

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Petitioner,

vs.

**CHARLES D. LEONARD,
MARGARET R. LEONARD,
d/b/a LEONARD CATTLE COMPANY,**

Respondents.

8:13CV97

**ORDER TO SHOW CAUSE FOR
ENFORCEMENT OF
ADMINISTRATIVE
SUBPOENA DUCES TECUM**

Upon the Petition of the United States of America, under Section 9 of the Federal Trade Commission (FTC) Act as incorporated in section 402 of the Packers and Stockyards Act, 1921, as amended, 7 U.S.C. § 222, along with the memorandum of law, declarations, and exhibits submitted in support of the Petition, and sufficient cause appearing therefor, it is hereby:

ORDERED that the Respondents appear before the District Court of the United States for the District of Nebraska in that branch thereof presided over by the Honorable Thomas D. Thalken, in Courtroom 7, Second Floor of the Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on the **28th day of May, 2013, at 1:30 p.m.**, to show cause why Respondents should not be compelled to comply with the *subpoena duces tecum* issued by Alan R. Christian, Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, a duly authorized officer of the Secretary of Agriculture, on October 9, 2012, and served on Respondents on October 15, 2012. It is further

ORDERED that a copy of this Order, together with the Petition and attachments and exhibits thereto, along with the Memorandum of Law submitted in support of the

Petition, be served on Respondents by an officer of the United States Department of Agriculture hereby specifically appointed for that purpose, within thirty (30) days of the date of this Order. It is further

ORDERED that within five (5) days of service of copies of this Order, the Petition and attachments and exhibits thereto, and the Memorandum of Law submitted in support of the Petition, Respondents shall file and serve a written response to the Petition. That if Respondents have any defenses to present or motions to make in opposition to the Petition, such defenses or motions, if any, shall be made in writing and filed with the Court, and copies served on the United States Attorney at least five (5) business days prior to the date of the show cause hearing. Only those issues raised by motion or brought into controversy by the responsive pleading shall be considered by the Court and any uncontested allegations in the Petition shall be deemed admitted; and further

ORDERED that if Respondents have no objection to compliance with the *subpoena duces tecum*, Respondents may, at least three (3) business days prior to the date of the show cause hearing, notify the Clerk of this Court, in writing, of their willingness to comply, with copies to the United States Attorney, of the fact that no response or appearance as ordered herein will be required.

Dated this 26th day of March, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge