**WASHINGTON UTILTIES AND TRANSPORTATION COMMISSION**

It appears the WUTC/DOT now openly admit in Department of Transportation’s Administrative Law Judge Raney Pearson response that this is a personal attack against Steve Valentinetti while for the last 3 years the DOT has been saying “it’s about safety”. Now both the FMCSA and the WUTC openly state they will let GO VIP / Steve Valentinetti operate if we admit all violations essentially dropping the Federal Racketeering charges against David Pratt and the WUTC, discrimination, racism, falsifiying documents & violations against John Foster, Nolan Rice & the DOT in general and the State of Washington for endorsing racism, business interuption, retaliation, slander, false light etc. and attempting to cover-up instead of investigating the claims. “If he admits all violations”

AG’s office after seeing the evidence in person and live (the AG’s office saw the evidence 2 years ago and stated they did an investigation but cannot produce it) testimony that cannot be disputed realizes that (David Pratt) Washington State Utilities & Transportation Commission {WUTC) is in extreme legal trouble and will not for falsely interrupting AMI Coaches business with Amtrak (*see Pratt letter to Amtrak HQ May 15, 2013)* where **Pratt goes out of his way and outside of his jurisdiction to falsely inform Amtrak that AMI Coaches does not have the authority to operate** during the Federal contracting vetting process**.** When the WUTC was contacted regarding this knowingly false inflammatory letter the WUTC’s response was **“we are the State of Washington and we will do what we want and we don’t want to retract the letter”.** **5 days later** (May 20th 2013) (retaliation) WUTC’s John Foster was sent to AMI Coaches (FMCSA authority in place, 5 million insurance, Drug & Alcohol testing in place, accident free tour bus company) to find anything they could. **Foster was unable to find violations** but wrote them anyway. (the reason the WUTC doesn’t want a hearing as they can’t prove any of the violations) **Foster threatened AMI office staff** of lost student visa’s, work visas and up to deportation of staff and family if any are found. When later confronted by Steve Valentinetti Foster stated “I will have you deported if you don’t change you attitude”, **“why don’t you stick to town cars like the rest of your people”.** Foster later vis phone call stated that “there may be a way out if you play your cards right”. Foster also stated “Pratt doesn’t want to prosecute you he just doesn’t want you going after Federal Contracts” (etc.). I will try to convince Pratt that your violations are Federal. John Foster & David Pratt believed Mr. Valentinetti to be a foreigner in the U.S. on some sort of visa also when in fact Valentinetti, born in Seattle, raised and schooled in Washington, past member of the U.S. Ski Team, did not feel the threat of deportation and fully understood fully that this is a racial attack and not only damaging to our businesses but damaging to the personal lives of those involved.

The WUTC moved forward without processing any violations against AMI, Airline Shuttle or Steve Valentinetti, but notified the FMCSA who adopted the WUTC’s false findings. “it’s been found” hence today Washington’s AAG Roberson stating it again and again as if maybe he hopes someday it will be true.

During TE-161295’s 3 hour restricted Brief Hearing WUTC DOT Administrative Law Judge Pearson didn’t want to hear or allow time for the reasons of the WUTC’s continued discrimination and cover-up “we are talking today about GO VIP”

AAG Roberson states “The Commission should deny Go VIP’s petition” because Roberson now knows the State will be exposed and there is no answer other than Federal contract tampering, discrimination and corruption on the part of the WUTC.

**Example #1** – WUTC Pratt’s May 15th 2013 letter to Amtrak during contracting states AMI Coaches is “Not Authorized”.

1. Why would Pratt write a letter to Amtrak headquarters in Pennsylvania? Is that his job? Is Pratt connected to Evergreen Trails?
2. Why wouldn’t Pratt do research before sending a false inflammatory letter? Isn’t he a professional?
3. Why would the WUTC’s TE-161295 forget to list the largest violation resulting in a $25,000 fine and AMI Coaches being placed “Out of Service”. Because **this false violation was generated by David Pratt** & the WUTC. **This false violation put AMI Coaches out of business forever.** Is there liability there? Yes. Does Sovern Immunity cover intentional or discriminatory acts? NO

The WUTC and AG’s office are now trying to cover it up.

**Example #2** – 3 separate, serious false violations used to put AMI Coaches & Airline Shuttle “Out of Business”

1. No insurance – SV/GO VIP offered proof and live testimony that both AMI Coaches & Airline Shuttle had 5 million and 1.5 million respectively including proof presented to WUTC’s Ray Gardner (November 2012), WUTC’s John Foster and FMCSA’s Nolan Rice January thru March 2014 And March 20th 2017 at TE-161295 to ALJ Pearson, AAG Roberson, Director of Transportation Safety Mathew Perkinson.
2. Required amount - both AMI Coaches & Airline Shuttle had 5 million and 1.5 million respectively
3. Proof of insurance - both AMI Coaches & Airline Shuttle and now GO VIP provided a Policy, Certificate of Insurance, Cab Cards & MCS-90b and Valentinetti always paid his invoices on time with no lapse per evidence and live testimony of Doug Ferguson, 39 year owner and broker of Ferguson & Associates Commercial Insurance Brokers.

Valentinetti proved at TE-161295 with evidence and live testimony that both AMI Coaches and Airline Shuttle **always had insurance, always had the correct amount** (confirmed by WUTC’s Director of Transportation Safety Mathew Perkison) and proof offered, policy, certificate, cab card, MCS-90b and live testimony by Douglas Ferguson 39 year owner of Ferguson & Assoc.

