

THE HEARING EXAMINER OF THE CITY OF SEATTLE

MAGNOLIA COMMUNITY COUNCIL,	)	
MIKE APPEL, M. JEANNE COULSON,	)	
EDWARD R. COULSON, DEBBIE	)	Hearing Examiner File: MUP 21-016
MULLINS, JONATHAN E. MULLINS, and	)	and MUP 21-017
JANIS TRAVEN,	)	
	)	Department Reference: 3028072-LU
Petitioners,	)	
	)	DECLARATION OF EDWARD R.
v.	)	COULSON IN SUPPORT OF
	)	MOTION FOR CONTINUANCE
CITY OF SEATTLE,	)	
	)	
Respondent.	)	
	)	

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Edward R. Coulson declares:

1. I have personal knowledge of the following facts and could competently testify thereto if called as a witness.
2. I am an appellant in this case and am serving as the authorized representative for Magnolia Community Council (MCC) and the other individual appellants who joined in this appeal. I am also a mostly retired business and construction law attorney, but am not representing MCC and the other appellants in this appeal.
3. After reviewing the Examiner's July 19 Order, on July 20 I revised MCC's eight subpoenas duces tecum and sent them to Oceanstar's attorneys, with a request to write or call to coordinate issuing revised subpoenas. On July 22, one of Oceanstar's attorneys, Courtney

Kaylor responded, stating she would review them with her client and get back to me as soon as possible. A copy of this email exchange is attached as Exhibit 1.

4. On July 22, Ms. Kaylor also sent me an email repeating prior objections to depositions of Messrs. Drivdahl and Brown, Project architects, for whom she demanded payment of fees as expert witnesses for their depositions. She also objected to depositions of Messrs. Desautel and Kuhr, governors of Oceanstar, which she claims are not warranted. On July 23, I responded to these objections and demands, and attached a revised subpoena duces tecum to the Project architects (GHD) for the production of any agreements to provide architectural services or expert witness services in relation to the Project. A copy of this entire email exchange, beginning on July 10, 2021, is attached as Exhibit 2. A copy of the revised GHD subpoena duces tecum is attached as Exhibit 3.

5. Once MCC has received and reviewed documents responsive to the subpoenas duces tecum, MCC will be able to determine who it would like to depose and be more specific about the scope of those depositions. Based on the parties' prior attempts to schedule two depositions, I estimate it will take approximately 30 days to review responsive documents and schedule depositions. Once any planned depositions are completed, I estimate it will take approximately 30 days to obtain and review deposition transcripts and otherwise prepare for the appeal hearing.

6. On July 27, one week after sending revised subpoenas to Ms. Kaylor, I received an email from her outlining possible acceptable revisions to the subpoenas duces tecum and informing me that she was currently evaluating the length of time to respond to the subpoenas. I briefly responded and anticipate scheduling a conference call to discuss the revisions. A copy of this email exchange is attached as Exhibit 4.

I declare under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

SIGNED this 28th day of July, 2021, at Seattle, Washington.

/s/  
Edward R. Coulson



Jeanne Coulson <mjeannecoulson@gmail.com>

## FW: Revised subpoenas

1 message

Ted Coulson <coule@schweetlaw.com>

Fri, Jul 23, 2021 at 10:26 AM

To: Jeanne Coulson <mjeannecoulson@gmail.com>

From: Courtney Kaylor <courtney@mhseattle.com>

Sent: Thursday, July 22, 2021 4:29 PM

To: Ted Coulson <coule@schweetlaw.com>; David Carpman <dcarpman@mhseattle.com>

Cc: Margaret Boyle <margaret@boylemartin.com>; Jeanne Coulson <mjeannecoulson@gmail.com>

Subject: RE: Revised subpoenas

Ted – We are reviewing with our client and will get back to you as soon as possible.

