

Docket No. TE-220497 - Vol. I

**In the Matter of: Jumpin' Joey's LLC d/b/a Lymelight
Party Bus**

September 30, 2022



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2 (ALL PARTIES APPEARING REMOTELY.)

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ALSO PRESENT: LAURIE BOOK, REPORTING STUDENT

* * * * *

1 September 30, 2022

2 2:07 p.m.

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5 JUDGE PEARSON: My name is Rayne Pearson. I
6 use she/her pronouns, and I'm an Administrative Law
7 Judge with the Washington Utilities and Transportation
8 Commission.

9 Today is Friday, September 30th. The time is
10 approximately 2:07 p.m. This is Docket TE-220497. And
11 we're here today because the Commission issued a
12 complaint against Jumpin' Joey's, LLC, doing business as
13 Lymelight Party Bus based on information that the
14 business is operating or advertising as a charter party
15 or excursion service carrier without a certificate from
16 the Commission.

17 If it's proven that the company is in fact engaging
18 in that conduct, the Commission will order the company
19 to stop operating in that capacity and can impose
20 penalties of up to \$5,000 per violation.

21 You were provided information in advance of the
22 hearing about how you can choose to proceed today. You
23 have two options. The first is to agree to cease and
24 desist operating as an unpermitted charter or excursion
25 carrier. And if you choose this option, you have to

1 agree to stop providing, offering and advertising
2 unpermitted charter and excursion carrier services unless
3 or until you receive a certificate from the Commission.

4 And if you choose this option, you'll need to show
5 what you've done to shut down your business either
6 completely or partially so that you are no longer
7 advertising, offering or providing unpermitted charter
8 and excursion services in Washington state.

9 For example, you would need to prove that you have
10 taken down or changed your website or your other online
11 advertisements for your business.

12 If you have applied for or obtained a certificate in
13 advance of this hearing, please let me know when it's
14 your turn to speak. And in that case, we would not ask
15 you to stop operating, but we will want you to
16 acknowledge that you were previously operating without a
17 certificate and that you agree you will stop operating if
18 your certificate is suspended or cancelled for any reason
19 in the future.

20 The second option is if you believe that your
21 business is not subject to regulation by the Commission.
22 So if you deny that you were advertising, offering or
23 providing unpermitted charter and excursion carrier
24 services, and if you choose this option, you will need to
25 present evidence that your business is not subject to

1 regulation by the Commission.

2 So Jason Hoxit is speaking for Commission staff this
3 afternoon. He's a commissioned safety investigator. So
4 we're going to go ahead and begin by taking appearances
5 beginning with commission staff.

6 So, Mr. Hoxit, if you would like to state your full
7 name, spelling your last name for the record?

8 MR. HOXIT: Yes, Your Honor. Jason
9 Hoxit, H-O-X-I-T.

10 JUDGE PEARSON: Thank you.

11 And, Mr. Freeborn, if you could please enter your
12 appearance for the company, just state your name, spell
13 your last name, the name of your law firm, if you work
14 for one, or the name of your practice.

15 MR. FREEBORN: Sure. My name is
16 Steven Freeborn, first name with P-H, spelled
17 S-T-E-P-H-E-N, last name is Freeborn, F-R-E-E-B-O-R-N.
18 I'm a licensed practicing attorney in Washington state,
19 Bar No. 13862.

20 My law practice, I have my own law practice. It's
21 called Freeborn Law Offices, P.S., and is located in
22 Federal Way, Washington.

23 JUDGE PEARSON: Okay. Thank you.

24 Did the court reporter get all that information?

25 REPORTER: Yes.

1 JUDGE PEARSON: Okay. Thank you.

2 So now that we have gone over the company's choices,
3 I will explain what else will happen today.

4 So in a few minutes, I will ask the company how it
5 wants to proceed. And, Mr. Freeborn, if Mr. Bowers wants
6 to testify, I will swear him in so that anything he says
7 will be under oath. And if there's anything the company
8 wants to explain to me, that will be the opportunity to
9 do that.

10 So if the first option is chosen and the company is
11 getting out of the charter and excursion business, they
12 can explain how they plan to do that. And then we will
13 take the break and the company will have an opportunity
14 to speak with Mr. Hoxit about negotiating an agreed cease
15 and desist order.

16 The same is true if you have recently applied for or
17 received a certificate, you will still need to negotiate
18 an agreed order to resolve this matter. And the agreed
19 order will also deal with any penalty amount.

