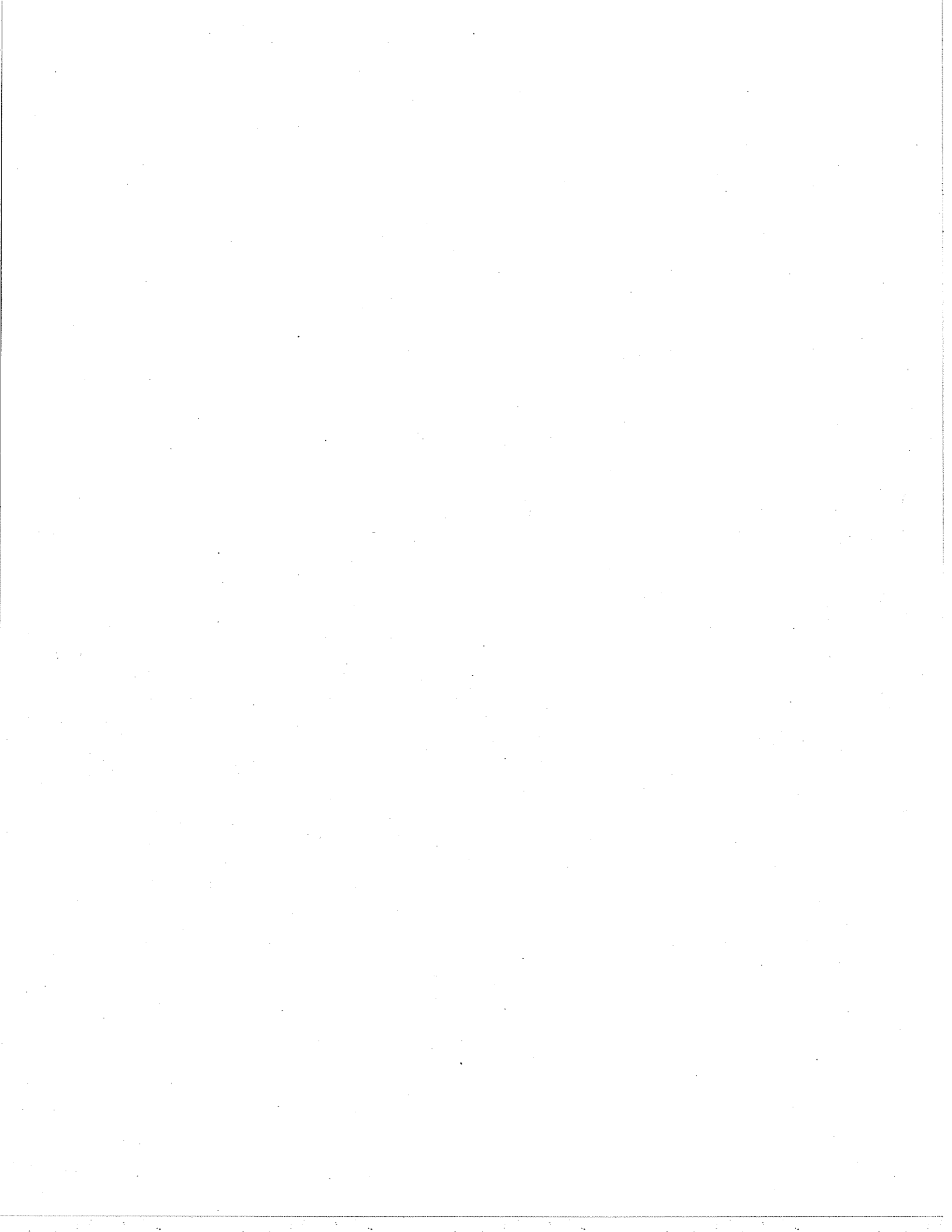


ATTACHMENT A



BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,	)	DOCKET NO. TV-030010
)	
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.)	
.....)	

- 1 **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.*

- 2 **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.

- 4 **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

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:

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

THE COMMISSION FURTHER ORDERS That:

- 6 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

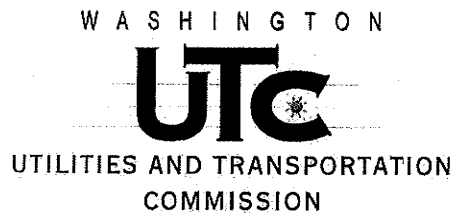
MARILYN SHOWALTER, Chairwoman

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).

ATTACHMENT B





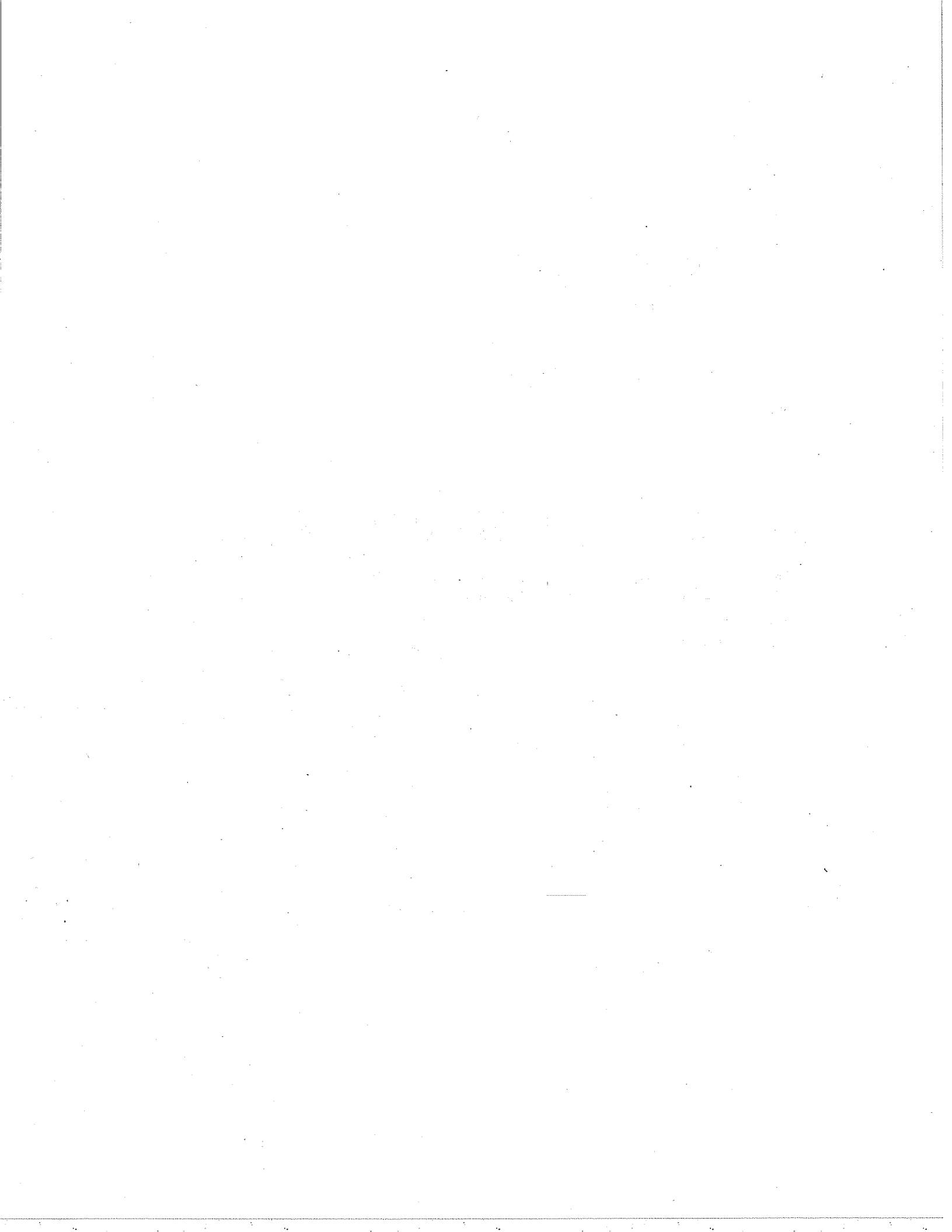
Investigation Summary

Miracle Movers, Inc.

