Docket No. TV-160213 - Vol. I

	Page 1		Page 3	į
1	BEFORE THE WASHINGTON STATE	1	OLYMPIA, WASHINGTON; APRIL 18, 2016	
2	UTILITIES AND TRANSPORTATION COMMISSION	2	9:01 A.M.	
3		3	000	
4) In the Matter of Determining the) DOCKET TV-160213	4		
5	In the Matter of Determining the) DOCKET TV-160213 Proper Carrier Classification of, and) Complaint for Penalties against:)	5	JUDGE PEARSON: Good morning. We will be on	
6		6	the record.	
7	PAUL M. CREECH and TRISTAN MARTI,) d/b/a CREECH AND SON, LLC,)	7	My name is Rayne Pearson. I'm an	
8	/	8	administrative law judge for the Washington Utilities and	
9	MOVERS COURT, VOLUME I	9	Transportation Commission, and I'm the presiding officer	
10	Pages 1-41	10	for today's hearing being conducted at the Commission's	
11	ADMINISTRATIVE LAW JUDGE RAYNE PEARSON	11	headquarters in Olympia.	
12		12	Today is Monday, April 18th, 2016, and the	
13	9:01 A.M.	13	time is 9 a.m. So today's hearing involves a total of five	
14	APRIL 18, 2016	14	household goods carriers, so the first thing we will do is	
15		15	take a roll call to determine who's present.	
16	Washington Utilities and Transportation Commission 1300 South Evergreen Park Drive Southwest	16	And as you can see, there is a court reporter	
17	Olympia, Washington 98504-7250	17	here today creating a record of today's proceeding, so when	
18		18	I call your name, in addition to raising your hand, please	
19		19	also identify yourself with a verbal response like	
20	REPORTED BY: RYAN ZIEGLER, CCR #3348	20	"present" or "here."	
21	Buell Realtime Reporting, LLC 1325 Fourth Avenue	21	So the first docket is TV-160211, Justin	
22	Suite 1840 Seattle, Washington 98101 206.287.9066 Seattle	22	Junell.	
23	360.534.9066 Olympia	23	MR. JUNELL: Present, Your Honor.	
24	800.846.6989 Nátional	24	JUDGE PEARSON: Okay. Is that how you	
25	www.buellrealtime.com	25	pronounce your last name? Junell?	
	Page 2		Page 4	
1	-	1	Page 4 MR. JUNELL: Junell. Yes.	
1 2	Page 2 A P P E A R A N C E S	1 2	-	•
	-		MR. JUNELL: Junell. Yes.	L
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			Dego 7
1	Page 5 your choices are and then hear from you regarding which	1	Page 7 imposed.
2	choice you want to pursue, and you can choose one of two	2	So if you choose to testify about how you're
3	options.	3	getting out of the household goods business, I will allow
4	The first is to cease and desist providing,	4	you to make a statement explain explaining how you plan
5	offering, and advertising un-permitted household goods	5	to do that or how you've already done it; and depending on
6	services; and if you choose that option, you will need to	6	what proof you can provide, you should be able to reach an
7	demonstrate what you've done to shut down your business	7	agreement with Staff resolving the matter with the
8	either completely or partially to avoid further enforcement	8	Commission completely, and you can speak to Ms. Banks about
9	action by the Commission.	9	that during the recess.
10	So I will want to hear and see sufficient	10	And if you choose to contest the allegations,
11	proof that you're no longer performing regulated moves; for	11	like I said, we will schedule another hearing, so it would
12	example, if you can demonstrate that you've taken down your	12	help to know your schedule for the next month or so when
13	website or other online advertisements for your business.	13	you come up here and be ready to to set that time.
14	The second option is to ask for a formal	14	So after I hear from each of you, we'll take
15	classification hearing to show why you don't need a permit;	15	a break, and that will provide Commission Staff time to
16	and if you choose this option, you're contesting the	16	meet with each of you and prepare a final disposition for
17	allegations in the complaint and claiming not to be	17	your case.
18	conducting household goods moves at all.	18	And for most of you, I believe that Ms. Banks
19	And for that option, we will need to schedule	19	will be presenting agreed orders, and that will essentially
20	a formal hearing for a date in the near future with a	20	say that you agree that you were operating without a
21	deadline two to three weeks from now for both your company	21	permit, that you advertised without a permit, and that you
22	and for Staff to file any exhibits and declare all	22	agree to stop operating and and advertising until you
23	witnesses. So we will set that hearing up before we take a	23	get a permit should you decide to apply for one.
24	break this morning if if that's an option that any of	24	Once you're satisfied that you understand all
25	you wish to pursue.	25	the terms of the order, you and Ms. Banks will both sign
	Page 6		Page 8
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1	-	1	-
1	So because each of you has a right to be	1	it, and it will most likely include an agreement about the
2	So because each of you has a right to be heard by the Commission, I will call you up individually to	2	it, and it will most likely include an agreement about the amount of penalty to be imposed as well.
2 3	So because each of you has a right to be heard by the Commission, I will call you up individually to do that, and then Commission Staff will also be heard this	2 3	it, and it will most likely include an agreement about the amount of penalty to be imposed as well. So, Ms. Banks, let me just swear you in at
2 3 4	So because each of you has a right to be heard by the Commission, I will call you up individually to do that, and then Commission Staff will also be heard this morning. Ms. Megan Banks represents the Commission. She's	2 3 4	it, and it will most likely include an agreement about the amount of penalty to be imposed as well. So, Ms. Banks, let me just swear you in at this point so you're sworn in for the entire proceeding.
2 3 4 5	So because each of you has a right to be heard by the Commission, I will call you up individually to do that, and then Commission Staff will also be heard this morning. Ms. Megan Banks represents the Commission. She's seated over here to my right, and she's a Commission	2 3 4 5	it, and it will most likely include an agreement about the amount of penalty to be imposed as well. So, Ms. Banks, let me just swear you in at
2 3 4 5 6	So because each of you has a right to be heard by the Commission, I will call you up individually to do that, and then Commission Staff will also be heard this morning. Ms. Megan Banks represents the Commission. She's seated over here to my right, and she's a Commission compliance investigator.	2 3 4 5 6	it, and it will most likely include an agreement about the amount of penalty to be imposed as well. So, Ms. Banks, let me just swear you in at this point so you're sworn in for the entire proceeding. If you'd stand and raise your right hand.
