that divided the two horses. The photographs that had blood on the roof of the trailer were taken in the upper top rear compartment where the grey mare was at. The gate was removed/ penned up against the wall when the photos were taken by USDA Investigator [redacted] The dead horse (USBD 1106) was in the upper front which had a total of eight horses. On the VS Form 10-13, all the blue writing is mine. I wrote in other cuts and bruises I noticed when loading. I entered the remarks for horse with backtag # USBD 1103 with 2 bad eyes and other scars. I meant to enter this information on horse with USDA backtag #USBD1106. By two bad eyes, I meant the horse had infections in both eyes. It could still see and was not blind. Both eyes were swelled with pus but could still see and loaded fine. I did not know I was supposed to fill out new paperwork for when I unload and reload horses going to slaughter. I will do so in the future. Copies of the VS-Form 10-13 were left for me at the Sisseton Livestock with instructions on how to load the truck with horses. The instructions were written on the envelope as how many horses to put in each partition on the truck. There were 5 VS-Form 10-13's in the envelope listing 75 horses. I hauled 49 horses to slaughter that are listed on at least 4 of VS-Form 10-13's. It is possible another truck had loaded these other 26 horses before I got there. My trailer is a double decker 53 foot long. The ceiling height is at least 6 ft tall or taller. I have read the above statement and it is true and correct to the best of my knowledge.

[redacted]
(b)(6), (b)(7)c

GOVERNMENT EXHIBIT
8
Page 1 of 1

Subscribed and sworn to before me at 108 Harvestore Drive, Dekalb, Illinois
On this 9 day of June, 2005.

[redacted]
(b)(6), (b)(7)c

AFFIDAVIT

I, (name of affiant) Jason Sweastud, being duly sworn on oath

make the following statement: On 1 March 2005 I loaded 45 horses out of Mandan, ND. at about 12:00pm. I work for Triple R Trucking out of Dickinson, North Dakota 58601 there phone number is 701-225-7119. A Mr. Charles Carter of 4054 CTRd 20E Loveland, CO, 80537 his phone number is 970-227-7798. I have been hauling horses on and off for 7 or 8 years. I have taken loads to Belter in Texas and this is my first load of horses I have driven to Cavel. I believe horse back tag number USBZ 4111 was injured before it was loaded on my truck. I also believe this is an old injury and it may have been bumped or broke open to appear to be fresh while en route to Cavel. Horses seemed to ride fine and I did not notice any fighting. I have also filled out the Slaughter Horse Shipment Information provided to me by Doug Hoffman who is the USDA, APHIS, US inspector working at Cavel. Also all other horses unloaded fine and without injury. The above information is true and correct to the best of my knowledge. I would like to request a copy of the pictures taken be mailed to my home address

(b)(6), (b)(7)c

Subscribed and sworn to before me at Cavel International in Dekalb, IL on this 2nd day of March 2005

(b)(6), (b)(7)c

EXHIBIT 9 Page 1 of 1 APHIS FORM 7070 (MAR 96)

Slaughter Horse Shipment Information

Shipper/Trucker's Name: Jason Swensen - Triple R Trucking

Shipper/Trucker's Address: PO Box 684 Dickinson ND 58601
(mailing address, street, town, state, zip code)

Shipper/Trucker's Telephone/Cell Phone # _____
Shipper/Trucker's Driver's License # _____ State: ND
SSN: _____ DOB: _____

Occupation: Driver
Employer's Name, Address: Triple R Trucking
PO Box 684 Dickinson ND

Number of Years Transporting Livestock: 8
" " " Slaughter Horses: 7-8

Truck License Plate #: _____ Trailer License Plate#: _____

Date of Slaughter Horse Shipment: 3/1/05

Owner of Slaughter Horses' Shipped: Charles Carter
Owner's address: _____ (b)(6) (b)(7)(c)

Number of Horses in Shipment: 45

Origin of Horse Shipment: Mandan ND
(market & address, ranch/farm address)

Who loaded the horses: Myself + my Boss
Horses loaded by Compartments: 10 Head in nose - 8/9 in hp
(#, size of horses in each compartment) 9/9 Belly - 5 Backend

Number of Stops, Locations: Jamestown ND checked horses -
All horses checked at each stop?: Fergus Falls, Mn checked - OSSE, W: checked
Rockelle, IL checked

Documents Accompanying Horse Shipment: Brands / Shipper Certificates

Identify any Problems Resulting in Injury of Horse(s) during Shipment:
All looked good - NONE went down - plenty of Room -

Slaughter Horse Transportation Regulations & Information 3/2/05
(Date Received)
3/2/05
Date

(b)(7)c, (b)(6)



