

**Docket No. TV-210308 - Vol. I**

**In the Matter of I Heart Movers, LLC**

**June 24, 2021**



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APPEARANCES

(All parties appeared via videoconference)

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MATT PERKINSON

1 VIDEONCONFERENCE HEARING

2 JUNE 24, 2021

3 Witnesses:

Page

4 SANDRA YEOMANS

5 Direct By Mr. Callaghan

17

Cross By Mr. Callaghan

31

6 MATTHEW PERKINSON

7 Direct By Mr. Perkinson

35

8 Cross By Mr. Taylor

43

9 Redirect by Mr. Callaghan

48

10  
11 EXHIBIT INDEX

12 Exhibit No.

Admitted

13 SY-1, SY-2, and SY-3

17

1 OLYMPIA, WASHINGTON; JUNE 24, 2021

2 1:40 p.m.

3 -oOo-

4

5 THE COURT: Good afternoon. This is docket  
6 210308, which is captioned In the Matter of the  
7 Investigation of I Heart Movers, LLC, for compliance  
8 with Washington Administrative Code 480-15-560 and  
9 480-15-570.

10 My name is Rayne Pearson. I'm the  
11 Administrative Law Judge presiding over today's Brief  
12 Adjudicative Proceeding and today is Thursday,  
13 June 24th, 2021. The time is approximately 1:40 p.m.

14 On May 14th, 2021, the Commission issued a  
15 Notice of Intent to Cancel and Notice of Brief  
16 Adjudicative Proceeding, setting time for oral  
17 statements. The Commission issued the Notice of Intent  
18 to Cancel following a compliance review conducted by  
19 Commission Staff and completed in April 2021, which  
20 resulted in a proposed conditional safety rating for I  
21 Heart Movers.

22 The company had until June 10th, 2021, to  
23 file a proposed Safety Management Plan that is  
24 acceptable to staff.

25 Mr. Callaghan, as of this morning, has the

1 company provided a Draft Safety Management Plan to  
2 staff?

3 MR. CALLAGHAN: They have, Your Honor. It  
4 was not provided on June 10th. And Staff did not find  
5 it to be satisfactory.

6 THE COURT: Okay. So before we get started,  
7 I also wanted to address the penalty assessment in  
8 Docket TV-210309 in the amount of \$19,600.

9 The company filed an application for  
10 mitigation in that docket and requested a hearing. So  
11 I'm assuming that both parties are fine with  
12 consolidating those two dockets so we can address all of  
13 the issues here today. Is that correct?

14 MR. CALLAGHAN: Your Honor, I -- I had not  
15 anticipated that those dockets would be consolidated.  
16 But if -- if I could consult briefly with Staff just to  
17 make sure that they are fine with that, I think they  
18 probably will be.

19 THE COURT: Sure.

20 MR. CALLAGHAN: Thank you, Your Honor. We  
21 are fine with proceeding with consolidating those  
22 dockets.

23 THE COURT: Okay. And, Mr. Taylor, I assume  
24 that you are as well?

25 MR. TAYLOR: Yes, that's fine.

1 THE COURT: Okay. Great. Those matters are  
2 consolidated, and we will hear from the parties on both  
3 dockets this afternoon.

4 So when I call on each party to testify, I  
5 will swear you in with oath of witness. So anything  
6 that you testify to today will be under oath and will be  
7 considered sworn testimony.

8 For the court reporter's benefit, please  
9 speak slowly and clearly. Once you are sworn in, you  
10 can present your testimony.

11 So let's first have Staff address -- address  
12 the proposed safety rating.

13 Following Staff's presentation, Mr. Taylor,  
14 you can ask Staff any questions that you have; and then  
15 you can present your testimony. And at that time, you  
16 can address the violations in the penalty assessment and  
17 put forward any request for mitigation or reducing the  
18 penalty.

19 And once you're done testifying, Staff's  
20 attorney may have some questions for you. And then  
21 Staff will make a recommendation on the penalty.

22 Do you have any questions about this process  
23 before we get started?

24 MR. TAYLOR: Not at the moment, no.

25 THE COURT: Okay. And we'll walk you

1 through it too. So let's begin by taking an appearance  
2 from Commission Staff.

3 MR. CALLAGHAN: Thank you, Your Honor. I'm  
4 Assistant Attorney General, Nash Callaghan, appearing on  
5 behalf of Commission Staff. Present with me is Staff  
6 member Sandra Yeomans and Matthew Perkinson.

7 THE COURT: Okay. And for the company,  
8 Mr. Taylor, if you could state your full name and  
9 address for the record, spelling your name for the court  
10 reporter, and then also include your phone number and  
11 your e-mail address.

12 MR. TAYLOR: Deavon Diaponce Taylor.  
13 D-e-a-v-o-n, D-i-a-p-o-n-c-e, T-a-y-l-o-r. 2727  
14 Northeast 125th Street, Unit 10, Seattle, Washington  
15 98125. 206-913-9723. bookingmvr@gmail.com.

16 THE COURT: Great. Thank you.

17 Okay. So, Mr. Callaghan, you may proceed  
18 with the issue of the company's proposed conditional  
19 safety rating when you're ready.

20 MR. CALLAGHAN: Thank you, Your Honor.

21 First, if the company has no objection,  
22 Staff would offer proposed Exhibits SY-1, -2, and -3  
23 into evidence.

24 THE COURT: Okay. Mr. Taylor, do you have  
25 any objection to those exhibits being admitted into the



1 record?

2 MR. TAYLOR: Just a quick question. Like,  
3 I'm extremely in deep water here, because I don't even  
4 have an idea of what's going on. So I don't even know  
5 what I would be agreeing to if I was to say yes or no,  
6 I'm pretty sure on a majority of these topics. So am I  
7 supposed to be doing this alone?

8 THE COURT: Well, I mean, you could have  
9 hired an attorney, but most of the time people don't.  
10 So I'm pretty used to having unrepresented people here,  
11 and that's why I was saying that I'll make sure to walk  
12 you through it and answer all your questions, because I  
13 want you to be comfortable.

14 MR. TAYLOR: Okay. Perfect. Could you just  
15 explain --

16 THE COURT: Yes, I will. Let me just pull  
17 up the witness list real quickly so that I can explain  
18 to you exactly what the documents are.

19 MR. TAYLOR: Okay.

20 THE COURT: Okay. So what staff has  
21 submitted, I'm guessing, are all documents that you are  
22 familiar with. The first one is the compliance review  
23 that you would have received when you got the proposed  
24 safety rating, and then there is the Safety Management  
25 Plan that I believe you submitted.

