

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
SUPPLEMENTAL RESPONSES TO NOS. 15, 19 AND 20

Data Request No. 15. Please identify each person (including entities and individuals) to whom you paid Unauthorized Commissions for referrals or bookings from January 1, 2013 to the present. Include in your description the name, address and phone number of each such person.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express objects to providing its competitor with the identities of its independent contractors. Speedishuttle has a history of hiring Shuttle Express employees/contractors and, in so doing obtaining “non-compete” agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus independent contractors’ names and addresses could be used for the improper purpose of luring them away from Shuttle Express. Moreover, the specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome. The request seeks information that is proprietary and competitively injurious to the intended detriment of Shuttle Express.

Responding Person: Wesley Marks
Date of Response: February 3, 2017
Witness: Wesley Marks

SUPPLEMENTAL RESPONSE:

Pursuant to the Commission’s oral ruling on March 7, 2017, Shuttle Express serves herewith supplemental information and data in an Excel file named “SE Suppl Resp to Speedi DR15 DR 19 DR20.xlsx.”

Responding Person: Wesley Marks
Date of Response: March 10, 2017
Witness: Wesley Marks

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Data Request No. 19. For each person to whom Unauthorized Commissions have been paid during the period of January 1, 2013 to the present, produce documents from which the total commissions paid can be determined, including but not limited to cancelled checks, receipts reflecting payment, invoices, or other written requests for payment.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith. This question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding.

Without waiving the foregoing objections, see Shuttle Express response to Staff Data Request Nos. 4-7.

Responding Person: Wesley Marks
Date of Response: February 3, 2017
Witness: Wesley Marks

SUPPLEMENTAL RESPONSE:

Pursuant to the Commission's oral ruling on March 7, 2017, Shuttle Express serves herewith supplemental information and data in an Excel file named "SE Suppl Resp to Speedi DR15 DR 19 DR20.xlsx."

Responding Person: Wesley Marks
Date of Response: March 10, 2017
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Data Request No. 20. Describe the total numeric amount in dollars of all Unauthorized Commissions paid by Shuttle Express during the period of January 1, 2013 to the present.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith. This question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding.

Without waiving the foregoing objections, see Shuttle Express response to Staff Data Request No. 4-7.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

SUPPLEMENTAL RESPONSE:

Pursuant to the Commission's oral ruling on March 7, 2017, Shuttle Express serves herewith supplemental information and data in an Excel file named "SE Suppl Resp to Speedi DR15 DR 19 DR20.xlsx."

Responding Person: Wesley Marks

Date of Response: March 10, 2017

Witness: Wesley Marks