CASE NUMBER: IL05151-VS

USBZ 4111-3. JPG



SUBJECT NAME : Charles Carter

LIC/REG/CASE NO. IL05151-VS

VIOLATION SECTION NO. 9 CFR 88.4

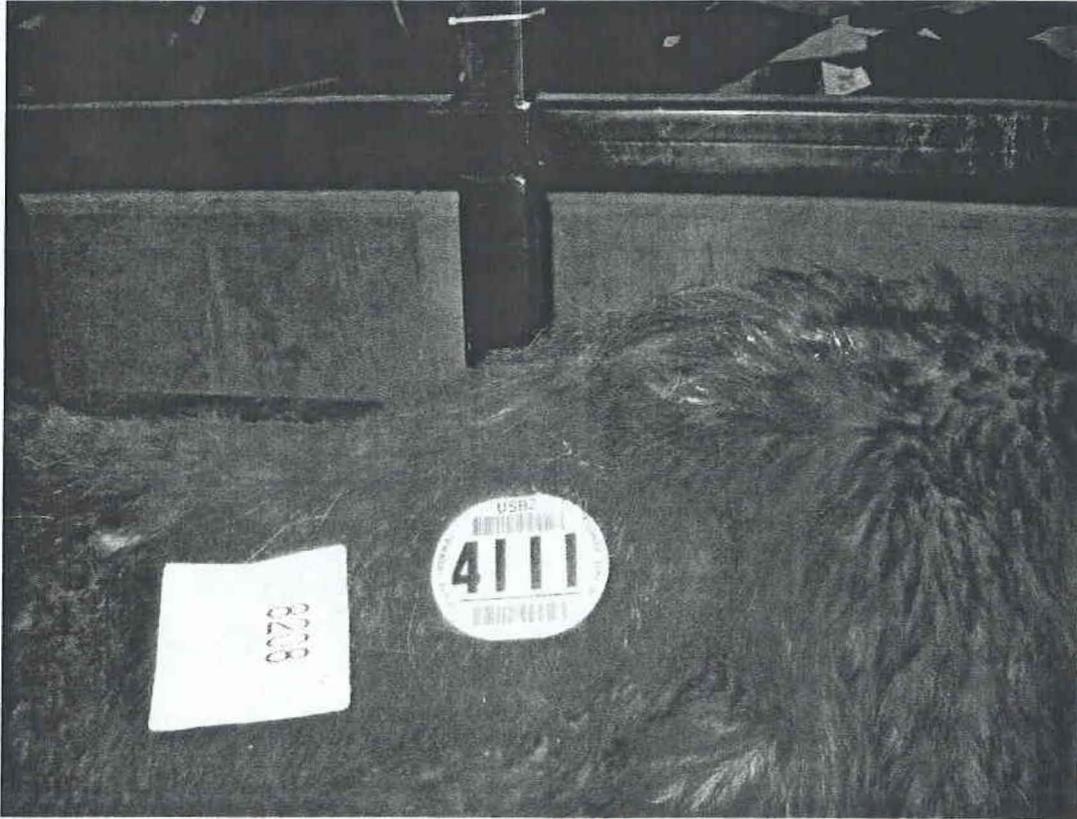
DESCRIPTION OF PHOTOGRAPH: Shows injured horse with USDA back tag # USBZ4111 and Cavel house tag # 8208.

PHOTOGRAPHER: Doug Hoffman USDA/APHIS/VS

DATE: 03/02/2005

CASE NUMBER: IL05151-VS

USBZ 4111-2. JPG



SUBJECT NAME : Charles Carter

LIC/REG/CASE NO. IL05151-VS

VIOLATION SECTION NO. 9 CFR 88.4

DESCRIPTION OF PHOTOGRAPH: Shows injured horse with USDA back tag # USBZ4111 and Cavel house tag # 8208.

PHOTOGRAPHER: Doug Hoffman USDA/APHIS/VS

DATE: 03/02/2005

CASE NUMBER: IL05151-VS

DSC00464.JPG



SUBJECT NAME : Charles Carter

LIC/REG/CASE NO. IL05151-VS

VIOLATION SECTION NO. 9 CFR 88.4

DESCRIPTION OF PHOTOGRAPH: Shows head injury on horse with USDA back tag # USBD1123.

