STAFF INVESTIGATION

Miracle Movers, Inc.
Docket TV-061618

Prepared by:
Betty Young
Compliance Specialist
Transportation Safety Division
February 2007

TABLE OF CONTENTS

Purpose, Scope & Authority	3
Executive Summary	4
Background	5
Investigation	7
Conclusions	9
Appendices	11

PURPOSE, SCOPE, AND AUTHORITY

Purpose

The purpose of this investigation is to determine if Miracle Movers, Inc. (Miracle Movers) is operating motor vehicles for transportation of property for compensation (operating as a household goods carrier) on the public highways of the state of Washington without the necessary permit authority required for such operations by RCW 81.80.070.

Scope

The scope of the investigation focuses on information obtained by staff of the Washington Utilities and Transportation Commission (commission) relating to the business practices of Miracle Movers.

Authority

Staff undertakes this investigation under the authority of the Revised Code of Washington (RCW) 81.01.010, which adopts RCW 80.01, which directs the commission to regulate auto transportation companies in the public interest, and to adopt such rules and regulations as may be necessary to do so. In addition, RCW 81.04.070 makes it clear that the commission is authorized to conduct such an investigation.¹

¹ See referenced laws and rules at Appendix A.

EXECUTIVE SUMMARY

The commission's Business Practices Investigations staff investigated information it received alleging Miracle Movers transported household goods for compensation in Washington without the required permit.

Based on the information obtained in this investigation, staff finds that Miracle Movers violated state law by transporting household goods for compensation without a permit from the commission.

Staff recommends the commission issue a \$1,500 penalty to Miracle Movers, as provided under RCW 81.80.070(4), for one violation of RCW 81.80.070(1), operating a motor vehicle for transportation of property for compensation on the public highways of the state of Washington without the necessary permit required for such operation.

Staff also recommends the commission initiate a proceeding against Miracle Movers as provided by RCW 81.04.510.

Finally, staff recommends that the commission refer the matter to the county prosecuting attorney for prosecution of Miracle Movers under the motor carrier unlawful advertising statute, RCW 81.80.355.

Total recommended penalties: \$1,500

BACKGROUND

Company information

Miracle Movers, Inc. is registered as an active, for-profit corporation with the Secretary of State's office, the Washington Department of Licensing, and the Department of Revenue under Unified Business Identifier (UBI) number 602-514-885. The registered names for the company are Miracle Movers, Inc. and Miracle Movers. The business location address is 521 North 102nd Street, Seattle, Washington, 98175. The mailing address is listed as PO Box 75565, Seattle, Washington, 98175. Miracle Movers' company president is Jesse Edward Aislinn.²

Previous commission compliance activity under same business name

Business Practices Investigations staff Dennis Shutler investigated Miracle Movers, Inc. between 2001 and 2003. During that time, the company conducted business under UBI number 602-221-732 and the company president was Mr. Jody Webb. Mr. Shutler met with Mr. Webb and his brother, Jesse Webb, in March 2001 to provide technical assistance on the commission's regulations.³

On September 11, 2003, in docket TV-030010, the commission ordered Jody Webb d/b/a Motivated Movers and/or d/b/a Miracle Movers to cease and desist from conducting operations requiring commission authority unless or until the required authority was obtained from the commission.⁴ According to information from the Secretary of State's Web site, the company's license expired on July 31, 2004.

In November 2004, Business Practices staff member Sheri Hoyt began investigating Miracle Movers due to information received indicating the company continued to operate.

In June 2005, the Mercer Island Police Department contacted several state agencies, including the commission, regarding two theft complaints filed against Miracle Movers. Detective Robarge contacted Ms. Hoyt directly and informed her of the alleged thefts. Ms. Hoyt subsequently requested and received information regarding the alleged thefts from Mercer Island police. Ms. Hoyt created a chronological history of the commission's dealings with Miracle Movers from April 2001 through August 2005.

Investigation by Dept. of Labor and Industries

The Department of Labor and Industries (L&I) conducted its own investigations of Miracle Movers in June 2005, based on the contact by Mercer Island police indicating the company did not have an L&I account. The field audit report stated Miracle Movers was formed with the state of Delaware on September 27, 2004. Jesse Aislinn was shown as the initial director and the company was listed as a residential and commercial moving and moving supplies

² Based on information held by Washington's Dept. of Licensing and Dept. of Revenue at Appendix B.

³ See testimony of Dennis Shutler, commission staff, in classification proceeding under docket TV-030010, pages 20-22 – excerpt of testimony at Appendix C.

⁴ See commission order in TV-030010 at Appendix D.

⁵ See chronological history report at Appendix E. Some personally-identifying information was redacted for confidentiality.

firm. The audit found Miracle Movers had no workers. The company's movers and drivers were employees of New Leaf Labor Corp. (New Leaf), also owned by Jesse Aislinn. L&I's subsequent field audit report of New Leaf states Miracle Movers' adviser wanted the moving company and the movers themselves to be under two separate companies "for liability reasons." L&I assessed a penalty against New Leaf for operating as an unregistered employer.

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⁶ See L&I field audit reports of Miracle Movers and New Leaf Labor at Appendix F. Some personally-identifying information was redacted for confidentiality.

INVESTIGATION

Customer complaint

The commission's Consumer Affairs staff received a complaint against Miracle Movers on May 16, 2006. Customer David Toner contacted the commission regarding his March 1 move conducted by Miracle Movers. Mr. Toner claimed Miracle Movers damaged some of his goods during the move.⁷

Consumer Affairs staff Mike Meeks spoke with a man named Jesse at Miracle Movers. Mr. Meeks informed Jesse that Miracle Movers was not registered with the commission. When Jesse inquired as to how the company could become registered, Mr. Meeks attempted to transfer him to the commission's Licensing Services section for assistance. Jesse disconnected the call before the transfer could be completed. When Mr. Meeks called Jesse back and attempted to transfer him to Licensing Services again, Jesse disconnected the call again.

Miracle Movers did not respond to the complaint. Mr. Meeks noted a violation of RCW 81.80.070 against Miracle Movers for operating as a household goods carrier without the proper permit. The company did not respond to the alleged violations. Mr. Meeks closed the complaint and advised Mr. Toner his complaint would be referred to the commission's enforcement section for further action.

Investigation

This matter was referred to Business Practices Investigations for further investigation of Miracle Movers' apparent operation as a household goods carrier without a permit from the commission.

I contacted Mr. Toner on October 9, 2006, regarding the information and documents he provided to Consumer Affairs with his complaint. I asked Mr. Toner if he had proof that he paid Miracle Movers for conducting the move. Mr. Toner stated that he had paid for the move in cash. Mr. Toner provided a declaration describing his experiences during the March 1 move with Miracle Movers and the events that followed.⁸

Mr. Toner pursued the matter in small claims court in June. The King County Dispute Resolution Center mediated between Miracle Movers and Mr. Toner, and the parties signed a conciliation agreement. Mr. Toner received a refund check from Miracle Movers in the amount of \$396.37.9

Advertising

Miracle Movers appears to be operating a Web site at http://www.miraclemovers.com. The site states, "Family owned and operated. Residential and Commercial. Licensed and Insured. Moving 24 hrs 7 days a week. Short notice moves welcome." The company is also listed in

⁷ See the text of the complaint at Appendix G.

⁸ See copies of the customer's declaration at Appendix H.

⁹ See attachments to complaint text at Appendix G.

¹⁰ See copies of Web site information at Appendix I.

at least two online telephone directories (Dex Online and Superpages.com) for Seattle, Bellevue, Kent, and Lynnwood. 11

I personally called the following telephone numbers for Miracle Movers on February 14, 2007:

- 425-451-4411
- 425-787-0187
- 206-273-4680
- 253-852-3884

At each number, a woman answered the phone, stating, "Miracle Movers. How may I help you?"

8

¹¹ See copies of online telephone directory listings at Appendix J.

CONCLUSIONS

RCW 81.80.070 Grant or denial of permit, states, in part:

- (1) No "common carrier," "contract carrier," or "temporary carrier" shall operate for the transportation of property for compensation in this state without first obtaining from the commission a permit to do so.
- (4) A common carrier, contract carrier, or temporary carrier operating without the permit required in subsection (1) of this section...is subject to a penalty...of one thousand five hundred dollars.

Based on the information obtained in this investigation, staff finds that Miracle Movers violated RCW 81.80.070 on March 1, 2006, by transporting household goods for compensation on the public highways of the state of Washington without the necessary permit required for such operations.

RCW 81.80.355 Unlawful advertising, states:

Any person not holding a permit authorizing him to operate as a common carrier, contract carrier, or temporary carrier for the transportation of property for compensation in this state, or an exempt carrier, who displays on any building, vehicle, billboard or in any manner, any advertisement of, or by circular, letter, newspaper, magazine, poster, card or telephone directory, advertises the transportation of property for compensation shall be guilty of a misdemeanor and punishable as such.

Staff finds Miracle Movers is violating RCW 81.080.355 by currently advertising household goods moving services without the necessary permit.

RCW 81.04.510 Engaging in business or operating without approval or authority — Procedure, states, in part:

Whenever the commission believes that any person or corporation is engaged in operations without the necessary approval or authority required by any provision of this title, it may institute a special proceeding requiring such person or corporation to appear before the commission at a location convenient for witnesses and the production of evidence and bring with him books, records, accounts and other memoranda, and give testimony under oath as to his operations or acts, and the burden shall rest upon such person or corporation of proving that his operations or acts are not subject to the provisions of this chapter.

Recommendations

Staff recommends the commission issue a \$1,500 penalty to Miracle Movers, as provided under RCW 81.80.070(4), for one violation of RCW 81.80.070.

Staff also recommends the commission initiate a proceeding against Miracle Movers as provided by RCW 81.04.510.

Finally, staff recommends that the commission refer the matter to the county prosecuting attorney for prosecution of Miracle Movers under the motor carrier unlawful advertising statute, RCW 81.80.355.

Total recommended penalties: \$1,500

APPENDIX A

RCW 81.01.010

Adoption of provisions of chapter 80.01 RCW.

The provisions of chapter 80.01 RCW, as now or hereafter amended, apply to Title 81 RCW as fully as though they were set forth herein. [1961 c 14 § 81.01.010.]

RCW 80.01.040

General powers and duties of commission.

The utilities and transportation commission shall:

- (1) Exercise all the powers and perform all the duties prescribed therefor by this title and by Title 81 RCW, or by any other law.
- (2) Regulate in the public interest, as provided by the public service laws, the rates, services, facilities, and practices of all persons engaging in the transportation by whatever means of persons or property within this state for compensation, and related activities; including, but not limited to, air transportation companies, auto transportation companies, express companies, freight and freight line companies, motor freight companies, motor transportation agents, private car companies, railway companies, sleeping car companies, steamboat companies, street railway companies, toll bridge companies, storage warehousemen, and wharfingers and warehousemen.
- (3) Regulate in the public interest, as provided by the public service laws, the rates, services, facilities, and practices of all persons engaging within this state in the business of supplying any utility service or commodity to the public for compensation, and related activities; including, but not limited to, electrical companies, gas companies, irrigation companies, telecommunications companies, and water companies.
 - (4) Make such rules and regulations as may be necessary to carry out its other powers and duties.

[1985 c 450 § 10; 1961 c 14 § 80.01.040. Prior: (i) 1949 c 117 § 3; Rem. Supp. 1949 § 10964-115-3. (ii) 1945 c 267 § 5; Rem. Supp. 1945 § 10459-5. (iii) 1945 c 267 § 6; Rem. Supp. 1945 § 10459-6. Formerly RCW 43.53.050.]

Notes:

Severability -- Legislative review -- 1985 c 450: See RCW 80.36.900 and 80.36.901.

Flaggers -- Safety standards: RCW 49.17.350.

RCW 81.04.070

Inspection of books, papers, and documents.

The commission and each commissioner, or any person employed by the commission, shall have the right, at any and all times, to inspect the accounts, books, papers and documents of any public service company, and the

commission, or any commissioner, may examine under oath any officer, agent or employee of such public service company in relation thereto, and with reference to the affairs of such company: PROVIDED, That any person other than a commissioner who shall make any such demand shall produce his authority from the commission to make such inspection. [1961 c 14 § 81.04.070. Prior: 1911 c 117 § 77; RRS § 10415.]

RCW 81.04.510

Engaging in business or operating without approval or authority — Procedure.

Whether or not any person or corporation is conducting business requiring operating authority, or has performed or is performing any act requiring approval of the commission without securing such approval, shall be a question of fact to be determined by the commission. Whenever the commission believes that any person or corporation is engaged in operations without the necessary approval or authority required by any provision of this title, it may institute a special proceeding requiring such person or corporation to appear before the commission at a location convenient for witnesses and the production of evidence and bring with him books, records, accounts and other memoranda, and give testimony under oath as to his operations or acts, and the burden shall rest upon such person or corporation of proving that his operations or acts are not subject to the provisions of this chapter. The commission may consider any and all facts that may indicate the true nature and extent of the operations or acts and may subpoena such witnesses and documents as it deems necessary.

After having made the investigation herein described, the commission is authorized and directed to issue the necessary order or orders declaring the operations or acts to be subject to, or not subject to, the provisions of this title. In the event the operations or acts are found to be subject to the provisions of this title, the commission is authorized and directed to issue cease and desist orders to all parties involved in the operations or acts.