After offering this undeniable proof and witness testimony against one of the most serious violations, the **WUTC states “it’s not enough”**

**Example #3** - No Drug & Alcohol testing –

Valentinetti proved with evidence from U.S. Health Works that AMI Coaches had Pre-employment, Random & Suspicion drug & Alcohol testing in place.

Valentinetti also proved with evidence from U.S. Health Works that Airline Shuttle had Pre-employment, Random & Suspicion drug & Alcohol testing in place. Although not needed as Airline Shuttle’s flight crew only operation working for a hotel does not operate a Commercial Motor Vehicle (14 passenger van) per state or federal law and is operating for a hotel also not regulated by WUTC or the FMCSA.

The only way the WUTC will be able to evade being exposed as corrupt and racists is by not allowing a hearing however the WUTC or the AAG has NO Answer to the proof provided at TE-161295 except **“it’s not enough” Differential Treatment**

* What do the other companies show for insurance?
* What do the other companies show for Drug & Alcohol testing?
* What do the other companies show for operating authority?
* Are other companies allowed to challenge the violations via an Administrative Hearing?
* Are other hotel vans violated and shut down, has there been a hotel investigated? 49 USC 13506
* Does the FMCSA regulate school buses and taxis also? 49 USC 13506
* Are school buses and taxis required to comply to the FMCSA’s “Safety Regulations” 350 to 399 49 USC 13506
* Is a 14 passenger hotel crew van a Commercial Motor Vehicle(CMV) by the Safety Regulations 49 CFR 382, 383 or 390.5/3? *Entire Part 382, 383, 390 including definition of commercial motor vehicle, is adopted and applies to Washington intrastate operations.*
* WAC 480-30-999 Adoption by reference – The State of Washington adopts Title 49 by reference and it also adopts the Exemptions

**Federal**

**49 USC 13506** **Miscellaneous motor carrier transportation exemptions** - Neither the Secretary nor the Board has **jurisdiction** **(3)** a motor vehicle owned **or operated by or for a hotel** and only transporting hotel patrons. **(8)****(A)** transportation of passengers by motor vehicle **incidental to transportation by aircraft**. **(10)** a motor vehicle carrying **not more than 15 individuals** in a single, daily roundtrip to commute **to and from work**.

**Jurisdiction** doesnot mean Operating Authority – the words have significantly different meanings but it is amusing that the DOT thinks they can pull this slick move on us without case law, history, written law or common sense.

**Washington State**

**WAC 480-30-011 - Exempt operations**. - The commission does not regulate the following passenger transportation operations under this chapter: (6) Persons **owning, operating, controlling**, or managing **taxi cabs, hotel buses, or school buses**, when operated as such. (9) **Transporting transient air flight crew** or in-transit airline passengers **between an airport and temporary hotel accommodations**. (11) Transporting passengers who have had or will have had a prior or subsequent movement by air

Collateral Estoppel – Definition = identical to an issue **already litigated** in the earlier case **and must have been fully litigated at that time.** AAG Roberson states - The Commission should deny Go VIP’s petition because: (1) the ALJ properly collaterally estopped Go VIP from **re-litigating violations**(1) found by the Federal Motor

Carrier Safety Administration(2) (FMCSA) against Go VIP’s predecessor companies(3).

1. Collateral Estoppel – AAG Roberson & ALJ Pearson obviously don’t understand what the definition of Collateral Estoppel is. **These violations have never been litigated** because of the DOT’s cover-up. Litigated = Discovery, evidence, witnesses, industry professionals, examination, cross examination and a decision from the findings.
2. Valentinetti is not trying to re-litigate – it has never been litigated. After 3 years we are trying to start 2 transportation companies. 1) GO-VIP a motor coach company 2) GO-VIP Seattle (non regulated, non CDL or CMV crew transportation) The FMCSA adopted the WUTC’s false findings and now that we are here to present evidence for the first time.
3. AAG Roberson again trying to protect the State of Washington and the WUTC who wrote most of the violations adopted by the FMCSA.
4. AAG Roberson (ALJ Pearson’s boss & David Pratt’s office partner) stated to ALJ Pearson that “we are not going to listen to this again” insinuating that this has been heard by some court when in fact it has never been litigated, only adopted.
5. By AAG Roberson own admission “estopping the party will not work an injustice”; “the agency issuing the order must make a factual decision within its competence” “there must be no significant procedural differences between the tribunals deciding the two matters”; **A hearing was not allowed for AMI Coaches and Airline Shuttle was allowed to challenge only 1 of the violations without evidence, witnesses, industry professionals.**

The WUTC and the AG office are afraid to allow an open fair hearing because they (as in TE-161295 cut short) **have no answers to the overwhelming evidence** that some members of the WUTC are corrupt as well as racists. Because the WUTC is wrong and will lose is not a reason to reject a hearing.

* **The DOT is afraid or unwilling to admit any mistakes even when undisputable evidence or law is presented.** If not let’s have a **unrestricted hearing with discovery, evidence, witnesses, industry professional testimony**.
* AAG Roberson statement that AMI Coaches had an opportunity but didn’t challenge the violations is false and again a cover-up for the DOT as the DOT violated our APA rights. AMI Coaches and Airline Shuttle immediately and timely requested a hearing to dispel the false violations but the DOT knowing the violations were false refused to follow law and allow a Administrative Hearing, adjudication or any challenge to the violations.
* If 1 violation is found to be wrong it is a reason to have a fair, open hearing.
* AAG Roberson is trying to conceal the fact that **Steve Valentinetti made a claim against the State of Washington** that his office refused after his office supposedly investigated.
* **AAG’s office didn’t interview or request any information** from AMI Coaches, Airline Shuttle Steve Valentinetti or staff.
* AAG’s office refuses to turn over investigation results and or notes.

