

**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Appeal of

**DAVID MOEHRING**

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

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

Department Reference:  
3029611-LU

**SECOND PREHEARING  
ORDER**

On December 7, 2018, a telephonic hearing conference was held regarding a pre-hearing motion filed by the Applicant in this matter. Represented at the conference were the Appellant, David Moehring ("Appellant"). The Applicant, Julian Weber ("Applicant"), was represented by Brandon Gribben, attorney-at-law. The City of Seattle ("City"), was represented by Lindsay King, Land Use Planner.

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

1. The Applicant shall file with the Office of Hearing Examiner, and serve a copy on the other parties, its motion, no later than 5:00 PM on December 7, 2018. (The motion was filed in a timely manner on that date).
2. The Appellant and City shall file and serve their responses to the motion, no later than 5:00 PM on December 17, 2018.
3. The Applicant shall file and serve its reply, no later than 5:00 PM on December 19, 2018.
4. The Appellant shall file and serve its final witness list<sup>1</sup> and final exhibit list, no later than 5:00 PM on January 7, 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 January 7, 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 known to possess a copy of the exhibit. Parties must be prepared to provide a copy of

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<sup>1</sup> 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.

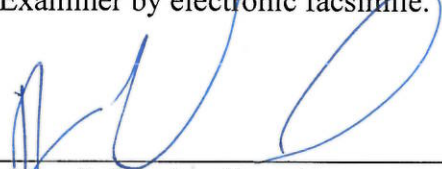
any exhibit to be introduced at the hearing in hard-copy form to the Hearing Examiner.)

5. The Applicant and City shall file and serve their final witness lists and final exhibit lists, no later than 5:00 PM on January 14, 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 January 14, 2018.

The hearing in this matter is scheduled to be held on January 22, 2019, beginning at 9:00 AM in the Office of Hearing Examiner, Hearing Room 4000, 700 Fifth Avenue, (Seattle Municipal Tower, 40<sup>th</sup> Floor) Seattle, Washington. In addition to this initial hearing date, January 23, 24, and 25 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 17 day of December, 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 and Order of Continuance** 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.

<b>Party</b>	<b>Method of Service</b>
<b>Appellant</b> 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
<b>Applicant Legal Counsel</b> 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
<b>Department</b> Lindsay King SDCI lindsay.king@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

Dated: December 17, 2018

  
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Alayna Johnson  
Legal Assistant