

**Docket No. TE-180587 - Vol. I**

**In the Matter of Latin Limousine, LLC d/b/a HR  
Limousine**

**August 8, 2018**



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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining )DOCKET NO. TE-180587  
the Proper Carrier )  
Classification of, and )  
Complaint for Penalties )  
Against: )

LATIN LIMOUSINE, LLC D/B/A )  
HR LIMOUSINE )

TRANSPORTATION COURT, VOLUME I  
Pages 1-21  
ADMINISTRATIVE LAW JUDGE LAURA CHARTOFF

August 8, 2018  
9:00 A.M.

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

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358  
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1 OLYMPIA, WASHINGTON; AUGUST 8, 2018  
2 9:00 A.M.  
3 --o0o--  
4

(All proceedings were translated by the interpreter, and  
5 all answers were given through the interpreter,  
6 unless otherwise noted.)  
7  
8

9 P R O C E E D I N G S

10 JUDGE CHARTOFF: Okay. We'll be on the  
11 record. Good morning. My name is Laura Chartoff. I am  
12 an administrative law judge with the Washington  
13 Utilities and Transportation Commission.

14 Today is August 8th, 2018, and the time is  
15 9:00 a.m.

16 There are two charter party or excursion  
17 carriers -- excursion service carriers who should be  
18 here today, so the first thing we will do is see who is  
19 here. There is a court reporter who is recording  
20 everything we say, so when I call your name, please  
21 raise your hand and also say "here" or "present."

22 Docket 180587, Latin Limousine, LLC, doing  
23 business as -- as HR Limousine. I saw a hand go up.

24 Okay. And Docket 180351, Jake's Hiway 2  
25 Sports LLC, Jake Sharpe.

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 JUSTIN RAUB  
11 Compliance Investigator, Consumer  
12 Protection  
13 Washington Utilities and  
14 Transportation Commission  
15 1300 South Evergreen Park Drive SW  
16 PO Box 47250  
17 Olympia, Washington 98504  
18 (360) 664-1108  
19 justin.raub@utc.wa.gov

20 ALSO PRESENT:

21 HUGO ROSALES

22 GLORIA HERRERA  
23 Spanish Interpreter

24 MIKE TURCOTT  
25 Compliance Investigations  
Supervisor

\* \* \* \* \*

1 MR. SHARPE: Present.

2 JUDGE CHARTOFF: Present, thank you.

3 Okay. You are here because the Commission  
4 has information that your company is operating or  
5 advertising as a charter party or excursion service  
6 carrier without a permit. I will explain your choices  
7 and then ask you to state your choice.

8 So you can choose to cease and desist  
9 providing, offering, or advertising unpermitted charter  
10 party or excursion services. If you choose this option,  
11 you will need to show what you have done to shut down  
12 your business either completely or partially. I am  
13 going to want to see proof that you are no longer  
14 operating or advertising. For example, you will need to  
15 prove that you have taken down or changed your website  
16 or other online advertisements for your business.

17 The other option is to ask for a  
18 classification hearing to show why you don't need a  
19 permit. If you choose a hearing, you are denying that  
20 you offer or advertise charter party or excursion  
21 services. For this choice, we will schedule a hearing  
22 sometime in the next two months with a deadline a week  
23 before the hearing for both you and Commission Staff to  
24 list your witnesses and file any exhibits.

25 I will call each of you up one at a time in

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1 just a moment.  
 2 Now that we've gone over your choices, I  
 3 will explain what else will happen today. In a few  
 4 minutes, I'll call each of you up to make your choice,  
 5 and at that time, I will swear you in so anything you  
 6 tell the Court will be under oath. Once you are sworn  
 7 in, I will ask you if you understand your choices for  
 8 today's hearing and then ask you to state your choice.  
 9 If there's anything else you want to explain to me, you  
 10 will have a chance to do that.  
 11 You were each served with a complaint that  
 12 alleges you were providing charter party or excursion  
 13 services without a permit and ask that the Commission  
 14 penalize you for it. The law sets the maximum penalty  
 15 for each violation at \$5,000. Staff will recommend a  
 16 penalty amount, and you will have a chance to reach an  
 17 agreement with Staff about the penalty amount. Staff  
 18 will explain the recommendation, but the Commission will  
 19 make the final decision about the penalty.  
 20 If you choose to testify about how you're  
 21 getting out of the charter party or excursion services  
 22 business, you can explain how you plan to do that, and  
 23 depending on what proof you can provide, you should be  
 24 able to reach an agreement with Staff, and you can speak  
 25 to Staff about that during the break.

