

Docket No. TE-180210 - Vol. I

In the Matter of Crescent Bar Charters LLC

April 11, 2018



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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining) DOCKET NO. TE-180210
the Proper Carrier Classification) VOLUME I
of, and Complaint for Penalties)
Against:)

)
)
)
CRESCENT BAR CHARTERS LLC)

MOVER'S COURT
Pages 1-27
ADMINISTRATIVE LAW JUDGE LAURA CHARTOFF

April 11, 2018
1:30 P.M.

Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive SW
Olympia, Washington 98504

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

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1 OLYMPIA, WASHINGTON; APRIL 11, 2018
2 1:30 P.M.

3 --o0o--
4 P R O C E E D I N G S
5

6 JUDGE CHARTOFF: So let's be on the record.
7 Good afternoon. My name is Laura Chartoff, and I am the
8 administrative law judge with the Washington Utilities
9 and Transportation Commission. I am the presiding
10 officer for today's hearing being conducted at the
11 Commission's headquarters in Olympia.

12 Today is Wednesday, April 11th, 2018, and
13 the time is approximately 1:30 p.m. Today's hearing
14 involves a total of four charter party or excursion
15 services carriers. So the first thing we will do is
16 take a roll call to determine which companies are
17 present. As you can see, there is a court reporter
18 creating a record of today's proceedings. So when I
19 call your name, please raise your hand to identify
20 yourself and also give a verbal response to the roll
21 call like "here" or "present."

22 So the first docket is TE-180219, Tiger
23 Express Shipping Corporation, doing business as Tiger
24 Travel.

25 MS. NGUYEN: Present.

1 A P P E A R A N C E S
2 ADMINISTRATIVE LAW JUDGE:
3 LAURA CHARTOFF
4 Washington Utilities and
5 Transportation Commission
6 1300 South Evergreen Park Drive SW
7 Olympia, Washington 98504
8 (360) 664-1160

9 FOR COMMISSION STAFF:
10 SUSIE PAUL
11 Compliance Investigator
12 Washington Utilities and
13 Transportation Commission
14 1300 South Evergreen Park Drive SW
15 Olympia, Washington 98504
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18 * * * * *

1 JUDGE CHARTOFF: Thank you.
2 The next case is TE-180220, Carmen
3 Ceron-Garza, Garza Wine Tours.

4 MS. GARZA: Present.

5 JUDGE CHARTOFF: Thank you.
6 The next docket is TE-180210, Christene
7 Davis, Crescent Bar Charters.

8 MS. DAVIS: Present.

9 JUDGE CHARTOFF: Thank you.
10 And the fourth docket is TE-170879, Michael
11 Brown, doing business as DLux Limos LLC.

12 MR. BROWN: Here, Your Honor.

13 JUDGE CHARTOFF: So each of you are here
14 because the Commission filed a complaint alleging that
15 each of your companies is performing or advertising to
16 perform work as a charter party or excursion services
17 carrier without the required permit. The purpose of
18 today's proceeding is to formally explain what your
19 choices are and then hear from each of you regarding
20 which option you wish to pursue.

21 You can choose one of two options on behalf
22 of your company. So the first option is to cease and
23 desist providing, offering, or advertising unpermitted
24 charter party or excursion services. If you choose this
25 option, you will need to demonstrate what you have done

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1 to shut down your business either completely or
 2 partially to avoid further enforcement action by the
 3 Commission. The Commission is going to want to see
 4 sufficient proof that you are no longer performing
 5 unlawful services, for example, you will need to provide
 6 proof that you have taken down or changed your website
 7 or other online advertisements for your business.
 8 The second option is to ask for a formal
 9 classification hearing to show why you don't need a
 10 permit. If you choose this option, you are contesting
 11 the allegations in the complaint and claim not to be
 12 conducting charter party or excursion services. For
 13 this option, we will schedule a formal hearing for a
 14 date in the near future with a deadline two to three
 15 weeks from now for both your company and the Commission
 16 Staff to declare all witnesses and file all exhibits.
 17 Each of you has a right to be heard by the
 18 Commission, and I will call you up to do that
 19 individually. Commission Staff also has a right to be
 20 heard, and the Commission compliance investigator will
 21 be seated at the table to my right.
 22 Now that we've gone over the general options
 23 for each of your companies, let me explain the rest of
 24 today's procedures. In a few minutes, I'll call each of
 25 your companies forward to make your choice on how to