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2 3 4 5 6	So because each of you has a right to be heard by the Commission, I will call you up individually to do that, and then Commission Staff will also be heard this morning. Ms. Megan Banks represents the Commission. She's seated over here to my right, and she's a Commission compliance investigator. So in a few minutes, I'll call each of you forward to make your choice about how you wish to proceed,	2 3 4 5 6	it, and it will most likely include an agreement about the amount of penalty to be imposed as well. So, Ms. Banks, let me just swear you in at this point so you're sworn in for the entire proceeding. If you'd stand and raise your right hand.
2 3 4 5 6 7 8	So because each of you has a right to be heard by the Commission, I will call you up individually to do that, and then Commission Staff will also be heard this morning. Ms. Megan Banks represents the Commission. She's seated over here to my right, and she's a Commission compliance investigator. So in a few minutes, I'll call each of you	2 3 4 5 6 7 8	 it, and it will most likely include an agreement about the amount of penalty to be imposed as well. So, Ms. Banks, let me just swear you in at this point so you're sworn in for the entire proceeding. If you'd stand and raise your right hand. MEGAN BANKS, witness herein, having been first duly sworn on oath,
2 3 4 5 7 8 9	So because each of you has a right to be heard by the Commission, I will call you up individually to do that, and then Commission Staff will also be heard this morning. Ms. Megan Banks represents the Commission. She's seated over here to my right, and she's a Commission compliance investigator. So in a few minutes, I'll call each of you forward to make your choice about how you wish to proceed, and at that time, I will swear you in so that anything you	2 3 4 5 6 7 8 9	 it, and it will most likely include an agreement about the amount of penalty to be imposed as well. So, Ms. Banks, let me just swear you in at this point so you're sworn in for the entire proceeding. If you'd stand and raise your right hand. MEGAN BANKS, witness herein, having been first duly sworn on oath, was examined and testified
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		1	· · · · ·
1	Page 9 here, but	1	Page 11 mean? So
2	MR. JUNELL: I can okay.	2	JUDGE PEARSON: I do, yes. I understand
3	JUDGE PEARSON: I assume you'll be doing	3	that. I think that you could discuss these options with
4	all the speaking	4	with Ms. Banks during the recess, but part of the
5	MR. JUNELL: Okay.	5	Commission's complaint against you was that you made an
6	JUDGE PEARSON: on your own behalf.	6	offer to perform the move. You wouldn't be here today if
7	So if you could turn on the microphone. So	7	you hadn't made an offer to perform a move that included a
8	when the red light is on, that means the microphone is on.	8	truck. So if you
9	MR. JUNELL: It's on. Yeah.	9	MR. JUNELL: Gotcha.
10	JUDGE PEARSON: Okay. If you could just	10	JUDGE PEARSON: want to contest that, it
11	raise your right hand.	11	will be Staff's evidence against whatever evidence
12	, .	12	MR. JUNELL: Against me. Yeah.
13	JUSTIN S. JUNELL, witness herein, having been	13	JUDGE PEARSON: you might have, so just
14	first duly sworn on oath,	14	bear that in mind if you if you decide that you want to
15	was examined and testified	15	actually schedule a hearing to claim that that never
16	as follows:	16	happened.
17		17	MR. JUNELL: Yeah. But, I mean, that's
18	JUDGE PEARSON: Okay. You may be seated.	18	that's essentially what it is. Yeah. Because, I mean, I
19	And if you could state your first and last name for the	19	don't you know, I don't have any trucks or anything like
20	record and spell your last name for the court reporter.	20	that, so I I can't get the household goods move permit,
21	MR. JUNELL: Justin S. Junell, J-U-N-E-L-L.	21	you know?
22	JUDGE PEARSON: Okay. And what's your	22	So I just have to go that route to explain,
23	position with the company?	23	you know, my end of you know, my evidence and everything
24	MR. JUNELL: I am the owner.	24	like that furthermore and then, I guess, kind of go from
25	JUDGE PEARSON: Okay. And how do you want to	25	there. You know what I mean?
	Page 10		Page 12
1	proceed this morning?	1	JUDGE PEARSON: Yes. And I understand what
1 2	proceed this morning? MR. JUNELL: So that's I have a just a	1 2	JUDGE PEARSON: Yes. And I understand what you're saying; however, we routinely have companies in here
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12 MR. JUNELL: Before 12 came into the room, so I will just check to see, are you 13 JUDGE PEARSON: about what your options 13 Mr. Willis? 14 are before you make that decision. 14 MR. WILLIS: (Nods head.) 15 JUDGE PEARSON: Because, again, you would be 15 JUDGE PEARSON: Okay. So that's 16 JUDGE PEARSON: Because, again, you would be 16 Docket TV-160214. 17 alleging and trying to prove that the evidence that Staff 17 Bilal? Is that how you say your first name? 18 has put forward is false, and that would be a pretty large 18 MR. WILLIS: Yes, ma'am. 20 MR. JUNELL: Yeah. No. 20 call you up here shortly and kind of run through everything 21 JUDGE PEARSON: if she has documentation, 21 that you missed this morning just to explain what your 22 you know, of - of a move offer 22 MR. WILLIS: (Nods head.) 23 MR. JUNELL: Yeah. 22 Docket TV-160212, Nicholas Griffin. 24 JUDGE PEARSON:
13 JUDGE PEARSON: about what your options 13 Mr. Willis? 14 are before you make that decision. 14 MR. Willis? 15 MR. JUNELL: Okay. 15 JUDGE PEARSON: Because, again, you would be 16 16 JUDGE PEARSON: Because, again, you would be 16 Docket TV-160214. 17 alleging and trying to prove that the evidence that Staff 17 Bilal? Is that how you say your first name? 18 has put forward is false, and that would be a pretty large 18 MR. WILLIS: Yes, ma'am. 19 burden for you to overcome 19 JUDGE PEARSON: Okay. All right. So I will 20 data on our offer 20 20 call you up here shortly and kind of run through everything 21 you know, of - of a move offer 20 20 poticins are. Okay? 23 MR. JUNELL: Yeah. 23 MR. WILLIS: (Nods head.) JUDGE PEARSON: But right now I will call 25 JUDGE PEARSON: and previous 24 JUDGE PEARSON: Absolutely. Page 16 1 MR. JUNELL: Nath that's okay to do JUDGE PEARSON: Absolutely. 4 MR. GRIFFIN: Cond morning. Your Honor. 24 JUDGE PEA
14 MR. JUNELL: Okay. 14 MR. WILLIS: (Nods head.) 15 MR. JUNELL: Okay. 15 JUDGE PEARSON: Okay. So that's 16 JUDGE PEARSON: Because, again, you would be 16 17 alleging and trying to prove that the evidence that Staff 17 18 has put forward is false, and that would be a pretty large 18 19 burden for you to overcome – 19 20 MR. JUNELL: Yeah. No. 20 21 JUDGE PEARSON:
15MR. JUNELL: Okay.15JUDGE PEARSON: Okay. So that's16JUDGE PEARSON: Because, again, you would be1617alleging and trying to prove that the evidence that Staff1718has put forward is false, and that would be a pretty large1819burden for you to overcome -1920MR. JUNELL: Yeah. No.2021JUDGE PEARSON: - if she has documentation,2122you know, of - of a move offer -2223MR. JUNELL: Yeah.2324JUDGE PEARSON: - and previous2425advertisements.2526Docket TV-160212, Nicholas Griffin.27Page 141NR. JUNELL: Yeah.2324JUDGE PEARSON: - and previous2425JUDGE PEARSON: But right now I will call26opticks2527Docket TV-160212, Nicholas Griffin.28Vith her before you make your final decision.230MR. JUNELL: And that's okay to do -34JUDGE PEARSON: Absolutely.44JUDGE PEARSON: Chay.55MR. JUNELL: Okay.56JUDGE PEARSON: Yes.87MR. JUNELL: Okay.58MR. JUNELL: Okay.69MR. JUNELL: Okay. So, Ms. Banks, given1110JUDGE PEARSON: Okay. So, Ms. Banks, given1111JUDGE PEARSON: Okay. So, Ms. Banks, given1112MR. BANKS: Just that I'd be happy t
16 JUDGE PEARSON: Because, again, you would be 16 Docket TV-160214. 17 alleging and trying to prove that the evidence that Staff 17 Bilal? Is that how you say your first name? 18 has put forward is false, and that would be a pretty large 18 MR. WILLS: Yes, maian. 19 burden for you to overome 19 JUDGE PEARSON: Okay. All right. So I will 21 JUDGE PEARSON: if she has documentation, 21 that you missed this morning just to explain what your 22 you know, of - of a move offer 22 23 MR. JUNELL: Yeah. 22 you know, of - of a move offer 23 MR. WILLIS: Nods head.). 23 advertisements. 25 Docket TV-160212, Nicholas Griffin. 24 JUDGE PEARSON: and previous 24 JUDGE PEARSON: But right now I will call 25 advertisements. 25 Docket TV-160212, Nicholas Griffin. 2 with her before you make your final decision. 2 JUDGE PEARSON: Absolutely. MR. GRIFFIN: Good morning. If you could 3 MR, JUNELL: Nay. 5 NICHOLAS GRIFFIN, witness herein, having been 4 JUDGE PEARSON: Yes. 8 was examined and testified 4 JUDGE PEARSON: New, So, Ms. Banks, given 11 JUDGE PEARSON: Okay. So, Ms. Banks, given
17 alleging and trying to prove that the evidence that Staff 17 18 has put forward is false, and that would be a pretty large 18 19 burden for you to overcome - 19 20 MR. JUNELL: Yeah. No. 20 21 JUDGE PEARSON: if she has documentation, 21 22 you know, of of a move offer 22 23 MR. JUNELL: Yeah. 23 24 JUDGE PEARSON: and previous 24 25 advertisements. 25 26 NR. JUNELL: Yeah. 23 3 MR. JUNELL: Yeah. 23 4 JUDGE PEARSON: and previous 24 3 JUDGE PEARSON: Absolutely. 25 26 NC I Would recommend that you at least speak 1 4 JUDGE PEARSON: Absolutely. 4 5 MR. JUNELL: And that's okay to do 3 3 JUDGE PEARSON: Absolutely. 4 6 JUDGE PEARSON: Chay. 6 7 MR. JUNELL: Okay. 7 8 JUDGE PEARSON: Yes. 8 9 MR. JUNELL: O
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13make a recommendation at this point. Do you have anything that you want to say with respect to this case?13and spell your last name for the court reporter.14MR. GRIFFIN: Yeah. Nicholas Griffin,15MS. BANKS: Just that I'd be happy to speak15G-R-I-F-F-I-N.16with you at the break about16JUDGE PEARSON: Okay. And what is your17MR. JUNELL: Okay.17
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15MS. BANKS: Just that I'd be happy to speak15G-R-I-F-F-I-N.16with you at the break about16JUDGE PEARSON: Okay. And what is your17MR. JUNELL: Okay.17position with the company?
16with you at the break about16JUDGE PEARSON: Okay. And what is your17MR. JUNELL: Okay.17position with the company?
17 MR. JUNELL: Okay. 17 position with the company?
18 MS. BANKS: everything. 18 MR. GRIFFIN: Owner.
19 MR. JUNELL: Perfect. 19 JUDGE PEARSON: Okay. And how do you want to
20 JUDGE PEARSON: Okay. 20 proceed this morning?
21 MR. JUNELL: Awesome. Thank you. 21 MR. GRIFFIN: I'm going to talk to Ms. Banks
22 JUDGE PEARSON: That sounds good. Okay. 22 with
23 Well, you can go ahead and take a seat, and then when the 23 JUDGE PEARSON: Okay.
24 break 24 MR. GRIFFIN: Option A.