TV-091367

Rayne Pearson
Compliance Investigations

Updated July 2011



Background

On June 25, 2002, a consumer filed a complaint with the commission against Jody Webb d/b/a Motivated Movers (Motivated Movers). In September 2002, staff commenced a formal investigation to determine whether Motivated Movers was operating as a household goods carrier without a permit. During the course of the investigation, staff discovered that Mr. Webb was also operating under the trade name "Miracle Movers." When commission staff contacted the company, staff learned that Miracle Movers was operated by both Jody Webb and his brother, Jesse Webb.

The 2002 investigation culminated in an Initial Order to Cease and Desist issued by the commission on August 1, 2003, in Docket No. TV-030010. The Initial Order became final by operation of law on September 11, 2003. Neither Jody nor Jesse Webb appeared before the commission to answer staff's allegations. The 2002 investigation was closed on August 10, 2004, due to a lack of required documentation that the company was still performing moves.

On June 8, 2005, staff was contacted by Officer Jim Robarge of the Mercer Island Police Department, who provided information that two theft complaints had been filed against Miracle Movers: the first in 2004 with the King County Sheriff's Department, and a second in 2005 with the Mercer Island Police Department. Both complaints alleged that an employee named Jesse Roth stole items during the course of a household goods move. Officer Robarge informed staff that his research indicated that Jesse E. Aislinn was the owner of Miracle Movers, and the company was located at 521 North 102nd Street, Seattle, Washington, 98133. Department of Licensing records currently show Jesse Aislinn as the sole governing individual of Miracle Movers, Inc.¹ The company's registration with the Washington Secretary of State is "active" through June 30, 2012.²

King County District Court records show that Jesse Webb legally changed his name to Jesse Edward Aislinn on June 5, 2003.³ On June 21, 2010, Jesse Edward Aislinn legally changed his name to Jesse David Webb.⁴

Staff was unable to establish contact with either of the complaining parties who filed police reports against Miracle Movers.

On May 15, 2006, the commission received a complaint from a consumer who had hired Miracle Movers and provided written documentation to prove that a household goods move had occurred. At that time, the law required proof of a move before the commission could take action against illegal non-permitted household goods mover.

¹ See Attachment A, Department of Licensing record for Miracle Movers, Inc.

² See Attachment B, Secretary of State Record for Miracle Movers, Inc.

³ See Attachment C, King County Case List indicating Mr. Webb's name change, and e-mail correspondence between staff and King County District Court Clerk Marianne Donadio.

⁴ See Attachment D, Chelan Superior Court record for Case Number 10-2-00001-6, Order Changing Name.

Based on the documentation obtained from the consumer, commission staff initiated a classification proceeding that culminated in a second Initial Order to Cease and Desist issued on May 8, 2007, in Docket No. TV-061618.⁵ The Initial Order became final by operation of law on May 29, 2007.

Miracle Movers was subsequently assessed a \$1,500 penalty in Docket No. TV-070463.⁶ A second penalty of \$2,000 was assessed in Docket No. TV-071988 for violating the cease and desist order. To date, both penalties remain unpaid.⁷

On July 15, 2009, the commission sent a letter to Miracle Movers notifying the company of new laws, effective July 27, 2009, that changed the definition of a household goods carrier to include any person who advertises, solicits, offers or enters into an agreement to transport household goods.

On August 27, 2009, Docket No. TV-091367 was opened to enforce the commission's Final Order to Cease and Desist and assess a \$10,000 penalty. On December 1, 2009, the commission filed a petition for enforcement of an agency order in Thurston County Superior Court.⁸ The company failed to respond or appear, and an Order of Default was issued by the Court on January 15, 2010.⁹ To date, the \$10,000 penalty remains unpaid.

2010-11 Investigation

Staff research shows that Jesse Webb aka Jesse Aislinn is associated with numerous business entities, including: Motivated Movers, New Leaf Labor Corp., Healing Light, Innovative Consulting Group, Inc., Puget Sound Truck Rental, LLC, Northwest Truck Rental, LLC, Cascade Truck Rental, LLC, and Crown Truck Rental, LLC.

A Uniform Commercial Code (UCC) report filed on June 22, 2009, with the Department of Licensing (filing no. 200917365418) lists Jody Webb as the secured party/creditor on an unidentified asset with an address of PO Box 1, Peshastin, WA 98847.¹⁰ That same address is associated with Jesse Webb d/b/a Healing Light in both Department of Licensing (DOL) and Department of Revenue (DOR) records. The DOL filing shows an address of 25604 SE 30th Street, Sammamish, WA 98075 for Miracle Movers, Innovative Consulting Group, Inc., and each of the LLCs. Only four of the companies (Miracle Movers, Motivated Movers, New Leaf Labor Corp., and Healing Light) have any records with DOL, DOR or Secretary of State. Each of the LLCs are fictitious entities.

⁵ See Attachment E, commission's Initial Order to Cease and Desist issued May 29, 2007, Docket No. TV-061618.

⁶ See Attachment F, Penalty Assessment, Docket No. TV-070463 .

⁷ See Attachment G, Penalty Assessment, Docket No. TV-071988.

⁸ See Attachment H, Petition for Enforcement of Agency Order, filed December 1, 2009.

⁹ See Attachment I, Order of Default Judgment, issued January 15, 2010.

¹⁰ See Attachment J, UCC filing 200917365418.

On July 8, 2010, staff received information that Mr. Webb keeps his trucks parked on a lot in Seattle at 347 W. Ewing Street. On July 9, staff received license plate numbers for three trucks parked on the lot: B05893A, B05894A, and B05890A.

At staff's request, Washington State Patrol conducted a search that produced records for those three vehicles.

Both Crown Truck Rental and Cascade Truck Rental, legal owners of the above vehicles, are Mr. Webb's fictitious companies.

The Ewing Street lot is owned by Kurt William Larsen, owner of the Larsen Company. Staff was unable to discern a connection between Mr. Larsen and Mr. Webb.

According to Washington voter registration records, the Wenatchee address where the vehicles are registered belongs to Jody Webb, Jesse Webb's brother.¹¹

Coordinated research with DOL produced information that two additional vehicles, license plate numbers B05891A and B05892A, are registered to Crown Truck Rental, LLC, and Cascade Truck Rental, LLC, respectively. Registrations for all five vehicles were cancelled on September 21, 2010, by DOL at staff's request.

On October 26, 2010, DOL staff received two letters from Alice Cowles, alleging that Crown Truck Rental, LLC and Cascade Truck Rental, LLC have no affiliation with Miracle Movers, Inc.¹²

On February 16, 2011, Assistant Director Sharon Wallace received a phone call from Ms. Cowles and her husband, Bill, inquiring about purchasing one of the vehicles with a cancelled registration. Ms. Wallace noted the following statements made by Mr. and Mrs. Cowles during the course of the conversation:

Mr. Cowles did state that he has no business interest in Miracle Movers. I asked him what he intended to use the vehicle for and he responded, "Oh, just personal use." He said nothing about private carriage or for-profit uses.

I asked Mr. Cowles if the vehicle was in Peshastin or Seattle. He responded that he "thinks it's still in Seattle."

I asked Mrs. Cowles if the sellers had disclosed that the vehicle was not able to be registered or licensed. She said, "Yes. I mean, no. Well, I found out when I went to get licensing papers."

Mrs. Cowles ended the conversation stating that, "Maybe we won't be doing this after all."

¹¹ See Attachment K, Sound Politics Washington Voter Registration Database.

¹² See Attachment L, October 26, 2010, letters from Alice Cowles.

When Mr. Webb filed his Profit Corporation Renewal and Annual Report with DOL as the renewal agent for the Secretary of State on June 12, 2011, he listed an address of 9487 Anderson Canyon Road, Peshastin, WA 98847.¹³ Chelan County Assessor records show the property at that address is owned by Alice Cowles.¹⁴ Ms. Cowles first sent letters to DOL disputing that the trucks were associated with Miracle Movers, then contacted the commission to indicate an interest in purchasing the trucks. Mr. Webb's use of Ms. Cowles's home address on his renewal form with the Secretary of State establishes a clear connection between Ms. Cowles and Mr. Webb. Additionally, Ms. Cowles, Jesse Webb, and Jody Webb use the PO Box 1 Peshastin, WA address.

