

**Docket No. TE-180220 - Vol. I**

**In the Matter of Garza Wine Tours, LLC**

**April 11, 2018**



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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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In the Matter of Determining )DOCKET NO. TE-180220  
the Proper Carrier Classification )VOLUME I  
of, and Complaint for Penalties )  
Against: )  
)  
)  
GARZA WINE TOURS LLC )

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MOVER'S COURT  
Pages 1-28  
ADMINISTRATIVE LAW JUDGE LAURA CHARTOFF

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April 11, 2018  
1:30 P.M.

Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive SW  
Olympia, Washington 98504

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

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1                   A P P E A R A N C E S  
2   ADMINISTRATIVE LAW JUDGE:  
3                   LAURA CHARTOFF  
4                   Washington Utilities and  
5                   Transportation Commission  
6                   1300 South Evergreen Park Drive SW  
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9  
10                  FOR COMMISSION STAFF:  
11                  JASON HOXIT  
12                  Compliance Investigator  
13                  Washington Utilities and  
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19  
20                  ALSO PRESENT:  
21                  GLORIA HERRERA  
22                  Spanish Interpreter  
23  
24                  \* \* \* \* \*  
25

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1                   OLYMPIA, WASHINGTON; APRIL 11, 2018  
2                   1:30 P.M.  
3                   --o0o--  
4  
5                  (All proceedings were translated by the interpreter, and  
6                  all answers given were through the interpreter,  
7                  unless otherwise noted.)  
8  
9                   P R O C E E D I N G S  
10  
11                  JUDGE CHARTOFF: So let's be on the record.  
12                  Good afternoon. My name is Laura Chartoff, and I am the  
13                  administrative law judge with the Washington Utilities  
14                  and Transportation Commission. I am the presiding  
15                  officer for today's hearing being conducted at the  
16                  Commission's headquarters in Olympia.  
17                  Today is Wednesday, April 11th, 2018, and  
18                  the time is approximately 1:30 p.m. Today's hearing  
19                  involves a total of four charter party or excursion  
20                  services carriers. So the first thing we will do is  
21                  take a roll call to determine which companies are  
22                  present. As you can see, there is a court reporter  
23                  creating a record of today's proceedings. So when I  
24                  call your name, please raise your hand to identify  
25                  yourself and also give a verbal response to the roll

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1 call like "here" or "present."  
 2 So the first docket is TE-180219, Tiger  
 3 Express Shipping Corporation, doing business as Tiger  
 4 Travel.  
 5 MS. NGUYEN: Present.  
 6 JUDGE CHARTOFF: Thank you.  
 7 The next case is TE-180220, Carmen  
 8 Ceron-Garza, Garza Wine Tours.  
 9 MS. GARZA: Present.  
 10 JUDGE CHARTOFF: Thank you.  
 11 The next docket is TE-180210, Christene  
 12 Davis, Crescent Bar Charters.  
 13 MS. DAVIS: Present.  
 14 JUDGE CHARTOFF: Thank you.  
 15 And the fourth docket is TE-170879, Michael  
 16 Brown, doing business as DLux Limos LLC.  
 17 MR. BROWN: Here, Your Honor.  
 18 JUDGE CHARTOFF: So each of you are here  
 19 because the Commission filed a complaint alleging that  
 20 each of your companies is performing or advertising to  
 21 perform work as a charter party or excursion services  
 22 carrier without the required permit. The purpose of  
 23 today's proceeding is to formally explain what your  
 24 choices are and then hear from each of you regarding  
 25 which option you wish to pursue.