In proceedings under this section no person or corporation shall be excused from testifying or from producing any book, waybill, document, paper or account before the commission when ordered to do so, on the ground that the testimony or evidence, book, waybill, document, paper or account required of him may tend to incriminate him or subject him to penalty or forfeiture; but no person or corporation shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any account, transaction, matter or thing concerning which he shall under oath have testified or produced documentary evidence in proceedings under this section: PROVIDED, That no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

[1973 c 115 § 15.]

RCW 81.80.070

Grant or denial of permit — Cease and desist orders — Penalty.

- (1) No "common carrier," "contract carrier," or "temporary carrier" shall operate for the transportation of property for compensation in this state without first obtaining from the commission a permit so to do. Permits heretofore issued or hereafter issued to any carrier, shall be exercised by said carrier to the fullest extent so as to render reasonable service to the public. Applications for common or contract carrier permits or extensions thereof shall be on file for a period of at least thirty days prior to the granting thereof unless the commission finds that special conditions require the earlier granting thereof.
- (2) A permit or extension thereof shall be issued to any qualified applicant therefor, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing, and able properly to perform the services proposed and conform to the provisions of this chapter and the requirements, rules and regulations of the commission thereunder, and that such operations will be consistent with the public interest, and, in the case of common carriers, that the same are or will be required by the present or future

public convenience and necessity, otherwise such application shall be denied.

- (3) Nothing contained in this chapter shall be construed to confer upon any person or persons the exclusive right or privilege of transporting property for compensation over the public highways of the state.
- (4) A common carrier, contract carrier, or temporary carrier operating without the permit required in subsection (1) of this section, or who violates a cease and desist order of the commission issued under RCW 81.04.510, is subject to a penalty, under the process set forth in RCW 81.04.405, of one thousand five hundred dollars.
- (5) Notwithstanding RCW 81.04.510, the commission may, in conjunction with issuing the penalty set forth in subsection (4) of this section, issue cease and desist orders to carriers operating without the permit required in subsection (1) of this section, and to all persons involved in the carriers' operations.

[1999 c 79 § 1; 1963 c 242 § 1; 1961 c 14 § 81.80.070. Prior: 1953 c 95 § 17; 1947 c 264 § 2; 1941 c 163 § 1; 1937 c 166 § 6; 1935 c 184 § 5; Rem. Supp. 1947 § 6382-5.]

RCW 81.80.355

Unlawful advertising — **Penalty.**

Any person not holding a permit authorizing him to operate as a common carrier, contract carrier, or temporary carrier for the transportation of property for compensation in this state, or an exempt carrier, who displays on any building, vehicle, billboard or in any manner, any advertisement of, or by circular, letter, newspaper, magazine, poster, card or telephone directory, advertises the transportation of property for compensation shall be guilty of a misdemeanor and punishable as such.

[1961 c 14 § 81.80.355. Prior: 1957 c 205 § 8; 1953 c 95 § 22.]

APPENDIX B **Secretary of State information:**

Corporations: Registration Detail

http://www.secstate.wa.gov/corps/search_detail.aspx?name=MIRA...



CORPORATIONS

Corporations Menu » Print Page

Search Web Site

Corporations Division - Registration Data Search

MIRACLE MOVERS, INC.

UBI Number

602 514 885

Category

Regular Corporation

Profit/Nonprofit

Profit

Active/Inactive

Active

State of Incorporation

WA

Date of Incorporation

06/22/2005

License Expiration Date 06/30/2007

Registered Agent Information

Agent Name

BUSINESS FILINGS INCORPORATED

Address

410 11TH AVENUE SE STE 202

City

OLYMPIA

State

WA

ZIP

98501

Special Address Information

Address

City

State

Zip

« Return to Search List

Disclaimer

Information in the Secretary of State's Online Corporations Database is updated Monday through Friday by 5:00 a.m. Pacific Standard Time (state holidays excluded). Neither the State of Washington nor any agency, officer, or employee of the State of Washington warrants the accuracy, reliability, or timeliness of any information in the Public Access System and shall not be liable for any losses caused by such reliance on the accuracy, reliability, or timeliness of such information. While every effort is made to ensure the accuracy of this information, portions may be incorrect or not current. Any person or entity who relies on information obtained from the System does so at his or her own risk.

1 of 2 11/21/2006 11:40 AM

Dept. of Licensing information:

FNA Sear	FNAM BUS220N1		Licensing System Detail Information	11/21/2006 12:00
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	Profit Corpo	ration		
x	MIRACLE MOVE	RS, INC.		
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_	MIRACLE MOVE	RS, INC.		
_	521 N 102ND	ST		
<u>-</u>	SEATTLE WA 9	8175		
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_	Phone: 206 2	73 4680	First Activity Dt:	10/21/2004
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Ente				

GNAM Master Licensing System 11/21/2006 GPI215N1 Governing Person Name Detail 12:44 _____ UBI: 602 514 885 001 Active Profit Corporation MIRACLE MOVERS, INC. AISLINN, JESSE This governing person was listed on the most recent PRES document filed with the Secretary of State. 521 N 102ND ST Contact the Secretary of SEATTLE WA 98133 State at (360) 753-7115 for a copy of the latest official filing. Transfer: ____ Enter-PF1---PF3---PF3---PF5---PF6---PF7---PF8---PF9---PF10--PF1 LocnL

MLS Administration Page 1 of 3

Master License Service Department of Licensing P O Box 9034 Olympia WA 98507-9034

Master Application Record of Filing Back Menu

Application Version 1.6

Filing Date and Time:

7/8/2005 10:40:46 AM Pacific Time

Application Transaction #:

20051895075

(Refer to this number if you have questions about this application.)

Credit Card Approval:

1208444460003322364176

You provided the following information:

Purpose of Application

1. Open Business

Type of Ownership

Business Structure:

Corporation

UBI Number for Business

Structure:

602514885

Federal ID Number (FEIN):

74-3133046

Legal Business Name:

Miracle Movers, Inc.

Incorporation Date:

9/1/2004

State of Incorporation:

Delaware

Filed paperwork with the

Washington Secretary of State?

Yes

Business Owners

Business Owner 1:

Title:

President, Chairman of the Board

Name:

Jesse Edward Aislinn

Percentage Owned:

100%

Address:

P.O. Box 75565

Seattle, Washington 98175

Has a spouse?

No

Trade Names

https://fortress.wa.gov/dol/mls/mls-admin/RPTArchiveRetrievall 6.asp

10/27/2006

MLS Administration

Page 2 of 3

Business Firm Name (doing

business as):

Miracle Movers, Inc.

Additional Trade Names:

Miracle Movers

Business Information

Business Mailing Address:

P.O. Box 75565 Seattle, WA 98175

Business Location Address:

521 N 102nd St

Seattle, WA 98175

First date of business:

10/21/2004

Telephone Number:

(206) 273-4680

Email Address:

clientservices@miraclemovers.com

Estimated Gross Income:

\$12001 - \$28000

Products and Services sold:

residential and commercial moving, moving supplies

Separate tax return for each

location or trade name:

No

Location within city limits:

Yes

Additional Business Information

Bank Name:

Washington Mutual

Acquired all or part of another

No

business: Purchased or leased any fixtures

;

or equipment that you have not paid sales tax:

No

Affiliated or owned by another

88'

No

If changing business structure, will the account be closed:

No

Ever owned another business:

Yes

Other Business Name:

Healing Light

Employment Information

Will you have Employees within

the next 90 days?

No

Optional Insurance

Voluntary optional unemployment insurance coverage for officers:

No

https://fortress.wa.gov/dol/mls/mls-admin/RPTArchiveRetrieval1_6.asp

10/27/2006

MLS Administration

Page 3 of 3

The corporation must inform officers in writing that they are not covered for unemployment insurance.

Voluntary optional Industrial Insurance for excluded

employment:

No

Industrial Insurance coverage for sole proprietor, partners, owner-corporate officers, LLC or LLP

members:

No

License Fees

\$25 has been billed to your Visa.

Prepared By:

Name

Jesse Aislinn

Phone Number

(206) 545-0134

Your application has been completed and submitted. Please allow 10 days to receive your license document in the mail. If you have any questions contact us at mls@dol.wa.gov

11/21/2006 13:17 FAX 360 586 4974

CHAIR, BOARD OF DIRECTORS' NAM If you state that you have "no

SEC OF STATE

₩002



OFFICER OR SOARD CHAIR

state who performs the duties non

PROFIT CORPORATION LICENSE RENEWAL AND ANNUAL REPORT

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		0619-H		
		Unified Business ID No.	602 514	885
		State of Incorporation	WA	
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RENEW ONLINE! Go to:www.dol.wa.gov/	/bpd/cr.htm Use your	UBI# and the password:	P575 8Y68	
Domestic Profit Corporation Renewal Application Fee	v 1 , 1		\$	50.00 9.00
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BLS-700-112 CORP. LIC. RENEWAL (R/3/06)

President

Please return to: DEPARTMENT OF LICENSING
MASTER LICENSE SERVICE
PO BOX 9048
OLYMPIA WA 98507-9048 (360) 664-145D

Telephone:

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The database currently contains 1,845,867 records

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NOTE: If the word "non-revenue" appears in the space after Tax Registration Number, the account is not registered with the Department of Revenue. Although the business may not be required to register with the Department of Revenue, it is registered with one or more other agencies in the state.

Washington State Department of Revenue State Business Records Database Detail

TAX REGISTRATION NUMBER:

602514885 602514885

LEGAL ENTITY:

MIRACLE MOVERS INC

DOING BUSINESS AS:

MAILING ADDRESS:

BUSINESS LOCATION:

PO BOX 75565 SEATTLE, WA 98175-0565 521 N 102ND ST SEATTLE, WA 98175-0000

OWNER TYPE: ACCOUNT OPENED:

CORPORATION 10/21/2004 OPEN

ACCOUNT CLOSED: NAICS CODE: 484210

11/21/2006 11:57 AM

FOR NON-COMMERCIAL USE ONLY

As of 8/31/2005, the Standard Industrial Code (SIC) has been replaced with the North American Industry Classification System Code (NAICS). For more information, click here

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1 of 2

11/21/2006 11:57 AM

APPENDIX C

Excerpt of testimony of Dennis Shutler in Docket TV-030010

0020

- 1 listed on the registrations provided by the Department
- 2 of Licensing they're of a weight stature that would
- 3 support moving household goods.
- 4 Q. Mr. Shutler, did you have an occasion to meet
- 5 with Mr. Webb in person?
- 6 A. Yes, I did.
- 7 Q. Would you please describe how that meeting
- 8 came about.
- 9 A. I had been trying to contact a gentleman by
- 10 the name of Jonathan Leslie, who was a previous owner of
- 11 the company. And at the time I was trying to contact
- 12 him, I was under the assumption that he was still the
- 13 owner of the company. And I was trying to contact
- 14 Mr. Leslie to provide him technical assistance, advise
- 15 him about the operations he was performing that were in
- 16 violation of state rule at that time. And as I tried to
- 17 contact Mr. Leslie, Mr. Webb, I believe it was Jesse
- 18 Webb, Jody's brother, answered the phone at the phone
- 19 number that was listed for Motivated Movers in the phone
- 20 directory at that time. So I found out through talking
- 21 to Jody's brother, Jesse, that Mr. Leslie had sold the
- 22 business to Mr. Webb, Jody Webb. And then we set up a
- 23 meeting date to meet with Mr. Webb. And, in fact, I met
- 24 with both the brothers, Jody Webb and Jesse Webb, in
- 25 Seattle.

0021

- 1 Q. And how did you find out that Jesse Webb was
- 2 Jody Webb's brother?
- 3 A. Basically Jesse when I was talking to him
- 4 during the phone conversation told me that they were
- 5 brothers.
- 6 Q. Would you please describe the meeting that
- 7 you had with Jody and Jesse Webb.
- 8 A. On March 13th, 2001, I met with both Jesse
- 9 and Jody Webb at a Starbucks restaurant or coffee shop
- 10 in Seattle. That was their choosing of a meeting place.
- 11 Q. And what happened at the meeting?
- 12 A. At the meeting I was attempting to provide
- 13 technical assistance to Jody Webb since he was now the
- 14 new owner of the company that I was doing a
- 15 investigation on for illegal operations, and that
- 16 investigation then transferred to contacting him and
- 17 addressing the issues with him. I provided Mr. Webb
- 18 with an application for permit and a law book, a rule
- 19 book that pertained to all the RCW's that were
- 20 applicable to household goods and the WAC's that were
- 21 applicable to household goods, provided him a safety
- 22 guide booklet that was published by the Commission at
- 23 that point, and a copy of the tariffs that stipulate the
- 24 rates to be used for customers and services provided,
- 25 and some facts sheets that were published by the

0022

- 1 Commission at that point pertaining to the necessity of
- 2 filing insurance with the Commission and being permitted

- 3 with the Commission as well.
- Q. Did you explain to the Webbs how to use the
- 5 materials that you provided?
- 6 A. Yeah, I sat there with them, and they seemed
- 7 very cooperative and anxious to submit the application
- 8 completed and obtain their authority. I answered all
- 9 their questions, tried to be as specific and helpful as
- 10 I could in pointing out issues that they needed to pay
- 11 particular attention to, the type of insurance that they
- 12 needed to provide for their vehicle and for cargo
- 13 insurance requirements as well. I gave them my
- 14 telephone number, my pager number, my cell phone number,
- 15 and told them at any point if they needed assistance I
- 16 would be glad to come back over and meet with them, sit
- down with them, and assist them further if necessary.
- 18 Q. Did you provide them with any sample sheets
- 19 that -- did you provide them with any sample sheets?
- 20 A. Yeah, there were sample sheets that I forgot
- 21 to mention that I provided the Commission had published
- 22 at that time as well that showed examples of billings
- 23 forms, showed examples of estimate sheets, supplemental
- 24 estimate sheets.

