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BEFORE THE WASHINGTON

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UTILITIES AND TRANSPORTATION COMMISSION

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4 In the Matter of Determining)
 the Proper Carrier)
 5 Classification of, and)
 Complaint for Penalties)
 6 against:) Docket TV-140339
)
 7 JONATHAN JORDE, d/b/a QUEEN)
 CITY MOVERS)
 8)
)

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MOVER'S COURT, VOLUME I

11

Pages 1 - 58

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ADMINISTRATIVE LAW JUDGE ADAM TOREM

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9:30 A.M.

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MAY 6, 2014

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A P P E A R A N C E S

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WASHINGTON STATE UTILITIES AND TRANSPORTATION

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COMMISSION:

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OLYMPIA, WASHINGTON; MAY 6, 2014

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9:39 A.M.

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JUDGE TOREM: Good morning. We will be
on the record.

7

My name is Adam Torem. I am an administrative
law judge with the Washington Utilities and
Transportation Commission. I am the presiding officer
for today's hearing that is being conducted at the
Commission's headquarters in Olympia. Today is
Tuesday, May 6th, 2014. It is now almost 9:40 in the
morning. We started a little late to accommodate some
long travel for some of the respondents this morning.

15

Today's hearing is supposed to involve a total
of nine household goods carriers. The first order of
business that I am going to do is take a roll call,
determine which companies that were served and
subpoenaed have actually responded and appeared here
in Olympia. I am just going to ask you to identify
yourself. I think I have the names of each
representative to go with the company.

23

As you can see, there is a court reporter
here, down to my left, your right, taking down a
record of today's proceedings. I will repeat your

0004

1 name for now. When you come up later to address the
2 court, you will come up to the tables in front of me.
3 There is a set of microphones, and I will tell you how
4 those work a little bit later.

5 Right now I am just going to call a docket
6 number assigned with your case and figure out who is
7 here and then I will tell you the rest of the
8 procedures.

9 The first docket is TV-140338, Movers Plus. I
10 think it is Joshua Washburn. Is there a Mr. Washburn
11 present? All right.

12 Docket TV-140339, this is Queen City Movers,
13 LLC, Jonathan Jorde.

14 MR. JORDE: Right here, Your Honor.

15 JUDGE TOREM: Thank you for appearing.

16 MR. JORDE: Thank you.

17 JUDGE TOREM: Docket TV-140340, Sea-Tac
18 Movers, LLC, Doyin Adekanmbi.

19 MR. ADEKANMBI: Here, Your Honor.

20 JUDGE TOREM: Thank you, sir.

21 MR. ADEKANMBI: Uh-huh.

22 JUDGE TOREM: Docket TV-140341, Man of
23 Steel Movers, Michael Pandolfi. Mr. Pandolfi? Not
24 yet.

25 Docket TV-140342, All City Movers. Is it

0005

1 Ms. Darcy Allen?

2 MS. ALLEN: Yes.

3 JUDGE TOREM: TV-140343, Precision

4 Moving Seattle, Christopher Dems. Mr. Dems?

5 Docket TV-140344, this is Steven Ronald

6 Erickson.

7 MR. PLOWMAN: Present with counsel.

8 JUDGE TOREM: All right. Counsel, when

9 I call the case forward I will have you make a formal
10 appearance.

11 MR. PLOWMAN: Thank you.

12 JUDGE TOREM: TV-140345, Cope Quality

13 Services, Ms. Carrie Kreech.

14 And Docket TV-140435, Pro Moving Delivery,

15 LLC, Alexander Satir.

16 MR. ALEXANDER SATIR: (Indicating.)

17 JUDGE TOREM: How do you say the last

18 name, sir?

19 MR. ALEXANDER SATIR: "Satir."

20 JUDGE TOREM: All right, thank you.

21 So five of the companies out of the nine that
22 were served are here today. We are still waiting to
23 hear from four of them. Those companies that have not
24 appeared and may not appear this morning are subject
25 to being held in default and having an order entered

0006

1 against them without a chance to speak their piece
2 before the Commission. We will address those later
3 this morning.

4 For the five of you that did come down to
5 Olympia today, thank you very much for coming down.
6 You are here because over the last several weeks the
7 Commission filed a complaint against your company or
8 you individually, alleging that your company is
9 performing or advertising to perform work as a
10 household goods carrier without the required permit.
11 As you probably now know, under Washington law it is
12 strictly prohibited to engage in business as a
13 household goods carrier without first obtaining a
14 household goods permit from the Utilities and
15 Transportation Commission. The law that is cited in
16 your complaint that was filed against you is in the
17 Revised Code of Washington, Title 81, Chapter 80, and
18 it is Section 75, Sub 1, so RCW 81.80.075(1).

19 The purpose of this mover's court proceeding
20 today is to formally explain your choices under the
21 law and then give you a chance to work with Commission
22 Staff about the options you want to pursue. In
23 essence, today you have to choose between two paths on
24 behalf of your company. You can choose to cease and
25 desist offering household goods moving services until

0007

1 you get a permit, or you can ask for a formal
2 classification hearing and tell us that the Commission
3 somehow has this wrong, that you are not really doing
4 household goods moving services and you shouldn't be
5 classified that way.

6 That's not something I can settle today, it
7 will require a formal hearing where you present
8 evidence and the Commission presents evidence and
9 either myself or another administrative law judge
10 issues a written ruling, deciding -- if you are not a
11 household goods carrier, the complaint is dismissed;
12 if you are a household goods carrier, we are back to
13 where we are this morning, you either have to get a
14 permit or you are subject to a fine and you have to
15 cease and desist.

16 Most companies -- we have been doing this for
17 a couple years -- come in to the Commission and choose
18 that they are not going to continue to work without a
19 permit. If you choose to do that this morning, you
20 will need to demonstrate what you are doing to shut
21 down your business in whole or in part, to make sure
22 the Commission doesn't have to take further
23 enforcement action.

24 The idea of you coming down here to Olympia
25 today is to resolve this once and for all. I don't

0008

1 want to see you back at a second mover's court or on
2 another docket because you have told me one thing
3 today and we find out you are still doing moves
4 illegally later. The Commission wants to see, and I
5 want to hear sufficient proof that you really are
6 getting out of the business or you have stopped your
7 business until you can obtain a permit. In other
8 words, you have got to give me sufficient assurance
9 that you are no longer going to engage in unlawful
10 household goods moving services.

11 Now, each of you has a right to be heard by
12 the Commission. We don't make it a practice to
13 prejudice your case. Each one of you has got a
14 different story, but it is the same industry. There
15 are certain patterns we have observed here. The
16 requirement that can't go away, one that is required
17 by law, is you need a permit if you want to give
18 household goods moving services within the state of
19 Washington.

20 Now, you have a right to be heard and so does
21 Commission Staff. Today Ms. Lynda Holloway, seated to
22 my right, is going to be representing Commission
23 Staff. She is a compliance investigator with the
24 Utilities and Transportation Commission. If you
25 haven't met Ms. Holloway already, you will be talking

0009

1 to her at some point later today. Those are the two
2 general options: The cease and desist option or ask
3 for a formal classification hearing.

4 In a few minutes, I'm going to call each of
5 your companies up to the microphone, you can tell me
6 how you want to proceed. I will swear you in with an
7 oath of witness so that you can testify and the
8 court reporter can take down the truth, the whole
9 truth, and all of that nothing but the truth stuff you
10 are used to hearing on TV. It is your opportunity to
11 play that role at this table. Please take it
12 seriously. Again, it makes her job much easier as the
13 court reporter if only one of us speaks at a time and
14 if you speak slowly and clearly.

