

0001

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

STERICYCLE OF WASHINGTON, INC.,)	DOCKET NO. TG-110553
)	
Complainant,)	
)	
v.)	Volume I
)	
WASTE MANAGEMENT OF WASHINGTON,)	Pages 1 - 22
INC.,)	
)	
Respondent.)	
)	

A prehearing conference in the above matter was held on April 29, 2011, at 10:00 a.m., at 1300 South Evergreen Park Drive Southwest, Olympia, Washington, before Administrative Law Judge DENNIS MOSS.

The parties were present as follows:

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, by FRONDA WOODS, Assistant Attorney General, 1400 South Evergreen Park Drive Southwest, Post Office Box 40128, Olympia, Washington 98504; telephone (360) 664-1225.

STERICYCLE OF WASHINGTON, INC., by STEPHEN B. JOHNSON, Attorney at Law, Garvey Schubert Barer, 1191 Second Avenue, Suite 1800, Seattle, Washington 98101; telephone (206) 816-1309.

WASTE MANAGEMENT OF WASHINGTON, INC., by Jessica L. Goldman, Attorney at Law, Summit Law Group, PLLC, 315 Fifth Avenue South, Suite 1000, Seattle, Washington 98104-2682; telephone (206) 676-7000.

WASHINGTON REFUSE & RECYCLING ASSOCIATION (WRRRA), by James K. Sells, General Counsel, PMB 22, 3110 Judson, Gig Harbor, Washington 98335; telephone (360) 981-0168.

Shaun Linse, CCR NO. 2029
Court Reporter

0002

1 P R O C E E D I N G S

2 JUDGE MOSS: Good morning, everyone. We are
3 convened this morning for our first prehearing conference in
4 the matter that I have taken the liberty of restyling for
5 the Commission as Stericycle of Washington, Inc., against
6 Waste Management of Washington, Inc., Docket No. TG-110553.
7 I suppose I should record for the record that the rather
8 cumbersome initial caption in this case was:

9 In the Matter of the Complaint and Petition of
10 Stericycle of Washington, Inc., for an order suspending
11 Tariff Filing and Initiating an Adjudicatory Proceeding
12 Concerning the Abandonment of Authority Under G-237 and
13 Proposed Biomedical Waste Collection and Transportation
14 Services of Waste Management of Washington, Inc., d/b/a WM
15 Healthcare Solutions (G-237).

16 Also my sense is sometimes it may seem that way,
17 but it's unusual to have a caption so wordy.

18 All right. Let's begin by taking appearances, and
19 we will start with the complainant Stericycle.

20 MR. JOHNSON: Thank you, Your Honor. Stephen
21 Johnson representing Stericycle of Washington, Inc.

22 JUDGE MOSS: And if you could give your full forum
23 today. We will need your address, telephone number, e-mail.

24 MR. JOHNSON: I think it's all properly stated in
25 the notice, but my full name is Stephen, S-t-e-p-h-e-n, B.

0003

1 Johnson. I'm with the Law Firm of Garvey Schubert Barer as
2 spelled in the notice, 1191 Second Avenue, Suite 1800 in
3 Seattle, Washington 98101.

4 JUDGE MOSS: Thank you. And just for the record
5 your e-mail address is sjohnson@gsblaw.com?

6 MR. JOHNSON: That's correct, sir.

7 JUDGE MOSS: For Waste Management?

8 MS. GOLDMAN: Good morning, Your Honor. Jessica
9 Goldman from Summit Law Group on behalf of Waste Management.
10 My address is 315 Fifth Avenue South, Suite 1000, Seattle,
11 Washington 98104. My phone number is 207-676-7062 and my
12 e-mail address is jessicag@summitlaw.com.

13 JUDGE MOSS: On the notice that I have here on
14 this notice of prehearing conference is an indication of
15 Ms. McNeill. Will she be appearing with you in this matter?

16 MS. GOLDMAN: Yes, she will.

17 JUDGE MOSS: All right. Thank you. I see your
18 name is also listed.

19 All right. And, Mr. Sells, I believe you must be
20 here for the WRRRA.

21 MR. SELLS: That is correct. James Sells
22 appearing on behalf of the proposed intervenor Washington
23 Refuse and Recycling Association. My address is PMB, that's
24 private mailbox, 22, 3110 Judson, J-u-d-s-o-n, Street, Gig
25 Harbor 98335. My telephone is 360-981-0168. E-mail

0004

1 jamelessells@comcast.net.