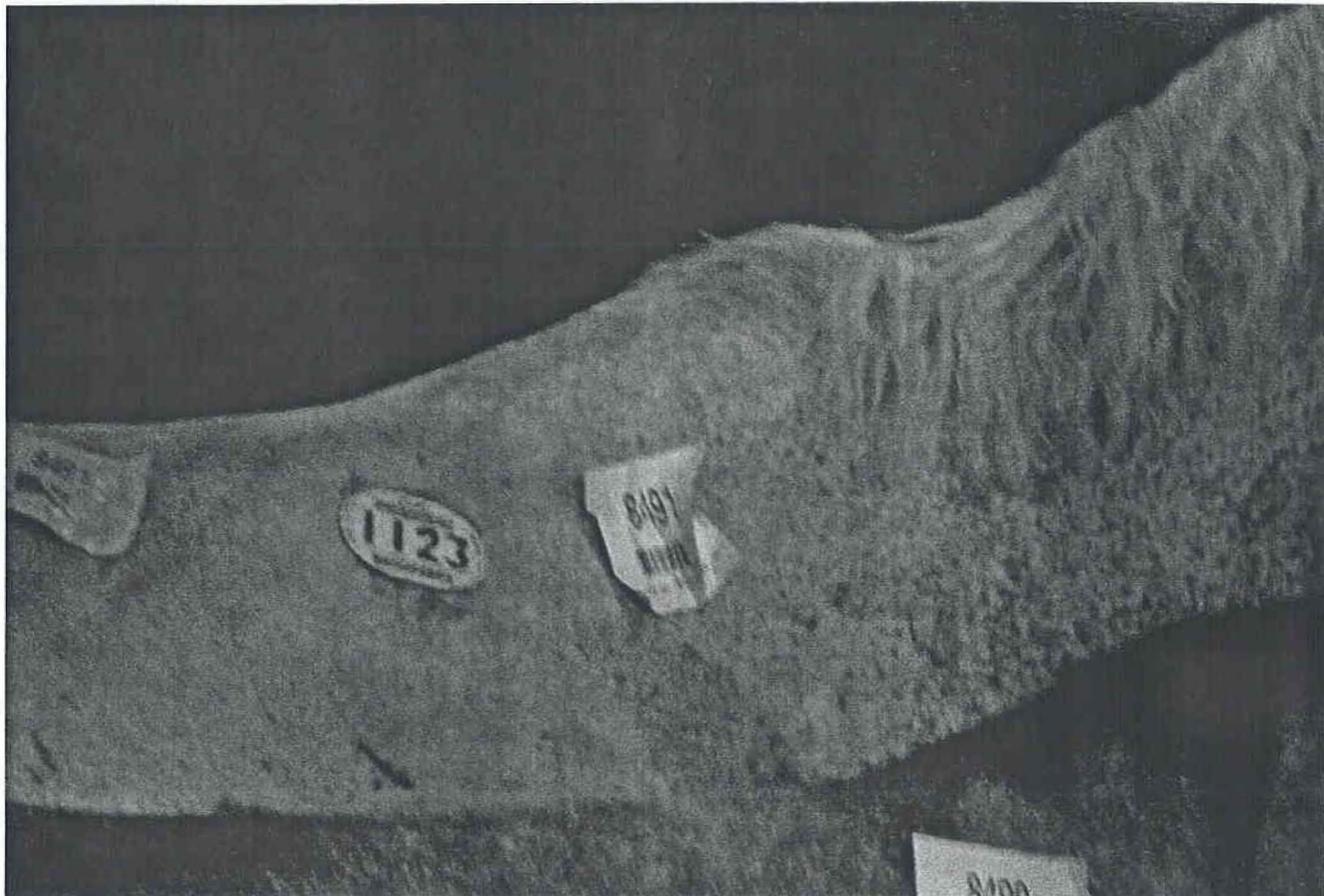
PHOTOGRAPHER: Joe Bauman USDA/APHIS/IES

DATE: 06/09/2005



CASE NUMBER: IL05151-VS

DSC00467.JPG



SUBJECT NAME : Charles Carter

LIC/REG/CASE NO. IL05151-VS

VIOLATION SECTION NO. 9 CFR 88.4

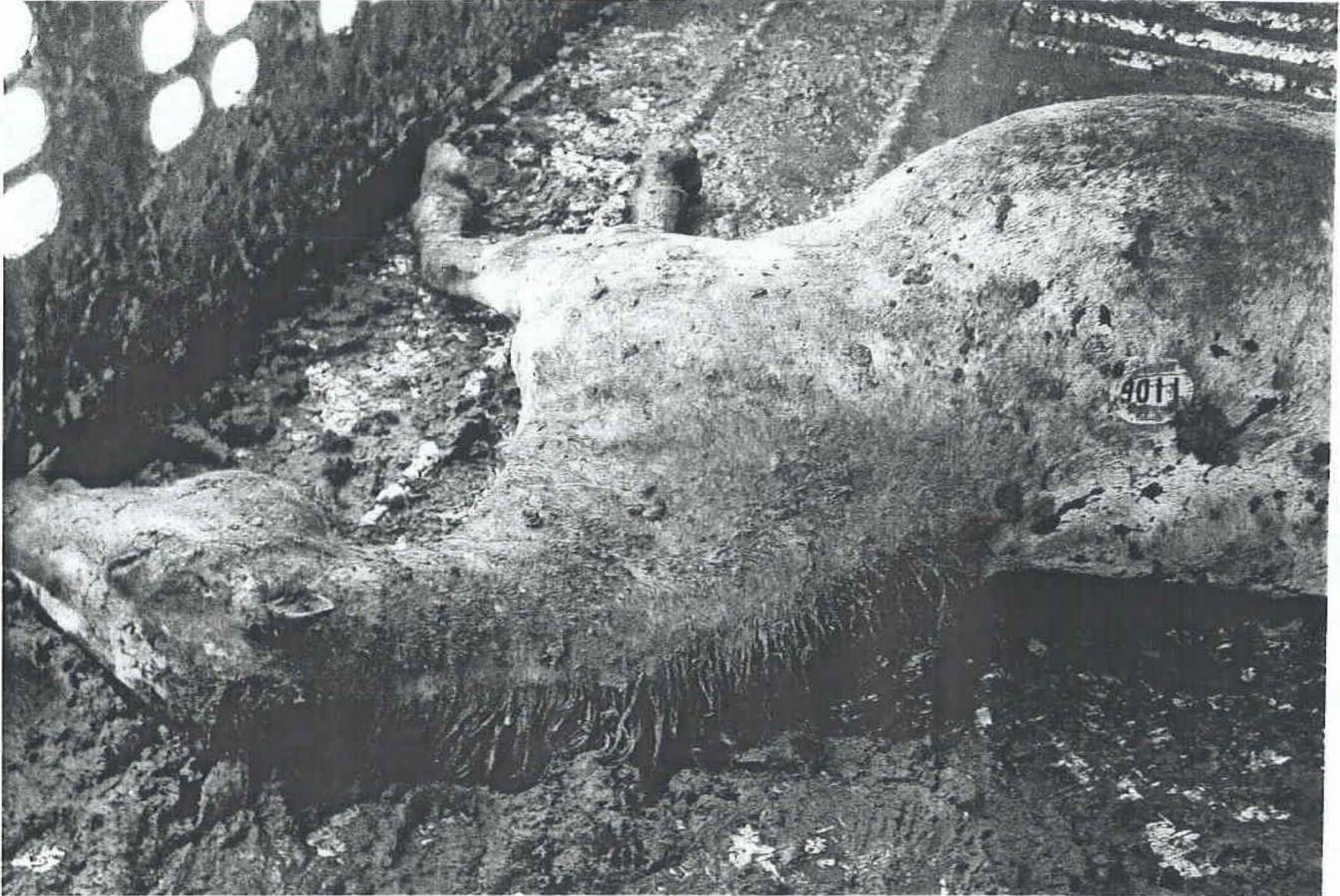
DESCRIPTION OF PHOTOGRAPH: Shows head injury on horse with USDA back tag # USBD1123 and Cavel house tag # 8491.

PHOTOGRAPHER: Joe Bauman USDA/APHIS/IES

DATE: 06/09/2005

CASE NUMBER: IL05151-VS

DSC00460. JPG



SUBJECT NAME : Charles Carter

LIC/REG/CASE NO. IL05151-VS

VIOLATION SECTION NO. 9 CFR 88.4

DESCRIPTION OF PHOTOGRAPH: Shows dead horse with USDA back tag # USBD1106.