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1 proceed. At that time, I will swear you in so that
 2 anything you tell the Court will be under oath and can
 3 be considered as sworn testimony. Once you are sworn
 4 in, I will ask if you understand your options for
 5 today's hearing and then ask you to state your
 6 preference. If there's anything else you want to
 7 explain to me, you can do so at that time.
 8 In each of the complaints, Commission Staff
 9 has not only alleged that you are providing charter or
 10 excursion services without a permit, they are also
 11 seeking to have a penalty imposed. The law sets the
 12 maximum penalty for each violation at \$5,000. Staff
 13 will be making a penalty recommendation as part of any
 14 agreed order. Staff will be explaining that
 15 recommendation, but the Commission will be making the
 16 final decision about the amount of penalty to be
 17 imposed.
 18 If you choose to testify about how you are
 19 getting out of the charter and excursion carrier
 20 business, I will allow you to make a statement
 21 explaining how you plan to do that. Depending on what
 22 proof you can provide, you should be able to reach an
 23 agreed order resolving this matter with Commission
 24 Staff, and you can speak to Staff about that during the
 25 recess.

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1 Finally, if you choose to contest the
 2 allegations in the complaint, we will schedule another
 3 hearing for the Commission to present the necessary
 4 evidence to prove its case. If we're going to set a
 5 hearing, it would help if you know your schedule for the
 6 next month or so when we review calendars to choose a
 7 date.
 8 After I hear from each of your companies, we
 9 will take a break to provide Commission Staff time to
 10 meet with each of you and prepare a final disposition of
 11 your case.
 12 So I will start calling the companies now.
 13 First company is Tiger Express Shipping Corporation,
 14 d/b/a Tiger Travel and Zhongxiang Ye.
 15 Oh, please sit right there and turn on the
 16 microphone.
 17 So let's start with Staff. Can you please
 18 state your name and job title for the record?
 19 MR. RAUB: My name is Justin Raub. I'm a
 20 compliance investigator for consumer protection. My
 21 name is Justin Raub. I'm a compliance -- or compliance
 22 investigator for consumer protection.
 23 JUDGE CHARTOFF: Can you spell your last
 24 name?
 25 MR. RAUB: R-a-u-b.

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1 JUDGE CHARTOFF: Thank you.
 2 And you?
 3 MS. NGUYEN: Good afternoon, my name is
 4 Trang Nguyen, N-g-u-y-e-n. I am making an appearance on
 5 behalf of Patrick Feldman, who is seeking a continuance
 6 of the hearing for this afternoon if that's possible.
 7 JUDGE CHARTOFF: Can you repeat your first
 8 name?
 9 MS. NGUYEN: Yes, it's Trang, T-r-a-n-g.
 10 JUDGE CHARTOFF: And the firm you are with?
 11 MS. NGUYEN: I'm with Feldman & Lee.
 12 JUDGE CHARTOFF: And how do you want to
 13 proceed this morning?
 14 MS. NGUYEN: I don't know. I'm just here to
 15 seek a continuance. Honestly, this is my third week on
 16 the job. I got a call yesterday saying can you cover a
 17 hearing? Just go in there and ask for a continuance.
 18 JUDGE CHARTOFF: Okay. Okay. Because your
 19 firm was just retained?
 20 MS. NGUYEN: I have no idea. I mean, I
 21 think I was told Patrick has a conflict and couldn't
 22 attend the meeting today.
 23 JUDGE CHARTOFF: Okay.
 24 MS. NGUYEN: So my only job is to come down
 25 and get another date. I apologize.

