

United States of America



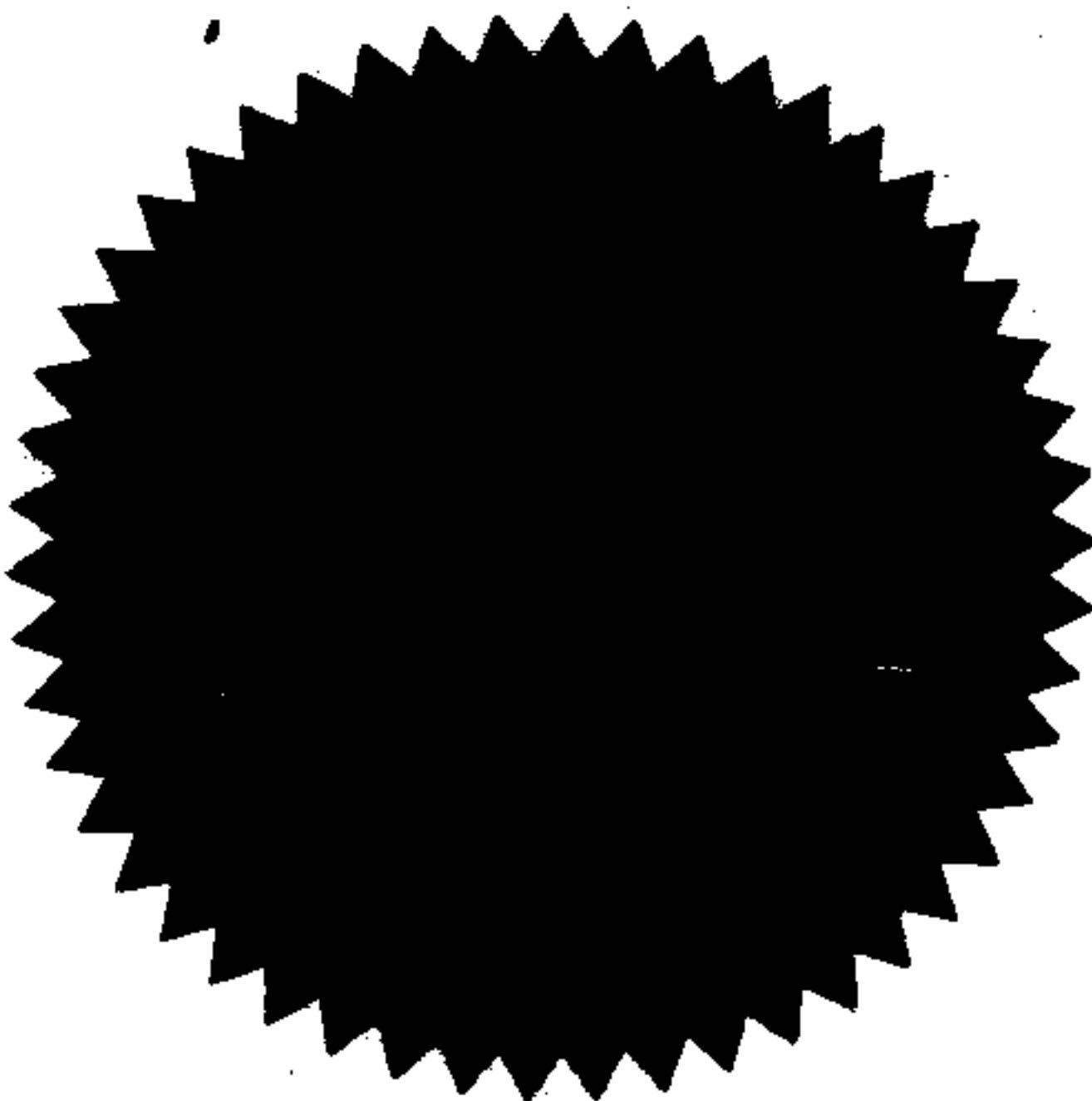
DEPARTMENT OF AGRICULTURE
WASHINGTON

Inst # 2000-05940

02/25/2000-05940
10:08 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOE MRS

I, DAN GLICKMAN, Secretary of Agriculture of the United States, do hereby certify that the annexed copy, or each of the specified number of annexed copies, is a true, correct and compared copy of a document in my official custody as hereinafter described:

Certified copy of PACA Default Order RD-97-004, Farm-Wey Produce, Inc.,
V. Bagwell Farms Produce Co., Inc., dated October 9, 1996.



In testimony whereof I have hereunto caused the seal of the
Department of Agriculture to be affixed and my name
subscribed in the District of Columbia, this

19th day of January, 2000

Dan Glickman
SECRETARY OF AGRICULTURE

By *Mary Kyle Hobbie*
Office of the General Counsel

Mary Kyle Hobbie, Assistant General Counsel
Trade Practices Division

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

Farm-Wey Produce, Inc.
Complainant

vs.

Bagwell Farms Produce Co., Inc.
Respondent

)
)
)
) PACA DOCKET RD-97-004
) DEFAULT ORDER
)
)

This is a reparation proceeding under the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. 499a et seq.). A timely complaint was filed in which complainant seeks reparation against respondent in connection with a transaction or transactions involving a perishable agricultural commodity or commodities in interstate or foreign commerce. A copy of the complaint was served upon respondent, and respondent has not filed an answer thereto. The issuance of an order without further procedure is appropriate pursuant to Section 47.8 (d) of the Rules of Practice (7 CFR 47.8 (d)).

Complainant, Farm-Wey Produce, Inc. is a corporation, whose address is 4335 Highland Park Blvd., Suite 2, Lakeland, Florida. Respondent, Bagwell Farms Produce Co., Inc., is a corporation, whose address is 455 Finley Ave., W., Birmingham, Alabama.

Respondent was licensed or was subject to license under the Act at the time of the transaction or transactions involved herein. The facts alleged in the formal complaint are hereby adopted as findings of fact of this order and constitute a violation or violations by respondent of Section 2 of the Act (7 U.S.C. 499b). The prevailing party in a formal complaint may recover, as damages, the cost of filing. Complainant in this action paid \$300.00, to file its complaint. Accordingly, within 30 days from the date of this order, respondent shall pay to complainant, as reparation, the amount stated below, which we find to be the amount of damages to which complainant is entitled as a result of the violation or violations found herein, with interest thereon at the rate of 10 percent per annum from the following date, until paid.

REPARATION AWARD: \$3,088.80, with interest thereon from July 1, 1996, until paid, plus the amount of \$300.00.

Copies hereof shall be served upon parties.

Done at Washington, D.C.

OCT 09 1996

WILLIAM G. JENSON

Judicial Officer
Office of the Secretary

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