

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the matter of:)
Terry Henry-Britt,)
Notice of Apparent) Case No.
Violation and Intent) 18-1373-TR-CVF
To Assess Forfeiture.)

- - -

PROCEEDINGS

Before Kerry Sheets, Attorney Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Hearing Room 11-D, Columbus, Ohio, on
Tuesday, December 11, 2018, at 11:00 a.m.

- - -

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- - -

1 APPEARANCES:

2 Mr. Thomas G. Lindgren
3 Assistant Attorney General
4 30 East Broad Street
5 16th Floor
6 Columbus, Ohio 43215

7 On behalf of the Staff of the
8 Public Utilities Commission
9 Of Ohio.

10 Ms. Andrea Henning
11 Attorney at Law
12 102 Devonshire Suite C
13 Lima, Ohio 45804

14 On behalf of Respondant.

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Tuesday Morning,
December 11, 2018.

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ATTORNEY EXAMINER: The Public Utilities Commission of Ohio has set for a hearing at this time and place Case No. 18-1373-TR-CVF in the matter of Terry Henry-Britt. My name is Kerry Sheets, I'm an Attorney Examiner for the Commission and I've been assigned to hear this case.

May I now have the appearances of the parties, please, starting with Staff.

MR. LINDGREN: On behalf of the Commission Staff, Ohio Attorney General Mike DeWine, by Thomas G. Lindgren Assistant Attorney General, 30 East Broad Street, 16 floor, Columbus, Ohio, 43215.

ATTORNEY EXAMINER: Thank you. Now the Respondent.

MS. HENNING: I am Andrea Henning for Ms. Britt-Henry, of Lima. Do you need my address?

ATTORNEY EXAMINER: Thank you. Do we have any preliminary matters to take care of today?

MR. LINDGREN: Nothing, your Honor.

ATTORNEY EXAMINER: Do you have witnesses to call?

MR. LINDGREN: Yes, I do, your Honor.

1 ATTORNEY EXAMINER: Please, go ahead.

2 MR. LINDGREN: Staff would like to call J.
3 M. Holzworth to the stand.

4 (WITNESS WAS SWORN)

5 - - -

6 JONATHAN HOLZWORTH
7 called as a witness, being first duly sworn,
8 testified as follows:

9 DIRECT EXAMINATION

10 BY MR. LINDGREN:

11 Q. Good morning, sir.

12 A. Good morning.

13 Q. Could you please state your full name for
14 the record?

15 A. My name is Jonathan Holzworth, Motor
16 Carrier Supervisor, at the Ohio State Highway
17 Patrol.

18 Q. And what is your business address?

19 A. 3665 State Route 4, Bucyrus, Ohio 44820.

20 Q. Thank you. And did you say you were with
21 the Ohio State Highway Patrol?

22 A. That's correct.

23 Q. And what's your position now?

24 A. Motor carrier enforcement inspector,
25 supervisor.

1 Q. And how long have you been in that
2 position?

3 A. I've been a supervisor for approximately
4 six years, motor carrier for approximately 20.

5 Q. Thank you. What are your duties in that
6 position?

7 A. Inspect commercial motor vehicles and
8 drivers for safety.

9 Q. Thank you. What sort of training have you
10 received for your position?

11 A. I am certified with the North American
12 Standards part A, part B, hazardous materials,
13 cargo tank, non-bulk, passenger vehicle, certified
14 bulk and various other training.

15 Q. What certifications do you hold, if any?

16 A. What I just mentioned, the North American
17 Standards Part A/B, hazardous material training,
18 bulk, cargo tank, non-bulk, PDI.

19 Q. Thank you. Are you familiar with the
20 motor vehicle regulation pertaining to using
21 hand held mobile telephones while operating a
22 vehicle?

23 A. Yes, sir.

24 Q. Thank you. Do you recall inspecting a
25 vehicle driven by the Respondent, Terry L. Henry-

1 Britt?

2 A. I do.

3 Q. And what was the reason for this
4 inspection?

5 A. I believe I stopped her for using a
6 hand held cell phone, smart phone, while operating
7 a CMV.

8 Q. Did you observe her using the hand held
9 mobile telephone?

10 A. Yes, sir.

11 Q. And where were you in relation to the
12 Respondent's vehicle when you made that
13 observation?

14 A. I was sitting stationary on Highway US 30,
15 facing eastbound traffic, in Richland County,
16 Mansfield, Ohio. It's approximately at milepost
17 14, I believe.