2 (Pages 5 to 8)

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1 JUDGE CHARTOFF: Do you -- I think you -- we
2 previously mentioned May 18th in the afternoon as a
3 possible...
4 MS. NGUYEN: I believe Mr. Feldman will be
5 out of the country from May 1st to May 18th, and they
6 are hopefully requesting for any date after May 28th.
7 JUDGE CHARTOFF: Okay. I have several dates
8 in the first week of June.
9 MS. NGUYEN: Okay.
10 JUDGE CHARTOFF: June 1, June 4. Do you
11 have access to his calendar?
12 MS. NGUYEN: I -- let's just go with the
13 4th. I think that will give him enough time to get up
14 to speed again.
15 JUDGE CHARTOFF: Okay. 9:30 or 1:30?
16 MS. NGUYEN: Let's do 1:30, please.
17 JUDGE CHARTOFF: Okay. I think -- okay. I
18 agree to do a continuance to June 4th at 1:30, and I
19 will get a notice out to you probably tomorrow.
20 MS. NGUYEN: All right. Thank you. And I
21 have the notice of appearance. Did the Court need this?
22 JUDGE CHARTOFF: Sure.
23 MS. NGUYEN: Okay.
24 JUDGE CHARTOFF: Thank you.
25 MS. NGUYEN: My apologies.

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1 JUDGE CHARTOFF: Okay. I'm going to call
2 next Carmen Ceron-Garza, Garza Wine Tours.
3 THE INTERPRETER: I am the interpreter for
4 Ms. Garza today, Your Honor, here with her husband.
5 MS. PAUL: We can get another chair. Are
6 all three of you coming up?
7 JUDGE CHARTOFF: Let's be off the record for
8 a minute.
9 (Pause in the proceedings.)
10 JUDGE CHARTOFF: We'll be back on the
11 record.
12 Let's start with Staff. Please state your
13 name and title.
14 MR. HOXIT: My name is Jason Hoxit. I'm a
15 compliance investigator with the safety and consumer
16 protection division. May last name is spelled
17 H-o-x-i-t.
18 JUDGE CHARTOFF: Okay. And can you please
19 state your first and last name?
20 MS. GARZA: Good afternoon. My name is
21 Carmen Ceron-Garza.
22 JUDGE CHARTOFF: And your relationship to
23 the company?
24 MS. GARZA: The company is under my name,
25 was under my name.

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1 JUDGE CHARTOFF: And do you understand
2 your -- the options I presented earlier?
3 MS. GARZA: Yes.
4 JUDGE CHARTOFF: And do you know which way
5 you want to proceed?
6 MS. GARZA: Yes.
7 JUDGE CHARTOFF: And how would you like to
8 proceed?
9 MS. GARZA: We close the company, but I have
10 to explain that Garza Tours didn't have any vehicles,
11 and they were using the vehicles for A Plus Taxi. So
12 then now A Plus Taxi is in the process of getting the
13 license that we need. A Plus Taxi is my husband's
14 company, and Garza Tours is under my name, but he was
15 the one who was managing the company.
16 JUDGE CHARTOFF: I forgot to swear you in.
17 So let me swear you in right now. Please stand.
18 (Carmen Ceron-Garza and Armando Garza
19 sworn.)
20 JUDGE CHARTOFF: Thank you.
21 I'm sorry, so you were saying that you
22 closed the company, that your husband has a company, A
23 Plus Taxi, and that he's going to get a permit for his
24 business; is that right?
25 MS. GARZA: Yes, that's correct, and I have

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1 the documents that the lawyer prepared for you.
2 JUDGE CHARTOFF: Okay. Thank you.
3 Let me swear you in.
4 (Jason Hoxit sworn.)
5 JUDGE CHARTOFF: Thank you.
6 Okay. Have you had a chance to verify?
7 MR. HOXIT: Yes, I verified that the Garza
8 Wine Tours, LLC has been closed with the Department of
9 Revenue, and Garza Wine Tours has been added to that
10 d/b/a under A Plus Taxi, LLC, as well as the
11 Garzawinetours.net for the company has been modified to
12 not advertise for charter and excursion services.
13 JUDGE CHARTOFF: Okay. Okay. So we will
14 pursue a cease and desist order today?
15 MS. GARZA: I don't understand.
16 JUDGE CHARTOFF: Oh, okay. So your options
17 today are to either do a cease and desist order with
18 Staff or to challenge but...
19 MS. GARZA: I'm not going to challenge.
20 JUDGE CHARTOFF: Okay. Okay. So what I'd
21 like you to do is to stay for the recess, stay in the
22 room for the recess until we recess and then meet with
23 Staff, and you'll be able to -- oh, here, I will read my
24 script. That'll make it easier. So when we take a
25 recess, you will have the opportunity to speak with