On March 10, 2011, Mr. Webb contacted Ms. Wallace to inquire about coming into compliance with outstanding commission orders.

On March 16, 2011, staff received a consumer complaint and invoice for a move performed by Miracle Movers on February 28, 2011.¹⁵

In May 2011, staff was contacted by Michael Brandt, attorney for Jesse Webb (WSBA 20901). Mr. Brandt requested that staff reinstate the cancelled registrations for the Miracle Mover's vehicles in exchange for partial payment of commission penalties and proof that Miracle Movers was no longer operating as a household goods carrier in the state of Washington. Staff began negotiating with Mr. Brandt until additional information was received in early July that the company was continuing to conduct household goods moves despite Mr. Brandt's assurances they were not.

Mr. Brandt responded to staff's inquiry about the company continuing to operate with the following email:

*There is a new entity, Miracle Transfer, Inc., that exists under different ownership and which uses different trucks, which is likely using the Miracle Movers name. Could this be part of the confusion?*¹⁶

Staff research shows that a new entity, Miracle Transfer, Inc. d/b/a Miracle Movers, was formed on March 9, 2011. The governing individual is Maria Gamman.¹⁷ Mr. Webb (using the name Jesse Aislinn) and Ms. Gamman operated Miracle Movers, Inc. together in the state of Nevada.¹⁸ The license for that company was revoked. Staff research indicates that Jesse Webb and Maria Gamman are related by marriage.

¹³ See Attachment M, 2011 Profit Corporation Renewal and Annual Report for Miracle Movers.

¹⁴ See Attachment N, property record from Chelan County Assessor's office.

¹⁵ See Attachment O, Miracle Movers Invoice from February 28, 2011.

¹⁶ See Attachment P, July 15, 2011, email from Michael Brandt

¹⁷ See Attachment Q Department of Licensing record for Miracle Transfer, Inc. d/b/a Miracle Movers.

¹⁸ See Attachment R, Nevada Secretary of State record for Miracle Movers, Inc.

Mr. Webb's filing of the Profit Corporation Renewal and Annual Report on June 12, 2011, with the Secretary of State's Office through DOL is further proof that he had no intention of ceasing to provide intrastate household goods moving services. The form requires a brief description of "the nature of your business." Mr. Webb wrote, "moving."

Staff has received information that two additional vehicles, license plate numbers A60169Y and B73153R, are being used to perform intrastate household goods moves by Miracle Movers. DOL records indicate that those license plates are registered to Miracle Transfer, Inc. d/b/a Miracle Movers.

On July 20, 2011, customer reviews for Miracle Movers were found on www.yelp.com for three moves performed in July 2011.¹⁹ The Yelp listing displays a contact phone number of (206) 273-4680, the same phone number listed on the company's website, www.miraclemovers.com.²⁰

The company's website has been active since 2004, and the phone numbers listed are all operational. On July 19, 2011, staff called the (206) 273-4680 number and spoke with "Maria," who answered the phone "Miracle Movers." Maria provided an estimate for a fictitious move scheduled for August 1, 2011, quoting a rate of \$89 per hour for "two miracle movers and a truck."

Miracle Movers continues to advertise daily on www.craigslist.org.²¹

There are no telephone listings, websites, or advertisements for "Miracle Transfer, Inc." There is one entity advertising and doing business as "Miracle Movers" in Washington state. The additional vehicles, license plate numbers A60169Y and B73153R, were seen parked on the lot at 347 W. Ewing Street.

Miracle Movers continues to operate as a household goods carrier in violation of RCW 81.80.075, as well as the commission's Order to Cease and Desist. The company has also failed to obtain a US Department of Transportation (USDOT) number. RCW 46.32.080(4)(a) required that all household goods carriers apply for a USDOT number by January 1, 2010.

Staff finds sufficient evidence to connect Maria Gamman to Jesse Webb aka Jesse Aislinn and Miracle Transfer, Inc. d/b/a Miracle Movers to Miracle Movers, Inc.

Recommendation

Staff recommends sending a letter, along with a copy of this report, to DOL requesting the department cancel the registrations of the two additional vehicles used by Miracle Movers to conduct its intrastate moving business, license plate numbers A60169Y and B73153R. RCW

¹⁹ See Attachment S, customer reviews from www.yelp.com.

²⁰ See Attachment T, Miracle Movers' website, www.miraclemovers.com.

²¹ See Attachment U, advertisements from www.craigslist.org.

46.12.160 authorizes DOL to exercise its discretion to cancel a registration for any vehicle that is "not entitled thereto."

Staff further recommends forwarding this report to WSP for investigation of an alleged gross misdemeanor by both Maria Gamman and Jesse Webb aka Jesse Aislinn, as detailed in RCW 81.04.390(1).

Except as provided in subsection (2) of this section, every person who, either individually, or acting as an officer or agent of a corporation other than a public service company, violates any provision of this title, or fails to observe, obey, or comply with any order made by the commission under this title, so long as the same is or remains in force, or who procures, aids, or abets any such corporation in its violation of this title, or in its failure to obey, observe, or comply with any such order, is guilty of a gross misdemeanor.

ATTACHMENT A

Department of Licensing

License Query System

License Detail

Help us improve this online se

License Information:

Entity Name: MIRACLE MOVERS, INC.
Firm Name: MIRACLE MOVERS, INC.
License Type: Washington State Business
Entity Type: Profit Corporation
UBI: 602514885 Business ID:001 Location ID:0001
Status: To check the status of this company, go to Secretary of State.

Location Address:

521 N 102ND ST
SEATTLE, WA, 98176

Mailing Address:

PO BOX 75565
SEATTLE, WA, 98176

Governing People:

JESSE AISLINN

Registered Trade Names:

MIRACLE MOVERS
MIRACLE MOVERS, INC.

Information Current as of 08/24/2010 4:43AM Pacific Time

ATTACHMENT B

Corporations Division

Corporations Home	Charities Home	Assents	Public Notices
-------------------	----------------	---------	----------------

Corporations Division - Registration Data Search

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.

MIRACLE MOVERS, INC.

UBI Number 602514885
Category REG
Profit/Nonprofit Profit
Active/Inactive Active
State Of Incorporation WA
WA Filing Date 06/22/2005
Expiration Date 06/30/2012
Inactive Date

Registered Agent Information

Agent Name BUSINESS FILINGS INC
Address 1801 WEST BAY DR NW STE
 206

City OLYMPIA
State WA
ZIP 98502

Special Address Information

Address
City
State
Zip

Governing Persons

Title	Name	Address
President, Secretary, Treasurer, Chairman	AISLINN, JESSE	PESHASTIN, WA

ATTACHMENT C



[Courts Home](#) | [Search Case Records](#)

[Home](#) | [Summary Data & Reports](#) | [Resources & Links](#) | [Ge](#)

Municipal & District Court Case List

Directions: Below are cases associated with your search criteria. If the case was filed in Superior or Appellate Court, there may be docket information available. Docket information is not available for Municipal & District Court Cases at this time.

To get directions or information about a Court in this list, view the [Washington Court Directory](#).

There is 1 name that match your search criteria.

Case Number	Person Name	File Date	Participant Code	Status
Y3-NC0417	Webb, Jesse	06-05-03	Old Name	Closed

Pearson, Rayne (UTC)

From: Donadio, Marianne [Marianne.Donadio@kingcounty.gov]
Sent: Tuesday, May 25, 2010 2:24 PM
To: KCDC, Seattle; Pearson, Rayne (UTC)
Subject: RE: Information Request- Case No. Y3-NC0417

Dear Mr. Pearson:

According to our records, his previous name was Jesse Webb. The name was changed to Aislinn on 6/5/2003.

Thanks for your inquiry.