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1 You can choose one of two options on behalf  
 2 of your company. So the first option is to cease and  
 3 desist providing, offering, or advertising unpermitted  
 4 charter party or excursion services. If you choose this  
 5 option, you will need to demonstrate what you have done  
 6 to shut down your business either completely or  
 7 partially to avoid further enforcement action by the  
 8 Commission. The Commission is going to want to see  
 9 sufficient proof that you are no longer performing  
 10 unlawful services, for example, you will need to provide  
 11 proof that you have taken down or changed your website  
 12 or other online advertisements for your business.  
 13 The second option is to ask for a formal  
 14 classification hearing to show why you don't need a  
 15 permit. If you choose this option, you are contesting  
 16 the allegations in the complaint and claim not to be  
 17 conducting charter party or excursion services. For  
 18 this option, we will schedule a formal hearing for a  
 19 date in the near future with a deadline two to three  
 20 weeks from now for both your company and the Commission  
 21 Staff to declare all witnesses and file all exhibits.  
 22 Each of you has a right to be heard by the  
 23 Commission, and I will call you up to do that  
 24 individually. Commission Staff also has a right to be  
 25 heard, and the Commission compliance investigator will

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1 be seated at the table to my right.  
 2 Now that we've gone over the general options  
 3 for each of your companies, let me explain the rest of  
 4 today's procedures. In a few minutes, I'll call each of  
 5 your companies forward to make your choice on how to  
 6 proceed. At that time, I will swear you in so that  
 7 anything you tell the Court will be under oath and can  
 8 be considered as sworn testimony. Once you are sworn  
 9 in, I will ask if you understand your options for  
 10 today's hearing and then ask you to state your  
 11 preference. If there's anything else you want to  
 12 explain to me, you can do so at that time.  
 13 In each of the complaints, Commission Staff  
 14 has not only alleged that you are providing charter or  
 15 excursion services without a permit, they are also  
 16 seeking to have a penalty imposed. The law sets the  
 17 maximum penalty for each violation at \$5,000. Staff  
 18 will be making a penalty recommendation as part of any  
 19 agreed order. Staff will be explaining that  
 20 recommendation, but the Commission will be making the  
 21 final decision about the amount of penalty to be  
 22 imposed.  
 23 If you choose to testify about how you are  
 24 getting out of the charter and excursion carrier  
 25 business, I will allow you to make a statement

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1 explaining how you plan to do that. Depending on what  
 2 proof you can provide, you should be able to reach an  
 3 agreed order resolving this matter with Commission  
 4 Staff, and you can speak to Staff about that during the  
 5 recess.  
 6 Finally, if you choose to contest the  
 7 allegations in the complaint, we will schedule another  
 8 hearing for the Commission to present the necessary  
 9 evidence to prove its case. If we're going to set a  
 10 hearing, it would help if you know your schedule for the  
 11 next month or so when we review calendars to choose a  
 12 date.  
 13 After I hear from each of your companies, we  
 14 will take a break to provide Commission Staff time to  
 15 meet with each of you and prepare a final disposition of  
 16 your case.  
 17 So I will start calling the companies now.  
 18 First company is Tiger Express Shipping Corporation,  
 19 d/b/a Tiger Travel and Zhongxiang Ye.  
 20 Oh, please sit right there and turn on the  
 21 microphone.  
 22 So let's start with Staff. Can you please  
 23 state your name and job title for the record?  
 24 MR. RAUB: My name is Justin Raub. I'm a  
 25 compliance investigator for consumer protection. My

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1 name is Justin Raub. I'm a compliance -- or compliance  
 2 investigator for consumer protection.  
 3 JUDGE CHARTOFF: Can you spell your last  
 4 name?  
 5 MR. RAUB: R-a-u-b.  
 6 JUDGE CHARTOFF: Thank you.  
 7 And you?  
 8 MS. NGUYEN: Good afternoon, my name is  
 9 Trang Nguyen, N-g-u-y-e-n. I am making an appearance on  
 10 behalf of Patrick Feldman, who is seeking a continuance  
 11 of the hearing for this afternoon if that's possible.  
 12 JUDGE CHARTOFF: Can you repeat your first  
 13 name?  
 14 MS. NGUYEN: Yes, it's Trang, T-r-a-n-g.  
 15 JUDGE CHARTOFF: And the firm you are with?  
 16 MS. NGUYEN: I'm with Feldman & Lee.  
 17 JUDGE CHARTOFF: And how do you want to  
 18 proceed this morning?  
 19 MS. NGUYEN: I don't know. I'm just here to  
 20 seek a continuance. Honestly, this is my third week on  
 21 the job. I got a call yesterday saying can you cover a  
 22 hearing? Just go in there and ask for a continuance.  
 23 JUDGE CHARTOFF: Okay. Okay. Because your  
 24 firm was just retained?  
 25 MS. NGUYEN: I have no idea. I mean, I

