

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

Hearing Examiner File:
MUP-18-022 (W)

DAVID MOEHRING

Department Reference:
3029611-LU

from a decision issued by the Director, Seattle
Department of Construction and Inspections

**PREHEARING
ORDER**

On October 16, 2018, a prehearing conference was held regarding this matter. Represented at the conference were the Appellant, David Moehring ("Appellant"). The Applicant, Julian Weber ("Applicant"), was represented by Brandon Gribbons, attorney-at-law. The City of Seattle ("City"), was represented by Lindsay King, Land Use Planner.

During the prehearing conference the parties discussed a hearing schedule, briefing schedule for pre-hearing motions, and identified a schedule for final witness and exhibit lists and exchange of exhibits. The following matters were discussed and resolved:

1. The Applicant and City may file pre-hearing motions. The Applicant and City shall file with the Office of Hearing Examiner, and serve a copy on the other parties, their motions, no later than 5:00 PM on October 26, 2018.
2. The Appellant shall file and serve its response to the motions, no later than 5:00 PM on November 2, 2018.
3. The Applicant and City shall file and serve their replies, no later than 5:00 PM on November 7, 2018.
4. The cutoff for the completion of all discovery shall be November 27, 2018.
5. The Appellant shall file and serve its final witness list¹ and final exhibit list, no later than 5:00 PM on December 14, 2018. The Appellant shall serve the other parties a copy of each of the exhibits listed on their exhibit list, no later than 5:00 PM on December 14, 2018. (Exhibits are not to be filed with the Office of the Hearing Examiner electronically or in hard copy. Parties are not required to provide copies of an exhibit to another party if the other party is

¹ Witness lists must include the names of witnesses, a brief summary of their expected testimony, and an estimate of the time a witness is expected to provide direct testimony. If a witness will be testifying as an expert, a statement of qualifications must be included with the witness list. Except for purposes of impeachment or rebuttal, only those witnesses and exhibits listed by the parties may be offered at the hearing.

known to possess a copy of the exhibit. Parties must be prepared to provide a copy of any exhibit to be introduced at the hearing in hard-copy form to the Hearing Examiner.)

6. The Applicant and City shall file and serve their final witness lists and final exhibit lists, no later than 5:00 PM on December 21, 2018. The Applicant and City shall serve the other parties a copy of each of the exhibits listed on their respective exhibit lists, no later than 5:00 PM on December 21, 2018.

The hearing in this matter is scheduled to be held on January 7, 2019, beginning at 9:00 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, January 8, 9, and 10 have been reserved on the hearing calendar for continuation of the hearing.

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 23rd day of October, 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 **Prehearing Order and Notice of Hearing** to each person listed below, or on the attached mailing list, in the matter of **David Moehring**, Hearing Examiner File: **MUP-18-022 (W)** in the manner indicated.

Party	Method of Service
Appellant David Moehring dmoehring@consultant.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 Brandon Gribben bgribben@helsell.com Sam Jacobs sjacobs@helsell.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
Department Lindsay King SDCI Lindsay.king@seattle.gov Janet Oslund Janet.Oslund@seattle.gov SCI_LUIB SCI_LUIB@seattle.gov Roberta Baker Roberta.Baker@seattle.gov Shelley Bolser Shelley.Bolser@seattle.gov Stephanie Haines Stephanie.Haines@seattle.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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Dated: October 24, 2018

Alayna Johnson
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