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1 Staff and see if you can agree on an order for entry.
 2 And essentially that order will say that you agree you
 3 were operating without a permit, that you advertised
 4 without a permit, and that you agree to stop operating
 5 until you get a permit should you decide to apply for
 6 one.
 7 So once you are satisfied and understand all
 8 the terms of the order, you and Staff will both sign it.
 9 It will also include most likely an agreement about the
 10 amount of penalty that will be imposed. But if not, you
 11 can make your case about why the penalty should be
 12 different than what Staff is recommending.
 13 MS. GARZA: Okay. I'm going to sit here to
 14 negotiate, then.
 15 JUDGE CHARTOFF: Okay, good. Okay. Thank
 16 you. So for now, you can return to your seat and then
 17 at -- when we recess, you can speak with Staff.
 18 MS. GARZA: Thank you.
 19 JUDGE CHARTOFF: Okay. I'm going to call
 20 now Christene Davis, Crescent Bar Charters LLC.
 21 Okay. And please state your name and title
 22 for the record.
 23 MS. PAUL: I'm Susie Paul. My last name is
 24 P-a-u-l, and I'm a compliance investigator with consumer
 25 protection.

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1 JUDGE CHARTOFF: Thank you.
 2 And for the company?
 3 MS. DAVIS: I'm Christene Davis with
 4 Crescent Bar Charters.
 5 JUDGE CHARTOFF: Okay.
 6 MR. DAVIS: She's listed as the owner, but
 7 I'm her husband, Troy Davis, and I pretty much do the
 8 day-to-day work for the company.
 9 JUDGE CHARTOFF: Okay. And I would like all
 10 three of you to stand up.
 11 (Christene Davis, Troy Davis, and Susie
 12 Paul sworn.)
 13 JUDGE CHARTOFF: Thank you.
 14 Okay. So do you understand what I talked
 15 about earlier, the options?
 16 MS. DAVIS: Yes.
 17 JUDGE CHARTOFF: And do you have a
 18 preference on how you would like to proceed?
 19 MR. DAVIS: Yes, we would like to suspend
 20 our -- and then we've already reapplied for a new
 21 permit. So we've suspended our advertising already and
 22 hopefully complied. I hope Susie's verified that. I've
 23 been communicating with her via email as much as
 24 possible, so then we would like to reapply, which we've
 25 already done.

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1 JUDGE CHARTOFF: Okay. And you want --
 2 would you like to pursue the cease and desist order and
 3 negotiate with Staff on the penalty?
 4 MR. DAVIS: Yes.
 5 JUDGE CHARTOFF: Okay. And did you hear the
 6 paragraph I went through where I talked about the
 7 recess?
 8 MR. DAVIS: Yes, yes.
 9 JUDGE CHARTOFF: Would you like me to repeat
 10 it?
 11 MR. DAVIS: No, you don't need to.
 12 JUDGE CHARTOFF: Great. Okay. So yeah,
 13 stick around, return to your seat, and wait for -- to
 14 talk to Staff at the recess.
 15 MR. DAVIS: Okay. Thank you.
 16 JUDGE CHARTOFF: Thank you.
 17 Okay. The last is Michael Brown, doing
 18 business as DLux Limos LLC.
 19 Okay. So starting with Staff, please state
 20 your name and job title, spelling your last name for the
 21 record.
 22 MR. TURCOTT: Good afternoon, Your Honor.
 23 It's Michael Turcott, T-u-r-c-o-t-t, compliance
 24 investigator in consumer protection.
 25 JUDGE CHARTOFF: Thank you.

