

## SUBSTITUTE STIPULATION AGREEMENT

THIS AGREEMENT is entered into by the United States Department of Agriculture, Animal and Plant Health Inspection Service ("APHIS"), Animal Care, and John Dollarhite (doing business as Dollarvalue Rabbitry), with reference to the following facts:

- I. At all times mentioned herein, John Dollarhite was an unlicensed individual whose mailing address is 1537 Osburn Lane, Nixa, Missouri 65714.
- II. APHIS has alleged John Dollarhite's non-compliance with the Animal Welfare Act (7 U.S.C. § 2131 et. seq.) (A WA) and the regulations promulgated thereunder (9 C.F.R. § 1.1 et seq.), and, specifically, has alleged that John Dollarhite sold rabbits used for exhibition and/or for resale without a valid USDA license as required by the A W A regulations (9 C.F.R. § 2.1(a)(I)). APHIS does not allege John Dollarhite has abused or neglected any animal in his possession.
- III. APHIS has not instituted an administrative enforcement action based on the findings described above in paragraph II.
- IV. APHIS and John Dollarhite have determined to settle the issues related to the alleged violations of the AWA and the regulations and standards issued thereunder, as described above.

NOW, THEREFORE, it is agreed as follows:

A. APHIS agrees not to institute an administrative enforcement action based on the findings described above in paragraph II or other facts currently known to APHIS or IES alleged to constitute violations committed prior to the date this agreement is entered.

B. John Dollarhite consents and agrees to the following:

1. John Dollarhite agrees not to initiate any legal action challenging the jurisdiction of the USDA or the constitutionality of the Animal Welfare Act (7 U.S.C. § 2131 et. seq.) (A WA) and the regulations promulgated thereunder (9 C.F.R. § 1.1 et seq.); provided, he reserves his right to raise jurisdictional or constitutional arguments as affirmative defenses to any administrative or legal action against him initiated by government agencies or officials.

2. John Dollarhite agrees not to sell, own, or possess buy or sell breeding rabbits or other animals for the purpose of exhibition or resale under any circumstance under which a valid USDA license is required by the A W A regulations [9 C.F.R. § 2.1(a)(I)] without first applying for, obtaining, and being issued the required license. "Breeding rabbits", for purpose of this paragraph, are rabbits which have not been spayed or neutered. [Under current A W A regulations, Dollarhite may own and possess breeding