Marianne
Court Clerk

From: KCDC, Seattle
Sent: Tuesday, May 25, 2010 2:20 PM
To: Donadio, Marianne
Cc: KCDC, Seattle
Subject: FW: Information Request- Case No. Y3-NC0417

From: Pearson, Rayne (UTC) [mailto:RPearson@utc.wa.gov]
Sent: Tuesday, May 25, 2010 2:15 PM
To: KCDC, Seattle
Subject: Information Request- Case No. Y3-NC0417

Hello,

I am investigating an individual named Jesse Aislinn in an attempt to enforce a cease and desist order against an illegal household goods carrier. His name was changed to Jesse Aislinn in 2003 in connection with the above referenced case number.

I am trying to find out what his previous name was, before the change.

Thank you,

RAYNE PEARSON
COMPLIANCE INVESTIGATOR
CONSUMER PROTECTION AND COMMUNICATIONS
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PO Box 47250
OLYMPIA, WA 98504-7250
(360) 664.1111 PHONE
(360) 664.4291 FAX

ATTACHMENT D

21	07-21-2010	NEW0020	Batt, Jennifer Lynn
		ORDER	Order Changing
		CHANGING	Name Jesse Webb
		NAME	Alsinn, Jesse
		OLD0021	Edward
		NEW0021	Webb, Jesse David

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ATTACHMENT E

[Service Date May 8, 2007]

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the Proper)	
Carrier Classification of	)	DOCKET TV-061618
)	
MIRACLE MOVERS, INC.	)	ORDER 02
)	
	)	INITIAL ORDER TO CEASE AND
	)	DESIST; DEFAULT ORDER
.....)	

1 *Synopsis. This is an Administrative Law Judge's Initial Order that is not effective unless approved by the Commission or allowed to become effective pursuant to the Notice at the end of this Order. If this Initial Order becomes final, the Commission will find Miracle Movers, Inc., in default for failing to appear at the hearing. In addition, if this Order becomes final, this Order will require Miracle Movers to cease and desist from operating as a household goods carrier in the state of Washington without obtaining permit authority from the Commission as required under RCW 81.80.070.*

I. INTRODUCTION

- 2 **Nature of the Proceeding.** The Washington Utilities and Transportation Commission (Commission) instituted this proceeding under RCW 81.04.510 to determine whether Miracle Movers, Inc. (Miracle Movers), is operating motor vehicles for transportation of property for compensation, i.e., 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.
- 3 **Procedural History.** On March 16, 2007, using first class mail, the Commission served an Order to Show Cause and Notice of Hearing (Show Cause Order) as well as a Subpoena and Subpoena Duces Tecum for Production of Documents (Subpoenas) on Miracle Movers at the company's business address (P.O. Box 75565, Seattle, Washington 98175), to initiate a special proceeding under RCW 81.04.510.
- 4 On March 21, 2007, the Commission personally served (via legal messenger) the Show Cause Order and Subpoenas upon Miracle Movers' registered agent in Olympia, Washington.

- 5 On due and proper notice, the Commission convened a hearing on May 1, 2007, in Olympia, Washington, before Administrative Law Judge Adam E. Torem. Commission Staff was the only party appearing at the hearing. Commission Staff moved for default pursuant to RCW 34.05.440(2) and WAC 480-07-450. Commission Staff also requested that it be allowed to present a prima facie case demonstrating that Miracle Movers was operating as a household goods carrier without the required permit being issued by the Commission.
- 6 RCW 34.05.440(2) allows the presiding officer discretion to enter a "default or other dispositive order" if a party fails to appear at the hearing. Based on the failure of Miracle Movers to appear or otherwise comply with the Commission's subpoenas, the Administrative Law Judge granted Commission Staff's request to enter a default order and to allow for presentation of its case.
- 7 Commission Staff presented the testimony of one witness, Ms. Betty Young. Commission Staff provided a brief summary oral argument at the close of the hearing.
- 8 **Initial Order.** The presiding administrative law judge finds Miracle Movers in default pursuant to RCW 34.05.440(2) and WAC 480-07-450(1). Further, the presiding administrative law judge finds that Miracle Movers is operating motor vehicles for transportation of property, i.e., operating as a household goods carrier without the necessary authority. Finally, the presiding administrative law judge orders Miracle Movers to cease and desist from future unauthorized operations.
- 9 **Appearances.** Jennifer Cameron-Rulkowski, Assistant Attorney General, Olympia Washington, represents Commission Staff.

II. MEMORANDUM

A. Default

- 10 The Show Cause Order includes a notice that any party who fails to attend or participate in the hearing may be held in default in accordance with the terms of RCW 34.05.440 and WAC 480-07-450. RCW 34.05.440(2) provides: "If a party fails to attend or participate in a hearing or other stage of an adjudicative proceeding ... the presiding officer may serve upon all parties a default or other dispositive order, which shall include a statement of the grounds for the order." WAC 480-07-450(1) provides

that the Commission may find a party in default if the party fails to appear at the time and place set for a hearing.

- 11 The Subpoenas include language ordering Miracle Movers to appear for the hearing and produce specified documents in compliance with subpoena powers granted to the Commission in RCW 34.05.446 and RCW 81.04.510.
- 12 At the time of the hearing, the Commission had served Miracle Movers with the Show Cause Order and the Subpoenas by both regular mail and personal service upon its designated agent. Service by mail is complete upon deposit in the United States mail. *RCW 34.05.010(19); WAC 480-07-150(8)(a)*. Service can be achieved in this manner or by personal service, which includes personal service on a corporation's registered agent. *WAC 480-07-150(7)(a) and (b); see also RCW 4.28.080(9)*. Here, the Commission accomplished service by both regular mail to Miracle Movers' business address in Seattle, Washington, and by personal service on Miracle Movers' registered agent in Olympia, Washington.
- 13 **Decision.** Miracle Movers was properly and legally served with the Show Cause Order and Subpoenas and provided due and proper notice of the May 1, 2007, hearing. Miracle Movers did not appear at the hearing and is hereby held in default. Further, Miracle Movers did not comply with the Subpoenas; it failed to appear and also failed to produce or otherwise provide any of the specified documents.
- 14 RCW 34.05.440(3) states: "Within seven days after service of a default order under subsection (2) of this section ... the party against whom it was ordered may file a written motion requesting that the order be vacated, and stating the grounds relied upon." A notice appearing at the end of this order provides instructions for filing such a motion with the Commission.

B. Operating as a Household Goods Carrier Without Authority.

- 15 The Commission regulates intra-state household goods carriers under RCW 81.80. No "common carrier" shall operate for the transportation of property for compensation in this state without first obtaining from the Commission a permit to do so. *RCW 81.80.070*. "Common carrier" means any person who undertakes to transport property for the general public by motor vehicle for compensation. *RCW 81.80.010(4)*. "Motor carrier" means and includes "common carrier." *RCW 81.80.010(7)*. The term "household goods" means "personal effects and property

used or to be used in a residence, when it is a part of the equipment or supply of such residence, and is transported between residences or between a residence and a storage facility, with the intent to later transport to a residence." *WAC 480-15-020*.