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1 Finally, if you deny that you were operating  
 2 as a charter party or excursion services carrier, we  
 3 will schedule another hearing. If we're going to set a  
 4 hearing, it would help if you know your schedule for the  
 5 next month or two when we review calendars.  
 6 So after I hear from each of you, we will  
 7 take a break so you can meet with Staff and talk about  
 8 your case.  
 9 So -- okay. So I'm going to call the  
 10 carriers up now. I'm going to start with Latin  
 11 Limousine. Can you please come forward, take a seat at  
 12 the table, and turn on your microphone.  
 13 So please state your first and last name and  
 14 spell your last name for the court reporter.  
 15 MR. ROSALES: (In English) Hugo Rosales.  
 16 JUDGE CHARTOFF: And what is your position  
 17 with the company?  
 18 MR. ROSALES: (In English) Owner.  
 19 JUDGE CHARTOFF: Thank you.  
 20 Okay. Mr. Rosales and Mr. Raub, can you  
 21 please stand up and be sworn in.  
 22 (Hugo Rosales and Justin Raub sworn.)  
 23 JUDGE CHARTOFF: Thank you.  
 24 Okay. Mr. Rosales, do you understand the  
 25 choices I explained earlier?

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1 MR. ROSALES: Yes.  
 2 JUDGE CHARTOFF: Have you made a decision?  
 3 MR. ROSALES: Yes.  
 4 JUDGE CHARTOFF: Have you decided to cease  
 5 and desist from providing charter party and -- or  
 6 excursion carrier services until you get a permit?  
 7 MR. ROSALES: That's right.  
 8 JUDGE CHARTOFF: Okay. Does Staff have a  
 9 position on this?  
 10 MR. RAUB: No, Your Honor. That's -- we're  
 11 good with that.  
 12 JUDGE CHARTOFF: Okay. Okay. So when we  
 13 take a break, you can talk with Staff and see if you can  
 14 assign -- you can sign an agreed order. The order will  
 15 say that you agree you were operating without a permit,  
 16 that you advertised without a permit, and that you agree  
 17 to stop operating until you get a permit.  
 18 MR. ROSALES: I am agreeing to this, but I  
 19 also would like to explain why.  
 20 JUDGE CHARTOFF: Okay.  
 21 MR. ROSALES: (In English) Now?  
 22 JUDGE CHARTOFF: Yes.  
 23 MR. ROSALES: In the first place, I stop  
 24 operating my business is because I had a financial  
 25 problem. I spoke with the insurance company, and I

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1 asked them for a break because at the time that I had to  
 2 renew my insurance, I didn't have any -- any work, and  
 3 my mortgage payments were almost \$2,000. And so I  
 4 wasn't able to pay the amount, and then it was about  
 5 four months left for my insurance to be expired.  
 6 So the jobs that I have gotten in the past  
 7 via phone, I have given those jobs to other friends who  
 8 have the same business. They give me a commission of  
 9 100 or \$200 for these referrals until I was through with  
 10 my financial problems.  
 11 Eight days before I received a letter from  
 12 the State, I was already making arrangements and  
 13 negotiating with the insurance company so I could renew  
 14 my insurance. I'm still waiting for the company to  
 15 resolve this for me. There were two companies that  
 16 didn't approve me to get insurance through them, but  
 17 there is another company that is still working to give  
 18 me a new policy.  
 19 JUDGE CHARTOFF: Okay.  
 20 MR. ROSALES: That's it.  
 21 JUDGE CHARTOFF: Okay. So do you understand  
 22 that you cannot operate or advertise your services until  
 23 you get a permit?  
 24 MR. ROSALES: That's what I'm understanding  
 25 now.

