



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

P.O. Box 44000 • Olympia, Washington 98504-4000

March 20, 2025

Via E-mail and U.S. Mail

Kaitlin Loomis, AAG
Heather Leibowitz, AAG
Office of the Attorney General
800 5th Ave, Ste 2000
Seattle, WA 98104
kaitlin.loomis@atg.wa.gov
heather.leibowitz@atg.wa.gov
lniseaeservice@atg.wa.gov
melanie.ruha@atg.wa.gov
eileen.west@atg.wa.gov

Tatiana Golik
3921 152nd Pl SE
Bothell, WA 98012

GFS Holding Group, LLC
GFSI Management Resource, LLC
c/o Donald Lilly
11335 NE 122nd Way, Ste 105
Kirkland, WA 98034
don@globalfiberglass.com

Donald Lilly
18813 1st Ave W
Bothell, WA 98021
don@globalfiberglass.com

**RE: GFS Holding Group, LLC, and Donald Lilly
OAH Docket No. 12-2024-LI-02328
Director No. 2025-008-WPA**

Dear Parties:

Please find the enclosed Director's Order on Remand, which is served on the date of mailing. A copy of the Petition for Administrative Review is enclosed to the order.

Sincerely,

Joel Sacks
Director

Enclosures

cc: Judge Dan Gerard
Haley Bobbitt, Tacoma OAH
Anastasia Sandstrom, AAG

**DIRECTOR OF THE DEPARTMENT OF LABOR & INDUSTRIES
STATE OF WASHINGTON**

In re:

GFS Holding Group, LLC, and Donald
Lilly,

Appellant,

Appeal of Citation and Notice of
Assessment No. W-529-24

OAH Docket No. 12-2024-LI-02328

No. 2025-008-WPA

DIRECTOR'S ORDER ON
REMAND

RCW 49.48.084(4); RCW 34.05

Joel Sacks, Director of the Washington State Department of Labor & Industries, having considered the appeal filed by Donald Lilly and GFS Holding Group, LLC (Appellants), and the Department of Labor and Industries, and having reviewed the record, issues this Director's Order.

The Director makes the following Findings of Fact, Conclusions of Law, and Director's Order on Remand.

I. FINDINGS OF FACT

1. The Office of Administrative Hearings issue an Order Dismissing Appeal – Default on February 18, 2025.
2. The Appellants filed a petition for administrative review on March 6, 2025.

NO. 2025-008-WPA

DIRECTOR'S ORDER ON REMAND

RCW 49.48.084(4); RCW 34.05

3. The Appellants contend they did not receive proper notifications of the prehearing conference, including a link to the conference. The petition for administrative review is attached to this order.

II. CONCLUSIONS OF LAW

1. Having received a timely appeal, the Director has authority to review this matter.
2. This matter is remanded to the Office of Administrative Hearings for a hearing on whether the Appellants showed good cause for missing the prehearing conference.
3. If the Administrative Law Judge findings good cause exists, the case should continue to further proceedings. If the Administrative Law Judge finds no good cause exists, then the Administrative Law Judge should issue an order under RCW 49.48.084(3) resolving the matter.

III. DECISION AND ORDER

Consistent with the above Findings of Fact and Conclusions of Law, this matter is REMANDED.

DATED at Tumwater this 20th day of March, 2025.

Joel Sacks

JOEL SACKS
Director

SERVICE

This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).

APPEAL RIGHTS

Reconsideration. Any party may file a petition for reconsideration. RCW 34.05.470. Any petition for reconsideration must be filed within 10 days of service of this Order and must state the specific grounds on which relief is requested. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that (a) there is material clerical error in the order or (b) there is specific material error of fact or law. A petition for reconsideration, together with any argument in support thereof, should be filed by emailing it to directorappeal@lni.wa.gov or by mailing or delivering it directly to Joel Sacks, Director of the Department of Labor and Industries, P. O. Box 44001 Olympia, Washington 98504-4001, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Director's Office. RCW 34.05.010(6).