15 Once you are sworn in, I am going to ask you
16 if you understand your options and then you can state
17 your preference. If there is something else you need
18 to explain to me you can do so at that time.

19 Now, in each of the complaints that you were
20 served, if you have that paperwork with you,
21 Commission Staff has not only alleged you are
22 providing household goods services without a permit,
23 but they are also seeking to have a penalty imposed.
24 The law sets a maximum penalty for each violation at
25 \$5,000. Ms. Holloway, on behalf of Staff, is going to

0010

1 be making a recommendation as to what penalty, if any,
2 should be imposed on your company. I will make a
3 final decision based on what she tells me about your
4 case and what you tell me about your company and the
5 individual circumstances. There are a number of
6 factors to be considered and you can ask to be heard
7 on the issue of penalty as well, as to what your
8 intentions are with regard to the company.

9 I think that's most of what I wanted to tell
10 you.

11 Now, after I hear from the five companies that
12 are here this morning, we will probably take a break.
13 For those of you that want to draft up an agreed cease
14 and desist order, there is some additional Commission
15 Staff seated at the back table to the right. They
16 will be working with some of you and helping you
17 understand an order that would entered in the case, if
18 you are choosing to agree to cease and desist until
19 you get a permit.

20 For those of you that might want a full
21 hearing on the matter, we will just be setting a
22 schedule for that and going ahead and setting -- I
23 will send you out a prehearing conference order to set
24 up the matter for when it will be heard and tell you
25 what date you have got to file your exhibits.

0011

1 Ms. Holloway, I am going to swear you in
2 shortly. Do you want to make any general comments now
3 on behalf of Staff before we call the individual
4 cases?

5 MS. HOLLOWAY: No.

6 JUDGE TOREM: All right. Let me swear
7 you in, so you are sworn in for the entire proceeding.

8

9 LYNDA HOLLOWAY, witness herein, having been
10 first duly sworn on oath, was
11 examined and testified as follows:

12

13 JUDGE TOREM: So let me start with those
14 companies who have made an appearance today. Again,
15 this is just an opportunity for you to decide how you
16 want to proceed.

17 Let's start with Mr. Jorde.

18 MR. JORDE: Yes, sir.

19 JUDGE TOREM: If you will come up for
20 Queen City Movers. This is again, Docket TV-140339.
21 If you will have a seat, please.

22 MR. JORDE: (Complies.)

23 JUDGE TOREM: If you can pull that
24 microphone close to you.

25 MR. JORDE: Yes, Your Honor.

0012

1 JUDGE TOREM: There is a little silver
2 button in the middle. If you push on that, a red
3 light should come on.

4 MR. JORDE: Yes, Your Honor.

5 JUDGE TOREM: Now you have got the
6 amplification.

7 Mr. Jorde, do you understand everything that I
8 explained earlier?

9 MR. JORDE: Yes, Your Honor.

10 JUDGE TOREM: Let me swear you in.

11

12 JONATHAN JORDE, witness herein, having been
13 first duly sworn on oath, was
14 examined and testified as follows:

15

16 JUDGE TOREM: Mr. Jorde, do you have any
17 questions before we get --

18 MR. JORDE: No, Your Honor.

19 JUDGE TOREM: Your case again was
20 140339.

21 Ms. Holloway, in this case the complaint said
22 that he had offered a move, as well as advertised; is
23 that correct?

24 MS. HOLLOWAY: Yes, that's correct.

25 JUDGE TOREM: And have you had a chance

0013

1 to talk with Mr. Jorde since the complaint was served
2 about the evidence or about the Commission's intent
3 here?

4 MS. HOLLOWAY: Yes, we did have a
5 conversation. He has already applied for his
6 household goods permit.

7 JUDGE TOREM: Mr. Jorde, is that
8 correct?

9 MR. JORDE: Yes, Your Honor.

10 JUDGE TOREM: You understand you can't
11 continue to offer moves until you get a permit,
12 though, right?

13 MR. JORDE: Yes, Your Honor.

14 JUDGE TOREM: So how do you want to
15 proceed this morning?

16 MR. JORDE: Well, I can show you
17 evidence that I have basically shut down my
18 advertising, which is -- you know, basically was a
19 website and a Yelp page. Any calls that have been
20 fielded to me, I just told them that I'm not operating
21 as a mover and I recommended other movers that had
22 permits, Your Honor.

23 JUDGE TOREM: Was it your own website?

24 MR. JORDE: Yes, Your Honor.

25 JUDGE TOREM: What did you do about the

0014

1 Yelp page?

2 MR. JORDE: I contacted Yelp and had
3 them -- it says on the Yelp page, This business is
4 closed. I can show you that on my phone, if you would
5 like to see it, Your Honor.

6 JUDGE TOREM: Ms. Holloway, have you had
7 a chance to verify those efforts?

8 MS. HOLLOWAY: No, I haven't.

9 JUDGE TOREM: I will leave that for
10 Staff to verify. It may be able to be done at the
11 break.

12 MR. JORDE: Yes, Your Honor.

13 JUDGE TOREM: You want to pursue a cease
14 and desist order; is that correct? Essentially until
15 you get a permit, you are not going to operate?

16 MR. JORDE: Yes, Your Honor.

17 JUDGE TOREM: Staff, any recommendations
18 that you want to make regarding a cease and desist
19 order for Mr. Jorde?

20 MS. HOLLOWAY: Staff supports a cease
21 and desist order for Mr. Jorde.

22 JUDGE TOREM: And some of you will
23 follow this path Mr. Jorde has followed. What I am
24 going to recommend is that you step out with Staff.
25 Someone will verify, if you can tell them what the

0015

1 websites were, I think it's part of the evidence
2 packet here, confirm what you are saying. They can
3 come back, and based on if they can confirm that, they
4 will make a recommendation. If there is going to be a
5 penalty, if any in your case, we will deal with that
6 when we come back.

7 The order has citations, essentially, where
8 you say, yeah, I was operating without a permit, I had
9 these advertisements, but I'm not going to do it until
10 I get a permit. Once you are satisfied you understand
11 all the language in the order, you will sign it,
12 Ms. Holloway will sign it. Hopefully, it is an agreed
13 recommendation as to penalty, if there is any, and if
14 not, you can make your case as to why the penalty
15 should be, I would imagine, less than what Commission
16 Staff is recommending.

17 MR. JORDE: Yes, Your Honor.

18 JUDGE TOREM: Ms. Holloway, any other
19 questions on this case?

20 MS. HOLLOWAY: No.

21 JUDGE TOREM: Thank you, Mr. Jorde. You
22 will step back and we will call the next case.

23 MR. JORDE: (Complies.)

24 JUDGE TOREM: This will be Docket
25 TV-140340, Sea-Tac Movers, LLC, Mr. Adekanmbi. You

0016

1 can take a seat there -- actually, before you sit down
2 let me swear you in.

3

4 DOYIN ADEKANMBI, witness herein, having been
5 first duly sworn on oath, was
6 examined and testified as follows:

7

8 JUDGE TOREM: How do I pronounce your
9 last name, sir?

10 MR. ADEKANMBI: "Adekanmbi."

11 JUDGE TOREM: I got it right.

12 MR. ADEKANMBI: Yes, you did.

13 JUDGE TOREM: Excellent. I looked at it
14 yesterday and I thought, I practiced it a few times, I
15 might pull it off.