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1 think I was told Patrick has a conflict and couldn't  
 2 attend the meeting today.  
 3 JUDGE CHARTOFF: Okay.  
 4 MS. NGUYEN: So my only job is to come down  
 5 and get another date. I apologize.  
 6 JUDGE CHARTOFF: Do you -- I think you -- we  
 7 previously mentioned May 18th in the afternoon as a  
 8 possible...  
 9 MS. NGUYEN: I believe Mr. Feldman will be  
 10 out of the country from May 1st to May 18th, and they  
 11 are hopefully requesting for any date after May 28th.  
 12 JUDGE CHARTOFF: Okay. I have several dates  
 13 in the first week of June.  
 14 MS. NGUYEN: Okay.  
 15 JUDGE CHARTOFF: June 1, June 4. Do you  
 16 have access to his calendar?  
 17 MS. NGUYEN: I -- let's just go with the  
 18 4th. I think that will give him enough time to get up  
 19 to speed again.  
 20 JUDGE CHARTOFF: Okay. 9:30 or 1:30?  
 21 MS. NGUYEN: Let's do 1:30, please.  
 22 JUDGE CHARTOFF: Okay. I think -- okay. I  
 23 agree to do a continuance to June 4th at 1:30, and I  
 24 will get a notice out to you probably tomorrow.  
 25 MS. NGUYEN: All right. Thank you. And I

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1 have the notice of appearance. Did the Court need this?  
 2 JUDGE CHARTOFF: Sure.  
 3 MS. NGUYEN: Okay.  
 4 JUDGE CHARTOFF: Thank you.  
 5 MS. NGUYEN: My apologies.  
 6 JUDGE CHARTOFF: Okay. I'm going to call  
 7 next Carmen Ceron-Garza, Garza Wine Tours.  
 8 THE INTERPRETER: I am the interpreter for  
 9 Ms. Garza today, Your Honor, here with her husband.  
 10 MS. PAUL: We can get another chair. Are  
 11 all three of you coming up?  
 12 JUDGE CHARTOFF: Let's be off the record for  
 13 a minute.  
 14 (Pause in the proceedings.)  
 15 JUDGE CHARTOFF: We'll be back on the  
 16 record.  
 17 Let's start with Staff. Please state your  
 18 name and title.  
 19 MR. HOXIT: My name is Jason Hoxit. I'm a  
 20 compliance investigator with the safety and consumer  
 21 protection division. May last name is spelled  
 22 H-o-x-i-t.  
 23 JUDGE CHARTOFF: Okay. And can you please  
 24 state your first and last name?  
 25 MS. GARZA: Good afternoon. My name is

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1 Carmen Ceron-Garza.  
 2 JUDGE CHARTOFF: And your relationship to  
 3 the company?  
 4 MS. GARZA: The company is under my name,  
 5 was under my name.  
 6 JUDGE CHARTOFF: And do you understand  
 7 your -- the options I presented earlier?  
 8 MS. GARZA: Yes.  
 9 JUDGE CHARTOFF: And do you know which way  
 10 you want to proceed?  
 11 MS. GARZA: Yes.  
 12 JUDGE CHARTOFF: And how would you like to  
 13 proceed?  
 14 MS. GARZA: We close the company, but I have  
 15 to explain that Garza Tours didn't have any vehicles,  
 16 and they were using the vehicles for A Plus Taxi. So  
 17 then now A Plus Taxi is in the process of getting the  
 18 license that we need. A Plus Taxi is my husband's  
 19 company, and Garza Tours is under my name, but he was  
 20 the one who was managing the company.  
 21 JUDGE CHARTOFF: I forgot to swear you in.  
 22 So let me swear you in right now. Please stand.  
 23 (Carmen Ceron-Garza and Armando Garza  
 24 sworn.)  
 25 JUDGE CHARTOFF: Thank you.