2 JUDGE MOSS: Mr. Sells, I don't know that that
3 microphone will reach you, the one here on this other table.
4 If it will, then perhaps if we need to hear from you again
5 it would be helpful to have that.

6 MR. SELLS: Okay.

7 JUDGE MOSS: I think you're familiar with it.
8 When it's lit, it's on.

9 MR. SELLS: Right.

10 JUDGE MOSS: And for staff?

11 MS. WOODS: Good morning, Your Honor. I'm Fronda
12 Woods, Assistant Attorney General, representing Commission
13 Staff. My address is 1400 South Evergreen Park Drive S.W.,
14 P.O. Box 40128, Olympia, Washington 98504-0128. My
15 telephone number is area code 360-664-1225. Fax is area
16 code 360-586-5522, and my e-mail address fwoods@utc.wa.gov.

17 JUDGE MOSS: Thank you very much. Is there anyone
18 on the teleconference bridge line who wishes to enter an
19 appearance today?

20 Apparently not. We've covered those in the
21 hearing room. For future reference we can use the short
22 form after today, but we do as a matter course take long
23 form as our initial appearances.

24 Mr. Sells, we have your petition to intervene, and
25 I'll just ask first if there's any objection?

0005

1 MS. GOLDMAN: No objection, Your Honor.

2 JUDGE MOSS: Hearing no objection, the motion is
3 well taken. It seems somewhat familiar I might say,
4 Mr. Sells. So WRRRA's record will be intact as having
5 participated in every significant matter involving solid
6 waste for at least my lifetime here.

7 MR. SELLS: Thank you, Your Honor.

8 JUDGE MOSS: You're welcome.

9 Now with that, I suppose what we need to do today
10 is determine what sort of process this case requires. My
11 impression of it having read the papers is that it is a
12 matter as to which I doubt there will be disputed facts, but
13 I could be mistaken about that. Why don't you all tell me
14 now whether we will be able to proceed on the basis of facts
15 that are stipulated.

16 MR. JOHNSON: Your Honor, Steve Johnson, for
17 Stericycle. If I might speak to that.

18 JUDGE MOSS: Please do.

19 MR. JOHNSON: We think the facts are largely
20 undisputed with respect to the abandonment issue which is I
21 think the threshold issue that needs to be resolved in this
22 case. Our view is that the way the Commission deals with
23 that issue will largely be determined on how any remaining
24 issues are going to be resolved with respect to the issues
25 in the complaint. The abandonment issue if we succeed on

0006

1 that position, then we would expect essentially all the
2 remaining issues that are covered in our complaint to be
3 dealt with in an application proceeding. We anticipate that
4 Waste Management would continue to seek authority to
5 participate in the medical waste collection business.

6 So we essentially see the abandonment issue as
7 something of a threshold issue that should be addressed and
8 determined and then from there we can determine how best to
9 address other issues.

10 JUDGE MOSS: Ms. Goldman, what is your view of the
11 world?

12 MS. GOLDMAN: Well, as I understand it your
13 question was regarding stipulated facts, and to that
14 question Mr. Johnson I believe is working up a set of
15 stipulated facts to present to us, and it's our intention to
16 work with him in the hopes of stipulating to those facts,
17 but we have yet to see them. So that is something that we
18 would request be incorporated in the proceeding order that
19 emanates today with perhaps the suggested deadline for that
20 to occur. Would it be appropriate to respond to the other
21 issues or would you prefer that we deal with these?

22 JUDGE MOSS: Sure.

23 MS. GOLDMAN: We have pending, Your Honor, a
24 motion to dismiss, and it's our position that the motion to
25 dismiss should be addressed first before we proceed any

0007

1 further in this matter both for the sake of the Commission,
2 the Commission staff, and the parties here. As would be the
3 case in court it makes emanate sense to determine if there
4 is a basis for proceeding before the parties sink any
5 additional resources into the additional briefing on other
6 issues.

7 JUDGE MOSS: And I believe Stericycle's response
8 to that is Monday; is that right?

9 MR. JOHNSON: Your Honor, it is due Monday at this
10 point. Let me respond briefly to Ms. Goldman's remarks. On
11 the stipulated facts issue I had talked with Polly McNeill
12 in the open meeting about that, and we had reached sort of a
13 tentative understanding of we would move in that direction.