16 MR. ADEKANMBI: I get that a lot.

17 JUDGE TOREM: All right. Mr. Adekanmbi,
18 your company is called Sea-Tac Movers, LLC?

19 MR. ADEKANMBI: Yes, sir.

20 JUDGE TOREM: And have you had a chance
21 to talk with Ms. Holloway or Commission Staff?

22 MR. ADEKANMBI: We have talked a bunch,
23 yeah. She's been very helpful.

24 JUDGE TOREM: Good. You understand why
25 you are here today. How do you want to proceed?

0017

1 MR. ADEKANMBI: If you don't mind, Your
2 Honor, I have a few questions.

3 JUDGE TOREM: Please.

4 MR. ADEKANMBI: I was a little confused
5 because I remember talking to Ms. Holloway --

6 Mrs. or Ms.?

7 MS. HOLLOWAY: You can just call me
8 Ms. Holloway.

9 MR. ADEKANMBI: -- Ms. Holloway from the
10 beginning. She has worked with me through the process
11 from when I moved to Washington. We are based out of
12 Baltimore, Maryland, and Charlotte, North Carolina,
13 and this is hopefully the next hub. She -- I guess
14 the first ad she saw on Craigslist, which is where
15 we -- our conversation started, and she brought it to
16 my attention that you can't -- you can't do this. I
17 worked with her over time.

18 My understanding was that as long as I wasn't
19 advertising using a truck, that I wasn't considered a
20 household goods mover. Which I think I still verified
21 with her last week, after I got subpoenaed. And all
22 the ads over the months have lapsed. We had a
23 provider that was automatically updating all our ads.
24 When she brought that to my attention -- I know it
25 took a couple weeks, but we finally got to the point

0018

1 where all the ads that had paid for ran out and
2 lapsed. We don't advertise trucks. We, in bold caps,
3 let people know that they have to get the U-Haul and,
4 you know, how much it is. So we haven't advertised.

5 And then after I got served I was curious and
6 I asked her why. You know, she said on our website it
7 still says that we offer the truck services. I'm not
8 sure if I mentioned it to her, the website is designed
9 because where -- it's not for Washington, the website
10 is for all the states that we service, and I explained
11 that to her. We are not offering truck services here
12 in Washington. Even Craigs -- are up -- were up a
13 couple weeks ago say that we do not offer, you know,
14 but you can rent a U-Haul and we will provide the
15 labor for you. We say labor only, labor-only rates.

16 So I was a little confused about that because
17 we are not offering that. I'm not sure exactly how I
18 was violating that, but she said because of the
19 website. As of the subpoena, I requested Go Daddy,
20 who is my host, to take down the site. To be honest
21 with you, I am not sure that has happened. They said
22 once you pay for it, it's...

23 But no, we are not offering truck services. I
24 was hoping to get some more clarification and to let
25 the Court know that I do not advertise that I have a

0019

1 truck or that I am moving people with trucks and I
2 don't plan to.

3 JUDGE TOREM: We will hear from Staff in
4 a minute. What I hear you saying, Mr. Adekanmbi, is
5 you are trying to comply with the law and offer only
6 what is called pack-and-load services?

7 MR. ADEKANMBI: Yes, sir.

8 JUDGE TOREM: The Commission does not
9 govern pack-and-load operators, but it is a slippery
10 slope: The truck, who rents the truck and who
11 operates the truck. It is a careful place that you
12 have to be. I haven't looked at your website or the
13 evidence in your case yet. Today is a scheduling
14 determination mainly.

15 If Ms. Holloway is convinced the claim should
16 be withdrawn, she will let me know, and we will hear
17 from her shortly. It sounds to me like you are saying
18 you are not a mover. Unless I am misunderstanding,
19 you want to set up a hearing as to what services you
20 are really offering and we will do that another day.

21 MR. ADEKANMBI: If that's the next step,
22 yes, Your Honor.

23 JUDGE TOREM: That's one choice.

24 The second choice, again, is that cease and
25 desist, where you agree that you at some point made a

0020

1 mistake and did advertise in a way that could be
2 interpreted as offering moving services.

3 MR. ADEKANMBI: That's correct, Your
4 Honor.

5 JUDGE TOREM: If you acknowledge that,
6 that you are not doing it anymore, then I would
7 recommend -- it's easier to be here today, agree that
8 you are not offering the truck anymore, get what Staff
9 calls technical assistance --

10 MR. ADEKANMBI: Okay.

11 JUDGE TOREM: -- to make sure that your
12 website complies with Washington law and can't be
13 interpreted by not just the experts at the Commission,
14 but anybody that looked in the Yellow Pages, anybody
15 that looked in Craigslist or Go Daddy's website would
16 know we do not do point-to-point moves in Washington.
17 We will help you pack your truck, we will help you
18 unload your truck, we do nothing else. If that's what
19 the website says to the layperson on the street, and
20 that's the service they want, and they are not getting
21 anything more, Commission Staff can read that and
22 determine that's not a household goods permit-required
23 activity.

24 MR. ADEKANMBI: Okay.

25 JUDGE TOREM: If they come back later,

0021

1 make a phone call and ask you to drive a truck and you
2 say yes, you will be back here.

3 MR. ADEKANMBI: I'm happy to comply,
4 Your Honor.

5 JUDGE TOREM: I hope so. You are
6 presenting yourself well this morning. I just want to
7 make sure you understand. If you agree to cease and
8 desist and they find you as a, I hate to say repeat
9 offender down the road, but that's the analogy, then
10 the Commission will level that full \$5,000 penalty.
11 That's not a situation that's good for anybody's
12 business. Our goal generally is to have people
13 understand law and then comply with the law.

14 Ms. Holloway, what is the Commission's
15 position for this case, for Sea-Tac Movers?

16 MS. HOLLOWAY: The Commission would like
17 to see a cease and desist order and possible
18 suspension of part of the penalty.

19 The investigation in this case started with,
20 actually with Ms. Lauren McCloy last year, and then I
21 took over the case after the first of the year. As he
22 said, we have had several conversations. In one of
23 them, using an assumed name, asking for a move from
24 Everett to Kent, he offered \$120 per day to provide a
25 truck in that move.

0022

1 JUDGE TOREM: How long ago was that
2 discussion?

3 MS. HOLLOWAY: That was in February. We
4 have had other discussions since then. That was
5 before the mover's court documents were written.

6 JUDGE TOREM: So in the sequence of
7 events, Mr. Adekanmbi describes the Commission had
8 evidence they thought of a move being offered without
9 a permit.

10 MS. HOLLOWAY: Yes.

11 JUDGE TOREM: And since that time the
12 subpoena has been issued, you have been working with
13 Mr. Adekanmbi to understand the law?

14 MS. HOLLOWAY: No, I have been working
15 with him more in the context of having the process
16 server serve him.

17 JUDGE TOREM: Mr. Adekanmbi, the Staff's
18 position is that you take the cease and desist
19 approach. If you do that, my caution to you is that
20 you be sure you are out of the business, that you are
21 ceasing offering any moves with a truck, when you sign
22 the order saying, yeah, that's what I want to do, I am
23 truly getting out of the business.

24 If you decide -- if you say you have this
25 moving company in Baltimore and on the East Coast and

0023

1 you want to offer moves here in Washington, apply for
2 the permit first, then change your advertising once
3 the permit, at least a temporary permit is issued.
4 That keeps you on the bright side line of the law. Is
5 that what you want to do today?