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1 JUDGE CHARTOFF: Okay.  
 2 MR. ROSALES: I -- I thought that if I  
 3 didn't use my car for the services and I just send these  
 4 services to the other person instead, it would be okay.  
 5 But now I understand that I cannot do that either.  
 6 JUDGE CHARTOFF: Okay. Is --  
 7 MR. TURCOTT: I'm sorry, Your Honor.  
 8 JUDGE CHARTOFF: It's okay.  
 9 MR. TURCOTT: So, Your Honor, that's  
 10 acting --  
 11 This is Mike Turcott for the record.  
 12 -- that's acting as a broker, which includes  
 13 advertising and/or agreeing to provide services, which  
 14 is prohibited without a certificate.  
 15 JUDGE CHARTOFF: Okay. So...  
 16 MR. ROSALES: I understand that now.  
 17 JUDGE CHARTOFF: Okay. So, Mr. Raub, so  
 18 advertising services, even if he's just referring it,  
 19 would also be not permitted without a permit?  
 20 MR. RAUB: Yes, Your Honor.  
 21 JUDGE CHARTOFF: Okay. Thank you.  
 22 Okay. So please take a seat in the -- in  
 23 the back and wait for the recess, and at that point,  
 24 you'll have an opportunity to talk with Staff and see if  
 25 you can enter an agreed order. Okay?

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1 MR. ROSALES: Thank you.  
 2 JUDGE CHARTOFF: Okay. I call Jake's Hiway  
 3 2 Sports LLC, Jake Sharpe.  
 4 Hi. Please state your first and last name  
 5 and spell your last name for the court reporter.  
 6 MR. SHARPE: Jake Sharpe, S-h-a-r-p-e.  
 7 JUDGE CHARTOFF: Can you please speak into  
 8 the microphone?  
 9 MR. SHARPE: Jake Sharpe, S-h-a-r-p-e.  
 10 THE COURT REPORTER: I don't think it's on.  
 11 JUDGE CHARTOFF: Can you hit the button and  
 12 see --  
 13 MR. SHARPE: I got a little red light.  
 14 JUDGE CHARTOFF: Oh, you do?  
 15 MR. SHARPE: S-h-a-r-p-e.  
 16 JUDGE CHARTOFF: Okay. Thank you. And what  
 17 is your position with the company?  
 18 MR. SHARPE: I own it.  
 19 JUDGE CHARTOFF: Okay. Mr. Sharp and  
 20 Mr. Braun, can you please stand and raise your right  
 21 hand to be sworn.  
 22 (Jake Sharpe and Brian Braun sworn.)  
 23 JUDGE CHARTOFF: Thank you.  
 24 Okay. Mr. Sharp, do you understand the  
 25 choices I explained earlier?

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1 MR. SHARPE: I do.  
 2 JUDGE CHARTOFF: Do you have a -- have you  
 3 made a decision?  
 4 MR. SHARPE: Well, yeah, because I've  
 5 already ceased operation. Where I failed to understand  
 6 was I should have just taken my website down. So I  
 7 haven't operated so I -- but I still had advertised  
 8 and -- yeah, I was unaware of that part. Reason being  
 9 was I'm on Stevens Pass's website for my businesses. I  
 10 didn't want to lose that advertising because I rent ski  
 11 gear and I sell lift tickets, and just part of what I  
 12 offer is a ride to the ski area.  
 13 So I wasn't closing my whole business down,  
 14 so to tear my website down, I didn't even think of it to  
 15 be honest with you. I mean, I just -- I got two other  
 16 businesses, and it was the time of year -- one's a  
 17 nursery, spring comes, you've got a ton of work. So  
 18 upon compliant with this, it came to an issue where I  
 19 should actually separate my bus from my other commercial  
 20 vehicle policy.  
 21 I was busy with my nursery. I do the  
 22 Seattle Home Show, I get out of the home show, I am  
 23 swamped until June. So I just stopped providing the  
 24 service of driving people up the hill and went to work  
 25 doing my other work and -- but I didn't stop the