20 So the complaint that the company was served with
21 asks that the Commission penalize the company for
22 engaging in business as a charter or excursion carrier
23 without a certificate, and the law sets the maximum
24 penalty for each violation at \$5,000.

25 So staff will recommend a penalty, and you will have

1 a chance to reach an agreement with staff about the
2 penalty amount. And if you are unable to agree, then we
3 will reconvene and staff will explain its recommendation,
4 but the Commission will make the final decision about the
5 amount of the penalty.

6 If you choose the second option, so if you deny that
7 you are operating as a charter and excursion carrier, we
8 will let staff present its evidence and then hear the
9 company's response.

10 So, Mr. Hoxit, I will go ahead and swear you in now.
11 If you could, please, raise your right hand.

12 JASON HOXIT, having been first duly sworn
13 under oath, was examined and
14 testified as follows:

15

16 JUDGE PEARSON: And, Mr. Bowers, why
17 don't I go ahead and swear you in now, too. If you could
18 just raise your right hand for me?

19 JASON BOWERS, witness herein, having been
20 first duly sworn under oath,
21 was examined and testified as
22 follows:

23

24 JUDGE PEARSON: Okay. Thank you.

25 And can you please state your first and last name

1 for the record and spell your last name?

2 MR. BOWERS: Joseph Bowers,
3 B-O-W-E-R-S.

4 JUDGE PEARSON: And what's your
5 position with the company?

6 THE WITNESS: I own Jumpin' Joey's. I
7 don't own Lymelight and have nothing to do with it. But,
8 I mean, however -- yeah, I'm going to -- I already hired
9 an attorney, so I'm going to let him kind of handle that.

10 JUDGE PEARSON: Okay. That sounds
11 good.

12 So, Mr. Freeborn, I will turn to you then.

13 How would you like to proceed with the options that
14 I've presented earlier or do you have an opening
15 statement that you would like to make about the business
16 operations?

17 MR. FREEBORN: Thank you, Your Honor.
18 We're kind of in a difficult position because my client's
19 business is a bounce house business, Jumpin' Joey's. It
20 has nothing to do with a -- with a -- operating a
21 transport -- a limo transport service. It never has.

22 I've looked at the papers that were submitted that
23 were served upon Mr. Bowers, and I see a lot of
24 assumptions that are being made, and yet I see nothing
25 about a person by the name of last name Sanchez, who is

1 identified as owning the 414 -- the 414 or the 415 phone
2 number that appears on all these text messages.

3 My client bought what could be deemed a limo vehicle
4 for his family use. Mr. Art asked to borrow it to
5 transport his kids to a prom or a high school function,
6 which my client agreed to allow him to do, not for
7 financial compensation or anything. That was the extent
8 of the agreement.

9 These emails that pop up, I don't see any of the
10 emails that are referencing to Jumpin' Joey's. We will
11 provide you with a transcript. I do see a couple of
12 emails that say call this person.

13 Well, that's the referral to somebody else who may
14 be operating a transport business, Lymelight, which my
15 client knows nothing about the structure. I have looked
16 -- tried to do a search on Lymelight. I don't find
17 anything. But that's arguably hardly my client's issue.

18 My client feels like he's been brought into this,
19 but the critical person that should be here under
20 subpoena is this Art fellow. But he's not.

21 And my client would like to -- my client certainly
22 agrees that he won't operate a transport service of any
23 kind. And, in fact, because of the headaches that are
24 involved, he's willing to sell the vehicle.

25 But he's in a position, and I have to agree with

1 him, that it's hard to confess to something you never
2 did. And that would be the assumption that he is working
3 as a transport service or was at one point doing that,
4 and he never has done that.

5 I did try to reach out to Michael Dotson a couple of
6 weeks ago, but I have since learned in catching up with
7 Jason that he was relocated to another -- to another
8 position on the East Coast.

9 And so the ability to talk about this as -- as it
10 says, if you would like to talk in advance, please call
11 this number, well, I was unsuccessful, and even emailing
12 him didn't seem to work either.

13 But, anyway, where we are now, I've only had about a
14 week to prepare on this thing, if that. And my concern,
15 like I said, is my client -- it's hard -- I can't counsel
16 my client to plead to something he never did. But if it
17 makes things easier, he's -- never has he intended to
18 operate a charter business.

19 When he found out what the costs were involved in
20 that, he is not doing it. He has never used that vehicle
21 for transport. He's never received money for it.