PHOTOGRAPHER: Joe Bauman USDA/APHIS/IES

DATE: 06/09/2005

CASE NUMBER: IL05151-VS

DSC00456.JPG



SUBJECT NAME : Charles Carter

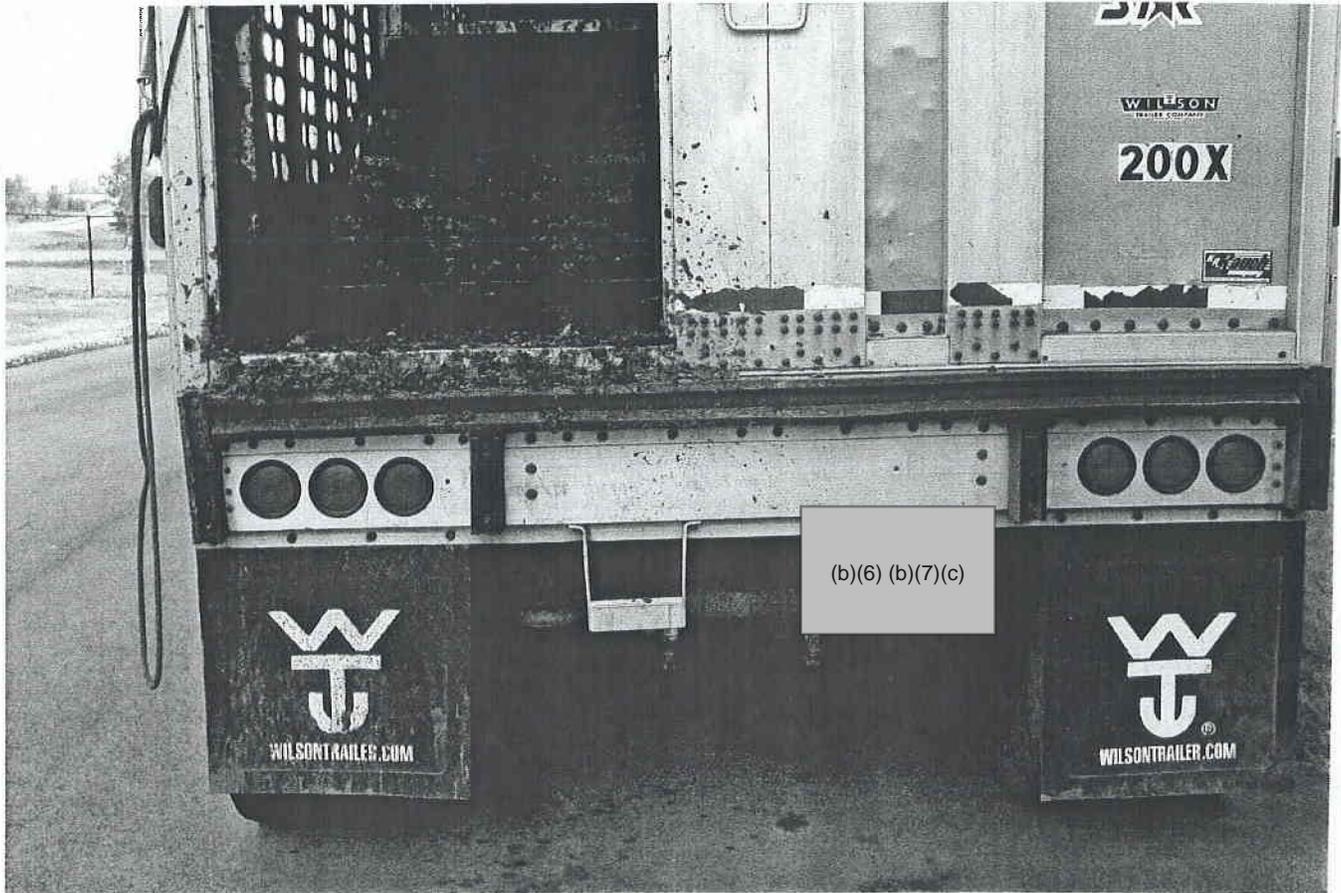
LIC/REG/CASE NO. IL05151-VS

VIOLATION SECTION NO. 9 CFR 88.4

DESCRIPTION OF PHOTOGRAPH: Shows truck cab with name (Triple R Trucking) that hauled horses to slaughter for Charles Carter.

CASE NUMBER: IL05151-VS

DSC00455.JPG



SUBJECT NAME : Charles Carter

LIC/REG/CASE NO. IL05151-VS

VIOLATION SECTION NO. 9 CFR 88.4

DESCRIPTION OF PHOTOGRAPH: Shows Triple R. Trucking trailer that hauled horses to slaughter for Charles Carter.



DRIVER'S DAILY LOG

(24 HOURS)

6, 8, 05
(Month) (Day) (Year)

Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

Total Miles Driving Today
Total Mileage Today

Triple R
Name of Carrier or Carriers
Dickinson, MA
Main Office Address

Home Terminal Address

(b)(6) (b)(7)(c)

Co-Driver's Name

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS	
1. OFF DUTY																										
2. SLEEPER BERTH																										
3. DRIVING																										
4. ON DUTY (NOT DRIVING)																										
REMARKS																										

SHIPPING DOCUMENTS:
B/L or Manifest No. or
Shipper & Commodity
From: *De Kalb, GA* To: *De Kalb, GA*
Enter name of place you reported and where released from work and when and where each change of duty occurred.

USE TIME STANDARD AT HOME TERMINAL © Copyright 2003 & Published by J. J. KELLER & ASSOCIATES, INC.

