

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
REGULATION AND ENFORCEMENT**

IN THE MATTER OF:)	ADMINISTRATIVE
P&R SCRAP METAL RECYCLING, LLC)	<u>PROCEEDING NUMBER:</u>
153 Pinewood Drive)	LM-18-3351
Columbus, MS 39702)	
)	<u>SOS REGISTRATION NUMBER:</u>
)	170331269
<i>Respondent</i>)	

CONSENT ORDER

I. Jurisdiction

Finding it appropriate and in the public interest, the Regulation and Enforcement Division of the Office of the Secretary of State of Mississippi (“Division”), on behalf of the Secretary of State, having the power to administer and to provide for the Mississippi Scrap Metal Dealer Act of 2008, Miss. Code Ann. §§ 97-17-71 to 97-17-71.2 (“Act”), and Respondent, P&R Scrap Metal Recycling, LLC (“Respondent”), do hereby enter into this Consent Order (“Order”). This Order is entered into as a resolution and settlement of all administrative charges issues by the Division in the Notice of Hearing letter issued June 26, 2017, where the Division alleges violations of the Act by the Respondent.

II. Agreement

In consideration of a final resolution of the matters set forth herein, the Division and Respondent hereby agree, stipulate, and undertake as follows:

1. Respondent admits the jurisdiction of the Division as to all parties and matters herein under the authority of the Act.
2. The Secretary of State has the authority to administer and to provide for the enforcement of all provisions of the Act, which regulates the purchase of regulated metals in the State of Mississippi.

01/25/2018

3. As a purchaser of regulated metal property, P&R Scrap Metal Recycling, LLC is subject to the requirements of the Act.
4. Following an examination of Respondent by the Division in June of 2018, the following violation of the Act was alleged:
 - a. In violation of 1 Mississippi Administrative Code Part 13, Rule 5.1, Respondent has consistently not uploaded Customer Transaction Reports to the Secretary's Agent, LeadsOnline, by 5:00 pm the next business day.
5. Respondent agrees to comply with all provisions of the Act as currently enacted and any further amendments.
6. Respondent acknowledges that the Division has agreed not to pursue any further actions against him because of his significant actions taken to comply with the Act in the weeks following the examination. As of the date of this Order and since being put on notice of alleged violations, Respondent has complied well with Act.
7. Respondent will remit upon execution of this Order an administrative fine to the Secretary of State in the amount of One Thousand Dollars (\$1,000.00), made payable to the Secretary of State's Office by 5:00 pm on Friday, December 28, 2018.
8. As a result of this Order, the Secretary of State's Office agrees not to pursue any further actions against Respondent regarding any and all violations alleged by the Division to have occurred on or before June 21, 2018.
9. Nothing contained herein shall be construed as an admission of the alleged violations of the Act by Respondent, and nothing contained herein shall be construed as limiting Respondent's rights to contest any finding or determination made by the Division or by a court of competent jurisdiction concerning an alleged failure by Respondent to comply with any of the terms and provisions of this Order.

10. Respondent is aware of the right to a hearing on this matter at which Respondent may be represented by counsel, present evidence, and cross-examine witnesses. Respondent hereby irrevocably waives the right to such a hearing.
11. Respondent understands that the entry of this Order represents the settlement of an impending regulatory charge by the Division against Respondent as of the date of this Order.

III. Acknowledgement

The parties acknowledge that they have read this Order in its entirety and fully understand the rights, terms, and obligations of each contained herein. The parties also acknowledge that they have been vested with the express authority to enter into this Order, and that they have not been threatened or otherwise coerced into entering into this Consent Order. This Consent Order constitutes the complete agreement among the parties with respect to the matters referred to herein. The Order is final and binding upon the parties, their agents, successors, and assigns.

The undersigned hereby acknowledge and agree to the terms and conditions of the foregoing Order by written consent.

So Agreed, this the 19th day of Dec, 2018.

P&R Scrap Metal
Recycling, LLC
BY: Roy Price
Mr. Roy Price
Owner
Date: 12-19-18

C. DELBERT HOSEMANN, JR.
SECRETARY OF STATE
In his Official Capacity
BY: Amy Foster
Amy C. Foster
Senior Attorney,
Regulation and Enforcement
Date: 1/2/19