APPENDIX D

[Service Date September 11, 2003]
BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)
TRANSPORTATION COMMISSION,) DOCKET NO. TV-030010
Datitioner) ORDER NO. 03
Petitioner,) ORDER NO. 03
V.)
) ORDER TO CEASE AND DESIST;
JODY WEBB d/b/a MOTIVATED) COMMISSION DECISION AND
MOVERS and/or MIRACLE) ORDER AFFIRMING INITIAL
MOVERS, INC.) ORDER
)
Respondent.).
••••)

- SYNOPSIS: The Commission orders Jody Webb d/b/a Motivated Movers and/or Miracle Movers, Inc. to immediately cease operating as a household goods carrier in the State of Washington without obtaining permit authority from the Commission.
- NATURE OF PROCEEDING: In this Order the Commission reviews an initial order to determine whether respondent Jody Webb is operating motor vehicles for transportation of property for compensation in the state of Washington without the necessary permit authority required for such operations by RCW 81.80.070.
- 3 INITIAL ORDER: An initial order was entered on August 1, 2003, by Administrative Law Judge Ann E. Rendahl proposing that the Commission enter a cease and desist order requiring Jody Webb immediately end operations as a mover of household goods without Commission authority.
- PETITION FOR REVIEW: No petition for administrative review was filed within the 20 days allowed by rule for filing. The copy of the initial order that was served upon the respondent in accordance with RCW 34.05.461(9) at its address on file with the Commission was returned to the Commission by the United States Post Office as unclaimed. The Commission has reviewed the proposed order and the evidence of record and believes that the findings, the

DOCKET NO. TV-030010

PAGE 2

conclusions, and the order are consistent with the record. In accordance with RCW 34.05.464 and WAC 480-09-780(6), the Commission accepts the findings of fact and conclusions of law, and adopts the Initial Order as its own, for purposes of this proceeding.

ORDER

THE COMMISSION ORDERS That:

The Commission affirms and adopts the Initial Order in this docket for purposes of this proceeding. In so doing,

THE COMMISSION FURTHER ORDERS That:

The respondent Jody Webb d/b/a Motivated Movers and/or Miracle Movers, Inc. must cease and desist from conducting operations requiring permit authority unless or until the required authority is obtained from the Commission.

DATED at Olympia, Washington, and effective this ___th day of September, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, Commissioner

NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).

APPENDIX E

Miracle Movers
Chronological Background Information

October 11, 2005

Chronological Background Information

April 27, 2001

Business Practices staff Dennis Shutler was contacted by telephone by Miracle Movers for the purpose of inquiring if the Commission had any information on their company. After that date, Mr. Shutler spoke via telephone with Jesse Webb. Mr. Webb stated he was not aware he needed a permit but asked to have the information sent to him. A certified letter with an application packet was sent out with a due date of June 7, 2001. Mr. Webb did not return a completed application.

June 13, 2001

Mr. Shutler attempted to reach the company; left a message on an answering machine for a return call. Mr. Webb did not return the call.

September 17, 2002

Mr. Shutler opened an investigation of Jody Webb d/b/a Motivated Movers and Miracle Movers, for possible illegal household goods operations.

September 27, 2001

Mr. Shutler called the company again and left a message for a return call on an answering machine. Mr. Webb did not return the call.

November 21, 2001

Mr. Shutler called the company again and noted the answering machine still quoted Miracle Movers as doing business. The file was closed, pending evidence of an actual move.

April 30, 2003

Mr. Shutler completed the Final Report into the business practices of Jody Webb, Docket No. TV-030010. Staff opened an investigation on September 17, 2002, as a result of a consumer complaint filed with the Commission's Consumer Affairs office against Jody Webb d/b/a Motivated Movers. The complainant alleged that Motivated Movers conducted a household goods move for her on March 16, 2002, and that she was unsatisfied with the move.

Staff determined that Jody Webb d/b/a Motivated Movers was not registered with the Commission as a household goods moving company. Further, Staff also contacted various state agencies to locate any additional information about Jody

Webb and any company name under which he may be conducting business. Staff also performed a data search of the Internet and Seattle area telephone directories, finding Motivated Movers listed in the QwestDex.com Yellow Pages, QwestDex Seattle Metro directory and the Verizon Eastside SuperPages directory.

During its investigation of Jody Webb d/b/a Motivated Movers, Staff found Jody Webb also registered under the business name of Miracle Movers, Inc. Staff contacted various state agencies to locate additional information about Miracle Movers, Inc., as well as performing data searches of Seattle area telephone directories and Internet directories such as QwestDex.com White & Yellow Pages and Verizon's SuperPages Yellow Pages. Although Staff did not gather evidence showing that Miracle Movers, Inc., completed residential household goods moves, Staff did gather evidence that Miracle Movers, Inc. was advertising and promoting its household goods moving services under the name Miracle Movers, Inc.

Staff's investigation concluded that Jody Webb, operating under the business name of Motivated Movers, violated state statutes by transporting property (household goods) for compensation in the state of Washington without first obtaining from the Commission the required permit authority on at least one occasion. Further, the report concluded that Jody Webb, operating under the corporate name of Miracle Movers, Inc., violated state statutes by advertising a household goods transportation company that was not permitted by the Commission to perform residential moving services.

May 30, 2003

The Commission issued Order No. 01 in Docket No. TV-030010, Order to Show Cause and Notice of Hearing to Jody Webb d/b/a Motivated Movers and/or Miracle Movers. The hearing was set for July 16, 2003.

July 16, 2003

The Commission held a hearing at its headquarters in Olympia, Washington. Mr. Webb did not appear. Staff, represented by Lisa Watson, Assistant Attorney General, presented its case. Dennis Shutler testified for Staff regarding Mr. Webb's activities as a non-permitted household goods mover, including exhibits that documented actual moves.

August 1, 2003

The Commission issued Order No. 02 in Docket No. TV-030010, Initial Order to Cease and Desist.

September 11, 2003

The Commission issued Order No. 03 in Docket No. TV-030010, Order to Cease and Desist, Commission Decision and Order Affirming Initial Order, to Jody Webb d/b/a Motivated Movers and/or Miracle Movers.

September 23, 2003

The certified mail envelope containing Order No. 03 for Docket No. TV-030010, was returned by the U.S. Postal Service.

September 30, 2003

The envelope containing Order No. 3 for Docket No. TV-030010, addressed to Jody Webb, was returned by the U.S. Postal Service as "Unclaimed".

October 31, 2003

Consumer Affairs staff opened an informal complaint to document a consumer's complaint regarding damage done to his household goods during a move performed by Miracle Movers. The complaint was referred to Dennis Shutler of Business Practices the same day.

May 12, 2004

Mr. Shutler contacted Jesse Webb d/b/a Miracle Movers, and confirmed the company was still operating as a household goods mover.

July 26, 2004

Carole Washburn signed a letter sent to Jody Webb d/b/a Miracle Movers, stating Staff had reason to believe the company was in violation of the Commission's Order to Cease and Desist and was providing household goods moving services to the public.

October 20, 2004

Investigator Leon Macomber received electronic mail from Michael James regarding Miracle Movers. Mr. James' e-mail requested Staff check out the company, that he (Mr. James) had talked to the workers and found there was no insurance on the trucks, drivers have to pay for any and all damages if involved in an accident, and that there is a three hour minimum that the company charges every day of the week. Mr. James provided a phone number of 253-852-3884 for the company.

January 26, 2005

Consumer Affairs Staff Dennis Shutler was contacted via email by Grant Korzetz of Miracle Movers. Mr. Korzetz provided the following information:

- 1) Jessie Webb's home address: 521 North 102nd, Seattle Washington, 98133.
- 2) Location of Miracle Mover's truck yard: On the corner of Greenwood Avenue North and 102nd across from Lalannee Lanes bowling alley.
- 3) License plate numbers for trucks:

A39252T

A87363E

A39251T

A93139D

A73002A

4) Business phone numbers that Mr. Webb uses that all connect to the basement office in Mr. Webb's house:

206-273-4680

425-451-4411

253-852-3884

425-787-0187

Mr. Korzetz stated he would send supporting documentation of residential household goods moves to the Commission. Mr. Korztez did not send the documents.

May 3, 2005

Licensing staff was contacted by a consumer requesting information on Miracle Movers. The consumer had seen a large ad in the DEX Yellow Pages, however, she was not able to locate the company name on the Commission's list of registered movers. Staff responded to the consumer that Miracle Movers was not registered with the Commission.

May 4, 2005

A search of the Secretary of State's website revealed the registration for Miracle Movers, Inc., UBI Number 602 221 732, status inactive. The license expiration date is listed as July 31, 2004.

A search of Verizon SuperPages.com showed Miracle Movers, Lynnwood, Washington, 98036, 425-787-0187; Seattle, Washington, 98101, 206-273-4680; Kent, Washington, 98031, 253-852-3884; and Bellevue, Washington, 98004, 425-451-4411,

appears in the category of "Moving Companies". Similar listings were found in the AT&T AnyWho.com directory, and the DexOnline.com directory. See Appendix A.

May 10, 2005

Staff sent Mr. Korzetz an e-mail requesting the additional information referenced in his January 26, 2005, email to Dennis Shutler. Mr. Korzetz did not respond.

May 11, 2005

Staff called phone numbers 425-787-0187, 206-273-4680, 253-852-3884, and 425-451-4411 listed in the Verizon SuperPages.com as the Lynnwood, Seattle, Kent, and Bellevue offices, respectively. The same gentleman answered all calls stating, "Miracle Movers. How may I help you?"

May 17, 2005

Staff reviewed <u>www.miraclemoving.com</u> website found in the Verizon SuperPages.com directory listing for Miracle Movers. See Appendix B.

June 8, 2005

Staff was contacted by Officer Jim Robarge of the Mercer Island Police Department (phone number 206-236-3629) regarding Miracle Movers. Officer Robarge stated two theft complaints have been filed against Miracle Movers, one in 2004 with King County Sheriff's Department and the second in 2005 with Mercer Island Police Department. Both complaints alleged the same employee, Jesse Roth, had stolen items from the complainant during a household goods move. Officer Robarge informed Staff that his research turned up Jesse E. Aislinn as the owner of Miracle Movers located at 521 North 102nd, Seattle, Washington, 98133.

Staff requested copies of File Number 04367061 and 05P1461 from the King County Sheriff's Department and the Mercer Island Police Department, respectively.

June 9, 2005

Staff received a copy of the Incident Report filed on December 9, 2004, with King County Sheriff's Department by Brenda Lowe. Ms. Lowe alleged Jesse Roth, an employee of Miracle Movers, stole several pieces of electronic equipment (estimated value of \$2,797) during a household goods move that took place on November 27, 2004. Officer Bobbi Wilcox contacted Jesse Roth on January 4, 2005. Mr. Roth denied taking the complainant's items, stating that the complainant's ex-boyfriend watched them the entire time they were at the residence. The file remains open, inactive pending further leads.

June 10, 2005

Staff received a copy of the May 2, 2005, Incident Report (and numerous subsequently filed Case Status Reports) filed with the Mercer Island Police Department by Elizabeth Israel. Ms. Israel alleged Jesse Roth, an employee of Miracle Movers, stole electronic equipment valued at approximately \$3,680 during a household goods move. Officer Robarge's notes indicate the complainant later found several of the missing items and that he felt the rest of the missing items may be un-located in her residence. However, during the investigation of the complaint, Officer Robarge did a thorough investigation of Miracle Movers. His report detailing his actions and findings is attached as Appendix C. On June 7, 2005, the case was suspended for insufficient evidence.

June 14, 2005 – August 5, 2005

Staff left numerous messages for both Brenda Lowe and Elizabeth Israel, attempting to reach them regarding documentation of the services provided by Miracle Movers. Neither complainant returned Staff's calls. On June 14, 2005, Staff spoke with Consumer Affairs Staff Diana Jones-Suits. Ms. Suits stated she had attempted to contact Ms. Israel several times in response to a message Ms. Israel left requesting assistance with a complaint against Miracle Movers. Ms. Jones-Suits said Ms. Israel had not returned her calls.

