

# GALLAGHER MALLOY & GEORGES

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
SUITE 1100  
1760 MARKET STREET  
PHILADELPHIA, PA 19103-4104

Web: <http://www.gallagher-law.com>  
PHONE: 215-963-1555  
FAX: 215-963-9104

JOHN J. GALLAGHER  
MARTIN G. MALLOY  
GEORGE WM. GEORGES  
JAMES HICKEY  
CRAIG THORLEY\*\*\*

JOAN D. GALLAGHER\*  
DAVID P. TEMPLE\*  
JOSEPH P. TURCHI\*  
DANA MAUGERI\*  
\*ALSO MEMBER NJ BAR  
\*\*\*MEMBER OF DE, DC, UT BAR

May 22, 2014

Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
Ms. Rosemary Chiavetta, Secretary  
P.O. Box 3265  
Harrisburg, PA 17120

**RECEIVED**

MAY 22 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**RE: Application of Danach LLC**

**Docket: ~~A-2013-239804~~**

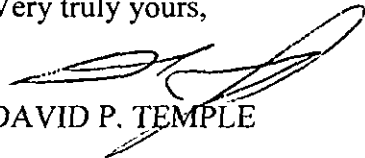
*A-2013-2391804*

Dear Secretary:

Enclosed for filing is the Applicant Danach LLC Objections to the First Set of Interrogatories propounded upon Danach LLC by the Joint Protestants Black Tie Limousine Inc, Executive Transportation Company t/a Luxury Sedan and Five Star Limousine Inc. The certificate of service is also enclosed.

Thank you for your attention and consideration to this matter.

Very truly yours,

  
DAVID P. TEMPLE

cc: Michael S. Henry, Esquire

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

MAY 22 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

IN RE: APPLICATION OF DANACH LLC

A-2013-2391804  
~~A-2013-239804~~

APPLICANT DANACH LLC'S OBJECTIONS TO FIRST SET OF INTERROGATORIES PROPOUNDED BY PROTESTANTS BLACK TIE LIMOUSINE INC, EXECUTIVE TRANSPORTATION COMPANY t/a LUXURY SEDAN AND FIVE STAR LIMOUSINE INC

Pursuant to the provisions of Section 333(d) of Title 66 of the Pennsylvania Public Utility Code 66 C.S.A. §333(d) and 52 Pa. Code §5.342 (a) and (c) Applicant by their attorney, submit the following Objections to First Set of Interrogatories Propounded by Protestants Black Tie Limousine Inc, Executive Transportation Company t/a Luxury Sedan and Five Star Limousine Inc

GENERAL OBJECTIONS

1. Applicant objects to discovery requests to the extent that Protestants seek to impose upon Applicant duties and obligations beyond those set forth in the Pennsylvania Rules of Civil Procedure and the Pennsylvania Code
2. Applicant objects to the instructions and questions to the extent they request information that is publicly available or otherwise available to Applicant
3. Applicant objects to producing any information in response to these discovery requests that is protected by attorney-client privilege, the work product doctrine, or other applicable protection, restriction, or immunity from discovery.
4. Applicant objects to the instructions and the questions as being overbroad and seeking voluminous information and/or documents not relevant to this matter and not likely to lead to discovery of admissible evidence

**Danach 4(a)-(e)-** Do you currently possess any interest, financial or otherwise, and/or been involved in the operations of any other entity, wherever located, which transported passengers for compensation

- (a) Name and address of entity
- (b) Principal business of the entity
- (c) Description of the service territory of entity
- (d) Name of each individual who possesses the interest or involvement in the entity, as well as the nature and extent of the interest and the duties of that individual
- (e) All orders, certificates, or other evidence of approval from any governmental agency

**OBJECTION:** Applicant objects to his interrogatory because it would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the extent by the reason of the foregoing limitation. This interrogatory is also irrelevant and shall not lead to admissible evidence. Furthermore absent a mutually agreeable protective order Danach objects to the interrogatory #4(a)-(e) on the ground that such information is proprietary and confidential