1                   Can I just confirm that with Staff. It  
2 says, "I Heart Movers, LLC, Safety Management Plan," 43  
3 pages.

4                   Was that the plan that the company  
5 submitted?

6                   MR. CALLAGHAN: That is the plan that they  
7 submitted in 2020 as --

8                   THE COURT: In 2020. Okay.

9                   MR. CALLAGHAN: Yes. So that is not the  
10 most recent Safety Management Plan.

11                   THE COURT: Okay. And then we have Staff's  
12 recommendation to impose the suspended penalty in that  
13 previous docket, which -- was that in the notice for the  
14 hearing, Mr. Callaghan?

15                   MR. CALLAGHAN: Was the -- was Exhibit 3 in  
16 the notice?

17                   THE COURT: No. Was staff's request to  
18 impose the suspended penalty from another docket in the  
19 notice of hearing in the Notice of Intent to Cancel that  
20 went out?

21                   MR. CALLAGHAN: No. Staff was going to  
22 provide it as evidence of the -- just to demonstrate  
23 that the past penalties, the past issues are recurring.

24                   THE COURT: Okay. So is -- I guess I need  
25 clarification. Is this a new motion to impose suspended

1 penalties? Or are you showing that a motion was made  
2 and either granted or denied and disposed of in the  
3 past?

4 MR. CALLAGHAN: I'm just offering it to  
5 indicate what Staff's recommendation is in the next  
6 docket. It's not an exhibit that proves that a decision  
7 was made based on that recommendation.

8 THE COURT: Okay. I need to look at it  
9 because I'm confused.

10 MR. TAYLOR: Can I have a quick minute to  
11 just grab that piece of paper to find all of my  
12 violations?

13 THE COURT: Yes.

14 MR. TAYLOR: Okay.

15 THE COURT: My computer is a really slow.  
16 Please bear with me. It is not just promptly opening up  
17 the document.

18 MR. CALLAGHAN: And, Your Honor, Exhibit 3  
19 is not a crucial element of Staff's case. So if -- if  
20 Your Honor is not comfortable with admitting it, we  
21 would be fine with withdrawing it.

22 THE COURT: I'm trying to -- I need to go  
23 into the docket and see what happened after Staff's  
24 recommendation was submitted.

25 Okay. I see the suspended penalty was

1 imposed. That was my question. So it was -- I was  
2 trying to clarify whether you were seeking to impose a  
3 suspended penalty in this proceeding or if this was just  
4 other evidence that you wanted the Commission to take  
5 into consideration.

6 MR. CALLAGHAN: Yes, this is other evidence.

7 THE COURT: Okay.

8 MR. TAYLOR: I'm going to run downstairs and  
9 grab the papers really fast.

10 THE COURT: Okay. We'll just -- why don't  
11 we take a brief recess until Mr. Taylor is back.

12 MR. CALLAGHAN: Thank you, Your Honor.

13 (A break was taken from  
14 1:49 p.m. to 1:51 p.m.)

15 THE COURT: So we can be back on the record  
16 now.

17 And, Mr. Taylor, did you grab a copy of the  
18 penalty assessment with the violations?

19 MR. TAYLOR: Yes, just the -- one second.  
20 It was -- it said "Final Report" on it, so I grabbed  
21 that one.

22 THE COURT: Okay. Perfect. Okay. So do  
23 you have any objection to Staff's exhibits?

24 And just to explain to you what they are  
25 again, there was the -- the report that you were given

1 following the State's investigation, then there was your  
2 Safety Management Plan that you submitted, and then the  
3 third item was the letter that you received back in May  
4 when Staff requested to impose the suspended penalties,  
5 which then the Commission did, by a letter that looks  
6 like it was issued on May 19th.

7 MR. CALLAGHAN: And, Your Honor, if I could,  
8 just to be clear, Exhibit SY-2 is the Safety Management  
9 Plan that was submitted in 2020. It's not the most  
10 current one.

11 THE COURT: Okay. Okay.

12 MR. TAYLOR: And is there a way -- so I've  
13 submitted, like, a final draft of that.

14 Is there any way that I could have them  
15 check that now and see if we could have that submitted  
16 as well?

17 THE COURT: I'm not sure if they would have  
18 enough time to do it now. Usually what we do in these  
19 situations -- I'm really glad to hear that you have  
20 it -- is to have you submit it to staff now. We'll go  
21 ahead and finish the hearing and then give Staff the  
22 rest of the afternoon today and then possibly part of  
23 tomorrow to conduct its review. And then they would  
24 give me a recommendation. Because I need to issue an  
25 order by close of business tomorrow to avoid having your

1 permit canceled.

2 So what would happen is after the hearing  
3 today, Staff would review what you submitted, and then  
4 they would file a recommendation, a written evaluation  
5 in the docket tomorrow, and then I would issue an order  
6 tomorrow afternoon based on Staff's recommendation.

7 MR. TAYLOR: Okay.

8 THE COURT: Okay. So do you have that  
9 electronically? Do you want to send that over to staff  
10 right now?

11 MR. TAYLOR: Yeah, I want to say I sent it  
12 to Jason Sharp already, but I could resend.

13 THE COURT: Yeah, can you send it to  
14 Mr. Perkinson?

15 MR. TAYLOR: Yeah. And one quick thing. So  
16 the easiest way for me to share, like, the supporting  
17 documents is to put them into, like, a Google Drive or  
18 something. They are too big to send individually.

19 And then also I know that there are -- with  
20 respect to files. So is it possible for me to share --  
21 or if you could share his e-mail and then I could share  
22 the Google Drive with him as well.

23 MR. CALLAGHAN: So, Your Honor, sorry, just  
24 to interrupt. But Staff has access to the Safety  
25 Management Plan that Mr. Taylor submitted. We -- Staff

1 believes that it's insufficient, and we're asking to  
2 move forward with the cancellation.

3 MR. TAYLOR: Go ahead.

4 THE COURT: I was just going to ask you,  
5 Mr. Taylor, if this is a new version or if --

6 MR. TAYLOR: I just received -- I sent one  
7 in earlier today, and then received an e-mail back from  
8 Jason saying that it was insufficient. And then I just  
9 sent one in maybe, like, 20 minutes ago, 30 minutes ago  
10 or so.

11 THE COURT: Okay. Then, yes, please do  
12 provide that link to Staff right now. And they can look  
13 at your updates.