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1 website. I didn't stop Stevens Pass from advertising  
 2 it.  
 3 JUDGE CHARTOFF: Okay.  
 4 MR. SHARPE: Not at all. So I have full  
 5 intentions. I've had the paperwork filled out since I  
 6 was originally speaking with him, but when it came to  
 7 end of the season and separating the insurance policy  
 8 and was like I might as well wait until my policy renews  
 9 in the fall when the season is going to pick up again  
 10 and I will need to provide the service.  
 11 So I was just taking a time lapse because it  
 12 was -- you know, I only offer, at this time, rides to  
 13 the ski area. So if there's no skiing, there's no  
 14 reason for me to be concerned about it. So I just  
 15 stopped, and like I said, I didn't -- I kind of left him  
 16 in the dark, because he was expecting some paperwork and  
 17 it never arrived because I just stopped. Flat out  
 18 stopped.  
 19 JUDGE CHARTOFF: Okay.  
 20 MR. SHARPE: So I don't even have an  
 21 employee since March. So I mean, it's just me, so  
 22 there's no way I could even provide a service.  
 23 JUDGE CHARTOFF: So are you intending to  
 24 restart the business in the ski season?  
 25 MR. SHARPE: Well, yeah, totally. And then

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1 I'll have my -- all my insurance policies will be  
 2 separated from my other commercial vehicles and then --  
 3 because the way I read the paperwork in the insurance,  
 4 see, all my cars are insured under one policy through my  
 5 other company, but it looked to me like in this  
 6 paperwork, I should have a separate policy for this bus  
 7 just separate of all my other entity. And like I said,  
 8 it was end of March and I was busy. You know, spring  
 9 comes and you got a nursery, you gotta work. I mean,  
 10 that's just the way it goes. And the shuttle business  
 11 was not lucrative anyway, so it was really easy to walk  
 12 away from.  
 13 JUDGE CHARTOFF: Okay. Mr. Braun, do you  
 14 have anything to add?  
 15 MR. BRAUN: No, Your Honor. Not at this  
 16 time.  
 17 JUDGE CHARTOFF: Okay. So when we take a  
 18 break, you can talk with Staff and see if you can sign  
 19 an agreed order, and that order will say that you  
 20 agree -- oh, so let me -- do you agree that you were  
 21 operating without a permit?  
 22 MR. SHARPE: Well, I can't deny it because,  
 23 yeah, I didn't have -- I don't have a permit and my  
 24 website is still functioning today. So yeah, I  
 25 cannot --

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1 JUDGE CHARTOFF: And you agree --  
 2 MR. SHARPE: I'm not going to lie to you.  
 3 JUDGE CHARTOFF: Okay. And so the order  
 4 will say that you agree to stop operating until you get  
 5 a permit if you decide to apply for one, and it sounds  
 6 like you are.  
 7 MR. SHARPE: So that means I should just  
 8 call the guy and say, hey, can you stop my website from  
 9 advertising at this time? Because it's advertising a  
 10 couple other items besides the bus.  
 11 JUDGE CHARTOFF: You know, at the break, you  
 12 can talk to Mr. Braun and he -- he will be able to talk  
 13 to you about what you need to do to the website to be in  
 14 compliance.  
 15 MR. SHARPE: Yeah, because I intend to be  
 16 full complaint for the rest of my life with this. So  
 17 yeah, this isn't a short-term thing for me. Just the  
 18 starting point.  
 19 JUDGE CHARTOFF: Okay. And so the order  
 20 will also most likely include an agreement about the  
 21 penalty amount, but if not, you can explain why the  
 22 penalty should be different than what Staff is  
 23 recommending. Do you have any questions at this time?  
 24 Okay. So at this point, we are going to  
 25 take a break, and as soon as you have a chance to review

