

Christopher T. Wall
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May 7, 2015

VIA EMAIL and U.S. MAIL
records@utc.wa.gov

Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

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GENERAL MANAGEMENT
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STATE OF WASH
UTIL. AND TRANSP
COMMISSION

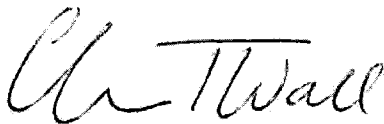
RE: Five Star Moving & Storage, LLC
Docket No. TV-150223

Dear Sir or Madam:

I am an attorney at Gordon Thomas Honeywell LLP, and I represent Five Star Moving & Storage, LLC with regard to Docket No. TV-150223. My mailing address is P.O. Box 1157, Tacoma, WA 98401-1157. My phone number is (253) 620-6522. My fax number is (253) 620-6565 and my email address is cwall@gth-law.com. I offer this letter as a cover letter to the Motion to Disqualify I submitted on or about May 5, 2015.

Please contact me if you need any further information.

Sincerely,



Christopher T. Wall

CTW:bf

Reply to:
Tacoma Office
1201 Pacific Ave., Suite 2100 (253) 620-6500
Tacoma, WA 98402 (253) 620-6565 (fax)

Seattle Office
600 University, Suite 2100 (206) 676-7500
Seattle, WA 98101 (206) 676-7575 (fax)

2015 MAY -7 AM 8:08

STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION
COMMISSION

RECEIVED
OFFICE OF MANAGEMENT
AND INFORMATION SERVICES

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In Re Application of:

FIVE STARS MOVING & STORAGE, LLC,

for a permit to operate as a motor carrier of
household goods.

NO. TV-150223

MOTION TO DISQUALIFY

TO: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Applicant Five Stars Moving LLC ("Five Stars") has the utmost respect for Judge Rayne Pearson; however, applicant respectfully submits that Judge Pearson cannot be unbiased, unprejudiced and impartial in this matter. Applicant believes that it cannot obtain a fair and impartial hearing before Judge Pearson. Applicant moves to disqualify Judge Pearson under RCW 34.05.425.

"Due process, the appearance of fairness, and Canon 3(D)(1) of the Code of Judicial Conduct (CJC) require that a judge disqualify from hearing a case if that judge is biased against a party or if his or her impartiality may be reasonably questioned." *In re Marriage of Meredith*, 148 Wn. App. 887, 903, 201 P.3d 1056, 1064 (2009).

Mr. William Trick is one of the owners of Five Stars Moving & Storage, LLC. More than 15 years ago, Mr. Trick was convicted of a sexual offense.

In 2013, Mr. Trick was involved in an application for a permit for B&Z Moving LLC. Judge Pearson was then employed as a Consumer Protection Manager for the Utilities

1 and Transportation Commission. Then-Manager Pearson advocated that the permit be
2 denied to B&Z Moving because of Mr. Trick's involvement in the business. Then-manager
3 Pearson took the bright-line position that Mr. Trick's conviction prevented him from
4 participating in the business *in any way*.

5
6 In this case, the sole basis for the Commission's intent to deny is Mr. Trick's 15-
7 year old conviction. Given Judge Pearson's bright-line stance on the sole dispositive issue
8 in this matter and her advocacy against Mr. Trick's ability to participate in this same type
9 of business, applicant reasonably questions Judge Pearson's impartiality. Applicant
10 respectfully requests that Judge Pearson recuse or disqualify herself.

11
12 Respectfully submitted this 4th day of May, 2015 at Tacoma, Washington.

13 GORDON THOMAS HONEYWELL LLP

14
15 By 

16 Christopher T. Wall, WSBA No. 45873
17 cwall@gth-law.com
18 Attorneys for Applicant
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CERTIFICATE OF SERVICE

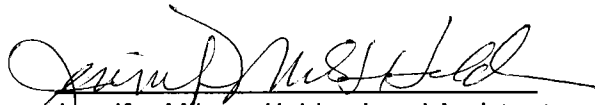
I hereby certify, under penalty of perjury, that on the 5th day of May, 2015, I deposited in the U.S. mail a properly stamped and addressed envelope directed to all parties of record as noted below, containing a copy of the document to which this certification is attached.

Washington Utilities and
Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

[] Via ABC-Legal Messenger
[X] Via U.S. Mail
[] Via Facsimile:
[] Via Email

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Jennifer M. Holder, Legal Assistant
of GORDON THOMAS HONEYWELL LLP