**Danach 10-**Does/do owner(s), officer(s) and or director(s) of Applicant have any affiliation with any motor carrier(s) authorized to operate by the Pennsylvania Public Utility Commission, the Federal Motor Carrier Safety Administration or any other state or federal regulatory commission or governmental agency? If so identify the entity, describe the affiliation and provide copies of any motor carrier or broker authority held by such entity

**OBJECTION:** Applicant objects to his interrogatory because it would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the extent by the reason of the foregoing limitation. This interrogatory is also irrelevant and shall not lead to admissible evidence. Furthermore absent a mutually agreeable protective order Danach objects to the interrogatory #10 on the ground that such information is proprietary and confidential

**Danach 11**-Provide copies of agreements, contracts and leases and/or licensing agreements Applicant has or has had with any other transportation provider or supplier

**OBJECTION:** Applicant objects to his interrogatory because it would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the extent by the reason of the foregoing limitation. This interrogatory is also irrelevant and shall not lead to admissible evidence. Furthermore absent a mutually agreeable protective order Danach objects to the interrogatory #11 on the ground that such information is proprietary and confidential

**Danach 12-** Identify by name and address the accountant of Applicant and any other persons responsible for auditing and/or maintaining the financial records of Applicant.

**OBJECTION:** Applicant objects to his interrogatory because it would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the extent by the reason of the foregoing limitation. This interrogatory is also irrelevant and shall not lead to admissible evidence.

**Danach 26-** Identify each employee employed by the Applicant as of the time of your response hereto, including his or her job title (i.e. driver, maintenance, dispatch, etc)

**OBJECTION: Applicant objects to his interrogatory because it would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the extent by the reason of the foregoing limitation. This interrogatory is also irrelevant and shall not lead to admissible evidence. Furthermore absent a mutually agreeable protective order Danach objects to the interrogatory #26 on the ground that such information is proprietary and confidential**

**Danach 27-** Identify the independent contractors or other non employees who perform services for the Applicant, the nature of their job(s) and how often on average each works for you

**OBJECTION:** Applicant objects to his interrogatory because it would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the extent by the reason of the foregoing limitation. This interrogatory is also irrelevant and shall not lead to admissible evidence. Furthermore absent a mutually agreeable protective order Danach objects to the interrogatory #27 on the ground that such information is proprietary and confidential

**Danach 28(a),(c), (d), (f), (g), (h) Furnish Joint Protestants with**

- (a) your latest balance sheet and profit and loss statement
- (c) any other papers filed by you with the Public Utility Commission
- (d) a rate schedule or description of money charges you intend to impose for the transportation services you intend to perform or facilitate
- (e) any and all documents that set forth safety procedures to be used by the Applicant
- (f) description of existing or proposed maintenance policies
- (g) description of any subsidy by a government agency (federal, state or local) which you expect to receive for your transportation and the amount of such existing or expected subsidy
- (h) bylaws

**OBJECTION: Applicant objects to his interrogatory because it would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the extent by the reason of the foregoing limitation. This interrogatory is also irrelevant and shall not lead to admissible evidence. Furthermore absent a mutually agreeable protective order Danach objects to the interrogatory #28(a), (c), (d), (e), (f), (g), and (h) on the ground that such information is proprietary and confidential**

**Danach 29**-Furnish copies of all advertising published, distributed, circulated or performed by Applicant including but not limited to , brochures, yellow pages, newspapers, flyers, web pages, email and direct mail

**OBJECTION**: Applicant objects to his interrogatory because it would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the extent by the reason of the foregoing limitation. This interrogatory is also irrelevant and shall not lead to admissible evidence.

GALLAGHER, MALLOY & GEORGES, PC

A handwritten signature in black ink, appearing to read 'D. Temple', written over a horizontal line.