18 Q. Thank you. Did you have a clear and
19 unobstructed view into the Respondent's cab?

20 A. I did.

21 Q. Thank you. How did you know it was a cell
22 phone she was holding?

23 A. When I observed her go past me she was
24 holding the phone with her right hand with, like a,
25 teal colored case and when I made the traffic stop,

1 I made a passenger side approach, opened the door
2 up, she had that same phone in a -- I believe it
3 was in a carrier mounted onto the vehicle --

4 Q. Thank you.

5 A. Inside the cab.

6 (OFF-THE-RECORD DISCUSSION)

7 Q. All right. So what did you do after you
8 observed her with a cell phone in her hand?

9 A. I pulled out a crossover and made a
10 traffic stop -- initiated a traffic stop, US 30
11 eastbound mile post 15, and then I made contact
12 with her and advised her why I stopped her.

13 Q. Thank you. So you turned your lights on
14 to make the stop?

15 A. Activated the overheads. Yes, sir.

16 Q. Thanks. And did she come to a stop
17 immediately?

18 A. I think it took quite a while for her to
19 get completely stopped which is kind of unusual,
20 most people pull over and stop in a nice safe
21 location like that, that's why I stopped her.

22 Q. Thank you. Did you ask the Respondent for
23 permission to look at her phone?

24 A. I did.

25 Q. Did she give you that permission?

1 A. She held it but she showed me.

2 Q. And what did you see there?

3 A. That's the last outgoing call I believe
4 was 6:53 a.m., outgoing or incoming, I don't know
5 if it -- which one it was, but it was call made --

6 Q. Thank you.

7 A. Or received.

8 Q. Did the Respondent make any statements to
9 you?

10 A. I can't remember word-for-word. She did
11 tell me she was not using her hand held phone and
12 it was -- like I said, it was shut off which struck
13 me as odd if you were just on it, I don't know,
14 what 7, 10 minutes, 15 minutes prior to that.

15 Q. Thank you. Did you observe any other
16 violations with respect to this driver or vehicle?

17 A. Level three, I believe the only violation
18 was the operating a CMV while using a hand held
19 phone, so that should be my only violation on that.

20 Q. Thank you. Did you prepare a report at
21 the time of your inspection or shortly thereafter?

22 A. I did.

23 MR. LINDGREN: Thank you. May I approach
24 the witness?

25 ATTORNEY EXAMINER: You may.

1 MR. LINDGREN: Let the record reflect that
2 I am handing the witness what I've marked for
3 identification as Staff's Exhibit 1.

4 BY MR. LINDGREN:

5 Q. Mr. Holzworth, do you recognize this
6 document?

7 A. Yes, sir.

8 Q. And what is it?

9 A. Driver/Vehicle Examination Report.

10 Q. Thank you. Does this Reflect the results
11 of your inspection of the vehicle operated by the
12 Respondent, Terry Henry-Britt?

13 A. Yes, sir.

14 Q. Thank you. Did you prepare this at the
15 time of the your inspection?

16 A. I did.

17 Q. Thank you. And does it accurately reflect
18 the results of that inspection?

19 A. It does, the only thing that would be
20 different is the header on the top. Once we upload
21 them to the PUCO, it takes our header off and puts
22 PUCO on which would be the top left corner.

23 Q. Thank you. Now let me direct your
24 attention to the inspection notes, midway, on the
25 first page, do those notes, in particular,

1 accurately reflect your observations on that day?

2 A. Yes, sir.

3 Q. Thank you. And Mr. Holzworth, according
4 to this inspection report what time did your
5 inspection start?

6 A. 7:09 a.m.

7 Q. What does that time actually reflect?

8 A. That would be the time that I witnessed
9 the violation, versus the time that I had made the
10 traffic stop. It's actually the time of the
11 violation, it shouldn't be much longer than the
12 time of stop, it only takes about --

13 Q. Do you manually enter this time or is it
14 automatically entered by the system?

15 A. I manually enter it.

16 MR. LINDGREN: Thank you. Thank you, I
17 have no further questions for this witness.

18 MS. HENNING: Okay. I'm sorry, I have a
19 few questions.

20 CROSS EXAMINATION

21 BY MS. HENNING:

22 Q. How far away were you from Ms. Britt's
23 vehicle when you allegedly observed her holding a
24 cell phone?

25 A. I'd say approximately 25 feet or so.

1 Q. Okay. So you were 25 feet away from her?
2 And what was her hairstyle that day, do you
3 remember? Was she wearing her hair like she is
4 today?

