

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeals of

Hearing Examiner File:
**Nos. HC 18-001 through
HC 18-006**

THE FOUR SEASONS HOTEL SEATTLE,
et al.,

Department Reference:
3029782

from a decision by the Director,
Department of Construction and Inspections
Regarding a Major Public Project Construction
Noise Variance

**SECOND
PREHEARING
ORDER**

The hearing in this matter is scheduled to be held on July 16, 2018, beginning at 9 AM in the Office of Hearing Examiner, Hearing Room 4000, 700 Fifth Avenue, (Seattle Municipal Tower, 40th Floor) Seattle, Washington. In addition to this initial hearing date, July 17th and 18th have been reserved on the hearing calendar for continuation of the hearing.

The Deputy Hearing Examiner (Examiner) is in receipt of the witness and exhibit lists.

1. The order of hearing shall be as specified in Hearing Examiner Rule (HER) 3.15(c):


- (1) Examiner's introductory statement;
- (2) Parties' opening statements (optional) (briefly indicate evidence that will be introduced and presented);
- (3) Department's presentation of evidence (witness testimony, exhibits);
- (4) Appellants' presentation of evidence;
- (5) Applicant's presentation of evidence;
- (6) Rebuttal (if warranted);
- (7) Parties' closing arguments.

2. Parties opening statements and closing arguments shall be in the following order:

- (1) Department;
- (2) Applicant (WSDOT); and
- (3) Appellants:
 - a. HC-18-005;
 - b. HC-18-003;
 - c. HC-18-001;
 - d. HC-18-002;
 - e. HC-18-004;
 - f. HC-18-006.

3. The order of presentation of evidence by Appellants shall be as follows:
 - a. HC-18-005;
 - b. HC-18-003;
 - c. HC-18-001;
 - d. HC-18-002;
 - e. HC-18-004;
 - f. HC-18-006.
4. If an appellant listed no witnesses, only the party representative may testify.
5. To avoid repetitive statements, presentation of evidence, and argument, parties are encouraged to join with others on some or all of issues. Please note that you may only join statements, testimony or argument presented on those issues you included in your appeal notice.
6. Please find attached an excerpt from the 'Public Guide to Appeals and Hearings Before the Hearing Examiner' which may provide further guidance on the conduct of the hearing. The complete document may be found online at
<http://www.seattle.gov/examiner/docs/Public-Guide-Revised-2018.pdf>
7. The parties are reminded that Hearing Examiner Rule (HER) 2.05(a) requires that any electronically filed document more than 10 pages in length, including exhibits, must also be delivered to the Hearing Examiner in hard copy; and HER 2.05(c) prohibits the filing of more than 15 pages with the Office of Hearing Examiner by electronic facsimile.

Entered this 9th day of July, 2018.



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CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies of the attached **Second Prehearing Order** to each person listed below, or on the attached mailing list, in the matter of **Four Seasons Hotel Seattle et al.**, Hearing Examiner Files: **HC-18-001 through HC-18-006** in the manner indicated.

Party	Method of Service
Appellants Four Seasons Hotel Seattle Michael Pedder michael.pedder@fourseasons.com 98 Union Homeowners Association John Gleason johng@secprop.com Kay Smith-Blum kay@butchblum.com Jackie Swarts jackie1.home@yahoo.com Andrew Konstantaras akonsta@me.com Michael Roberts mjsroberts@icloud.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Applicant Legal Counsel Deborah Cade Assistant Attorney General deborahc@atg.wa.gov Danielle Oliver danielleo@atg.wa.gov Melissa Calahan Melissae1@atg.wa.gov E-service Mailbox tpcef@atg.wa.gov	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger

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- ☐ Hand Delivery
- ☐ Legal Messenger

Dated: July 9, 2018
Alayna Johnson
Legal Assistant