6 MR. ADEKANMBI: Yes, Your Honor.

7 JUDGE TOREM: So I'm going to ask you to
8 step back and Staff will come and get you when we take
9 our break.

10 MR. ADEKANMBI: Thank you.

11 JUDGE TOREM: Make sure you understand
12 the order.

13 The next case is 140342, All City Movers,
14 Ms. Darcy Allen.

15 Raise your right hand.

16 MS. ALLEN: (Complies.)

17

18 DARCY ALLEN, witness herein, having been
19 first duly sworn on oath, was
20 examined and testified as follows:

21

22 JUDGE TOREM: Have a seat.

23 MS. ALLEN: (Complies.)

24 JUDGE TOREM: Good morning, Ms. Allen,
25 how are you today?

0024

1 MS. ALLEN: A little tired from the
2 drive, but I'm here.

3 JUDGE TOREM: Okay. Did you understand
4 what I have explained to everybody else this morning?

5 MS. ALLEN: Yes, sir.

6 JUDGE TOREM: I understand All City
7 Movers was with another gentleman, Lyle Allen.

8 MS. ALLEN: Yeah, Eastside and All City
9 Movers.

10 JUDGE TOREM: Are you authorized to
11 represent the company?

12 MS. ALLEN: Yes, I'm the owner of the
13 company. My husband -- well, soon to be ex, he's been
14 in the business so many years, he knew the laws. I
15 was following in his footsteps. I am trying to -- I
16 have talked with her back, I believe, in October,
17 trying to figure out what to do and how to comply.
18 Pretty much I have been veered off line --

19 JUDGE TOREM: Okay.

20 MS. ALLEN: -- with his -- with his old
21 ways.

22 JUDGE TOREM: All right. So you are
23 here this morning to make sure the company gets into
24 compliance?

25 MS. ALLEN: Yes, Your Honor.

0025

1 JUDGE TOREM: And you have had a chance
2 to review the complaint that was filed?

3 MS. ALLEN: Yes.

4 JUDGE TOREM: How do you want to proceed
5 this morning?

6 MS. ALLEN: Cease and desist.

7 JUDGE TOREM: All right. It sounds as
8 though you want to get the company into compliance.
9 Do you have a plan for doing that?

10 MS. ALLEN: Yes, I have been trying to
11 get ahold of our web designer, Jessica, UR Grafix, and
12 she has so many other clients. I have told her that
13 we have to take the offering of move to labor-only,
14 that is what we had talked about, how to do it. As
15 well as, I believe Craigslist should be off. I
16 don't -- I haven't been on Angie's List in months,
17 since we had talked. I don't even know my passwords
18 on that, but I could still get it to where I shut it
19 down --

20 JUDGE TOREM: Okay.

21 MS. ALLEN: -- but some sites --

22 JUDGE TOREM: What was the name of
23 the --

24 MS. ALLEN: Huh?

25 JUDGE TOREM: What was the name of the

0026

1 web designer?

2 MS. ALLEN: Jessica, UR Grafix.

3 JUDGE TOREM: Okay.

4 MS. ALLEN: UR Grafix, G-R-A-F-I-X.

5 JUDGE TOREM: Okay.

6 MS. ALLEN: That is her own website,
7 herself.

8 JUDGE TOREM: And you have been in touch
9 with her to let her know the website has to be
10 modified to offer moving services?

11 MS. ALLEN: Yes, sir.

12 JUDGE TOREM: Are you also working with
13 the Commission, then, to get a permit?

14 MS. ALLEN: I'm so baffled, I don't
15 understand some of the things, what I have to get. I
16 do have a truck, it is -- it does have our name and
17 everything on it, but to get to the licensing up, I --
18 it's pricey for somebody just trying to get off the
19 ground.

20 JUDGE TOREM: Understood. For today,
21 then, you understand that driving the truck would not
22 be labor-only?

23 MS. ALLEN: Right. Yes, I understand.
24 Right now I have it, actually, at a storage unit for
25 advertisement.

0027

1 JUDGE TOREM: Ms. Holloway, have you had
2 a chance to talk with Ms. Allen leading up to today?

3 MS. HOLLOWAY: Yes, we have talked.
4 Staff supports a cease and desist order.

5 JUDGE TOREM: Ms. Allen, any questions
6 at this moment?

7 MS. ALLEN: No, Your Honor.

8 JUDGE TOREM: All right. So we are
9 going to press on with the next person on the docket.
10 I will have you work with Staff to get that drawn up.

11 MS. ALLEN: Thank you.

12 JUDGE TOREM: Next is Mr. Steven Ronald
13 Erickson. This is Docket TV-140344.

14 Mr. Erickson, I will swear you in, in case you
15 want to give any testimony, and then I will take your
16 counsel's appearance.

17

18 STEVEN R. ERICKSON, witness herein, having been

19 first duly sworn on oath, was

20 examined and testified as follows:

21

22 JUDGE TOREM: Please have a seat.

23 MR. ERICKSON: (Complies.)

24 JUDGE TOREM: Counsel, good morning.

25 MR. PLOWMAN: Good morning, how are you?

0028

1 JUDGE TOREM: Tell us who you are.

2 MR. PLOWMAN: My name is Stephen
3 Plowman, S-T-E-P-H-E-N, bar number is 021823. My
4 residence -- or my office location is 8048 Northeast
5 Eighth Street, Medina, Washington 98039.

6 JUDGE TOREM: All right, Mr. Plowman.
7 Thank you.

8 Have you had a chance to talk with your client
9 and understand exactly what this whole mover's court
10 is about?

11 MR. PLOWMAN: Yes, I think our direction
12 this morning is to go with cease and desist.
13 Mr. Erickson's prior service consisted of some
14 pack-and-load operations. Began as a junk removal,
15 which, it was my understanding, didn't require a
16 license. But he has now -- and he's done some
17 furniture deliveries from commercial establishments to
18 residences. I'm not sure whether that -- I read the
19 statute this morning to see if that exactly complies.
20 I don't think that's point-to-point. He does want to
21 do point-to-point.

22 MS. HOLLOWAY: Let me turn this on.

23 MR. PLOWMAN: Am I singing now? Okay.

24 JUDGE TOREM: As long as that red light
25 is on it should pick up.

0029

1 MR. PLOWMAN: It's not on.

2 MS. HOLLOWAY: Okay, we've got it.

3 JUDGE TOREM: All right. Good.

4 MR. PLOWMAN: Okay.

5 JUDGE TOREM: Thank you.

6 MR. PLOWMAN: At any rate, there is a
7 desire to do point-to-point moving and he desires to
8 comply. The only way I see for it at this point is to
9 go ahead and do a cease and desist and then make his
10 application.

11 JUDGE TOREM: All right. And,
12 Mr. Erickson, you have had a chance to, I hope, get
13 the application paperwork?

14 MR. ERICKSON: Yeah, we've got it.

15 JUDGE TOREM: Okay, excellent. Because
16 while you are here today, like I said, the technical
17 assistance from the Staff, of experts that deal with
18 this on a day-to-day basis -- I certainly appreciate
19 how someone wants to get into business and doesn't
20 understand the complexity, so while you are here, ask
21 as many questions as you can.

22 MR. PLOWMAN: Right. We will do that.

23 JUDGE TOREM: All right. So we will get
24 a cease and desist order. I imagine Staff is
25 supportive of that?

0030

1 MS. HOLLOWAY: Yes, Staff supports a
2 cease and desist.

3 JUDGE TOREM: Mr. Plowman, you will see
4 there is essentially a form order, as you would see in
5 Superior Court, that we have worked on. There is not
6 a block for your signature, but we can hand draw that
7 in.

8 MR. PLOWMAN: That's fine.

9 JUDGE TOREM: We can adapt that.

10 Excellent. Thank you both for coming down
11 this morning.

12 MR. PLOWMAN: Thank you.

13 JUDGE TOREM: I have one other who is
14 here this morning, Pro Moving Delivery, LLC, Alexander
15 Satir. This is Docket TV-140435.

