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701 FIFTH AVENUE SUITE 4040 SEATTLE, WASHINGTON 98104

November 6, 2006

Washington Utilities & Transportation Commission PO Box 47250 Olympia, WA 98504-7250 Attn: Sandra White

Re: Western Van Lines v. Western Moving & Storage

Dear Ms. White:

After speaking with Dennis in your office today, I am enclosing a complaint against Western Moving & Storage, Inc. We previously sent the complaint on October 10, 2006 (see attached letter).

Thank you for expediting the resolution of this matter. Please call me or Andy Shafer with any questions.

Very truly yours,

Marcia Gay, Legal Assistant

to Andrew D. Shafer

Enclosures

RECEIVED

NOV 0 7 2006 CONSUMER AFFAIRS

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701 FIFTH AVENUE SUITE 4040 SEATTLE, WASHINGTON 98104

October 10, 2006

Carole Washburn, Executive Secretary Washington Utilities & Transportation Commission P.O. Box 47250 1300 S. Evergreen Park Dr. SW Olympia, WA 98504-7250

Re: Formal Complaint: Western Van Lines, Inc. v. Western Moving & Storage, Inc.

Dear Secretary Washburn:

On behalf of the complainant Western Van Lines, Inc., enclosed please find the complainant's complaint against Western Moving & Storage, Inc.

Given the harm that occurs daily, the Complainant asks the commission act without delay in issuing a cease and desist order to prevent the Respondent from using a corporate and trade name deceptively similar to that of the Complainant, in violation of WAC 480-15-390(2).

Please do not hesitate to call me.

Very truly yours,

DAVIS GRIMM PAYNE & MARRA

Andrew D. Shafer

ADS:

Enclosure

cc: Western Moving & Storage, Inc.

Western Van Lines, Inc.

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CONSUMER AFFAIRS

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WESTERN VAN LINES, INC.,)
d/b/a WESTERN VAN & STORAGE,)
Complainant,) COMPLAINT FOR VIOLATION OF
) WAC 480-15-390 PURSUANT TO
v.) RCW 81.04.110
)
WESTERN MOVING & STORAGE,)
INC.,)
Respondent.	

Complainant alleges:

- 1 Complainant is a corporation duly formed under the laws of the state of Washington. It has remained continuously in business since its formation on July 2, 1979.
- 2. Respondent is a corporation formed under the laws of the state of Washington on April 3, 2006.
- 3. Complainant is the holder of Washington Utilities and Transportation Commission Household Goods Permit No. 000064 (the "Permit"). It has operated the Permit continuously since 1979.
- 4. Some time after April 3, 2006, the Commission issued Household Goods Permit No. HG061024 ("Respondent's Permit") to the Respondent. The Respondent' Permit was issued in the name of Western Moving & Storage.
- 5. Since the date of issuance of the Respondent's Permit, Complainant has received phone calls and collection notices from creditors seeking to collect debts from Western Moving & Storage. Such telephone calls demonstrate actual confusion in the market place as to the Respondent's identity, which confusion violates the requirements of 480-15-390(2)(b)(i) and (ii).

6. The Respondent's Permit was issued in violation of WAC 480-15-390, which regulation prohibits a household goods carrier from operating under a name that is similar to that of another carrier.

WHEREFORE, the Complainant prays as follows:

- A. That the commission issue order that Respondent Cease and Desist operations until it changes its corporate and trade names to names that are not deceptively similar to that of Complainant;
- B. That it re-mark its vehicles and freight documentation to eliminate all references to Western Moving & Storage and;
- C. Upon evidence that the Respondent has changed its corporate and trade names, that it reissue Permit No. HG 061024 in the Respondent's new corporate and trade names.

Executed this 10th day of October, 2006.

Andrew D. Shafer

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CERTIFICATE OF MAILING

The undersigned certifies, under penalty of perjury under the laws of the State of Washington as follows:

- 1. I am employed by Davis Grimm Payne & Marra, the Complainant's attorney in the above cause.
- 2. On October 10, 2006 I mailed the Complaint to which this Certificate is attached via first class mail, postage repaid, to the Respondent's address listed in the records of the Washington Utilities & Transportation Commission as follows:

Western Moving & Storage, Inc. 17004 NE 116th Street Redmond, Washington 98052

Dated this 10 Hday of October 2006.

BETSY JOHNSON