5 A. Her hairstyle was similar to today.

6 Q. Okay. Hair down?

7 ATTORNEY EXAMINER: Could you use the
8 microphone?

9 MS. HENNING: Sure.

10 ATTORNEY EXAMINER: Make sure you speak up
11 a bit.

12 MS. HENNING: Certainly.

13 BY MS. HENNING:

14 Q. So you would say her hair was similar to
15 the way she's wearing it today?

16 A. From what I recall, yeah.

17 Q. Okay. And you said that you initiated the
18 stop at, approximately, 7:09 a.m.?

19 A. Correct.

20 Q. Okay. Now in your report you state that
21 she was wearing an ear piece. Did you physically
22 inspect that ear piece?

23 A. No. I did not take her ear piece off and
24 visually -- did I visually inspect it or did I see
25 if it worked?

1 Q. Either.

2 A. No.

3 Q. Okay. So you said that it had no sign of
4 being powered on, no power light, but is it correct
5 that you don't have a real way of knowing whether
6 or not that model had a power light?

7 A. I have -- no, I don't know, if it did or
8 not.

9 Q. Okay. So you didn't --

10 A. It did have a light on it but it wasn't,
11 it wasn't illuminated.

12 Q. Okay, so you think there was light on it?

13 A. I'm pretty sure there was.

14 Q. Okay. And that was in her left ear?

15 A. I cannot recall -- I did whatever it says
16 -- yes.

17 Q. Okay. So if she's wearing her -- you
18 approached the vehicle from the passenger side,
19 correct?

20 A. That's correct.

21 Q. So did you have a view of her ear piece?

22 A. When I got -- I made the traffic stop, got
23 up on the side of the vehicle, opened the door up,
24 that's where I made contact -- we had, pretty much,
25 a conversation like you and I are having.

1 Q. Okay. So you didn't approach from her
2 left side, you approached from --

3 A. Passenger side, first.

4 Q. Passenger side. Okay, so when you looked
5 at her phone you were not holding it, correct?

6 A. She had it.

7 Q. How far away from the phone were you?

8 A. Maybe two feet.

9 Q. Okay. Do you feel like you could read the
10 screen accurately from that distance?

11 A. Oh, yeah.

12 Q. Do you wear reading glasses?

13 A. I do not.

14 Q. Okay. Did the screen tell you how long
15 the phone call had been?

16 A. No, ma'am.

17 Q. Okay. What was the traffic like that day?

18 A. I believe the traffic was light, moderate.

19 MS. HENNING: Okay. No further questions.

20 ATTORNEY EXAMINER: Do you have any
21 redirect?

22 MR. LINDGREN: No. Thank you, your Honor.

23 ATTORNEY EXAMINER: You're excused.

24 THE WITNESS: Thank you, sir.

25 MR. LINDGREN: The Staff, next, would like

1 to call Rod Moser to the stand.

2 (WITNESS WAS SWORN)

3 - - -

4 ROD MOSER

5 called as a witness, being first duly sworn,

6 testified as follows:

7 DIRECT EXAMINATION

8 BY MR. LINDGREN:

9 Q. Good morning, sir.

10 A. Good morning.

11 Q. Could you please state your full name for
12 the record.

13 A. My name is Rod Moser.

14 Q. And where are you employed, sir?

15 A. With the Public Utilities Commission of
16 Ohio.

17 Q. And what's your business address?

18 A. 180 East Broad Street, Columbus, Ohio
19 43215.

20 Q. And what is your position with the Public
21 Utilities Commission?

22 A. I'm the chief of compliance for the
23 Transportation Department.

24 Q. How long have you been in that position?

25 A. A little over 20 -- 20 months.

1 Q. Thank you. And what are your duties in
2 that position?

3 A. A broad description would be that I manage
4 the civil forfeiture process for the Transportation
5 Department.

6 Q. Thank you. Are you familiar with the
7 forfeiture assessed against the Respondent in this
8 case?

9 A. Yes, I am.

10 Q. And could you briefly describe how
11 forfeitures for violations are calculated?

12 A. Sure. The roadside violations are divided
13 into six groups, this in particular -- and those
14 groups are determined by the nature of the offense.
15 This is a group four violation which could be a
16 driver, here and most commonly, a driver violation
17 and within that particular group, fines are
18 assessed depending upon the severity of the
19 violation.