NOTE: A petition for reconsideration is **not** required before seeking judicial review. If a petition for reconsideration is filed, however, the 30-day period will begin to run upon the resolution of that petition. A timely filed petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the Director does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. RCW 34.05.470(3).

DECLARATION OF MAILING

I, Lisa Deck, hereby declare under penalty of perjury under the laws of the State of Washington, that the **DIRECTOR'S ORDER** was mailed on the 20th day of March 2025, to the following via regular, postage prepaid:

Kaitlin Loomis, AAG
Heather Leibowitz, AAG
Office of the Attorney General
800 5th Ave, Ste 2000
Seattle, WA 98104
kaitlin.loomis@atg.wa.gov
heather.leibowitz@atg.wa.gov
lniseaeservice@atg.wa.gov
melanie.ruha@atg.wa.gov
eileen.west@atg.wa.gov

GFS Holding Group, LLC
GFS Management Resource, LLC
c/o Donald Lilly
11335 NE 122nd Way, Ste 105
Kirkland, WA 98034
don@globalfiberglass.com

Donald Lilly
18813 1st Ave W
Bothell, WA 98021
don@globalfiberglass.com

Tatiana Golik
3921 152nd Pl SE
Bothell, WA 98012

DATED this 20th day of March, 2025, at Tumwater, Washington.

Lisa Deck

LISA DECK

NO. 2025-008-WPA

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DIRECTOR'S ORDER ON REMAND

RCW 49.48.084(4); RCW 34.05

OFFICE OF THE DIRECTOR
DEPARTMENT OF LABOR & INDUSTRIES
P.O. BOX 44001
OLYMPIA, WA 98504-4001

Valerio, Halcy (ATG)

From: Deck, Lisa L (LNI) <DECL235@LNI.WA.GOV> on behalf of LNI RE Director Appeal <DirectorAppeal@LNI.WA.GOV>
Sent: Thursday, March 6, 2025 4:22 PM
To: ATG MI LNI SEA Director Attorney
Subject: FW: Petition for Review of Initial Order – Request for Proper Notification and Hearing Link
Attachments: RE: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual); Automatic reply: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual); Undeliverable: RE: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)

[EXTERNAL]

From: Don Lilly <don@globalfiberglass.com>
Sent: Thursday, March 6, 2025 3:35 PM
To: LNI RE Director Appeal <DirectorAppeal@LNI.WA.GOV>
Subject: FW: Petition for Review of Initial Order – Request for Proper Notification and Hearing Link

External Email

Dear Sir/Madam,

I am writing to formally dispute the Initial Order dated February 14, 2025. I contend that I did not receive proper notification nor was I provided with the necessary link to participate in the hearing.

Unfortunately, despite assurances from the responsible staff member that a link was sent to me on January 2, 2025, I did not receive such communication. I further attempted to clarify this matter by contacting the individual directly, only to reconfirm that no accessible link had been provided to me.

Following RCW 49.48.084 and RCW 34.05.464, I would like to ask you to review this order. I ask that the Director of Labor and Industries consider this lack of proper notification and opportunity to participate as grounds for reevaluation of the Initial Order.

Thank you for your attention to this matter.

Sincerely,



Don L Lilly | Managing Director
don@globalfiberglass.com
www.globalfiberglass.com

From: Don Lilly

Sent: Thursday, February 27, 2025 4:39 PM

To: tacoma@oah.wa.gov

Cc: kaitlin.loomis@atg.wa.gov; heather.leibowitz@atg.wa.gov

Subject: MOTION TO VACATE DEFAULT JUDGMENT AND REMAND FOR FURTHER REVIEW

BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS

STATE OF WASHINGTON

In the Matter of:

GFS Holding Group, LLC, and Donald Lilly, as an individual,
Appellants/Employers

vs.