16

17 ALEXANDER SATIR, witness herein, having been
18 first duly sworn on oath, was
19 examined and testified as follows:

20

21 JUDGE TOREM: Mr. Satir, can you spell
22 your last name for me?

23 MR. ALEXANDER SATIR: S-A-T-I-R.

24 JUDGE TOREM: And I hear a bit of a
25 Russian accent. English is going to work okay this

0031

1 morning, you understand what I have said?

2 MR. ALEXANDER SATIR: Sometimes. 50,
3 yeah.

4 JUDGE TOREM: My concern is that you
5 understand. If we enter an agreed order today, that
6 you know what you are signing.

7 MR. ALEXANDER SATIR: This is -- my son
8 is --

9 MR. DIMITRI SATIR: I will be helping
10 him translate.

11 JUDGE TOREM: Okay, excellent.

12 I didn't get a notice that we needed to
13 provide a translator. If your son is willing to act
14 on your behalf, I just want to make sure that we
15 understand each other as we go forward this morning.

16 Can you state your name for the record?

17 MR. DIMITRI SATIR: Dimitri Satir.

18 JUDGE TOREM: Dimitri Satir. Okay,
19 great.

20 Mr. Alexander Satir, again the question this
21 morning is the Commission has alleged that you are
22 operating a moving company and you don't have a
23 permit. Do you understand that?

24 MR. DIMITRI SATIR: Yes, he understands
25 that he is here because of that.

0032

1 JUDGE TOREM: This morning the purpose
2 of the hearing is to find out if you agree to stop
3 providing services without a permit.

4 Go ahead, Dimitri.

5 MR. DIMITRI SATIR: Yes, he wants to do
6 the cease and desist. The truck is broken right now.
7 Once he fixes the truck, he'll be selling the truck.
8 He wants to sell in 90 days, if possible.

9 JUDGE TOREM: So if you want to cease
10 and desist operating your business, that means there
11 would be no more offering to move, even when the truck
12 is fixed.

13 MR. DIMITRI SATIR: Yes. And I will not
14 be posting the advertisement. I have been not posting
15 advertisements on Craigslist for two months, I
16 believe. He understands that he won't have any ads.

17 JUDGE TOREM: All right.

18 Can I ask, Mr. Satir, if you are going to
19 continue with any sort of business that involves other
20 people's household goods?

21 MR. DIMITRI SATIR: He won't do it. He
22 won't be doing it for right now. Unless he wants to
23 come back, then he will come back and get a license.
24 If the situation changes, he will then come back and
25 open a license.

0033

1 JUDGE TOREM: All right. Thank you,
2 Mr. Satir.

3 Ms. Holloway, have you had a chance to work
4 with Mr. Satir and his son in understanding what was
5 going on today?

6 MS. HOLLOWAY: No, not necessarily. I
7 have checked and they are not advertising for
8 household goods anymore. Staff does support a cease
9 and desist.

10 JUDGE TOREM: All right. Mr. Satir, I'm
11 going to have you work with Ms. Holloway or other
12 Staff to draft that order. So your son -- it will be
13 in English, so I will ask that he can walk through
14 that with you paragraph by paragraph, with Staff, and
15 answer any questions. When we come back, before I
16 have you sign it, or before I sign it and approve it,
17 I want to make sure you understand what is happening
18 with it, okay?

19 MR. DIMITRI SATIR: (Nods head.)

20 JUDGE TOREM: Thank you. You can step
21 back.

22 MR. DIMITRI SATIR: (Complies.)

23 MR. ALEXANDER SATIR: (Complies.)

24 JUDGE TOREM: Those are the five
25 companies that came to Olympia this morning. I am

0034

1 going to call out the ones that were not here yet
2 today.

3 Movers Plus and Joshua Washburn?

4 It's 10 minutes after 10:00 and they are not
5 here.

6 Man of Steel Movers, Michael Pandolfi? No
7 response.

8 Precision Moving Seattle, Christopher Dems?

9 And Cope Quality Services, Carrie Kreech?

10 Ms. Holloway, do you have any contact with any
11 of those four companies leading up to this morning to
12 explain why they might not be here?

13 MS. HOLLOWAY: Yes, Carrie Kreech has
14 sent a letter asking to do this proceeding by mail.
15 She is in training in California.

16 Mr. Dems called this morning and said he is in
17 New York. The other two I haven't heard from.

18 JUDGE TOREM: Okay. I think I have had
19 some knowledge that Ms. Kreech had another career that
20 she had gone into and was in training. My
21 understanding is the Commission was pursuing an agreed
22 order with her by mail.

23 MS. HOLLOWAY: Yes.

24 JUDGE TOREM: We will hold that case in
25 abeyance, and we will deal with Mr. Dems, and see if

0035

1 Mr. Washburn and Mr. Pandolfi have any further contact
2 after the break.

3 MS. HOLLOWAY: Okay.

4 JUDGE TOREM: After we handle the people
5 that have done us the courtesy of coming down to
6 Olympia, we can entertain any motions for default.

7 MS. HOLLOWAY: Okay. Thank you.

8 JUDGE TOREM: So the rest of you, at
9 this point, we are going to break here at about 10:15.
10 As soon as you have a chance to review the cease and
11 desist orders and the language with Staff, there will
12 be, I imagine, some negotiation because Staff has
13 alleged previous violations and will want to seek
14 typically a penalty of some amount. It may be
15 nominal, depending on the history of your company, or
16 Staff may have a reason that some penalties are going
17 to be asked for higher than others.

18 Typically, what is asked for is also that some
19 other part of the penalty that's authorized by law be
20 suspended. It's an approach to keep you remembering
21 that if you had to pay a couple hundred dollars today,
22 you might have pay a couple thousand if you violate
23 the order, and to keep you on the straight and narrow.
24 So that's the typical approach. You can expect that.

25 If you cannot make a payment on the full

0036

1 penalty, some arrangement can be made. There are some
2 limitations based on our accounting here at the
3 Commission. I will leave Staff to explain those
4 things to you.

5 Hopefully by 10:45 or eleven o'clock, all five
6 of you will have your orders prepared. We will call
7 you back up, make sure you understand it, sign it on
8 the record today, and you will leave with a printed
9 copy of the order, and probably then later get one in
10 the mail on our official service.

11 Ms. Holloway, anything else before we take our
12 break?

13 MS. HOLLOWAY: No.

14 JUDGE TOREM: By a show of hands, does
15 anybody have any questions before we recess the
16 hearing?

17 Not seeing any, at 10:15 we are at recess.

18 Ms. Holloway, let me know when I need to come
19 back and be on the Bench.

20 MS. HOLLOWAY: Thank you.

21 JUDGE TOREM: Thank you all again for
22 coming down. See you in about 45 minutes.

23 (A brief recess.)

24 JUDGE TOREM: All right. Good morning.
25 I understand that the cease and desist orders have

0037

1 been explained and presented to all of the individual
2 movers. I will call you back up one at a time. It is
3 now 11:15. Hopefully this will go quickly and get you
4 back on with your day. We will just go in the same
5 order we were before.

6 Jonathan Jorde. This is Docket TV-140339.

7 Mr. Jorde, did you have a chance to walk
8 through this multipage order and understand? It's
9 probably a little bit repetitive or redundant, but for
10 our purposes, an initial order has to have a
11 stand-alone document, if you will, that has all of the
12 facts that are relevant and then all of the
13 stipulation, what has been agreed to. We have to have
14 findings of fact and conclusions of law. All of that
15 legal mumbo jumbo has to be in there.