Courtney Kaylor

Partner

McCullough Hill Leary, ps

701 Fifth Avenue, Suite 6600

Seattle, Washington 98104

Cell: 206.790.6164

Tel: 206.812.3388

Direct: 206.812.3379

Fax: 206.812.3389

[courtney@mhseattle.com](mailto:courtney@mhseattle.com)<mailto:courtney@mhseattle.com>

[www.mhseattle.com](http://www.mhseattle.com)<http://www.mhseattle.com/>

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From: Ted Coulson <coule@schweetlaw.com><mailto:coule@schweetlaw.com>>

Sent: Tuesday, July 20, 2021 8:01 PM

To: Courtney Kaylor <courtney@mhseattle.com><mailto:courtney@mhseattle.com>>; David Carpman <dcarpman@mhseattle.com><mailto:dcarpman@mhseattle.com>>

Cc: Margaret Boyle <margaret@boylemartin.com><mailto:margaret@boylemartin.com>>; Jeanne Coulson <mjeannecoulson@gmail.com><mailto:mjeannecoulson@gmail.com>>

Subject: Revised subpoenas

Hi Courtney and David:

Here are revised subpoenas to the people and entities from whom MCC seeks discovery. In accordance with the Hearing Examiner's July 19 order, please review these and write or give me a call to coordinate issuing the revised subpoenas.

Thanks,

Ted Coulson

206-953-2579

 winmail.dat  
20K



**FW: MCC appeal - discovery**

1 message

Ted Coulson &lt;coule@schweetlaw.com&gt;

Tue, Jul 27, 2021 at 5:17 PM

To: Jeanne Coulson &lt;mjeannecoulson@gmail.com&gt;

From: Ted Coulson

Sent: Friday, July 23, 2021 3:15 PM

To: Courtney Kaylor &lt;courtney@mhseattle.com&gt;

Cc: David Carpman &lt;dcarpman@mhseattle.com&gt;; Jacquie Quarre &lt;jquarre@mhseattle.com&gt;; Jeanne Coulson &lt;mjeannecoulson@gmail.com&gt;

Subject: RE: MCC appeal - discovery

Hi Courtney:

Thanks for your email. I set out my responses and requests below in anticipation of our meeting to confer on any discovery issues in the hopes of resolving them without a motion. My comments and requests are in CAPITAL LETTERS below.

From: Courtney Kaylor &lt;courtney@mhseattle.com&lt;mailto:courtney@mhseattle.com&gt;&gt;

Sent: Thursday, July 22, 2021 4:42 PM

To: Ted Coulson &lt;coule@schweetlaw.com&lt;mailto:coule@schweetlaw.com&gt;&gt;

Cc: David Carpman &lt;dcarpman@mhseattle.com&lt;mailto:dcarpman@mhseattle.com&gt;&gt;; Jacquie Quarre &lt;jquarre@mhseattle.com&lt;mailto:jquarre@mhseattle.com&gt;&gt;

Subject: RE: MCC appeal - discovery

Ted - Following up on this:

\* As previously discussed, we will need to agree on a scope for the depositions of Mr. Drivdahl and Mr. Brown that is related to the issues in the appeal. ONCE WE HAVE GHD'S DOCUMENTS RESPONSIVE TO THE SUBPOENA DUCES TECUM, WE CAN HAVE FURTHER DISCUSSIONS ABOUT THE SCOPE OF MESSRS. DRIVDAHL'S AND BROWN'S DEPOSITIONS. I HAVE PROVIDED YOU THE SCOPE AS BEST I CAN WITHOUT THE SUBPOENA DOCUMENTS IN MY RESPONSE TO YOUR JULY 7, 2021 EMAIL AND IN THE REVISED GHD "EXHIBIT A" I FORWARDED TO YOU. We maintain our prior position that depositions of Mr. Desautel and Mr. Kuhr are not warranted. I DISAGREE, AS I ALSO STATED IN MY RESPONSE TO YOUR JULY 7 EMAIL. I WILL AWAIT MESSRS. DESAUTEL'S AND KUHR'S (AND OTHER GOVERNORS') REPSONSES TO THE REVISED SUBPOENAS DUCES TECUM TO DISCUSS THIS ISSUE WITH YOU FURTHER.