David P. Temple, Esquire  
Attorney for Applicant  
Danach, LLC

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Objections of Applicant Danach LLC to the First Set of Interrogatories Propounded by Joint Protestants Black Tie Limousine Inc, Executive Transportation Company t/a Luxury Sedan and Five Star Limousine Inc foregoing document upon the participants, listed below, in accordance with the requirements of §1.54 (relating to service by a participant).

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street,  
Harrisburg, PA 17120

Michael S. Henry, Esquire  
2336 South Broad Street  
Philadelphia, PA 19145

**RECEIVED**

MAY 22 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

  
\_\_\_\_\_  
DAVID P. TEMPLE, ESQUIRE

May 22, 2014

**FedEx** *NEW Package*  
Express **US Airbill**

FedEx  
Tracking  
Number

8059 3335 5288

Form  
ID No

0200

Recipient's Copy

**1 From**

Date

5/22/14

Sender's  
Name

David Temple Esq

Phone

421-4391

Company

Gallagher Malloy + George

Address

1760 Market St Ste 1100

Dept./Floor/Suite/Room

City

Phila

State

PA

ZIP

19103

**2 Your Internal Billing Reference**

**3 To**

Recipient's  
Name

Rosemary Chiavetta, Sec

Phone

717-772-7777

Company

Pennsylvania Public Utility Commission

Address

400 North St

We cannot deliver to P.O. boxes or P.D. ZIP codes

Dept./Floor/Suite/Room

Address

HT

Use this line for the HOLD location address or for continuation of your shipping address.

City

Harrisburg

State

PA

ZIP

17120

**4 Express Package Service**

\* To most locations.

NOTE: Service order has changed. Please select carefully.

Packages up to 150 lbs.  
For packages over 150 lbs., use the new  
FedEx Express Freight US Airbill™

**Next Business Day**

FedEx First Overnight  
Earliest next business morning delivery to select  
locations. Friday shipments will be delivered on  
Monday unless SATURDAY Delivery is selected.

FedEx Priority Overnight  
Next business morning. \* Friday shipments will be  
delivered on Monday unless SATURDAY Delivery  
is selected.

FedEx Standard Overnight  
Next business afternoon.\*  
Saturday Delivery NOT available.

**2 or 3 Business Days**

FedEx 2Day A.M.  
Second business morning.\*  
Saturday Delivery NOT available.

FedEx 2Day  
Second business afternoon.\* Thursday shipments  
will be delivered on Monday unless SATURDAY  
Delivery is selected.

FedEx Express Saver  
Third business day.\*  
Saturday Delivery NOT available.

**5 Packaging**

\* Declared value limit \$500.

FedEx Envelope\*

FedEx Pak\*

FedEx  
Box

FedEx  
Tube

Other

**6 Special Handling and Delivery Signature Options**

SATURDAY Delivery  
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

No Signature Required  
Package may be left without  
obtaining a signature for delivery.

Direct Signature  
Someone at recipient's address  
may sign for delivery. Fee applies.

Indirect Signature  
If no one is available at recipient's  
address, someone at a neighboring  
address may sign for delivery. For  
residential deliveries only. Fee applies.

**Does this shipment contain dangerous goods?**

One box must be checked.

No

Yes  
As per attached  
Shipper's Declaration.

Yes  
Shipper's Declaration  
not required.

Dry Ice  
Dry Ice, 3, UN 1845

kg

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging  
or placed in a FedEx Express Drop Box.

Cargo Aircraft Only

**7 Payment Bill to:**

Enter FedEx Acct. No. or Credit Card No. below.

Obtain recip.  
Acct. No.

Sender  
Acct. No. in Section  
1 will be billed.

Recipient

Third Party

Credit Card

Cash/Check

Total Packages

Total Weight

lbs.

Credit Card Auth.



8059 3335 5288

644

fedex.com 1.800.GoFedEx 1.800.463.3339

fedex.com 1.800.GoFedEx 1.800.463.3339