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1 And company?
 2 MR. BROWN: DLux Limos.
 3 JUDGE CHARTOFF: And your first and last
 4 name, spelling your last name?
 5 MR. BROWN: Yes, ma'am. Michael Brown, DLux
 6 Limos, B-r-o-w-n.
 7 JUDGE CHARTOFF: And you're the owner?
 8 MR. BROWN: Yes, ma'am.
 9 JUDGE CHARTOFF: Okay. So let me swear you
 10 in, both of you.
 11 (Michael Brown and Michael Turcott
 12 sworn.)
 13 JUDGE CHARTOFF: Thank you.
 14 So did you hear the options --
 15 MR. BROWN: Yes, ma'am.
 16 JUDGE CHARTOFF: -- I said earlier?
 17 Do you understand?
 18 MR. BROWN: Yes, ma'am.
 19 JUDGE CHARTOFF: Do you have a preference on
 20 how you want to proceed?
 21 MR. BROWN: Cease and desist and speak with
 22 Staff.
 23 JUDGE CHARTOFF: Okay. Do you need -- do
 24 you have any -- I assume you're -- you have no objection
 25 to a cease and desist order?

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1 MR. TURCOTT: No, Your Honor. No
 2 objections.
 3 JUDGE CHARTOFF: Okay. So did you hear --
 4 MR. BROWN: Yes, ma'am.
 5 JUDGE CHARTOFF: -- the directions?
 6 Okay. Great. Do you have any questions?
 7 MR. BROWN: No.
 8 JUDGE CHARTOFF: Okay.
 9 MR. BROWN: We're all set.
 10 JUDGE CHARTOFF: So please return to your
 11 seat and wait to speak with Staff at the recess.
 12 MR. BROWN: Thank you, Your Honor.
 13 JUDGE CHARTOFF: So at this point, we're
 14 going to take a recess, and as soon as you have a chance
 15 to review the cease and desist orders and language with
 16 Staff, there will be some negotiation about the penalty.
 17 It may be nominal depending on the history of your
 18 company or there may be a reason that Staff asked for a
 19 larger penalty; for example, if you have appeared here
 20 before or have previously held a household goods per --
 21 previously held an excursion or charter party carrier
 22 permit with the Commission.
 23 Typically, a portion of the penalty is
 24 suspended, which is meant to deter you from future
 25 illegal operations. So you may pay a portion today and

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1 the remaining portion does not become payable unless you
 2 violate the order. Then after the recess, we will call
 3 each of you back up, make sure you understand the order,
 4 and I will sign it on the record today, and then you
 5 will leave with a copy of it.
 6 So is there anything else before we take a
 7 break? Okay. All right. We are at recess. Thank you.
 8 (Recess taken from 1:56 p.m. to 3:08
 9 p.m.)
 10 JUDGE CHARTOFF: We will be on the record.
 11 I understand the cease and desist orders have been
 12 explained and presented to each company, so I will call
 13 you back up one at a time in the order we went in
 14 before. So first I will call Carmen Ceron-Garza, Garza
 15 Wine Tours. Please come back up.
 16 Ms. Ceron-Garza, did you have a chance to
 17 walk through the multipage order?
 18 MS. GARZA: Yes, my husband is going to talk
 19 to you regarding the agreement that we talk about with
 20 the Staff.
 21 JUDGE CHARTOFF: Is your microphone on?
 22 MR. GARZA: I'm Armando Garza, Carmen's
 23 husband. The agreement that we came up with is that my
 24 wife has dissolved the company and in turn, I have
 25 submitted a request to have Garza Wine Tours put on as a

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1 trade name for A Plus Taxi, working as A Plus Taxi. And
 2 I think we've complied with everything that we have to
 3 as far as getting all the proper registrations and so
 4 forth and blah, blah, blah, concerning the vehicle that
 5 we want to use. And the only thing that I'm waiting on
 6 right now would be proper insurance coverage. So
 7 anyways, he's got the declarations for both my wife and
 8 I.
 9 JUDGE CHARTOFF: Okay.
 10 MR. GARZA: And I think maybe he can explain
 11 it better than I can.
 12 MR. HOXIT: Your Honor, Staff would like to
 13 enter in CCG-1 and AG-1 as exhibits. CCG-1 is a
 14 declaration of Carmen Ceron-Garza and AG-1 is a
 15 declaration of Armando Garza, Jr.
 16 JUDGE CHARTOFF: Okay. Thank you. And
 17 there's no objection?
 18 MR. HOXIT: No objections, Your Honor.
 19 JUDGE CHARTOFF: So I will admit these
 20 exhibits marked as AG-1 and CCG-1.
 21 (Exhibits AG-1 and CCG-1 admitted.)
 22 JUDGE CHARTOFF: Thank you.
 23 So I'm just going to talk about the
 24 stipulated order to make sure you understand the order.
 25 So for the record, it says that Garza Wine Tours admits

