

## Certificate of Service

I, David Moehring, certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies, via e-mail, of the attached the Neighbors to Mirra Homes Developments **Appellant's Subpoenas for Appearance Affidavits of Service [to four witnesses]** to every person listed below, in the matter of the **Short Plat Subdivision decisions issued for 3410 to 3424 23<sup>rd</sup> Ave West**, Hearing Examiner File No.s MUP-19-019 and MUP-19-020 and MUP-19-021.

**Department:**

David Landry  
Seattle Department of Construction & Inspections  
Phone: (206) 684-5318  
Email: david.landry@seattle.gov

**Owner Applicant:**

Brooke Friedlander  
Mirra Homes  
11624 SE 5th St Suite 210  
Bellevue, WA 98005  
Email: [brooke.friedlander@mirrahomes.com](mailto:brooke.friedlander@mirrahomes.com)

**Applicant Legal Counsel:**

Brandon Gribben  
Helsell Fetterman LLP  
1001 Fourth Avenue, Ste 4200  
Seattle, WA 98154  
Phone: (206) 292-1144  
Email: bgribben@helsell.com

**Office of the Hearing Examiner:**

City of Seattle  
Seattle, WA 98124  
[hearing.examiner@Seattle.gov](mailto:hearing.examiner@Seattle.gov)

Dated August 3, 2019



David Moehring  
Appellants' representative, Neighbors to Mirra Homes Developments  
3444 23<sup>rd</sup> Ave West  
Seattle WA 98199

BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

In the Matter of the Appeals by ) Hearing Examiner Files:  
 ) MUP-19-019, MUP-19-020, MUP-19-021  
 )  
Neighbors to Mirra Homes Developments )  
from Short Plat Decisions Issued by the ) SUBPEONA for AUGUST 12 APPEARANCE  
the Director of the Seattle Department of ) AFFIDAVIT OF SERVICE  
Construction and Inspections )

**Neighbors to Mirra Homes Developments, Appellant**  
**vs.**  
**Mirra Homes**

I, David Moehring the representative to the Appellant, Neighbors to Mirra Homes Developments, declare as follows:

1. On July 24<sup>th</sup>, I have served the attached subpoena from the Seattle Office of the Hearing Examiner to Katie Luedeman [to be represented by Principal Julian Weber] at the JW Architects LTD address of 1257 S King St, Seattle, Washington.
2. Ms. Luedeman has been responsive and acknowledged the receipt of the subpoena.
3. Ms. Luedeman understands that the Appellant has asked for them to attend only part of one of the days listed on the subpoena.
4. Ms. Luedeman was able to produce a document for the Subject Property at 3410 to 3424 23<sup>rd</sup> Avenue West in Seattle.
5. Ms. Luedeman has arranged for Ms. Julian Webber to be tentatively scheduled to testify on Monday, August 12<sup>th</sup> sometime between 9:30am and 11am. Ms. Weber is expected to be in attendance and should call to confirm the time with David Moehring on that day before 8:30am at mobile 312- 965-0634.
6. This reminder document has been mailed the morning of August 5, 2019.
7. I certify that I am over the age of 21. I certify that under the penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.

Respectfully prepared this 3<sup>rd</sup> day of August 2019,



David Moehring,  
Neighbors to Mirra Homes Developments  
3444B 23rd Avenue West, Seattle, Washington 98199

**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), &  
MUP-19-021 (P)**

Department References:  
3032834-LU  
3032833-LU  
3032857-LU

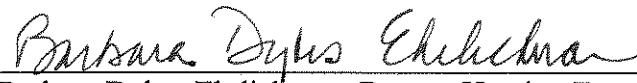
**SUBPOENA**

**TO: KATIE LUEDEMAN  
JW ARCHITECTS LTD  
1257 S KING ST  
SEATTLE, WA 98144**

In the name of the State of Washington, City of Seattle, pursuant to Seattle Municipal Code Section 3.02.120, you are **REQUIRED TO APPEAR AND GIVE EVIDENCE** in the above-entitled case on **AUGUST 12, 13, 14, 15, AND 16, 2019, AT 9:00 AM**, at the Office of Hearing Examiner, Seattle Municipal Tower, 700 5<sup>th</sup> Avenue, Suite 4000, and to remain in attendance until excused, and to appear at a deposition scheduled for a date and time mutually convenient to the parties.