Appendix A

SuperPages.com: Yellow Pages Page 1 of 1 superpages.com veri on MY DIRECTORY YELLOW PAGES CITY PAGES CONSUMER CENTER HOME PAGE PEOPLE PAGES Back to Listings **Business Profile** Miracle Movers What's Nearby Contact Info: Save Listing (425) 787-0187 Location Info: Print-Friendly Version Lynnwood, WA 98036 Hours of Operation: map | driving directions 24 Hours/7 Days **Business Owners:** Products & Services: Add or update your **Payment Options:** Moving Services FREE Business Profile American Express, MasterCard, VIS Appears in the Category: Moving Companies Data provided by one or more of the following: Verizon Directories Corp., Acxiom, or Amacai. Home | Yellow Pages | People Pages | Merchandise | eBay Results | Web Search | My Directory | City Pages
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http://yellowpages.superpages.com/profile~N miracle+movers~S WA~STYPE S~LID aM... 5/4/2005

Miracle movers (Results 1 - 4 of 4) ~ miracle movers WA ~ Simple Search ~ SuperPages.... Page 1 of 3

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Home → Yellow Pages → Miracle	e movers (Results 1 - 4 of 4)
Showing Ye	llow Pages results for "miracle movers"
SHOPPING SECTIONS	Yellow Pages \ Merchandise \ eBay Results \ Web Results \
Search Again	O Show: In WA only O Map: Show Results on Map
1. Type of Search Yellow Pages	Miracle Movers Lynnwood, WA 98036
2. Keyword (browse) or Business Name	business profile phone map save
miracle movers	Seattle, WA 98101 (206) 273-4680
3. City	business profile phone map save thtp://www.miraclemoving.com
4.and State or Nationwide Washington	Miracle Movers Kent, WA 98031
Find It Search Tips	(253) 852-3884 business profile phone map save
Related Categories	Miracle Movers Bellevue, WA 98004
Travel & Transportation Moving & Storage	(425) 451-4411 business profile phone map save
Narrow Your Results	O Show: In WA only O Map: Show Results on Map
(Click label to show all items)	Results 1 - 4 of 4 Help
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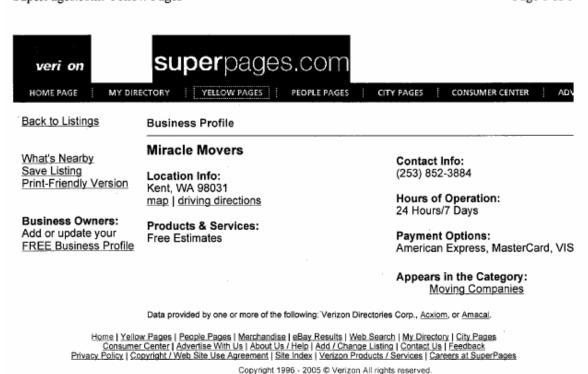


Data provided by one or more of the following: Verizon Directories Corp., Acxiom, or Amacai.

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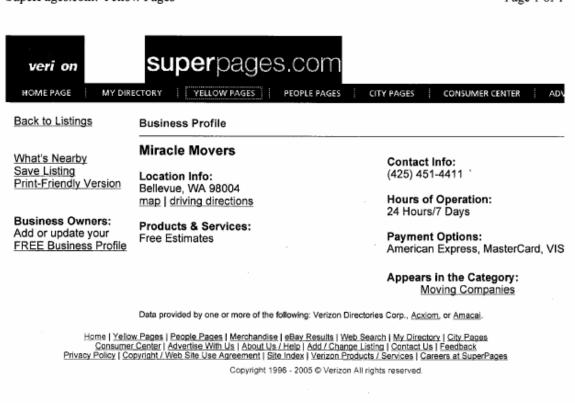
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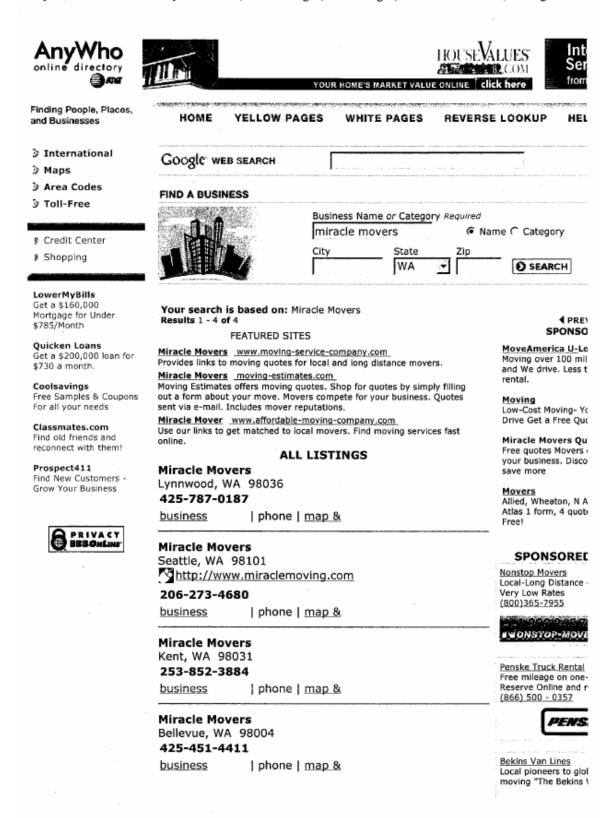
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http://yellowpages.superpages.com/profile~N_miracle+movers~S_WA~STYPE_S~LID_FR... 5/4/2005

AnyWho: Internet Directory Assistance; Yellow Pages, White Pages, Toll-Free Numbers, ... Page 1 of 3



http://ypng.infospace.com/_1_CM1ULT0453RUP1__info.anywho/ypv3/list.htm?&kcfg=ypu... 5/4/2005

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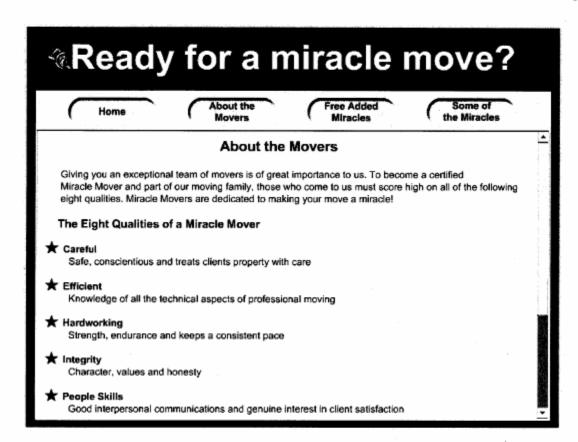
Appendix B

Miracle Movers Page 1 of 1



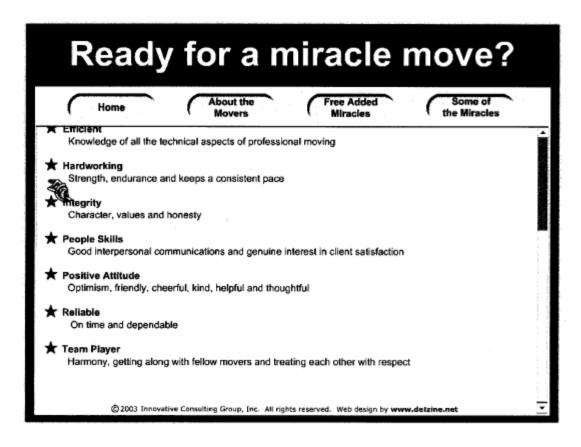
http://www.miraclemoving.com/

Miracle Movers
Page 1 of 1



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Miracle Movers Page 1 of 1



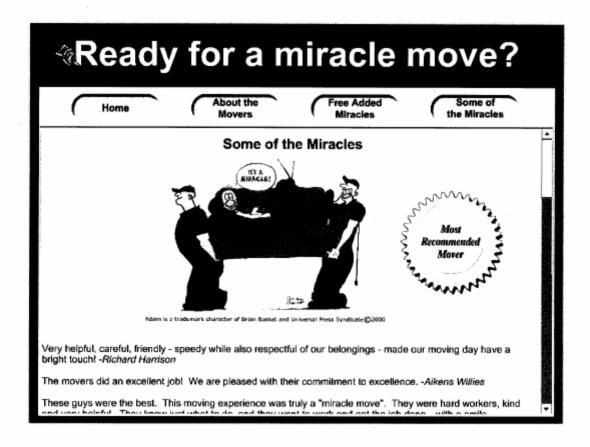
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Miracle Movers
Page 1 of 1

Ready for a miracle move? About the Free Added Home Movers Miracles the Miracles Free Added Miracles * Wardrobe Boxes for Hanging Clothes This service is offered to protect your clothes from wrinkling. Each truck is stocked with three wardrobe boxes. This is a total of six feet of space to hang your clothes. If more room is needed, let us know and we will bring enough to fulfill your needs. * Protective Floor Runners Floor runners are available on request. They are suitable for both carpeted and hardwood floors. * Thick, High Quality Furniture Pads All furniture and appliances that enter the truck are covered with furniture pads. We can pre-wrap anything with furniture pads before leaving the house. It offers extra protection and we do it on client request or movers discretion. The process includes wrapping the furniture or appliances with furniture pads and then securing the furniture pads with shrink-wrap. ★ Furniture Placement & Set-up The Miracle Movers love to help (disassemble and assemble beds, disconnect and connect washers and dryers). Show them were you want your items placed and they move them in a snap. © 2003 Innovative Consulting Group, Inc. All rights reserved. Web design by www.detzine.net

http://www.miraclemoving.com/

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http://www.miraclemoving.com/

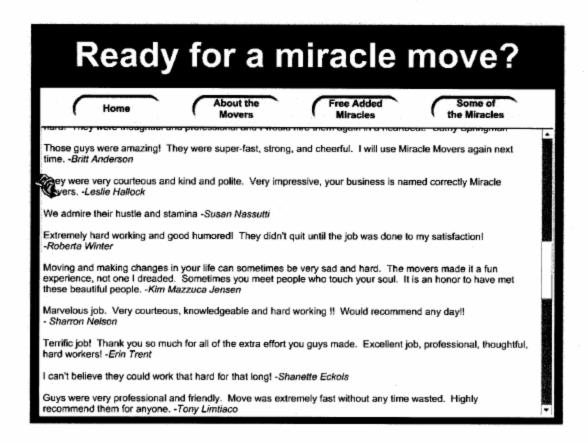
Miracle Movers Page 1 of 1

Ready for a miracle move? Free Added About the Home the Miracles Movers Miracles The movers did an excellent job! We are pleased with their commitment to excellence. -Aikens Willies These guys were the best. This moving experience was truly a "miracle move". They were hard workers, kind and very helpful. They knew just what to do, and they went to work and got the job done...with a smile. Lots of energy, polite, nice guys. Brawn with brains! We'd use them again! -Brenneke School of Massage What an easier way to move! plus two friendly faces to hang with!! -Heidi Rucker Movers were great! They were intelligent, friendly, and moved as fast as they could. Thanks! Julianne Renowden AWESOME! Great dedicated movers! Worth every penny. - David Horste Very hard working, strong and agile - could leap through windows and over tall buildings with a single bound! (just kidding about the last part). Thank you very much!! -Karen Townsend Came on short notice, worked incredibly hard! A true miracle just when we needed it. Thanks so much! -Stacy Clay The movers were AWESOME!! It was the hottest day of the year and they kept great attitudes and worked very hard! They were thoughtful and professional and I would hire them again in a heartbeat! -Cathy Springman Those guys were amazing! They were super-fast, strong, and cheerful. I will use Miracle Movers again next time. -Britt Anderson

http://www.miraclemoving.com/

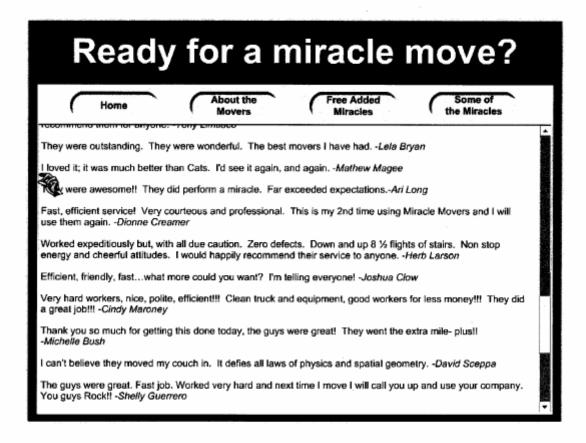
Miracle Movers

Page 1 of 1



http://www.miraclemoving.com/

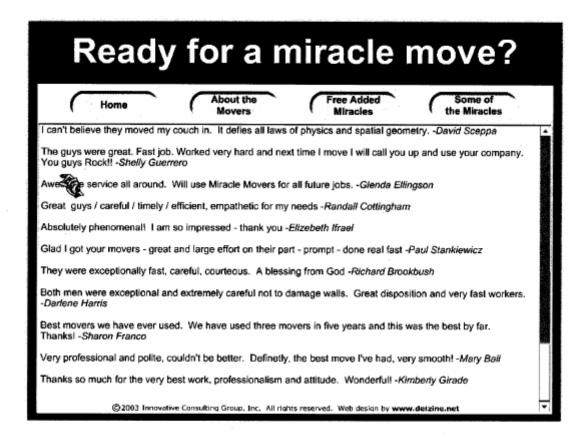
Miracle Movers Page 1 of 1



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Miracle Movers

Page 1 of 1



http://www.miraclemoving.com/

Appendix C

CONTINUATION/FOLLOW-UP

Mercer Island Department of Public Safety

Case Number: 05P-1461

Type of Incident: Theft

AICTIM/Suspect: Israel, Betsy Lynn Reporting Officer: Det. Robarge

Approved by: Daw #8(

Tied-in Reports:

05/16/05 I was assigned this case for follow-up investigation.

I called Miracle Movers and spoke with "Jessie" who refused to identify the employees without first verifying my identity. He promised to call back shortly, but failed to do so. After approx. 2 hours of waiting, I called him back and inquired about the location of their business office. He declined to provide it and promised to call back. After not hearing from him for a couple more hours, I called back and asked for the physical address of the business and the employee info again. I was placed on hold repeatedly.

I called the Washington State Master License Service (360-473-5483) and learned that Miracle Movers does not have a valid business license anywhere in the State of Washington.