This is the reason the Attorney General’s office (AG) is involved with stopping the formation of GO VIP and retaliation against Steve Valentinetti. This is also the reason the **AG’s office is trying any way possible to stop a hearing**. They are afraid of the results and evidence will expose widespread corruption within the DOT.

**Review**

There is no question that the violations listed against Steve Valentinetti’s **24 year accident free companies** below are false. In 3 hour restricted TE-161295 the WUTC’s Director of Safety or AAG Roberson were unable to prove even 1 violation was legitimate but instead made written statement that “Steve Valentinetti can’t be trusted”, The DOT **makes continued insinuations of criminal activity** as they continue to do to our past customers.

1. Authority to Operate – AMI Coaches - proved wrong (see evidence), Airline Shuttle – confirmed not needed by the WUTC’s own Director of Safety.
2. Insurance - 5 million for AMI Coaches & 1.5 Million for Airline Shuttle
3. Drug & Alcohol - Pre employment, Random, Suspicion
4. Records retention – Not needed for Airline Shuttles hotel van
5. Annual inspections – Completed by WUTC Special Investigators and our annual inspection person.
6. Same office – Steve Valentinetti owns the office that was leased to AMI Coaches & Airline Shuttle
7. Same equipment – is something wrong with our equipment?
8. Same business – yes we will be in transportation.
9. Fraudulent – only the DOT produces fraudulent material and statements.
10. Non- compliant??? SV’s team cooperated fully and unrestricted with both the WUTC and the FMCSA only to get continued (admitted on record by the DOT) “Special Treatment”
* **Operate if you admit to the violations –** It’s sad to think if the WUTC and the FMCSA would let Steve Valentinetti operate if they really think his companies are dangerous if he admits to false violations relieving the DOT of wrong doing.
* *noting that AMI Coaches never challenged the finding of violations or the unsatisfactory safety rating.* **This is just a straight up lie**
* *FMCSA ordered Airline Shuttle out of service in 2014.9 FMCSA based that order*

*on a safety audit of the company; that audit produced an unsatisfactory safety rating when*

*an inspector* **(WUTC’s John Foster)** *found numerous acute, critical, and administrative violations*