20 MR. LINDGREN: Thank you. May I approach
21 the witness?

22 ATTORNEY EXAMINER: You may.

23 MR. LINDGREN: Let the record reflect, I'm
24 handing the witness what I've marked for
25 identification as Staff Exhibit 2.

1 BY MR. LINDGREN:

2 Q. Mr. Moser, do you recognize this document?

3 A. I do. Yes, sir.

4 Q. And can you explain what it is?

5 A. This is a letter that we call Notice of
6 Preliminary Determination. This letter is mailed
7 to the Respondents or the Respondent's
8 representative following an unsuccessful attempt at
9 mediation through a telephone conference.

10 Q. Thank you. And what does this document
11 state as far as the forfeiture for the violation
12 goes?

13 A. The amount of the assessment was \$250.

14 Q. Would that be the standard amount assessed
15 for this violation?

16 A. That is the amount assessed every time
17 this violation is cited, yes.

18 Q. Thank you. And if the Commission finds
19 that the Respondent committed the violation, is
20 that the amount you would recommend being assessed
21 against the Respondent?

22 A. Yes, sir. I would.

23 MR. LINDGREN: Thank you. No further
24 questions.

25 ATTORNEY EXAMINER: Do you have any

1 questions?

2 MS. HENNING: No, Your Honor.

3 ATTORNEY EXAMINER: You're excused.

4 THE WITNESS: Thank you.

5 MR. LINDGREN: The Staff rests it's case
6 and I move for the admission of Staff Exhibits 1
7 and 2.

8 ATTORNEY EXAMINER: I will admit those
9 exhibits into evidence at this time. Now we will
10 proceed to the Respondent's side of the case.

11 MS. HENNING: I call Terry Henry-Britt,
12 please.

13 (WITNESS WAS SWORN)

14 - - -

15 TERRY HENRY-BRITT
16 called as a witness, being first duly sworn, testified as
17 follows:

18 DIRECT EXAMINATION

19 BY MS. HENNING:

20 Q. Terry, can you describe how you came into contact
21 with officer Holzworth?

22 ATTORNEY EXAMINER: Just start with the day --
23 go ahead and give your name.

24 MS. HENNING: Oh, I'm sorry.

25 BY MS. HENNING:

1 Q. Can you please state your name and address
2 for the record?

3 A. Terry L. Henry-Britt. My address is 921
4 Altadena Avenue, Fircrest, Washington 98446 --
5 98466.

6 Q. Thank you. And can you describe for us
7 how you made contact with officer Holzworth?

8 A. I was traveling to go get a trailer that
9 morning. I was bobtailed. I saw him sitting in
10 the medium. I had my seat belt on, across the
11 front, my phone was in the holder, and I had my
12 cruise set. I did not observe any other traffic
13 but me, he may have, I did not.

14 Q. Were you talking on a hand held device --

15 A. Nope.

16 Q. -- when you were pulled over?

17 A. It was in my case.

18 Q. Okay. It was in your case. And were you
19 wearing an ear piece?

20 A. Yes. Yes, I was.

21 Q. Okay. And was that ear piece turned on?

22 A. Yes, it was.

23 Q. Can you describe for us that ear piece?

24 A. Yeah. It's right here, you can't see it
25 because of my hair. It does not have a light like

1 the blue parrot that we wear a lot of times. That
2 was on the seat being charged.

3 Q. Okay.

4 A. There is no light on this.

5 Q. Okay. So would it be fair to say too that
6 most drivers in your industry use the parrot
7 device?

8 A. The blue parrot, absolutely.

9 Q. Okay.

10 A. That's what I normally use but it was
11 being -- it was lying on my passenger seat being
12 charged.

13 Q. Okay. And does that devise have an
14 observable light when it's charged?

15 A. Oh, yeah.

16 Q. The blue parrot does?

17 A. Yeah.

18 Q. Okay.

19 A. It's like a ear thing that goes over your
20 ear, then over your head --

21 Q. Okay.

22 A. And there's either a blue flashing or red
23 flashing light when it's on.

24 Q. Okay. And the device you're currently
25 using which is the one you were using that day,

1 does not have an observable light?