Additionally, in the name of the State of Washington, City of Seattle, pursuant to Seattle Municipal Code Section 3.02.120, **IT IS ORDERED** that you make available to David Moehring the following documents: "digital copy of all alternative layouts considered for the maximum retention of existing trees and compliance with vehicular and pedestrian access requirements," no later than 7 days from the date of service of this subpoena.

Entered this 15<sup>th</sup> day of July, 2019.

  
\_\_\_\_\_  
Barbara Dykes Ehrlichman, Deputy Hearing Examiner  
Office of Hearing Examiner  
P.O. Box 94729  
Seattle, Washington 98124-4729  
Phone: (206) 684-0521  
Fax: (206) 684-0536



**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Appeals of

**NEIGHBORS TO MIRRA HOMES  
DEVELOPMENTS**

Hearing Examiner Files:  
**MUP-19-019 (P),  
MUP-19-020 (P), &  
MUP-19-021 (P)**

Department References:  
3032834-LU  
3032833-LU  
3032857-LU

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


**SUBPOENA**

**TO: HAROLD SCOGGINS  
SEATTLE FIRE DEPARTMENT  
220 3<sup>RD</sup> AVE S, FLOOR 2  
SEATTLE, WA 98104**

In the name of the State of Washington, City of Seattle, pursuant to Seattle Municipal Code Section 3.02.120, you are **REQUIRED TO APPEAR AND GIVE EVIDENCE** in the above-entitled case on **AUGUST 12, 13, 14, 15, AND 16, 2019, AT 9:00 AM**, at the Office of Hearing Examiner, Seattle Municipal Tower, 700 5<sup>th</sup> Avenue, Suite 4000, and to remain in attendance until excused, and to appear at a deposition scheduled for a date and time mutually convenient to the parties.

Additionally, in the name of the State of Washington, City of Seattle, pursuant to Seattle Municipal Code Section 3.02.120, **IT IS ORDERED** that you make available to David Moehring the following documents: "digital copy of all documents that the Fire Department had in their possession at the time the review was completed in late 2018, or any supporting documents that the Department may have shared subsequent to the Director rendering a decision on the Short Plat," no later than 7 days from the date of service of this subpoena.

Entered this 15<sup>th</sup> day of July, 2019.

  
Barbara Dykes Ehrlichman, Deputy Hearing Examiner  
Office of Hearing Examiner  
P.O. Box 94729  
Seattle, Washington 98124-4729  
Phone: (206) 684-0521  
Fax: (206) 684-0536

BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

In the Matter of the Appeals by	)	Hearing Examiner Files:
	)	<b>MUP-19-019, MUP-19-020, MUP-19-021</b>
	)	
Neighbors to Mirra Homes Developments	)	
from Short Plat Decisions Issued by the	)	<b>SUBPEONA for AUGUST 13 APPEARANCE</b>
the Director of the Seattle Department of	)	<b>AFFIDAVIT OF SERVICE</b>
Construction and Inspections	)	

**Neighbors to Mirra Homes Developments, Appellant  
vs.  
Mirra Homes**

I, David Moehring the representative to the Appellant, Neighbors to Mirra Homes Developments, declare as follows:

1. On July 24<sup>th</sup>, I have served the attached subpoena from the Seattle Office of the Hearing Examiner to the colleagues of H. Michael Xue at PanGEO location of 3213 Eastlake Avenue East, Seattle.
2. Mr. Xue has been responsive to the delivery of the subpoena.
3. Mr. Xue will be asked to attend only part of one of the days listed on the subpoena.
4. Mr. Xue was not asked to produce any new documents for the Subject Property at 3410 to 3424 23<sup>rd</sup> Avenue West in Seattle.
5. Mr. Xue is tentatively scheduled to testify on Tuesday, August 13<sup>th</sup> sometime between 9:30am and 11am. He is expected to be in attendance and should call to confirm the time with David Moehring the preceding day before 2:30pm at mobile 312-965-0634.
6. This reminder document has been mailed the morning of August 5, 2019.
7. I certify that I am over the age of 21. I certify that under the penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.

