

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeals of
**NEIGHBORS TO MIRRA HOMES
DEVELOPMENTS**

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

Hearing Examiner Files:
**MUP 19-019 (P) &
MUP 19-020 (P)**

Department References:
3032834-LU & 3032833-LU

PREHEARING ORDER

On May 29, 2019, a prehearing conference was held regarding these matters. Represented at the conference was Neighbors to Mirra Homes Developments, by David Moehring, party representative (“Appellant”). The project proponents, Brooke Friedlander and Andrew McAndrews, and the property owner, Mirra 111 LLC, were represented by Brandon Gribben, attorney-at-law (“Applicants”). The City of Seattle Department of Construction and Inspections was represented by David Landry, land-use planner (“City”). Also present was Colt Boehme, for the Applicant. Deputy Hearing Examiner Barbara Dykes Ehrlichman (“Examiner”) presided over the prehearing conference.

During the prehearing conference the parties discussed possible mediation, discovery, dispositive motion schedule, a schedule for preliminary and final witness and exhibit lists, and availability for future hearing dates. The following matters were discussed and resolved:

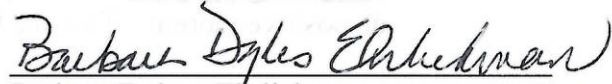
1. Discovery: The parties are engaging in prehearing discovery on their own initiative and will notify the Examiner only if necessary. The Appellant may file motions for subpoenas of certain individuals with the Examiner. Any motion for a subpoena must comply with the requirements of Hearing Examiner Rule of Procedure (“HER”) 3.12.
2. Prehearing Motions: The Applicant indicated it may file a pre-hearing dispositive motion. If so, the following dates are applicable:
 - a. Applicant/City: The motion shall be filed no later than 5 p.m. on June 10, 2019.
 - b. Appellant: The response shall be filed no later than 5 p.m. on June 24, 2019.
 - c. Applicant/City: The reply shall be filed no later than 5 p.m. on June 27, 2019.
3. Witness List Format: Witness lists must include the name of each witness, a brief summary of the witness’ expected testimony, and the approximate

amount of time that will be required for the testimony. If a witness will be testifying as an expert, a statement of the witness' 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.

4. Preliminary Lists: Each party shall file with the Office of Hearing Examiner, and serve a copy on the other parties, a copy of their preliminary witness list, and preliminary exhibit list, no later than 5:00 PM on July 3, 2019.
5. Appellant's Final Lists: The Appellant shall file and serve a copy of his final witness list, and exhibit list, no later than 5:00 PM on July 22, 2019. The Appellant shall serve the Applicant and the City with a copy of each of the exhibits listed on the exhibit list, no later than 5:00 PM on July 22, 2019. (Exhibits are not to be filed with the Office of the Hearing Examiner electronically or in hard copy).
6. Applicant's and City's Final Lists: The Applicant and the City shall file and serve a copy of their final witness lists, and exhibit lists, no later than 5:00 PM on July 29, 2019. The Applicant and the City shall serve the Appellant with a copy of each of the exhibits listed on the exhibit list, no later than 5:00 PM on July 29, 2019. (Exhibits are not to be filed with the Office of the Hearing Examiner electronically or in hard copy).

The hearing on this matter is scheduled to be held on August 12, 2019, beginning at 9 a.m. 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, August 13, 14, and 15 have been reserved on the hearing calendar for continuation of the hearing.

Entered this 29th day of May, 2019


Barbara Dykes Ehrlichman
Deputy Hearing Examiner
Office of Hearing Examiner

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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 **Neighbors to Mirra Homes Developments**, Hearing Examiner Files: **MUP-19-019 (P) & MUP-19-020 (P)** in the manner indicated.

Party	Method of Service
Appellant Representative 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	<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 David Landry SDCI David.landry@seattle.gov William Mills William.mills@seattle.gov Janet Oslund Janet.Oslund@seattle.gov SCI_LUIB SCI_LUIB@seattle.gov Darlene Edwards Darlene.edwards@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

Shelley Bolser
Shelley.Bolser@seattle.gov

Stephanie Haines
Stephanie.Haines@seattle.gov

Andy McKim
Andy.McKim@seattle.gov

William Mills
William.Mills@seattle.gov

Bruce Rips
Bruce.Rips@seattle.gov

Lisa Rutzick
Lisa.Rutzick@seattle.gov

Jerry Suder
Jerry.Suder@seattle.gov

Nathan Torgelson
Nathan.Torgelson@seattle.gov

David Graves
David.graves3@seattle.gov

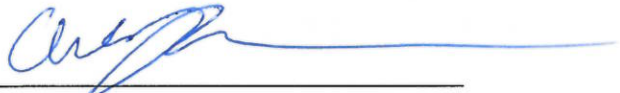
Megan Neuman
Megan.neuman@seattle.gov

Samantha Updegrave
Samantha.updegrave@seattle.gov

David Vn Skike
David.vanskike@seattle.gov

SCI_Routing_Coordinator@seattle.gov

Dated: May 29, 2019



Alayna Johnson
Legal Assistant