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H. "Document" is defined to be synonymous in meaning and equal in scope to the usage of in Fed. R. Civ. P. 34, and, for avoidance of doubt, includes correspondence. A draft or non-identical copy is a separate document within the meaning of this term.

I. "Florida Creditors" shall mean the following entities or individuals:

- a. Hilliard-McKetrick Investments, Inc. d/b/a Arcadia Stockyard, Arcadia, Florida;
- b. Cattlemen's Livestock Market, Inc., Lakeland, Florida;
- c. Columbia Livestock Market, Inc., Lake City, Florida;
- d. Hardee Livestock Market, Inc., Wauchula, Florida;
- e. North Florida Livestock Market, Inc., Lake City, Florida;
- f. Ocala Livestock Market, Inc., Ocala, Florida;
- g. Okeechobee Livestock Market, Inc., Okeechobee, Florida;
- h. Sumter County Farmers Market, Inc., Webster, Florida; and
- i. Madison County Livestock Market, Inc. d/b/a Townsend Livestock Market, Madison, Florida
- j. Ron Sizemore Trucking, Inc., Webster, Florida;
- k. Oak Lake Cattle Co., Okeechobee, Florida;
- l. Eagle Bay, Inc., Okeechobee, Florida; AND
- m. Daniel M. Byrd, Okeechobee, Florida.

J. "GIPSA" means the United States Department of Agriculture, Grain Inspection, Packers & Stockyards Administration, together with all employees, agents, attorneys, or others purporting to act on its behalf.

K. The term "identify" when used with reference to a natural person means:

- 1) the full name and address (or, if the current address is not known, the last known address) of the person;
- 2) the full name and address of each employer, each corporation of which the person is an officer or director, and each business in which the person is a principal;
- 3) the person's present (or, if the present is not known, the last known) position and the position or positions at the time of the act to which the interrogatory answer relates;

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4) each position the person has ever held with you and the date such positions were held; and,

5) such other information sufficient to provide full identification of the person.

L. The term "identify" when used with a reference to any other entity other than a natural person means:

1) the full name of the entity, the type of entity (e.g., corporation, partnership, etc.), the address of its principal place of business, its principal business activity and if it is a corporation, the jurisdiction under the laws of which it has been organized and the date of such organization;

2) each of the entity's officers, directors, shareholders or other principals; and,

3) any other available information concerning the existence or identity of the entity.

M. The term "identify" when used with reference to a document or written communication means:

1) its nature (e.g., letter, telegram, memorandum, charter report or study), date, author, date and place of preparation and the name and address of each addressee;

2) the identity of each signatory of the document or communication;

3) the title or heading of the document or communication;

4) its substance;

5) its present (or, if the present is not known, the last known) location and custodian;

6) the identity of each person to whom a copy was sent and each date of its receipt and each date of its transmittal or other disposition by (i) you, and (ii) any other person (naming such other person) who, at any time, either received, transmitted or otherwise disposed of such document or communication and each copy thereof; and,

7) the circumstances of each such receipt and each transmittal or other disposition, including identification of the person from whom received and the person to whom transmitted.

N. "Issues" mean the following: (i) the insolvency and bankruptcy of Debtor Eastern Livestock Co., LLC ("Bankruptcy Case") and related proceedings; (ii) the filings, registration, and regulation of Debtor by GIPSA; (iii) the Surety Bond(s) obtained by Debtor pursuant to the Stockyards Act, particularly 7 U.S.C. § 204 and 9 C.F.R. § 201.10, et seq., including the

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financing and Insurance Policies obtained in support of said Bond(s); (iv) the claims filed for payment pursuant to the Stockyards Act and asserted against said Surety Bond(s) of Debtor by the Florida Creditors and others; (v) notices issued by GIPSA to the Florida Creditors and others regarding Debtor and related matters.

O. "Insurance Policies" means the insurance policies, letters of credit, or other financing issued in connection with requirement under the Stockyards Act, particularly 7 U.S.C. § 204 and 9 C.F.R. § 201.10, et seq.

P. "Liability" means (i) anything required to be reported as a liability, Debt or obligation of the Debtors for financial accounting purposes under generally accepted accounting principals, (ii) all Claims against the Debtors, and/or (iii) an obligation, fixed or contingent requiring the Debtors to pay any amount to any Person.

Q. "Person" shall have the same meaning as set forth in 11 U.S.C. §101(41).

R. "Petition Date" means the date the petition initiating this Bankruptcy Case was filed, December 6, 2010.

S. "Relevant Time Period" refers to the time period from January 1, 2009 to the Present.

T. "Stockyards Act" means the Packers and Stockyards Act of 1921, 7 U.S.C. §§ 181-229a and governing regulations 9 C. F. R. §201, et seq.