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1 I'm sorry, so you were saying that you  
 2 closed the company, that your husband has a company, A  
 3 Plus Taxi, and that he's going to get a permit for his  
 4 business; is that right?  
 5 MS. GARZA: Yes, that's correct, and I have  
 6 the documents that the lawyer prepared for you.  
 7 JUDGE CHARTOFF: Okay. Thank you.  
 8 Let me swear you in.  
 9 (Jason Hoxit sworn.)  
 10 JUDGE CHARTOFF: Thank you.  
 11 Okay. Have you had a chance to verify?  
 12 MR. HOXIT: Yes, I verified that the Garza  
 13 Wine Tours, LLC has been closed with the Department of  
 14 Revenue, and Garza Wine Tours has been added to that  
 15 d/b/a under A Plus Taxi, LLC, as well as the  
 16 Garzawinetours.net for the company has been modified to  
 17 not advertise for charter and excursion services.  
 18 JUDGE CHARTOFF: Okay. Okay. So we will  
 19 pursue a cease and desist order today?  
 20 MS. GARZA: I don't understand.  
 21 JUDGE CHARTOFF: Oh, okay. So your options  
 22 today are to either do a cease and desist order with  
 23 Staff or to challenge but...  
 24 MS. GARZA: I'm not going to challenge.  
 25 JUDGE CHARTOFF: Okay. Okay. So what I'd

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1 like you to do is to stay for the recess, stay in the  
 2 room for the recess until we recess and then meet with  
 3 Staff, and you'll be able to -- oh, here, I will read my  
 4 script. That'll make it easier. So when we take a  
 5 recess, you will have the opportunity to speak with  
 6 Staff and see if you can agree on an order for entry.  
 7 And essentially that order will say that you agree you  
 8 were operating without a permit, that you advertised  
 9 without a permit, and that you agree to stop operating  
 10 until you get a permit should you decide to apply for  
 11 one.  
 12 So once you are satisfied and understand all  
 13 the terms of the order, you and Staff will both sign it.  
 14 It will also include most likely an agreement about the  
 15 amount of penalty that will be imposed. But if not, you  
 16 can make your case about why the penalty should be  
 17 different than what Staff is recommending.  
 18 MS. GARZA: Okay. I'm going to sit here to  
 19 negotiate, then.  
 20 JUDGE CHARTOFF: Okay, good. Okay. Thank  
 21 you. So for now, you can return to your seat and then  
 22 at -- when we recess, you can speak with Staff.  
 23 MS. GARZA: Thank you.  
 24 JUDGE CHARTOFF: Okay. I'm going to call  
 25 now Christene Davis, Crescent Bar Charters LLC.

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1 Okay. And please state your name and title  
 2 for the record.  
 3 MS. PAUL: I'm Susie Paul. My last name is  
 4 P-a-u-l, and I'm a compliance investigator with consumer  
 5 protection.  
 6 JUDGE CHARTOFF: Thank you.  
 7 And for the company?  
 8 MS. DAVIS: I'm Christene Davis with  
 9 Crescent Bar Charters.  
 10 JUDGE CHARTOFF: Okay.  
 11 MR. DAVIS: She's listed as the owner, but  
 12 I'm her husband, Troy Davis, and I pretty much do the  
 13 day-to-day work for the company.  
 14 JUDGE CHARTOFF: Okay. And I would like all  
 15 three of you to stand up.  
 16 (Christene Davis, Troy Davis, and Susie  
 17 Paul sworn.)  
 18 JUDGE CHARTOFF: Thank you.  
 19 Okay. So do you understand what I talked  
 20 about earlier, the options?  
 21 MS. DAVIS: Yes.  
 22 JUDGE CHARTOFF: And do you have a  
 23 preference on how you would like to proceed?  
 24 MR. DAVIS: Yes, we would like to suspend  
 25 our -- and then we've already reapplied for a new