14 MR. TAYLOR: I'm going to need somebody  
15 to -- well, I think Sandy has access to it. If  
16 Sandra -- if it's all the same.

17 THE COURT: I'm not familiar enough with how  
18 Google drives work or if it just is the same link but  
19 with updated information and she can use the same link.  
20 Is that how it works?

21 MR. TAYLOR: I believe so. But is it okay.  
22 Can anyone accept a zip file? Because I can send it as  
23 a zip file as well.

24 THE COURT: Mr. Perkinson, do you know the  
25 answer to that?

1 MR. PERKINSON: Just -- this is Mathew  
2 Perkinson. To clarify, we did provide feedback to the  
3 company on its initial Draft Safety Management Plan.  
4 And just as Deavon said, he responded and provided  
5 another version of the Safety Management Plan. Jason  
6 essentially communicated to me that we've received the  
7 plan, but we haven't had an opportunity to review it.

8 THE COURT: Okay.

9 MR. PERKINSON: So that's where we are right  
10 now. And I don't know if that includes reviewing the  
11 specific documents through Google Drive or not.

12 THE COURT: Okay. But it sounds like Staff  
13 is in possession of it or has access to it and will be  
14 reviewing it after the hearing today; is that correct?

15 MR. PERKINSON: Yes.

16 THE COURT: Okay.

17 MR. TAYLOR: And, Your Honor, if I could say  
18 one more thing. I just want to make sure that -- if  
19 Google Drive isn't the best way to do it, I would like  
20 another method that they can maybe provide me that I can  
21 get it to them. Just because earlier, some things  
22 hadn't come through for Jason, and I had to resubmit  
23 them. So I just don't want the same situation to happen  
24 again, especially if there's no fixing it after, you  
25 know.



1 THE COURT: And that's -- I don't think it's  
2 a final process. I think that if they can't look at --  
3 look at it or open it, they will let you know.

4 MR. TAYLOR: Okay.

5 THE COURT: And make sure that they are able  
6 to get a copy of that from you.

7 MR. TAYLOR: Okay.

8 THE COURT: Okay. All right. So are you  
9 okay with admitting those three exhibits into the  
10 record?

11 MR. TAYLOR: Yes.

12 THE COURT: All right. So we will admit  
13 those and mark them as SY-1, SY-2, and SY-3.

14 (Exhibits SY-1, SY-2, and SY-3  
15 were marked and admitted.)

16 THE COURT: Mr. Callaghan, if you wanted to  
17 proceed with your first witness, we can do that.

18 MR. CALLAGHAN: Thank you, Your Honor.  
19 Staff would call Sandra Yeomans to testify.

20 THE COURT: Okay.

21 MS. YEOMANS: Thank you. I'm ready.

22 THE COURT: Okay. Can you raise your right  
23 hand? I will swear you in.

24 MS. YEOMANS: Okay.

25 THE COURT: All right. Do you swear or

1 affirm the testimony you give today will be the truth,  
2 the whole truth, and nothing but the truth?

3 MS. YEOMANS: I do.

4 THE COURT: All right. Thank you very much.

5 Mr. Callaghan, you may proceed whenever you  
6 are ready.

7 MR. CALLAGHAN: Thank you, Your Honor.

8 D I R E C T E X A M I N A T I O N

9 BY MR. CALLAGHAN:

10 Q. Ms. Yeomans, can you please state your name and  
11 spell your last name for the record?

12 A. My name is Sandra Yeomans. And the last name is  
13 Y-e-o-m-a-n-s.

14 Q. And what is your current occupation?

15 A. I'm a Special Investigator for Utilities and  
16 Transportation Commission.

17 Q. How long have you been in that position?

18 A. Approximately six years.

19 Q. What does that position involve?

20 A. We perform compliance investigations, vehicle  
21 inspections, training, and various other duties.

22 Q. Were you assigned to conduct a compliance review  
23 of I Heart Movers in April of this year?

24 A. Yes.

25 Q. Did you write a report summarizing your review?

1 A. Yes.

2 Q. And is that report Exhibit SY-1?

3 A. Yes.

4 Q. And did you conduct a compliance review of I  
5 Heart Movers on April 28th, 2021?

6 A. I concluded it, yeah, on April 28th.

7 Q. Okay. And what is a compliance review? What  
8 are you checking?

9 A. We're verifying that the carrier is in  
10 compliance with all federal, state, and local rules and  
11 regulation based on the type of operation; in this case,  
12 household goods.

13 Q. During your review, did you find 103 critical  
14 violations?

15 A. Yes.

16 Q. What were those critical violations?

17 A. No medical exams, no criminal background checks,  
18 and no record of duty status.

19 Q. And why is it important for a household good  
20 mover to follow those safety regulations?

21 A. The regulations ensure that carriers operate in  
22 a safe manner and prevent accidents and also fairness  
23 within the household good industry.

24 Q. Does not following these regulations pose a  
25 danger to the company's customers and to the general

1 public?

2 A. Yes.

3 Q. And during your review, did you also find  
4 general violations?

5 A. Yes. There was 43 general violations.

6 Q. And those violations are listed in your report?

7 A. Yes.

8 Q. Based on the violations you found in this  
9 review, what safety rating did I Heart Movers receive?

10 A. They received a conditional rating.

11 Q. And did you give the company notice of the  
12 results of the compliance review?

13 A. Yes, during the closing on April 28th of 2021.

14 Q. Okay. As part of your assignment to this case,  
15 did you review the company's recent history with the  
16 Commission?

17 A. Yes.

18 Q. Did the company receive penalties for safety  
19 violations in the past?

20 A. Yes.

21 Q. And did the company agree to a Safety Management  
22 Plan that was approved by the Commission on August 31st,  
23 2020, in Order One of Dockets TV-200268 and 200267?  
24 627. I apologize.

25 A. Yes.

1 Q. And that is -- that Safety Management Plan is  
2 Exhibit SY-2; correct?

3 A. Yes.

4 Q. And did the company comply with the order in  
5 those dockets or comply with the last Safety Management  
6 Plan?

7 A. No.

8 Q. Is Exhibit SY-3 a letter -- a staff letter  
9 indicating noncompliance with Order One of those dockets  
10 and recommending suspended penalties?

11 A. Yes.

12 Q. In this case, have you had any communication  
13 with the company since you informed it of the  
14 conditional safety rating?

