

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Application In the Matter of a Request)
for Approval of the Settlement Between) Case No. 21-62-TR-CVF
Staff and Usman Iskandarov Pursuant to) (20-CR-319004)
Rule 4901:2-7-11, Ohio Administrative)
Code.)

SETTLEMENT AGREEMENT

I. INTRODUCTION

Pursuant to Rule 4901:2-7-11 of the Ohio Administrative Code (O.A.C.), Usman Iskandarov (“Respondent”) and the Staff of the Transportation Department of the Public Utilities Commission of Ohio (Staff) enter into this agreement to resolve all issues in the above-captioned case.

It is understood by the Respondent and Staff that this Settlement Agreement is not binding upon the Public Utilities Commission of Ohio (Commission). This agreement, however, is based on the parties' desire to arrive at a reasonable result considering the law, facts, and circumstances. Accordingly, the Respondent and Staff encourage and recommend that the Commission adopt this Settlement Agreement.

This Settlement Agreement is expressly conditioned upon its adoption by the Commission in its entirety and without material modification. Should the Commission reject or materially modify all or any part of this Settlement Agreement, the Signatory Parties shall have the right, within thirty days of issuance of the Commission’s Order, to file an application for rehearing. Should the Commission, in issuing an entry on

rehearing, not adopt the Settlement Agreement in its entirety and without material modification, any Party may withdraw from the Settlement Agreement. Such withdrawal shall be accomplished by filing a notice with the Commission, including service to all parties, in the docket within thirty days of the Commission's entry on rehearing. Neither party to this Settlement Agreement will oppose the withdrawal from the Settlement Agreement by the other party. Prior to the filing of such a notice, the party wishing to withdraw agrees to work in good faith with the other Party to achieve an outcome that substantially satisfies the intent of the Settlement Agreement and, if a new agreement is reached, then the new agreement shall be filed for Commission review and approval. If the discussions to achieve an outcome that substantially satisfies the intent of the Settlement Agreement is unsuccessful in reaching a new agreement that includes all Signatory Parties to the present Settlement Agreement, then the Commission will convene an evidentiary hearing as if the withdrawing Party had never executed the Settlement Agreement.

II. HISTORY

- A.** On 10-24-2019, a compliance review of your facility located at 175 Rita St. Dayton, Ohio 45404, resulted in the discovery of the following apparent violation(s) of the Commission's rules. For those violations the Commission intended to assess a civil forfeiture against Respondent in the following amount:

<u>C.F.R. Code</u>	<u>Violation</u>	<u>Forfeiture</u>
395.8(e)(1)	False reports of records of duty status	\$ 1800.00
392.2	Operating a vehicle in violation of local/state laws - Unsafe Driving.	\$ 0.00
395.8(a)(1)	Failing to require a driver to prepare a record of duty status.	\$ 12,300.00
	<u>Total Amount Due:</u>	\$14,100.00

- B.** A conference was held 02/21/2020, at which Respondent had a full opportunity to present reasons why the violations did not occur as alleged, mitigating circumstances regarding the amount of any forfeiture, and any other information relevant to the action proposed to be taken by Staff.

III. SETTLEMENT TERMS

- A.** For purposes of settlement Respondent agrees the following violation(s) may be included in Respondent's compliance record and in Respondent's history of violations insofar as they may be relevant for the purposes of determining future violations, and agrees to make immediate payment of the following forfeiture, unless a payment plan has been approved by Staff for which Respondent will receive a separate notification:

<u>C.F.R. Code</u>	<u>Violation</u>	<u>Forfeiture</u>
395.8(e)(1)	False reports of records of duty status	\$ 1,260.00
392.2	Operating a vehicle in violation of local/state laws - Unsafe Driving.	\$ 0.00
395.8(a)(1)	Failing to require a driver to prepare a record of duty status.	\$ 8,610.00
<u>Total Amount Due:</u>		\$ 9,870.00

B. This agreement shall become effective when approved by the Commission.

Pursuant to O.A.C. 4901:2-7-14, if Respondent fails to comply with the provisions of this settlement agreement Respondent shall be in default and deemed to have admitted the violation(s). In the event of default, the Commission may set aside this agreement and order Respondent to pay the amount indicated in the “Notice of Alleged Violation and Intent to Assess Forfeiture” previously served in this case.

