RECEIVED AND FILED 1 IN OPEN COURT 2 MAY - 8 2015 DAVID W. PETERSON 3 KITSAP COUNTY CLERK 4 5 6 7 8 9 SUPERIOR COURT OF WASHINGTON FOR KITSAP COUNTY 10 11 NO. 15-2-00256-4 THE STATE OF WASHINGTON AND THE WASHINGTON UTILITIES 12 AND TRANSPORTATION COMMISSION, 13 **DEFAULT JUDGMENT** 14 AGAINST DEFENDANT Plaintiffs, 15 v. 16 MUNN, DARYL d/b/a INNOVATIVE MOVING CO., 17 18 Defendant. 19 I. JUDGMENT SUMMARY 20 Judgment Creditor: Washington Utilities and Transportation 1.1 21 Commission 22 Judgment Debtor: Daryl Munn d/b/a Innovative Moving Co. 1.2 23 Principal Judgment Amount 1.3 24 Civil Penalties \$20,000.00 a. Attorney Fees and Costs \$570.00 b. 25 Total Judgment \$20,570.00 26

1	1.5 Post-judgment Interest Rate: 12.0% per annum
2 3	1.6 Attorney for Judgment Creditor: Jennifer Cameron-Rulkowski Assistant Attorney General 1400 S. Evergreen Park Drive SW
4	Olympia, WA 98504-0128 (360) 664-1186
5	I. BASIS
6	This matter came before the Court on plaintiffs' State of Washington and the
7 8	Washington Utilities and Transportation Commission's (Commission) motion for a default
9	judgment against defendant Daryl Munn d/b/a Innovative Moving Co. The Court has entered
0	an order of default in this action.
.1	II. FINDINGS
2	The Court heard plaintiffs' motion on this date. Plaintiffs appeared at the hearing
13	through their attorney of record, Jennifer Cameron-Rulkowski. Notice of the hearing was
14	given to defendant Daryl Munn d/b/a Innovative Moving Co. but he did not appear personally
15 16	or through an attorney at the hearing. Defendant Daryl Munn d/b/a Innovative Moving Co. did
17	not respond to plaintiffs' motion.
18	The Court considered the pleadings filed in this action, the declaration of plaintiffs'
19	counsel, the proof of service on file, and the Order of Default against defendant Daryl Munn
20	d/b/a Innovative Moving Co.
21	Based on the oral argument of plaintiffs' counsel, the pleadings and evidence presented,
22	the Court finds:
<ul><li>23</li><li>24</li></ul>	1. This Court declared defendant Daryl Munn d/b/a Innovative Moving Co. to be
25	in default by this Court's Order of Default filed jointly with the present order.
26	

- 2. Proof of service of the Summons and Petition for Civil Enforcement on defendant Daryl Munn d/b/a Innovative Moving Co. is on file with the Court.
- 3. The demand set out in the Petition for Civil Enforcement is for the Court to:

  (1) direct the defendant to comply with Commission Order 02 by immediately ceasing and desisting from engaging in business as a household goods carrier in Washington State without first obtaining from the Washington Utilities and Transportation Commission the permit required under RCW 81.80.075;

  (2) issue a permanent injunction against the defendant from engaging in business as a household goods carrier by transporting household goods for compensation, by motor vehicle between points in Washington state, or by advertising, soliciting, offering, or entering into an agreement to transport household goods, without first obtaining a household goods carrier permit from the Commission as required by RCW 81.80.075; (3) impose a civil penalty against the defendant in the amount of \$20,000, as authorized by RCW 81.80.075(5); and (4) award costs and fees, including reasonable attorneys' fees, in the total amount of \$570.
- 4. Plaintiffs are entitled to the relief sought in the Petition for Civil Enforcement.

## III. ORDER

Based on the above findings of fact and conclusions of law, Judgment is entered as follows:

1. Defendant Daryl Munn d/b/a Innovative Moving Co. is directed to comply with Commission Order 02, a Final Order effective October 11, 2013, issued to

defendant Daryl Munn d/b/a Innovative Moving Co. in Commission Docket TV-131608, by immediately ceasing and desisting from engaging in business as a household goods carrier in Washington State without first obtaining from the Washington Utilities and Transportation Commission the permit required under RCW 81.80.075.

- 2. Defendant Daryl Munn d/b/a Innovative Moving Co. and all successors, assigns, and transferees are hereby enjoined and permanently restrained from directly or indirectly engaging in any of the following conduct:
  - Engaging in business as a household goods carrier by transporting
    household goods for compensation, by motor vehicle between points in
    Washington state, without first obtaining a household goods common
    carrier permit from the Washington Utilities and Transportation
    Commission.
  - Engaging in business as a household goods carrier by advertising,
     soliciting, offering, or entering into an agreement to transport household
     goods, without first obtaining a household goods common carrier permit
     from the Washington Utilities and Transportation Commission.
- Defendant Daryl Munn d/b/a Innovative Moving Co. is directed to pay a civil penalty of \$20,000 for engaging in business as a household goods carrier without first obtaining from the Washington Utilities and Transportation Commission a household goods common carrier permit required under RCW 81.80.075 in violation of a cease and desist order issued by the Washington

1	Utilities and Transportation Commission under RCW 81.04.510.
2	4. Plaintiffs are awarded costs and fees and other disbursements associated with
3	the filing and maintenance of the petition for enforcement, including reasonable
4	attorneys' fees, in the amount of \$570.
5	5. The Court retains jurisdiction to enforce this Order.
6 7	DATED this _ & _ day of May, 2015.
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10	JUDGE/COMMISSIONER
11	Presented by: SALLY F. OLSEN
12	ROBERT W. FERGUSON Attorney General
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14	Sumps Common Molary
15	JENNIFER CAMERON-RULKOWSKI Assistant Attorney General
16	WSBA No. 33734 1400 S. Evergreen Park Dr. SW
17	P.O. Box 40128 Olympia, WA 98504-0128
18	(360) 664-1186 Attorneys for Plaintiffs State of Washington and the Washington Utilities and
19	Transportation Commission
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