

BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

<b>In the matter the Appeal of:</b>	)	Hearing Examiner File:
	)	
<b>BAJA CONCRETE USA CORP., ROBERTO</b>	)	<b>No.: LS-21-002</b>
<b>CONTRERAS, NEWWAY FORMING INC.,</b>	)	<b>LS-21-003</b>
<b>and ANTONIO MACHADO</b>	)	<b>LS-21-004</b>
	)	
from a Final Order of the Decision issued by	)	RESPONDENT’S WITNESS AND
the Director, Seattle Office of Labor Standards	)	EXHIBIT LIST (PRELIMINARY)
_____	)	

Respondent the City of Seattle and the Seattle Office of Labor Standards (collectively “OLS”) preliminarily intends to call the following witnesses and offer the following exhibits at the hearing beginning Monday, October 17, 2022. Discovery is ongoing in this case, and the City expects that the witnesses it calls and exhibits it introduces will evolve significantly as discovery proceeds.

Respondent reserves the right to call any witness identified by any other party, or introduce any exhibit identified by any other party, or to timely disclose additional witnesses and/or exhibits after receipt of materials or information from Appellants or other sources, including but not limited to, Witness and Exhibit Lists, responses to discovery requests, and additional information regarding the case.

I. WITNESS LIST

1. **Daron Williams, Senior Investigator**

Seattle Office of Labor Standards  
c/o Asst. City Attorney Jeremiah Miller  
Seattle City Attorney's Office  
701 Fifth Avenue, Suite 2050  
Seattle, WA 98104  
Email: [jeremiah.miller@seattle.gov](mailto:jeremiah.miller@seattle.gov)

Mr. Williams is expected to testify about the calculation of wages owed for each type of violation identified in the Findings of Fact, Determination, and Final Order. Mr. Williams is also expected to testify about information he received as a result of the Office of Labor Standards' investigation of Respondents in this matter.

Expected duration of testimony: 3-5 hours

2. **Ashley Harrison, Senior Investigator**

Seattle Office of Labor Standards  
c/o Asst. City Attorney Jeremiah Miller  
Seattle City Attorney's Office  
701 Fifth Avenue, Suite 2050  
Seattle, WA 98104  
Email: [jeremiah.miller@seattle.gov](mailto:jeremiah.miller@seattle.gov)

Ms. Harrison is expected to testify about the calculation of wages owed for each type of violation identified in the Findings of Fact, Determination, and Final Order. Ms. Harrison is also expected to testify about information she received as a result of the Office of Labor Standards' investigation of Respondents in this matter.

Expected duration of testimony: 3-5 hours

3. **Katie Jo Keppinger, Enforcement Manager**

Seattle Office of Labor Standards  
c/o Asst. City Attorney Jeremiah Miller  
Seattle City Attorney's Office  
701 Fifth Avenue, Suite 2050  
Seattle, WA 98104  
Email: [jeremiah.miller@seattle.gov](mailto:jeremiah.miller@seattle.gov)

1 Ms. Keppinger is expected to testify about the assessment of liquidated damages, penalties,  
2 and fines in the Findings of Fact, Determination, and Final Order.

3 Expected duration of testimony: 1 hour  
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I. PRELIMINARY EXHIBIT LIST

Exh. No.	Description
1	Records of hours worked
2	Records of pay made to employees
3	Materials from the Office of Labor Standard's investigative file
4	Materials produced in discovery by Appellants

DATED this 18th day of January, 2022.

ANN DAVISON  
Seattle City Attorney

By: /s/ Jeremiah Miller  
**JEREMIAH MILLER, WSBA# 40949**  
**Erica R. Franklin, WSBA# 43477**  
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*Attorneys for Respondent,*  
*The Seattle Office of Labor Standards*

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**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury under the laws of the State of Washington that, on this date, I caused to be served a true and correct copy of the foregoing document, **Respondent's Witness and Exhibit List (Preliminary)**, on the parties listed below and in the manner indicated:

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the foregoing being the last known addresses and email address of the above-named party representatives.

Dated this 18<sup>th</sup> day of January, 2022, at Seattle, Washington.

/s/ Sheala Anderson  
SHEALA ANDERSON