U. "You" shall mean the parties to whom these requests are directed, namely GIPSA, including any of your representatives and/or attorneys, receiving and answering these discovery requests. "Your" shall be the possessive of You.

**EXHIBIT B**

**Interrogatories**

**NOTES:**

- All Requests for Interrogatories are for the Relevant Time Period unless otherwise stated.
- Refer to the Definitions, which are at **Exhibit A**.
- Refer to the Document Production Requests, which are at **Exhibit C**.
- Refer to the Requests for Admissions, which are at **Exhibit D**.
- These Interrogatories shall be treated as continuing and GIPSA shall supplement its responses thereto in the manner required by Fed. R. Civ. P. Rule 26(e) and Fed. R. Bankr. P. 7026, as if those sections were applicable hereto, UNLESS otherwise agreed to by the Florida Creditors or this Court.

**INTERROGATORY NO. 1**

Identify the Person(s) responding to these interrogatories by name and title and, if more than one Person is responding to these interrogatories, state the interrogatories or parts thereof answered by each Person.

RESPONSE:

**INTERROGATORY NO. 2**

Identify all Persons by name, title and any contact information known to you that have knowledge regarding the Issues identified herein (Definition "K").

RESPONSE:

**INTERROGATORY NO. 3**

Identify all Surety Bonds obtained by Debtor pursuant to the Stockyards Act and regulations and that were in force during the Relevant Time Period, together with the amounts of said bonds and a description of the financing or collateral behind said Surety Bond(s).

RESPONSE:

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INTERROGATORY NO. 4

Identify with parties who have filed or asserted claims against Debtor and Debtor's Surety Bond(s) with GIPSA, together with the amounts and dates of said filing.

RESPONSE:

INTERROGATORY NO. 5

Explain with particularity the basis for the calculation of the face amount of the Surety Bond required by GIPSA to be obtained by Debtor, including any requirement for additional coverage pursuant to 9 C.F.R. §§201.10 et seq. noticed to Debtor at anytime within the five (5) years prior to December 6, 2010.

RESPONSE:

INTERROGATORY NO. 6

Identify all "Clearces" of Debtor for the last five (5) years or more particularly all "Market Agencies" or "Dealers" as defined pursuant the Stockyards Act or others for whom Debtor Eastern Livestock Co., LLC provided "clearing" services pursuant to 9 C.F.R. §§201.10 et seq. at anytime within the five (5) years prior to December 6, 2010.

RESPONSE:

INTERROGATORY NO. 7

Identify all registered "Clearces" of Debtor Eastern Livestock Co., LLC pursuant to 9 C.F.R. §201.10 as of December 6, 2010.

RESPONSE:

**EXHIBIT C**

**Request For Production Of Information And Documents**

**NOTES:**

- All Request For Production Of Information And Documents are for the Relevant Time Period unless otherwise stated.
- Refer to the Definitions, which are at Exhibit A.
- Refer to the Interrogatories, which are at Exhibit B.
- Refer to the Requests for Admissions, which are at Exhibit D.

1. Provide a copy of all Annual Report, together with amendments or changes thereto, filed with GIPAS by Debtor Eastern Livestock Co., LLC for each of the last five (5) years or for the years 2006-2010.

2. Provide a copy of all Surety Bond or Surety Bonds maintained by Debtor Eastern Livestock Co., LLC pursuant to the Stockyards Act and governing regulations and in force for the Relevant Time Period.

3. Provide a complete copy of the claims file and all related documents for all claims filed by "Market Agencies," "Dealers," and all others as defined in and pursuant to the Stockyards Act and governing regulations, including without limitation the claims filed by the Florida Creditors.

4. Provide a copy of all filings, registrations, or other submissions by Oak Lake Cattle Company, Inc.; I.E "Jim" Byrd, Eagle Bay, Inc.; and Daniel M. Byrd of Okeechobee, Florida for each of the last five (5) years or for the years 2006-2010.

5. Provide a copy of all exception reports or other records concerning violations of the Packers and Stockyards Act by Debtor Eastern Livestock Co., LLC for each of the last five (5) years or for the years 2006-2010.

6. Provide a copy of any and all communications, correspondence, email, or other document record exchanged between Debtor Easter Livestock Co., LLC and GIPSA relating to any request for additional bond coverage under the Stockyards Act and governing regulations within the last five (5) years.

**EXHIBIT D**

**Request For Admission**

**NOTES:**

- All Requests For Admission are for the Relevant Time Period unless otherwise stated.
- Refer to the Definitions, which are at **Exhibit A**.
- Refer to the Interrogatories, which are at **Exhibit B**.
- Refer to the Requests for Admissions, which are at **Exhibit C**.