\* I do not believe providing the engagement agreement with Mr. Drivdahl and Mr. Brown's firm is necessary. I DISAGREE. It is clear from the publicly available file that Mr. Drivdahl and Mr. Brown are engaged in this matter in their expert capacity. OF COURSE MESSRS. DRIVDAHL AND BROWN WERE ENGAGED IN THEIR EXPERT CAPACITY, BUT THAT DOES NOT ANSWER THE QUESTION OF THEIR ENTITLEMENT TO EXEPRT FEES UNDER CR 26(b)(5). Since hearing examiner appeals are part of the City's permit process, their work was necessarily "in anticipation of" this proceeding. I DISAGREE, BASED ON THE CASE I CITED TO YOU IN MY RESPONSE TO YOUR JULY 7 EMAIL. IN ADDITION, SEE, PETERS V. BALLARD, 58 WN APP 921 (1990) AND BAIRD V. LARSON, 59 WN APP 715, 720 (1990) ("PROFESSIONALS WHO HAVE ACQUIRED OR DEVELOPED FACTS AND OPINIONS NOT IN ANTICIPATION OF LITIGATION BUT FROM INVOLVEMENT AS AN ACTOR IN A TRASACTION, ARE NOT ENTITLED TO EXPERT WITNESS FEES."). OUR DISAGREEMENT CAN BE EASILY SOLVED BY YOUR PROVIDING GHD'S EXPERT ENGAGEMENT AGREEMENT, IF ANY, AND GHD'S AGREEMENT TO PROVIDE PROJECT ARCHITECTURAL SERVICES. If you want to depose them without paying for their time, you will need to bring a motion. IN KEEPING WITH THE HEARING EXAMINER'S ORDER, I HAVE ADDED A REQUEST FOR THESE AGREEMENTS TO THE GHD EXHIBIT "A". PLEASE SEND ME ANY AUTHORITY YOU HAVE FOR YOUR POSITION SO WE MAY DISCUSS IT WHEN WE CONFER PRIOR TO BRINGING ANY FURTHER MOTIONS. I ATTACH A COPY OF THE REVISED GHD

**EXHIBIT 2**

EXHIBIT "A".

\* As to in person depositions, it is unfortunately true that the global pandemic is not over. I have not done an in person hearing, deposition or similar indoor group meeting since Washington's stay at home order was first issued. You can bring a motion if you would like, but I do not believe the Examiner will compel an in person deposition, particularly in light of the fact that the Examiner's operations remain virtual. I am also surprised by your cost concern - I have found virtual practice to be more convenient and less costly for all.

Courtney Kaylor

Partner

McCullough Hill Leary, ps

701 Fifth Avenue, Suite 6600

Seattle, Washington 98104

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From: Ted Coulson <coule@schweetlaw.com<mailto:coule@schweetlaw.com>>

Sent: Saturday, July 17, 2021 3:30 PM

To: Courtney Kaylor <courtney@mhseattle.com<mailto:courtney@mhseattle.com>>

Cc: David Carpman <dcarpman@mhseattle.com<mailto:dcarpman@mhseattle.com>>; Jacquie Quarre <jquarre@mhseattle.com<mailto:jquarre@mhseattle.com>>

Subject: RE: MCC appeal - discovery

Hi Courtney:

Please send me a copy of the expert engagement agreement between your office/client and Eric Drivdahl and Tom Brown.

Thanks,

Ted Coulson

From: Courtney Kaylor <courtney@mhseattle.com<mailto:courtney@mhseattle.com>>

Sent: Saturday, July 10, 2021 8:32 AM

To: Ted Coulson <coule@schweetlaw.com<mailto:coule@schweetlaw.com>>

Cc: David Carpman <dcarpman@mhseattle.com<mailto:dcarpman@mhseattle.com>>; Jacquie Quarre <jquarre@mhseattle.com<mailto:jquarre@mhseattle.com>>

Subject: RE: MCC appeal - discovery

Hello Ted - With regard to Mr. Drivdahl and Mr. Brown, they are my expert witnesses. While the parties have not yet exchanged witness lists, they will appear on my list when it is filed. They were engaged for the permitting process and also any resulting appeals, including this one. I ask that you contact me regarding their depositions and stop contacting them directly. In order to reach agreement regarding their depositions:

\* With regard to scope, I need a more specific description of the topics you plan to cover, since it is evident from our past communications that we have a disagreement about the scope of the "issues in this appeal."

\* They need to be compensated, since they are expert witnesses in this matter and engaged for that purpose. We cannot agree to a deposition unless MCC agrees to pay their costs.

\* I will be defending their depositions and will not agree to have these in person. My appeals practice remains remote. The Examiner's office is conducting remote hearings until at least September. I do not believe that, given COVID, the Examiner would compel anyone to meet in person.

\* I will let them know you do not want to conduct the depositions on the dates they are holding. If we reach agreement on the depositions, we can schedule other dates.

We continue to have a disagreement regarding the depositions of Mr. Desautel and Mr. Kuhr.

If we cannot reach agreement, you will need to bring a motion for a subpoena under Hearing Examiner rule 3.12, which



we will oppose.