- 16 In addition to requiring household goods carriers to obtain a permit from the Commission before beginning operations, state law also prohibits household goods carriers from advertising their operations without first obtaining a permit and then listing the carrier's current Commission permit number. *RCW 81.80.355; RCW 81.80.357(1)*.
- 17 In a proceeding initiated under *RCW 81.04.510*, the responding corporation has the burden of proving that its alleged operations are not subject to the provisions of *RCW 81.80.070*.
- 18 If the corporation is found to be operating as a household goods carrier without the necessary permit authority, the Commission is authorized and directed to enter an order requiring the corporation to cease and desist activities subject to regulation under Title 81 *RCW*. *RCW 81.04.510*.
- 19 The evidence in this matter unquestionably demonstrates that Miracle Movers has engaged in the business of moving household goods without the necessary permit and has also advertised its operations as a household goods carrier without listing the carrier's permit number.
- 20 Ms. Betty Young, a compliance specialist with the Commission, testified concerning her investigation into the operations and business practices of Miracle Movers. Ms. Young prepared a summary of her investigation, with appendices documenting her investigation. *Ex. 1*.
- 21 Ms. Young first became aware of the operations of Miracle Movers when a consumer, Mr. David Toner, filed a complaint with the Commission alleging that the company had damaged some of his household goods in the course of a residential move and was refusing to honor his damage claim. *Ex. 2*.
- 22 Mr. Toner's complaint, filed with the Commission on May 16, 2006, indicated that he had paid Miracle Movers the sum of \$445.88 to move some of his household goods from Sammamish, Washington, to Mercer Island, Washington. Mr. Toner was not

able to provide a bill of lading, but he did provide a receipt showing his payment for the "portal to portal" services of "2 movers with truck". *Ex. 2, at 7.*

- 23 Mr. Mike Meeks, a consumer program specialist with the Commission, worked with Mr. Toner to address his complaint. Mr. Meeks determined that Miracle Movers was not registered with the Commission. On May 31, 2006, Mr. Meeks spoke to "Jessie" at Miracle Movers and confirmed that he had received a copy of the complaint. Mr. Meeks also informed "Jessie" that his business was required to be registered with the Commission. When Mr. Meeks attempted to connect "Jessie" with the Commission's Licensing Services department to facilitate registration of the business, "Jessie" hung up and disconnected the call on two separate occasions. *Ex. 2, at 3.*
- 24 Miracle Movers failed to respond to the complaint. On June 12, 2006, Mr. Meeks concluded that the company was in violation of RCW 81.80.070 and closed the complaint, referring the file to the Commission's enforcement section. *Ex. 2.*
- 25 In October 2006, Ms. Young initiated a formal staff investigation into the matter. *Ex. 1, at 7.* She obtained a declaration from Mr. Toner summarizing his experiences with Miracle Movers. The declaration confirms that on March 1, 2006, Mr. Toner paid Miracle Movers the sum of \$445.88 for moving the large items from his apartment and later discovered damage to his desk, coffee table and exercise bike. Mr. Toner made a request with "Jesse" at Miracle Movers to file a claim and, when rebuffed, filed complaints with the Better Business Bureau and with the Commission. *Ex. 3.*
- 26 Mr. Toner eventually filed suit in small claims court and, in a conciliation agreement signed in June 2006, was able to settle the matter short of trial. Mr. Toner received \$396.37 as a settlement. *Ex. 4 & Ex. 5.*
- 27 During the hearing, Ms. Young confirmed that moving household goods from Sammamish to Mercer Island would require travel on the highways of Washington State.
- 28 Ms. Young searched the Internet and telephone directories for Miracle Movers and found several listings for the company. On February 14, 2007, Ms. Young personally called four different telephone numbers for Miracle Movers and each was answered by a woman stating "Miracle Movers, how may I help you?" *Ex. 1, at 7-8; see also Ex. 1, App. J.* Finally, Ms. Young located a company website,

www.miraclemovers.com, containing advertising material promoting the company's services of performing residential and commercial moves in Washington. *Ex. 1, App. I.* At hearing, Ms. Young testified that the website remained active. *Ex. 6.* None of these advertisements include a reference to a Commission permit number.

- 29 Ms. Young's investigation contains a summary of previous Commission actions taken against Mr. Jody Webb, the previous owner of Miracle Movers in Docket TV-030010. In that matter, the Commission issued a Cease and Desist Order against Mr. Webb, but did not name the corporation, Miracle Movers. *Ex. 1, at 5-6, and at App. C, App. D, and App. E.*
- 30 In a separate action, on March 16, 2007, the Commission issued a penalty assessment in the amount of \$1,500 against Miracle Movers. The company has not responded to the penalty assessment. *See* Docket TV-070463.
- 31 The Commission has never received a permit application from Miracle Movers or from its current company president, Jesse Aislinn; nor has the Commission ever granted a permit to Miracle Movers for transporting household goods.
- 32 **Decision.** By failing to appear at the hearing held on May 1, 2007, Miracle Movers has also failed to meet the burden of proving that its business operations are not subject to the provisions of RCW 81.80.070. The evidence presented by Commission Staff through exhibits and witness testimony establishes that Miracle Movers has transported property, i.e., household goods, for compensation over the highways of the state of Washington without obtaining authority from the Commission, as required by RCW 81.80.070. The evidence and testimony presented also establish that Miracle Movers has and continues to advertise the operations of a household goods carrier without identifying a Commission permit number, in violation of RCW 81.80.357(1).

III. FINDINGS OF FACT

- 33 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington, vested by statute with authority to regulate persons engaged in the business of transporting household goods for compensation over the public roads of the state of Washington.

- 34 (2) Miracle Movers holds itself out to the public as a corporation engaged in the business of transporting household goods for compensation over the public highways within the state of Washington, advertising its services by means of both print and on-line telephone directories, as well as through a company website.
- 35 (3) Miracle Movers, through its employees, transported the household goods of Mr. David Toner on March 1, 2006, for compensation over the public highways of the state of Washington.
- 36 (4) Miracle Movers has not applied for, nor obtained from the Commission, permit authority allowing it to operate as a household goods carrier within Washington State.
- 37 (5) Miracle Movers failed to comply with the Subpoenas properly served.
- 38 (6) Miracle Movers failed to appear at the hearing convened on May 1, 2007, pursuant to notice that was properly served.

IV. CONCLUSIONS OF LAW

- 39 (1) The Commission has jurisdiction over the subject matter of this proceeding and over Miracle Movers pursuant to RCW 81.04.510, RCW 81.80.070, and RCW 81.80.357.
- 40 (2) Pursuant to RCW 34.05.440(2), Miracle Movers is held in default for failing to appear at the May 1, 2007, hearing.
- 41 (3) Miracle Movers did perform and is performing business operations requiring operating authority from the Commission, without first having obtained that authority, in violation of RCW 81.80.070.
- 42 (4) Miracle Movers is classified as a common carrier of household goods within the state of Washington, pursuant to RCW 81.80.010(4) and WAC 480-15-020.

- 43 (5) The Commission is directed by RCW 81.04.510 to order the respondent to cease and desist from conducting operations requiring permit authority unless or until the required authority is obtained from the Commission.

V. ORDER

THE COMMISSION ORDERS That:

- 44 (1) The respondent, Miracle Movers, is held in default. Should Miracle Movers fail to respond to this Order by filing a written motion within seven (7) days requesting that the order be vacated pursuant to RCW 34.05.440(3), the default in this proceeding shall remain in place.
- 45 (2) Miracle Movers is classified as a common carrier of household goods within the state of Washington.
- 46 (3) Miracle Movers shall cease and desist from operations in this state requiring permit authority under RCW 81.80.070 unless or until it obtains the required authority from the Commission.

Dated at Olympia, Washington, and effective May 8, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

ADAM E. TOREM
Administrative Law Judge

ATTACHMENT F

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

**NOTICE OF PENALTIES INCURRED AND DUE
FOR VIOLATIONS OF LAWS AND RULES**

**PENALTY ASSESSMENT NO: TV-070463
PENALTY AMOUNT: \$1,500**

HOUSEHOLD GOODS CARRIER:

Miracle Movers, Inc.
P.O. Box 75565
Seattle, WA 98175

The commission believes that you have committed a violation of Revised Code of Washington (RCW) 81.80.070 by transporting household goods for compensation on the public highways of the state of Washington without the necessary permit required for such operations. RCW 81.80.070(4) allows penalties of \$1,500 for every such violation.

As a result, the commission hereby notifies you that it has assessed penalties against you in the amount \$1,500, as follows:

The commission has evidence that on March 1, 2006, Miracle Movers transported household goods from a residence in Sammamish to a residence on Mercer Island. Miracle Movers charged \$445.88 for performing the March 1, 2006, move. Miracle Movers has never held a permit from the commission and is therefore not authorized to transport household goods for compensation on the public highways of Washington.

This information, if proved at a hearing and not rebutted or explained, is sufficient to support the penalty assessment.

Your penalty is due and payable now. If you believe the violations did not occur, you may request a hearing to contest the penalty assessment. If there is a reason for the violations that you think should excuse you from the penalty, you may ask for mitigation (reduction) of this penalty. See RCW 81.04.405.