			II M. Creech and Thstan Marti 0/b/a Creech and Son, LLC		
	Page 17		Page 19		
1	MR. GRIFFIN: And we'll just go from we'll	1	MR. CREECH: All right.		
2	go and I've spoken with her on the phone and brought	2	JUDGE PEARSON: So would you both state your		
3	documentation of stuff I've deleted and	3			
4	dah-dah-dah-dah-dah.	4	name for the court reporter.		
5	JUDGE PEARSON: Okay. Great.	5	MR. MARTI: Tristan Marti, M-A-R-T-I.		
6	MR. GRIFFIN: But basically, it's Craigslist	6	JUDGE PEARSON: Okay.		
7	ads and dah-dah-dah, so. Anyways, I am at fault at that,	7	MR. CREECH: Paul Creech, C-R-E-E-C-H.		
8	so I will speak with Ms. Banks and go from there.	8	JUDGE PEARSON: Okay. And are both of you		
9	JUDGE PEARSON: Okay. That sounds good.	9	going to give testimony today?		
10	Ms. Banks, do you have a recommendation with	10	MR. MARTI: Mostly me.		
11	regard to a cease and desist order?	11	JUDGE PEARSON: Okay. So why don't I go		
12	MS. BANKS: Staff would recommend and agree	12	ahead and just swear you in? If you could raise your right		
13	with a cease and desist order.	13	hand.		
14	JUDGE PEARSON: Okay. Great. Okay.	14			
15	MR. GRIFFIN: Great.	15	TRISTAN MARTI, witness herein, having been		
16	JUDGE PEARSON: You can go ahead and take a	16	first duly sworn on oath,		
17	seat.	17	was examined and testified		
18	MR. GRIFFIN: Thanks.	18	as follows:		
19	JUDGE PEARSON: All right. TV-160213, Creech	19			
20	and Son. Okay. So why don't you both just identify	20	JUDGE PEARSON: Okay. Go ahead and be		
21	yourselves before I swear you in?	21	seated. And what is your position with the company?		
22	MR. CREECH: Okay.	22	MR. MARTI: The owner.		
23	MR. MARTI: I I'm Tristan Marti,	23	JUDGE PEARSON: You're the owner. Okay.		
24	M-A-R-T-I.	24	And how do you want to proceed this morning?		
25	JUDGE PEARSON: Can you sit down and talk in	25	MR. MARTI: Well, I'm actually I was		
	Page 18		Page 20		
1	Page 18 the microphone?	1	Page 20 hoping to have it by today. I'm trying to get the permit.		
1 2	-	1 2	-		
	the microphone?		hoping to have it by today. I'm trying to get the permit.		
2	the microphone? MR. MARTI: Oh.	2	hoping to have it by today. I'm trying to get the permit. JUDGE PEARSON: Oh, okay.		
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		1 40	
	Page 21		Page 23
1	and desist order.	1	JUDGE PEARSON: So she explained to you that
2	JUDGE PEARSON: Okay. Great. All right.	2	you have two choices today. You can either agree to cease
3	Did you have any other questions?	3	and desist providing and advertising and offering to
4	MR. MARTI: Well, just to kind of set the	4	provide moving services until you apply for a permit, if
5	record is, she actually put Paul down as one of the owners,	5	you decide to do so, and that would involve showing me
6	but	6	documentation that you have taken down any ads or a website
7	MR. CREECH: I'm a	7	that advertises moving services.
8	MR. MARTI: I'm a sole owner.	8	Or you can ask for a formal classification
9	MR. CREECH: It's his business.	9	hearing, which means you would be contesting the
10	JUDGE PEARSON: Okay. So that's something	10	allegations that you're performing or advertising household
11	MR. CREECH: Yeah.	11	goods moves and that you would want a hearing to
12	JUDGE PEARSON: you could work out with	12	essentially prove that you're not conducting household
13	MR. CREECH: Yeah.	13	goods moves.
14	JUDGE PEARSON: Ms. Banks, I think, at the	14	So right now, I just want to hear from you
15	break.	15	which option you want to pursue this morning, and then we
16	MR. MARTI: Yeah.	16	will take a recess, and each of you will have an
17	JUDGE PEARSON: Okay?	17	opportunity to speak with Ms. Banks about which option you
18	MR. MARTI: Okay.	18	wish to choose.
19	JUDGE PEARSON: Thank you.	19	And if you can reach an agreed order, you
20	MR. CREECH: We're done?	20	know, to cease and desist providing services and then also
21	JUDGE PEARSON: Yes.	21	an agreement on the penalty amount, then we would come back
22	MR. CREECH: Thank you very much. Have a	22	and and enter that order after the break.
23	good day.	23	So do you know which option you would like to
24	JUDGE PEARSON: Okay. Docket TV-160214,	24	pursue?
25	Bilal Willis. Good morning, Mr. Willis. If you could just	25	MR. WILLIS: I think at this time I'd like
	Page 22		Page 24
	1 0 90 22		
1	stand and raise your right hand, I'll swear you in.	1	is there a way to redo this hearing? Because I had
1 2	_	1 2	-
	stand and raise your right hand, I'll swear you in.		is there a way to redo this hearing? Because I had
2	stand and raise your right hand, I'll swear you in. MR. WILLIS: Stand?	2	is there a way to redo this hearing? Because I had everything that I needed to submit for the permit prior to
2 3	stand and raise your right hand, I'll swear you in. MR. WILLIS: Stand?	2 3	is there a way to redo this hearing? Because I had everything that I needed to submit for the permit prior to coming here, but I have some other legal issues that I
2 3 4	stand and raise your right hand, I'll swear you in. MR. WILLIS: Stand? JUDGE PEARSON: Yes.	2 3 4	is there a way to redo this hearing? Because I had everything that I needed to submit for the permit prior to coming here, but I have some other legal issues that I can't really discuss
2 3 4 5	stand and raise your right hand, I'll swear you in. MR. WILLIS: Stand? JUDGE PEARSON: Yes. BILAL WILLIS, witness herein, having been	2 3 4 5	is there a way to redo this hearing? Because I had everything that I needed to submit for the permit prior to coming here, but I have some other legal issues that I can't really discuss JUDGE PEARSON: Okay.
