

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

BRUCE STRUTHERS

from a SEPA decision issued by
the Director, Department of
Planning and Development

Hearing Examiner Files:
MUP-12-016 (W)

Department Reference:
3013236

PREHEARING ORDER

A prehearing conference was held in this appeal on July 19, 2012. The Appellant, Bruce Struthers, represented herself. The Applicant, Seattle Public Utilities, and the Director of the Department of Planning and Development (the City), were represented by Jeffrey S. Weber, Assistant City Attorney.

At the prehearing conference, Mr. Struthers clarified the conditions he is seeking to have imposed on the project that was the subject of the Director's decision. The parties discussed discovery and potential prehearing motions. The following case schedule (with the exception of the date for final witness and exhibit lists) was developed and is now ORDERED:

August 1, 2012	The City shall file with the Office of Hearing Examiner and serve on the Appellant preliminary witness and exhibit lists. The witness list shall include the names of witnesses, a brief summary of their expected testimony and, if a witness will be testifying as an expert, a statement of qualifications.
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AND

The City shall file and serve its motion to quash parts of the Appellant's discovery requests.

August 10, 2012	The Appellant shall file with the Office of Hearing Examiner and serve on the City his response to the City's motion to quash.
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August 15, 2012	The City shall file and serve its reply on the motion to quash.
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AND

The City shall file its motion to dismiss part or all of the appeal.

August 20, 2012 The City shall serve its response to those discovery requests from the Appellant that the City is not seeking to quash.

September 20, 2012 The Appellant shall file and serve his response to the City's motion to dismiss.

AND

The City shall serve its response to any remaining discovery requests not quashed by order of the Examiner.

September 28, 2012 The City shall file its reply on the motion to dismiss.

October 17, 2012 The parties shall file and serve their final witness and exhibit lists with the Office of Hearing Examiner and serve them on the other party.¹ Each party shall also serve on the other party a copy of each exhibit included on its exhibit list.


October 22, 2012 Hearing on the merits of the appeal at 9:00 a.m.

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

(Note: If the parties reach agreement on different deadlines for filing witness and exhibit lists or for responding to discovery, the parties' written stipulation on the matter shall supersede the applicable provisions of this order.)

Information about appeal hearings, including the *Hearing Examiner Rules of Practice and Procedure*, and a *Public Guide to Appeals and Hearings Before the Hearing Examiner*, is available on the Hearing Examiner's website, www.seattle.gov/examiner.

Entered this 19th day of July, 2012.


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