* *Again, the DOT has terminated review* **(without a hearing)** *of the out-of-service order and it remains in effect today.12*
* *Go VIP would also engage in substantially the same business that AMI and Airline Shuttle did.* **That’s correct, transportation.**
* *First, Staff alleged that Go VIP lacked the safety fitness necessary for authority to operate.* **How does the staff know? Did they investigate or allow a hearing?**
* *Staff based this allegation on the negative compliance history of AMI Coaches and Airline Shuttle.* **Both companies never reviewed or allowed a hearing.**
* *Staff noted that the conduct giving rise to the violations found by FMCSA would constitute violations of state law if found by Staff* **So the WUTC is stating they didn’t check insurance, Drug & Alcohol, Annual inspections, Operating Authority etc….**
* *Staff reasoned that Go VIP had a history of non-compliance.* **From it’s 24 year accident free record or all the past violations AMI and Airline Shuttle had been issued……….NONE in 24 years**
* *Go VIP did, in fact, attempt to re-litigate* **(challenge, not relitagate)** *every violation found by the FMCSA.* **(AAG Roberson not staff)** *Staff objected, arguing that collateral estoppel prevented Go VIP from doing so.* *ALJ sustained that objection* **because she doesn’t know that it was never litigated and believes her boss AAG Roberson**
* *Staff answered and denied that Go VIP was fit or that it had engaged in discrimination.* **AAG Roberson is aware of the civil rights claims against the WUTC and by hiding fact this they endorse discrimination and corruption**
* *lacked credibility, especially given that Mr. Valentinetti admitted to a number of them at hearing when claiming to disprove them.* **AAG Roberson can make wild without merit statements as he is the attorney. He is either dishonest or doesn’t know transportation law. Example – hotel vans don’t do DVIR’s, retain them for 6 months, 7 day work week form, DOT number on the van. These are all trucking regulations that don’t pertain to a hotel van.**
* *The Commission should reject each of those arguments and deny the petition. Go VIP was collaterally estopped from attacking findings made by FMCSA about violations Committed* **Sure, the DOT doesn’t want to be exposed as corrupt racists, fraudulently creating violations to put 2 companies out of business when they are trying to get funding for lite rail, the tunnel and other projects**
* *a record of contradictory statements and unpersuasive evidence* **again this without merit statement is a personal attack by the DOT preparing for future litigation. What do the other companies show for Operating Authority, Insurance, Drug & Alcohol**
* *the ALJ properly refused to credit Go VIP’s attempts to contest those violations* **Refused irrefutable, undeniable evidence. Is that proper? The DOT, WUTC didn’t have any response when ask if they have questions. They wait until later and write where they can’t be directly challenged of the false statements**
* *Finally, Staff denies that discrimination played any role in the denial of Go VIP’s application, and Go VIP fails to show that it did.* **Discrimination play the major roll in the false violations issued both against AMI and Airline Shuttle and the WUTC openly admits it refused to credit GO VIP’s attempts to contest those violations**
* *FMCSA’s orders precluded Go VIP from contesting that AMI Coaches and Airline Shuttle committed regulatory violations. An administrative tribunal’s order may have a preclusive effect on later proceedings.* **AAG Roberson made that statement up, completely false.**
* *Go VIP’s failure to seek review* **Not true** *of those orders or successfully obtain reversal of those orders on review gives those orders preclusive effect.* **Again AAG Roberson makes completely false statements up, completely false.**
* *(failure to seek review makes the orders final for purposes of collateral estoppel).* **This is DOT’s attempt to excuse themselves from their violation of the APA rights that have been violated. We asked for reviews for both companies from the beginning.**
* *Go VIP would use to conduct business belonged to those other companies. Go VIP will engage in the same business as those companies. Go VIP shares common ownership and management with those companies.* **We will be in the transportation business**
* *Estopping Go VIP does not work an injustice here. AMI Coaches and Airline Shuttle had the opportunity to appeal the results of the safety audits and the resulting unsatisfactory safety ratings. AMI Coaches did not take advantage of that opportunity* **again completely false statement***, and the DOT denied Airline Shuttle’s appeal.* **Because they can’t win as they don’t have jurisdiction over a hotel van 49 USC 13506(3)**
* *If the Commission approves Go VIP’s application, it sends a signal that any company unsatisfied with a federal revocation of its operating authority should seek state operating authority, and vice versa.* **It would send a signal to the DOT that you better do your homework and due diligence before writing false violations. The public depends on the DOT being honest and not corrupt or self serving** *Staff would then apparently have to prove every violation found by federal inspectors* **WUTC’s John Foster purported himself as a Federal Inspector (see May 20th 2013 letter, TE-161295)** *when attempting to deny state operating authority to those companies, creating significant administrative burdens.* **I don’t think this discrimination thing happens all the time. In Washington Steve Valentinetti is probably the only minority involved in transportation that has the funding and 30 years in the transportation business to be able to compete with the big boys bus companies for Federal Contracts that Pratt and Foster are trying to protect.** *Second, collateral estoppel is intended to prevent exactly what Go VIP seeks to produce here: inconsistent findings by different tribunals about the same factual matter.* **There has never been legal findings as the corrupt DOT has not allowed an Administrative hearing for over 3 years.**
* *The ALJ properly determined that Go VIP is not fit for authority* ***while prohibiting Go VIP from arguing that it had not committed the violations*** *found by FMCSA* **??? Why would an honest tribunal prohibit GO VIP from defending against false violations? Because there is tremendous liability and exposure by the state.**
* *A pattern of frequent and serious violations “clearly indicate” an applicant’s unfitness for a permit* **As usual the DOT makes a general statement not identifying any violations, just a general statement.**
* *The recency and severity of those violations alone justifies the denial Go VIP’s application.* ***while prohibiting Go VIP from arguing that it had not committed the violations***
* *The ALJ found Go VIP’s denials lacked credibility.* **AAG Roberson again preparing for future litigation and discrediting Steve Valentinetti. AAG Roberson or the WUTC had no challenge or proof that anything Mr. Valentinetti said was not true. Not one thing except the WUTC’s general statement “lacked credibility” Did the WUTC do an investigation after we complained about Foster? – NO Did the WUTC do a Civil Rights investigation? – NO Did the WUTC turn the investigation over to an outside agency? – NO The WUTC states they take claims of discrimination seriously but never investigated??? Why? Because they know the claims are true and don’t want to be exposed because of Pratt and Foster’s personal agenda.**
* *Valentinetti admitted at hearing that AMI Coaches and Airline Shuttle had committed a significant number of the violations* – **Not true**, **obviously ALJ Pearson or AAG Roberson don’t know transportation law or they are just dishonest because if they did they would know that the owner of a corporation redacting his SS # and birthday from his front office drivers file does not mean the company does not have compliant drivers files. It means it is protected information that was presented to both WUTC and FMCSA inspectors.**
* DOT # on the side of the van – a Hotel van does not need authority or a DOT number on the side of the van
* DVIR’s are not required for non-CDL, non-CMV, 14 passenger hotel van
* Retaining DVIR’s for 6 months that are not required
* Passenger endorsment not required for a non-CDL, non-CMV, 14 passenger hotel van
* *Go VIP’s evidence often does not support its argument that AMI Coaches or Airline Shuttle did not commit the alleged violation.* **Again what do the other companies show for insurance other than a Policy, Certificate, Cab card, and MCS-90b and bringing their broker in to testify. Did we miss something or is the WUTC exploring differential treatment again?**
* *For example, while Mr. Valentinetti claims to have disproven the allegations related to insurance or random drug testing, no evidence at hearing shows that AMI Coaches maintained proof of insurance* **Live testamony by Doug Ferguson, policy, certificate, cab card, MCS-90b** *or that either AMI Coaches or Airline Shuttle had a random drug testing regime on the date of the violations.* **Letter presented by SV at TE-161295 stated that both AMI Coaches and Airline Shuttle had was enrolled in a random Drug & Alcohol program. SV also presented GO VIP’s 5 million insurance and random Drug & Alcohol program already in place. This is why we call the DOT corrupt as they continue to make false statements as if they were true.**
* *Staff witness WUTC Transportation Safety Director Mattew Perkinson testified that Go VIP was exempt from FMCSA jurisdiction. He did not.* **SV never said that, GO VIP applied for federal and state authority. Mattew Perkinson however testified****Airline Shuttle, SV’s 14 passenger hotel crew van operation is (WAC 480-30-011)(49 USC 13506) is exempt from FMCSA and WUTC authority.**
* *(no evidence that AMI Coaches maintained proof of insurance)* **Valentinetti provided for both companies the policy, Certificate, cab card and MCS.90b for AMI Coaches as well as live testimony from the insurance broker who stated the AMI had 5 million and proof and Airline Shuttle had 1.5 and proof and that Mr. Valentinetti always paid on time and his companies insurance was never canceled.**
* *(evidence does not show a random drug testing program at the time of violation)* **We don’t like doing it but again we have to say this is a direct lie.**
* *Given FMCSA’s findings and the* ***ALJ’s*** *proper* ***refusal to credit Go VIP’s denials****, the record shows that companies owned and operated by Mr. Valentinetti have a history of violating safety regulations* **Translation – the WUTC does not accept any evidence or testimony even though the WUTC can’t dispute its authenticity from Steve Valentinetti. Is this the ethnic thing again now in the courtroom. Now we are getting to the reason the DOT has blocked us for 3 years. It is just straight up discrimination. We refuse to accept any evidence from Valentinetti.**
* *The record also reflects that those violations were acute or critical in nature, indicating that Mr. Valentinetti’s companies operated at a high risk of accident or operational breakdown that would impact the public.* **They are false violations and thus the reason of Steve Valentinetti’s unmatched 24 years accident free operations…..compared to White owner of “Ride the Duck” with 450 violations, killed 5 passengers, smaller fine issued by the DOT, self-insured didn’t pay the victims and only placed out of business 3 months during the winter months but is endorsed by the WUTC.**
* *Mr. Valentinetti’s continuing denials* **why don’t you investigate? Lazy DOT or just dishonest** *that AMI Coaches and Airline Shuttle committed any violations indicate that Go VIP would not operate any differently than those companies.* **Did the DOT, WUTC, FMCSA investigate after Valentinetti’s statement that the violations were false……NO. We won’t operate any differently, we will follow the regulations pertaining to the industry that we are in as we did before and we will not allow the WUTC/DOT to try to enforce long haul trucking regulations on our hotel operations because they think we are foreigners taking US business.**
* *Go VIP therefore cannot offer the Commission credible assurances of future compliance or objective evidence of an intent to comply with the Commission’s regulations*
* *Even if the Commission agreed that collaterally estopping Go VIP from contesting the violations* ***amounted to legal error****, or that* ***Go VIP had shown that it had not committed any regulatory violations****, it should still deny the petition and affirm Order 01.* **Why would someone say that unless they are retaliating against the person personally.**
* *motor carriers to avoid compliance, or mask or otherwise conceal non-compliance, or a history of non-compliance,*