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1 the cease and desist orders with Staff, we can talk  
 2 about the -- you can talk about the penalty.  
 3 The penalty may be small or there may be a  
 4 reason why Staff asked for a larger penalty. For  
 5 example, if you have been in front of a judge here  
 6 before or you used to have a permit with the Commission  
 7 that was cancelled, a penalty recommendation will be  
 8 higher. Usually part of the penalty is suspended and  
 9 you will not have to pay it unless you break the law  
 10 again.  
 11 So -- yeah, after the recess, I will call  
 12 each of you back up, make sure you understand the order,  
 13 and I will sign it, and you can leave with a copy.  
 14 So is there anything else before we take a  
 15 break?  
 16 MR. BRAUN: No, Your Honor. Not from Staff.  
 17 JUDGE CHARTOFF: Okay. We are in recess.  
 18 (Recess taken from 9:22 a.m. to 10:16 a.m.)  
 19 JUDGE CHARTOFF: Okay. Let's be back on the  
 20 record at 10:16 a.m. So I understand the cease and  
 21 desist orders have been explained to each company, so I  
 22 will call you back up one at a time at the order we went  
 23 in before.  
 24 So I will call Latin Limousine, doing  
 25 business as HR Limousine, Hugo Rosales. Please come

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1 forward.  
 2 Mr. Rosales, do you understand the order  
 3 that was presented to you?  
 4 MR. ROSALES: Yes.  
 5 JUDGE CHARTOFF: Okay. And I see that you  
 6 and Mr. Raub have both signed it. It looks like there  
 7 are two violations in this case; one for offering  
 8 charter party or excursion services and one for  
 9 advertising. And there is a \$10,000 penalty, a 9,000  
 10 portion of the penalty is suspended for a period of two  
 11 years, and the company will pay \$1,000 today; is that  
 12 correct?  
 13 MR. ROSALES: Yes.  
 14 JUDGE CHARTOFF: Okay. And for the record,  
 15 you are agreeing to shut down unless you get a permit or  
 16 until you get a permit?  
 17 MR. ROSALES: I didn't understand the  
 18 question.  
 19 JUDGE CHARTOFF: Oh, okay. You agree that  
 20 you will not operate until you get a permit?  
 21 MR. ROSALES: Yes.  
 22 JUDGE CHARTOFF: Okay.  
 23 MR. ROSALES: I understood.  
 24 JUDGE CHARTOFF: Okay. And the \$9,000 is  
 25 suspended for two years from today's date, and that

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1 means that if Staff finds an advertisement or you offer  
 2 services during that time, you will have to pay the  
 3 \$9,000 penalty; do you understand that?  
 4 MR. ROSALES: Yes.  
 5 JUDGE CHARTOFF: And also, the order to  
 6 cease and desist is permanent. It never expires. So if  
 7 Staff discovers you are still operating, even after two  
 8 years, Staff can go straight to superior court and ask  
 9 for much higher penalties.  
 10 MR. ROSALES: All right.  
 11 JUDGE CHARTOFF: So it is very important  
 12 that you follow the law.  
 13 MR. ROSALES: Okay.  
 14 JUDGE CHARTOFF: Thank you.  
 15 Are there any additional questions about the  
 16 order?  
 17 MR. ROSALES: No.  
 18 JUDGE CHARTOFF: Okay. Then I will sign it.  
 19 Staff will make a copy for it and give you a copy, and  
 20 you will be free to go at that time.  
 21 MR. ROSALES: Thank you.  
 22 JUDGE CHARTOFF: Okay. Thank you.  
 23 Okay. Next I'll call Jake Sharpe.  
 24 Okay. Mr. Sharpe, did you have a chance to  
 25 read the whole order?