2 A. Not this one.

3 Q. Okay.

4 A. This is my backup.

5 Q. Okay. And why do you know that you would
6 not be holding your cell phone in your right hand?
7 Are you right-handed?

8 A. I'm left-handed.

9 Q. Your left-handed. Do you do any
10 activities with your right hand, in your daily
11 life?

12 A. Depending if I can dial or if I have a "E"
13 log that's also on the dash, that's it. I'm mostly
14 left-handed, yeah.

15 Q. So you would reach for those but you are
16 left -- if you hold a cell phone --

17 A. Left-handed.

18 Q. Left-handed. Okay. And did you explain
19 that to the officer?

20 A. No. I just told him, I did not -- I was
21 not -- I don't know what he observed but it was not
22 my cell phone up to my ear.

23 Q. Okay. How many cell phones do you have?

24 A. That one.

25 Q. One -- one line? Okay.

1 A. Yeah.

2 MS. HENNING: May I approach the witness?

3 ATTORNEY EXAMINER: You may.

4 BY MS. HENNING:

5 Q. I'm showing you your cell phone records.

6 Can you just describe this for us? What is this?

7 A. It shows a one minute call at 5:58.

8 Q. Well, let's back up.

9 A. Okay.

10 Q. How did you get that document?

11 A. I called home -- I called Verizon first --

12 Q. Okay.

13 A. And they said to get on -- I had to do it
14 through --

15 ATTORNEY EXAMINER: What are we referring
16 to now?

17 MS. HENNING: I'm asking her to explain
18 how she came in possession of this document.

19 THE WITNESS: My cell phone records.

20 ATTORNEY EXAMINER: Okay.

21 BY MS. HENNING:

22 Q. So this is your cell phone record,
23 correct?

24 A. Yeah.

25 Q. And this is the record for May 3rd, 2018?

1 A. Yup.

2 Q. And how did you obtain this record?

3 A. Through Verizon.

4 Q. Okay. So --

5 A. I had to log on -- they told me to log on
6 and go and look up my records myself. Then my
7 friend at home, I told her how to do it, she
8 printed it out and faxed it to my house.

9 Q. Okay.

10 A. Which at the top is my home phone and my
11 fax number.

12 Q. Okay. And have you had a chance to read
13 over this record?

14 A. Yeah, I did, as soon as I looked online.

15 Q. And did it look accurate to you?

16 A. Yes, it does.

17 Q. Okay. And so this traffic stop was
18 initiated at 7:09 a.m.

19 First off, the officer had testified that he
20 had saw a call log for 6:53. Is there a -- such a
21 call reflected on this log?

22 A. It was 6:32 and 7:51.

23 Q. Okay. And who did you call at 6:32?

24 A. 5:58 and 6:32, I called my sister for one
25 minute to wake her up. 7:51, I called Versailles,

1 the company I am leased to, to let them know that I
2 had gotten a cell phone ticket.

3 Q. Okay. Is there anything else that you
4 would like the Hearing Officer to know today about
5 this situation?

6 A. No.

7 ATTORNEY EXAMINER: Is that an exhibit you
8 wish to submit?

9 MS. HENNING: Yes, your Honor.

10 ATTORNEY EXAMINER: We'll mark it
11 Respondent's Exhibit 1.

12 MS. HENNING: Okay.

13 ATTORNEY EXAMINER: You have no further
14 questions?

15 MS. HENNING: Correct.

16 ATTORNEY EXAMINER: Does Staff have any
17 questions?

18 CROSS-EXAMINATION

19 BY MR. LINDGREN:

20 Q. Yes. Thank you, your Honor. Referring to
21 your Exhibit 1, the call records I -- you live in
22 Washington State; is that correct?

23 A. Correct.

24 Q. And that's in a different time zone,
25 right?

1 A. The time zone on here matches the time
2 zone I'm in at the time because there's a time
3 clock on my phone matches whatever time zone I'm
4 in. It doesn't go by your home base, it goes by
5 whatever time zone you're in because I asked
6 Verizon that specifically. Because your phone
7 automatically changes times, no matter what zone
8 you go into so that changes your call log.