15 A. Yes.

16 Q. And did the company ask to talk with you over  
17 the phone?

18 A. Yes.

19 Q. Were you available at the time the -- the  
20 company asked to talk with you?

21 A. Yes.

22 Q. Did the company call you or you call them at the  
23 times you were scheduled to talk?

24 A. I called them, but there was a couple of  
25 occasions that Mr. Taylor did not call me.

1 Q. Okay. Were -- at the time that the company  
2 asked you to talk, were you available?

3 A. Yes.

4 Q. All right. And were you able to make contact  
5 with the company?

6 A. Not in either -- not in either case. At the  
7 times that were scheduled that he was to call me, I did  
8 not receive a call. And when arrangements were made for  
9 me to contact him, I did not get an answer.

10 Q. Okay. And did this -- so this occurred more  
11 than once?

12 A. Yes.

13 Q. Okay. According to the Notice of Intent to  
14 Cancel issued in this docket, was the company supposed  
15 to submit a Safety Management Plan by June 10th of this  
16 year?

17 A. Yes.

18 Q. And did they?

19 A. No.

20 Q. Has Staff reviewed the Safety Management Plan  
21 that the company eventually did submit?

22 A. Yes.

23 Q. And to be clear, the staff has not had the  
24 opportunity to review the most recently submitted  
25 version; correct?

1 A. Correct. Yeah. That came in right before this  
2 hearing.

3 Q. Okay. But, again, the company was due to submit  
4 that Safety Management Plan on June 10th; correct?

5 A. Correct.

6 Q. And based on the latest version of the Safety  
7 Management Plan submitted in this case that you've  
8 reviewed, is it substantially the same as the company's  
9 last Safety Management Plan?

10 A. I believe so, yes.

11 Q. And did the company follow its last Safety  
12 Management Plan?

13 A. No.

14 MR. CALLAGHAN: Thank you.

15 Your Honor, I have no further questions for  
16 Ms. Yeomans.

17 THE COURT: Thank you.

18 Mr. Taylor, do you have any questions for  
19 Ms. Yeomans?

20 MR. TAYLOR: This is one of those situations  
21 where I feel like I should, but I just -- I'm so in deep  
22 water on this, you know. So I mean, I don't have --  
23 sorry, I'm not a lawyer.

24 THE COURT: Okay. Well, I think it's okay  
25 if you don't have questions now or when we get to your

1 portion. We can always circle back, because you're  
2 going to have an opportunity to speak to each of the  
3 violations and the penalty assessment and explain to me,  
4 like, what went wrong, what you've done to fix it, and  
5 all that stuff.

6 MR. TAYLOR: Okay. All right. No, I don't  
7 have any questions.

8 THE COURT: Okay. All right. Well, then,  
9 Mr. Taylor, it is going to be your turn. So if you  
10 could raise your right hand and I will swear you in.

11 MR. CALLAGHAN: Your Honor, I apologize. I  
12 was intending to call Mr. Perkinson to testify as well.

13 THE COURT: Okay. Typically, I do that  
14 after the company testifies, because then Mr. Perkinson  
15 can provide his recommendation on the penalty after he's  
16 heard from the company on its mitigation request.

17 MR. CALLAGHAN: My apologies.

18 THE COURT: Okay. All right. Mr. Taylor,  
19 if you could raise your right hand. Do you swear or  
20 affirm that the testimony you give today will be the  
21 truth, the whole truth, and nothing but the truth?

22 MR. TAYLOR: I do.

23 THE COURT: Okay. Great. All right. So  
24 let's walk through each of the violations in the penalty  
25 assessment. And like I said, you can just briefly



1 explain to me kind of what went wrong, and then describe  
2 what you've done to correct the violations and to  
3 prevent it from occurring again.

4 So let's start with the first violation,  
5 which was for WAC 480-15-555 for failing to obtain  
6 criminal background checks. It looks like there were  
7 ten violations.

8 Do you want to speak to that?

9 MR. TAYLOR: Yeah, Your Honor. Can I print  
10 out my Safety Management Plan really fast and run and  
11 grab it? Is that okay?

12 THE COURT: Sure. Why don't we just --  
13 that's totally fine. We'll just wait for you.

14 MR. TAYLOR: Sorry about that.

15 THE COURT: That's okay.

16 (A break was taken from  
17 2:07 p.m. to 2:08 p.m.)

18 THE COURT: Okay. Great. So would you like  
19 to just go ahead and speak to that first violation  
20 related to criminal background checks.

21 MR. TAYLOR: And I'm just basically  
22 explaining what went wrong, pretty much?

23 THE COURT: Yes. What went wrong?  
24 Particularly, if you could speak to, you know, what  
25 happened. Because I understand that you had a penalty

1 and a safety investigation before. So maybe, you know,  
2 how -- how this happened despite having a Safety  
3 Management Plan in place.

4 MR. TAYLOR: Yeah. And I do want to take  
5 responsibility for things. I know sometimes, like,  
6 explaining something sounds like you are trying to  
7 excuse it, and I'm definitely not. But in this --

8 THE COURT: You cut out there -- you cut out  
9 there for just one second. Could you repeat that last  
10 sentence that you said.

11 MR. TAYLOR: I was just saying, I wanted to  
12 initially just take responsibility for the -- you know,  
13 all of them, just because sometimes when you are  
14 explaining something, it sounds like you are trying to  
15 excuse it. And I don't want it to come across like  
16 that. I don't want my words to be read that way.

17 THE COURT: I appreciate that. Thank you.

18 MR. TAYLOR: So in reference to that one,  
19 the three drivers that I had is Anthony, Abraham,  
20 Deavon, myself, and Francis Nunez. With all of them  
21 I've since -- I mean, before the -- what are we doing?  
22 Background checks.

23 Yeah, I've since gained the background  
24 checks for them. Like, initially, when I would hire  
25 someone, my normal way of doing it was, like, hey, you

1 know, somebody contacts me back from, like, an ad or  
2 something that I meet through a friend, and be, like,  
3 okay, I can be a mover. So initially when I work with  
4 them, I bring paperwork for them to fill out and stuff  
5 like that. Go to work with them. And then, you know,  
6 try to get that paperwork back throughout time. It  
7 didn't work. You know, it doesn't work.

8 That's really what happened here, especially  
9 with Anthony and Frank -- Francis. I know both of them,  
10 and they just wouldn't get the paperwork back to me in  
11 the fashion that I needed it back. And then some  
12 incidents, you know, it would just turn into, like, kind  
13 of an afterthought at some point.

14 Myself, I really didn't know that was a  
15 thing. Like, I didn't know I was supposed to fill  
16 out -- sorry -- do a background check on myself, being  
17 that I was the owner.

