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SUPERIOR COURT
THURSTON COUNTY, WASH.
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BETTY J. GOULD, CLERK
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EXPEDITE
 No Hearing is Set
 Hearing is Set:
Date: January 15, 2010
Time: 9:00 a.m.
Judge/Calendar: Hon. Thomas McPhee

SUPERIOR COURT OF WASHINGTON
FOR THURSTON COUNTY

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Plaintiff,

v.

MIRACLE MOVERS, INC.,

Defendant.

NO. 09-2-02833-5

~~[PROPOSED]~~
DEFAULT JUDGMENT AGAINST
DEFENDANT MIRACLE MOVERS,
INC.

I. JUDGMENT SUMMARY

1.1	Judgment Creditor:	Washington Utilities and Transportation Commission
1.2	Judgment Debtor:	Miracle Movers, Inc.
1.3	Total Judgment	\$10,000
1.4	Attorney Fees and Costs:	\$495
1.5	Post-judgment Interest Rate:	12.0% per annum

1 1.6 Attorney for Judgment Creditor: **Michael A. Fassio**
2 Assistant Attorney General
3 1400 S. Evergreen Park Drive SW
4 Olympia, WA 98504-0128
5 (360) 664-1192

6 **I. BASIS**

7 This matter came before the Court on plaintiff Washington Utilities and
8 Transportation's (Commission) motion for default judgment against defendant Miracle
9 Movers, Inc. The Court has entered an order of default in this action.

10 **II. FINDINGS**

11 A hearing was held on plaintiff's motion on this date. Plaintiff appeared at the hearing
12 through its attorney of record, Michael A. Fassio. Notice of the hearing was given to
13 defendant Miracle Movers, Inc. and it did not appear personally or through an attorney at the
14 hearing. No response was made by defendant Miracle Movers, Inc. to plaintiff's motion.

15 The Court considered the pleadings filed in this action, the declaration of plaintiff's
16 counsel, the proof of service on file, and the Order of Default against defendant Miracle
17 Movers, Inc.

18 Based on the oral argument of plaintiff's counsel, the pleadings and evidence presented,
19 the Court finds:

- 20 1. This Court declared defendant Miracle Movers, Inc. to be in default by this
21 Court's order filed jointly with the present order.
- 22 2. Proof of service of the summons and petition for enforcement on defendant
23 Miracle Movers, Inc. is on file with the Court.
- 24 3. The demand set out in the petition for enforcement is for the Court to direct the
25 Defendant comply with Commission Order 02, issue a permanent injunction
26

1 against the Defendant, issue a civil penalty in the amount of \$10,000, and award
2 costs and fees, including reasonable attorneys' fees, as described below.

3 4. Plaintiff is entitled to the relief sought in the Petition for Enforcement.
4

5 **III. ORDER**

6 Based on the above findings of fact and conclusions of law, Judgment is entered as
7 follows:

- 8 1. Defendant Miracle Movers, Inc. is directed to comply with Commission Order
9 02, a Final Order issued to Miracle Movers, Inc. in Commission Docket TV-
10 061618 on May 29, 2009, by immediately ceasing and desisting from
11 conducting household goods moving operations in Washington State requiring
12 permit authority under RCW 81.80.075, without a permit issued by the
13 Washington Utilities and Transportation Commission.
14
- 15 2. Defendant Miracle Movers, Inc. and all successors, assigns, and transferees are
16 hereby enjoined and permanently restrained from directly or indirectly engaging
17 in any of the following conduct:
- 18 a. Engaging in business as a household goods carrier by transporting
19 household goods for compensation, by motor vehicle between points in
20 Washington State, without first obtaining a household goods common
21 carrier permit from the Washington Utilities and Transportation
22 Commission.
23
- 24 b. Engaging in business as a household goods carrier by advertising,
25 soliciting, offering, or entering into an agreement to transport household
26

1 goods, without first obtaining a household goods common carrier permit
2 from the Washington Utilities and Transportation Commission.

3 3. Defendant Miracle Movers is directed to pay a civil penalty of \$10,000 for
4 engaging in business as a household goods carrier in violation of a cease and
5 desist order issued by the Washington Utilities and Transportation Commission
6 under RCW 81.04.510.

7
8 4. Plaintiff is awarded costs and fees and other disbursements associated with the
9 filing and maintenance of its petition for enforcement, including reasonable
10 attorneys' fees, in the amount of \$495.

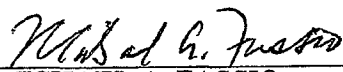
11 5. The Court retains jurisdiction to enforce this Order.

12 DATED this 15 day of January, 2010.

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JUDGE

17 Presented by:

18 ROBERT M. MCKENNA
19 Attorney General

20 
21 MICHAEL A. FASSIO
22 Assistant Attorney General
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24 Attorneys for Plaintiff Washington Utilities and
25 Transportation Commission
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