

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

In the Matter of the Investigation of **5050**)
Enterprises LLC, of Burlington, Iowa,)
Pursuant to the Kansas Highway Patrol)
Issuance of a Notice of Violation(s) and) Docket No. 20-GIMM-077-KHP
Invoice for the Violations of the Kansas)
Motor Carrier Safety Statutes, Rules and)
Regulations.)
)

**STAFF'S MOTION TO WITHDRAW 5050 ENTERPRISES LLC'S REQUEST FOR
HEARING AND CLOSE DOCKET**

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its Motion to Withdraw 5050 Enterprises LLC'S Request for Hearing and Close Docket. In support of its Motion, Staff states as follows:

1. On July 15, 2019, the Kansas Highway Patrol issued a Notice of Violation(s) against 5050 Enterprises LLC D/B/A 5050 Trucks (Respondent), for alleged violations found during a July 10, 2019, routine motor carrier stop and inspection conducted by the Kansas Highway Patrol (KHP).
2. As a result of this inspection, Respondent was assessed \$150 in civil fines, comprised of the following violation: a \$150.00 fine for Brake hose/tubing chaffing and/or kinking, citing 393.45B2.
3. On July 11, 2019, Respondent initiated a DataQ challenge of all violations found during the inspection.
4. In a letter dated July 17, 2019, the Kansas Highway Patrol denied Respondent's DataQ challenge.
5. On August 3, 2019, Respondent requested a hearing before the Commission.
6. On August 28, 2019, Mike Meierotto, Owner of 5050 Enterprise LLC and Mike Hoeme, Transportation Director of Staff, Gary Davenport, Deputy Transportation Director of

Staff and Ahsan A. Latif, Litigation Counsel of Staff, informally met to discuss Respondent's Request for Hearing. At the end of that discussion, it was agreed that Respondent would withdraw its Request for Hearing and, without admitting to the violations alleged, agree to pay the civil penalty. As part of this resolution it was agreed that Staff would file a motion in the docket outlining this resolution and closing the docket.

7. Staff therefore, on behalf of Respondent, moves the Commission to withdraw Respondent's Request for Hearing and Close this docket.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission withdraw Respondent's Request for Hearing and Close this docket..

Respectfully submitted,



Ahsan Latif, S. Ct. #24709
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For Commission Staff

VERIFICATION

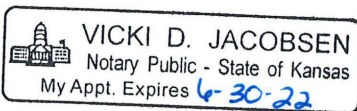
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Staff's Motion to Withdraw 5050 Enterprises, LLC's Request for Hearing and Close Docket*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.



Ahsan A. Latif, S. Ct. # 24709
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 29th day of August, 2019.



Notary Public

My Appointment Expires: June 30, 2022

CERTIFICATE OF SERVICE

20-GIMM-077-KHP

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's Motion to Withdraw 5050 Enterprises LLC's Request for Hearing and Closing Docket was served via electronic service this 29th day of August, 2019, to the following:

MIKE MEIEROTTO, MANAGING MEMBER
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Vicki Jacobsen