Washington State Department of Labor and Industries,
Agency/Respondent

Docket No. 12-2024-LI-02328

MOTION TO VACATE DEFAULT JUDGMENT AND REMAND FOR FURTHER REVIEW

COMES NOW, GFS Holding Group, LLC, and Donald Lilly, as an individual (hereinafter “Appellants”), and respectfully move this Office of Administrative Hearings to vacate the default judgment entered in the above-captioned matter and remand the case for further proceedings.

GROUND FOR RELIEF

1. Failure to Receive Notice of Prehearing Conference

- Appellants did not receive the email containing the actual access code and instructions for the **Prehearing Conference scheduled for February 14, 2025, at 9:00 AM**.
- Without this information, Appellants were unable to access and participate in the prehearing conference, resulting in the issuance of a **default judgment** against them.

2. Due Process Violation

- The failure to receive critical hearing access information **deprived Appellants of their right to due process**, as they were not given a fair opportunity to be heard.
- The U.S. and Washington State Constitutions, along with **RCW 34.05.440**, require that parties be afforded a meaningful opportunity to present their case before being held in default.

3. Timely Attempts to Correct the Issue

- Appellants **immediately took action** upon learning of the issue by:

- Attempting to contact **Tamara Robinson** by phone and email.
- Contacting the designated alternate contact, **Amber Guarnacci**, whose email address was invalid.
- Sending an email **on February 26, 2025**, inquiring about the dismissal and requesting clarification.

4. **No Intentional Non-Participation**

- Appellants had every intention of participating in the prehearing conference and **took steps to follow up** when they realized they had not received proper access information.
- The default judgment was not due to neglect, abandonment, or intentional disregard of the process but rather an **administrative failure in communication**.

RELIEF REQUESTED

For the reasons stated above, **Appellants respectfully request that this Office:**

1. **Vacate the Default Judgment** issued on February 14, 2025.
2. **Remand the matter for further proceedings** to allow Appellants a fair opportunity to participate.
3. **Schedule a new Prehearing Conference** and ensure that Appellants receive proper notice and access instructions in a verifiable manner.

CONCLUSION

The principles of fairness and due process demand that Appellants be given an opportunity to present their case, especially when their failure to appear was due to a **lack of proper notice** rather than willful neglect. Given the significant procedural concerns, Appellants respectfully request that this Motion be **granted in the interests of justice**.

Respectfully submitted,

Dated: February 27, 2025

GFS Holding Group, LLC

Donald Lilly, Appellant

11335 NE 122nd Way Ste.105

Kirkland, WA98034

Email: don@globalfiberglass.com

Phone: 425-83506128



Don L Lilly | Managing Director

don@globalfiberglass.com

M: (425) 835-6128

O: (425) 202-5389

www.globalfiberglass.com



DISCLAIMER : This E-mail letter and the attached related documents are never to be considered a solicitation for any purpose in any form or content. Upon receipt of these documents, the Recipient hereby acknowledges this Disclaimer. If acknowledgment is not accepted, Recipient must return any and all documents in their original receipted condition to Sender. The information contained in this Message is confidential and proprietary to Sender; it is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the authorized agent thereof, you are hereby notified that any disclosure, use, distribution, dissemination or copying in any form of any information contained in this message is strictly prohibited. If you have received this message by mistake or error, please notify us immediately by return email to the sender and delete all copies of the original message.

Valerio, Halcy (ATG)

From: Roberson, Tamara (OAH) <tamara.roberson@oah.wa.gov>
Sent: Tuesday, December 31, 2024 10:55 AM
To: Goss, Amanda J. (ATG); Don Lilly
Cc: Pela, Rory (ATG); Mcmexp@gmail.com; Loomis, Kaitlin (ATG); Ruha, Melanie (ATG)
Subject: RE: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)
Attachments: RE: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)

Good Morning All,

The Prehearing Conference is scheduled for February 14, 2025 at 9:00 a.m.
The notice with access code and instructions for joining the conference will be sent out soon.

Thank you.

