

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWA Docket No. D-09-0139
)
Kathy Jo Bauck, an individual,)
d/b/a Puppy's on Wheels, a/k/a)
"Puppies on Wheels" and)
"Pick of the Litter,")
)
Respondent) **Order Lifting Stay**

I issued *In re Kathy Jo Bauck*, __ Agric. Dec. __ (Dec. 2, 2009), in which I terminated Ms. Bauck's Animal Welfare Act license and disqualified Ms. Bauck from becoming licensed under the Animal Welfare Act for 2 years. On January 21, 2010, Ms. Bauck filed a "Motion for Stay Pending Appeal Pursuant to 5 U.S.C. § 705," which I granted. *In re Kathy Jo Bauck (Stay Order)*, __ Agric. Dec. __ (Feb. 16, 2010).

On May 18, 2010, the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture [hereinafter the Administrator], filed "Complainant's Motion to Lift Stay" stating proceedings for judicial review are concluded; therefore, the February 16, 2010, Stay Order should be lifted. On June 2, 2010, Ms. Bauck filed "Opposition to Complainant's Motion to Lift Stay" in which she sets forth a number of reasons for her opposition to the Administrator's motion to lift

stay; however, Ms. Bauck does not contest the Administrator's assertion that proceedings for judicial review of the instant proceeding are concluded. I stayed the Order in *In re Kathy Jo Bauck*, ___ Agric. Dec. ___ (Dec. 2, 2009), pending the outcome of proceedings for judicial review. As proceedings for judicial review are concluded, the February 16, 2010, Stay Order is lifted, and the Order issued in *In re Kathy Jo Bauck*, ___ Agric. Dec. ___ (Dec. 2, 2009), is effective as follows:

ORDER

1. Ms. Bauck's Animal Welfare Act license number 41-B-0159 is terminated.
2. Ms. Bauck is disqualified for 2 years from becoming licensed under the Animal Welfare Act or otherwise obtaining, holding, or using an Animal Welfare Act license, directly or indirectly through any corporate or other device or person.

This Order shall become effective on the 60th day after service of this Order on Ms. Bauck.

Done at Washington, DC

June 7, 2010

William G. Jenson
Judicial Officer