Docket No. TV- 200309 - Vol. I

In the Matter of: Starving Students, Inc.

January 20, 2021



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COURT REPORTING AND LEGAL VIDEO

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25 JUDGE HOWARD: So we are back on the record			25	JUDGE HOWARD: So we are back on the record

1 (Pages 1 to 4)

	Page 5	Page
1	in Docket TV-200309. It appears we do not have anyone	1 EXAMINATION
2	from Starving Students appearing today. But to return	2 BY MR. CALLAGHAN:
3	to my introduction to this hearing today, the Commission	3 Q. Ms. Hawkins-Jones, could you state your name an
4	issued "Order 01" in this docket beginning a special	4 spell your last name for the record?
5	proceeding at Starving Students Inc.	5 A. My name is Jacque Hawkins-Jones. Last name
6	The order alleges that Starving Students	6 H-a-w-k-i-n-s, hyphen, J-o-n-e-s.
7	operated as a household goods carrier without a required	7 Q. And where do you work?
8	permit. And today we're here for a Brief Adjudicative	8 A. I work at the Washington Utilities and
9	Proceeding.	9 Transportation Commission in the Consumer Protection
10	Let's take appearances from the party that	10 Division.
11	is present. So could we have appearance from Commission	11 Q. And are you the current Staff Investigator
12	Staff?	12 assigned to this case?
13	MR. CALLAGHAN: Good morning, Your Honor.	13 A. Yes, I am.
14	This is Nash Callaghan, Assistant Attorney	14 Q. Were you the first Staff Investigator assigned
15	General, appearing on behalf of Commission Staff.	15 to this case?
16	I have Jacque Hawkins-Jones, Investigator,	16 A. No, I was not.
17	here with me.	17 Q. Okay. Was this case transferred to you by
18	THE COURT: Thank you, Mr. Callaghan. So,	18 another investigator?
19	Mr. Callaghan, given that the company is not appearing	19 A. Yes, it was.
20	today, what would Staff what would Staff pursue?	20 Q. And who was that?
21	What is your recommendation?	A. My supervisor, Bridget Feezer (phonetic),
22	MR. CALLAGHAN: Thank you, Your Honor.	22 Assistant Director of Consumer Protection, transferred
23	Staff asks that the commission find the company in	the case to me when the previous investigator, Brian
24	default for failure to appear at this time and place set	Braun, left the agency.
25	for the hearing. And Staff would request that the	25 Q. Okay. And once the case was transferred to you,
	Page 6	Page
1	commission proceed with the hearing and resolve the	1 did you review the complaint in this case?
2	issues before it.	2 A. Yes, I did.
3	JUDGE HOWARD: Certainly, I will go ahead	3 Q. And did you review the declaration of the
4	and let you present your testimony to support the motion	4 previous investigator, Brian Braun?
5	for default first. And then I suppose after we have	5 A. Yes, I did.
6	that testimony, then we will address the merits of the	6 Q. And, to your knowledge, are those documents tru
7	case.	7 and correct?
8	Does that sound acceptable?	8 A. Yes, they are.
9	MR. CALLAGHAN: Yes, Your Honor.	9 Q. All right. And moving on to the company itself,
10	THE COURT: Okay. You may call your witness	10 is Starving Students a household goods carrier?
11	to support the motion for a default.	11 A. That's what they hold themselves out to be, yes.
12	MR. CALLAGHAN: Thank you, Your Honor.	12 Q. Okay. What services does Starving Students
13	Staff calls Jacque Hawkins-Jones to the	13 offer and advertise?
14	stand.	A. They offer and advertise local moves in the
15	THE WITNESS: Good morning.	15State of Washington and residential moves in the State
16	JUDGE HOWARD: Good morning, Ms. Jones.	16 of Washington.
17	Would you please raise your right hand? And	17Q. All right. And these you've seen these
18	I will swear you in.	18 advertisements through your investigation; is that
19	Do you swear or affirm that the testimony	19 correct?
20	you will give today is the truth, the whole truth, and	20 A. That is correct.
21	nothing but the truth?	Q. And does the company currently have a househol
22	THE WITNESS: Yes, I do.	22 goods permit from the commission?
23	JUDGE HOWARD: You may proceed,	A. As of this morning, they do not hold a permit
24	Mr. Callaghan.	24 with the Commission.
25	MR. CALLAGHAN: Thank you, Your Honor.	25 Q. And the company did have a household goods

2 (Pages 5 to 8)