Respectfully,
Tamara Roberson
Legal Assistant 2
Regulatory & Education Division
Washington State Office of Administrative Hearings
4301 South Pine Street, Suite 200, Tacoma, WA 98409
P: (253) 331-2845 | E: Tamara.Roberson@oah.wa.gov



From: Goss, Amanda J. (ATG)
Sent: Monday, December 30, 2024 5:46 PM
To: Roberson, Tamara (OAH) ; Don@globalfiberglass.com
Cc: Pela, Rory (ATG) ; Mcmexp@gmail.com; Loomis, Kaitlin (ATG) ; Ruha, Melanie (ATG)
Subject: RE: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)

External Email

Of the times and dates listed below, these will work:

February 7, 2025	9:00am, 10:00am, 1:00pm, 2:00pm, 3:00pm
February 12, 2025	1:00 pm,

February 14, 2025	9:00am, 1:00pm, 2:00pm, 3:00pm
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From: Roberson, Tamara (OAH) <tamara.roberson@oah.wa.gov>
Sent: Friday, December 27, 2024 2:47 PM
To: Goss, Amanda J. (ATG) <amanda.goss@atg.wa.gov>; Don@globalfiberglass.com
Cc: Pela, Rory (ATG) <rory.pela@atg.wa.gov>; Mcmexp@gmail.com
Subject: RE: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)

[EXTERNAL]

Good Afternoon All,

Please see below for a new list of dates/times available on ALJ Mikow's calendar.

February 7, 2025	9:00am, 10:00am, 11:00am, 1:00pm, 2:00pm, 3:00pm
February 12, 2025	9:00am, 10:00am, 11:00am, 1:00pm, 2:00pm, 3:00pm
February 14, 2025	9:00am, 10:00am, 11:00am, 1:00pm, 2:00pm, 3:00pm

OAH gives parties the option to receive documents electronically rather than postal mail. Would you like to opt into e-service and receive documents via secure email?

By opting-in, you will receive Orders and Notices via secure email. You will also be able to file documents via secure email.

You may also opt into our OAH participant portal, where you will be able to view documents online, available after you have registered and have a participant number.

You will not receive notifications of new documents uploaded to the OAH portal, but you can access the portal at any time to see the latest information. Please let me know your preference.

Thank you.

Respectfully,
 Tamara Roberson
 Legal Assistant 2
 Regulatory & Education Division
 Washington State Office of Administrative Hearings
 4301 South Pine Street, Suite 200, Tacoma, WA 98409
 P: (253) 331-2845 | E: Tamara.Roberson@oah.wa.gov



From: Goss, Amanda J. (ATG) <amanda.goss@atg.wa.gov>
Sent: Friday, December 27, 2024 2:36 PM
To: Roberson, Tamara (OAH) <tamara.roberson@oah.wa.gov>; Don@globalfiberglass.com
Cc: Pela, Rory (ATG) <rory.pela@atg.wa.gov>; Mcmexp@gmail.com
Subject: RE: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)

External Email

I apologize but can we ask for dates in February. This case will be reassigned to another AAG but that won't occur until next week. They will need a little time to prepare for the prehearing conference. Thanks for considering.

Amanda J. Goss
Senior Counsel
Office of the Attorney General
Labor and Industries Division
206-464-7723
Amanda.Goss@atg.wa.gov
Pronouns: She/Her

From: Roberson, Tamara (OAH) <tamara.roberson@oah.wa.gov>
Sent: Friday, December 27, 2024 2:33 PM
To: Don@globalfiberglass.com; Goss, Amanda J. (ATG) <amanda.goss@atg.wa.gov>
Cc: Pela, Rory (ATG) <rory.pela@atg.wa.gov>; Mcmexp@gmail.com
Subject: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)

[EXTERNAL]

Good Afternoon,

My name is Tamara Roberson, and I am a Legal Assistant with OAH Tacoma. Our office is in receipt of a request for Administrative Hearing for the above-referenced matter. I am seeking to schedule a Prehearing Conference; below you will find ALJ Mikow's availability. Please let me know as soon as possible which of the following dates and times will work with your schedules for a telephonic Prehearing Conference by **replying all** with your availability.