14 However, in the intervening period I received an
15 e-mail communication from Ms. McNeill indicating that she
16 did not want to spend time on stipulated facts until the
17 motion to dismiss was addressed. So we have focused our
18 attention on preparing a motion for summary determination
19 which we intend to file next week, and we would like to have
20 our motion for determination dealt with, and it will be a
21 response to the motion to dismiss.

22 I think it's perfectly appropriate for those
23 motions to be dealt with together. Our request is that we
24 be given until Wednesday to file that motion for summary
25 determination and response to the motion to dismiss two more

0008

1 days allowing us to present a very complete package on the
2 legal issues that Your Honor needs to address on the
3 abandonment question.

4 In the process of preparing that motion for
5 summary determination will lay out our view of the
6 undisputed facts and in effect the result will be if those
7 undisputed facts as we see them are accepted by Waste
8 Management then we will no longer need a stipulation. We
9 will simply have it on the -- Your Honor can address it in
10 connection with the disposition of the motion for summary
11 determination. If in fact it emerges that there are
12 disputed facts that are relevant to that issue, then, of
13 course, we will address that issue if it does emerge.

14 MS. GOLDMAN: Having understandably not yet seen
15 the stipulated facts I wasn't meaning to suggest that they
16 were late, but certainly it's something we want to see. We
17 don't know what that summary determination motion is going
18 to look like, and it's quite possible that we would be in a
19 position of making the equivalent of a 56F motion for
20 continuance depending on what it is it's going to say which
21 at this point we don't know.

22 And so it is our position that the motion should
23 be separated, and that he is welcome from our perspective to
24 file the motion any time that he likes, but then you we
25 would like to ask the Commission to schedule the opposition

0009

1 and reply briefing and hearing on a motion for summary
2 determination after a decision has been rendered on the
3 motion to dismiss; that they are not typically conjoined in
4 court for the obvious reason that they raise different
5 standards, and the issue of fact is one that is not going to
6 be present in the motion to dismiss.

7 MR. JOHNSON: Your Honor, if I could just respond
8 briefly. In court typically if a respondent on a motion to
9 dismiss comes back with evidentiary factual matters and
10 presents a counter-motion and a cross-motion, then the
11 matters would be dealt with together. There's no reason
12 that the Commission should do differently. We think the
13 issue needs to be address on the merits as soon as possible.

14 I think what Ms. Goldman is suggesting is that
15 Your Honor preclude us from putting a motion for summary
16 determination on the calendar for disposition in accordance
17 with the rules by a scheduling order that would show us
18 behind the motion to dismiss. We think that's a recipe for
19 delay. It will extend the process down the line for getting
20 a motion or a disposition on the merits. We think that the
21 Commission at the opening meeting expressed an interest in
22 resolving this issue of abandonment on the merits as soon as
23 possible. We would like to present that motion for summary
24 determination. Obviously if it doesn't have merits, Your
25 Honor will deny it.

0010

1 On the other hand, if it does have merit, we want
2 that issue addressed and determined as the soonest possible
3 time.

4 JUDGE MOSS: I assume you'll be presenting the
5 same arguments either way. If you're answering the motion
6 to dismiss you're going to be arguing the same points as you
7 would on a motion for summary determination considering that
8 there are no material issues of fact in dispute.

9 MR. JOHNSON: That is exactly right, Your Honor.
10 So it seems to us that the traditional economy of process
11 here suggests that those two motions should be heard
12 together. We are prepared to file next week. We will be
13 prepared to file by Wednesday. We are asking for a couple
14 of additional days so we don't have to turn this thing out
15 over the weekend, but we will file a motion for summary
16 determination. If Your Honor schedules it we will file it
17 by Wednesday and off we go.

18 JUDGE MOSS: Of course, Waste Management would
19 have an opportunity to respond to that if it's presented in
20 that fashion. So we will have three pleadings to deal with.

21 MR. JOHNSON: That's right, Your Honor. Our
22 vision is we file our response to the Waste Management
23 motion to dismiss and motion for summary determination in
24 one pleading. Waste Management would then have whatever the
25 rule provides, I believe it's 20 days, to respond to the

0011

1 motion for summary determination. I think they could
2 respond and reply on that schedule. We would then have
3 whatever the rules provide for a reply to their response and
4 the thing would be tied up with a bow and ready for
5 disposition.