Respectfully prepared this 3<sup>rd</sup> day of August 2019,

Cum Moe

David Moehring,  
Neighbors to Mirra Homes Developments  
3444B 23rd Avenue West, Seattle, Washington 98199

**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), &  
MUP-19-021 (P)**

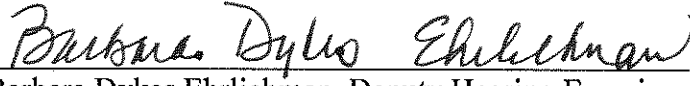
Department References:  
3032834-LU  
3032833-LU  
3032857-LU

**SUBPOENA**

**TO: H. MICHAEL XUE  
PANGEO  
3213 EASTLAKE AVE E, STE B  
SEATTLE, WA 98102**

In the name of the State of Washington, City of Seattle, pursuant to Seattle Municipal Code Section 3.02.120, you are **REQUIRED TO APPEAR AND GIVE EVIDENCE** in the above-entitled case on **AUGUST 12, 13, 14, 15, AND 16, 2019, AT 9:00 AM**, at the Office of Hearing Examiner, Seattle Municipal Tower, 700 5<sup>th</sup> Avenue, Suite 4000, and to remain in attendance until excused, and to appear at a deposition scheduled for a date and time mutually convenient to the parties.

Entered this 15<sup>th</sup> day of July, 2019.

  
Barbara Dykes Ehrlichman, Deputy Hearing Examiner  
Office of Hearing Examiner  
P.O. Box 94729  
Seattle, Washington 98124-4729  
Phone: (206) 684-0521  
Fax: (206) 684-0536

BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

In the Matter of the Appeals by ) Hearing Examiner Files:  
) MUP-19-019, MUP-19-020, MUP-19-021  
)  
Neighbors to Mirra Homes Developments )  
from Short Plat Decisions Issued by the ) SUBPEONA for AUGUST 13 APPEARANCE  
the Director of the Seattle Department of ) AFFIDAVIT OF SERVICE  
Construction and Inspections )

**Neighbors to Mirra Homes Developments, Appellant**  
**vs.**  
**Mirra Homes**

I, David Moehring the representative to the Appellant, Neighbors to Mirra Homes Developments, declare as follows:

1. On July 17<sup>th</sup>, I have served the attached subpoena from the Seattle Office of the Hearing Examiner to Tony Shoffner at his revised business address of 6741 NE 182<sup>nd</sup> Street, Unit C401, in Kenmore, Washington.
2. Mr. Shoffner has been responsive and acknowledged the receipt of the subpoena.
3. Mr. Schoffner understands he will be asked to attend only part of one of the days listed on the subpoena.
4. Mr. Schoffner was able to produce some documents for the Subject Property at 3410 to 3424 23<sup>rd</sup> Avenue West in Seattle, but was not in possession of the documents requested with the subpoena.
5. Mr. Schoffner is tentatively scheduled to testify on Tuesday, August 13<sup>th</sup> sometime between 2pm and 5pm. He is expected to be in attendance and should call to confirm the time with David Moehring on that day before 8:45am at mobile 312-965-0634.
6. This reminder document has been mailed the morning of August 5, 2019.
7. I certify that I am over the age of 21. I certify that under the penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.

