

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SCOTT LUELLEN,

Complainant

v.

Complaint Docket No. c-2016-2539599

MAROADI TRANSFER & STORAGE, INC.,

Respondent

**COMPLAINANT'S ANSWERS & RESPONSE TO  
RESPONDENT MAROADI'S MOTION FOR SUMMARY JUDGMENT**

Complainant, SCOTT LUELLEN (hereinafter "Luellen"), hereby submits the following response to Respondent's Motion for Summary Judgment as follows:

1. Denied as stated; by way of further response, the pleading records speaks for itself.
2. Admitted.
3. Denied as stated; the Court's order speaks for itself and Respondent's counsel knowingly and willfully misrepresents the record to minimize the fact that it's preliminary objections were largely denied.
4. Denied as stated; the pleading record speaks for itself and Respondent's counsel knowingly and willfully misrepresents the record to avoid listing, and thereby admitted, it repeatedly procedurally defaulted on discovery motions that under Pennsylvania law, settled the issue of jurisdiction it is trying to re-litigate in its motion for summary judgment.

5. Denied as stated. By way of further response, the Court's order speaks for itself but did not conclude *de novo*, as Respondent's counsel misrepresents, that this matter related to an interstate move.

6. Denied; the transcript clearly states that while Luellen eventually moved to another state, it was many days after the incident, which occurred by a regulated company while packing and loading a vehicle exclusively within the Commonwealth of Pennsylvania. As further response, Complainant notes Respondent's counsel is misrepresenting the record as an officer of the Court in violation of the rules of conduct for members of the Pennsylvania Bar Association. By way of further response, Respondent's counsel also knowingly and willfully lies by omission by excluding the fact that no sworn evidence was put before this Commission at the telephone hearing because no witnesses were sworn.

7. Denied; the transcript speaks for itself; Respondent's counsel mischaracterizes it knowingly and willfully.

8. Respondent's allegation is a conclusion of law; the statute speaks for itself.

9. Respondent's allegation is a conclusion of law; the statute speaks for itself.

10. Respondent's allegation is a conclusion of law; the statute speaks for itself.

11. Denied; by way of further response, Complainant has repeatedly noted, plead, and argued that Respondent's counsel is attempting to dishonestly blur the facts to avoid its client being accountable for ignoring statutes; the incident in question was not during an interstate move and the fact that Luellen moved many days later is irrelevant. Maroadi is a regulated entity that did not follow the laws, or even make an attempt to act in a pro-social and responsible way, and continues that irresponsibility by litigating this case.

12. Respondent's allegation is a conclusion of law; the statute speaks for itself.

13. Denied as stated; the documents speak for themselves; by way of further response, facts may only be adjudicated by a jury and are never appropriate when contested as a grounds for pre-trial summary judgment.

14. Denied as stated; the documents speak for themselves.

15. Denied.

16. Denied.

WHEREFORE, Complainant Luellen respectfully requests that this Honorable Court DENY Respondent's Motion for Summary Judgment and GRANT Complainant's Motion for Summary Judgment.

Respectfully submitted,

Scott Luellen  
14 Marlboro Street  
Belmont, MA 02478

**CERTIFICATE OF SERVICE**

I, Scott Luellen, certify that a true and complete copy of the foregoing pleading was filed and served via e-filing with additional copy sent by e-mail to the following:

ALEX K. YODER, ESQUIRE  
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TEL .717.651.3515  
REPRESENTING MAROADI TRANSFER & STORAGE INC.

ACCEPTS E-SERVICE