18 But since talking to Sandra and going  
19 through this whole process, I understand the difference  
20 between operator/owner, and that I'm also required to  
21 conduct background checks and, you know, basically hold  
22 myself to the same standard that I would an employee.

23 THE COURT: Okay. So you feel like you have  
24 gained a better understanding of the requirements now?

25 MR. TAYLOR: For sure. I -- in my history

1 of employment, maybe if it was, like, a food field or  
2 something like that, you would go -- you get the job and  
3 then work on getting your food card. I kind of felt  
4 like these things were the same as that, but you know, I  
5 understand they are not now.

6 THE COURT: Okay. All right. And then the  
7 next violation is for failing to maintain a rental  
8 agreement with information about a leased vehicle.

9 MR. TAYLOR: Let me -- can you -- what's the  
10 code for that one?

11 THE COURT: It's WAC 480-15-590, subsection  
12 (4).

13 MR. TAYLOR: And then you'd just like me to  
14 explain that one as well?

15 THE COURT: Yes, please.

16 MR. TAYLOR: So I actually submitted a copy  
17 of what I do get from the place that I rent all my  
18 equipment from. I'm pretty sure it's what you guys are  
19 requesting. It's -- they give it to me beforehand. I  
20 keep it in the truck, and then they send me one  
21 afterwards. It has all the requirements and all the --  
22 you know, the fine print that you're looking for.

23 This -- I remember last time I was  
24 investigated Sandra did ask for it. This time, I  
25 honestly just missed the request for it. I have them

1 all in my e-mails. They e-mail me every single one, so  
2 I could have provided them. I just -- I genuinely did  
3 not see or hear the request for them this round.

4 THE COURT: Okay. So you're saying that you  
5 had them in your possession but you failed to provide  
6 them?

7 MR. TAYLOR: Yeah. I submitted one in the  
8 Safety Management Plan as well, as a supporting  
9 document.

10 THE COURT: Okay.

11 MR. TAYLOR: Just like a recent -- just a  
12 recent one that I received recently, you know.

13 THE COURT: Okay. And then it looks like  
14 there was a violation of 49 CFR Section 391.11(b)(5). I  
15 think it was for you driving with a suspended commercial  
16 driver's license.

17 MR. TAYLOR: It was my little brother.

18 THE COURT: Okay.

19 MR. TAYLOR: I had found out that it was  
20 suspended. It was kind of anticipating him coming back.  
21 Just being a business owner, you kind of want drivers.  
22 He told me that he fixed the issues and his license was  
23 not suspended. I took his word for it and then later  
24 found out different.

25 THE COURT: Okay. Has that been corrected

1 now?

2 MR. TAYLOR: Yeah. Before I -- I mean, I'll  
3 never take somebody's word for it again. He's not going  
4 to work as a driver any longer. But even going forward,  
5 anyone else I'm just going to pull an abstract before I  
6 let them back on the road.

7 THE COURT: Okay. All right. Then the next  
8 violation is 49 CFR Section 391.45(a), failing to  
9 require employees to be medically examined and  
10 certified. This is the medical card violation.

11 MR. TAYLOR: Yes. That is the same three  
12 people, I think. It is going to be myself, Francis, and  
13 Anthony. And this is another thing where I kind of felt  
14 like it was something -- like, as long as you are in the  
15 process of getting it done, you're kind of getting it  
16 done. They did obtain their medical cards.

17 And then the other one was myself. And  
18 again, I didn't know that I was supposed to personally  
19 have a medical card to verify my health, being that I  
20 know my health personally. I'm sorry if that was, like,  
21 word salad.

22 THE COURT: You're fine. So do you have  
23 your medical card now?

24 MR. TAYLOR: I do, yes.

25 THE COURT: Everyone does?

1 MR. TAYLOR: Anthony and Francis does as  
2 well. But Anthony is no longer going to be working for  
3 me.

4 THE COURT: Okay. All right. And then 49  
5 CFR Section 395.8(a)(1). Failing to require drivers to  
6 make a record of duty status.

7 MR. TAYLOR: Yeah, absolutely my fault. I  
8 mean, this is something I ask them to do. When they  
9 just kind of don't do it, then it kind of becomes an  
10 afterthought. I'll stop asking for them; they will stop  
11 doing them.

12 I most likely am going to just do it myself  
13 going forward. It is a lot easier for me rather than  
14 keeping up with individuals, like, over and over and  
15 over asking them to do it. One second. Let me just  
16 read off of my -- okay.

17 So how I'm going to do it is bi-weekly. I'm  
18 basically just going to do my payroll off of it. I'll  
19 periodically see it because every time, like, every  
20 three days or two or something, when I get the invoices,  
21 I'll just put the hours that they worked in there. So I  
22 will be able to make sure that they are not exceeding  
23 their working or driving hours.

24 THE COURT: Okay. All right. And then  
25 finally is the violation of 49 CFR part 396.17(a).

1 Using a commercial motor vehicle that was not  
2 periodically inspected. There was one violation for  
3 that.

4 MR. TAYLOR: Yeah. On this one I purchased  
5 the vehicle new. Well, not new used, but from a good  
6 lot. I -- I didn't -- I probably should have known that  
7 I was -- like, when I get it off the lot, to go get it  
8 inspected, like, initially, but I didn't. I just didn't  
9 do it. I mean, that's totally on me.

10 So once I do get the vehicle -- it's out of  
11 service right now, so I'm not using it. But once I do  
12 get the vehicle fixed, I intend to take it somewhere to  
13 get it annually inspected, and then follow up with that  
14 using Google calendars between me and Lorena, who is  
15 going to be helping me a lot on this type of stuff.

16 THE COURT: Okay. All right. Does staff  
17 have any questions for Mr. Taylor?

18 MR. CALLAGHAN: I -- I do have a few, Your  
19 Honor.

20 THE COURT: Okay. Go ahead.

21 MR. CALLAGHAN: Okay. Thank you.

22 C R O S S - E X A M I N A T I O N

23 BY MR. CALLAGHAN:

24 Q. Mr. Taylor, I believe -- although, correct me if  
25 I'm wrong. I believe I heard that you said that prior



1 to this compliance review, you did not know that the  
2 criminal background check was a requirement; is that  
3 right?

4 A. Repeat that one more time.

5 Q. I believe that you said that prior to this case,  
6 you didn't know that the criminal background check was  
7 required?

8 A. I -- I stated that -- well, true and false. I  
9 stated that I did not know that it was a requirement  
10 before hiring. I felt like it was something that could  
11 happen during the process of hiring.