9 Q. Well, that's not stated anywhere on this
10 document, though, is it?

11 A. No. But you can look on my phone right
12 now and see what time zone I'm in.

13 Q. Okay. Thank you. You had a cell phone in
14 your cab at that time you were stopped; is that
15 right?

16 A. Correct.

17 Q. And even though you're left-handed, you
18 can hold your cell phone in your right hand, can't
19 you?

20 A. Well, of course, yes.

21 Q. Thank you. So what hand were you using to
22 steer the vehicle while you were holding the phone?

23 A. I wasn't holding the phone, I was using
24 both hands to steer the vehicle.

25 Q. Did you testify that you have more than

1 one -- more than one device -- ear piece?

2 A. I -- yeah. This one and the blue tooth
3 that was laying on the passenger seat being
4 charged.

5 Q. Thank you.

6 A. Which that one goes over your head so it's
7 very obvious when you have it on.

8 MR. LINDGREN: Thank you. Thank you. I
9 have no further questions.

10 ATTORNEY EXAMINER: Any on the redirect?

11 REDIRECT EXAMINATION

12 BY MS. HENNING:

13 Q. Just very quickly. So you talked to
14 Verizon about the time zone issue?

15 A. Yeah. I called --

16 MR. LINDGREN: Objection, hearsay.

17 MS. HENNING: I'm asking what she talk --
18 did she talk to Verizon about the -- I'm not asking
19 for what they said.

20 ATTORNEY EXAMINER: Go ahead and ask her
21 the question.

22 BY MS. HENNING:

23 A. Yes, I did.

24 Q. You did? Okay. And so according to Staff
25 Exhibit 1, this inspection ended at 7:54 and then

1 you called your leasing company, correct?

2 A. No. The Classic Carriers, who I was
3 leased to at the time.

4 Q. Okay.

5 A. Yes, I did.

6 Q. So you called them right after it was
7 finished?

8 A. I don't know if it was during or after.

9 Q. Okay.

10 A. I called and let them know that I had been
11 pulled over.

12 Q. Okay.

13 A. And what the officer said I was doing.

14 Q. Okay. And just to clarify you have two
15 hands free devices but they only service one cell
16 phone, correct?

17 A. Correct, yeah.

18 Q. Okay.

19 A. And you can look in there and see that I
20 have them connected, they're connected by name.

21 MS. HENNING: Okay. No further questions.

22 ATTORNEY EXAMINER: Any on re-cross?

23 MR. LINDGREN: Fine. No. Thank you, your
24 Honor.

25 ATTORNEY EXAMINER: You're excused.

1 MS. HENNING: I would move for --

2 ATTORNEY EXAMINER: I'm sorry.

3 THE WITNESS: Oh, I'm excused? Okay.

4 ATTORNEY EXAMINER: I will admit your
5 exhibit into evidence.

6 MS. HENNING: Please, and move for
7 Respondent's --

8 MR. LINDGREN: Excuse me, your Honor.
9 Staff would like to object to the -- that exhibit.
10 There's nothing on this exhibit that indicates it
11 came from Verizon, we have no way of verifying that
12 it was actually an accurate record that was
13 provided by Verizon.

14 MS. HENNING: Your Honor, I believe my
15 client authenticated the record, her obtaining it
16 and testified that it was accurate.

17 ATTORNEY EXAMINER: I'll admit the
18 exhibit.

19 MS. HENNING: Thank you.

20 ATTORNEY EXAMINER: Is there anything else
21 today?

22 MR. LINDGREN: Nothing further, your
23 Honor.

24 ATTORNEY EXAMINER: Nothing further?
25 Thank you all for coming. I'll consider this

1 submitted on the record.

2 (At 11:28 a.m. the hearing was concluded)

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CERTIFICATE

I do hereby certify that the foregoing is
a true and correct transcript of the proceedings
taken by me in this matter on December 11, 2018,
and carefully compared with my original
stenographic notes.

Romaine James

Romaine James,
Court Reporter

- - -



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in

Case No(s). 18-1373-TR-CVF

Summary: Transcript In the Matter of Terry Henry-Britt, Notice of Apparent Violation and Intent to Assess Forfeiture, hearing held on December 11, 2018. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and James, Romaine