

1500 SW Arrowhead Road
Topeka, KS 66604-4027

Mark Sievers, Chairman
Ward Loyd, Commissioner
Thomas E. Wright, Commissioner



2012.01.25 16:09:34
Kansas Corporation Commission
/S/ Patrice Peterson
Phone: 785-271-3100
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http://kcc.ks.gov/

Sam Brownback, Governor

January 25, 2012

**VIA CERTIFIED MAIL – RECEIPT NO. 7009 2820 0000 5905 5044
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Richard Carruthers, President
Carry Yours A Division of CFSI, Inc.
3595 Canton Rd Bldg A9 Rm 252
Marietta GA 30066

RE: Vehicle Examination Report No. KS00SM001747
Docket No. 12-GIMM-423-KHP/Carry Yours A Division of CFSI, Inc.,
Respondent

**AMENDED
NOTICE OF HEARING**

On September 21, 2011, the Kansas Highway Patrol issued a Notice of Violation against Carry Yours A Division of CFSI, Inc. (Respondent), for alleged violations found during a September 13, 2011, routine motor carrier stop and inspection conducted by the Kansas Highway Patrol. On or about December 9, 2011, Respondent's request for hearing was filed with the Commission, which opened Docket No. 12-GIMM-423-KHP.

Pursuant to K.S.A. 77-511, the above-referenced matter has been set for hearing. The hearing will be held on **March 8, 2012, at 10:00 a.m.**, or as soon thereafter as scheduling permits, in the First Floor Hearing Room at the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas, 66604. This Amended Notice of Hearing cancels the previous hearing date of February 9, 2012, at 11:00 a.m., due to Commissioner unavailability.

The hearing will be formal in nature and will involve both the rules of civil procedure and the rules of evidence. Please note that K.A.R. 82-1-228(d)(2) requires that corporations appear through an attorney.

Pursuant to K.A.R. 82-1-229(c), parties will prefile direct testimony ten (10) days prior to the scheduled hearing date. One original and seven copies of the prefiled testimony must be filed with the Executive Director of the Commission, 1500 SW Arrowhead Road, Topeka, Kansas 66604. Rebuttal testimony may be presented at the hearing.

If any party(s) fails to appear and participate in this hearing, the Commission may proceed to hear evidence against the party(s) and enter such order as shall be justified by the evidence. Failure to participate may result in default judgment against the Respondent pursuant

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to K.S.A. 77-520. Further, at any point in the proceedings, a proceeding may be converted into another type of agency proceeding pursuant to K.S.A. 77-506.

Any person requiring special accommodations under the Americans With Disabilities Act needs to give notice to the Commission at least ten (10) days prior to the scheduled hearing date.

The Commission will preside over this hearing. The attorney designated to appear on behalf of the agency is Amber Whitlock, telephone number 785-271-3301, 1500 SW Arrowhead Road, Topeka, Kansas 66604.

If applicable, any and all prehearing orders issued in this matter are attached in accordance with K.S.A. 77-518(b).

By:



Amber Whitlock, S. Ct. #23911
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