2 3 4 5 6	stand and raise your right hand, I'll swear you in. MR. WILLIS: Stand? JUDGE PEARSON: Yes. BILAL WILLIS, witness herein, having been first duly sworn on oath,	2 3 4 5 6	is there a way to redo this hearing? Because I had everything that I needed to submit for the permit prior to coming here, but I have some other legal issues that I can't really discuss JUDGE PEARSON: Okay. MR. WILLIS: that precludes me from having
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2 3 4 5 6 7 8	stand and raise your right hand, I'll swear you in. MR. WILLIS: Stand? JUDGE PEARSON: Yes. BILAL WILLIS, witness herein, having been first duly sworn on oath, was examined and testified	2 3 4 5 6 7 8	is there a way to redo this hearing? Because I had everything that I needed to submit for the permit prior to coming here, but I have some other legal issues that I can't really discuss JUDGE PEARSON: Okay. MR. WILLIS: that precludes me from having any of that paperwork. JUDGE PEARSON: Okay. So basically the best
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_	Page 25		Page 2
1			understand what you're signing. I will sign the order on
2	you'll get called back to speak with Staff.	2	the record today, and you will leave here with a copy of
3		3	it.
4		4	So anything else before we take a break?
5	Docket TV-160215, Darryl Horne. Good	5	MS. BANKS: Nothing.
6	morning, Mr. Horne.	6	MR. HORNE: Excuse me.
7	MR. HORNE: Good morning.	7	JUDGE PEARSON: Yes?
8	JUDGE PEARSON: If you could raise your right	8	MR. HORNE: Are you saying I'm being fined
9	hand and stay standing.	9	\$5,000?
0		10	JUDGE PEARSON: Well, the penalty that Staff
1	DARRYL HORNE, witness herein, having been	11	has recommended at this point is \$5,000, but you'll have an
.2	first duly sworn on oath,	12	opportunity to meet with Ms. Banks about negotiating that
.3	was examined and testified	13	penalty substantially lower than what Staff is asking for.
.4	as follows:	14	So what we typically do is suspend the
.5		15	majority of the penalty would be suspended, so it would be
6	JUDGE PEARSON: Okay. Go ahead and have a	16	something that hangs out there to keep you from engaging in
.7	seat. And if you could state your first and last name for	17	this business again. It would be a very small portion,
. /	the record and spell your last name for the court reporter.	18	typically, that's paid today.
.0	MR. HORNE: Darryl Horne, H-O-R-N-E.	19	So I don't know if you had a chance to talk
20	JUDGE PEARSON: Okay. And what is your	20	to Ms. Banks about that ahead of time, but Staff typically
1	position with the company? MR. HORNE: Owner.	21	recommends that a \$4,500 portion of the penalty be
2		22	suspended and only a \$500 portion be paid.
3	JUDGE PEARSON: Okay. And how do you want to	23	MR. HORNE: That's still a lot to me.
24	proceed this morning?	24	JUDGE PEARSON: Well, you can also discuss
25	MR. HORNE: Cease and desist. I I	25	payment plan options with Staff, because we typically offer
	Page 26		Page 2
1	JUDGE PEARSON: Okay.	1	that to people as well.
2	MR. HORNE: I couldn't find a job. I just	2	So any other questions before we go off the
3	bought a truck, pickup truck, and just started hauling. I	3	record to take a break?
4	didn't know I was creating a major crime or anything, so.	4	Okay. Then we are at recess and, Ms. Banks,
5	JUDGE PEARSON: Okay. Okay.	5	you can call me in my office when you're ready.
6	Then, Staff, do you have a recommendation	6	Thank you.
7		7	(Off the record from 9:24 a.m. to 11:27 a.m.)
8	MS. BANKS: Staff would recommend and agree	8	JUDGE PEARSON: Okay. We will be back on the
9	with a cease and desist order.	9	record at 11:25 this morning. I understand that the cease
0	JUDGE PEARSON: Okay. Great.	10	and desist orders have been explained and presented to each
1	Okay. So at this point, I think, unless	11	of you, so I will call you back up one at a time in the
2	there's anything further, we can go ahead and take a recess	12	order that we went in before.
.3	at 9:20 a.m.	13	So first is TV-160211, Justin Junell.
.4	As soon as you have a chance to review the	14	MS. BANKS: May I please approach the Bench?
.5	cease and desist orders and the language with Staff,	15	JUDGE PEARSON: Sure.
.6	there'll be some negotiation about the penalty amount. And	16	Okay. So you can have a seat. So,
.7	typically, a portion of the penalty is suspended, which is	17	Mr. Junell, did you have a chance to read through the
.8	meant to deter you from continuing to offer services	18	order?
	without a permit.	19	MR. JUNELL: Yes, I did. Thank you.
9	So you would pay a portion today, and the	20	JUDGE PEARSON: Okay. And you understand all
		1	five pages prior to the signature page?
0		21	
20 21	remaining portion of the \$5,000 penalty would not become	21	
20 21 22	remaining portion of the \$5,000 penalty would not become due and payable unless you violated the order.	22	MR. JUNELL: Yes, Your Honor.
20 21 22 23	remaining portion of the \$5,000 penalty would not become due and payable unless you violated the order. So hopefully within the next 60 to	22 23	MR. JUNELL: Yes, Your Honor. JUDGE PEARSON: Okay. And it looks like you
19 20 21 22 23 24 25	remaining portion of the \$5,000 penalty would not become due and payable unless you violated the order. So hopefully within the next 60 to 90 minutes, we'll have all of the orders prepared, and then	22	MR. JUNELL: Yes, Your Honor.

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	Page 29		Page 31
1	JUDGE PEARSON: And just for the record, it	1	Do you have any additional questions? You
2	looks like, in this case, Ms. Banks, you've recommended	2	understand legally what you can and can't do
3	that the Commission find two violations, one for offering a	3	MR. JUNELL: Yep. That's correct.
4	move and one for advertising; is that correct?	4	JUDGE PEARSON: at this time? Okay.