RECAP

Complete at end of workday.
On-duty hours today. (Total lines 3 & 4)

70 Hour/8 Day Drivers

A. Total hours on duty last 7 days, including today.

B. Total hours available tomorrow. 70 hr. minus A.*

C. Total hours on duty last 8 days, including today.

60 Hour/7 Day Drivers

A. Total hours on duty last 6 days, including today.

B. Total hours available tomorrow. 60 hr. minus A.*

C. Total hours on duty last 7 days, including today.

*If you took 34 consecutive hours off duty, you have 60/70 hours available again.



DRIVER'S DAILY LOG

(24 HOURS)

6, 9, 05
(Month) (Day) (Year)

Original - File at home terminal
Duplicate - Driver retains in his/her possession for eight days

Total Miles Driving Today
Total Mileage Today

Triple R
Name of Carrier or Carriers
Dickinson, MA
Main Office Address

Home Terminal Address

I certify these entries are true and correct:

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS	
1. OFF DUTY																										
2. SLEEPER BERTH																										
3. DRIVING																										
4. ON DUTY (NOT DRIVING)																										
REMARKS																										

SHIPPING DOCUMENTS:
B/L or Manifest No. or
Shipper & Commodity
From: *De Kalb, GA* To: *De Kalb, GA*
Enter name of place you reported and where released from work and when and where each change of duty occurred.

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RECAP

Complete at end of workday.
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60 Hour/7 Day Drivers

A. Total hours on duty last 6 days, including today.

B. Total hours available tomorrow. 60 hr. minus A.*

C. Total hours on duty last 7 days, including today.

*If you took 34 consecutive hours off duty, you have 60/70 hours available again.



Cavel International, Inc.

Lot Sheet : 2050124
 Truck Costs :
 Other Costs :
 Commission :

Vendor : Carter, Charles Date : 03.02.05

Tag	LWT	PPP	Value	TPPP	Tot Val	LG	Descr	Yard	YWGT	S	PPG	TPG	HWT	Yield	Died	Cond
8185	1.563					DB	BLK	4107		M	0,8500	780,30	918,00	58,73		
8186	542					BC	BAY	6211		M	0,7500	321,00	428,00	78,97		
8187	736					BO	BAY	0		M	0,7500	297,00	396,00	53,80		
8188	779					BO	ROAN	6201		M	0,7500	316,50	422,00	54,17		
8189	618					BO	ROAN	4115		G	0,7500	268,50	358,00	57,93		
8190	999					BO	ROAN	6223		G	0,7200	513,36	713,00	71,37		
8191	769					BO	SOR	0		G	0,7500	349,50	466,00	60,60		
8192	1.006					BO	WHIT	6213		G	0,7500	484,50	646,00	64,21		
8193	746					BO	DUN	6208		G	0,7500	328,50	438,00	58,71		
8194	903					BO	GRAY	0		M	0,6500	356,85	549,00	60,80		
8195	650					BB	BAY	4118		G	0,7500	249,00	332,00	51,08		
8196	724					BB	BAY	4101		M	0,7500	228,00	304,00	41,99		
8197	811					QC	SOR	4112		M	0,7500	386,25	515,00	63,50		
8198	681					QC	SOR	6206		G	0,7500	303,00	404,00	59,32		
8199	1.176					CA	SOR	4104		M	0,8200	579,74	707,00	60,12		
8200	720					QC	PAIN	4117		M	0,7500	307,50	410,00	56,94		
8201	1.070					BO	BAY	0		M	0,7200	433,44	602,00	56,26		
8202	1.350					DB	GRAY	6224		G	0,7200	528,48	734,00	54,37		
8203	974					BO	BAY	6219		G	0,7200	438,48	609,00	62,53		
8204	811					BO	SOR	4113		G	0,7500	358,50	478,00	58,94		
8205	1.088					BO	BAY	4116		G	0,7200	512,64	712,00	65,44		
8206	828					QC	BLK	4102		M	0,7500	420,00	560,00	67,63		
8207	1.172					CA	BAY	4108		M	0,8200	523,16	638,00	54,44		
8208	860					BO	SOR	4111		M	0,7500	370,50	494,00	57,44		
8209	958					BO	APP	4105		M	0,7200	440,64	612,00	63,88		
8210	796					BO	BAY	4114		M	0,7500	379,50	506,00	63,57		
8211	1.193					CA	SOR	4103		M	0,8200	585,48	714,00	59,85		
8212	999					BO	BAY	4109		G	0,7500	471,00	628,00	62,86		
8213	1.148					BO	PAIN	4106		M	0,7200	514,08	714,00	62,20		
8214	1.030					BO	ROAN	0		G	0,7500	501,00	668,00	64,85		
8215	976					BO	BAY	6210		M	0,7500	403,50	538,00	55,12		
8216	1.129					CA	SOR	6207		G	0,8200	577,28	704,00	62,36		
8217	1.156					BO	BLK	6205		M	0,7200	452,88	629,00	54,41		
8218	808					BO	WHIT	6216		G	0,7500	328,50	438,00	54,21		
8219	1.130					CA	PAIN	6203		M	0,8200	551,04	672,00	59,47		
8220	992					BO	BAY	6225		M	0,7200	434,88	604,00	60,89		
8221	908					BO	SOR	6204		M	0,5500	270,60	492,00	54,19		
8222	1.153					CA	SOR	6202		M	0,8200	595,32	726,00	62,97		
8223	957					DC	SOR	6215		G	0,7500	414,00	552,00	57,68		
8224	1.104					CA	GRAY	6221		G	0,7500	483,00	644,00	58,33		
8225	1.397					DB	BAY	0		M	0,8500	646,00	760,00	54,40		
8226	1.196					BO	SOR	0		M	0,7200	474,48	659,00	55,10		
8227	1.189					CA	GRAY	0		S	0,7200	529,92	736,00	61,90		
8228	1.093					CA	SOR	0		M	0,8200	519,88	634,00	58,01		
8229	1.069					BO	GRAY	0		M	0,7500	502,50	670,00	62,68		