6 JUDGE MOSS: I believe what the rules provide and
7 applies is that you must seek leave.

8 Mr. Sells, do you want to be heard on any of this?

9 MR. SELLS: No, we'll comply with whatever
10 schedule the parties come up with.

11 JUDGE MOSS: Are you planning on actively
12 participating or monitoring this case?

13 MR. SELLS: Probably a little bit of both
14 depending on where it goes. We may or may not reply to
15 these various pleadings. We are certainly going to take
16 part in any hearing that takes place though.

17 JUDGE MOSS: I thought your organization might
18 take an interest in this issue of abandonment, but that's
19 your call.

20 MR. SELLS: Yes, we have taken a great interest in
21 that, Your Honor.

22 JUDGE MOSS: Ms. Woods, would you like to be heard
23 on this?

24 MS. WOODS: I thank you, Your Honor. Commission
25 staff doesn't plan to file any motions of its own. The

0012

1 Commission staff does intend to take a position on the legal
2 issues that have been raised in this matter, and we are
3 prepared to file a response to a motion to dismiss on
4 whatever schedule the tribunal directs and may or may not
5 respond to a motion for summary determination on whatever
6 schedule is directed.

7 JUDGE MOSS: We previously or I had previously, I
8 can't recall now, whether I did by notice or order, but
9 anyway established Monday I believe as the date for
10 responses to the motion to dismiss.

11 I have to say, and this is while it's always good
12 to hear what the courts are doing, we do things sometimes a
13 little differently here. It's not at all unusual for the
14 Commission to consider both a motion to dismiss and a motion
15 for summary determination at the same time. In fact, I
16 entered an initial order that did exactly that I think it
17 was yesterday.

18 Anyway I think that makes sense because what I'm
19 interested in and the Commissioners are interested in, and
20 they will be participating directly with me in the
21 disposition of this case. I have secured their agreement to
22 do that. I think it makes sense to have all the argument
23 and papers as efficiently as possible. So it strikes me
24 that it makes sense to give Mr. Johnson his extra couple of
25 days next week to hone his arguments in both regards and

0013

1 also, of course, that would extend to staff to the extent it
2 wishes to file arguments on the legal issues and Mr. Sells
3 the same schedule for you. So we'll set up Wednesday is the
4 3rd, 4th?

5 MR. JOHNSON: The 4th I believe, Your Honor.

6 JUDGE MOSS: I don't have my calendar with me. I
7 apologize. May 4 as the date for any further dispositive
8 motions and responses to the pending motion to dismiss, and
9 then, of course, you will have the opportunity to respond to
10 any motion for summary determination within the constraints
11 provided by the procedural rules, or if you request a
12 continuance, then we'll deal with that when we hear the
13 request, and everybody will be on the same schedule.

14 So the only date I think I'll set today is May 4,
15 and then once I have all the papers in due course toward the
16 end of May we'll see where we are. If the matter can be
17 disposed of on the basis of dispositive motions, then we'll
18 just enter an order and dispose of it. On the other hand,
19 if we see there's a need for further process, then we'll
20 convene a second prehearing conference and establish a
21 procedural schedule for that process, whatever it may be.

22 Is there any other business we need to conduct
23 today?

24 MS. GOLDMAN: I have an additional issue I'd like
25 to raise.

0014

1 JUDGE MOSS: Please.

2 MS. GOLDMAN: We are now contemplating moving to
3 amend to a certain counter-claim, and we would seek leave to
4 do that.

5 JUDGE MOSS: Mr. Johnson?

6 MR. JOHNSON: I don't know anything about it other
7 than what counsel has just stated. I don't know, you know,
8 if Waste Management wants to amend its answer; is that
9 correct?

10 MS. GOLDMAN: Yes, yes, to amend our answer to
11 include our counter-claim. Actually in the affirmative
12 defense as well.

13 JUDGE MOSS: Which would then allow Stericycle to
14 answer the counter-claim, of course, and perhaps assert
15 affirmative defenses. Do you perceive that affecting our
16 schedule on the motions for dispositive motions and answers
17 and so forth there?

18 MS. GOLDMAN: No.

19 MR. JOHNSON: Your Honor, the only question I
20 would have is that's an affirmative defense in there that we
21 haven't previously seen.