5	MS. BANKS: We actually changed it so that we	5	MR. JUNELL: And I also I mean, any time I
6	only found one violation, and that was for offering a move.	6	want to try and get a permit down the road, that's okay to
7	JUDGE PEARSON: Oh, I see. Okay. So the	7	do, though; correct?
8	penalty will be for 2,500 instead of 5,000	8	JUDGE PEARSON: Yes.
9	MS. BANKS: That's correct.	9	MR. JUNELL: Okay. Yeah. No other
10	JUDGE PEARSON: for the recommendation.	10	questions.
11	Okay. And a \$2,250 portion will be suspended for a period	11	JUDGE PEARSON: Okay. Great. Then I will
12	of two years?	12	sign this and hand it back to Ms. Banks.
13	MS. BANKS: That is correct.	13	MR. JUNELL: Awesome.
14	JUDGE PEARSON: Okay. And it looks like you	14	JUDGE PEARSON: Thank you for coming today.
15	paid the unsuspended portion of the \$250 today already?	15	You're free to leave.
16	MR. JUNELL: Yep.	16	MR. JUNELL: All right. Thank you, Your
17	JUDGE PEARSON: Okay. Okay. So is there	17	Honor.
18	any any questions about what we talked about earlier?	18	JUDGE PEARSON: Oh, that's right. She's
19	MR. JUNELL: No questions.	19	going to get you a copy of the order, so
20	JUDGE PEARSON: Okay. So you are agreeing to	20	MR. JUNELL: Okay. Perfect.
21	shut down operations or perform labor-only moves	21	JUDGE PEARSON: wait for that
22	MR. JUNELL: Correct.	22	MR. JUNELL: Okay.
23	JUDGE PEARSON: unless you get a permit	23	JUDGE PEARSON: and then and then
24	MR. JUNELL: Yes, Your Honor.	24	you're free to go at that point in time.
25	JUDGE PEARSON: in the future?	25	MR. JUNELL: Thank you, Your Honor.
	Page 30		Page 32
1	MR. JUNELL: Yes.	1	JUDGE PEARSON: Okay. And next is TV-160212,
2	JUDGE PEARSON: Okay. And you understand how	2	Nicholas Griffin.
3	the suspension works, which is it's effective for two years	3	And, Mr. Griffin, you had a chance to look
4	from today's date, which means that if Staff finds that	4	over the order, and you understand
5	you're advertising to conduct moves that involve a truck or	5	MR. GRIFFIN: Yes, I do.
6	that otherwise require a permit, that that remaining \$2250	6	JUDGE PEARSON: what you're signing today?
7	would become immediately due and payable?	7	Okay.
8	MR. JUNELL: Yes, Your Honor.	8	So this does look like Staff has recommended
9	JUDGE PEARSON: Okay. And the order to cease	9	two violations here, one for offering and one for
10	and desist is permanent; that portion doesn't expire, so	10	advertising; is that correct?
11	MR. JUNELL: Yeah.	11	MS. BANKS: That is correct.
12			ILIDGE DEADSON: Okay And it looks like you
	JUDGE PEARSON: if sometime after the	12	JUDGE PEARSON: Okay. And it looks like you
13	JUDGE PEARSON: if sometime after the two-year period Staff were to find that you were conducting	12 13	both signed the order and have agreed to a payment plan.
13	two-year period Staff were to find that you were conducting	13	both signed the order and have agreed to a payment plan.
13 14	two-year period Staff were to find that you were conducting moves without a permit, they could bring you back in and	13 14	both signed the order and have agreed to a payment plan. You made a \$100 payment today?
13 14 15	two-year period Staff were to find that you were conducting moves without a permit, they could bring you back in and ask for or they can actually go straight to superior	13 14 15	both signed the order and have agreed to a payment plan. You made a \$100 payment today? MR. GRIFFIN: Mm-hmm.
13 14 15 16	two-year period Staff were to find that you were conducting moves without a permit, they could bring you back in and ask for or they can actually go straight to superior court and seek enforcement of the order	13 14 15 16	both signed the order and have agreed to a payment plan. You made a \$100 payment today? MR. GRIFFIN: Mm-hmm. JUDGE PEARSON: Okay. And you do understand
13 14 15 16 17	two-year period Staff were to find that you were conducting moves without a permit, they could bring you back in and ask for or they can actually go straight to superior court and seek enforcement of the order MR. JUNELL: Okay.	13 14 15 16 17	both signed the order and have agreed to a payment plan. You made a \$100 payment today? MR. GRIFFIN: Mm-hmm. JUDGE PEARSON: Okay. And you do understand that if you fail to
13 14 15 16 17 18	two-year period Staff were to find that you were conducting moves without a permit, they could bring you back in and ask for or they can actually go straight to superior court and seek enforcement of the order MR. JUNELL: Okay. JUDGE PEARSON: and substantially higher	13 14 15 16 17 18	both signed the order and have agreed to a payment plan. You made a \$100 payment today? MR. GRIFFIN: Mm-hmm. JUDGE PEARSON: Okay. And you do understand that if you fail to MR. GRIFFIN: That's get paid. Trust me
13 14 15 16 17 18 19	two-year period Staff were to find that you were conducting moves without a permit, they could bring you back in and ask for or they can actually go straight to superior court and seek enforcement of the order MR. JUNELL: Okay. JUDGE PEARSON: and substantially higher penalties at that time, so just want to make sure	13 14 15 16 17 18 19	both signed the order and have agreed to a payment plan. You made a \$100 payment today? MR. GRIFFIN: Mm-hmm. JUDGE PEARSON: Okay. And you do understand that if you fail to MR. GRIFFIN: That's get paid. Trust me JUDGE PEARSON: make those payments
13 14 15 16 17 18 19 20	two-year period Staff were to find that you were conducting moves without a permit, they could bring you back in and ask for or they can actually go straight to superior court and seek enforcement of the order MR. JUNELL: Okay. JUDGE PEARSON: and substantially higher penalties at that time, so just want to make sure you understand	13 14 15 16 17 18 19 20	both signed the order and have agreed to a payment plan. You made a \$100 payment today? MR. GRIFFIN: Mm-hmm. JUDGE PEARSON: Okay. And you do understand that if you fail to MR. GRIFFIN: That's get paid. Trust me JUDGE PEARSON: make those payments MR. GRIFFIN: it'll get paid.
