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January 6, 2011

Public Utilities Commission of Ohio  
Docketing Section  
180 East Broad Street  
Columbus, OH 43215

Re: In the Matter of Eugene R. White, Case No. 10-1447-TR-CVF

Dear Sir or Madam:

Enclosed please find a Motion to Continue Hearing filed in the above-referenced case. Please accept same for filing.

Thank you very much.

Very truly yours,

*Michael Spurlock (DA)*

Michael Spurlock

MS:bkf

Enclosure

cc: Honorable Kerry Sheets, Attorney Examiner  
Assistant Attorney General, Thomas Lindgren  
Eugene R. White  
H.T.I. Hall Trucking Express, Inc.

PUCO

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**BEFORE**  
**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Eugene R. White, Notice of )	
Apparent Violation and Intent to Assess )	Case No. 10-1447-TR-CVF
Forfeiture. )	(OH0616000414D)

**MOTION TO CONTINUE HEARING**

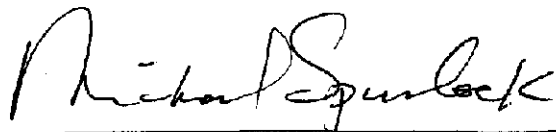
Now comes Respondent, Eugene R. White, by counsel and respectfully requests that the hearing presently scheduled for January 27, 2011 be continued to a future date during the week of April 11, 2011. Assistant Attorney General Thomas Lindgren, who represents the PUCO Staff in this proceeding, also supports this Motion.

**MEMORANDUM IN SUPPORT**

Respondent has been cited in this civil forfeiture proceeding for allegedly violating 49 CFR § 395.8(k)(2). The parties are not in complete agreement relative to the interpretation of this regulation and respondent's counsel has agreed to request a formal interpretation of this section by the U.S. DOT/FMCSA so the meaning of the regulation will be clear and may be applied to the facts of this case. This will be helpful to the parties and may help determine whether the case is settled or whether it must be litigated.

For all of the foregoing reasons, it is respectfully requested that this Motion for Continuance be granted.

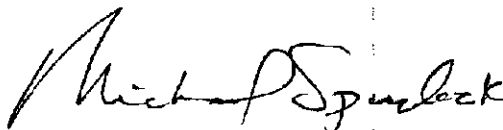
Respectfully submitted,



Michael Spurlock, Counsel for  
Eugene R. White

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion to Continue Hearing was served upon the following persons by regular U.S. Mail, postage prepaid, this 5<sup>th</sup> day of January, 2011: Thomas Lindgren, Assistant Attorney General, 6<sup>th</sup> Floor, 180 East Broad Street, Columbus, Ohio 43215.

A handwritten signature in black ink, appearing to read "Michael Spurlock", written over a horizontal line.

Michael Spurlock (0008767)