



SETTLEMENT AGREEMENT

THIS AGREEMENT is entered into by the United States Department of Agriculture, Animal and Plant Health Inspection Service (“APHIS”), and Elizabeth Chloupek, with reference to the following facts:

1. At all times mentioned herein, Elizabeth Chloupek operated as a Dealer under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (the “AWA”) at the facility located at 78082 469th Avenue, Litchfield, NE 68852.
2. APHIS has documented evidence of Elizabeth Chloupek’s non-compliance with the AWA and the regulations promulgated thereunder (9 C.F.R. § 1.1 *et seq.*), and specifically, has documented evidence of Elizabeth Chloupek’s failure to provide dogs with minimally adequate veterinary care and husbandry to dogs as required by the AWA regulations and AWA standards for the humane handling and treatment of animals (9 C.F.R. §§ 2.40, 3.1-3.19).
3. APHIS has not instituted an administrative enforcement action based on the findings described above in paragraph 2.
4. APHIS and Elizabeth Chloupek 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. Elizabeth Chloupek admits that the Secretary has jurisdiction in this matter, and waives oral hearing and further procedure.
6. Elizabeth Chloupek consents and agrees to the following:
 - a. As of the date Elizabeth Chloupek signs this Settlement Agreement, AWA license 47-A-0170 is hereby revoked.
 - b. Elizabeth Chloupek and any partnerships, firms, corporations or other legal entities that she controls or in which she 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 78082 469th Avenue, Litchfield, NE 68852.

7. Elizabeth Chloupek consents and agrees that her 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 Elizabeth Chloupek based upon the non-compliant items documented at 78082 469th Avenue, Litchfield, NE 68852, in connection with animal welfare investigation NE09002-AC, and any future violations, and to pursue any and all remedies available to APHIS under the AWA.

8. For and in consideration of Elizabeth Chloupek's agreements and actions described in paragraph 6 above, and the promises and admissions of Elizabeth Chloupek set forth herein, APHIS agrees not to institute an administrative or civil enforcement action against Elizabeth Chloupek in connection with the alleged AWA violations documented in animal welfare investigation NE09002-AC.

APHIS and Elizabeth Chloupek 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.



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

Reference Number: NE09002-AC

Issuance Date: March 12, 2012

Version: Final

Elizabeth Chloupek

Signature:

Date: MARCH 19 - 2012

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

Signature:

Robert

Director

Investig

Animal and Plant Health Inspection Service
United States Department of Agriculture

Date: 3/23/2012