*Further, Mr. Valentinetti essentially admitted that he incorporated Go VIP to enable him to avoid the out-of-service orders against AMI Coaches and Airline Shuttle.* **When I read this it confirms that the DOT is a corrupt organization as this statement is another lie. If we hiding would a person use their own name, address, phone number, vehicles? Again this shows AAG Roberson trying to discredit Valentinetti with knowingly completely false statements. AMI Coaches and Airline Shuttle were both Corporations also. I think the Commission should start thinking maybe Roberson and Pratt are involved in this together. Offices a little to close maybe.**

* *Mr. Valentinetti’s allegations of discrimination are meritless* **Did someone investigate over the past 3 years or is the AAG and Pratt trying to hide and divert attention.**
* *Finally, Mr. Valentinetti alleges that the denial of Go VIP’s application resulted from a discriminatory conspiracy against him and employees of his companies. Staff treats these allegations with the utmost seriousness**and asks the Commission to reject any request for relief by Mr. Valentinetti on these grounds.* **OK, did the staff or the AAG’s office investigate? Where are the results?**
* *Staff strenuously denies ever discriminating against Mr. Valentinetti or his employees. Staff has never* *made any comment on or about Mr. Valentinetti, or any decision about Go VIP’s application, based in any way on race, nationality, religion, or parentage.* ***ALJ’s proper refusal to credit Go VIP’s denials, the record shows that companies owned and operated by Mr. Valentinetti have a history of violating safety regulations***
* *Further, Mr. Valentinetti presents no direct evidence that discriminatory animus motivated any relevant* **David Pratt?** *Staff member. Mr. Valentinetti’s claims of discriminatory conduct involve John Foster, a former Commission employee.* **And the FMCSA and the WUTC have adopted his findings. Just because he quit doesn’t stop the damage caused by discrimination**
* *Mr. Valentinetti also fails to offer evidence that would allow the inference that discriminatory intent played a part in denying Go VIP’s application. For example, Mr. Valentinetti did not show that Staff should have recommended his application for approval, or that Staff has recommended approval for other applicants with similar regulatory histories, both of which would raise the inference that discrimination played a role in the denial of Go VIP’s application. Without those showings, the Commission should not, and cannot, credit Mr. Valentinetti’s allegations.* **Is Roberson trying to say if the WUTC hasn’t been caught before it must not be true so we shouldn’t investigate? AAG Roberson admits that Valentinetti made several Civil Rights claims and with written response states that it has been investigated and found to be without merit however the AG’s office refuses to produce the findings of the investigation if they did one at all. Nobody ever contacted AMI, Airline Shuttle employees or Steve Valentinetti. Mr. Valentinetti was not allowed to speak about discrimination at TE-161295 and we don’t want to unless we have to.**
* **This is not a discrimination hearing, it is SV trying to get GO VIP his new company operating hopfully 24 more years accident free.**