22 And if it makes things -- satisfies the Commission
23 in that regard, he's willing to even put that car -- that
24 vehicle up for sale and be done with it.

25 But I asked Jason to send me the proposed order so I

1 could look at the language, and that -- and I didn't get
2 that. So I can't counsel my client to agree to sign
3 something if I have never seen the language that is
4 contained in the agreement.

5 That, in essence, is where we are. I have looked at
6 in particular Exhibit H to the documents that were served
7 on him, and it's got a Jumpin' Joey's, LLC, d/b/a
8 Lymelight Party Bus. I don't know how that d/b/a affiliation
9 was created. The UBI number is directly related to
10 Jumpin' Joey's and has nothing to do with Lymelight, and
11 yet they are using a 315 phone number, which is my
12 client's, when clearly all the text messages and emails
13 that are part of the exhibits are using an entirely
14 different number of, what is the number, I can look at
15 it, 253.414.2662, which has never been tied to my client.
16 My client never owned that number, doesn't pay a phone
17 bill for that number and has nothing to do with that
18 number.

19 So that's the frustration my client is at right now
20 and, quite frankly, the frustration I see as well. We
21 would like to see this resolved and like to do it. But
22 to plead to something he didn't do and then be subject to
23 a potential fine is just -- I can't counsel my client to
24 agree to something like that if he hasn't done any of
25 those things.

1 JUDGE PEARSON: Okay. So if I could
2 just interject, this is what I want to propose: It
3 sounds like you were retained relatively recently. It is
4 difficult for both me and the court reporter to hear you
5 clearly.

6 So what I suggest is that we continue this hearing
7 to a later date that works for all of us when,
8 Mr. Freeborn, you can be on a computer and join via video
9 with us, and that will give you some additional -- not
10 only some additional time to prepare, but to work with
11 Mr. Hoxit about maybe coming to an agreed resolution.

12 I don't think it would be fruitful to send you off
13 to talk right now with the quality of your connection and
14 your lack of familiarity with the materials.

15 So what we could do is go off the record and look at
16 our calendars and pick a date in the next couple of weeks
17 to reconvene.

18 MR. FREEBORN: Okay.

19 JUDGE PEARSON: Does that work for
20 you, Mr. Hoxit?

21 MR. HOXIT: That does work for staff.

22 JUDGE PEARSON: All right. Let's go
23 ahead and take a recess and give Barbara a break for a
24 minute.

25 ///

1 (Recess was taken from 2:19
2 p.m. to 2:24 p.m.)

3 JUDGE PEARSON: We are back on the
4 record following a brief recess.

5 We've discussed with the parties continuing this
6 matter and have agreed that we will reconvene on Friday
7 October 14th at 10 a.m., at which point we will address
8 the matter of the classification of Jumpin' Joey's.

9 And Mr. Freeborn has also agreed that if in fact
10 that date won't work for him, he will notify myself and
11 staff by close of business on Monday, October 10th, at
12 which point in time we will pick a new date for the
13 remainder of the hearing.

14 Is there anything else we need to address while
15 we're here today?

16 MR. FREEBORN: One other thing just
17 from a procedural thing. I spoke with Jason, I think it
18 was the day before yesterday or it may have even been
19 Tuesday, I can't remember the exact day. But I did file,
20 again, a second notice of appearance.

21 Did that get in to the court file or did that get to
22 Jason?

23 JUDGE PEARSON: It did.

24 MR. FREEBORN: Okay. I just wanted to
25 make sure.

1 JUDGE PEARSON: Yes, we received your
2 notice of appearance. Thank you.

3 MR. FREEBORN: Perfect. Then I don't
4 have anything else.

5 JUDGE PEARSON: Anything further from
6 staff?

7 MR. HOXIT: Nothing from staff, Your
8 Honor.

9 JUDGE PEARSON: Thank you all for
10 being here today, and I look forward to seeing you all
11 again on October 14th at 10:00, and we're adjourned.

12 (Proceedings adjourned at 2:25 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON
COUNTY OF KING

I, Barbara K. Castrow, a Certified Court Reporter in and for the State of Washington, do hereby certify that the foregoing transcript of the proceedings taken on September 30, 2022, is true and accurate to the best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11th day of October, 2022.

Barbara Castrow



Barbara K. Castrow, CCR, RMR, CRR
Certified Court Reporter #2395

My certification expires:
November 24, 2023