

FILED

SONYA KLASKI
SNOHOMISH COUNTY CLERK
EX-OFFICIO 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] 
ORDER OF DEFAULT

I. BASIS

This matter came before the Court on plaintiff Washington Utilities and Transportation Commission's motion for an order of default against defendant Daniel John Busby d/b/a Vinnie's Moving Co. and/or Vinnie's Movers (Daniel Busby). The motion was based on the ground that defendant Daniel Busby had not appeared, answered, or otherwise defended in this action.

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II. FINDINGS

The Court heard plaintiff's default motion on this date. Plaintiff appeared at the hearing through its attorney of record. Notice of the hearing was given to defendant Daniel Busby but he did not appear personally or through an attorney at the hearing. Defendant Daniel Busby failed to file a notice of appearance or respond to plaintiff's default motion.

The Court considered the pleadings filed in this action, the declaration of plaintiff's counsel, Michael A. Fassio, and the following evidence: Proof of service of summons and petition for enforcement on defendant by process server, attached as Exhibit A to the declaration of Michael A. Fassio.

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

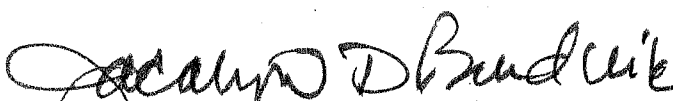
1. Plaintiff properly served defendant Daniel Busby with plaintiff's summons and petition for enforcement in this action.
2. Defendant Daniel Busby has failed to appear, answer, or otherwise defend in this action.
3. No notice of appearance was filed by defendant Daniel Busby with the court, or served on plaintiff or its counsel.
4. The time for defendant to answer the plaintiff's petition for enforcement is within 20 days after the date of service. More than 20 days have passed since the defendant was served with the summons and petition for enforcement.
5. Venue is proper in this action.

III. ORDER

Based on the above findings, IT IS ORDERED:

1. Plaintiff's Motion for Order of Default is granted.
2. Defendant Daniel Busby is declared to be in default for failing to appear or defend in this action.

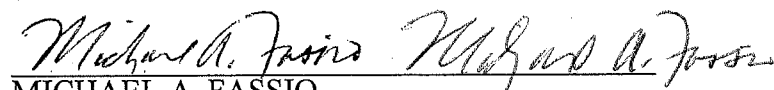
DATED this _____ day of SEP 10 2010, 2010.



JUDGE/COMMISSIONER

Presented by:

ROBERT M. MCKENNA
Attorney General



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Assistant Attorney General
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Attorneys for Plaintiff Washington Utilities and
Transportation Commission

Department of Defense Manpower Data Center

Sep-10-2010 11:08:15



Military Status Report
Pursuant to the Service Members Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
BUSBY	DANIEL JOHN	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.
Report ID:4934M85UJO