13 14 15 16 17 18 19 20 21	two-year period Staff were to find that you were conducting moves without a permit, they could bring you back in and ask for or they can actually go straight to superior court and seek enforcement of the order MR. JUNELL: Okay. JUDGE PEARSON: and substantially higher penalties at that time, so just want to make sure you understand MR. JUNELL: Yes. Completely understand	13 14 15 16 17 18 19 20 21	both signed the order and have agreed to a payment plan. You made a \$100 payment today? MR. GRIFFIN: Mm-hmm. JUDGE PEARSON: Okay. And you do understand that if you fail to MR. GRIFFIN: That's get paid. Trust me JUDGE PEARSON: make those payments MR. GRIFFIN: it'll get paid. JUDGE PEARSON: Okay.
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			Dogo 25
1	Page 33 that you don't face the possibility of the suspended	1	Page 35 TV-160213, Creech and Son.
2	penalty, because	2	MS. BANKS: May I approach the Bench?
3	MR. GRIFFIN: Yeah. That would hurt.	3	JUDGE PEARSON: Yes. You don't have to ask.
4	JUDGE PEARSON: Okay. All right. Then I	4	Okay. So, Mr. Marti, it came to my attention
5	will sign this. Do you have any questions about anything	5	that there was some information discussed during the break
6	today?	6	about who is the actual owner and operator of this
7	MR. GRIFFIN: I do have one question	7	company
8	JUDGE PEARSON: Okay.	8	MR. MARTI: Yes.
9	MR. GRIFFIN: while we're on the record.	9	JUDGE PEARSON: and that Staff has a
10	Now that my advertising now that my advertising is back	10	recommendation to make based on that information.
11	without moves involved and advertising against both, due to	11	MS. BANKS: Yes. Staff would recommend that
12	that advertising, can the Commission still come back and do	12	we move to dismiss Paul M. Creech, as both Mr. Marti and
13	fake moves or do off that ad, come in and ask on my on	13	Mr. Creech explained to Staff's satisfaction that
14	my e-mail or on my texting to try to basically entrap me	14	Mr. Creech was not an owner of Creech and Son, LLC.
15	again?	15	JUDGE PEARSON: Okay. And you feel
16	JUDGE PEARSON: Well, it's not entrapment if		completely satisfied that it was an error to name
10	it's something that you're willing to do, so there's	16 17	Mr. Creech as an owner of the company?
18	nothing that prohibits the Commission from asking you at a	17 18	MS. BANKS: Yes, I do.
	point later in time if you are willing and able to provide		JUDGE PEARSON: Okay. Then I will grant that
19		19	motion and dismiss the complaint against Mr. Creech. Okay?
20	a move with a truck. So your best bet is to	20	
21	MR. GRIFFIN: Right. But if my	21	So this order, then, just relates to you,
22	JUDGE PEARSON: not offer to provide those	22	Mr. Marti
23	Services.	23	MR. MARTI: Yes.
24	MR. GRIFFIN: If my if my ads don't say	24	JUDGE PEARSON: and you understand
25	JUDGE PEARSON: Whether or not your	25	everything that's in the order and what you can and can't
1	Page 34 advertisements	_	Page 36 do?
1			
2		1	
2	MR. GRIFFIN: moving involved	2	MR. MARTI: Yes.
3	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there	2 3	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand
3 4	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed	2 3 4	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that
3 4 5	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves	2 3 4 5	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct?
3 4 5 6	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our	2 3 4 5 6	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am.
3 4 5 6 7	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so	2 3 4 5 6 7	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that,
3 4 5 6 7 8	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay.	2 3 4 5 6 7 8	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have
3 4 5 7 8 9	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to	2 3 4 5 6 7 8 9	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot
3 4 5 7 8 9 10	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just	2 3 4 5 6 7 8 9 10	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the
3 4 5 7 8 9 10 11	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it.	2 3 4 5 6 7 8 9 10 11	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit
3 4 5 7 8 9 10 11 12	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those	2 3 4 5 6 7 8 9 10 11 12	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise
3 4 5 6 7 8 9 10 11 12 13	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those moves	2 3 4 5 6 7 8 9 10 11 12 13	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise MR. MARTI: in my hand.
3 4 5 6 7 8 9 10 11 12 13 14	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those moves MR. GRIFFIN: And I wouldn't.	2 3 4 5 6 7 8 9 10 11 12 13 14	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise MR. MARTI: in my hand. JUDGE PEARSON: or offer
3 4 5 6 7 8 9 10 11 12 13 14 15	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those moves MR. GRIFFIN: And I wouldn't. JUDGE PEARSON: no matter what.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise MR. MARTI: in my hand. JUDGE PEARSON: or offer MR. MARTI: Of course.
3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those moves MR. GRIFFIN: And I wouldn't. JUDGE PEARSON: no matter what. MR. GRIFFIN: I got it. Okay.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise MR. MARTI: in my hand. JUDGE PEARSON: or offer MR. MARTI: Of course. JUDGE PEARSON: that's right, to provide
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those moves MR. GRIFFIN: And I wouldn't. JUDGE PEARSON: no matter what. MR. GRIFFIN: I got it. Okay. JUDGE PEARSON: Okay?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise MR. MARTI: in my hand. JUDGE PEARSON: or offer MR. MARTI: Of course. JUDGE PEARSON: that's right, to provide the moves.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those moves MR. GRIFFIN: And I wouldn't. JUDGE PEARSON: no matter what. MR. GRIFFIN: I got it. Okay. JUDGE PEARSON: Okay? MR. GRIFFIN: Yeah.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise MR. MARTI: in my hand. JUDGE PEARSON: or offer MR. MARTI: Of course. JUDGE PEARSON: that's right, to provide the moves. And so just for the record, it does look like
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those moves MR. GRIFFIN: And I wouldn't. JUDGE PEARSON: no matter what. MR. GRIFFIN: I got it. Okay. JUDGE PEARSON: Okay? MR. GRIFFIN: Yeah. JUDGE PEARSON: All right. I'll hand this back to Ms. Banks, and we'll get a copy for you, and then	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: or offer MR. MARTI: in my hand. JUDGE PEARSON: or offer MR. MARTI: Of course. JUDGE PEARSON: that's right, to provide the moves. And so just for the record, it does look like there are two violations in this case, one for advertising and one for offering a move; is that correct, Ms. Banks?
