

BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeal of:

DOUG WAUN

Denial for a Marijuana Business License issued)
by the Director, Regulatory Compliance &) DEPARTMENT'S WITNESS AND
Consumer Protection Division, Department of) EXHIBIT LIST
Finance and Administrative Services,)
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The Department of Finance and Administrative Services' Regulatory Compliance and Consumer Protection Division of the City of Seattle (collectively "Department") intend to call the following witnesses and offer the following exhibits at the hearing on October 1, 2018. The Department reserves the right to disclose additional witnesses, to call witnesses identified by Appellant, Doug Waun, and to call rebuttal witnesses.

I. WITNESS LIST

1. **Cherie MacLeod**
Strategic Advisor, Marijuana Program Coordinator
City of Seattle, Department of Finance and Administrative Services
701 Fifth Avenue, Suite 4200
Seattle, WA 98124
(206) 684-8402

Ms. MacLeod is a Strategic Advisor and Marijuana Program Coordinator for the City of Seattle. She is familiar with the marijuana business licensing process both at the State and City level.

1 She is familiar with the Notice of Application – Local Authority Notice (LAN) process from the
2 Washington State Liquor and Cannabis Board. Her testimony may include information about the
3 marijuana licensing process generally and testimony about the history of current marijuana businesses
4 in Ballard. She may testify about coordination with Seattle Department of Construction and
5 Inspections in buffering and dispersion issues surrounding marijuana businesses. She is expected to
6 testify about the City’s response to the LAN for Seattle Cannabis Company and the City’s evaluation
7 and eventual denial of Seattle Cannabis’s application for a City of Seattle Marijuana Business.

8 Expected duration of testimony: 45 minutes.

9 **2. Faith Lumsden**

10 Code Compliance Director
11 City of Seattle, Seattle Department of Construction and Inspections
12 701 Fifth Avenue, Suite 2050
13 Seattle, WA 98104
14 (206) 615-0097

15 Ms. Lumsden is the Code Compliance Director for the City of Seattle’s Department of
16 Construction and Inspections. She is familiar with the permitting process and review when an
17 applicant wants to change or establish use under the Seattle Land Use Code for a structure. She is
18 also familiar with the City of Seattle’s dispersion code, SMC 23.42.058. She is expected to testify
19 about her Department’s review of construction permits and issuance of certificates of occupancy
20 generally and specifically related to the addresses of 1713 NW Market Street and 5300 17th Avenue
21 NW in Ballard. She is also expected to testify regarding the interpretation and application by her
22 department of SMC 23.42.058(C).

23 Expected duration of testimony: 30 minutes.

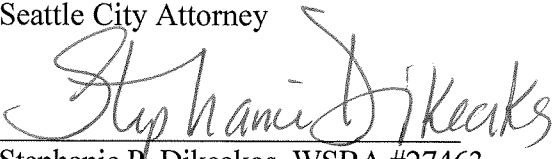
II. EXHIBIT LIST

Exh. No.	Description
1	Map of Ballard area including location of Seattle Cannabis proposed location and Washington OG licenses and Lux license.
2	Notice of Marijuana License Application issued by the Washington Liquor and Cannabis Board on March 2, 2018 to the City of Seattle regarding Seattle Cannabis Company.
3	Letter dated March 19, 2018 by Mary Mitchell, Executive Director of FAS, to Becky Smith of WSLCB objecting to the Seattle Cannabis license in Ballard.
4	Letter dated April 12, 2018 from Nicola Reid of WSLCB to Mary Mitchell of FAS denying the City's objection and proceeding with Seattle Cannabis's state license.
5	April 12, 2018 email sent by Cherie MacLeod of FAS to Appellant in this case, Doug Waun and his attorney Christine Masse.
6	July 20, 2018 Order of the Director issued by FAS denying the application for a Seattle Marijuana Business License to Seattle Cannabis at 1713 NW Market Street in Ballard
7	Pre-Submittal Conference Notes regarding Project 6632618 at 1713 NW Market Street summarizing meeting on January 23, 2018.
8	Seattle Department of Construction and Inspections Screening & Submittal Checklist for Project 6632618 at 1713 NW Market Street
9	Seattle Department of Construction and Inspections Construction Permit No. 6422721 issued by SDCI for the site of Washington OG at 5300 17 th Avenue NW in Ballard. Expiration date of 1/11/2019
10	February 3, 2016 Washington State Liquor and Cannabis Board license approval for Washington OG at 5300 17 th AVE NW #A.
11	February 4, 2016 Washington State Liquor and Cannabis Board license approval for Washington OG at 5300 17 th AVE NW #B.
12	Ordinance 124969 signed by Mayor Ed Murray on January 12, 2016. This includes the Legislative Summary and the relevant text of the new ordinance including SMC 23.42.058
13	Notice of Proposed Adoption of Director's Rule 21-2018 and attached Director's Rule.

1 DATED this 21st day of September, 2018.

2 PETER S. HOLMES
3 Seattle City Attorney

4 By:


5 Stephanie P. Dikeakos, WSBA #27463
6 Assistant City Attorney
7 Seattle City Attorney's Office
8 701 Fifth Avenue, Suite 2050
9 Seattle, WA 98104
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13 *Attorney for Regulatory Compliance & Consumer*
14 *Protection Division, Department of Finance and*
15 *Administrative Services*

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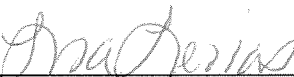
CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury under the laws of the State of Washington, that on this date, I caused to be served a true and correct copy of the foregoing document, Department's Witness and Exhibit List, on the parties listed below and in the manner indicated:

Drew Duggan
Miller Nash Graham & Dunn (x) Email: Drew.Duggan@millernash.com
2801 Alaskan Way, Suite 300
Pier 70
Seattle, WA 98121
Counsel for Appellant

the foregoing being the last known address of the above-named party.

Dated this 24th day of September, 2018, at Seattle, Washington.



LISA LEVIAS