I called the Department of Revenue and learned that they also had no record of Miracle Movers as a valid company.

I called the Washington Secretary of State's Office (Hans Dettling) and learned that Miracle Movers is not a currently registered corporation. He provided faxed copies of some old information, but stated that it was no longer current.

I called Dunn & Bradstreet (Kimberly 1-800-234-3867) to attempt to verify the company's legitimacy via their records. They advised me that they had issued a number (#185962128) to the company, but that they had never verified any of the info or done an investigation on the validity of the information. They agreed to do so now.

I put out an e-mail to other area investigators requesting information on Miracle Movers, Jesse Roth, and "Hans."

I received two responses to this inquiry. Issaquah Police provided info on a Jesse Paul Roth 11/19/81. This info did not show a reference to Miracle Movers. I also received info. From KCSO on a Jesse P. Roth 11/19/81. The KCSO info. says that he was contacted after being accused of theft while working for Miracle Movers.

I left a message for Ms. Israel.

CONTINUATION/FOLLOW-UP
Mercer Island Department of Public Safety

Case Number: 05-1461.doc

05/17/05 I prepared a search warrant and affidavit for QwestDex and Qwest business records pertaining to Miracle Movers and their listed phone numbers.

I spoke via telephone with Ms. Israel. She said that she had also found the company to be unresponsive to her complaints and uncooperative. She said that she had paid them cash because they had told her that they would have to charge her 3.5% more if she used a VISA card. She said that they had also made her sign something, but would not let her see what the document said and had her sign it while it was covered up. When she asked why she could not see it, she was told that she didn't need to because they had already told her what it said.

I requested the serial numbers for the missing items and any other information she might have regarding miracle movers that would help to locate them. She said that she would look for a cellular telephone number for one of the employees and the receipt the company gave her.

I requested a complete computer check through MIPD records on Jesse P. Roth and learned that he is a convicted Felon who is on active DOC and shows numerous prior arrests for various offenses including Burglary. I left a message at DOC inquiring about the terms of his supervision.

05/18/05 I served search warrant #05-223 on Qwest Communications via fax. I then sent the same warrant to Qwest and CT Corp via certified U.S. mail.

I sent request to the United States Postal Inspection Service for P.O. box holder information on P.O. Boxes #75565 & 31097 which are possibly related to Miracle Movers. I received this information and noted that one of the people listed on the box was a Jesse Aislinn (aka: Aislann) who is also listed on the King County report. The PO Box application shows an address of 4424 "Franas" Ave N., Seattle. I noted that this was very similar to 4424 Francis Ave N, which is the address which also shows up as associated in Accurint. Myself and Det. P. Erickson went to that address and found that Mr. Aislinn was once a renter there, but no longer lives there. This is a residence and not apparently a business property. I obtained the number for the landlord and left a message there. I was notified by the landlord (Brent Hixson 425-391-0713 or 425-864-1200) that Mr. Aislinn had moved approx. Sept. of the previous year and that he had supposedly purchased a house in N. Seattle.

I noted that the PO Box info obtained from USPIS also contained a note indicating that Mr. Aislinn has two other P.O. boxes registered to him in the names of businesses; Puget Sound Truck Rental and Northwest Truck Rental. I attempted to locate ads for these businesses in the phone book and on-line and found no listings.

I sent an e-mail request to other surrounding agencies for pawn information on Mr. Roth and/or the items reported stolen in this case. I was informed by Kirkland PD that they had checked Mr. Ross on Leads-on-line and found no pawn activity.

I received a copy of Issaquah PD's 2003 reports on Mr. Roth and a booking photo.

Narrative - Page ____

CONTINUATION/FOLLOW-UP Mercer Island Department of Public Safety

Case Number: 05-1461.doc

I spoke with Shirley Rickman at Renton PD who agreed to send me their most recent booking photo.

I requested and received a copy of Roth's most recent booking photo and a photo montage from KCJ.

I was informed that CT Corp may no longer be a valid representative of Qwest Dex. I contacted QwestDex and was provided with a name and fax number for legal services (Dennis McCarthy 303-784-1903). I faxed a copy of the search warrant to Mr. McCarthy.

A driver's license was located for Mr. Ainslee. A complete computer check on him was requested through MIPD dispatch. I found that Mr. Aislinn has a clear/current driver's license and no criminal history.

05/19/05 I requested all vehicles registered to Mr. Aislinn and located one vehicle (Wa. Lic/201JUC) which is registered to PO Box #1, Peshastin, Wa.

I requested (from USPIS) mail forward info from 4424 Francis Ave, Seattle and also PO Box info on PO Box #1, Peshastin. I was advised that the mail from 4424 Francis Ave was forwarded to 521 N. 102 St, Seattle.

I received information from QwestDex pursuant to the search warrant. This information contained an address of 206 S. State in Kent. I called the City of Kent and was informed that they have no license issued to a Miracle Movers and that they show the address at 206 State to belong to Qwest. They stated that they would not necessarily know what is actually physically present at that location. A similar check with Kent PD revealed the same information and no prior contacts with Miracle Movers. They had no contacts with Mr. Aislinn and one prior contact with Mr. Roth.

I called Washington State DOC and left a message for Mr. Roth's CCO (Jeremy Brown 206-516-7771) asking for the terms of his supervision and inquiring if there is a polygraph requirement.

05/25/05 I received the information requested from Qwest via fax. This information lists several addresses associated with the phone numbers as follows:

425-451-4411	1020 102 NE, Bellevue
253-852-3884	206 S. State, Kent
206-273-4680	521 N. 102, Seattle

05/31/05 Myself and Det. Erickson went to 521 N. 102 St, Seattle, WA 98133. Upon arrival, we encountered Jesse Roth. Mr. Roth made a verbal statement to us indicating that he had not stolen anything and that he knew that Hans had not stolen anything either. He stated that they had moved the items from her car for her, but insisted that they had left the items beside her bed in the bedroom. He said that the homeowner was extremely disorganized throughout the moving

Narrative - Page ____

CONTINUATION/FOLLOW-UP
Mercer Island Department of Public Safety

Case Number: 05-1461.doc

process and may very well have simply lost the items. Mr. Roth stated that the previous King County case was similar, but that this case had involved himself and another employee (not Hans). He stated that he had not stolen anything in that case either. He said that he believed that it was possible that the other employee he was working with might have taken it as that employee was a drug user.

We found a residence with an office in the basement. Mr. Jesse Aislinn was present there and stated that he was in fact the owner of the business. He stated that the reason he had not cooperated with me via telephone was that he did not think that I was a police officer and that Elizabeth Israel had threatened him by saying that she knew a lot of cops who would "get" him. Mr. Aislinn was asked for Han's employment information and he stated that Hans and the other people working with him were independent contractors and he therefore had only limited information. He stated that his accountant and attorney, Mel Levine, would have that information. He then refused to provide us with the telephone number to contact Mr. Levine stating that he needed to consult with his attorney first to determine his rights. Mr. Aislinn was very evasive and basically uncooperative when asked basic questions about the business. He stated that he did not know if he had a business license, a bond, or a UBI#. He began to act confused and said that his attorney handled all of those things and that he would have to consult with him before answering any of these questions.

Mr. Aislinn did agree to call "Hans" and to let me speak with him on the telephone. Hans identified himself as Hans E. Newmeyer 02/08/82 (206-838-6544 & 253-332-8062). He agreed to meet with me later in the day at MIPD. Hans stated that he had recently moved to this area from Arizona and was living with his sister at the Panther Lake apartments in Federal Way. Hans called later in the day and said that he had to work later than originally anticipated and rescheduled his interview for Friday. A complete records check through MIPD revealed a valid Arizona driver's license and no prior criminal history.

I checked the City of Seattle website for any possible business license for Miracle Movers. I found no business license listing.

I contacted Mike Little with the Washington Department of Revenue and reported this apparently unregistered business (253-437-3454). I left a message with the City of Seattle business license enforcement unit and left a message for Mr. Ortiz (206-684-8401). I contacted Washington Labor & Industries and left a message for Alisha Squibb (206-515-2851). I contacted Pat Mayhew at Washington Employment Security (206-486-3009). I contacted Special Agent Molly Mahoney of the IRS (220-5848 or 391-2766).

06/03/05 I sent a request to other agencies to check their local records and pawn records for any history involving Hans Newmeyer. I received some information relating to items pawned by him, but none appeared to be related to this case.

I left a message for Hans Newmeyer requesting that he call to set up a new appointment for an interview.

Narrative - Page ____

CONTINUATION/FOLLOW-UP
Mercer Island Department of Public Safety

Case Number: 05-1461.doc

06/07/05 I spoke with Sonny Ortiz at the City of Seattle's business license enforcement unit and provided him with the relevant info regarding Miracle Movers.

I spoke with Hans and he indicated that he could not meet today, but would check his schedule for tomorrow and call me back this afternoon.

I spoke to Elizabeth Israel and she said that she had found the digital camera that was missing. She said that she thought she may have also found the desk top computer, but was not sure because she had not opened the box to see if it was really there. She denied that she may have been extremely unorganized and misplaced the other items (as suggested by Jesse Aislinn and Jesse Roth). She said that the majority of the items had been moved from a storage closet where Miracle Movers had packed it for her a year and a half ago. She agreed to continue looking for the other missing items and keep me posted. She denied that she had ever threatened Jesse Aislinn in any way.

I called the Washington Attorney General's Office and was referred to the Washington Utilities and Transportation Commission (800-562-6150). I called the WUTC and spoke with "Sandra." I passed on the relevant information regarding Miracle Movers.

I met with Hans Newmeyer who stated that he did not take anything from Ms. Israel's car and did not believe that Jesse Roth had done so either. He said that the windows of Ms. Israel's car had been left down and anybody could have taken things from it. He provided a very brief written statement.

APPENDIX F

FIELD AUDIT REPORT

06-Dec-06

DBA Name: MIRACLE MOVERS

Legal Name: AINSLEE, JESSE

Account ID: No ,LNI-UBI Number: 000 000 001

AUDIT INFORMATION

Auditor: Larry Simon

Date Assigned: 6/3/2005

Date Submitted for Approval: 8/25/2005

Audit Assignment Code: D18 - Anonymous/Public, No LNI

Likelihood:

Ranking Score:

Referral Comments:

Tracking Codes:

ADU Comments: Alledged workers of the firm are suspects for lost items at one of their client's moving

experience.

Supervisor Comments:

Auditor Comments:

Audit Period: 10/1/2004 6/30/2005

Audit Level: No-LNI Audit

No Change Audit: NO

Net adj to Hours: 0

Net adj to premiums: \$0.00

Urgent Claim Investigation: NO

Unreg Employer Current Qtr:

Prime Contractor Liability: NO

Penalty Worksheet Completed: NO

Audit Summary

Referred By: Anonymous/Public

Allegations: Alledged workers of the firm are suspects for lost items at one of their client's moving

ехрегіепсе.

Findings: The movers and drivers for Miracle Movers are from New Leaf Labor Corp. This is evidenced

by the Check Register transactions --- I reviewed the Check Register transactions. New Leaf (#098,055-00) was audited (by LSimon; Period 044 - 052; on 8/23/05) and assessed for premiums. Other support workers came from Barmore Personnel, a labor agency. The

1

Barmore acct was reviewed and appears to be OK.

With regards to the suspects for the lost items --- The complainant discovered that the items were in one of her boxes.

Corrections Made:

Penalties:

Audit Details

Detailed Findings:

MIRACLE MOVERS INC. was first formed with the state of Delaware on September 27, 2004. Jesse Aislinn, the initial director is from Seattle, WA. This is a residential and commercial moving and moving supplies firm.

They incorporated in WA on June 22, 2005. DOL received their application on 7/8/05. They opened their business in October 2004.

Their Oct - Dec 2004 Check Register shows that their personnel are from ---

BARMORE PERSONNEL and

Barmore has an L&I account (#875 246 00) and they are reporting moving worker hours. Sagiv, Barmore's Personnel Manager, mentioned that they supplied laborers (no drivers) to Miracle Movers.

NEW LEAF LABOR CORPORATION

This firm is also owned by Jesse Aislinn; Same business address; No L&I account.

AUDIT OF NEW LEAF LABOR CORP. (# 098,055-00)

The drivers and other mover workers for Miracle Movers are from New Leaf Labor. New Leaf Labor was audited and assessed for premiums from 10/1/04 to 6/30/05. The audit was completed on 8/23/05.

Results: Miracle Movers has no workers. The movers and drivers are from New Leaf Labor Corp, also owned by Jesse Aislinn. New Leaf Labor (#098,055-00) was audited and assessed premiums.

Criteria:

Reporting Errors Found:

Requested records:

Employer Record Description

Provided

Bank Statement/Canceled Checks

Yes

Check Register

Yes

Accuracy of Employer Records:

FIRM INFORMATION

Employer address and phone numbers:

Employer bank:

Name: Washington Mutual

Branch:

Ownership:

Entity: Other Owner

Owner

Owner

Effect Ending Date

Owner Name

Title

SSN

Date

AISLINN, JESSE

PRESIDENT

532-98-3529 10/01/04

CLASSIFICATION ANALYSIS

Complete description of firm's operations:

Residential and commercial moving. Moving supplies.