16 I'm looking through it and I see that you have
17 signed it. Did you understand all the five pages
18 prior to the signature?

19 MR. JORDE: Yes, Your Honor.

20 JUDGE TOREM: Just for the record, what
21 it looks like, Ms. Holloway, you have recommended in
22 this case two violations: One for offering a move and
23 one for advertising?

24 MS. HOLLOWAY: Yes, that's correct.

25 JUDGE TOREM: And that \$5,000 penalty,

0038

1 with the majority, \$4500 of that be suspended, and a
2 \$500 penalty be imposed on Queen City Movers and
3 Jonathan Jorde; is that correct?

4 MS. HOLLOWAY: Yes, that is correct.

5 JUDGE TOREM: Mr. Jorde, any dispute
6 about the facts as we talked about earlier?

7 MR. JORDE: No, Your Honor.

8 JUDGE TOREM: And again just for the
9 record, that you are agreeing to shut down Queen City
10 Movers until and unless you get a permit?

11 MR. JORDE: Yes, Your Honor.

12 JUDGE TOREM: And the suspension period
13 on that penalty, the \$4500, is for two years from
14 today's date. So it being May 6th, 2014, we are going
15 to carry this out to May 6, 2016. Hopefully we don't
16 see each other again between now and then.

17 The penalty of \$500, did you have a -- I don't
18 see a penalty schedule sketched out here. Do you have
19 a plan for when you were going to make a payment on
20 that?

21 MR. JORDE: I don't have any money, Your
22 Honor, but I did -- they were just going to take my
23 application fee and use that, which is \$500.

24 JUDGE TOREM: So essentially paying the
25 penalty to pay the application fee. Is that what

0039

1 Staff's understanding is as well?

2 MS. HOLLOWAY: Yes, he is using the
3 money that he previously used for application fee and
4 applying it towards the penalty.

5 JUDGE TOREM: All right. I think that's
6 a constructive use for compliance. It doesn't unduly
7 penalize someone who is trying to get their company up
8 and running.

9 Any questions about the order, then?

10 MR. JORDE: No, Your Honor.

11 JUDGE TOREM: I will sign it. Is there
12 an indication somewhere in this order, Ms. Holloway,
13 then, that that penalty is being applied, the
14 application fee is being applied, or should I
15 handwrite that into Appendix A?

16 MS. HOLLOWAY: If you would like to
17 handwrite it, that would be fine. There is nothing in
18 the order stating that.

19 JUDGE TOREM: All right. So I'm just
20 going to put down that that Respondent's application
21 fee will be applied toward the penalty, that way there
22 is no question from Financial Services, that there is
23 some outstanding penalty. I don't want Mr. Jorde to
24 be pursued unnecessarily for something that we have
25 agreed is essentially paid.

0040

1 MS. HOLLOWAY: We have discussed this
2 with financial services this morning.

3 JUDGE TOREM: All right. I will make a
4 note of that on Appendix A, on the page here, and
5 initial that.

6 Mr. Jorde, I will make sure you get a copy of
7 this on the way out. I am going to hand this back to
8 Staff at this point. Thank you very much.

9 Do you have any further questions?

10 MR. JORDE: Am I free to leave, Your
11 Honor?

12 JUDGE TOREM: If you would like to get a
13 copy of this before you go, fantastic; if not, you are
14 free to go.

15 MR. JORDE: Okay. Yeah, I don't need a
16 copy. They can mail it to me. They have my address.

17 JUDGE TOREM: We will make sure that a
18 copy goes out. We do send it out by mail.

19 MR. JORDE: Okay. Thank you, Your
20 Honor.

21 JUDGE TOREM: Thank you, Mr. Jorde.

22 The next case is TV-140340. This is Sea-Tac
23 Movers, LLC, Doyin Adekanmbi.

24 Mr. Adekanmbi, from the brief review I have
25 made of the document, it looks like it is the same

0041

1 situation we had with the last case. Did you have a
2 chance to review the entire order?

3 MR. ADEKANMBI: No, I didn't, but I
4 trust Ms. Holloway's...

5 JUDGE TOREM: I'm looking and I see your
6 signature on the back page here, Page 5 of the order.
7 What I want to make sure is you understand that you
8 are agreeing that you are not going to be in a moving
9 business. Again, if you are in a pack-and-load
10 business and it's entirely clear, then there won't be
11 any issues with the order.

12 MR. ADEKANMBI: Right.

13 JUDGE TOREM: But if you stray back into
14 moving -- what you are agreeing to do here is pay a
15 \$500 penalty for your previous violation. You are
16 agreeing that the remainder of the penalty that Staff
17 is recommending, again \$5,000 total, 500 of which you
18 are responsible for, but \$4,500 is held in abeyance
19 for two years. As long as you understand that if you
20 are out moving again within the two-year period, you
21 can automatically be subject to that penalty. If you
22 don't pay it, the Commission sends it to collections,
23 and then eventually to Superior Court. We like to
24 think we are friendly here, but it's a little
25 different procedure in Superior Court.

0042

1 I just want to make sure you understand that's
2 what you are agreeing to do, is stop the moving
3 business, pay the \$500, and remember not to go back
4 into moving for at least two years.

5 MR. ADEKANMBI: Yes, sir.

6 JUDGE TOREM: Now, your order has a
7 payment schedule: Essentially one-third of it being
8 paid today, another month from now paying another
9 third, and then paying it off by July 6th.

10 MR. ADEKANMBI: Yes, Your Honor.

11 JUDGE TOREM: I think July 6th may
12 actually be a Sunday.

13 MR. ADEKANMBI: It is.

14 JUDGE TOREM: So you will want to make
15 sure you have it here before the 4th of July holiday
16 weekend, so that there is no question that it was late
17 or for some reason --

18 MR. ADEKANMBI: It will probably be
19 taken care of next month.

20 JUDGE TOREM: Okay. When I hear someone
21 say "it will probably be taken care of," that assures
22 me that you are intending to do it. What I want to
23 tell you is if you run into any difficulty with these
24 payment dates, if the Commission hears from you before
25 the date passes, that's better than hearing from you a

0043

1 week late, when the Commission may be getting ready to
2 call you. The easier you make it on us to understand
3 your individual circumstance the better.

4 Again, our goal is compliance. What we are
5 looking for is, when I sign this order and send you on
6 your way today, that you will have made the first
7 payment, make the second on time or maybe early,
8 that's always better, and if you are going to be late,
9 tell us before we realize you are late.

10 MR. ADEKANMBI: Yes, Your Honor.

11 JUDGE TOREM: Did you get your questions
12 answered as well about what is legal and what is not?

13 MR. ADEKANMBI: Yes, Your Honor, and I
14 will be in touch.

15 JUDGE TOREM: I want to make sure, while
16 you are here in Olympia today, that if there is some
17 question that can be answered, it is, so that you are
18 entirely clear what is keeping you within the lines.

19 MR. ADEKANMBI: So as long as -- well,
20 we did the cease and desist. Does that mean just
21 totally stop, even in the pack section, or --

22 MS. HOLLOWAY: No, you can still perform
23 pack-and-load, you just can't use a truck to move.

24 MR. ADEKANMBI: Okay. And as long as
25 everything is clear, ads, website, no -- like you

0044

1 said, as long as a layman can tell that I do not --

2 MS. HOLLOWAY: Do not provide a truck.

3 If anyone calls you, do not offer a truck.

4 MR. ADEKANMBI: Under any circumstance.

5 JUDGE TOREM: Ms. Holloway has other

6 Staff that are working in that compliance division

7 now.

