

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Zachery Keeler, an individual,
doing business as
Even Keel Exotics, LLC

Respondent.

AWA Docket No. 23-J-0076

CONSENT DECISION AND
ORDER

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 *et seq.*) (AWA or Act), by a Complaint filed by the Administrator, Animal and Plant Health Inspection Service (APHIS), United States Department of Agriculture (USDA), alleging that the Respondent violated the Act and the Regulations issued pursuant to the Act (9 C.F.R. § 1.1 *et seq.*). This Consent Decision and Order (Consent Decision) is entered pursuant to the consent decision provisions of the Rules of Practice applicable to these proceedings (7 C.F.R. § 1.138).

The Respondent, Zachery Keeler, doing business as Even Keel Exotics, LLC, admits to the findings of fact, as set forth herein, and specifically admits that the Secretary of the United States Department of Agriculture has jurisdiction in this matter, neither admits nor denies the remaining allegations in the Complaint, waives oral hearing and all further procedure, waives all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Consent Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the USDA under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees and other expenses incurred by the Respondent in connection with this proceeding or any action against any USDA employee in their individual capacity.

The parties consent and agree for the purpose of settling this proceeding, to the entry of this Consent Decision.

FINDINGS OF FACT

1. Respondent Zachery Keeler is an individual who resides in the State of Michigan. Respondent's mailing address was not provided in the Complaint to protect his personal privacy but was provided to the Hearing Clerk's Office, United States Department of Agriculture, for the purpose of serving the Complaint and future documents.
2. At all times material herein, the Respondent did business as Even Keel Exotics.
3. At all times material herein, the Respondent operated as a dealer, as that term is defined in the Act and the Regulations, and held AWA Class B "Dealer" license No. XXXXX.

CONCLUSIONS OF LAW

Respondent, having admitted the Findings of Fact, as set forth herein, and the parties having agreed to the entry of this Consent Decision, such Consent Decision will be entered.

ORDER

1. Respondent, either individually or through his agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act, the Regulations, and/or the Standards.
2. AWA Class B "Dealer" license No. XXXXX is hereby revoked. Respondent shall permanently refrain from any activity requiring an AWA license.
3. This Consent Decision and Order resolves all other violations of the Act, the Regulations, and/or the Standards that the Administrator, APHIS, has alleged or might allege that the Respondents have committed, up to and including the effective date of this Consent Decision and Order.

The provisions of this Consent Decision shall be binding and become effective immediately.

Copies of this Consent Decision shall be served upon the parties.

By: _____

By:

Zachery Keeler, doing
business as Even Keel Exotics
Respondent

Bianca Ricketts
Attorney for the Complainant

By: _____
Charles E. Dunn, Esq.
Attorney for the Respondent

Done at Washington, D.C.,
this 16th day of August 2023

By: _____ Channing Strother
Chief Administrative Law Judge