Assigned classifications:

CENTRAL OFFICE SYSTEM CORRECTIONS

POST AUDIT CONFERENCE:

Post Audit Conference Held: Yes

Name: Jesse Aislinn

Title: President

Conference Date: 8/9/2005

FIELD AUDIT REPORT

14-Nov-06

DBA Name: NEW LEAF LABOR

Legal Name: NEW LEAF LABOR CORP

Account ID: 098,055-00 UBI Number: 602 510 831

AUDIT INFORMATION

Auditor: Larry Simon

Date Assigned: 8/19/2005

Date Submitted for Approval: 8/23/2005

Audit Assignment Code: N04 - Selection by Auditor, Unregistered Firm

Likelihood:

Referral Comments: Tracking Codes:

ADU Comments: per faxed mba from Larry Simon; labor, temporary help

Supervisor Comments: Auditor Comments:

Audit Period: 10/1/2004 6/30/2005

Audit Level: Field Audit

No Change Audit: NO
Net adj to Hours: 4,734

Net adj to premiums: \$10,313.02

Urgent Claim Investigation: NO

Unreg Employer Current Qtr:

Prime Contractor Liability: NO
Penalty Worksheet Completed: YES

Audit Summary

Referred By: Selection by Auditor

Allegations: per faxed mba from Larry Simon; labor, temporary help

Findings: New Leaf supplies the labor and drivers for Miracle Movers Inc. These are covered workers.

Ranking Score:

Corrections Made:

Penalties: A \$2,000.00 unregistered employer penalty was assessed. Penalty has been reduced due to

owner's cooperation during the audit.

Audit Details

Detailed Findings: This audit is an off-shoot of the audit on Miracle Movers Inc. (UBI# 602 514 885). New Leaf and Miracle Movers are both owned by Jesse Aislinn.

> Miracle Movers was referred to us by the Mercer Island Police Dept. --- They had a complaint from a moving customer losing some items and in the process of checking they noted that Miracle Movers did not have an L&I account. This was done on purpose because the Adviser to the firm wanted the moving company and the movers themselves to be under two separate companies --- For liability reasons.

New Leaf Labor's sole existence is to support manpower to Miracle Movers. This audit was based on the payments made by Miracle Movers to New Leaf. The disbursements included Tips and Processing Fee (This amount, which is about 15%, had to be subtracted from the disbursement to arrive at the labor cost). The firm did not keep time cards.

The work hours were estimated using the month of May as the benchmark. Total disbursements for May (less Tips and Processing Fees) divided by the estimated work hours gave us the average hourly pay which is \$15.56. Our Average Hourly Wage rate for this class is at \$15.00 --- The company's number is not too far off. The owner also mentioned that his rate may be higher because he thought about them as Independent Contractors and therefore did not provide for the additional cost of the premiums. The average pay was then applied against the check register disbursements to lend effect on the timing of the premiums payable.

The PAI will reiterate our message to the owner that they have to keep good time records.

Results: Assessed premiums based on the disbursements by Miracle Movers to New Leaf (as adjusted for Tips and Processing Fee charges) and using a company derived AHW rate of \$15.56 per hour.

Criteria:

Reporting Errors Found:

Requested records:

Employer Record

Description

Provided

Check Register

Yes

Accuracy of Employer Records:

FIRM INFORMATION

Employer address and phone numbers:

DBA Name: NEW LEAF LABOR

Mailing Address: PO BOX 75565

SEATTLE, WA 98175-

Phone Number: (000)000-0000

DBA Name: NEW LEAF LABOR Mailing Address: 521 N 102ND ST

SEATTLE, WA 98133-

Phone Number: (206)545-0134

Employer bank:

Name: Washington Mutual

Branch:

Ownership:

Entity: Corporation

Officer

Officer Ending Date Director I Effect I Date

Director Ending Date Share Share Hldr Hldr Effect Ending Date Date

% 100

Officer's Name AISLINN, JESSE Title

SSN Effect
Date

532-98-3529 10/20/04

CLASSIFICATION ANALYSIS

Complete description of firm's operations:

This firm supplies the mover labor force for Miracle Movers Inc.

Assigned classifications:

Classifications And Subcodes

Active Quarter 10/20/2004 Inactive Quarter

6907-01

CENTRAL OFFICE SYSTEM CORRECTIONS

POST AUDIT CONFERENCE:

Post Audit Conference Held: Yes

Name: Jesse Aislinn

Title: President

Conference Date: 8/9/2005

POST AUDIT INSTRUCTIONS

1) COVERED WORKERS - RCW 51.12.010

The Legislature has decided that there is a hazard in all employment, and has therefore extended mandatory industrial insurance coverage to all employment under the jurisdiction of this state. All of your employees are mandatorily covered by industrial insurance and must be reported on your quarterly report. This includes all casual or temporary help, regardless of how the worker is paid, how many hours are worked or the worker's age.

2) WORKERS CANNOT WAIVE BENEFITS - RCW 51.04.060

No employer or worker shall exempt himself or herself from the burden or waive the benefits of industrial insurance by any contract or agreement. Any such contract or agreement shall be void.

3) INDEPENDENT CONTRACTORS - RCW's 51.08.180 and 51.08.195

RCW 51.08.180 states that an independent contractor who provides essentially personal labor is covered by industrial insurance. If the individual provides the labor of others (has their own employees), they are exempt. If the individual provides equipment (beyond ordinary hand tools), and they are not controlled in the use of the equipment, they are exempt. In these instances the individual is providing more than their personal labor.

If the individual does not provide their own employees or equipment in performing the contract, they may still be exempt if they meet the six-part test in RCW 51.08.195. The independent contractor must meet ALL of the following six tests in order to be exempt.

- 1.) Be free from your direction and control.
- 2.) Perform a service which is outside the course of your business or, Perform the service away from all your business locations including all your job sites or, Provide a principal place of business from which they perform their services.
- 3.) Be customarily engaged in their own business to provide the services which are performed under the contract or, provide a principal place of business that qualifies for an IRS business deduction.
- Be considered as an independent contractor by the IRS.

- 5.) Have an account with the Department of Revenue.
- Maintain his or her own set of books and records showing business income and expenses.

For your protection, you should check with your local L&I field office to see if your independent contractors would be considered workers for industrial insurance purposes.

4) RECORD KEEPING - WAC 296-17-35201

You are required to keep the following records for every worker:

Worker name and social security number;

The beginning date of employment and, if applicable, the separation date;

The basis upon which wages are paid (hourly, salaried, etc.);

For workers paid on a piece work basis, the number of units earned or produced;

The risk classification(s) in which the worker's hours are reportable;

Original records of the actual number of hours worked each day, unless they are outside commissioned workers or salaried workers:

A quarterly summary time record for each worker showing the calendar days worked and the hours worked each day (the summary must show the hours by risk classification);

The total gross pay for each worker;

The specific sums withheld from workers' pay and purpose of each; and

The net pay for each worker.

Only actual hours may be divided between risk classes for a single worker. If you report assumed hours (such as 160 hours per month for salaried or outside commissioned workers), the hours must be reported in the highest rated classification to which the worker is exposed.

In order to report in multiple risk classifications, your payroll records must show the classification in which the hours are worked. These must be supported by original time cards or time book entries that show separately, both by individual worker and in summary by operations performed, the actual hours worked in each classification.

If workers are paid by check, you must keep all canceled checks, check registers and bank statements. If workers are paid by cash, you must keep a record of the cash transactions which provides a detailed record of wages paid.

Penalties may be assessed if the records noted above are not kept.

The records must be kept for three full calendar years following the calendar year in which employment occurs.

Other business records that should be kept include: contracts for work performed, production records, material purchase invoices, work invoices, tax returns, reports to other agencies, accountant worksheets, corporate records, etc.

5) HOURLY WORKERS REPORTING - WAC 296-17-31021

Actual hours worked must be reported for your employees who are paid an hourly wage. Do not report paid holidays, vacation, and sick days.

6) PIECE WORKERS - WAC 296-17-35201

Piece workers are those workers whose wage is based on the number of items, pounds, or pieces produced.

Employers are required to keep a daily record of, and report the actual hours worked by piece workers. A record of the number of items, pieces, etc., produced must also be kept.

7) UNREGISTERED EMPLOYER PENALTY WAS ASSESSED

RCW Title 51 provides that all employers hiring workers must register with the Department of Labor and Industries and pay industrial insurance premiums on such workers.

In the audit of your business, we found you had employment when you did not have an active account. RCW 51.48.010 and WAC 296-17-35204 provide for a penalty of up to \$500 or double the premiums due for the four quarters prior to opening an account, whichever is greater.

The unregistered employer penalty has been assessed. Refer to the enclosed NOA for the penalty amount.

8) PENALTY FOR INSUFFICIENT RECORDS CAN BE ASSESSED

RCW 51.48.030 provides a penalty for every employer who fails to keep required records or fails to make required reports. Any employer who fails to keep the required records is barred from questioning the department's assessment before the Board of Industrial Insurance Appeals. WAC 296-17-35201 specifies that the penalty is \$250 for every employee for whom adequate records were not kept.

Unregistered Employer Penalty

Firm DBA Name: NEW LEAF LABOR

Account ID: 098,055-00 Audit Period 10/1/2004 - 6/30/2005

This penalty is assessed in accordance with RCW 51.48.010 and WAC 296-17-35204.

Was the employer unregistered during the audit period?

Yes

Date the firm registered with L & I:

8/9/2005

Audited premiums due for the four quarters prior to registration:

\$10,313.03

Note: The premiums above reflect the premiums for the four quarters prior to the registration date. If the firm was previously registered for a portion of the four quarters, enter the correct unregistered premiums here:

\$0.00

Maximum unregistered employer penalty:

φυ.υυ

\$20,626.06

Apply proportionality reduction?

Yes

Apply good faith reduction?

Yes

Note: See Task 3.11 for description of reduction percentages used.

Reason penalty is reduced or not reduced:

Penalty has been reduced due to owner's

cooperation during the audit.

Amount of proportionality reduction applied:

12,375.63

Amount of good faith reduction applied:

4,125.21

Additional reduction specified by auditor:

2,125.22

Net unregistered employer penalty:

\$2,000.00

If firm was unregistered and no penalty will be assessed, explain here:

APPENDIX G

Complaint #97263

Identifying information withheld at customer's request

Miracle Movers

Customer contacted the Commission regarding damages to his hhg's. Wants the company to reimburse. Company response is that customer has .60 per pound valuation. Says they will pay him but will salvage the damaged items. Company is not registered. Company is performing HHG moves without Registration. Customer provided sales receipt showing 2 movers with a truck.

Passed to Miracle Movers at 11:50 am on 5-16.

Activity 05/15/2006 08:02 PM Email: Mike Meeks << Customer

Please see attachments at bottom of record.

This is everything I have. I'm hoping it all sends ok. The copy of my Better Business Bureau complaint doesn't show responses for some reason, but you should be able to access the rest here:

http://www.thebbb.org/complaintconsumer.html?cid=22071400&auth=r11lpy I contacted the BBB last week to get a copy of the full complaint, but have yet to receive it. As soon as I do, I'll send you a copy so you don't have to piece it together. The move took place on March 1, 2006. The destination address I listed below is my current address. My home phone is(confidential), and my work phone is (confidential). Anything else, just ask. I appreciate your help.

Thanks, (customer)

Address of pickup: (confidential)

Destination address: (confidential)

· ------

From: Mike Meeks

Date: Mon, 15 May 2006 11:16:58 -0700

Anything you could send me would be good. They are not currently registered with the Commission. Because of that, the main thing that I can do is get them registered. The Commission has rules. Monetary penalties could be enforced if they remain unregistered. I also need your current address, phone number, the address where the load was picked up

and the address for the destination. Also, the date of the move. Anything that you could provide would be helpful. My phone number is 1-800 562 6150. My address is:

Washington Utilities and Transportation Commission Attention: Mike Meeks Post Office Box 47250 Olympia, WA 98504 Thanks, Mike Meeks Consumer Program Specialist Washington Utilities and Transportation Commission

Thanks for offering to help. I wish I had a bill of lading I could send you. When my move was over, I went with the movers down to the truck to make sure everything had been taken out, and the guy who followed me out must have grabbed the papers. When I went back up to my apartment, all I had was a business card where the papers had been sitting. What I do have is a receipt, the complaint I filed with the Better Business Bureau, and the receipts and pictures I sent for my insurance claim. If any of that helps, I would be more than happy to send it. I have a court date on June 16th, so I should at least get a copy of any paperwork at that point, but that's probably too late. It would be nice to get this taken care of before I have to go to court, so if any of the documents I listed would help you, or there's anything else I can do, just let me know.

From: Mike Meeks <mmeeks@wutc.wa.gov

Date: Fri, 12 May 2006 14:07:13 -0700

Mr. (confidential):

I wrote you in March about the Utilitiy Commission role in dealing with unregistered movers. If you have any additional information, specifically, a bill of lading or any other documentation, I will be happy to take a look at it and attempt to contact Miracle Movers on your behalf. Please contact me ere at 1-800 562 6150 or email me back if you have information that I could take a look at.

Sincerely,

Mike Meeks Consumer Program Specialist Washington Utilities and Transportation Commission

Activity 05/31/2006 08:41 AM Phone: Mike Meeks >> company

Called and spoke with receptionist. Left message for "Jessie" at Miracle Movers.

Activity 05/31/2006 11:49 AM Phone: Mike Meeks << jessie

Called back. Asked if he received the complaint. Said he did. Advised that he was not registered. Mr. said "oh, how do I get registered". I advised I would connect him with Licensing Services. Mr. hung up before the transfer. Staff called him back and said "I think I dropped your call, I'll try to transfer you again". Mr. hung up again before the transfer.

