



VIA: UPS Express Carrier  
Shipping Event: 3rd

May 24, 2012

Eduardo Steeples  
DBA: Steeples' Gypsy Bears  
P.O. Box 1337  
Chino Valley, AZ 86323-1337

## SETTLEMENT AGREEMENT

Re: Reference number TX09049-AC

Dear Mr. Steeples:

We believe that you violated the Animal Welfare Act, 7 U.S.C. § 2131 *et seq.* ("AWA"), as described in the enclosed Settlement Agreement. Our agency, the Animal and Plant Health Inspection Service (APHIS), is responsible for enforcing the AWA to ensure the welfare of animals.

Violations of the AWA can have serious and costly impacts, detrimental to animals and the public interest. After providing you with an opportunity for a hearing, we may pursue civil penalties of up to \$10,000, or other sanctions, for each violation described in this Settlement Agreement. However, instead of pursuing a civil penalty or other sanctions at this time, we are offering you the opportunity to resolve this matter by agreeing to meet the terms specified in the enclosed Settlement Agreement.

*What are the terms of the Settlement Agreement?*

Briefly, the Settlement Agreement provides that APHIS will not initiate formal enforcement action for the alleged violations outlined in the Settlement Agreement, if:

1. You agree to a revocation of your AWA license, and permanent disqualification from obtaining an AWA license in the future.
2. You acknowledge that the Secretary has jurisdiction over activities governed by the AWA and waive your right to a hearing in this matter.
3. You agree that your failure to comply with the terms of the agreement will void the agreement, and allow APHIS to pursue any and all remedies and sanctions.



The above is a summary of the terms in the Settlement Agreement. You should review the Settlement Agreement in its entirety.

*When must I respond?*

If you agree to meet the terms of the Settlement Agreement, sign the Settlement Agreement and send it to our office by **July 6, 2012**: USDA, APHIS, IES TX09049-AC, 4700 River Road, Unit 85, Riverdale, MD 20737-1234. We reserve the right to withdraw the Settlement Agreement if you fail to comply with any of the terms.

*What are my other options?*

- If you do not agree with the terms of the Settlement Agreement, you may submit a written request for a hearing, with your Reference Number, to our office by **July 6, 2012**: USDA, APHIS, IES TX09049-AC, 4700 River Road, Unit 85, Riverdale, MD 20737-1234.
- Alternatively, if you are interested in resolving this matter by paying a monetary civil penalty instead of agreeing to the terms specified in the Settlement Agreement, please call our office using the telephone numbers below.

*What happens if I fail to respond?*

If we do not receive your signed Settlement Agreement or request for a hearing by July 6, 2012, we will forward this matter to our Office of the General Counsel for litigation.

*What should I do if I need help?*

If you have any questions concerning this letter, contact Roxanne Folk at (301) 851-2736, or call our main office at (301) 851-2948.

Sincerely,

Robert J. Huttenlocker  
Director  
Investigative and Enforcement Services



### SETTLEMENT AGREEMENT

THIS AGREEMENT is entered into by the United States Department of Agriculture, Animal and Plant Health Inspection Service ("APHIS"), and Eduardo Steeples (doing business as Steeples' Gypsy Bears), with reference to the following facts:

1. At all times mentioned herein, Eduardo Steeples operated as an Exhibitor under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (the "AWA") at the facility located at 615 County Road 310, Port Lavaca, TX 77979.
2. APHIS has documented evidence of Eduardo Steeples' non-compliance with the AWA and the regulations promulgated thereunder (9 C.F.R. § 1.1 *et seq.*), and specifically, has documented evidence of Eduardo Steeples' failure to maintain the ambient temperature inside the mobile traveling facility at a level that ensured the health and well-being of the animals housed inside, and his failure to provide nonhuman primates with environmental enhancements to promote psychological well-being, as required by the AWA regulations and AWA standards for the humane handling and treatment of animals (9 C.F.R. §§ 3.75-3.92; 3.125-3.142).
3. APHIS has not instituted an administrative enforcement action based on the findings described above in paragraph 2.
4. APHIS and Eduardo Steeples have determined to settle the issues related to the potential violations of the AWA and the regulations and standards issued thereunder, as described above.

NOW, THEREFORE, it is agreed as follows:

5. Eduardo Steeples admits that the Secretary has jurisdiction in this matter, and waives oral hearing and further procedure.
6. Eduardo Steeples consents and agrees to the following:
  - a. As of the date Eduardo Steeples signs this agreement, AWA license 74-C-0642 is hereby revoked.




b. Eduardo Steeples and any partnerships, firms, corporations or other legal entities that he controls or in which he has a substantial interest, financial or otherwise, are permanently disqualified from (a) obtaining an Animal Welfare Act license, and (b) engaging in activities governed by the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) and regulations issued thereunder (9 C.F.R. § 1.1 *et seq.*), either directly or indirectly, on or off 615 County Road 310, Port Lavaca, TX 77979.

7. Eduardo Steeples consents and agrees that his failure to comply with the terms of this Settlement Agreement shall automatically void paragraph 8 below, and that APHIS shall have the right to immediately institute enforcement proceedings against Eduardo Steeples based upon the non-compliant items documented at 615 County Road 310, Port Lavaca, TX 77979, in connection with animal welfare investigation TX09049-AC, and any future violations, and to pursue any and all remedies available to APHIS under the AWA.

8. For and in consideration of Eduardo Steeples' agreements and actions described in paragraph 6 above, and the promises and admissions of Eduardo Steeples set forth herein, APHIS agrees not to institute an administrative or civil enforcement action against Eduardo Steeples in connection with the alleged AWA violations documented in animal welfare investigation TX09049-AC.

APHIS and Eduardo Steeples warrant and represent that their respective representatives, whose signatures appear below, have the authority to execute this Settlement Agreement and to bind each of the parties, respectively, to this Settlement Agreement.

Eduardo Steeples

Signature: 

Date: 6-7-12




United States Department of Agriculture  
Animal and Plant Health Inspection Service  
Investigative and Enforcement Services

Reference Number: TX09049-AC

Issuance Date: May 24, 2012

Version: Final

U.S. DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Signature: 

Robert J. Huttenlocker

Director

Investigative and Enforcement Services

Animal and Plant Health Inspection Service

United States Department of Agriculture

Date: JUN 13 2012