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May 19, 2011

Investigative & Enforcement Services
USDA, APHIS, IES
4700 River Road, Unit 85
Riverdale, MD 20737

Express Mail

Attn: (b)(6),(b)(7)(C)

Re: John Dollarhite, d/b/a Dollarvalue Rabbitry
Case No. M009099-AC (Request for Hearing)
1537 Osburn Lane
Nixa, MO 65714

Dear (b)(6),(b)(7)(C)

I am writing in behalf of John Dollarhite, who formerly did business as Dollarvalue Rabbitry, in or near Nixa, Missouri, to respond to the letter he received from Sarah L. Conant, Chief, Animal Health & Welfare Enforcement Branch, IES, enclosing a proposed "Settlement Agreement" requesting he tender a penalty of \$ 90,643 by May 23, 2011.

My client rejects that proposal. I note that a descriptive pamphlet enclosed with your letter states, under "Who We Are", that IES investigates cases received by referral from APHIS' program clients and cooperators, and that IES "now conducts more than 6,000 cases and collects approximately \$ 2 million in civil penalties annually." That averages a penalty of \$ 333.33 per case, and yet you contend it would be appropriate my client tender a penalty of \$ 90,643.00.

With regard to this case, it is my understanding that Mr. Dollarhite has never been accused of having abused or neglected any animals, but as I understand it, only that he sold rabbits and guinea pigs that he raised in a manner that required him to have a license which he did not have. This business is located near the geographical center of America, it is a rural community, and apart from tourism, is largely an agrarian community. John