

FILED

SONYA KHABRI  
SNOHOMISH COUNTY CLERK  
TYLERFIELD CLERK OF COURT

SUPERIOR COURT OF WASHINGTON  
FOR SNOHOMISH COUNTY

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Plaintiff,

v.

DANIEL JOHN BUSBY d/b/a VINNIE'S  
MOVING CO. and/or VINNIE'S MOVERS,

Defendant.

NO. 10-2-06271-6

  
[PROPOSED] DEFAULT JUDGMENT  
AGAINST DEFENDANT

**I. JUDGMENT SUMMARY**

1.1	Judgment Creditor:	Washington Utilities and Transportation Commission
1.2	Judgment Debtor:	Daniel John Busby d/b/a Vinnie's Moving Co. and/or Vinnie's Movers
1.3	Principal Judgment Amount	
	a. Civil Penalties	\$30,000.00
	b. Attorney Fees and Costs	\$601.00
	c. Total Judgment	\$30,601.00
1.5	Post-judgment Interest Rate:	12.0% per annum

1           1.6     Attorney for Judgment Creditor:     **Michael A. Fassio**  
2   Assistant Attorney General  
3   1400 S. Evergreen Park Drive SW  
4   Olympia, WA 98504-0128  
5   (360) 664-1192

6   **I.     BASIS**

7           This matter came before the Court on plaintiff Washington Utilities and  
8           Transportation Commission's (Commission) motion for a default judgment against defendant  
9           Daniel John Busby d/b/a Vinnie's Moving Co. and/or Vinnie's Movers (Daniel Busby). The  
10          Court has entered an order of default in this action.

11    **II.    FINDINGS**

12          The court heard plaintiff's motion on this date. Plaintiff appeared at the hearing  
13          through its attorney of record, Michael A. Fassio. Notice of the hearing was given to  
14          defendant Daniel Busby but he did not appear personally or through an attorney at the hearing.  
15          Defendant Daniel Busby did not respond to plaintiff's motion.

16          The Court considered the pleadings filed in this action, the declaration of plaintiff's  
17          counsel, the proof of service on file, and the Order of Default against defendant Daniel Busby.

18          Based on the oral argument of plaintiff's counsel, the pleadings and evidence presented,  
19          the Court finds:

- 20                1.     This Court declared defendant Daniel Busby to be in default by this Court's  
21   order of default filed jointly with the present order.  
22                2.     Proof of service of the summons and petition for enforcement on defendant  
23   Daniel Busby is on file with the Court.  
24                3.     The demand set out in the petition for enforcement is for the Court to (1) direct  
25   the defendant to comply with Commission Order 02, (2) issue a permanent  
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1 injunction against the defendant, (3) impose a civil penalty in the amount of  
2 \$30,000, and (4) award costs and fees, including reasonable attorneys' fees, as  
3 described below.

4 4. Plaintiff is entitled to the relief sought in the petition for enforcement.

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6 **III. ORDER**

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

9 1. Defendant Daniel Busby is directed to comply with Commission Order 02, a  
10 Final Order effective February 29, 2008, issued to defendant Daniel Busby in  
11 Commission Docket TV-071670, by immediately ceasing and desisting from  
12 conducting in-state household goods moving operations in Washington state  
13 requiring permit authority under RCW 81.80.075, without a permit issued by  
14 the Washington Utilities and Transportation Commission.

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16 2. Defendant Daniel Busby and all successors, assigns, and transferees are hereby  
17 enjoined and permanently restrained from directly or indirectly engaging in any  
18 of the following conduct:

19 a. Engaging in business as a household goods carrier by transporting  
20 household goods for compensation, by motor vehicle between points in  
21 Washington state, without first obtaining a household goods common  
22 carrier permit from the Washington Utilities and Transportation  
23 Commission.

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25 b. Engaging in business as a household goods carrier by advertising,  
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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.

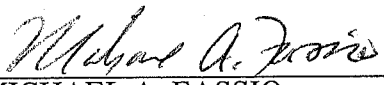
- 3. Defendant Daniel Busby is directed to pay a civil penalty of \$30,000 for engaging in business as a household goods carrier in violation of a cease and desist order issued by the Washington Utilities and Transportation Commission under RCW 81.04.510.
- 4. Plaintiff is awarded costs and fees and other disbursements associated with the filing and maintenance of its petition for enforcement, including reasonable attorneys' fees, in the amount of \$601.
- 5. The Court retains jurisdiction to enforce this Order.

DATED this \_\_\_\_\_ day of SEP 10 2010, 2010.

  
\_\_\_\_\_  
JUDGE/COMMISSIONER

Presented by:

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\_\_\_\_\_  
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