Courtney

Courtney Kaylor  
Partner  
McCullough Hill Leary, ps  
701 Fifth Avenue, Suite 6600  
Seattle, Washington 98104  
Cell: 206.790.6164  
Tel: 206.812.3388  
Direct: 206.812.3379  
Fax: 206.812.3389  
courtney@mhseattle.com<mailto:courtney@mhseattle.com>  
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From: Ted Coulson <coule@schweetlaw.com<mailto:coule@schweetlaw.com>>  
Sent: Thursday, July 8, 2021 5:32 PM  
To: Courtney Kaylor <courtney@mhseattle.com<mailto:courtney@mhseattle.com>>  
Cc: David Carpman <dcarpman@mhseattle.com<mailto:dcarpman@mhseattle.com>>  
Subject: RE: MCC appeal - discovery

Hi Courtney:

Thank you for your email. My comments are in CAPITAL letters below.

Thanks,

Ted Coulson

From: Courtney Kaylor <courtney@mhseattle.com<mailto:courtney@mhseattle.com>>  
Sent: Wednesday, July 7, 2021 2:40 PM  
To: Ted Coulson <coule@schweetlaw.com<mailto:coule@schweetlaw.com>>  
Cc: David Carpman <dcarpman@mhseattle.com<mailto:dcarpman@mhseattle.com>>  
Subject: MCC appeal - discovery

Hello Ted - I'm following up on discovery in this matter. As you are aware, we have a disagreement about the appropriate scope of subpoenas for documents, which you have tendered to the Examiner. The Examiner will rule on that, but meanwhile, if we can come to an agreement about a request for documents that are related to the remaining issues in the case and not unduly burdensome for my client to produce, I would be happy to work with you to do that. To that end, more specific information about what you are looking for and how it relates to the remaining live issues would be helpful. GIVEN THE WAY YOU HAVE CHOSEN TO PROCEED, CANCELLING OUR SCHEDULED DISCOVERY CONFERENCE AND REQUESTING A BRIEFING SCHEDULE INSTEAD, GIVES ME LITTLE REASON TO BELIEVE YOU ARE WILLING TO CHANGE YOUR POSITION. I BELIEVE THE SUBPOENAS ARE DIRECTED TO THE PRECISE ISSUES IN THE APPEAL AND REASONABLE IN SCOPE. SO, UNFORTUNATELY, WE WILL WAIT FOR THE HEARING EXAMINER TO GUIDE US ON THAT. IF YOU ARE WILLING TO CHANGE YOUR POSITION, THEN PLEASE LET ME KNOW.

With regard to depositions, at this time I do not believe that the depositions of Bob Desautel or Walter Kuhr are necessary. The individual owners' use of the homes is not relevant to this permit appeal. With regard to views and any other potential impact to adjacent properties, Bob and Walter are commercial fishermen, not architects or lawyers, and they rely on their professional consultants (and attorneys) to address these issues. I DISAGREE. AT THE VERY LEAST, MR. DESAUTEL AND MR. KUHR HAVE KNOWLEDGE CONCERNING THE VERACITY OF REPRESENTATIONS MADE BY OCEANSTAR'S REPRESENTATIVES AT THE PUBLIC MEETINGS FOR THE PROJECT, KNOWLEDGE RELATING TO THE ALLEGATIONS IN MCC'S APPEAL, KNOWLEDGE AND ACTIONS RELATED TO THE VARIOUS RESTRICTIONS ON THE PROPERTY, AND THE DESIGN, USE AND POSSIBLE DISPOSITION OF THE BUILDINGS.

Two of those consultants - Eric Drivdahl and Tom Brown - are holding dates for depositions. I WAS ACTUALLY SURPRISED BY YOUR CONTACT WITH MR. DRIVDAHL AND MR. BROWN. I HAVE A CALL INTO BOTH OF THEM TO HANDLE THE SCHEDULING OF THEIR DEPOSITIONS, PLEASE DO NOT INTERFERE. However, before we agree