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1 it conducted operations without the required certificate
 2 and that it also advertised to operate as a charter
 3 party or excursion service carrier without -- on at
 4 least one occasion. And a \$5,000 penalty is being
 5 imposed, 4,500 of the penalty is suspended for a period
 6 of two years and waived thereafter provided the business
 7 refrains permanently from operations as a charter party
 8 or excursion carrier in the state of Washington.
 9 The remainder of the penalty is payable
 10 according to the schedule in Appendix A, which shows
 11 \$150 today and payments monthly thereafter, and that you
 12 agree to cease and desist operations as a charter party
 13 and excursion carrier.
 14 I just need to go over a couple more things.
 15 The order to cease and desist is permanent, meaning it
 16 does not expire. So even after the two-year period of
 17 the suspended penalty, if Staff discovers you are still
 18 operating, Staff can go straight to superior court and
 19 seek enforcement of this order, which will include
 20 significant additional penalties. So there is a strong
 21 incentive for you to comply with the law. And with
 22 regard to the payment schedule, if you miss a payment,
 23 the entire amount, including the \$4,500, will become due
 24 and payable immediately. So if for some reason you're
 25 going to be late making a payment, you will need to

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1 contact Staff and make arrangements. Failing to contact
 2 Staff will ensure that the entire penalty is imposed.
 3 Do you understand that?
 4 MR. GARZA: Yes.
 5 MS. GARZA: Yes.
 6 JUDGE CHARTOFF: Do you understand legally
 7 what you can and can't do?
 8 MS. GARZA: Yes.
 9 MR. GARZA: Yes, a little bit more than what
 10 I did before, yes.
 11 JUDGE CHARTOFF: Okay. And remember that
 12 Commission Staff is always available to assist you if
 13 you have any questions. The Commission's goal is
 14 compliance. Are there any additional questions?
 15 MR. HOXIT: Not from Staff.
 16 MR. GARZA: No.
 17 JUDGE CHARTOFF: Okay. Then I will sign the
 18 order. Okay. And Staff will make a copy for you and
 19 then you are free to go.
 20 MS. GARZA: Thank you so much.
 21 JUDGE CHARTOFF: Thank you.
 22 MR. GARZA: Thank you.
 23 JUDGE CHARTOFF: So I will next call
 24 Christene Davis, Crescent Bar Charters.
 25 Okay. So, Ms. Davis, did you have a chance

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1 to walk through the order?
 2 MS. DAVIS: Yes.
 3 JUDGE CHARTOFF: And did you understand all
 4 the pages?
 5 MS. DAVIS: I do.
 6 JUDGE CHARTOFF: Okay. And I see you and
 7 Staff have both signed the order.
 8 MS. DAVIS: Mm-hmm.
 9 JUDGE CHARTOFF: And it looks like you have
 10 admitted that you conducted operations in the state
 11 after the cancellation or revocation of the required
 12 certificate?
 13 MS. DAVIS: Yes.
 14 JUDGE CHARTOFF: And the company offered to
 15 provide charter party or excursion services on at least
 16 one occasion and also advertised to operate as a charter
 17 party or excursion service in the state of Washington.
 18 MS. DAVIS: Yes.
 19 JUDGE CHARTOFF: Okay. And -- let's see,
 20 and Crescent Bar will immediately cease and desist
 21 operations as a charter party excursion service carrier?
 22 MS. DAVIS: Yes.
 23 JUDGE CHARTOFF: And assessed a penalty of
 24 \$5,000. \$1,500 is suspended for a period of two years.
 25 MS. DAVIS: Yes.

