

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

MURREY'S DISPOSAL COMPANY, INC.,

Complainant,

v.

WASTE MANAGEMENT OF
WASHINGTON, INC., WASTE
MANAGEMENT DISPOSAL SERVICES OF
OREGON, INC., AND DANIEL ANDERSON
TRUCKING & CONTRACTING,

Respondents.

MURREY'S DISPOSAL COMPANY, INC.,

Complainant,

v.

WASTE MANAGEMENT OF
WASHINGTON, INC., WASTE
MANAGEMENT DISPOSAL SERVICES OF
OREGON, INC., AND DANIEL ANDERSON
TRUCKING AND EXCAVATION, LLC,

Respondents.

DOCKET TG-200650 and
TG-200651 (*Consolidated*)

**RESPONDENT DANIEL ANDERSON
TRUCKING & EXCAVATING, LLC'S
RESPONSES AND OBJECTIONS TO
COMPLAINANT MURREY'S
DISPOSAL CO., INC.'S DATA
REQUESTS**

Respondent Daniel Anderson Trucking & Excavating, LLC (hereafter "DAT") provides the following responses and objections to Murrey's Disposal Company, Inc.'s Data Requests:

GENERAL OBJECTIONS

1. DAT objects that Instruction No. 1 is unduly burdensome, overbroad, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. Moreover, redacted documents cannot be produced in native format. If Murrey's has a legitimate basis for requiring native information about any specific document produced by DAT, please advise us of the Bates number and the basis for the claimed need.

2. DAT objects that General Instruction No. 6 is unduly burdensome, particularly given the overlapping and duplicative nature of the discovery requests. Subject to and without waiving this objection, DAT has cited to document Bates numbers as possible.

3. DAT objects to General Instruction No. 7 to the degree that it seeks the disclosure of information that is confidential, proprietary or protected by a trade secret.

4. DAT objects to the requests for documents to the degree they seek documents protected by the attorney-client privilege or the work product doctrine. DAT is not logging those documents.

DATA REQUEST NO. 7: Describe how DAT first came to provide transportation services with respect to PTP's OCC Rejects. Include in your response each of the following:

- (a) The name of the person who initiated Communications between DAT and any other person regarding this service;
- (b) The name of the DAT employee or representative involved in any Communications regarding the service;
- (c) The name of any Waste Management Affiliate's representative involved in any Communication regarding the service;
- (d) The name of any PTP representative involved in any Communication regarding the service;
- (e) The employer of the person who initiated Communications;
- (f) Whether that contact occurred in a written or electronic medium;
- (g) The date (or approximate date if the actual date cannot be identified) on which the initial communication occurred;

RESPONSE: DAT objects that this Data Request is unduly burdensome, overbroad, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. The information requested has no bearing on the legal issues in this case. Subject to and without waiving these objections, DAT came to provide transportation services with respect to PTP's OCC Rejects after verbal conversations between Daniel Anderson, Rick Crawford, John Straub, Michael Penson, and Eric Evans. Eric Evans was the Waste Management Affiliate representative involved in the Communications; John Straub and Michael Penson were the PTP representatives involved in the Communications. These conversations occurred on or around June 1, 2020.

RESPONSE DATE: 2/24/21

NAME OF PERSON WHO PREPARED THE RESPONSE: Daniel Anderson

NAME OF TESTIFYING WITNESS: Daniel Anderson

DATA REQUEST NO. 9: Describe how DAT first came to provide transportation services with respect to McKinley Paper's OCC Rejects. Include in your response each of the following:

- (a) The name of the person who initiated Communications between DAT and any other person regarding this service;
- (b) The name of the DAT employee or representative involved in any Communications regarding the service;
- (c) The name of any Waste Management Affiliate's representative involved in any Communication regarding the service;
- (d) The name of any McKinley Paper representative involved in any Communication regarding the service;
- (e) The employer of the person who initiated Communications;
- (f) Whether that contact occurred in a written or electronic medium;
- (g) The date (or approximate date if the actual date cannot be identified) on which the initial communication occurred.

RESPONSE: DAT objects that this Data Request is unduly burdensome, overbroad, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. The information requested has no bearing on the legal issues in this case. Subject to and without waiving these objections, DAT does not typically provide transportation services with respect to McKinley Paper's OCC Rejects. DAT has provided limited services with respect to McKinley Paper's OCC Rejects only at the request of and on behalf of MJ Trucking.

RESPONSE DATE: 2/24/21

NAME OF PERSON WHO PREPARED THE RESPONSE: Daniel Anderson

NAME OF TESTIFYING WITNESS: Daniel Anderson

DATA REQUEST NO. 11: Admit that DAT loads containers of solid waste generated by PTP at PTP's Port Townsend, Washington facility.

RESPONSE: Admit.

RESPONSE DATE: 2/24/21

NAME OF PERSON WHO PREPARED THE RESPONSE: Daniel Anderson

NAME OF TESTIFYING WITNESS: Daniel Anderson

DATA REQUEST NO. 12: Admit that DAT transports solid waste generated by PTP from PTP's Port Townsend, Washington facility to transloading facilities for purposes of disposal.

RESPONSE: Admit that DAT transports solid waste generated by PTP from PTP's Port Townsend, Washington facility to transloading facilities. Otherwise, deny.

RESPONSE DATE: 2/24/21

NAME OF PERSON WHO PREPARED THE RESPONSE: Daniel Anderson

NAME OF TESTIFYING WITNESS: Daniel Anderson

DATA REQUEST NO. 14: Admit that DAT transports solid waste generated by McKinley Paper at McKinley Paper's Port Angeles, Washington facility to transloading facilities for purposes of disposal.

RESPONSE: Admit that DAT has transported solid waste generated by McKinley Paper on behalf of MJ Trucking. Otherwise, deny.

RESPONSE DATE: 2/24/21

NAME OF PERSON WHO PREPARED THE RESPONSE: Daniel Anderson

NAME OF TESTIFYING WITNESS: Daniel Anderson

RESPONSES AND OBJECTIONS SUBMITTED this 24th day of February, 2021.

SUMMIT LAW GROUP PLLC

By *s/ Jesse L. Taylor*

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Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding, by the method as indicated below, pursuant to WAC 480-07-150.

<p><i>Attorneys for Complainant Murrey's Disposal Co., Inc.</i></p> <p>Blair I. Fassburg, WSBA #41207 David W. Wiley, WSBA #08614 Sean D. Leake, WSBA #52658 WILLIAMS, KASTNER & GIBBS PLLC 601 Union Street, Suite 4100 Seattle, WA 98101-2380 Legal Asst: Maggi Gruber dwiley@williamskastner.com bfassburg@williamskastner.com sleake@williamskastner.com mgruber@williamskastner.com</p>	<p><input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email</p>
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DATED this 24th day of February, 2021.

s/Sharon Hendricks

Sharon Hendricks, Legal Assistant
sharonh@summitlaw.com