22 MS. GOLDMAN: Yes, that's a good point.

23 MR. JOHNSON: That may create an issue. I haven't
24 seen it and don't know what it is, can't comment really.
25 But our intention would be to plow forward on the schedule

0015

1 Your Honor has laid out, and I guess what I would suggest at
2 this point maybe is that I'm troubled by sort of the notion
3 that the answer that we just got is not sufficient. It's
4 difficult to understand why the affirmative defense wasn't
5 asserted when the answer was filed. So I hope it doesn't,
6 this isn't allowed to delay a disposition, and I'm not
7 entirely sure, you know, whether Your Honor should entertain
8 this request at this point. It may be that we should deal
9 with the issues that are presented on the pleadings as
10 presented, and if that does not resolve the matter then we
11 then come back to this issue of amendment at a later point.

12 I think it is possible that in response to our
13 motion for summary determination that Waste Management wants
14 to suggest, well, we would like to amend and assert this
15 affirmative defense that we didn't have in our answer that
16 we could then further address in the context of the briefing
17 sequence here.

18 JUDGE MOSS: Well, let's just get some
19 clarification. What is the affirmative defense you wish to
20 assert?

21 MS. GOLDMAN: Unclean hands.

22 JUDGE MOSS: Unclean hands.

23 MS. GOLDMAN: Or latches.

24 JUDGE MOSS: Okay.

25 MS. GOLDMAN: Your Honor, I do realize that we

0016

1 recently filed an answer and we are still completing our
2 analysis of it. It's been our obligation when filing
3 answers we have not included it very purposely to ensure
4 that what we include is properly based.

5 So I do agree that the issue of the affirmative
6 defense is going to be relevant for purpose of our reviewing
7 whatever it is going that's going to show up in the summary
8 determination motion, and so we're happy to handle it
9 however you think best. The counter-claim is something that
10 I think can be separated out and made. Though it will
11 likely be tied up in the exact same set of facts, we could
12 splice it.

13 JUDGE MOSS: Well, this being Friday the suspense
14 would kill me over the weekend. What's the counter-claim
15 going to be?

16 MS. GOLDMAN: It would be an anti-competitive
17 claim very similar what has been levied against Waste
18 Management other than the abandonment argument.

19 JUDGE MOSS: This case gets more interesting by
20 the moment. All right. I do see some potential for this
21 disrupting the schedule that I was moving toward here;
22 however, I think I will go ahead and stay with the schedule
23 that I set. And when would you anticipate filing this
24 request for leave to amend and I assume accompanied by the
25 amendment?

0017

1 MS. GOLDMAN: We could make it contemporaneous
2 with our opposition to the anticipated motion for summary
3 determination.

4 JUDGE MOSS: Could you make it earlier?

5 MS. GOLDMAN: We certainly could.

6 JUDGE MOSS: Could you do it today?

7 MS. GOLDMAN: No.

8 JUDGE MOSS: Monday then?

9 MS. GOLDMAN: We'll do it whenever you say so, but
10 I don't think we're quite prepared to do that.

11 JUDGE MOSS: Well, it sounds to me like something
12 you ought to be able to accomplish in a fairly short period
13 of time. The Commission did express some interest in having
14 this go forward with some dispatch so I'll follow their lead
15 on that. I did listen to the open meeting presentation by
16 the way so I'm familiar with the full background of this
17 before the Commission.

18 All right. Sadly I don't have a calendar here.
19 Does anyone have a calendar that they could loan to me?

20 MR. JOHNSON: We know May 2 is a Monday.

21 JUDGE MOSS: That's a starting point. Thank you
22 very much. This will work. I'm a low tech kind of guy.
23 All right. It popped right open to May 2. How about that?

24 So what I'm going to suggest is that in the hope
25 that we can keep this tight is to have Waste Management file

0018

1 its request for leave to amend accompanied by its proposed
2 amended pleading on Monday. Let me amend that and say it
3 will follow the practice in this case of setting procedural
4 dates that are filing dates as the date for you to submit
5 electronically to the Commission and serve the other
6 parties. The official filing date in that instance is
7 actually the next day when the Commission receives a signed
8 paper copy. Okay? So that's a convention we follow in a
9 lot of cases, I would say in most cases these days. In the
10 high tech world it seems to be helpful to lawyers as well as
11 to the Commission to proceed in that way.

12 So on Monday, Ms. Goldman, you would need to get
13 that to us electronically through the portal or by e-mail
14 these days, and also, of course, you need to serve the other
15 parties electronically.