January 10, 2025	10:00am, 11:00am, 1:00pm, 2:00pm, 3:00pm
January 14, 2025	10:00am, 11:00am, 1:00pm, 2:00pm, 3:00pm
January 16, 2025	9:00am, 10:00am, 11:00am, 2:00pm, 3:00pm

OAH gives parties the option to receive documents electronically rather than postal mail. Would you like to opt into e-service and receive documents via secure email?

By opting-in, you will receive Orders and Notices via secure email. You will also be able to file documents via secure email.

You may also opt into our OAH participant portal, where you will be able to view documents online, available after you have registered and have a participant number.

You will not receive notifications of new documents uploaded to the OAH portal, but you can access the portal at any time to see the latest information. Please let me know your preference.

Thank you.

Respectfully,

Tamara Roberson

Legal Assistant 2

Regulatory & Education Division

Washington State Office of Administrative Hearings

4301 South Pine Street, Suite 200, Tacoma, WA 98409

P: (253) 331-2845 | E: Tamara.Roberson@oah.wa.gov



Valerio, Halcy (ATG)

From: Roberson, Tamara (OAH) <tamara.roberson@oah.wa.gov>
Sent: Friday, February 14, 2025 9:15 AM
To: Don Lilly
Subject: Automatic reply: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)

Hello,

Thank you for your email. I am currently out of office.

If you need immediate assistance during my absence please reach out to Amber.Guarnacci@oah.wa.gov.

Respectfully,

Tamara Roberson

Legal Assistant 2

Regulatory & Education Division

Washington State Office of Administrative Hearings

4301 South Pine Street, Suite 200, Tacoma, WA 98409

P: (253) 331-2845 | E: Tamara.Roberson@oah.wa.gov

Valerio, Halcy (ATG)

From: Microsoft Outlook
<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@globalfiberglass.com>
To: Amber.Guarnacci@oah.wa.gov.
Sent: Friday, February 14, 2025 9:26 AM
Subject: Undeliverable: RE: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)

Delivery has failed to these recipients or groups:

Amber.Guarnacci@oah.wa.gov.

The format of the email address isn't correct. A correct address looks like this:

someone@example.com. Please check the recipient's email address and try to resend the message.

Diagnostic information for administrators:

Generating server: MW2PR1501MB1994.namprd15.prod.outlook.com

Amber.Guarnacci@oah.wa.gov.

Remote server returned '550 5.1.3 STOREDRV.Submit; invalid recipient address'

Original message headers:

Received: from MW2PR1501MB1994.namprd15.prod.outlook.com
([fe80::22d0:d661:e7d7:7cd8]) by MW2PR1501MB1994.namprd15.prod.outlook.com
([fe80::22d0:d661:e7d7:7cd8%4]) with mapi id 15.20.8445.013; Fri, 14 Feb 2025
17:25:51 +0000
Content-Type: application/ms-tnef; name="winmail.dat"
Content-Transfer-Encoding: binary
From: Don Lilly
To: "Amber.Guarnacci@oah.wa.gov."
Subject: RE: Attempt to Schedule a Prehearing Conference for: 12-2024-LI-02328
(GFS Holding Group, LLC, and Donald Lilly, as an individual)
Thread-Topic: Attempt to Schedule a Prehearing Conference for:
12-2024-LI-02328 (GFS Holding Group, LLC, and Donald Lilly, as an individual)
Thread-Index: AdtYr1fCQQfNy7+0TTCYLtluzTyCigAARXawAABAVbAAnUbp0AAj77fQCNOi/MAAAEjicA==
Date: Fri, 14 Feb 2025 17:25:51 +0000
Message-ID:
References:

In-Reply-To:

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
MIME-Version: 1.0
X-MS-PublicTrafficType: Email
X-MS-TrafficTypeDiagnostic: MW2PR1501MB1994:EE__