Pd
 3/2/05
 CK#
 21652
 \$1973018
 00050

CHARGED MAR - 4 2005

Total costs per pound :

S 45 43.957

11-535 Torrance_000068

19.730,18

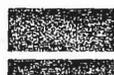
Load

19.730,18

GOVERNMENT EXHIBIT
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 Page 1 of 1
 APHIS FORM 7070 (MAR 95)

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS

DATE	AMOUNT
3/2/05	19730.18
Lot #	
2650124	
45 head	
# 8185-8229	



Cavel International Inc.

HORSE BUYING ACCOUNT Ph. 815-756-8051
108 Harvestore Dr. • DeKalb, IL 60115-8604

21652

DATE 3/2/05

70-2406-719

PAY TO THE ORDER OF

Charles Carter

\$ 19,730.18

Nineteen Thousand Seven Hundred and Thirty Dollars and 18/100

DOLLARS

AMERICAN NATIONAL BANK
of DeKalb County

124 S. Main Street 1985 DeKalb Avenue 913 S. Fourth Street
Sycamore, IL 60178 Sycamore, IL 60178 DeKalb, IL 60115
815-895-9121 815-895-9121 815-756-1444

(b)(6) (b)(7)(c)

(b)(4)

GOVERNMENT EXHIBIT

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Page 1 of 1

APHIS FORM 7070 (MAR 95)

Cave! International, Inc.

Lot Sheet : 2050419 Vendor : Carter, Charles Date : 06.08.05
 Truck Costs :
 Other Costs :
 Commission :