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1 permit. So we've suspended our advertising already and  
 2 hopefully complied. I hope Susie's verified that. I've  
 3 been communicating with her via email as much as  
 4 possible, so then we would like to reapply, which we've  
 5 already done.  
 6 JUDGE CHARTOFF: Okay. And you want --  
 7 would you like to pursue the cease and desist order and  
 8 negotiate with Staff on the penalty?  
 9 MR. DAVIS: Yes.  
 10 JUDGE CHARTOFF: Okay. And did you hear the  
 11 paragraph I went through where I talked about the  
 12 recess?  
 13 MR. DAVIS: Yes, yes.  
 14 JUDGE CHARTOFF: Would you like me to repeat  
 15 it?  
 16 MR. DAVIS: No, you don't need to.  
 17 JUDGE CHARTOFF: Great. Okay. So yeah,  
 18 stick around, return to your seat, and wait for -- to  
 19 talk to Staff at the recess.  
 20 MR. DAVIS: Okay. Thank you.  
 21 JUDGE CHARTOFF: Thank you.  
 22 Okay. The last is Michael Brown, doing  
 23 business as DLux Limos LLC.  
 24 Okay. So starting with Staff, please state  
 25 your name and job title, spelling your last name for the

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1 record.  
 2 MR. TURCOTT: Good afternoon, Your Honor.  
 3 It's Michael Turcott, T-u-r-c-o-t-t, compliance  
 4 investigator in consumer protection.  
 5 JUDGE CHARTOFF: Thank you.  
 6 And company?  
 7 MR. BROWN: DLux Limos.  
 8 JUDGE CHARTOFF: And your first and last  
 9 name, spelling your last name?  
 10 MR. BROWN: Yes, ma'am. Michael Brown, DLux  
 11 Limos, B-r-o-w-n.  
 12 JUDGE CHARTOFF: And you're the owner?  
 13 MR. BROWN: Yes, ma'am.  
 14 JUDGE CHARTOFF: Okay. So let me swear you  
 15 in, both of you.  
 16 (Michael Brown and Michael Turcott  
 17 sworn.)  
 18 JUDGE CHARTOFF: Thank you.  
 19 So did you hear the options --  
 20 MR. BROWN: Yes, ma'am.  
 21 JUDGE CHARTOFF: -- I said earlier?  
 22 Do you understand?  
 23 MR. BROWN: Yes, ma'am.  
 24 JUDGE CHARTOFF: Do you have a preference on  
 25 how you want to proceed?

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1 MR. BROWN: Cease and desist and speak with  
 2 Staff.  
 3 JUDGE CHARTOFF: Okay. Do you need -- do  
 4 you have any -- I assume you're -- you have no objection  
 5 to a cease and desist order?  
 6 MR. TURCOTT: No, Your Honor. No  
 7 objections.  
 8 JUDGE CHARTOFF: Okay. So did you hear --  
 9 MR. BROWN: Yes, ma'am.  
 10 JUDGE CHARTOFF: -- the directions?  
 11 Okay. Great. Do you have any questions?  
 12 MR. BROWN: No.  
 13 JUDGE CHARTOFF: Okay.  
 14 MR. BROWN: We're all set.  
 15 JUDGE CHARTOFF: So please return to your  
 16 seat and wait to speak with Staff at the recess.  
 17 MR. BROWN: Thank you, Your Honor.  
 18 JUDGE CHARTOFF: So at this point, we're  
 19 going to take a recess, and as soon as you have a chance  
 20 to review the cease and desist orders and language with  
 21 Staff, there will be some negotiation about the penalty.  
 22 It may be nominal depending on the history of your  
 23 company or there may be a reason that Staff asked for a  
 24 larger penalty; for example, if you have appeared here  
 25 before or have previously held a household goods per --