Respectfully prepared this 3<sup>rd</sup> day of August 2019,



David Moehring,  
Neighbors to Mirra Homes Developments  
3444B 23rd Avenue West, Seattle, Washington 98199



**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Appeals of

**NEIGHBORS TO MIRRA HOMES  
DEVELOPMENTS**

Hearing Examiner Files:  
MUP-19-019 (P),  
MUP-19-020 (P), &  
MUP-19-021 (P)

Department References:  
3032834-LU  
3032833-LU  
3032857-LU

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

**SUBPOENA**

**TO: TONY SHOFFNER**

**21529 4<sup>th</sup> AVE W #C11  
BOTHELL, WA 98021**

*6741 NE 182<sup>nd</sup> St Unit C401  
Kenmore WA 98028*

In the name of the State of Washington, City of Seattle, pursuant to Seattle Municipal Code Section 3.02.120, you are **REQUIRED TO APPEAR AND GIVE EVIDENCE** in the above-entitled case on **AUGUST 12, 13, 14, 15, AND 16, 2019, AT 9:00 AM**, at the Office of Hearing Examiner, Seattle Municipal Tower, 700 5<sup>th</sup> Avenue, Suite 4000, and to remain in attendance until excused, and to appear at a deposition scheduled for a date and time mutually convenient to the parties.

Additionally, in the name of the State of Washington, City of Seattle, pursuant to Seattle Municipal Code Section 3.02.120, IT IS ORDERED that you make available to David Mochring the following documents: "a digital copy of all photographs and field notes used for the creation of the arborist report, as well as a copy of the signed agreement of services between Mr. Shoffner and the entity engaging his services," no later than 7 days from the date of service of this subpoena.

Entered this 15<sup>th</sup> day of July, 2019.

*Barbara Dykes Ehlichman*  
Barbara Dykes Ehlichman, Deputy Hearing Examiner  
Office of Hearing Examiner  
P.O. Box 94729  
Seattle, Washington 98124-4729  
Phone: (206) 684-0521  
Fax: (206) 684-0536



**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Appeals of

Hearing Examiner Files:  
**MUP-19-019 (P),  
MUP-19-020 (P), &  
MUP-19-021 (P)**

**NEIGHBORS TO MIRRA HOMES  
DEVELOPMENTS**

Department References:  
3032834-LU  
3032833-LU  
3032857-LU

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

**SUBPOENA**

**TO: HIRO IKEDA  
SDCI  
700 5<sup>TH</sup> AVE, FLOOR 19  
SEATTLE, WA 98104**

In the name of the State of Washington, City of Seattle, pursuant to Seattle Municipal Code Section 3.02.120, **IT IS ORDERED** that you make available to David Moehring the following documents: "copies of previously-issued recommendations by the Department (since 2006) regarding engineering conditions applied to Short Plat Subdivisions," no later than 7 days from the date of service of this subpoena.

Entered this 15<sup>th</sup> day of July, 2019.

  
Barbara Dykes Ehrlichman, Deputy Hearing Examiner  
Office of Hearing Examiner  
P.O. Box 94729  
Seattle, Washington 98124-4729  
Phone: (206) 684-0521  
Fax: (206) 684-0536

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BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

JUL 16 2019

RECEIVED

In the Matter of the Appeals of

Hearing Examiner Files:  
MUP-19-019 (P),  
MUP-19-020 (P), &  
MUP-19-021 (P)NEIGHBORS TO MIRRA HOMES  
DEVELOPMENTSDepartment References:  
3032834-LU  
3032833-LU  
3032857-LUfrom decisions issued by the Director,  
Seattle Department of Construction  
and Inspections.

SUBPOENA

TO: NATHAN TORGELSON  
SDCI  
700 5<sup>TH</sup> AVE, FLOOR 19  
SEATTLE, WA 98104

In the name of the State of Washington, City of Seattle, pursuant to Seattle Municipal Code Section 3.02.120, IT IS ORDERED that you make available to David Mochring the following documents: "digital copies of all interpretations previously issued (since 2006) by the Department regarding departures, exceptions or variances from the Short Plot Subdivision requirements of Chapters 23.09, 23.24, 23.53, and 23.84," no later than 7 days from the date of service of this subpoena.

Entered this 15<sup>th</sup> day of July, 2019.

*Barbara Dykes Ehrlichman*  
Barbara Dykes Ehrlichman, Deputy Hearing Examiner  
Office of Hearing Examiner  
P.O. Box 94729  
Seattle, Washington 98124-4729  
Phone: (206) 684-0521  
Fax: (206) 684-0536