**History**

* November 2012, WUTC’s Ray Gardner does a New Entrant Audit and checks Insurance $5M, drug & alcohol in place, annual inspection on equipment and recommends CH & EX be granted.
* 24 year accident & violation free company is competing for it 2nd Federal Transportation Contract (May 2013)
* Pratt (WUTC) writes an undisputedly false inflammatory letter **(May 15 2013)** to Amtrak headquarters in Pennsylvania stating AMI Coaches is not authorized to operate. *See evidence presented at TE-161295*
* Pratt refuses to retract the letter as he believes SV is a foreigner and we want to take him out
* Pratt sends WUTC investigator John Foster and purported FMCSA investigator **(May 20th 2013)** to find violations against AMI Coaches
* **Foster threatens office staff of lost visa’s**, and up to family deportation. Office staff tells Mr. Valentinetti
* Valentinetti confronts Foster who at first lies and states he didn’t say anything but with pressure tells Mr. Valentinetti *“If you don’t change your attitude I will have you deported also”*, “***stick to town cars like the rest of your people”*** *“If you want to operate a bus company you have to come through me first” “I will shut you down like I did Noah”* Etc…..
* Foster calls Valentinetti approx. 1 week later states *“I think you can get out of this if you play your cards right”,* then asks Valentinetti to not expose what happened at the safety audit as he is retiring and doesn’t need any trouble although Pratt wants to put you down but I told him your violations are all federal (FMCSA)). Valentinetti tells Foster that we have already filed a formal complaint with the WUTC (May 2013) about himself and Pratt as our foreign office staff has quit and are afraid of damage to their personal lives. “I Steve Valentinetti however am a U.S. citizen and your threats are hollow to me”
* Foster writes 114 violations against AMI Coaches.
* Amtrak delays awarding the contract as now there is confusion on AMI Coaches authority.
* FMCSA come to AMI Coaches office and adopts Fosters finding of “No Authority to Operate” etc. has “already been found” and writes a few extra of their own.
* AMI asks for Administrative Review, Adjudication by a neutral party or a Formal Hearing. No of the above is granted. (see DND International, April 2014) Review is automatic within 10 days of shut-down with or without request)
* AMI is issued the **Highest fine recorded in the United States ($63k +)** and shut down because of Operating Authority. December 2013, **No deaths, No Accidents.** Just the **wrong ethnic background** and office staff **to get Federal Transportation Contracts.**
* SV again files civil rights claims against both the WUTC & the FMCSA civil rights dept. for false violations and slanderous comments to our insurance company and customers.
* Neither the WUTC or the FMCSA investigate the civil rights claims (as of today June 2017, there has been no investigation)
* FMCSA is angry and about the civil rights claims and in retaliation comes back at Airline Shuttle - Non-regulated, Non-CDL, Non-CMV, 14 passenger hotel airline crew van with the same type of false violations and sends via fax April 28th 2014 “Cease all Transportation effective April 25th 2014” Airline Shuttle had counsel at the time but the letter was never sent to them and contained no Certificate of Service. I did however have a UPS tracking number for April 11th 2014 that UPS stated was never provided to them that the Feds can produce their own numbers. (see evidence presented to WUTC Administrative Law Judge Pearson during TE-161295)
* Airline Shuttles customers are told “Steve Valentinetti is under federal investigation” “how did you get tangled up with him”? “You had better start looking for a new company”
* AMI Coaches and Airline Shuttle are not granted reviews of any kind until March 20th 2017
* After 3 years Airline Shuttle finally gets an Administrative Review where ALJ Richard Goodwin was replaced by DOT Judge Sullivan who after Airline Shuttle provided answers to all requests by the DOT, Sullivan states ***“I’m going to do something special here” and*** **blocked all** Airline Shuttle **Discovery, Evidence, e-mails discovered prior or future and Industry Professionals testimony**. Sullivan then ruled behind closed doors before the hearing that the DOT wins on every violations “already been discovered” but we will litigate the Drug and Alcohol for Airline Shuttle only (March 20th 2017)
* Nolan Rice – FMCSA investigator testified he personally didn’t know if the FMCSA has jurisdiction over Airline Shuttle, he didn’t remember the vehicle he wrote the violations about, when shown photo’s of 3 different vehicles 1)AMI Coaches 24 passenger bus 2)Airline Shuttle’s 14 passenger hotel van or 3) an old back up 13 passenger van owned by Steve Valentinetti Mr. Rice still didn’t remember.
* Jeffry James – FMCSA Director testified that you don’t need Drug & Alcohol testing for a 14 passenger van moving airline crew. He also testified that he didn’t know if the FMCSA had jurisdiction over a hotel van as it seems there is current litigation. He did testify that the FMCSA to his knowledge has never written a violation or prosecuted and hotel van before
* DOT Sullivan blocked Steve Valentinetti from receiving a transcript of the hearing and refuses to post it on Regulations .gov