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1 previously held an excursion or charter party carrier  
 2 permit with the Commission.  
 3 Typically, a portion of the penalty is  
 4 suspended, which is meant to deter you from future  
 5 illegal operations. So you may pay a portion today and  
 6 the remaining portion does not become payable unless you  
 7 violate the order. Then after the recess, we will call  
 8 each of you back up, make sure you understand the order,  
 9 and I will sign it on the record today, and then you  
 10 will leave with a copy of it.  
 11 So is there anything else before we take a  
 12 break? Okay. All right. We are at recess. Thank you.  
 13 (Recess taken from 1:56 p.m. to 3:08  
 14 p.m.)  
 15 JUDGE CHARTOFF: We will be on the record.  
 16 I understand the cease and desist orders have been  
 17 explained and presented to each company, so I will call  
 18 you back up one at a time in the order we went in  
 19 before. So first I will call Carmen Ceron-Garza, Garza  
 20 Wine Tours. Please come back up.  
 21 Ms. Ceron-Garza, did you have a chance to  
 22 walk through the multipage order?  
 23 MS. GARZA: Yes, my husband is going to talk  
 24 to you regarding the agreement that we talk about with  
 25 the Staff.

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1 JUDGE CHARTOFF: Is your microphone on?  
 2 MR. GARZA: I'm Armando Garza, Carmen's  
 3 husband. The agreement that we came up with is that my  
 4 wife has dissolved the company and in turn, I have  
 5 submitted a request to have Garza Wine Tours put on as a  
 6 trade name for A Plus Taxi, working as A Plus Taxi. And  
 7 I think we've complied with everything that we have to  
 8 as far as getting all the proper registrations and so  
 9 forth and blah, blah, blah, concerning the vehicle that  
 10 we want to use. And the only thing that I'm waiting on  
 11 right now would be proper insurance coverage. So  
 12 anyways, he's got the declarations for both my wife and  
 13 I.  
 14 JUDGE CHARTOFF: Okay.  
 15 MR. GARZA: And I think maybe he can explain  
 16 it better than I can.  
 17 MR. HOXIT: Your Honor, Staff would like to  
 18 enter in CCG-1 and AG-1 as exhibits. CCG-1 is a  
 19 declaration of Carmen Ceron-Garza and AG-1 is a  
 20 declaration of Armando Garza, Jr.  
 21 JUDGE CHARTOFF: Okay. Thank you. And  
 22 there's no objection?  
 23 MR. HOXIT: No objections, Your Honor.  
 24 JUDGE CHARTOFF: So I will admit these  
 25 exhibits marked as AG-1 and CCG-1.

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1 (Exhibits AG-1 and CCG-1 admitted.)  
 2 JUDGE CHARTOFF: Thank you.  
 3 So I'm just going to talk about the  
 4 stipulated order to make sure you understand the order.  
 5 So for the record, it says that Garza Wine Tours admits  
 6 it conducted operations without the required certificate  
 7 and that it also advertised to operate as a charter  
 8 party or excursion service carrier without -- on at  
 9 least one occasion. And a \$5,000 penalty is being  
 10 imposed, 4,500 of the penalty is suspended for a period  
 11 of two years and waived thereafter provided the business  
 12 refrains permanently from operations as a charter party  
 13 or excursion carrier in the state of Washington.  
 14 The remainder of the penalty is payable  
 15 according to the schedule in Appendix A, which shows  
 16 \$150 today and payments monthly thereafter, and that you  
 17 agree to cease and desist operations as a charter party  
 18 and excursion carrier.  
 19 I just need to go over a couple more things.  
 20 The order to cease and desist is permanent, meaning it  
 21 does not expire. So even after the two-year period of  
 22 the suspended penalty, if Staff discovers you are still  
 23 operating, Staff can go straight to superior court and  
 24 seek enforcement of this order, which will include  
 25 significant additional penalties. So there is a strong