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1 MR. SHARPE: I did.  
 2 JUDGE CHARTOFF: Do you understand it?  
 3 MR. SHARPE: I do.  
 4 JUDGE CHARTOFF: Okay. And I see that both  
 5 you and Mr. Braun have signed it. It looks like there  
 6 are two violations in this case; one for --  
 7 MR. SHARPE: How come my violations cost  
 8 more than the other guy's violations when I can  
 9 guarantee you this guy's making a living off of his  
 10 violations and I ain't making nothing off of mine? I  
 11 mean, is there prejudice there? I mean, they're both  
 12 the same violations, but he's making a living off of  
 13 his.  
 14 JUDGE CHARTOFF: Mr. Sharpe, I can't discuss  
 15 the other --  
 16 MR. SHARPE: Yeah, I was just curious.  
 17 Since I got to hear it, I thought I would ask. You  
 18 asked me if I understood, so I guess I have a  
 19 misunderstanding there. But I'm willing to pay my fee  
 20 so I can be free to go, that's for sure.  
 21 JUDGE CHARTOFF: Okay. Do you --  
 22 MR. TURCOTT: Your Honor, should I comment  
 23 or no?  
 24 MR. SHARPE: It doesn't matter.  
 25 JUDGE CHARTOFF: Are -- are you -- you've

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1 signed this order. Are you willing to -- do you want me  
 2 to --  
 3 MR. SHARPE: I just want to pay so I'm free  
 4 to go.  
 5 JUDGE CHARTOFF: Okay.  
 6 MR. SHARPE: Yeah, I want to pay so I can be  
 7 free to go.  
 8 JUDGE CHARTOFF: Okay. Okay. So it looks  
 9 like a \$10,000 penalty will be imposed, but \$8,500 of  
 10 the penalty is suspended for a period of two years from  
 11 the date of the order, and you will pay, according to a  
 12 payment plan, with \$500 due today, \$500 due September  
 13 10th, and \$500 due October 8th.  
 14 Okay. So the 8,500 is suspended for two  
 15 years from today's date, and that means that if Staff  
 16 finds an advertisement or you offer charter party or  
 17 excursion carrier services during this time without a  
 18 permit, you will have to pay the \$8500 penalty; do you  
 19 understand?  
 20 MR. SHARPE: I do.  
 21 JUDGE CHARTOFF: Okay. And also, the order  
 22 to cease and desist is permanent. It never expires. So  
 23 if Staff discovers you are still operating, even after  
 24 the two years, without a permit, Staff can go straight  
 25 to superior court and ask for much higher penalties. So

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1 it is very important that you follow the law.  
 2 MR. SHARPE: Correct.  
 3 JUDGE CHARTOFF: Okay. And you have a  
 4 payment schedule. If you miss a payment, you will have  
 5 to pay the entire amount including the \$8,500 suspended  
 6 penalty. So if, for some reason, you're going to be  
 7 late making a payment, you must contact Staff and make  
 8 arrangements so you don't end up having to pay the  
 9 entire amount, okay?  
 10 MR. SHARPE: Mm-hmm.  
 11 JUDGE CHARTOFF: And do you understand  
 12 legally what you can and can't do?  
 13 MR. SHARPE: (Nodding head.)  
 14 JUDGE CHARTOFF: "Yes"?  
 15 MR. SHARPE: Yes.  
 16 JUDGE CHARTOFF: Okay. Remember that  
 17 Commission Staff is always available to assist you if  
 18 you have any questions. Do you have any questions about  
 19 the order?  
 20 MR. SHARPE: (Shaking head.)  
 21 JUDGE CHARTOFF: Okay. So I'm going to go  
 22 ahead and sign it, and Staff will make a copy of it for  
 23 you, and you'll be free to go.  
 24 Okay. Thank you. We are off the record.  
 25 (Adjourned at 10:24 a.m.)

CERTIFICATE

STATE OF WASHINGTON  
COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand Reporter in the State of Washington, do hereby certify that the foregoing transcript is true and accurate to the best of my knowledge, skill and ability.



Tayler Garlinghouse  
Tayler Garlinghouse, CCR 3358

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