8 MR. ADEKANMBI: Okay.

9 JUDGE TOREM: If you want to make sure
10 your ad is not going to run afoul of the Commission's
11 rules and regulations, and you have a chance to send a
12 draft to one of the enforcement Staff first, that's
13 probably a great idea, before you pay to put it up and
14 then have one of our staff run across it. They can
15 tell you if the language meets with Commission rules
16 and will keep you out of trouble.

17 MR. ADEKANMBI: I mean to be honest, I
18 want to backburn [sic] inside of the moving industry.
19 I mean like anyone knows, it's a lot of work. Being
20 in three states, it has taken a toll. I also have a
21 full-time job contracting with the Department of
22 Education. It's -- it's -- I will be in compliance.

23 JUDGE TOREM: It is easier, but I want
24 to make sure that you understand. Commission Staff,
25 from what I understand, they want to be more on the

0045

1 help side than they do on the enforcement side. If
2 you call us first, and I appreciate your attitude,
3 they are here to help and keep you out of being in
4 this courtroom again, ever again. Your time is
5 valuable with all the other things you have got going
6 in multiple states and now another job as well.
7 That's why I say while you are here today, get your
8 questions answered.

9 I have signed the order. If you want to wait
10 to get a copy of it, that's great. If you want to
11 wait for it to come in the mail, we will send it to
12 the same address we sent the subpoena and complaint.
13 It should be to you shortly, okay?

14 MR. ADEKANMBI: I appreciate that.
15 Thank you for your time.

16 JUDGE TOREM: Thank you.

17 Next matter is TV-140342. This is All City
18 Movers and Darcy Allen.

19 Welcome back, Ms. Allen. I see that you have
20 signed the stipulated order. Ms. Holloway told me
21 each of the cases is essentially the same at this
22 point. They have all agreed for a cease and desist
23 for a payment of the \$500. For your schedule, it is
24 similar to what I just described: One third due
25 today, a month from now, and then prior to the

0046

1 July 4th weekend.

2 MS. ALLEN: Yes.

3 JUDGE TOREM: Is that suitable to you?

4 MS. ALLEN: Yes.

5 JUDGE TOREM: And you understand what
6 you can and can't do with --

7 MS. ALLEN: Yeah, I was listening to
8 his. It's pretty much the same thing. I can do a
9 pack-and-load. I have to go to the site, I can unload
10 for them.

11 JUDGE TOREM: Right. Labor-only is
12 outside of the household goods requirement for a
13 permit.

14 MS. ALLEN: Okay. That scared for me
15 for a second there.

16 JUDGE TOREM: If you are doing the
17 driving --

18 MS. ALLEN: Right, that's --

19 JUDGE TOREM: If you are providing the
20 truck, if you are renting the truck on their behalf,
21 we're getting into a gray area. That means you are
22 going to need a permit. If they have acquired the
23 truck and you just help load it, you help unload it at
24 the other end, as Ms. Holloway said, that's going to
25 be within the realm of not needing a permit.

0047

1 Now, you said earlier you are trying to get
2 the company squared away. Have you got a plan for
3 applying for a permit when you are ready?

4 MS. ALLEN: Yeah, I have -- with the
5 packet that you guys had sent us, it's in there. I
6 just need to know like procedure-wise for -- to get
7 the DOT for the truck, for my truck, and what
8 insurance companies are available. I have called
9 around and a lot of them are like -- you know, they
10 don't want to deal with us. I'm just having -- if I
11 could have some assistance or some feedback on the
12 companies.

13 JUDGE TOREM: I'm not sure that we are
14 allowed to endorse any particular commercial
15 companies. However, I think that there may be some
16 other references that our Staff can provide.

17 MS. ALLEN: Okay.

18 JUDGE TOREM: Honestly, I haven't got
19 that far down in the weeds.

20 Any other questions about what is legal and
21 what is not legal with or without a permit?

22 MS. ALLEN: No, I have -- I have pretty
23 much a good understanding.

24 JUDGE TOREM: And as I went over the
25 order with the previous companies, you are agreeing to

0048

1 pay the penalty on the schedule we just talked about?

2 MS. ALLEN: Yes.

3 JUDGE TOREM: You understand that the
4 remaining part of the penalty that is suspended, a
5 total of \$4500, is out there for two years?

6 MS. ALLEN: Yes, Your Honor.

7 JUDGE TOREM: Hopefully that is an
8 incentive to keep things in the straight and narrow
9 and not come back or be pursued to be asked to pay
10 that. That, I think for a lot of small companies, is
11 a pretty big number.

12 MS. ALLEN: It is.

13 JUDGE TOREM: And if I recall correctly,
14 the advertisements you have said you have done your
15 best to make sure they are down.

16 MS. ALLEN: Yes. I also just talked to
17 Jessica and told her that she had to make sure she
18 goes over all the wording and edit everything that has
19 to deal with pretty much traveling.

20 JUDGE TOREM: Excellent. I hope that
21 the web designer you are in touch with, she is able to
22 take the page down that is violating the rules right
23 now. If it is a pack-and-load website, if it's a
24 labor-only website, that will be just fine.

25 MS. ALLEN: Okay.

0049

1 JUDGE TOREM: And as I suggested
2 earlier, if you want to run the draft of the web
3 design by the compliance folks here and make sure they
4 don't have any problems with it --

5 MS. ALLEN: Yeah.

6 JUDGE TOREM: -- it would probably be
7 easier to do in advance.

8 MS. ALLEN: I will be doing that.

9 JUDGE TOREM: I have signed the order.
10 Any other questions for me?

11 MS. ALLEN: No, sir.

12 JUDGE TOREM: Ms. Holloway, I will hand
13 this down to you.

14 MS. ALLEN: Thank you.

15 JUDGE TOREM: Thank you, Ms. Allen.

16 Next is Mr. Erickson, Docket TV-140344.

17 Mr. Erickson, have had a chance to go over
18 this with your attorney, Mr. Plowman?

19 MR. ERICKSON: Yes, I did.

20 JUDGE TOREM: And I see that you have
21 signed for here and there is not a payment schedule,
22 so there has been some other arrangement made for the
23 penalty recommended by Staff?

24 MR. ERICKSON: Yes, we are going to pay
25 in full today.

0050

1 JUDGE TOREM: Sometimes it's good to get
2 it taken care of right away.

3 Mr. Plowman, have you had a chance to review
4 the order as well?

5 MR. PLOWMAN: We reviewed the entire
6 order.

7 JUDGE TOREM: Any questions or anything
8 else that we need to put on the record?

9 MR. PLOWMAN: I don't think so. We
10 understand.

11 JUDGE TOREM: Ms. Holloway, anything to
12 add from Staff?

13 MS. HOLLOWAY: No.

14 JUDGE TOREM: All right. With the
15 benefit of counsel, I am not going to belabor it. I'm
16 just going to get this signed and get you on your way
17 back north.

18 MR. PLOWMAN: Thank you, Your Honor.

19 JUDGE TOREM: Thank you both for your
20 time this morning.

21 MR. PLOWMAN: Thank you.

22 JUDGE TOREM: The last case that is
23 present this morning is Docket TV-140345. This is
24 Alexander Satir.

25 Mr. Satir and Dimitri, if you would come back

0051

1 forward.

2 MR. ALEXANDER SATIR: (Complies.)

3 MR. DIMITRI SATIR: (Complies.)

4 JUDGE TOREM: Thank you for your
5 patience this morning, Mr. Satir. The order here, I
6 think I have -- do I have two copies of the first page
7 for some reason or did it just print that way?