16 MR. JOHNSON: Your Honor, if I might just clarify
17 for my own understanding.

18 JUDGE MOSS: Sure.

19 MR. JOHNSON: When we're talking about deadlines
20 now we're talking about the deadline for electronic service
21 for both the Commission and the parties.

22 JUDGE MOSS: Right. In the procedural rules we
23 distinguish between submission which is the electronic
24 submission of documents and filing which is the receipt of
25 paper copy. Our statutes still tie us to that and so we do

0019

1 it that way. But Monday then will be the day for us to have
2 the submission, and the official filing day will show up in
3 the records as the 3rd. But you all have it, and with that
4 in mind I'm going to extend the time a couple more days I
5 think would be appropriate, Mr. Johnson, to see if perhaps
6 you can get everything in your pleading, including any
7 response or answer to the counter-claim and so forth. So
8 that would just add a little bit of efficiency to the whole
9 process I think.

10 Ms. Goldman, you had something?

11 MS. GOLDMAN: Yes, Your Honor. We also are likely
12 to anticipate a cross-motion for summary determination on
13 our claims. I'm not trying to make this any more convoluted
14 than it need be, but we have claims and we likely will want
15 to make a motion on that.

16 JUDGE MOSS: Okay. Would you want until the 6th,
17 Mr. Johnson?

18 MR. JOHNSON: That's Friday?

19 JUDGE MOSS: Yes.

20 MR. JOHNSON: I suppose prudence suggests a couple
21 more days would be useful.

22 JUDGE MOSS: You don't have to take it. I'm just
23 offering.

24 MR. JOHNSON: Right. Let's go with the 6th.

25 JUDGE MOSS: All right. May 6 then. We will be

0020

1 revising the previously established date of May 4 to May 6
2 for all the paper we talked about previously. I won't
3 rehash it.

4 You're thinking about a cross -- I guess it's not
5 a cross-motion. I guess it's just your own motion for
6 summary determination on your counter-claim.

7 MS. GOLDMAN: That's correct.

8 JUDGE MOSS: When would you anticipate having
9 that?

10 MS. GOLDMAN: We could get it on file on sometime
11 the week of 9th.

12 JUDGE MOSS: I would say sometime in the first
13 half of the week of the 9th would be good.

14 MS. GOLDMAN: How about the 10th?

15 JUDGE MOSS: I will take that. Then any responses
16 to that we'll just follow the procedural rules.

17 MS. GOLDMAN: Yes. And just to be clear, Your
18 Honor, would we anticipate or should we anticipate a rather
19 rapid determination on our motion for leave to file an
20 amended answer so that --

21 JUDGE MOSS: I'll just grant it now.

22 MS. GOLDMAN: Okay. So what we'll be filing
23 Monday is simply the amended answer.

24 JUDGE MOSS: Right. And I'll just take it as an
25 oral motion and a leave to file it.

0021

1 MS. GOLDMAN: Thank you.

2 JUDGE MOSS: Okay. Now anything else? Have we
3 covered everything here?

4 MS. GOLDMAN: Yes, Your Honor.

5 JUDGE MOSS: So we have three dates: May 2, May
6 6, and May 10. I think everybody understands what needs to
7 be filed then, and then the other dates will follow based on
8 the procedural rules. Keep in mind that those are
9 deadlines. If you want to file early you can always do
10 that.

11 All right. If there's no further business I thank
12 you all for being here this morning and clarifying the
13 situation for at least our benefit and look forward to
14 receiving the remaining papers and disposing of the case
15 with all due haste.

16 MS. GOLDMAN: Thank you, Your Honor.

17 MR. JOHNSON: Thank you, Your Honor.

18 MS. WOODS: Thank you, Your Honor.

19 MR. SELLS: Thank you.

20 * * * * *

21 (Whereupon, the proceeding was adjourned at 10:34
22 a.m.)

23

24

25

0022

1 In re: Stericycle vs. Waste Management

2 Docket No. TG-110553

3

4

5

6

7

A F F I D A V I T

8

9

I, Shaun Linse, CCR, do hereby certify that the
10 foregoing transcript prepared under my direction is a
11 full and complete transcript of proceedings held on
12 April 29, 2011, in Olympia, Washington.

13

14

15

Shaun Linse, CCR 2029

16

17

18

19

20

21

22

23

24

25