You have the right to present your request for review or mitigation at a hearing, but you are not required to do so. If you do, the commission will review the evidence supporting your request in a hearing before an administrative law judge. The administrative law judge will consider your plea and notify you of his or her decision.

You must act within 15 days after receiving this notice to do one of the following:

- Pay the amount due.
- Request a hearing to contest the occurrence of the violations.
- Request mitigation to contest the amount of the penalty.

Please indicate your selection on the enclosed form and send it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, within FIFTEEN (15) days after you receive this notice.

If you do not act within 15 days, the commission may refer this matter to the Office of the Attorney General for collection. The commission may then sue you to collect the penalty.

DATED at Olympia, Washington, and effective March 16, 2007.

Ann E. Rendahl
Administrative Law Judge

ATTACHMENT G

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

**NOTICE OF PENALTIES INCURRED AND DUE
FOR VIOLATIONS OF LAWS AND RULES**

**PENALTY ASSESSMENT: TV-071988
PENALTY AMOUNT: \$2,000**

HOUSEHOLD GOODS CARRIER:

Miracle Movers, Inc.
P.O. Box 75565
Seattle, WA 98175

The Washington Utilities and Transportation Commission believes that you have committed a violation of Revised Code of Washington (RCW) 81.80.070 by transporting household goods for compensation on the public highways of the state of Washington without the necessary permit required for such operations. RCW 81.80.070(4) allows penalties of \$1,500 for every such violation. The commission also believes you have committed a violation of RCW 81.80.357, which requires a commission permit number be listed in any advertisement of household goods moving services. RCW 81.80.357 allows penalties of up to \$500 for every such violation.

As a result, the commission hereby notifies you that it has assessed penalties against you in the amount \$2,000, as follows:

The commission has evidence that on March 27 and 28, 2007, Miracle Movers transported household goods from a residence in Bellevue to a residence in Mukilteo. Miracle Movers charged \$3935.58 for performing the March 27 and 28, 2007, move. Miracle Movers has never held a permit from the commission and is therefore not authorized to transport household goods for compensation on the public highways of Washington.

The commission also has evidence that Miracle Movers advertises its services on a web site (www.miraclemovers.com) and in on-line telephone directories (Dex, Superpages, Anywho) without listing the required commission permit number.

This information, if proved at a hearing and not rebutted or explained, is sufficient to support the penalty assessment.

Your penalty is due and payable now. If you believe the violations did not occur, you may request a hearing to contest the penalty assessment. If there is a reason for the violations that you think should excuse you from the penalty, you may ask for mitigation (reduction) of this penalty. See RCW 81.04.405.

You have the right to present your request for review or mitigation at a hearing, but you are not required to do so. If you do, the commission will review the evidence supporting your request in a hearing before an administrative law judge. The administrative law judge will consider your plea and notify you of his or her decision.

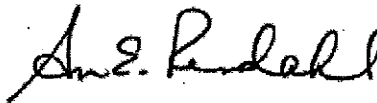
You must act within 15 days after receiving this notice to do one of the following:

- Pay the amount due.
- Request a hearing to contest the occurrence of the violations.
- Request mitigation to contest the amount of the penalty.

Please indicate your selection on the enclosed form and send it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, within FIFTEEN (15) days after you receive this notice.

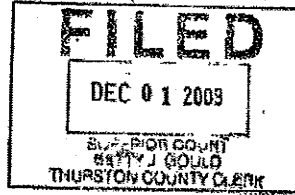
If you do not act within 15 days, the commission may refer this matter to the Office of the Attorney General for collection. The commission may then sue you to collect the penalty.

DATED at Olympia, Washington, and effective October 29, 2007.



ANN E. RENDAHL
Administrative Law Judge

ATTACHMENT H



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EXPEDITE
 Hearing is set:
Date: _____
Time: _____
Judge/Calendar: _____

SUPERIOR COURT OF WASHINGTON
FOR THURSTON COUNTY

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Plaintiff,

v.

MIRACLE MOVERS, INC.,

Defendant.

NO. 09-2-02833-5

PETITION FOR CIVIL
ENFORCEMENT OF AGENCY
ORDER, MONETARY PENALTIES
AND INJUNCTIVE RELIEF

Plaintiff Washington Utilities and Transportation Commission (Commission), by and through its attorneys, Robert M. McKenna, Attorney General, and Michael A. Fassio, Assistant Attorney General, make the following petition:

I. NATURE OF THIS CASE

1.1 This is a civil action pursuant to RCW 34.05.578, a provision of the Administrative Procedure Act (RCW 34.05), for court enforcement of Commission Order 02,

1 an administrative order issued by the Commission against Defendant, Miracle Movers, Inc.
2 (Miracle Movers).

3 1.2 In its Order 02, the Commission ordered Miracle Movers to cease and desist
4 from conducting household goods transportation services for compensation within Washington
5 State unless or until Miracle Movers obtained a permit from the Commission.
6

7 1.3 Persons who transport household goods between points in Washington State for
8 compensation are required to have a permit issued by the Commission. Former RCW
9 81.80.070 and RCW 81.80.075.¹ Defendant, Miracle Movers has never had such a permit, yet
10 it has transported and is transporting household goods for compensation between points in this
11 state, and is conducting household goods moving operations in violation of Order 02 and state
12 law.
13

14 1.4 Therefore, among other things, the Commission asks the Court to enforce
15 Commission Order 02 by issuing a permanent injunction barring Miracle Movers from
16 engaging in business as a household goods carrier without a household goods carrier permit
17 issued by the Commission, and impose a \$10,000 civil penalty on Miracle Movers for violation
18 of Order 02.
19
20

21 ¹ At all times material to this Petition, businesses such as Miracle Movers were and are required to have a
22 common carrier permit issued by the Commission before they may provide household goods transportation
23 services for hire within Washington state. This permit requirement was contained in former RCW 81.80.070 until
24 2009; it is now contained in RCW 81.80.075.

25 Former RCW 81.80.070 provided, in part: "a common carrier...shall not operate for the transportation
26 of property for compensation in this state without first obtaining from the commission a permit for such
operation." Common carriers include household goods carriers. RCW 81.04.010(4).

RCW 81.80.075 (effective 2009) provides, in part: "No person shall engage in business as a household
goods carrier without first obtaining a permit issued by the Commission." RCW 81.80.010 (as amended in 2009),
defines "household goods carrier" as "a person who transports for compensation, by motor vehicle in this state, or
who advertises, solicits, offers, or enters into an agreement to transport, household goods as defined by the
Commission."

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II. JURISDICTION AND VENUE

2.1 This Court has jurisdiction under RCW 34.05.578 to enforce an order of a state agency. The Commission is a state agency. Order 02 is an order of the Commission.

2.2 Under RCW 34.05.578(3), "venue is determined as in all other civil cases." In this case, venue is proper in Thurston County pursuant to RCW 4.12.025(1), because Miracle Movers is a corporation with a registered agent in Thurston County.

III. PARTIES

3.1. The Commission is a state agency created by chapter RCW 80.01. The Commission is authorized under RCW 80.01.040 and chapter RCW 81.80 to regulate in the public interest persons engaged in the transportation of property for compensation over the public highways of the state of Washington, including household goods carriers.

3.2. Miracle Movers is a corporation that does business in the state of Washington, with headquarters in King County, Washington.

IV. FACTS

4.1 At all times material to this matter, including currently, Miracle Movers has never had a common carrier permit issued by the Commission authorizing Miracle Movers to transport household goods for compensation between points in the state of Washington.

4.2 On May 16, 2006, the Commission received a complaint from a customer of Miracle Movers. The complainant alleged that in the course of transporting the complainant's household goods, Miracle Movers damaged some of those goods, and Miracle Movers refused to honor his damage claim. The Commission's investigation determined that Miracle Movers was transporting property, including household goods, for compensation on the public

1 highways of the state of Washington without holding the permit required by former RCW
2 81.80.070.

