

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWA Docket No. 09-0175
)
Bodie S. Knapp, an individual, d/b/a)
The Wild Side,)
) **Order Setting Schedule for**
) **Filing Briefs on Remand**
Respondent)

On June 3, 2013, I issued a Decision and Order in which I found that Bodie S. Knapp committed 235 violations of the Animal Welfare Act, as amended (7 U.S.C. §§ 2131-2159) [Animal Welfare Act], and the regulations issued under the Animal Welfare Act (9 C.F.R. §§ 1.1-3.142) [Regulations].¹ Mr. Knapp sought judicial review of my June 3, 2013, Decision and Order, and on September 22, 2015, the United States Court of Appeals for the Fifth Circuit remanded the proceeding to me to further address 68 of 235 violations of the Animal Welfare Act and the Regulations which I found Mr. Knapp committed.²

¹Knapp, AWA Docket No. 09-0175, 2013 WL 8213607 (U.S.D.A. June 3, 2013).

²Knapp v. U.S. Dep't of Agric., 796 F.3d 445 (5th Cir. 2015).

On October 20, 2015, I conducted a conference call with Phillip Westergren, counsel for Mr. Knapp, and Colleen A. Carroll, counsel for the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture [Administrator], to discuss the manner in which to proceed on remand.³ Each party requested the opportunity to file a brief on remand and the parties agreed to the following briefing schedule.

The Administrator's brief on remand must be filed with the Hearing Clerk no later than December 1, 2015, and Mr. Knapp's response to the Administrator's brief on remand must be filed with the Hearing Clerk no later than January 20, 2016.⁴

Done at Washington, DC

October 20, 2015

William G. Jenson
Judicial Officer

³Sherida Hardy, the legal assistant employed by the Office of the Judicial Officer, also participated on the conference call.

⁴The Hearing Clerk's office receives documents from 8:30 a.m. to 4:30 p.m., Eastern Time. To ensure timely filing, the Administrator must ensure his brief on remand is received by the Hearing Clerk no later than 4:30 p.m., Eastern Time, December 1, 2015, and Mr. Knapp must ensure his response to the Administrator's brief on remand is received by the Hearing Clerk no later than 4:30 p.m., Eastern Time, January 20, 2016.