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1. Admit that Debtor was a registered Market Agency under the Stockyards Act acting as clearing agency pursuant to 9 C.F.R. §201.10(d).

2. Admit that Debtor was a registered Market Agency under the Stockyards Act acting as clearing agency pursuant to 9 C.F.R. §201.10(d) for Oak Lake Cattle Company, Inc., Okeechobee, Florida, wherein Oak Lake Cattle Co., Inc. registered as "Clearée" (See **Exhibit E**).

3. Admit that Debtor operated during and prior to the Relevant Time Period as a market agency or dealer and maintained a Surety Bond or Bonds pursuant to 9 C.F.R. §201.31 under which Debtor's engaged in the activities listed under: (a) Condition Clause No. 1 and (b) Condition Clause No. 2 and (c) Condition Clause No. 3.

# Exhibit E



Mar 31 11 03:04p Oak Lake Cattle Company 863-763-7468  
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U.S. Department of Agriculture  
 Grain Inspection,  
 Packers and Stockyards  
 Administration

Packers And  
 Stockyards  
 Program

For PESP Use Only	PESP Bar Code Only
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**ANNUAL REPORT OF DEALER OR MARKET AGENCY BUYING ON COMMISSION**

Instructions: If an item's value is zero, enter "0". If an item does not apply, enter "N/A". Upon completion please verify that all items have been answered. Return completed form to the PESP Central Reporting Unit. See separate instructions for complete information about this report.

**GENERAL INFORMATION - SECTION 1**

101 Reporting Period (month/year-month/year)	a. from 10/1/09	b. to 9/30/10
102 Legal Business Name	OAK LAKE CATTLE CO. INC.	
103 Business Name (dba)		
104 Mailing Address	PO Box 1284	
105 City, State, Zip	OKECHWAFFE FL 34973	
106 Physical Address	1055 Hwy 98W	
107 City, State, Zip	OKECHWAFFE FL 34977	
108 Contact Name	J. E. (Jim) Byrd	
109 Telephone Number	863-634-1005	
110 Fax Number	863-763-7468	

**ORGANIZATIONAL STRUCTURE - SECTION 2**

List owners, officers, partners, and managing members in control of this business

	a. Name	b. Title	c. Percentage Ownership
201	J. E. Byrd	Pres.	100
202	DAN Byrd	VP	-
203			
204			
205			

206 Type of organization:  Individual  Partnership  Corporation  LLC  LLP  Co-op  Association  Other

207 Is this the same organization type reported last year?  Yes  No

208 Is this business owned or controlled by another business entity?  Yes  No

209 If line 208 is yes, identify the owner/controlling business name and address

210 Does this business own or control other businesses within the livestock/meat sector?  Yes  No

If line 210 is yes, then provide the names of businesses that you own or control and percentage of control in items 211-214

	a. Name of Business	b. Percentage of Control
211		
212		
213		
214		

215 Do you own or operate a scale on which you weigh livestock purchased?  Yes  No

216 What is the basis of payment made to you for most livestock you sell?  Live weight  Dressed Weight or Carcass Basis

Your response to this form is required under the Packers and Stockyards Act of 1921 (9 CFR 201.97 and 7 U.S.C. 181-229). According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information is 0580-0015. The time required to complete this information collection is estimated to average 2 hour per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection.

Mar 31 11 03:05p Oak Lake Cattle Company

863-763-7468

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**BOND INFORMATION - SECTION 3**

Livestock Dealer Activity	a. Cattle & Calves	b. Hogs	c. Sheep & Goats	d. Horses & Mules	e. Total (a+b+c+d)
301 Cost of livestock purchased on a dealer basis for registrant's account	\$	\$	\$	\$	\$
302 Number of head of livestock purchased on a dealer basis for registrant's account					

Livestock Bought on Commission	a. Cattle & Calves	b. Hogs	c. Sheep & Goats	d. Horses & Mules	e. Total (a+b+c+d)
303 Cost of livestock bought on commission for the account of others regardless of who paid for the livestock	\$ 3,919.59	\$	\$	\$	\$
304 Number of head of livestock bought on commission for the account of others regardless of who paid for the livestock	13,444				

305 What was the dollar value of livestock dealer and BOC purchases in your highest fiscal year quarter? \$

**CLEARER AND CLEAROR DESIGNATIONS - SECTION 4**

401 Are you a clearer (cleared by another business for your livestock purchases)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
402 If you checked yes in item 401, provide the name of the clearing agent:	EASTERN LIVESTOCK COMPANY LLC	
403 Are you a clearer (provide clearing services for clearers)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes provide information for items 404-412</i>	
	Clearer's Name as Registered	Gross Value of Livestock Purchased
404		405 \$
405		407 \$
408		409 \$
410		411 \$
	Total Livestock Purchases of all Clearers	412 \$

**BALANCE SHEET - SECTION 5**

All clearers and dealers whose line 301a plus 303a plus 412 total is below a specified \$ amount (see instructions) do not need to complete Sections 5 and 6.