Activity 06/01/2006 12:01 PM Email: Mike Meeks >> Vicki Elliott

Hi Vicki:

I passed this as a complaint to Miracle Movers by mail 5-16. They received the complaint but didn't respond. Yesterday I called "Jessie", the owner and he acknowledged receipt. I told him he wasn't registered and he was silent. So I said "are you there" and he said yes. I said "when are you going to get registered, you're operating without a permit" and he indicated that he wanted to know how to get registered. I attempted to transfer him to Licensing Services but he hung up. So I called him back, and again when I transferred him to Lic. Serv. he hung up.

Part of the documentation that the customer provide to me included a sales receipt with Miracle Movers letterhead at the top. The sales receipt is for "2 movers and a truck", a "portal to portal charge" and "supplies". Clearly he is illegal. What should I do with this? I know that Business Practices has been trying to get this guy legal for some time. Thanks,

Mike

Activity 06/12/2006 02:03 PM Email: Mike Meeks >> customer

I have attempted to get Miracle Movers to respond to the issues of your damage complaint but without success. The company knows that if they are unregistered, then they don't have to follow the rules that the Commission enforces for registered companies. This does not prevent you from taking this complaint record and all other pertinent information to civil court to seek damages. At this time, I have forwarded this complaint, and the attachments that you have provided to the enforcement section of the Commission in hopes that they can take further action.

Thank you for contacting the Commission. My desire is that the outcome could have been better for you. Hopefully, the compliance section can get this company legal. In the future, please contact the Commission before you move so that we can advise you of the complaint records for specific companies.

Sincerely,

Mike Meeks Consumer Program Specialist Washington Utilities and Transportation Commission

Activity 06/12/2006 02:06 PM Email: Mike Meeks >> Vicki Elliott

Hi Vicki:

I have closed this complaint about Miracle Movers. I'm sending this to Sheri also.

Activity 06/14/2006 03:30 PM Email: Mike Meeks << customer

I think everything is going to work out decently on my part, but I do hope this company is taken care of so nobody else has to go through the mess I did. Miracle Movers decided to write me a check for the damages I claimed plus the court costs in order to avoid the trial. I just received the check today. They said they were "negotiating" with the UTC, but I didn't really believe them as I don't see what there is to negotiate. In any case, thanks for trying to contact them about my complaint. I definitely wish the Commission the best of luck in dealing with Miracle Movers. I just wish there was more I could do to help, because the way they're treating people is ridiculous.

Thank you,

COMPLAINT ACTIVITY REPORT Case # 22071400

Better Business Bureau serving Alaska,

Oregon & Western Washington

Consumer Info: Toner. David

2758 78th Ave SE #505 Mercer Island, WA 98040 4253723253

PO Box 75565 Seattle, WA 98175

206 273-4680

Business Info: Miracle Movers

Location Involved: (Same as above)

Consumer's Original Complaint:

Ø;\$ 0_ðž 1, 2006, Miracle Movers moved the large items in my apartment. Afterwards, I found damage to my desk, coffee table, and exercise bike.

On March 11, I called and asked for a claim form. I was transferred to a man named Jesse who said that since I didn't report the damage before the movers left, the claim would be denied, but he would ask the movers if they remembered damaging anything and get back to me.

On March 14th, I spoke with Jesse who told me that the movers did not remember damaging anything, so I asked how to proceed with filing a claim. I was told that if I was paid the \$.60/lb insurance, they would actually take the damaged items from my apartment. This sounded very wrong to me, so I asked for the name of the insurance company. Jesse told me he did not know. I then started searching to see what they are legally supposed to do.

On March 15th, I received an e-mail from a Mr. Dave Hauenstein from the American Moving and Storage Association, saying that "Salvage is not applicable and does not come into play under the 60 cent per pound level of liability (since the 60 cent level does not provide full compensation for such items)."

On March 17th, I received an e-mail from a Mr. Mike Meeks from the Washington Utilities and Transportation Commission stating that Miracle Movers is not licensed with them, and as such, they are operating outside the law. I also found a document showing that this was not the first time Miracle Movers has had an issue with the WUTC for not being licensed. They were apparently issued an order to cease and desist on 9/11/03.

On March 20th, I e-mailed pictures of the damages and mailed receipts for the items to Miracle Movers.

On March 23rd, I spoke with Jesse again, said I wanted to file a claim, and he asked when they could come pick up the items. He told me if the insurance paid out, it would be for a total of \$231 - \$63 for the bike, \$63 for the coffee table, and \$105 for the desk. I told him that the American Moving and Storage Association informed me that for the \$.60/lb level of insurance that movers are required to carry, the movers do not have the right to salvage items. He told me he had never heard of the American Moving and Storage Association. I asked if he had heard of the Washington Utilities and Transportation Commission, because Miracle Movers is supposed to be licensed with the WUTC to be legal in the state, and they are not. He told me he didn't know about licensing. I asked for the name of the insurance, but he also wouldn't tell me that. He said that they are trained to identify signs of fraud, and that he felt I was trying to defraud the business. He said that it was documented that I needed to show any damage to the movers before they left, and since I didn't, there was no way to prove anything. The movers only ever told me to sign that they had my permission to move my b elongings, and provide the time that they arrived. When they left, they asked me to sign stating that the move was completed. I was not provided with any paperwork, and had to call after the move just to get a copy of the receipt. He also said that I wanted the name of the insurance so I could try to file a claim directly with them. I told him that I just didn't believe they had insurance, and wanted them to prove otherwise. He stated that they are licensed and insured (this is also advertised on their website), but they are obviously not licensed with the proper commission, and I have received no proof they have insurance. All through the conversation, Jesse tried to state that I should have paid to have my items wrapped, acting like it was my fault the items were damaged, but in reality, I did have them wrap everything they could. They said they couldn't wrap the coffee table, and they did wrap the desk, but it didn't stop it from getting damaged. I talked to anoth er mover before hiring Miracle Movers, and was told that wrapping items was just a scam to get more money - I would tend to believe that at this point.

If Miracle Movers were properly licensed like they claim to be, there would be several rules and regulations they would have to follow, but as it is, they have left me with no alternate but to file this claim and proceed through the court system if they continue to fail to pay the insurance claim properly.

Consumer's Desired Resolution:

X_ ¶X_ ¶like the \$.60/lb insurance paid out properly. The items should not ___

BBB Processing

[hch activity]



2 Movers with Truck Portal to Portal Supplies

Thank you for your business.

Miracle Movers, Inc.

Sold To

Sales Receipt

Date 3/1/2006

David Toner			
			Payment Method Cash
Description	Hours	Rate	Amount
	4	87.00 87.00 10.00	348.00 87.00 10.00

Subtotal\$445.00Sales Tax\$0.88Total\$445.88

APPENDIX H

Declaration of David Toner

BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

I, David Toner hereby declare:

I am over the age of 18, am competent to testify on the matters set forth below

and have personal knowledge of those matters.

On March 1, 2006, Miracle Movers moved the large items in my apartment. The bill for their services came to \$445.88, and I paid them \$500 in cash for their services plus tip. After the movers had left, I found damage to my desk, coffee table, and exercise bike.

On March 10th, I called Miracle Movers to request a receipt as all the papers from my move were taken by the movers when they left. I was e-mailed a PDF copy of the receipt, which I have also forwarded to the Washington Utilities and Transportation Commission.

On March 11th, I called Miracle Movers and asked for a claim form. I was transferred to a man named Jesse who said that since I didn't report the damage before the movers left, the claim would be denied, but he would ask the movers if they remembered damaging anything and get back to me.

On March 14th, I spoke with Jesse who told me that the movers did not remember damaging anything, so I asked how to proceed with filing a claim. I was told that if I was paid the \$.60/lb insurance, they would actually take the damaged items from my apartment. This sounded very wrong to me, so I asked for the name of the insurance company. Jesse told me he did not know. I then started searching to see what they are legally supposed to do.

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On March 20th, I e-mailed pictures of the damages and mailed receipts for the items to Miracle Movers.

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On March 24th, I filed a complaint with the Better Business Bureau (Complaint #22071400). I was not able to resolve my issues with Miracle Movers through the BBB.

On May 8th, I filed case #63-608 for small claims court at the Issaquah courthouse.

Staff Investigation – Miracle Movers, Inc.

Declaration of David Toner
On June 8th, a conciliation agreement was signed by a Mr. Jay West of Miracle Movers, agreeing to issue a check in the amount of \$396.37 for damages. The agreement was negotiated through the King County Dispute Resolution Center.

On June 14th, I received the check for damages, a copy of which I have forwarded to the Washington Utilities and Transportation Commission.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 13 day of October, 2006, at Mexica Island, Washington.

1st David Jones

PAY TO THE ORDER OF	MIRACLE MOVERS, INC PO BER 75865 SEATTLE, WA RENTS David Ton		DATE	6/12/06	3076
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FROM : KCDRC

FAX NO. :2064439737

Jun. 14 2006 08:14AM P2

Jun 09 06 03:22p

Miracle Movers

206-285-9700

p.3

Court No. 63-608

CONCILIATION AGREEMENT

This agreement is entered into voluntarily by and between Mr. Jay West - Representative for Miracle Movers and David Toner.

We, the undersigned, agree to carry out the terms of this Agreement in good faith.

- 1) Miracle Movers will issue a check to Mr. Toner in the amount of \$396.37 to be postmarked no later than June 12, 2006. This check does not constitute an admission of liability on the part of Miracle Movers.
- 2) Upon receipt of the \$396.37 check issued by Miracle Movers, Mr. Toner will send Miracle Movers a receipt to be postmarked no later than June 16, 2006, stating that he has received the check.
- 3) Completion of this agreement is full settlement of small claims case 63-608, and any and all issues arising from the services provided to Mr. Toner by Mirsele Movers on March 1, 2006.
- If this agreement is not kept, or if payments are not made on time both parties will be released from this agreement. Mr. Toner will return to Miracle Movers \$396.37, and the release issued by Mr. Toner will be void.

We, the undersigned, understand that this Agreement is admissible as evidence in any judicial or administrative proceeding. This agreement may be signed and distributed in multiple originals.

We further agree to hold hamdess and indemnify all directors, employees, and volunteers of the Dispute Resolution Center in proceedings and other official acts arising out of this conciliation and further agree not to involve the directors, employees, volunteers, and the Dispute Resolution Center in any legal proceedings relating to this conciliation.

Mr. David Toner

King County Dispute Resolution Center P.O. Box 21148 Scattle, Washington 98111 (206) 443-9603

No. 2333 P. 2

island square Oct. 13, 2006 3:43AM

APPENDIX I

Miracle Movers home

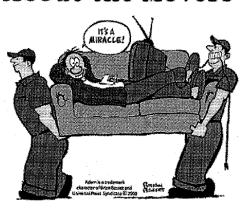
http://www.miraclemovers.com/



1 of 1



About the Movers



Giving you an exceptional team of movers is very important to us. To become a certified Miracle Mover and part of our moving family, each mover must have all eight of the Miracle Mover qualities. We are dedicated to making your move a miracle!

The Eight Qualities of a Miracle Mover

* Careful

Safe, conscientious and treats client's property with care

* Efficient

Extensive knowlege of all technical aspects of professional moving

* Hardworking

Strong and keeps up a consistent pace

★ Integrity

Demonstrates character, honesty and good values

🖈 People Skills

Good interpersonal communication and genuine interest in client satisfaction

Positive Attitude

Optimistic, friendly, cheerful, kind and helpful

🛪 Reliable

Punctual and dependable

Miracle Movers Free added miracles!



1 of 1



**Some of the Miracles

Very helpful, careful, friendly - speedy while also respectful of our belongings - made our moving day a bright touch -Richard Harrison

The movers did an excellent job! We are pleased with their commitment to excellence. -Willie Aikens

These guys were the best. This moving experience was truly a "miracle move". They were hard workers, kind and very helpful. They know just what to do, and they went to work and got the job done...with a smile. -Greg Brace

What an easier way to move! Plus two friendly faces to hang with! Heidi Rucker

Movers were great! They were intelligent, friendly, and moved as fast as they could. Thanks-Jullanne Renowden

AWESOME! Great dedicated movers! Worth every penny. -David Horste

Very hard working, strong and agile - could leap through windows and over tall buildings in a single bound! (just kidding about the last part). Thank you very much!! -Karen Townsend.