12 Q. Okay. Do you remember the 2020 case in which  
13 you were assessed penalties?

14 A. Portions of it, of course.

15 Q. Okay. Do you remember as part of that case, you  
16 agreed -- you didn't contest that the violations had  
17 occurred?

18 A. I mitigated, I believe. Is that what you're  
19 asking? I'm sorry.

20 Q. Did you contest whether the violations had, in  
21 fact, occurred?

22 A. No. No.

23 Q. Okay. And do you recall receiving a part of  
24 your penalty was for five violations of failing to  
25 complete a criminal background check?

1           A.    Do I remember receiving the penalties, the  
2           dollar amount?  I'm not too sure -- or the amount of  
3           infractions or violations.

4           Q.    I guess my question is do you remember receiving  
5           five violations for failure to complete background  
6           checks on -- on the -- the people that the carrier  
7           intended to hire?

8           A.    Yes.  I remember receiving violations.  As I  
9           said, although I don't remember the -- the string  
10          number.  But if it is five, it is five.  I'll agree with  
11          you.

12          Q.    Okay.  So it seems like you did know that the  
13          criminal background check was a requirement?

14          A.    Of course, as I said, I just felt like it was  
15          something that could happen in the process of hiring  
16          someone, rather than before they ever worked.  I didn't  
17          know about the "before they ever worked" part.

18          Q.    Okay.  And so you stated that -- I believe you  
19          stated that you've since either received criminal  
20          background checks for your employees or that those  
21          individuals are no longer working for you; is that  
22          correct?

23          A.    Yes.

24          Q.    And have you provided Commission Staff with  
25          evidence of that?

1           A.    Yeah.  In the most recent, I guess,  
2   quote/unquote, update -- for lack of a better word -- in  
3   the Google Drive, yes, they are all in there.

4           Q.    Okay.  And is that also the case for the medical  
5   examinations?

6           A.    Yes.

7           Q.    Okay.

8           A.    I did put Anthony's in there just because.  Just  
9   so that you guys could see that I do it.  But as I said,  
10  he no longer works for me.

11          Q.    Okay.  And was that evidence of the updated  
12  criminal background checks and medical examinations, was  
13  that provided in the most recent copy of the Safety  
14  Management Plan that was submitted today?

15          A.    Well, yeah, it should be.  But the thing is, is  
16  I'm not -- so, you know, being like tech savvy is  
17  relative.  I'm just using Google Drive to put everything  
18  in there so I would assume that Jason would have it and  
19  maybe everybody has ahold of it.  But if you guys don't,  
20  as I said, just give me a good way to send it to you.  
21  And I can send it via that method.

22                   MR. CALLAGHAN:  Okay.  I have no further  
23  questions for Mr. Taylor.  Thank you.

24                   THE COURT:  All right.

25                   Mr. Callaghan, did you want to call

1 Mr. Perkinson?

2 MR. CALLAGHAN: I do, Your Honor.

3 THE COURT: Okay. All right.

4 Mr. Perkinson, if you could raise your right  
5 hand, I'll swear you in.

6 Do you swear or affirm that the testimony  
7 you give today will be the truth, the whole truth, and  
8 nothing but the truth.

9 MR. PERKINSON: I do.

10 THE COURT: Go ahead, Mr. Callaghan.

11 MR. CALLAGHAN: Thank you, Your Honor.

12 D I R E C T E X A M I N A T I O N

13 BY MR. CALLAGHAN:

14 Q. Mr. Perkinson, could you please state your name  
15 and spell your last name for the record?

16 A. It's Matthew Perkinson. P-e-r-k-i-n-s-o-n.

17 Q. Where do you work?

18 A. I work at the Utilities and Transportation  
19 Commission in the Transportation Safety Division.

20 Q. And how long have you been in that position?

21 A. About two years.

22 Q. What does your position involve?

23 A. As it relates to this docket, I make final  
24 recommendations to the Commission of motor carrier  
25 safety compliance reviews or interventions that result

1 in penalty assessments or motor carrier safety  
2 violations dealing with permit cancellations. I also  
3 make sure that the work is done consistently with the  
4 Commission's enforcement policy.

5 Q. All right. And during your time at the  
6 Commission, have you ever worked on compliance issues  
7 with I Heart Movers?

8 A. Yes.

9 Q. Are you generally aware of I Heart Movers'  
10 enforcement history with the Commission?

11 A. Yes, I am.

12 Q. Does I Heart Movers have a history of violating  
13 safety regulations?

14 A. Yes, it does.

15 Q. Has the Commission imposed penalties on I Heart  
16 Movers for violating safety regulations in the past?

17 A. Yes.

18 Q. And did Commission Staff discover safety  
19 violations during a previous compliance review?

20 A. Yes, it did. Between April and July of 2020.

21 Q. Did Staff work with the company to develop a  
22 Safety Management Plan to help the company avoid future  
23 safety violations?

24 A. Yeah. Any company that -- any provisional  
25 household goods company that receives a conditional

1 safety rating is afforded an opportunity to develop a  
2 Safety Management Plan to gain compliance and upgrade  
3 its rating.

4 Our team worked with the company in this case,  
5 and the company developed a Safety Management Plan that  
6 was ultimately accepted back then.

7 Q. And in that previous case, did the company agree  
8 to the conditions that staff hoped would lead to  
9 compliance?

10 A. Yes. The company agreed to not commit repeat  
11 violations and follow its own approved Safety Management  
12 Plan.

13 Q. And are you the supervisor of the Commission  
14 staff member who conducted that compliance review?

15 A. Jason Sharp supervises the motor carrier safety  
16 team, and I'm Jason Sharp's manager.

17 Q. What were the results of the compliance review?

18 A. Generally speaking, my team documented 16  
19 violation types, including 240 occurrences of safety  
20 requirement violations, and proposed a conditional  
21 safety rating for the company.

22 Q. After the compliance review in April of this  
23 year found safety violations that resulted in a  
24 conditional safety rating, what did staff decide was the  
25 appropriate response for enforcement?

1           A.     Our team recommended that the Commission issue  
2 Notice of Intent to cancel the company's provisional  
3 operating authority.

4           Q.     All right. Given the company's history with the  
5 Commission, would any other enforcement action be  
6 sufficient?

7           A.     Staff would say that the company neglected its  
8 commitment to comply with its own Safety Management Plan  
9 and the safety requirements imposed on other household  
10 goods companies by the Washington State legislature and  
11 the UTC.