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1 incentive for you to comply with the law. And with  
 2 regard to the payment schedule, if you miss a payment,  
 3 the entire amount, including the \$4,500, will become due  
 4 and payable immediately. So if for some reason you're  
 5 going to be late making a payment, you will need to  
 6 contact Staff and make arrangements. Failing to contact  
 7 Staff will ensure that the entire penalty is imposed.  
 8 Do you understand that?  
 9 MR. GARZA: Yes.  
 10 MS. GARZA: Yes.  
 11 JUDGE CHARTOFF: Do you understand legally  
 12 what you can and can't do?  
 13 MS. GARZA: Yes.  
 14 MR. GARZA: Yes, a little bit more than what  
 15 I did before, yes.  
 16 JUDGE CHARTOFF: Okay. And remember that  
 17 Commission Staff is always available to assist you if  
 18 you have any questions. The Commission's goal is  
 19 compliance. Are there any additional questions?  
 20 MR. HOXIT: Not from Staff.  
 21 MR. GARZA: No.  
 22 JUDGE CHARTOFF: Okay. Then I will sign the  
 23 order. Okay. And Staff will make a copy for you and  
 24 then you are free to go.  
 25 MS. GARZA: Thank you so much.

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1 JUDGE CHARTOFF: Thank you.  
 2 MR. GARZA: Thank you.  
 3 JUDGE CHARTOFF: So I will next call  
 4 Christene Davis, Crescent Bar Charters.  
 5 Okay. So, Ms. Davis, did you have a chance  
 6 to walk through the order?  
 7 MS. DAVIS: Yes.  
 8 JUDGE CHARTOFF: And did you understand all  
 9 the pages?  
 10 MS. DAVIS: I do.  
 11 JUDGE CHARTOFF: Okay. And I see you and  
 12 Staff have both signed the order.  
 13 MS. DAVIS: Mm-hmm.  
 14 JUDGE CHARTOFF: And it looks like you have  
 15 admitted that you conducted operations in the state  
 16 after the cancellation or revocation of the required  
 17 certificate?  
 18 MS. DAVIS: Yes.  
 19 JUDGE CHARTOFF: And the company offered to  
 20 provide charter party or excursion services on at least  
 21 one occasion and also advertised to operate as a charter  
 22 party or excursion service in the state of Washington.  
 23 MS. DAVIS: Yes.  
 24 JUDGE CHARTOFF: Okay. And -- let's see,  
 25 and Crescent Bar will immediately cease and desist

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1 operations as a charter party excursion service carrier?  
 2 MS. DAVIS: Yes.  
 3 JUDGE CHARTOFF: And assessed a penalty of  
 4 \$5,000. \$1,500 is suspended for a period of two years.  
 5 MS. DAVIS: Yes.  
 6 JUDGE CHARTOFF: And the remainder of the  
 7 penalty is due and payable...  
 8 MS. DAVIS: We paid it. We paid our due.  
 9 JUDGE CHARTOFF: Oh, okay. There's a -- the  
 10 order says according to the schedule in Appendix A. So  
 11 I'm going to just cross that out.  
 12 MS. PAUL: Okay. Yes, there was no payment  
 13 plan. They made the payment today.  
 14 JUDGE CHARTOFF: Okay. Okay. And did you  
 15 hear -- I'll just repeat this quickly. The order to  
 16 cease and desist is permanent, meaning it does not  
 17 expire. So even after the two years of the suspended  
 18 penalty, when that has run, if Staff discovers you are  
 19 still operating, Staff can go straight to superior court  
 20 to seek enforcement of the order which will include  
 21 significant additional penalties.  
 22 MR. DAVIS: That's unless we obtain a new  
 23 permit, correct?  
 24 JUDGE CHARTOFF: Yes.  
 25 MR. DAVIS: Thank you.