8 MS. HOLLOWAY: It may have just printed
9 that way.

10 JUDGE TOREM: Mr. Satir, I am looking at
11 an order. It looks like you have signed it on the
12 fifth page.

13 MR. ALEXANDER SATIR: (Nods head.)

14 JUDGE TOREM: This order would require
15 you to stop running the moving company like we have
16 talked about.

17 MR. ALEXANDER SATIR: (Nods head.)

18 JUDGE TOREM: And it imposes a penalty
19 in two parts. It requires you to pay \$500 and another
20 \$4,500 is held on condition of you obeying this order.

21 MR. ALEXANDER SATIR: (Nods head.)

22 JUDGE TOREM: So if the Commission finds
23 that you are conducting a moving company again within
24 the next two years, they would pursue the other \$4,500
25 against you.

0052

1 MR. ALEXANDER SATIR: (Nods head.)

2 JUDGE TOREM: This order is your
3 agreement to not use the truck for moving, even when
4 it is fixed. I see that you have agreed to pay the
5 \$500 penalty. There is no schedule for payment.

6 MR. DIMITRI SATIR: Yes, all today.

7 JUDGE TOREM: So you are going to pay
8 the \$500 today?

9 MR. DIMITRI SATIR: Yes.

10 JUDGE TOREM: Do you have any questions
11 about the order?

12 MR. DIMITRI SATIR: No.

13 JUDGE TOREM: I'm going to sign the
14 order and make sure you have a copy before you leave.

15 MR. ALEXANDER SATIR: Thank you.

16 JUDGE TOREM: If you have questions
17 about what you can or can't do with the truck or with
18 the moving company, please be in touch. If we need a
19 translator, an interpreter to provide answers to your
20 questions in the future, let us know. We can find a
21 Russian interpreter if your son is not available.

22 MR. ALEXANDER SATIR: Okay. Thank you.

23 JUDGE TOREM: Thank you for coming down.
24 I appreciate your patience.

25 That exhausts the companies that are present

0053

1 in the hearing room today. It is now a little after
2 11:30. I am going to call the remaining companies
3 that haven't appeared and had no contact with the
4 Commission, to make sure that they are not present by
5 some -- something unknown to myself or Staff.

6 Docket TV-140338. This is Movers Plus and
7 Joshua Washburn. Still not present.

8 Docket TV-140341, Man of Steel Movers and
9 Michael Pandolfi. Also still not present.

10 Ms. Holloway, you told me that Docket
11 TV-140343, Precision Moving Seattle, Christopher Dems,
12 that company had contact with you earlier; is that
13 correct, they are in New York City?

14 MS. HOLLOWAY: Yes, he contacted me and
15 said he was in New York City and not able to attend
16 the hearing today.

17 JUDGE TOREM: When did he first let you
18 know that he couldn't be here today?

19 MS. HOLLOWAY: Today.

20 JUDGE TOREM: In his case, when was the
21 subpoena served?

22 MS. HOLLOWAY: It was served on
23 March 27th, 2014.

24 JUDGE TOREM: So approximately six weeks
25 ago?

0054

1 MS. HOLLOWAY: Yes.

2 JUDGE TOREM: And you had no further
3 contact with him until the phone call this morning?

4 MS. HOLLOWAY: I left him a voicemail
5 asking him, approximately two weeks ago, if he would
6 be in attendance. He left me a voicemail saying that
7 he would be here in attendance.

8 JUDGE TOREM: And then suddenly this
9 morning he is in New York?

10 MS. HOLLOWAY: And this morning he
11 called me and said that he would be in New York.

12 JUDGE TOREM: All right.

13 MS. HOLLOWAY: In my voicemail I left
14 very specific instructions, that he should be,
15 otherwise the default order would be entered and he
16 would be responsible for a \$5,000 penalty.

17 JUDGE TOREM: So I have had a chance to
18 review in those three dockets, 140338, 140341 and
19 140343, the Commission's evidence, that there was a
20 move offered for intrastate move in Washington and
21 there was advertising that meets the definition of
22 RCW 81.80.075, as engaging in moving without a
23 household goods permit.

24 Also, there is no evidence that any of these
25 companies have a permit under any other status; is

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1 that correct?

2 MS. HOLLOWAY: No, none of them do.

3 JUDGE TOREM: So what is the
4 Commission's motion at this point with these three
5 companies?

6 MS. HOLLOWAY: The Commission's motion
7 is that we enter a default order with the penalty of
8 \$5,000 for each one of these companies.

9 JUDGE TOREM: All right. So nothing
10 would be suspended. Essentially they would be default
11 orders finding them in default for failure to show up
12 today, and also taking the Commission's evidence as a
13 prima fascia case, that they were operating without a
14 permit.

15 MS. HOLLOWAY: Yes, that's correct.

16 JUDGE TOREM: And imposing the full
17 \$5,000 penalty for the two alleged violations. That's
18 essentially the same violation alleged in each
19 company's case?

20 MS. HOLLOWAY: Yes.

21 JUDGE TOREM: I will grant that motion
22 for those three companies. That's for Movers Plus,
23 Joshua Washburn in 140338, for Man of Steel Movers,
24 Michael Pandolfi in 140341, and I am also granting the
25 motion in Mr. Christopher Dems' case, Precision Moving

0056

1 Seattle, 140343.

2 If you will present me with the appropriate
3 default orders, I will sign all three of those later
4 this morning.

5 MS. HOLLOWAY: Okay.

6 JUDGE TOREM: Now, in the matter of
7 Carrie Kreech and Cope Quality Services, TV-140345, it
8 appears that she has made some good faith efforts with
9 the Commission, from what you described earlier.

10 MS. HOLLOWAY: Yes, she sent a letter to
11 the Commission and she has also sent a letter, or her
12 employer has sent a letter saying that she was ordered
13 to be in training in California today.

14 She was sent a stipulated order to sign. I
15 asked her to return it to me before today. I haven't
16 seen it yet. That doesn't necessarily mean it's not
17 here somewhere.

18 JUDGE TOREM: All right. So it is
19 possible that she is returning the order and it didn't
20 make it back today. What is the Commission's position
21 going to be, if we are not going to take action on the
22 case today, if the order is not received in the next
23 day or week?

24 MS. HOLLOWAY: I believe we gave her the
25 option of either getting that order in today or moving

0057

1 her to the next mover's court, which won't be until
2 October 2014. I don't think we are going to ask for a
3 default order at this time.

4 JUDGE TOREM: So hopefully it's in the
5 mail and it's on its way here. My recommendation is
6 that you check with Ms. Kreech next week, when she is
7 back from her training, and ask her if she is planning
8 to submit that order. If she is not, that Staff file
9 a letter for the docket number, explaining what did or
10 didn't happen, and making sure that the next mover's
11 court in October, or whenever it is scheduled, she is
12 either on the docket or there is a record of what
13 occurred today, without having to rereview the
14 transcript.

15 MS. HOLLOWAY: Okay.

16 JUDGE TOREM: Any other business for
17 what we are doing this morning?

18 MS. HOLLOWAY: No, that's everything.

19 JUDGE TOREM: All right. So I will look
20 for those three orders later today and get those
21 entered. Thank you very much. We are adjourned at
22 11:40.

23 MS. HOLLOWAY: Thank you.

24 (Mover's Court adjourned 11:40 a.m.)

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C E R T I F I C A T E

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STATE OF WASHINGTON

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COUNTY OF KING

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I, Sherrilyn Smith, a Certified

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Shorthand Reporter in and for the State of Washington,

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do hereby certify that the foregoing transcript is

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true and accurate to the best of my knowledge, skill

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and ability.

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