C. Respondent shall pay the \$9,870.00 civil forfeiture in 24 monthly payments (\$411.25 per month) starting within 30 days immediately following the Commission’s order approving this Settlement Agreement. The payments shall be made payable to “Treasurer State of Ohio,” and shall be mailed to Public Utilities Commission of Ohio, Attn: CF Processing, 180 E. Broad St., 4th floor, Columbus, OH 43215-3793. The case number (20-CR-319004) should appear on the face of the payments.

D. This agreement, which is subject to the rules of the Commission, constitutes the entire agreement between the parties.

IV. CONCLUSION

The undersigned respectfully request that the Commission adopt this Settlement Agreement in its entirety. The parties have manifested their consent and authority to enter into the Settlement Agreement by affixing their signatures below.

On the Behalf of Usman Iskandarov

On Behalf of the Staff of the
Public Utilities Commission of Ohio

/s/ Usman Iskandarov (per email authorization)

/s/ Robert Eubanks

Usman Iskandarov
1785 Rita St.
Dayton, Ohio 45404

Robert Eubanks
Senior Assistant Attorney General
Counsel for Public Utilities Section
30 East Broad Street, 26th Floor
Columbus, Ohio 43215

Date: 12/08/2021

Date: 12/08/2021

Subject: FW: FW: Public Utilities Commission of Ohio Case No. 21-62 Settlement Proposal

From: usman iskandar <monofreightllc@gmail.com>

Sent: Wednesday, December 8, 2021 9:26 AM

To: Robert Eubanks <Robert.Eubanks@OhioAGO.gov>

Subject: Re: FW: Public Utilities Commission of Ohio Case No. 21-62 Settlement Proposal

the agreement is ok with me please sign my name to agreement and file whit commission

On Wed, Dec 8, 2021 at 9:12 AM Robert Eubanks <Robert.Eubanks@ohioago.gov> wrote:

Mr. Usman Iskandarov,

I still have not heard back from you regarding the stipulation. Please let me know if I can sign-off for you on the stipulation and file it with the Commission.

Thanks,

Robert Eubanks

Senior Assistant Attorney General

Ohio Attorney General's Office

30 East Broad Street; 26th Floor

Columbus, Ohio 43215

614 517-6091 (Cell Phone)

** Please note that, in adherence to best practices brought about in response to COVID-19, the Ohio Attorney General's Office moved to a "remote work" status effective March 18, 2020. All members of the office remain available remotely during normal business hours. Thank you for your patience.*

From: Robert Eubanks
Sent: Thursday, October 28, 2021 4:06 PM
To: 'monofreightllc@gmail.com' <monofreightllc@gmail.com>
Subject: Public Utilities Commission of Ohio Case No. 21-62 Settlement Proposal

Mr. Usman Iskandarov,

Please consider the attached Settlement Agreement. If you are fine with the agreement, respond to this email by giving me your authority to sign-off on your behalf and file with the Commission. If the agreement does not reflect the agreement that you reached with the Commission's Staff, tell me how and we can work to fix it.

Thank you,

Robert Eubanks

Senior Assistant Attorney General

Ohio Attorney General's Office

30 East Broad Street; 26th Floor

Columbus, Ohio 43215

614 517-6091 (Cell Phone)

** Please note that, in adherence to best practices brought about in response to COVID-19, the Ohio Attorney General's Office moved to a "remote work" status effective March 18, 2020. All members of the office remain available remotely during normal business hours. Thank you for your patience.*

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MONO FREIGHT
Contact:
Usman Iskandar
P# 208-440-4307

Email# monofreightllc@gmail.com

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

12/8/2021 10:54:24 AM

in

Case No(s). 21-0062-TR-CVF

Summary: Agreement Settlement Agreement electronically filed by Mrs. Kimberly
M. Naeder on behalf of PUCO