to these, we need to reach agreement on the scope of the questions. Under the Examiner rules these need to be relevant to pending appeal issues and reasonable in scope. Can you please identify the topics you expect to cover with them? THE TOPICS OF THE QUESTIONS WILL RELATE TO THEIR BACKGROUND, THEIR WORK ON THE PROJECT, AND THE BASES AND DECISIONS MADE WITH RESPECT TO ISSUES IN THE APPEAL, AMONG OTHERS. Assuming we can reach agreement on scope, at this time, Eric Drivdahl is holding July 22. Tom Brown is holding the July 20 and 22. Please confirm that these dates work for you. AS I HAVE TOLD YOU SINCE OUR FIRST DISCOVERY CONFERENCE, I WANT TO HAVE RESPONSIVE DOCUMENTS PRIOR TO TAKING THESE DEPOSITIONS, SO IT SEEMS A WASTE OF TIME AT THIS PIONT TO HOLD DATES. As we discussed, they (and I) are available for Zoom depositions only at this time. I WILL NOTE THESE DEPOSITIONS FOR IN PERSON, WHICH WILL BE MUCH MORE EFFICIENT AND COST EFFECTIVE THAN ZOOM DEPOS. ACCORDING TO LAWYERS AND COURT REPORTERS I HAVE SPOKEN WITH, MORE AND MORE DEPOSITIONS ARE BEING CONDUCTED IN PERSON, JUST AS YOUR CLIENT AND ARCHITECTS ARE BACK TO IN PERSON EVENTS AND MEETINGS, RESPECTIVELY. WHAT ARE YOUR OBJECTIONS? These expert witnesses will need to be compensated by your client for their time. I DISAGREE. SEE, PAIYA V. DURHAM CONSTRUCTION COMPANY, INC., 69 WN APP 578 , 579-580 (1993) ("PROFESSIONALS WHO ACQUIRE OR DEVELOP FACTS NOT IN ANTICIPATION OF LITIGATION ARE NOT ENTITLED TO EXPERT WITNESS FEES.") WHAT AUTHORITY DO YOU CLAIM SUPPORTS YOUR POSITION? Since they are both with the same architecture firm and working on the same project, their knowledge substantially overlaps. This is your choice, of course, but if your clients would like to save money by deposing only one of them, please let me know so I can tell the other to release his hold on the deposition date.

Courtney

Courtney Kaylor

Partner

McCullough Hill Leary, ps

701 Fifth Avenue, Suite 6600

Seattle, Washington 98104

Cell: 206.790.6164

Tel: 206.812.3388

Direct: 206.812.3379

Fax: 206.812.3389

[courtney@mhseattle.com](mailto:courtney@mhseattle.com)<<mailto:courtney@mhseattle.com>>

[www.mhseattle.com](http://www.mhseattle.com)<<http://www.mhseattle.com/>>

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THE HEARING EXAMINER OF THE CITY OF SEATTLE

In the Matter of the Appeals of	)	Hearing Examiner Files:
	)	MUP 21-016 (CU) and MUP 21-017 (ECA)
MAGNOLIA COMMUNITY COUNCIL	)	
AND OTHERS and FRIENDS OF THE	)	Department Reference: 3028072-LU
LAST 6,000	)	
	)	SUBPOENA DUCES TECUM TO
from decisions issued by the Director,	)	GELOTTE HOMMAS DRIVDAHL
Seattle Department of Construction and	)	
Inspections	)	
_____	)	

TO: GELOTTE HOMMAS DRIVDAHL  
2340 130<sup>th</sup> Avenue NE, Suite 100, Bellevue, WA 98005

GREETINGS:

Pursuant to Hearing Examiner Rules of Practice and Procedure Section 3.12, **YOU ARE COMMANDED** to produce and permit inspection and copying of the documents or tangible things listed on **Exhibit A**, attached hereto, on \_\_\_\_\_, July \_\_, 2021 at 9:00 a.m. at the Law Offices of Schweet Linde & Coulson, PLLC, 575 S. Michigan St., Seattle, WA 98108.

The documents sought by this subpoena are relevant to the issues on appeal in this matter and are within the reasonable scope of this subpoena.

Failure by any person without adequate excuse to obey a subpoena served upon him or her may be deemed in contempt of the City of Seattle Office of the Hearing Examiner from which the subpoena has issued.

HEREIN FAIL NOT AT YOUR PERIL

Dated this \_\_\_\_ day of July, 2021.