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1 JUDGE CHARTOFF: And the remainder of the
 2 penalty is due and payable...
 3 MS. DAVIS: We paid it. We paid our due.
 4 JUDGE CHARTOFF: Oh, okay. There's a -- the
 5 order says according to the schedule in Appendix A. So
 6 I'm going to just cross that out.
 7 MS. PAUL: Okay. Yes, there was no payment
 8 plan. They made the payment today.
 9 JUDGE CHARTOFF: Okay. Okay. And did you
 10 hear -- I'll just repeat this quickly. The order to
 11 cease and desist is permanent, meaning it does not
 12 expire. So even after the two years of the suspended
 13 penalty, when that has run, if Staff discovers you are
 14 still operating, Staff can go straight to superior court
 15 to seek enforcement of the order which will include
 16 significant additional penalties.
 17 MR. DAVIS: That's unless we obtain a new
 18 permit, correct?
 19 JUDGE CHARTOFF: Yes.
 20 MR. DAVIS: Thank you.
 21 JUDGE CHARTOFF: Yes. Oh, so you paid the
 22 penalty in full. Oh, wait. Right. So you paid the
 23 penalty in full so no payment plan. Okay. And do you
 24 understand legally what you can and can't do?
 25 MR. DAVIS: Yes.

Page 24

1 JUDGE CHARTOFF: Okay. I will go ahead and
 2 sign this. Okay. We will get you a copy and you're
 3 free to go.
 4 MS. DAVIS: Thank you.
 5 MR. DAVIS: Thank you, Your Honor.
 6 JUDGE CHARTOFF: And Michael Brown?
 7 MR. BROWN: Yes, ma'am.
 8 JUDGE CHARTOFF: Okay. So you had a chance
 9 to walk through the order?
 10 MR. BROWN: Yes, ma'am.
 11 JUDGE CHARTOFF: And do you understand all
 12 five pages?
 13 MR. BROWN: Yes, ma'am.
 14 JUDGE CHARTOFF: Okay. And I see that you
 15 and Staff have signed it.
 16 MR. BROWN: Yes, ma'am.
 17 JUDGE CHARTOFF: Okay. And you have
 18 admitted that DLux Limos has conducted operations in the
 19 state of Washington without the required certificate.
 20 MR. BROWN: Yes, ma'am.
 21 JUDGE CHARTOFF: And offered to provide
 22 charter party or excursion service carrier services on
 23 at least one occasion and also advertised to operate
 24 charter party or excursion services on at least one
 25 occasion?

1 MR. BROWN: Yes, ma'am.
 2 JUDGE CHARTOFF: Okay. And you have been
 3 assessed a penalty of \$5,000. 3,500 of the penalty is
 4 suspended?
 5 MR. BROWN: Yes, ma'am.
 6 JUDGE CHARTOFF: Okay. And the remainder of
 7 the penalty --
 8 MR. BROWN: Paid in full.
 9 JUDGE CHARTOFF: Oh, that has been paid in
 10 full, okay.
 11 Is that correct?
 12 MR. TURCOTT: Yes, ma'am.
 13 JUDGE CHARTOFF: Okay.
 14 MR. TURCOTT: Yes, Your Honor.
 15 JUDGE CHARTOFF: Again, I'm just crossing
 16 out subject of schedule on Appendix A. Since it's a
 17 typo, I think it's -- we don't need to resign. And do
 18 you understand the order to cease and desist is
 19 permanent?
 20 MR. BROWN: Yes, ma'am. Until further
 21 licenses are in place?
 22 JUDGE CHARTOFF: Right, unless you have a
 23 license in place.
 24 MR. BROWN: Yes, ma'am.
 25 JUDGE CHARTOFF: Okay. And you understand

1 CERTIFICATE
 2
 3 STATE OF WASHINGTON
 4 COUNTY OF THURSTON
 5
 6 I, Tayler Garlinghouse, a Certified Shorthand
 7 Reporter in and for the State of Washington, do hereby
 8 certify that the foregoing transcript is true and
 9 accurate to the best of my knowledge, skill and ability.

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Tayler Garlinghouse
 Tayler Garlinghouse, CCR 3358

1 legally what you can and can't do?
 2 MR. BROWN: Yes, ma'am.
 3 JUDGE CHARTOFF: Okay. Any additional
 4 questions? Okay. I will sign it. We'll get you a copy
 5 and you will be free to go.
 6 MR. BROWN: Thank you, Your Honor.
 7 JUDGE CHARTOFF: Thank you. Okay. And we
 8 are adjourned.
 9 (Adjourned at 3:24 p.m.)
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