**Assets**

**Current Assets**

Cash (Enter overdrafts under Current Liabilities - line 315)	501	\$	
Temporary Cash Investments (Marketable Securities, Certificates of Deposit, Commercial Paper, etc.)	502	\$	
Accounts Receivable (Due in 1 Year or Less)	503	\$	
Notes and Loans Receivable (Portion due in 1 Year or Less)	504	\$	
<b>Inventory</b>			
Livestock	505	\$	
Other Inventory	506	\$	
Total Inventory	507	\$	
Other Current Assets	508	\$	
<b>Total Current Assets</b>	509	\$	

**Long-Term Assets**

Investments	510	\$	
Property, Plant, & Equipment net of Depreciation and Amortization	511	\$	
Other Long-Term Assets	512	\$	
<b>Total Long-Term Assets</b>	513	\$	
<b>Total Assets</b>	514	\$	

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Continuation of Section 5 Balance Sheet

**Liabilities and Net Worth**

**Liabilities**

**Current Liabilities**

Bank Overdraft		515	\$
Accounts Payable			
Livestock Payables	516	\$	
Other Payables	517	\$	
<b>Total Accounts Payable</b>		<b>518</b>	<b>\$</b>

**Notes and Loans Payable (Demand Notes and Portion of**

**Long-Term Notes due in One Year or Less)**

Other Current Liabilities 520 \$

**Total Current Liabilities** 521 \$

**Long-Term Liabilities (Due after One Year)**

**Total Liabilities** 522 \$

**Total Net Worth**

**Total Liabilities and Net Worth (Equals Total Assets)**

524 \$

525 \$

**INCOME STATEMENT - SECTION 6**

All dealers and dealers who sell the 3010 plus 3020 plus 412 total 15 before a specified 3 amount (see instructions do not need to complete Sections 6 and 8.

**Income Statement**

Gross Dealer Profit (+) or Loss (-)	601	\$
Buying Commission	602	\$
Other Income	603	\$
<b>Total Income</b>	<b>604</b>	<b>\$</b>
<b>Total Expenses</b>	<b>605</b>	<b>\$</b>
<b>Net Profit (+) or Loss (-) before Income Taxes</b>	<b>606</b>	<b>\$</b>

**CERTIFICATION - SECTION 7**

Under the Packers and Stockyards Act any person who willfully makes, or causes any false entry or statement of fact in this report that is deemed guilty of offense against the United States, and be subject to a fine of \$1,000 to \$5,000, or to imprisonment for a term of not more than 3 years, or to both fine and imprisonment.

I certify that this report has been prepared by me or under my direction, and to the best of my knowledge and belief correctly reports reporting entity operations.

701 Print Name <b>J. E. BYRD</b>	702 Signature (Must be signed by a person listed on 201-205) <i>J. E. Byrd</i>
703 Phone Number <b>863-634-1005</b>	704 Date <b>1/21/11</b>
	705 Title <b>PROD</b>

Submitted information is confidential (9 CFR 201.90). Failure to report will result in forfeiture to the United States \$1:0 per day until report received (U.S.C. 222).

The U.S. Department of Agriculture (USDA) provides information to all its programs and services on the basis of race, color, or national origin, sex, disability, and to the extent applicable, sex, marital status, parental status, pregnancy, or age. USDA is an equal opportunity provider and employer. USDA is also an equal opportunity provider and employer. USDA is also an equal opportunity provider and employer. USDA is also an equal opportunity provider and employer.

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA

IN RE:	)	CASE NO.: 10—93904-BHL-11
	)	
EASTERN LIVESTOCK CO., LLC,	)	Chapter 11
	)	
Debtor.	)	
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**ORDER GRANTING MOTION FOR 2004 EXAMINATION UPON THE UNITED STATES DEPARTMENT OF AGRICULTURE, GRAIN INSPECTION, PACKERS & STOCKYARDS ADMINISTRATION**

THIS MATTER, having come before the Court upon Motion For 2004 Examination, and the Court having reviewed the Florida Creditors Motion for 2004 Examination (the "Motion"), the court record, and being otherwise sufficiently advised, no hearing is required and IT IS HEREBY ORDERED;

1. The Motion For 2004 Examination is GRANTED and the United States Department Of Agriculture, Grain Inspection, Packers & Stockyards Administration ("GIPSA") shall submit to the 2004 Requests, as defined and described in the Motion.