12                     Our team has, on numerous occasions, provided  
13 technical assistance, repeatedly tried to assist the  
14 company. Despite those attempts, the company continued  
15 to allow unqualified drivers to operate commercial  
16 vehicles, not following recommended inspection  
17 maintenance schedules.

18                     And so to answer your question, Staff does  
19 believe that the company doesn't take safety seriously.  
20 It doesn't see safety as a priority, and definitely  
21 feels the current enforcement action is appropriate,  
22 given the company's demonstrated past behaviors.

23           Q.     Okay. And while staff hasn't had time to review  
24 the latest draft of the Safety Management Plan, have you  
25 reviewed a recent draft of the Safety Management Plan

1 that was submitted before today?

2 A. Yes.

3 Q. And why is that version of the Safety Management  
4 Plan that the company submitted to Staff in this case  
5 insufficient?

6 A. Again, Staff worked with the company on its --  
7 we'll call it first version, first draft of the Safety  
8 Management Plan. Ultimately, the company failed to put  
9 into practice what it put on paper.

10 Staff believes that given the opportunity, the  
11 company will likely, again, fail to implement any Safety  
12 Management Plan that it adopts.

13 And then, as you know, the most recent one was  
14 submitted today and Staff has not yet had an opportunity  
15 to review that as it was submitted beyond the deadline  
16 and at the final hour of this hearing.

17 Q. I Heart Movers is currently operating with a  
18 provisional permit; correct?

19 A. Yes.

20 Q. What is the purpose of a provisional permit?

21 A. It would be to allow new household goods  
22 companies time and an opportunity to demonstrate that  
23 they can operate safely within the parameters set by the  
24 Commission safety rules. It would also allow the  
25 Commission to intervene and help companies gain



1 compliance with safety regulations. Essentially, the  
2 provisional permit rules were created to increase public  
3 safety and consumer protection.

4 Q. So if during a company's provisional period the  
5 Commission finds serious safety violations, should the  
6 Commission allow it to continue to operate?

7 A. No. No.

8 Q. Okay. If a company can't pass a provisional  
9 period without safety violations, does it raise concerns  
10 that the company would be able to follow those  
11 regulations in the long term?

12 A. Yes. Certainly.

13 Q. And, Mr. Perkinson, you've heard Mr. Taylor's  
14 testimony today regarding miscommunications or his  
15 belief about what the safety regulations required with  
16 respect to criminal background checks and medical  
17 examinations.

18 In your experience, would staff, when giving  
19 technical assistance, typically explain to a company  
20 what's required after their first instance of violating  
21 these kinds of critical regulations?

22 A. Sure. Yes.

23 Q. And so, is it your belief that after the 2020  
24 case, it's more than likely that -- that I Heart  
25 Movers -- that it was explained that the criminal

1 background check and a medical examination was necessary  
2 before an employee began to operate?

3 A. Yeah. I believe that that would have been  
4 covered. It's certified on the application. It's  
5 something that is addressed when the company is new  
6 during the first visit by the investigator. If there  
7 was a violation, they would have provided technical  
8 assistance on that. It was then addressed in the Safety  
9 Management Plan.

10 And working with Jason Sharp, the supervisor, on  
11 a plan that was accepted, that would be a few times that  
12 the criminal background check requirement would have  
13 been brought up.

14 Q. So is it -- sorry. Continue.

15 A. I just said, you know, as an example.

16 Q. So is it concerning to you that Mr. Taylor  
17 stated today that he had previously been unaware that  
18 these were required before an employee starts operating?

19 A. Yeah, I wouldn't necessarily believe that.  
20 There's been a lot of technical assistance and a lot of  
21 resource provided to the company to educate them on all  
22 aspects of safety.

23 Q. All right. And does staff believe that it's in  
24 the public interest to cancel I Heart Movers'  
25 provisional permit?

1           A.    Yes.  Yes.  Staff believes that the company has  
2 repeatedly failed to resolve its critical safety  
3 violations, despite the technical assistance that I've  
4 referred to.  Ultimately, staff believes that the  
5 company is incapable of operating safely; that it  
6 doesn't prioritize safety, and it doesn't have the  
7 necessary management controls in place.  And given the  
8 company's failure to comply with mandatory safety laws,  
9 there are strong indications that the company would be  
10 involved in a crash involving a commercial motor  
11 vehicle.

12           Q.    Does Staff -- would Staff's opinion change if  
13 the newest Safety Management Plan contained evidence  
14 that all of the critical violations found in -- in the  
15 compliance review have since been resolved?

16           A.    Staff's recommendation would not change with  
17 those violations being resolved.  Again, what we've seen  
18 is just repeated failure, you know, spoken word or  
19 things written down but not followed through on and a  
20 lack of management controls put in place by the company,  
21 which is a direct impact of public safety.

22           Q.    Okay.  Thank you.

23                         MR. CALLAGHAN:  Your Honor, I have no  
24 further questions.

25                         THE COURT:  Okay.  Thank you.

1           So, Mr. Perkinson, just to clarify. So it  
2           is Staff's position that regardless of whether the  
3           Safety Management Plan is acceptable, you still want to  
4           move forward with canceling the company's permit?

5           THE WITNESS: That is staff's  
6           recommendation; yes, Your Honor.

7           THE COURT: Okay. So at this point it  
8           wouldn't matter what the Safety Management Plan looked  
9           like. So does that mean that you don't intend to submit  
10          any kind of evaluation about it?

11          THE WITNESS: I think that we can provide  
12          that recommendation now. We would be happy to take a  
13          look at it. But yeah, a recommendation would be to  
14          cancel. I think that the -- the efforts that the  
15          company have made might go toward the request for  
16          mitigation in the other penalty or the recommendation  
17          today would be to cancel the operating moving company.

18          THE COURT: Okay.

19          Mr. Taylor, do you have any questions for  
20          Mr. Perkinson?

21          MR. TAYLOR: Yeah, I do, actually.

22          C R O S S - E X A M I N A T I O N

23          BY MR. TAYLOR:

24          Q. So, Mr. Perkinson, you -- not the one that I  
25          sent in, like the most recent one, but you have received

1 a copy of, like, the 2021 Safety Management Plan?

2 A. Yeah. What I received was narrative from Jason  
3 Sharp's supervisor who has been communicating with you  
4 and what he identified. You know, I was copied on some  
5 e-mails, but he highlighted the areas that were  
6 insufficient and incomplete.