Tag	LWT	PPP	Value	TPPP	Tot Val	LG	Descr	Yard	YWGT	S	PPG	TPG	HWT	Yield	Died	Cond
8364	119					BC	BLK	1154		G	0,3000	118,80	396,00	332,77		
8365						BC	SOR	1158		M	0,7000	277,20	396,00			
8366	228					QC	SOR	1156		G	0,7000	327,60	468,00	205,26		
8367						QC	BLK	1162		G	0,7000	294,00	420,00			
8368						PO	BAY	1161		S	0,3000	112,20	374,00			
8369	32					EQ	GRAY	8045		G	0,2500	80,50	322,00	1.006,25		
8370	527					BC	SOR	1182		G	0,5000	233,50	467,00	88,61		
8371	270					QC	SOR	1181		G	0,7000	346,50	495,00	183,33		
8372						BC	SOR	1165		G	0,5000	200,00	400,00			
8373						QC	SOR	1179		G	0,5000	246,50	493,00			
8374						QC	BAY	1159		M	0,7000	331,10	473,00			
8375						QC	BAY	0		M	0,7000	326,20	466,00			
8376	285					QC	PAIN	1153		G	0,7000	285,60	408,00	143,16		
8377						QC	SOR	1157		G	0,7000	332,50	475,00			
8378	64					BC	PAIN	0		G	0,3000	117,30	391,00	610,94		
8379						QC	SOR	1180		G	0,6000	300,00	500,00			
8380	665					BO	SOR	1177		M	0,7000	385,70	551,00	82,86		
8381	334					BO	PAIN	1442		M	0,6700	403,34	602,00	180,24		
8382						BO	SOR	1444		G	0,6700	459,62	686,00			
8383	465					BO	GRAY	1118		M	0,5000	218,00	436,00	93,76		
8384	128					BO	GRAY	1448		M	0,5000	249,50	499,00	389,84		
8385	452					BO	BAY	1445		M	0,7000	387,80	554,00	122,57		
8386	199					CA	BAY	1443		M	0,8000	707,20	884,00	444,22		
8387	600					CA	BAY	1115		M	0,6700	494,46	738,00	123,00		
8388	565					BO	SOR	1449		M	0,6000	334,20	557,00	98,58		
8389						BO	SOR	1119		G	0,6700	463,64	692,00			
8390						BO	GRAY	1120		M	0,6700	459,62	686,00			
8391						CA	GRAY	1116		M	0,0100	0,01	1,00			Y
8392						BO	BAY	1121		M	0,6700	425,45	635,00			
8393						CA	GRAY	1117		G	0,6700	494,46	738,00			
8394						BO	SOR	1176		G	0,7000	380,80	544,00			
8395						BO	BAY	1175		M	0,6700	433,49	647,00			
8396						BO	PAIN	1114		G	0,6700	423,44	632,00			
8397						BO	BAY	1178		M	0,6000	316,80	528,00			
8398						BO	SOR	1160		M	0,6700	451,58	674,00			
8399						PO	GRAY	8046		G	0,2500	150,00	600,00			
8400						BO	WHIT	1450		M	0,2500	106,00	424,00			
8401						BO	BAY	1155		G	0,6700	408,03	609,00			
8402						DB	SOR	1152		G	0,2500	158,00	632,00			
8403						BO	BAY	1447		M	0,6700	463,64	692,00			
8404						BO	BAY	1446		M	0,6700	479,72	716,00			
8405						DB	SOR	1104		M	0,8000	755,20	944,00			
8406						DB	SOR	1105		M	0,8000	812,00	1.015,00			
8407	1.758					DB	BLK	0		M	0,2500	210,75	843,00	47,95		
8408	280					DB	BLK	1102		M	0,2500	195,00	780,00	278,57		

*6/8
 1120000
 15156*

Total costs per pound :

*15156.95
 420007*

GOVERNMENT EXHIBIT
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 Page 1 of 2
 APHIS FORM 7070 (MAR 95)

Cave? International, Inc.

Lot Sheet : 2050419

Vendor : Carter, Charles Date : 06.08.05

Truck Costs :

Other Costs :

Commission :

Tag	LWT	PPP	Value	TPPP	Tot Val	LG	Descr	Yard	YWGT	S	PPG	TPG	HWT	Yield	Died	Cond
S 45	6.971				15.156,95				Load			15.156,95				
Avg	155								Diff 6.971-		0,5671					
S 44	6.971				15.156,94				Load			15.156,94				
Avg	158								Diff 6.971-		0,5798					

22025

Cavel International Inc.

HORSE BUYING ACCOUNT Ph. 815-756-8051
108 Harvestore Dr. • DeKalb, IL 60115-8604

DATE 06/09/05 70-2406-719

THIS CHECK IS DELIVERED FOR PAYMENT
ON THE FOLLOWING ACCOUNTS

DATE	AMOUNT
<u>6/28/05</u>	
<u>Lot# 7050419</u>	<u>15,156.95</u>
<u>44hd</u>	
<u>#8364 - #8408</u>	
<u>Condemned No money taken out</u>	
<u>#8991</u>	<u>< 0.00</u>
<u>Fed EX FEE</u>	<u>< 20.00</u>

PAY TO THE ORDER OF

Charles Carter

\$ 15,136.95

FIFTEEN THOUSAND ONE HUNDRED THIRTY SIX AND 95/100

DOLLARS

AMERICAN NATIONAL BANK
of DeKalb County

124 S. Main Street Sycamore, IL 60178 815-895-9121
1985 DeKalb Avenue Sycamore, IL 60178 815-895-9121
913 S. Fourth Street DeKalb, IL 60115 815-756-1444

(b)(6) (b)(7)(c)

(b)(4)

BUYER: Store D/

SHIP TO: Cavel

DESTINATION: _____

TRUCK LINE: Triple R

SPECIAL INSTRUCTIONS: _____

Sisseton Livestock Auction Inc.
 Sisseton, South Dakota 57262

PEN NO.	NO. HEAD	WEIGHT
209	5	nose
208	8	TOP Fur
206	10	TOP rear
203	8	Bottom Front
205	10	Bottom rear
TOTAL: 2041	8	Back end

ENCLOSURES

- Brand Release
- Health
- Invoice