3 4.3 The Commission contacted a representative of Miracle Movers to provide a
4 copy of the customer complaint. The Commission informed Miracle Movers that it required a
5 common carrier permit to provide common carriage of household goods between points in the
6 state of Washington. The Commission also repeatedly attempted to provide Miracle Movers
7 technical assistance regarding the process for obtaining a household goods common carrier
8 permit. Miracle Movers did not respond to the complaint, nor did Miracle Movers attempt to
9 obtain a permit. The Commission then initiated a formal investigation of Miracle Movers.
10

11 4.4 On March 16, 2007, and under authority of RCW 81.04.510, the Commission
12 served an Order to Show Cause Why the Operations of Miracle Movers, Inc. are not Subject to
13 Title 81 RCW and Notice of Hearing (Show Cause Order) as well as a Subpoena and Subpoena
14 Duces Tecum for Production of Documents (Subpoenas), on Miracle Movers at Miracle
15 Movers' business address. On March 21, 2007, the Commission personally served (via legal
16 messenger) the Show Cause Order and Subpoenas on Miracle Movers' registered agent.
17

18 4.5 Pursuant to that Show Cause Order, the Commission convened a hearing on
19 May 1, 2007, before a Commission Administrative Law Judge (ALJ). Miracle Movers did not
20 appear at the hearing, and failed to comply with the Subpoenas. At the hearing, the
21 uncontested evidence established that Miracle Movers had transported household goods for
22 compensation over the highways of the state of Washington, and was holding itself out to the
23 public as a household goods carrier by advertising its services in print, online, and on a
24 company Web site.
25
26

1 4.6 On May 8, 2007, the Commission ALJ issued Order 02 (entitled "Initial Order
2 to Cease and Desist; Default Order") holding Miracle Movers in default, and finding that
3 Miracle Movers performed household goods moving operations requiring permit authority
4 from the Commission, without first having obtained that authority, in violation of former RCW
5 81.80.070. The ALJ ordered Miracle Movers to cease and desist from conducting household
6 goods moving operations under former RCW 81.80.070 requiring permit authority unless or
7 until it obtained the required permit from the Commission. A copy of Order 02 is attached as
8 Exhibit A to the Affidavit of Lisa Wyse.
9

10 4.7 The Commission properly served Order 02 upon Miracle Movers on May 8,
11 2007. A copy of the Proof of Service of Order 02 is attached as Exhibit B to the Affidavit of
12 Lisa Wyse.
13

14 4.8 On May 29, 2007, and pursuant to RCW 80.01.060(3), Order 02 became a final
15 Commission order. On May 31, 2007, the Commission issued a Notice of Finality, and
16 properly served that Notice upon Miracle Movers. A copy of the Notice of Finality is attached
17 as Exhibit C to the Affidavit of Lisa Wyse. A copy of the Proof of Service of the Notice of
18 Finality is attached as Exhibit D to the Affidavit of Lisa Wyse.
19

20 4.9 After Order 02 became final on May 29, 2007, Miracle Movers knowingly
21 failed to comply with Order 02 by continuing to conduct household goods moving operations
22 in Washington State requiring a permit from the Commission.
23

24 4.10 In July 2009, the Commission sent a letter to companies believed to be
25 operating as household goods carriers without required permit authority, including Miracle
26 Movers. Among other things, the letter specifically informed Miracle Movers that new

1 household goods laws would go into effect in July 2009 expanding the definition of
2 "household goods carrier," and providing for increased penalties for violating a cease and
3 desist order and advertising without a permit. The letter warned Miracle Movers that the
4 Commission would seek enforcement of Order 02 in superior court should Miracle Movers fail
5 to promptly apply to the Commission for household goods permit authority and fail to
6 immediately cease operating or advertising as a household goods carrier until it obtained the
7 permit. Miracle Movers did not submit an application, nor otherwise respond to the letter.

9 4.11 Miracle Movers advertises its services on its Web site and on at least one online
10 directory. Miracle Movers' Web site, www.miraclemovers.com, advertises that the company
11 offers "residential and commercial" moving services, and is "licensed and insured." The Web
12 site lists local contact numbers for Seattle, the Eastside, South King County, and the "North
13 End."

15 4.12 Miracle Movers provides estimates for residential household goods moves
16 within Washington State to prospective customers who contact its local telephone numbers.
17 Miracle Movers' estimates include moving personnel, a truck and safety equipment.

18 4.13 Through its Web site and online advertisements, and by providing estimates,
19 Miracle Movers holds itself out to the public to conduct residential household goods moving
20 operations and engages in business as a household goods carrier within the state of
21 Washington.

23 **V. COMMISSION'S AUTHORITY TO SEEK CIVIL ENFORCEMENT**

24 5.1 As described in Part V of this Petition, Miracle Movers does not have a
25 household goods carrier permit issued by the Commission as required by state law, yet Miracle
26

1 Movers continues to transport household goods for compensation between points in
2 Washington State, and conduct related business activity, in violation of Commission Order 02,
3 and state law.

4 5.2 RCW 34.05.578 authorizes a state agency such as the Commission to seek civil
5 enforcement of an agency order by filing a petition for civil enforcement in the superior court.
6 Under that statute, "the agency may request, and the court may grant, declaratory relief,
7 temporary and permanent injunctive relief, any other civil remedies provided by law, or any
8 combination of the foregoing."
9

10 **VI. PRAYER FOR RELIEF**

11 Based on the foregoing allegations, and in accordance with RCW 34.05.578, the
12 Commission asks the Court to:

13 6.1 Enter an order directing Miracle Movers to comply with the Commission Order
14 02 by immediately ceasing and desisting from conducting household goods moving operations
15 in Washington State requiring permit authority under RCW 81.80.075, without a permit issued
16 by the Commission.
17

18 6.2 Issue a permanent injunction to perpetually restrain Miracle Movers from
19 engaging in business as a household goods carrier by transporting household goods for
20 compensation, by motor vehicle between points in Washington State, or advertising, soliciting,
21 offering, or entering into an agreement to transport household goods, without first obtaining a
22 household goods common carrier permit from the Commission as required by RCW 81.80.075.
23

24 6.3 Impose civil penalties against Miracle Movers in the amount of \$10,000, for
25 engaging in business as a household goods carrier in violation of a cease and desist order
26

1 issued by the Commission under RCW 81.04.510 (in this case, Order 02), as authorized by
2 RCW 81.80.075(5).

3 6.3 Award the Commission its costs, fees, and other disbursements associated with
4 the filing and maintenance of this petition, including reasonable attorney's fees.

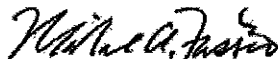
5 6.4 Retain jurisdiction to enforce its orders.

6 6.5 Grant any further or other relief the court deems just and appropriate.

7 DATED this 25TH day of November, 2009.

8
9 Respectfully submitted,

10 ROBERT M. MCKENNA
11 Attorney General

12 
13 MICHAEL A. FASSIO
14 WSBA No. 37139
15 Assistant Attorney General
(360) 664-1192

16 Attorneys for Plaintiff Washington Utilities and
17 Transportation Commission
18 1400 S. Evergreen Park Dr. S.W.
19 P.O. Box 40128
20 Olympia, WA 98504-0128

ATTACHMENT I

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<input type="checkbox"/> No Hearing is Set
<input checked="" type="checkbox"/> Hearing is Set:
Date: January 15, 2010
Time: 9:00 a.m.
Judge/Calendar: Hon. Thomas McPhee

10 JAN 15 PM 12:02
 BETTY J. GOULD, CLERK
 BY _____
 DEPUTY

SUPERIOR COURT OF WASHINGTON
FOR THURSTON COUNTY

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Plaintiff,

v.

MIRACLE MOVERS, INC.,

Defendant.

NO. 09-2-02833-5

~~PROPOSED~~
DEFAULT JUDGMENT AGAINST
DEFENDANT MIRACLE MOVERS,
INC.