1 JUDGE CHARTOFF: Yes. Oh, so you paid the  
 2 penalty in full. Oh, wait. Right. So you paid the  
 3 penalty in full so no payment plan. Okay. And do you  
 4 understand legally what you can and can't do?  
 5 MR. DAVIS: Yes.  
 6 JUDGE CHARTOFF: Okay. I will go ahead and  
 7 sign this. Okay. We will get you a copy and you're  
 8 free to go.  
 9 MS. DAVIS: Thank you.  
 10 MR. DAVIS: Thank you, Your Honor.  
 11 JUDGE CHARTOFF: And Michael Brown?  
 12 MR. BROWN: Yes, ma'am.  
 13 JUDGE CHARTOFF: Okay. So you had a chance  
 14 to walk through the order?  
 15 MR. BROWN: Yes, ma'am.  
 16 JUDGE CHARTOFF: And do you understand all  
 17 five pages?  
 18 MR. BROWN: Yes, ma'am.  
 19 JUDGE CHARTOFF: Okay. And I see that you  
 20 and Staff have signed it.  
 21 MR. BROWN: Yes, ma'am.  
 22 JUDGE CHARTOFF: Okay. And you have  
 23 admitted that DLux Limos has conducted operations in the  
 24 state of Washington without the required certificate.  
 25 MR. BROWN: Yes, ma'am.

1 licenses are in place?  
 2 JUDGE CHARTOFF: Right, unless you have a  
 3 license in place.  
 4 MR. BROWN: Yes, ma'am.  
 5 JUDGE CHARTOFF: Okay. And you understand  
 6 legally what you can and can't do?  
 7 MR. BROWN: Yes, ma'am.  
 8 JUDGE CHARTOFF: Okay. Any additional  
 9 questions? Okay. I will sign it. We'll get you a copy  
 10 and you will be free to go.  
 11 MR. BROWN: Thank you, Your Honor.  
 12 JUDGE CHARTOFF: Thank you. Okay. And we  
 13 are adjourned.  
 14 (Adjourned at 3:24 p.m.)  
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1 JUDGE CHARTOFF: And offered to provide  
 2 charter party or excursion service carrier services on  
 3 at least one occasion and also advertised to operate  
 4 charter party or excursion services on at least one  
 5 occasion?  
 6 MR. BROWN: Yes, ma'am.  
 7 JUDGE CHARTOFF: Okay. And you have been  
 8 assessed a penalty of \$5,000. 3,500 of the penalty is  
 9 suspended?  
 10 MR. BROWN: Yes, ma'am.  
 11 JUDGE CHARTOFF: Okay. And the remainder of  
 12 the penalty --  
 13 MR. BROWN: Paid in full.  
 14 JUDGE CHARTOFF: Oh, that has been paid in  
 15 full, okay.  
 16 Is that correct?  
 17 MR. TURCOTT: Yes, ma'am.  
 18 JUDGE CHARTOFF: Okay.  
 19 MR. TURCOTT: Yes, Your Honor.  
 20 JUDGE CHARTOFF: Again, I'm just crossing  
 21 out subject of schedule on Appendix A. Since it's a  
 22 typo, I think it's -- we don't need to resign. And do  
 23 you understand the order to cease and desist is  
 24 permanent?  
 25 MR. BROWN: Yes, ma'am. Until further

1 CERTIFICATE  
 2  
 3 STATE OF WASHINGTON  
 4 COUNTY OF THURSTON  
 5  
 6 I, Tayler Garlinghouse, a Certified Shorthand  
 7 Reporter in and for the State of Washington, do hereby  
 8 certify that the foregoing transcript is true and  
 9 accurate to the best of my knowledge, skill and ability.  
 10  
 11



*Tayler Garlinghouse*  
 Taylor Garlinghouse, CCR 3358

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