	Page 9		Page 11
1	permit that was canceled due to lack of insurance in	1	Q. Okay. Thank you.
2	2016; is that correct?	2	And last week did, you check to see whether
3	A. That is correct.	3	Starving Students was still offering household goods
4	Q. So presumably, the company should be aware that	4	carrier services?
5	it does need a household goods permit from the	5	A. Yes, I did.
6	Commission in order to operate?	6	Q. And what did you find?
7	A. Yes.	7	A. I was able to secure a quote for a move between
8	Q. Okay. And throughout this case, Staff has had	8	two ZIP codes within the state of Washington.
9	difficulty serving the company; is that correct?	9	Q. Okay. Thank you.
10	A. That is correct.	10	MR. CALLAGHAN: Your Honor, with that, I'd
11	Q. But the process server was ultimately able to	11	offer Exhibits JHJ-1 and -2 into evidence.
12	serve the company through the Washington State Secretary	12	THE COURT: They are admitted.
13	of State; is that right?	13	(Exhibit Nos. JHJ-1 and JHJ-2 were admitted.)
14	A. Yes.	14	MR. CALLAGHAN: Thank you, Your Honor.
15	Q. And is that Exhibit JHJ-3?	15	I have no further questions.
16	A. Yes, it is.	16	JUDGE HOWARD: Ms. Hawkins-Jones, just to
17	MR. CALLAGHAN: All right. Your Honor, at	17	clarify. When we're talking about the service of
18	this point, Staff would offer Exhibit JHJ-3 into	18	process issue
19	evidence.	19	THE WITNESS: Yes.
20	THE COURT: It is admitted.	20	JUDGE HOWARD: the you referred to
21	(Exhibit No. JHJ-3 was admitted.)	21	Staff sending a certified letter to the company at its
22	MR. CALLAGHAN: Thank you. Thank you, Your	22	listed address. I'm not sure that that's in the record.
23	Honor.	23	Do you know which address Staff used?
24	BY MR. CALLAGHAN:	24	THE WITNESS: I would be able to look it up
25	Q. So have you, as part of your investigation, made	25	in just one moment. I do believe that that letter was
	Page 10		Page 12
1	attempts to provide the company with notice of today's	1	not successfully sorry. I'm having a hard time
2	hearing?	2	finding it at the moment.
3	A. Yes, I have.	3	The address that we sent the certified
4	Q. Okay. Could you describe what efforts you've	4	letter to was 12675 Mountain Crest Lane in Los Angeles,
5	made?	5	California 90049-6831.
6	A. We have tried calling the agent or the	6	JUDGE HOWARD: Thank you. And I was
7	company at the number listed. We've also sent a	7	wondering, the in the exhibits that we've already
8	certified letter to the listed company owner. And we	8	admitted, there is a place of business, it looks like,
9	attempted to serve the company at a total of eight	9	for the company in Bellevue.
10	addresses.	10	
11			Did Staff, at any point, attempt to hand
10	Q. Thank you.	11	the the service process to the to the manager of
12	And is Staff requesting that the Commission	11 12	the the service process to the to the manager of that place of business?
13	And is Staff requesting that the Commission classify Starving Students as a household goods carrier?	11 12 13	the the service process to the to the manager of that place of business? THE WITNESS, yes. There was an attempt to
13 14	And is Staff requesting that the Commission classify Starving Students as a household goods carrier? A. Yes, we are.	11 12 13 14	the the service process to the to the manager of that place of business? THE WITNESS, yes. There was an attempt to serve at that location and it was unsuccessful.
13 14 15	And is Staff requesting that the Commission classify Starving Students as a household goods carrier? A. Yes, we are. Q. Is Staff asking that the Commission assess	11 12 13 14 15	the the service process to the to the manager of that place of business? THE WITNESS, yes. There was an attempt to serve at that location and it was unsuccessful. JUDGE HOWARD: Can you tell me about that?
13 14 15 16	And is Staff requesting that the Commission classify Starving Students as a household goods carrier? A. Yes, we are. Q. Is Staff asking that the Commission assess penalties for two violations of RCW 81.80.075?	11 12 13 14 15 16	the the service process to the to the manager of that place of business? THE WITNESS, yes. There was an attempt to serve at that location and it was unsuccessful. JUDGE HOWARD: Can you tell me about that? THE WITNESS: From what I know, there was no
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3 (Pages 9 to 12)

	Page 13		Page 15
1	motion to default?	1	attempts to serve the company. The company is aware
2	MR. CALLAGHAN: Your Honor, I do have just	2	that it does need a household goods permit from the
3	some quick follow-up, just to give a broader sense of	3	Commission in order to operate, and so Staff would ask
4	Staff's Staff's attempts at service for this company.	4	that the Commission classify Starving Students as a
5	So, if I may?	5	household goods company and assess penalties.
6	THE COURT: You may.	6	Thank you.
7	MR. CALLAGHAN: Thank you.	7	THE COURT: Thank you, Mr. Callaghan.
8	FURTHER EXAMINATION	8	I will grant Staff's motion for default, so
9	BY MR. CALLAGHAN:	9	you may proceed with your testimony on the merits.
10	Q. So, Ms. Hawkins-Jones, as part of your	10	MR. CALLAGHAN: I'm sorry. What was that
11	investigation, have you reviewed some of the paperwork	11	last part?
12	from the process server in this case?	12	THE COURT: Well, let me clarify. I intend
13	A. Some of the paperwork, yes.	13	to grant Staff's motion for default.
14	Q. Okay. And are is it true that there have	14	Do you have any further testimony you'd like
15	been many multiple addresses that could be possible	15	to give on the merits of the case and classifying the
16	business addresses both for Starving Students and for	16	company? Or has Staff already provided that?
17	Ethan Margalith, the owner of Starving Students?	17	MR. CALLAGHAN: No, Your Honor. I believe
18	A. Yes. There were multiple addresses listed for	18	we've already provided that. Thank you.
19	each, the company and the individual.	19	THE COURT: Okay. If in that case, then,
20	Q. And has to your knowledge, did the process	20	may I just clarify what Staff's requested penalty would
21	server attempt service at 3718 South Tacoma Way in	21 22	be? The revised Order 01 refers to at least two
22	Tacoma, Washington?	23	violations of the relevant statute. We have the the
23 24	A. To my knowledge, yes.	24	advertising on the advertising for moving services, I
24	Q. Okay. And did and you've already answered the question about the the address in Bellevue.	25	believe, was in January. And sorry. I'm just
23	the question about the the address in Delievue.		
	Page 14		
	rage 14		Page 16
1	Did the process server also attempt services at	1	Page 16
1 2		1 2	
	Did the process server also attempt services at		looking for my notes on this. Advertising online on
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