Came on short notice, worked incredibly hard! A true miracle just when we needed it. Thanks so much! -Stacy Clay

The movers were AWESOME!! It was the hottest day of the year and they kept great attitudes and worked very hard! They were thoughtful and professional and I would hire them again in a heartbeat! Cathy Springman

Those guys were amazing! They were super-fast, strong, and cheerful. I will use Miracle Movers again next time. -Britt Anderson

They were very courteous and kind and polite. Very impressive, your business is named correctly Miracle Movers. -Leslie Hallock

We admire their hustle and stamina. -Susan Nassutti

Extremely hard working and good humored! They didn't quit until the job was done to my satisfaction! -Roberta Winter

Moving and making changes in your life can sometimes be very sad and hard. The movers made it a fun experience, not one I dreaded. Sometimes you meet people who touch your soul. It is an honor to have met these beautiful people. - Kim Mazzuca Jensen

 ${\it Marvelous job. Very courteous, knowledgeable and hard working!! Would recommend any day {\it HSharon Nelson}}$

Terrific job! Thank you so much for all of the extra effort you guys made. Excellent job, professional, thoughtful, hard workers! -Erin Trent

I can't believe they could work that hard for that long!-Shanette Eckols

Guys were very professional and friendly. Move was extremely fast without any time wasted. Highly recommend them for anyone. -Tony Limitaco

They were outstanding. They were wonderful. The best movers I have had-Lela Bryan

I loved it; it was much better than Cats. I'd see it again, and again. -Mathew Magee

They were awesome!! They did perform a miracle. Far exceeded expectations-Ari Long

Fast, efficient service! Very courteous and professional. This is my 2nd time using Miracle Movers and I will use them again. -Dionne Creamer

Worked expeditiously but, with all due caution. Zero defects. Down and up 8 1/2 flights of stairs. Non stop energy and cheerful attitudes. I would happily recommend their service to anyone. Herb Larson

Efficient, freindly, fast...what more could you want? I'm telling everyone! Joshua Clow

Very hard workers, nice, polite, efficient!!! Clean truck and equipment, good workers for less money!!! They did a great job!!! -Cindy Maroney

Thank you so much for getting this done today, the guys were great! They went the extra mile-plus!! -Michelle Bush

I can't believe they moved my couch in. It defies all laws of physics and spatial geometry-David Sceppa

You guys were great. Fast job. Worked very hard and next time I move I will call you up and use your company. You guys Rock!! -Shelly Guerrero

Awesome service all around. Will use Miracle Movers for all future jobs-Glenda Ellingson.

Great guys / careful / timely / efficient, empathetic for my needs. -Randall Cunningham

Absolutely phenomenal! I am so impressed - thank you. -Elizebeth Ifrael

Glad I got your movers - great and large effort on their part - prompt - done real fast. -Paul Stankiewicz

They were exceptionally fast, careful, courteous. A blessing from God. -Richard Brookbush

Both men were exceptional and extremely careful not to damage walls. Great disposition and very fast workers. -Darlene Harris

Best movers we have ever used. We have used three movers in five years and this was the best by far. Thanks! -Sharon Franco

Very professional and polite, couldn't be better. Definitely, the best move I've had, very smooth! Mary Ball

Thanks so much for the very best work, professionalism and attitude. Wonderful! -Kimberly Girade

Good stuff. I will use Miracle Movers again. Easiest move ever. -Roff Cusic

If you could clone these guys, you should! They are the best! They worked as though it was their own company. Thank you for sending these guys! -Jake Johnson

Miracle Movers are wonderful. They made this move to my new home delightful! I had a lot of "BAGGAGE" to move, and these wonderful gentlemen helped me more than I can say. I will recommend them to everyone I know over and over again! I thank you from the bottom of my heart. –Jane Ferguson

Could not have gone better. These guys are amazing!! -Erik Knuetson

Hard working, friendly. A pleasure to deal with. -Laura MacDonald

Very efficient & professional. Appreciated extra details like protective floor covering, etc. -Nina Kim

They did a fantastic job and were extremely helpful. Next time I move I will call your company. Thanks -Eric Larsen

Fast friendly, good double checking of what things were to go & where they should be put upon arrival. -Robert Pusch

I will always hire Miracle Movers!! You are a wonderful hard working kind and professional company. I could relax knowing this company was moving me now that the move has happened, I could rave on and on about how cool you all are. Thank you!! -Susan Wadden

No one can beat Miracle Movers! Your guys just flat rock!-Joe Harrison

They were the best movers I've had in the past 10 years. I will definitely use Miracle Movers again. -Vickie Long

Great guys - worked hard, got the job done well and fast. -David Thoms

Thanks very much. Couldn't ask for a nicer group of guys to move me-Mary Anderson

I was very worried about my antiques. They were very careful. Thanks Sara Rex

Made all this move very easy for me and I appreciate it-Margaret Purdy

Outstanding work! Very professional, hard working, pleasant men! It was a miracle!

You guys rock, they were overwhelmingly courteous, professional, and talented -Laura Kendall

Second time using you guys and as usual everything was so much more that exceptional. A++++ -Ronnie Perkins

Good Job - second time I've used you guys - very happy!Kristi Hobler

Hardworking, sense of humor, careful, courteous – we strongly recommend this company - $Gerald\ Hughes$

This was one of the easiest moves I've ever had. Thank you!-Aimee Cook

Everything went as expected. Hard workers who moved everything and put every item in the places specified. Thanks - $Anna\ McCloud$

I would Recommend these Guys in a heart beat. They were all Great with a lot of care -Hugh Stanton

Miracle Movers are the BEST!! -William Keith

You guys were great. Came highly recommended & I will do the same-Judy Davis

Very courteous & conscientious. Excellent workers. -Dina Jacobs

Great Job! I'd like to call you guy's when we unload in Tucson... -John Gore

Very amazingly fast & friendly -Patrick Shapard

Great job! Very friendly, super professional. Will definitely recommend. A great move! -Jill Corral

The movers were AWESOME! So helpful, prompt and energetic. They even helped me get my "sensitive", skittish cat into her carrier. Their help is much appreciated! Thank you -Leila Woolsey

Two words. KICK ASS. We never say that about movers. -Tammy Morales

This is my 3rd move with Miracle Movers and I am very happy & satisfied with your work. Your staff is excellent – courteous and willing to go the extra mile –Barbara Chilcote

Worked hard, great group of guys. Will use in 3 months when moving again. -Tyler Hooper

This was such an easy move – I thank you all for making this work out-Ann Frame

They are just awesome & I think that your company deserves the name "Miracle Moving". Thank you so much. See you next time again. Soyeon Park

These guys were awesome and quick. They did a great job-Darlene King

Thanks for saving the Day -Chris Blanchard

First time we've used movers, these guys were great, it was a pleasure having them move us!!! Great job!!! -Cindy Burke

These folks were great - fast efficient & friendly - Thanks -The Notably Well Dressed Home

Guys were great! I've used them before and will again. Thx-Glenn Olszewski

They were great – went out of their way for me- Thank you! Debbie Egdamin

I have used Miracle Movers every move (3 in the last 5 years), and have found the movers to be careful, courteous and honest. I would recommend them to anyone. $-Judy\ Beedy$

We used Miracle Movers for our last move and didn't even look around for someone new. The guys were just as great this time as last. -Teresa Burkholder

Impressed w/service especially given my late notice -David Bluhm

These guys are very respectful, responsible and very hard working! Whenever I move again I will call your company because of them, and I will recommend you to other people. $-Juan\ Shanks$

Thank you - outstanding hard workers! -Kelli Shannon

They were very professional and friendly and I would recommend them to any one. - $\!$ - $\!$ - $\!$ Ann Marie Blanchard

The most professional movers I've ever worked with. -Dave Muzia

Happy Happy Joy Joy - My back is not hurting and my furniture is here. Highly recommended - would use the service again. -Kimberly Beach

As per usual the movers were friendly, professional and had great humor. We will definitely continue to choose & recommend Miracle Moversi-Debbie Renowden

These people are the real thing! -Linda Lubas

They were the best movers ever! We will call again!-Marjle Jackson

I was very nervous but everything went so well. They were fabulous. -Sarah Lapp

I was very pleased with the speed & professionalism that the movers exhibited -Roger Harper

Yeah, they rock. Thanks very much -Brian Covey

They had to work a <u>very</u> long day yesterday for us and came back today. No complaints from them whatsoever. They continued to be courteous & professional. Your company was very easy to deal with & we will use you again.—Keith Wintraub

Great teamwork, I would definitely recommend to anyone. Great Experience -Tim Kerk

Friendly, professional, and hardworking. Worked great for a last minute move. –Thomas Bogart

Thanks for saving me! I will forever be grateful -Britt Sweeney

It's Miracle Movers or no one. -Rose James

Very good job, the guys were awesome!-Guillermo Zavala

Great guys - Super Human! Super Heros! - C. Hoyos

The movers worked with us to extents that we had nothing to do but sit back & watch. We happened to have a mix up with our new apartments such that the movers had to take out their washer & put ours in & the movers went out of their way to accommodate that. Thank you so much & great job. —Josphine Kairu

Exceeded my expectations - The "bomb"! - Ginger Curry

They worked hard & were so kind & respectful of my time & my Belongings I felt a Deal of trust with these men – I started out quite nervous & anxious & ended up feeling so calm. –Diane Ventimiglia

Friendly and talented, I'm telling all my friends!-Deunan Berkeley

Very pleased with everything about the move. I will be using these movers again. – $\!$ – $\!$ Anne $\!$ Sprague

The guys did a really great job & were life savers. -My Ton Gray

They truly lived up to your name. Thank you. -Jerry Molitor

These guys are Awesome – no matter what we asked of them, they were cheerful and polite – We appreciate all of them. Thank - you very much!—John Durgin

I love Miracle Movers! They made my move so easy and efficient. No stress! I've already recommended Miracle Movers and will continue to do so.–Val~Bush

The crew was friendly, courteous and very helpful moving our entire office. We have several moves coming up for our company and will definitely use your company again. —Healthsouth

http://www.miraclemovers.com/some.htm

Miracle Movers some of the miracles!

Great job! I would definitely use them again. Courteous, helpful & honest. –Chida Shiyanga

excellent work done very happy will recommend to friends & family will hire again Thank you for the excellent service -Adam Turner

The crew was Amazing / They were prompt, (after a last minute scheduling) professional & courteous. I would highly recommend them & we'll definitely use Miracle Movers when we have a need in the future. That's for making me happy-Dianne Lester

I didn't think moving could be a pleasant experience – this was! We have never used a professional moving service. It was really worth it! – Alex Gambrel

Very courteous, friendly & competent service. Thank you for making our move go so smoothly! – \textit{Virginia Schuett}

We could not have been happier. They definitely went above and beyond. Great Job! Great crew!!! I own a construction company & would hire all three!-Nina Diaz

Very prompt and helpful, were a pleasure to have them as movers. We will definitely recommend to others. –Sharon Dennis

I was very pleased with all aspects of the move. The team was efficient courteous careful and speedy. They moved furniture to different areas and gave me time to consider how it looked. All in all it was a very positive moving experience.-Helene Gershowitz

Everyone was telling me moving company horror stories- and this was a wonderful experience!! Will definitely recommend and use again. -Terri Durkee

Seattle	Eastside	South King	North End		
(206)273-4680	(425)451-4411	(253)852-3884	(425)787-0187		
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APPENDIX J

Yellow Pages and Online Phone Book : DexOnline.com

http://www.dexonline.com/search.ds



PAGES

PAGES

The distance shown is measured from the center of "Seattle, WA".

1 - 3 of 3 miracle movers around Seattle, WA

				Sorted by: Relevance		
	Name	Description	Specialty	Distance	QUOTE	
Α.	Miracle Mov	ers		0.01 miles from	Need Moving Help?	
	(425) 451-441		24' Boxes Clothing			
	(Map, Yellow Pag	ge Ad)		-	V	
В	Miracle Move	rs		0.01 miles from	Get Quotes Now	
	(206) 273-468	0		•	What kind of moving do you need?	
C.	Miracle Move	rs Bellevue		0.01 miles from	C Local Moving	
	(425) 451-441	1			C Long Distance Moving	
	TO THE RESIDENCE OF THE PROPERTY OF THE PARTY OF THE PART				O International Moving	

Your Zip Code:



1stCHXICE

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2/14/2007 10:43 AM

Miracle movers (Results 1 - 5 of 5) ~ miracle movers WA ~ Simple... http://yellowpages.superpages.com/listings.jsp?C=&N=miracle+mov...

super pa	AGES.COM we know	v around here	V care:	ideárc ADJEST SERVER
	Yellow Pages	Shopping	Web Res	<u>ults</u>
Keyword (browse)	Or Business Name Loc miracle movers WA	ation (City & State or Z	Findle	More Search Options Help
	e Movers in your area - Free Que Moving Services at affordable omeBulletin.net	rates - Interst		ring - Compare rates & save ade easy - Get Free long distan move.com
<u> Home</u> → <u>Yellow</u> I	Pages → Miracle movers (Resu	ults 1 - 5 of 5)		
Sort by: Standard A-Z	Search Area: Include businesses serving the area	Refine Search Select	by:	Show results on a Map
All Listings	► Report Incorrect Lis	stings		Sponsors
	8101 e <u>phone map save send</u> miraclemovers.com		ભેર્દા પર્વા હતે. Rate It	Penske Truck Rental Free mileage on one-way moves Reserve on-line and save 10%
	\ 98036 e phone map save send miraclemovers.com		หือใหญ่ หลับอย่า <u>Rate It</u>	(866) 500 - 0357 Bekins Van Lines
liracle Movers Seattle, WA 98 business profile	101 e phone map save send		No You Balon Rate It	Local pioneers to global presence moving "The Bekins Way" since 1891. Bekins.com
	i1 e phone map save send niraclemovers.com		Not Yet River Rate It	VIP Relocation Long Distance Specialists Worldwide Service - Click Herel 888-968-3888
	98004 e phone <u>map save send</u> miraclemovers.com		ที่เคร็จตั้งตั้งตั้ง Rate It	Air 1 Moving & Storage Specializing in Long Distance Moving To & From California air1moving.com
Sort: Standard A-Z			·	Moving Resource Center Compare Prices, Find Tips MLD - Your Moving partner
Results 1 - 5 of 5	<u>Help</u>			Toll-Free (877) 260-9400
•	Report Incorrect Listi			
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