**UNITED STATES DEPARTMENT OF TRANSPORTATION**
**OFFICE OF HEARINGS**
**WASHINGTON, DC**

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| **In the Matter of:**<br><br>**Premier Trucking, Ltd.**<br>**and**<br>**Andrew C. Dillow,**<br><br>**Respondents.** | **FMCSA-2008-0249 and FMCSA-2008-0244**<br>**(Eastern Service Center)** |

## MOTION TO CONSOLIDATE

The Field Administrator, through undersigned counsel, moves to consolidate the above-captioned matters and for reasons state as follows:

1. The above-captioned cases have been assigned to Administrative Law Judge Benkin and are tentatively scheduled for hearing on March 17, 2009 and March 19, 2009 in Washington, DC.

2. Respondent Andrew C. Dillow is a driver for Respondent Premier Trucking, Ltd.

3. The above-captioned cases involve similar factual issues, similar regulations and similar legal argument.

4. There are several witnesses common to both of the above-captioned cases.

5. Consolidation of the above-captioned cases will promote judicial economy, facilitate the discovery process, and will be more cost-effective for all parties.

WHEREFORE, the parties respectfully request that the Chief Administrative Law Judge consolidate the above-captioned matters.

Respectfully submitted,

Date: 1/6/09

Anthony G. Lardieri, Attorney
FMCSA Eastern Service Center
802 Cromwell Park Drive Suite N
Glen Burnie, MD 21061
(443) 703-2248

CERTIFICATE OF SERVICE

This is to certify that on the 6th day of January 2009, the undersigned mailed or delivered, as specified, the designated number of copies of the forgoing document to each of the parties listed below.

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|---|---|---|
| U.S. Department of Transportation<br>Docket Operations (M-30)<br>1200 New Jersey Avenue S.E. Rm. W12-140<br>Washington, DC 20590<br>*Docket Clerk* | | Original<br>Filed electronically in FDMS |
| | | |
| The Honorable Isaac D. Benkin<br>Office of Hearings<br>Department of Transportation (M-20)<br>1200 New Jersey Avenue S.E. Rm. E12-358<br>Washington, DC 20590<br>*Administrative Law Judge* | | Original<br>Federal Express |
| | | |
| Joseph A. Neenan, Esq.<br>18083 Robinsonville Road<br>Lewes, DE 19958<br>*Representative for both Respondents* | | One Copy<br>First Class Mail |
| | | |
| Marc Cruise, President<br>Premier Trucking, Ltd.<br>968 Mt. Airy Road<br>Davidsonville, MD 21035<br>*Respondent* | | One Copy<br>First Class Mail |
| | | |
| Andrew C. Dillow<br>5906 Sunset Avenue<br>Baltimore, MD 21207<br>*Respondent* | | One Copy<br>First Class Mail |
| | | |
| Barbara Webb-Edwards<br>10 S Howard St<br>Suite 2710<br>Baltimore, MD 21201<br>*Division Administrator* | | One Copy<br>Electronically sent via email |
| | | |
| FMCSA Docket Clerk<br>FMCSA - Eastern Service Center<br>802 Cromwell Park Drive Suite N<br>Glen Burnie MD 21061 | | One Copy<br>Hand Delivered |

Cynthia P. Campise

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