7 Q. And as well, have you seen any of the supporting  
8 documents?

9 A. I did not see the supporting document, no.

10 Q. Okay. So you're not aware that my movers have  
11 medical cards, have had medical cards, have had  
12 background checks, have background checks, et cetera?

13 A. Like I said, I haven't seen the physical  
14 documents, but I can take your word for that.

15 Q. Okay.

16 MR. TAYLOR: Yeah. That's all the questions  
17 I have.

18 THE COURT: Okay. Thank you. So it sounds  
19 like, regardless of what Staff's position is on the  
20 Safety Management Plan, the recommendation will be to  
21 move forward with the cancellation.

22 Does Staff want to submit its recommendation  
23 with respect to the penalty after the hearing? Do you  
24 want time to look at the Safety Management Plan and make  
25 your recommendation on mitigation in a written

1 evaluation that you will submit to me later today or  
2 tomorrow?

3 MR. PERKINSON: Yeah, that sounds  
4 reasonable.

5 THE COURT: Okay. All right. So just to be  
6 clear, it sounds like Staff's recommendation -- there's  
7 nothing that the company could do at this point to  
8 redeem itself in Staff's eyes.

9 MR. PERKINSON: Yeah. Again, without the  
10 specifics in the Safety Management Plan, I think we  
11 have -- Staff has a general idea about a recommendation.  
12 And it would be to mitigate a portion of the penalty  
13 related to medical cards. I think there was about 90  
14 violations on that new penalty. So staff is looking --  
15 would look to mitigate about \$9,600 of the penalty and  
16 suspend the remaining portion of the penalty, assuming  
17 that the company is not found to be operating without a  
18 permit again. And then, you know, ultimately, if it  
19 does intend to come back, that it would correct and  
20 resolve any and all violations that lead to the  
21 cancellation.

22 MR. TAYLOR: Can I say something really  
23 quickly?

24 THE COURT: Sure.

25 MR. TAYLOR: I'm not sure that it's -- but

1 just to what he said. The 90 infractions, they were all  
2 on myself. Probably 80 something of them was on me.  
3 And as I said, just being a first-time operator /owner,  
4 especially with a moving company, I had zero idea that I  
5 needed a medical card as well.

6 I mean, in terms of Anthony and Francis,  
7 they have their medical cards. But when I had the  
8 inspection, I believe -- or investigation, I believe,  
9 and they probably take up, maybe, six or seven, or maybe  
10 15, max or something, of the violations. I just wanted  
11 that to be said.

12 THE COURT: Okay. Thank you for clarifying.

13 And just to be clear, Mr. Taylor, in the  
14 event that the Commission does cancel your permit, you  
15 will be required to immediately cease and desist from  
16 operating as a household goods company.

17 I'm not sure if you're familiar with the  
18 Commission's rules related to household goods moving.  
19 It would not stop you from providing labor-only service.  
20 We don't regulate labor-only moving service. We  
21 regulate companies that use vehicles to transport  
22 household goods.

23 So I just want to make that clear that it  
24 would not require you to completely shut down your  
25 business. You would still have the option of providing

1 labor-only moving services. You just could not use  
2 vehicles any more, because this is really about the  
3 safety related to those vehicles.

4 MR. TAYLOR: Okay. Yes. Understood. And  
5 is there some form of re-submission or --

6 THE COURT: There is a 30-day window when a  
7 permit is canceled that you can apply for reinstatement  
8 without having to file a new application.

9 And so if you were able to work with Staff  
10 and somehow satisfactorily come into compliance to where  
11 Staff felt comfortable, that is certainly a possibility.  
12 But I am not able to speak to whether -- what Staff's  
13 position would be on that or whether Staff is open to  
14 that. But there is a 30-day window after cancellation  
15 to seek reinstatement without having to pay a new  
16 application fee and go through the new application  
17 process. And then after 30 days, if you wanted to begin  
18 moving again with vehicles, you would need to submit a  
19 brand new application.

20 MR. TAYLOR: Okay.

21 THE COURT: Okay. Is there anything further  
22 that we need to address here today?

23 MR. CALLAGHAN: Your Honor, if I could, I'd  
24 ask -- I would like to ask Mr. Perkinson two follow-up  
25 questions in response to some of your questions.



1 THE COURT: Okay.

2 MR. CALLAGHAN: Thank you, Your Honor.

3 R E D I R E C T E X A M I N A T I O N

4 BY MR. CALLAGHAN:

5 Q. Mr. Perkinson, as part of your review of this  
6 case, did you review the order from August of 2020 in  
7 the last case in which I Heart Movers received suspended  
8 penalties for safety violations?

9 A. Yes, I did.

10 Q. And did -- are the critical violations that  
11 occurred in this case, did I Heart Movers also receive  
12 penalties for those same critical violations,  
13 specifically criminal background checks, using drivers  
14 that are not medically examined or certified, and having  
15 no records of duty status, were those all violations  
16 that occurred in 2020?

17 A. Yes, I believe they were.

18 Q. All right. So these are repeat violations;  
19 correct?

20 A. Correct.

21 Q. And is that why Staff's recommendation is to  
22 cancel regardless of whether or not those violations  
23 have since been cured?

24 A. Yes. I mean, just to clarify. Staff recognizes  
25 that rules are complex. They can be difficult to learn

1 to get up to speed. But the general position is that  
2 the company was afforded multiple opportunities to  
3 resolve its issues. It failed to do that and staff  
4 feels obligated to put a recommendation forward to  
5 cancel the company in the public interest of safety.

6 Q. Thank you.

7 MR. CALLAGHAN: No further questions, Your  
8 Honor.

9 THE COURT: Okay. Thank you very much.  
10 Anything further from you, Mr. Taylor?

11 MR. TAYLOR: No.

12 THE COURT: All right. And Staff, nothing  
13 further from you either; correct?

14 MR. CALLAGHAN: Nothing further, Your Honor.  
15 Thank you.

16 THE COURT: All right. Thank you all so  
17 much for coming here today. And like I said, I will be  
18 looking for Staff's written evaluation and final  
19 recommendation, and I will issue an order before close  
20 of business tomorrow.

21 Is that -- is that right, Mr. Callaghan? Or  
22 do I have until close of business Monday?

23 MR. CALLAGHAN: I would have to check, Your  
24 Honor. I believe it's close of business tomorrow. But  
25 I can double-check.

1 THE COURT: Okay. So it will either be  
2 tomorrow or Monday. All right. So thank you all again  
3 for coming, and we are adjourned.

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5 (Hearing concluded at 2:40 p.m.)

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