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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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| In re:<br>Josh Mueller<br>d/b/a Circle M Cattle Co, | P&S Docket No. 26-J-0091 |
| Respondent. | Consent Decision and Order |

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*) (Act), by a Complaint filed by the Deputy Administrator, Fair Trade Practices Program, Agricultural Marketing Service (AMS), United States Department of Agriculture, alleging that the Respondent violated the Act and the regulations promulgated thereunder (9 C.F.R. § 201.1 *et seq.*). This decision is entered pursuant to the consent decision provision of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations as set forth herein as findings of fact and conclusions of law, waives any and all rights or defenses the Respondent has for the matter to be adjudicated in a federal district court in the first instance, including any associated right to a jury trial, waives oral hearing and 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 Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the United States Department of

Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees and other expenses incurred by Respondent in connection with this proceeding or any action against any USDA employee in their individual capacity.

Respondent consents and agrees, for the purpose of settling this proceeding, to the entry of this decision. Complainant agrees to the entry of this decision.

## FINDINGS OF FACT

1. Josh Mueller d/b/a Circle M Cattle Co. (Respondent) is an individual doing business in and around the state of Kansas.
2. Respondent was at all times material to the Complaint in this matter:

   (a) Engaged in the business of a dealer buying and selling livestock in commerce for Respondent's own account or for the accounts of others; and

   (b) Registered as a dealer buying and selling livestock in commerce for Respondent's own account or for the accounts of others and as a market agency buying livestock in commerce.

## CONCLUSIONS OF LAW

Respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

## ORDER

1. Respondent, directly or through any corporate or other device, in connection with any operations subject to the Act, will cease and desist from:

   failing to pay, or pay when due, the full purchase price of livestock.

2. Respondent is assessed a civil penalty in the amount of $5,000.00, which total is due within 30 days from the effective date of this Consent Decision (upon signature and issuance by Judge Tierney Carlos). Payments will be made in the following ways: debit card, credit card, Paypal, ACH, or wire transfer, at www.pay.gov (select "USDA AMS Account Statements"), and in accordance with further explanatory instructions emailed by Complainant to Respondent's representative, prior to execution of this Consent Decision. All notifications of payments or questions should be directed to PSDWashingtonDC@usda.gov.

If Respondent fails to pay according to the terms above, that will be deemed a breach of this Order.

This Order will have the same force and effect as if entered after a full hearing, and its provisions will become effective upon issuance. Copies of this decision and Order will be served upon the parties.

[redacted]
Tessa Wendling
Attorney for Respondent

[redacted]
Josh Mueller
Respondent

CHRISTOPHER YOUNG Digitally signed by CHRISTOPHER YOUNG Date: 2026.08.18 12:41:45 -04'00'
Christopher Young
Attorney for Complainant

Issued at Washington, D.C.
August 26,2026

Tierney Carlos
Tierney Carlos
Administrative Law Judge