*Go VIP’s evidence cannot form the basis of relief on such serious allegations.*

* *Mr. Valentinetti appears to argue that Mr. Foster was at the root of all of his troubles.* **No Pratt directed Foster** *But the record shows that Mr. Foster had no part in the FMCSA safety audits that resulted in the out-of-service orders for AMI Coaches and Airline Shuttle.* **Pratt, Foster & the WUTC, Foster stated he was a FMCSA Special MCLE Investagator**
* *“During the beginning of the review and up until the time the review was being finished, the carrier repeatedly cited a WAC 480-30-011, claiming the company was exempt and not regulated by FMCSA. It was explained several times that the only exemption the carrier received was for operating authority when conducting flight crew transportation within 25 miles of the airport.* **SV & GO VIP does not need explanation of transportation law plus we don’t believe anything the WUTC says anymore. We look up all regulations and statutes ourselves.**
* *Mr. Valentinetti also refuses to accept that Airline Shuttle’s operations were subject to FMCSA oversight despite repeatedly being advised* **By the DOT against written law, no case law and no historical litigation (differential treatment)** *that Airline Shuttle was required to follow federal motor carrier safety regulations.* **Really, what other hotel van is required to follow federal motor carrier safety regulations? Has the FMCSA ever written a violation against a hotel van? No, only Airline Shuttle……again “Special Treatment”**
* *Finally, Mr. Valentinetti made numerous demeaning statements about both Commission and FMCSA Staff, as follows:*

*“We’ve had drug and alcohol testing before there was an FMCSA,* **yes we did, in 1998** *before you people knew what it was, before most of you probably had jobs.” “I’m not even going to allow Mr. Perkinson, who is naïve and nice, to say that we have a history of noncompliance* **No accidents, never even a speeding ticket in 24 years is not a history of noncompliance** *without addressing it.” “So what I’m saying is I want you to do your own work. Don’t adopt Foster. Don’t adopt the feds. You check yourself. That’s what I’m asking this group to do. You’re hanging on to a leg that you don’t know – you just really don’t know what’s coming. That’s not a threat, you just don’t get it”.* **I’m saying the DOT is either knowingly corrupt or lazy and I think corrupt** *“*

*“Our international office staff knows the CFR’s & USC’s better than the DOT investigators. 24 years accident free company doesn’t happen by accident. Our team laughs at the insinuation that the DOT could teach us anything about safety even though we politely listen.* **Yes, this is true, our more than collage educated office staff speaks 4 to 5 languages, Foster and Rice barely made it through high school***”.*

*Overall, Mr. Valentinetti’s statements demonstrate a lack of candor, a fundamental inability to accept responsibility for his conduct, a blatant disregard for safety regulations,* **Our companies followed all regulations that pertained to the individual companies. We are not long haul truckers and do not follow the rules that pertain to that industry. We will not accept violations that we didn’t commit even if the WUTC still thinks we are foreigners or uneducated ethnic people.**

**I am tired of the DOT thinking they know everything without investigation. Remember you are either lazy or corrupt and neither is good.**

**Review**

The WUTC is in partnership with the FMCSA = the Department of Transportation (DOT)

WUTC staff **asked S. Valentinetti to address every violation from the past companies then tried to stop** **Valentinetti** as they realized with evidence and professional testimony the violations were not committed and the DOT has liability.

GO VIP presented 5 Million insurance & proof

GO VIP presented pre-employment Drug and Alcohol testing (U.S. Health Works)

GO VIP presented Random Drug and Alcohol testing (U.S. Health Works)

GO VIP presented Drug and Alcohol Program material for drivers

GO VIP presented Drivers Files

GO VIP presented Maintenance files

GO VIP presented an Annual inspection

GO VIP presented a DOT Number

GO VIP’s representative answered every question presented unlike the WUTC hiding and resisting to answer that the WUTC or the FMCSA does not have jurisdiction over Airline Shuttle or yes AMI Coaches & Airline Shuttle both had insurance & proof, that AMI Coaches had Drug & Alcohol testing and Airline Shuttle (unneeded) added random Drug & Alcohol specific to Airline Shuttle 10-22-2013 even though Airline Shuttles drivers were already entered in AMI Coaches, Graham Trucking & the school districts Random Pool

*Staff respectfully requests that the Commission deny Go VIP’s petition for review.* Why?.....retaliation? Afraid of what will come out?

**Administrative Review is the very basis for conflict resolution in the American Justice System.** When parties have a dispute it should be heard or reviewed and a decision made after all evidence, testimony or lack of is presented. For AAG Roberson to say **“it’s already been litigated and decided”** is dishonest and part of the cover-up and is disingenuous at best as Mr. **Roberson knows that statement is not true**.