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HEARING EXAMINER  
City of Seattle, Office of Hearing Examiner

## EXHIBIT A

For the purpose of this Subpoena Duces Tecum, "Document" is used in the broadest sense permissible under Hearing Examiner Rules Section 3.12 and is meant to include any medium upon which intelligence of information can be recorded or retrieved. "Project" refers to the proposed project in the application for a conditional use permit contained in Seattle Department of Construction and Inspections file for Project No. 3028072-LU. "Buildings" refers to the two new structures proposed to be constructed in the Project. "Property" refers to the property at 2500 W. Marina Place involved in the Project. The "Admiral's House" refers to the existing building on the Property.

1. All Documents, including without limitation, communications or agreements among representatives of Oceanstar, LLC, Global Seas, LLC, Nina Fisheries, Inc., Robert Desautel, Walter Kuhr, Jr., Lil Kuhr and Kathy Shepard, regarding the use or potential disposition of the Buildings that relate to the Project's potential impact on the use of the north exterior stairs or the UJV view from 2013 to the present.
2. All Documents that refer to or discuss the Project's relationship to the View Corridor and Landscape Maintenance Covenant, dated December 13, 2012, last recorded under King County Recorder No. 20130613001828.
3. All Documents that refer to or discuss the Project's relationship to the Historic Preservation Easement and Covenants, dated June 7, 2013, and recorded under King County Recorder No. 20130611002100.
4. All Documents that refer to or discuss the Project's relationship to a 2011 Memorandum of Agreement or any other agreement among the Federal Highway Administration, State Historic Preservation Office, Washington Department of Transportation, City of Seattle, and Pacific Northwest Communities, LLC.
5. All Documents, including any written communications with the Landmarks Preservation Board ("Board") or others, that discuss or refer to the Project's possible impact on the Admiral's House status as a designated landmark or the impact of Oceanstar's construction practices, construction means, or construction means and methods to construct the Buildings on the Admiral's House and its designated landmark area on the Property.
6. Agreements and communications between Oceanstar and GHD regarding GHD's employment to provide architectural services or expert witness services in relation to the Project.

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**FW: MCC appeal**

1 message

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**Ted Coulson** <coule@schweetlaw.com>  
To: Jeanne Coulson <mjeannecoulson@gmail.com>

Tue, Jul 27, 2021 at 5:05 PM

From: Ted Coulson  
Sent: Tuesday, July 27, 2021 5:05 PM  
To: Courtney Kaylor <courtney@mhseattle.com>  
Subject: RE: MCC appeal

Hi Courtney:

Thank you very much for your email. I will take a look and let you know when we can confer as soon as I can. I have one brief comment, in CAPITALS below.

Thanks,

Ted Coulson  
206-953-2579

From: Courtney Kaylor <courtney@mhseattle.com<mailto:courtney@mhseattle.com>>  
Sent: Tuesday, July 27, 2021 11:38 AM  
To: Ted Coulson <coule@schweetlaw.com<mailto:coule@schweetlaw.com>>  
Subject: MCC appeal

Hello Ted - I've reviewed the revised subpoenas. As an initial matter, I do not believe any of this discovery is necessary as the approved project speaks for itself. MCC can make its arguments based on the project file without any of this information. THE HEARING EXAMINER RULED OTHERWISE IN HER JULY 19 ORDER. That said, in an effort to resolve any discovery dispute, my client is willing to agree to the following:

- \* General comments. The requests should be related to the approved project, which is what is at issue. The requests should also be limited in time to the period between when the project application was submitted (5/10/19) and when it was approved (4/22/21) since this is the date range relevant to the project. The requests are to a range of Oceanstar affiliated entities and their managers/officers. The subpoenas should be clarified to provide that they are directed to the managers/officers in their capacities as managers/officers rather than in their personal capacities.

- \* Requests #1-#3 continues to refer to the disposition of the project. The Examiner has determined that single family home disposition is not at before the Examiner, so "disposition" should be removed from the request. In addition, Request #2 refers to communications between Oceanstar and related entities and individuals. Requests #1 and 3 should be similarly limited or other specific individuals identified.

- \* Request #7 should be limited to the Landmarks Preservation Board and related entities and individuals or other specific individuals identified.

- \* Corresponding changes should be made in the subpoena to Gelotte Hommas Drivdahl (which, as you know, has different numbering but some of the same requests).

- \* With these changes, my client agrees to the scope of the subpoenas. We are currently evaluating the length of time required to respond.

Please let me know if you want to discuss.

Courtney

Courtney Kaylor  
Partner  
McCullough Hill Leary, ps  
701 Fifth Avenue, Suite 6600  
Seattle, Washington 98104  
Cell: 206.790.6164



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