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those moves MR. GRIFFIN: And I wouldn't. JUDGE PEARSON: no matter what. MR. GRIFFIN: I got it. Okay. JUDGE PEARSON: Okay? MR. GRIFFIN: Yeah. JUDGE PEARSON: All right. I'll hand this back to Ms. Banks, and we'll get a copy for you, and then you'll be free to go MR. GRIFFIN: Thanks.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise MR. MARTI: Yeah. I have to have the permit MR. MARTI: in my hand. JUDGE PEARSON: or offer MR. MARTI: Of course. JUDGE PEARSON: that's right, to provide the moves. And so just for the record, it does look like there are two violations in this case, one for advertising and one for offering a move; is that correct, Ms. Banks? MS. BANKS: Yes. That is correct. JUDGE PEARSON: Okay. And it looks like you
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. GRIFFIN: moving involved JUDGE PEARSON: say that there are, there have been, historically, a number of companies who changed their advertising but still offer full service moves because they think that's a way to get around our regulations, so MR. GRIFFIN: Okay. JUDGE PEARSON: my recommendation to you is just MR. GRIFFIN: Just don't do it. JUDGE PEARSON: don't offer to do those moves MR. GRIFFIN: And I wouldn't. JUDGE PEARSON: no matter what. MR. GRIFFIN: I got it. Okay. JUDGE PEARSON: Okay? MR. GRIFFIN: Yeah. JUDGE PEARSON: All right. I'll hand this back to Ms. Banks, and we'll get a copy for you, and then you'll be free to go MR. GRIFFIN: Thanks.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. MARTI: Yes. JUDGE PEARSON: Okay. And I understand you're in the process of applying for a permit; is that correct? MR. MARTI: I am. JUDGE PEARSON: Okay. And so you know that, until you receive word from the Commission that you have temporary authority, you cannot MR. MARTI: Yeah. I have to have the permit JUDGE PEARSON: advertise MR. MARTI: Yeah. I have to have the permit MR. MARTI: in my hand. JUDGE PEARSON: or offer MR. MARTI: Of course. JUDGE PEARSON: that's right, to provide the moves. And so just for the record, it does look like there are two violations in this case, one for advertising and one for offering a move; is that correct, Ms. Banks? MS. BANKS: Yes. That is correct. JUDGE PEARSON: Okay. And it looks like you

-	Page 37		Page 39
1	JUDGE PEARSON: And that if you fail to make	1	Docket TV-160215, Darryl Horne.
2	the payments by those dates or contact Staff and let them	2	Okay. Mr. Horne, did you have the
3	know that your payment's going to be late, that you could	3	opportunity to read through the order, and you understand
4	face the entire suspended penalty being imposed; right?	4	all of the terms?
5	MR. MARTI: I do.	5	MR. HORNE: Yes.
б	JUDGE PEARSON: Okay.	6	JUDGE PEARSON: And what's required of you?
7	MR. MARTI: Yes.	7	MR. HORNE: Yes.
8	JUDGE PEARSON: Okay. Then I will sign this.	8	JUDGE PEARSON: Okay. And for the record,
9	Thank you very much for coming here today, and I'll give	9	Ms. Banks, it looks like there are two violations here, one
10	this to Ms. Banks, and once can you receive your copy, then	10	for offering a move and one for advertising a move?
11	you're free to leave.	11	MS. BANKS: That is correct.
12	MR. MARTI: Okay.	12	JUDGE PEARSON: Okay. And the payment plan,
13	JUDGE PEARSON: Okay? Thank you.	13	it looks like you made a \$100 payment today
14	Okay. Docket TV-160214, Bilal Willis.	14	MR. HORNE: Yes.
15	Mr. Willis, did you have	15	JUDGE PEARSON: and that you have a
16	MR. WILLIS: Yeah.	16	payment due on May 18th and June 17th. And you do
17	JUDGE PEARSON: an opportunity to read	17	understand that you need to make those payments timely
18	through the order, and you understand all of the terms and	18	or or contact Staff if you're unable to to avoid the
19	conditions and what you can and can't do?	19	imposition of the full penalty; correct?
20	MR. WILLIS: Yes, ma'am.	20	MR. HORNE: Yeah.
21	JUDGE PEARSON: Okay. And, Ms. Banks, is	21	JUDGE PEARSON: Okay. And you understand the
22	there it looks like you there are two violations	22	requirement to cease and desist
23	here, one for offering and one for advertising?	23	MR. HORNE: Yes.
24	MS. BANKS: That is correct.	24	JUDGE PEARSON: unless and until you get a
25	JUDGE PEARSON: Okay. And there is there	25	permit from the Commission?
	Page 38	2.5	-
			Pade 40
1		1	Page 40
1	anything you want to explain to me about the penalty?	1	MR. HORNE: Yes.
2	anything you want to explain to me about the penalty? Because it looks like the first payment won't be made until	2	MR. HORNE: Yes. JUDGE PEARSON: Okay. Okay. Then I will
2 3	anything you want to explain to me about the penalty? Because it looks like the first payment won't be made until May.	2 3	MR. HORNE: Yes. JUDGE PEARSON: Okay. Okay. Then I will sign this and hand it to Ms. Banks, and she will have a
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Do	cket No. TV-160213 - Vol. I	In the Matter of:	Paul M. Creech and Tristan Marti d/b/a Creech and Son, LLC
		Page 41	
1	CERTIFICATE		
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3	STATE OF WASHINGTON		
4	COUNTY OF KING		
5			
6	I, Ryan Ziegler, a Certified Shorthand	Reporter in	
7			
8	foregoing transcript, taken on April 18, 2016		
9	accurate to the best of my knowledge, skill,		
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16	RYAN ZIEGLER, RPR, C	CR	
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