Questions for the Commission

1. Did AMI Coaches have Authority to Operate April 8th 2013 at the Amtrak train accident? – Yes
2. Did WUTC’s Ray Gardner state that AMI Coaches had 5 million insurance (November 2012)? – Yes
3. Did WUTC’s Ray Gardner state that AMI Coaches had compliant Drug & Alcohol random testing? – Yes
4. Did WUTC’s John Foster state that AMI Coaches had 5 million insurance (May 2013)? – Yes
5. Doug Ferguson commercial insurance broker testify that AMI Coaches had 5 million insurance & proof? – Yes
6. Doug Ferguson commercial insurance broker testify that Airline Shuttle had 1.5 million insurance & proof? – Yes
7. Did SV provide AMI’s & Airline Shuttles insurance policy, certificate, cab cards & MCS-90b - Yes
8. Did SV provide proof that AMI Coaches had compliant Drug & Alcohol random testing? – Yes
9. Did SV provide proof that Airline Shuttle had compliant Drug & Alcohol random testing? – Yes
10. Did WUTC’s Ray Gardner do annual inspections on AMI Coaches vehicles? – Yes
11. Did WUTC’s Sandi Yeomans Special Investigator Motor Carrier Safety – complete level 5, passing “Annual Inspections” (September 2016) on the same equipment that GO VIP will be using in the future? - Yes
12. Did the DOT do a secondary review or hearing when AMI Coaches contested the claims? – NO
13. Did the DOT do a secondary review or hearing when Airline Shuttle contested the claims? – NO
14. Did the DOT follow the Administrative Procedure Act(APA) for AMI Coaches and allow the false violations to be contested? – NO
15. Did the DOT follow the Administrative Procedure Act(APA) for Airline Shuttle and allow the false violations to be contested? – NO
16. Did the State of Washington WUTC as a partner with the FMCSA allow Steve Valentinetti a hearing with discovery, evidence, and testimony to contest the false violations – Restricted 3 hours including Collateral Estoppel being wrongly invoked?
17. Is the State of Washington preparing for a lawsuit with Steve Valentinetti and that is why against irrefutable evidence they WUTC says Mr. Valentinetti is not credible, can’t be trusted, refuses to take responsibility, makes fraudulent entries etc. – Yes
18. **Did WUTC knowingly try to cover up** or overlook David Pratt - Asst. Director of Transportation Safety May 15th 2013 letter by not listing the biggest AMI Coaches violation ($25,000 fine) “No Authority to Operate” on TE-161295 NOTICE OF INTENT TO DENY APPLICATION FOR CERTIFICATE. – Yes
19. Did GO VIP/SV provide proof of 5 million Insurance at TE-161295 – Yes
20. Did GO VIP/SV provide proof of U.S. Health Work Random Drug & Alcohol program at TE-161295 – Yes
21. Did GO VIP/SV provide compliant drivers files at TE-161295 – Yes
22. Did GO VIP/SV provide compliant maintenance files at TE-161295 -Yes
23. Has the WUTC or the FMCSA ever violated or shut down an accident free, 14 passenger hotel van in the history of the United States? – NO
24. Is there a possibility that racial discrimination exists in the United States? – Yes In Washington? - Yes
25. Is there the possibility that differential treatment is prevalent when the DOT does a “Safety Audit”? - Yes
26. If Steve Valentinetti’s evidence and testimony of “Operating Authority, Insurance amounts & Random Drug & Alcohol” is accurate, would the DOT be able to put either or both companies “Out of Business” forever without review as they have done? – NO
27. If Steve Valentinetti’s evidence and testimony is true the State of Washington will be liable – Yes this is why AAG Roberson fights so hard and will say anything to “Not allow a Hearing”. Roberson protects himself by saying “Staff reasoned” or “ALJ Pearson”

Roberson is careful not to incriminate himself when lying or using the “law school 101” tactic of double answers as he is aware that Soveren Immunity statute is diminished when knowing or discrimination is involved.

\*Staff answered and denied that Go VIP **was fit** or that it had **engaged in discrimination**.

\*The ALJ found Go VIP’s denials that AMI Coaches or Airline Shuttle had committed any regulatory violations lacked credibility

\*The ALJ determined that Go VIP lacked safety fitness given the regulatory violations by AMI Coaches and Airline Shuttle.

\*Given those findings, and a record of contradictory statements and unpersuasive evidence, the ALJ properly refused to credit.

Above we see Roberson’s Law School 101 again “how to lie and discredit” 1) there are no findings, 2) what contradictory statements, please identify 3) unpersuasive evidence – SV proved without question AMI had Operating Authority, Insurance & proof, a compliant Drug & Alcohol program unable to be disputed and lastly blames ALJ Pearson.

\*FMCSA’s orders precluded Go VIP from contesting that AMI Coaches and Airline Shuttle committed regulatory violations – **Not true** but Roberson now blames the FMCSA

\*FMCSA regulates the safety of motor carriers, and it acted within its expertise when finding violations of regulations that it enforces. Airline Shuttle is a hotel van, not a long haul trucker and not a motor carrier

Jeff Roberson Assistant attorney General WSBA No. 45550 states in his June 1st 2017 Answer to Petition for Review

“***Even if the Commission agreed*** *that Go VIP* **(AMI Coaches & Airline Shuttle)** *had shown that* ***it had not committed any regulatory violations****,* ***it should still deny the petition****”.*

AMI Coaches and Airline Shuttle have a great history of safety. GO VIP has nothing to do with that as it is a totally new company but we hope to have a safety record 24 year accident free like Airline Shuttle. Is Roberson trying to connect all the companies so Airline Shuttle’s hotel 14 passenger van would have to comply to motor coach regulations like increased insurance, CDL license, records retention, truck markings?

Roberson is openly dishonest and discriminatory. 24 years accident free or not **the DOT doesn’t want a minority operating a safe, successful Motor Coach Company**. When Roberson says “it’s not in the public interest” what he really means is it’s not in Pratt, Foster or his own interest. (The AG’s office will be exposed trying to protect David Pratt & John Foster’s criminal activity)

GO VIP and 24 year owner of accident free companies Steve Valentinetti respectfully asks that the in the interest of safety and fairness the Commission grant our request for a real unrestricted hearing to include discovery, evidence, and industry professional testimony and a judge that doesn’t work for the DOT or the Washington State Attorney General.

If the WUTC is so sure that GO VIP or Steve Valentinetti is disingenuous or dangerous it will come out in the hearing or likewise if the violations are false this also will be exposed in the hearing.

Respect. Professionalism. Integrity. Accountability

Thank you

Steve Valentinetti

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