I. JUDGMENT SUMMARY

1.1	Judgment Creditor:	Washington Utilities and Transportation Commission
1.2	Judgment Debtor:	Miracle Movers, Inc.
1.3	Total Judgment	\$10,000
1.4	Attorney Fees and Costs:	\$495
1.5	Post-judgment Interest Rate:	12.0% per annum

~~PROPOSED~~ ORDER FOR DEFAULT
JUDGMENT - 1

10-9-00078-2

ATTORNEY GENERAL OF WASHINGTON
 Utilities and Transportation Division
 1400 S Evergreen Park Drive SW
 PO Box 40128 Olympia, WA 98504-0128
 (360) 864-1183

1 1.6 Attorney for Judgment Creditor: Michael A. Fassio
2 Assistant Attorney General
3 1400 S. Evergreen Park Drive SW
4 Olympia, WA 98504-0128
5 (360) 664-1192

6 I. BASIS

7 This matter came before the Court on plaintiff Washington Utilities and
8 Transportation's (Commission) motion for default judgment against defendant Miracle
9 Movers, Inc. The Court has entered an order of default in this action.

10 II. FINDINGS

11 A hearing was held on plaintiff's motion on this date. Plaintiff appeared at the hearing
12 through its attorney of record, Michael A. Fassio. Notice of the hearing was given to
13 defendant Miracle Movers, Inc. and it did not appear personally or through an attorney at the
14 hearing. No response was made by defendant Miracle Movers, Inc. to plaintiff's motion.

15 The Court considered the pleadings filed in this action, the declaration of plaintiff's
16 counsel, the proof of service on file, and the Order of Default against defendant Miracle
17 Movers, Inc.

18 Based on the oral argument of plaintiff's counsel, the pleadings and evidence presented,
19 the Court finds:

- 20 1. This Court declared defendant Miracle Movers, Inc. to be in default by this
21 Court's order filed jointly with the present order.
- 22 2. Proof of service of the summons and petition for enforcement on defendant
23 Miracle Movers, Inc. is on file with the Court.
- 24 3. The demand set out in the petition for enforcement is for the Court to direct the
25 Defendant comply with Commission Order 02, issue a permanent injunction
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against the Defendant, issue a civil penalty in the amount of \$10,000, and award costs and fees, including reasonable attorneys' fees, as described below.

4. Plaintiff is entitled to the relief sought in the Petition for Enforcement.

III. ORDER

Based on the above findings of fact and conclusions of law, Judgment is entered as follows:

1. Defendant Miracle Movers, Inc. is directed to comply with Commission Order 02, a Final Order issued to Miracle Movers, Inc. in Commission Docket TV-061618 on May 29, 2009, by immediately ceasing and desisting from conducting household goods moving operations in Washington State requiring permit authority under RCW §1.80.075, without a permit issued by the Washington Utilities and Transportation Commission.
2. Defendant Miracle Movers, Inc. and all successors, assigns, and transferees are hereby enjoined and permanently restrained from directly or indirectly engaging in any of the following conduct:
 - a. Engaging in business as a household goods carrier by transporting household goods for compensation, by motor vehicle between points in Washington State, without first obtaining a household goods common carrier permit from the Washington Utilities and Transportation Commission.
 - b. Engaging in business as a household goods carrier by advertising, soliciting, offering, or entering into an agreement to transport household

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goods, without first obtaining a household goods common carrier permit from the Washington Utilities and Transportation Commission.

3. Defendant Miracle Movers is directed to pay a civil penalty of \$10,000 for engaging in business as a household goods carrier in violation of a cease and desist order issued by the Washington Utilities and Transportation Commission under RCW 81.04.510.

4. Plaintiff is awarded costs and fees and other disbursements associated with the filing and maintenance of its petition for enforcement, including reasonable attorneys' fees, in the amount of \$495.

5. The Court retains jurisdiction to enforce this Order.


DATED this 15 day of January, 2010.



JUDGE

Presented by:

ROBERT M. MCKENNA
Attorney General



MICHAEL A. FASSIO
Assistant Attorney General
WSBA No. 37139
1400 S. Evergreen Park Dr. SW
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1192

Attorneys for Plaintiff Washington Utilities and Transportation Commission

ATTACHMENT J

Uniform Commercial Code Report

Source Information

Information Current Through: 07/01/2010

Database Last Updated: 07/06/2010

Update Frequency: Weekly

Current Date: 07/09/2010

Source: WA SECRETARY OF STATE

Original Filing

Filing Information

Filing Number: 200917365418

Filing Date: 06/22/2009

Filing Time: 11:57 AM

Expiration Date: 06/22/2014

Filing Type: ORIGINAL

Filing Office: WASHINGTON DEPARTMENT OF LICENSING
405 BLACK LAKE BLVD. SW
OLYMPIA, WA 98502

Original Filing Number: 200917365418

Debtor Information

Debtor(s): JESSE EDWARD AISLINN

25604 SE 30TH ST
SAMMAMISH, WA 98075
USA

MIRACLE MOVERS INC.
25604 SE 30TH ST
SAMMAMISH, WA 98075
USA

INNOVATIVE CONSULTING GROUP INC.
25604 SE 30TH ST
SAMMAMISH, WA 98075
USA

PUGET SOUND TRUCK RENTAL LLC.
25604 SE 30TH ST
SAMMAMISH, WA 98075
USA

NORTHWEST TRUCK RENTAL LLC.
25604 SE 30TH ST
SAMMAMISH, WA 98075
USA

CASCADE TRUCK RENTAL LLC.
25604 SE 30TH ST
SAMMAMISH, WA 98075
USA

CROWN TRUCK RENTAL LLC.
25604 SE 30TH ST
SAMMAMISH, WA 98075
USA

Secured Party or Creditor Information

Secured Party(s):

JODY WEBB
P.O. BOX 1
PESHASTIN, WA 98847
USA

ATTACHMENT K

Sound Politics Washington State Voter Database

County	Last Name	First / Middle Name	M / F	Number	Street	City	Last Voted	Birth date	Registered	PA V	Status	Cong.	Leg.	Prec.
DG	WEBB	JODY	F	209	ELLER ST SE	EAST WENATCHEE		1974 JAN 02	2000- MAR-02	N	C	4	12	201

Data is from Secretary of State's Voter Registration Database public release of Jun. 25, 2010

ATTACHMENT L

CASCADE TRUCK RENTAL LLC
PO Box 1
Peshastin, WA 98847

CASCADE TRUCK RENTAL LLC

October 26, 2010

Title & Registration Svcs.
Customer Service Unit
PO Box 9042
Olympia WA 98507-9042

Re: Correspondences dated September 21, 2010

Subject: Cancellation of Vehicle Registrations 1HTSCABM31H376512,
1HTSCABM91H295109, 1HTSCABM71H304759
License Plates: B05892A, B05893A, B05894A

Registered To: CASCADE TRUCK RENTAL LLC

Dear STATE OF WASHINGTON DEPARTMENT OF LICENSING:

This is a timely response to your previous correspondences. CASCADE TRUCK RENTAL LLC is not MIRACLE MOVERS INC. and does not accept any liability or judgments attributed to MIRACLE MOVERS INC. The Utilities and Transportation Commission does not have a Court Judgment against CASCADE TRUCK RENTAL LLC. There is no Court Order against CASCADE TRUCK RENTAL LLC warranting cancellation of Vehicle Registrations for CASCADE TRUCK RENTAL LLC. By what exact subsection(s) of RCW 46.12 gives STATE OF WASHINGTON DEPARTMENT OF LICENSING the authority to cancel registrations? CASCADE TRUCK RENTAL LLC is requesting from STATE OF WASHINGTON DEPARTMENT OF LICENSING proof of cause for the cancellation of registrations for the above stated trucks. CASCADE TRUCK RENTAL LLC is requesting an immediate reinstatement of Vehicle Registrations if proof of cause cannot be provided.

Sincerely,

AFFIDAVIT OF SERVICE BY MAIL

I, Alice Cowles hereby certify that a copy of the foregoing notice was served on STATE OF WASHINGTON DEPARTMENT OF LICENSING, by mailing via the United States Postal Service, certified mail, at Peshastin Washington.

Dated: October 26, 2010

Signed:

Alice Cowles
Alice Cowles