

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

Hearing Examiner Files:
W-21-007

**TreePAC Environmental Impact Review
(TEIR) and Greenwood Exceptional Trees
(GET),**

**SECOND PREHEARING
ORDER**

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

The Appellants requested pre-hearing deadline extensions to accommodate discovery. The Office of Planning and Community Development (“Department”) largely agreed with the request and outlined a proposed schedule.¹ This schedule accommodates Appellants’ concerns and allows reasonable time for discovery while avoiding unnecessary delay. It is adopted. Except as revised below, the First Pre-Hearing Order remains in effect.

- 1. Deadlines for Substantive Pre-Hearing Motions (Summary Judgment/Motion to Dismiss).** Unchanged.
- 2. Department Core Exhibits.** Unchanged.
- 3. Appellants’ Witness and Exhibit Lists.** File and serve witness and exhibit lists by February 10, 2022. Serve electronic copies of exhibits on the other parties. File with the Office of Hearing Examiner an electronic copy and a hard copy of the exhibits by February 17, 2022.
- 4. Department Witness and Exhibit Lists.** File and serve witness and exhibit lists by February 17, 2022. Serve electronic copies of exhibits on the other parties. File with the Office of Hearing Examiner an electronic copy and a hard copy of the exhibits by February 17, 2022.
- 5. Rebuttal and 2nd Rebuttal Witness and Exhibit Lists.** These deadlines no longer apply.
- 6. Office Filings.** Unchanged.

¹ The Department’s schedule was contingent on receiving certain filings from Appellants. While largely received, depending on an interrogatory response, scheduling issues may remain. If the parties cannot resolve them, a motion or pre-hearing conference request may be appropriate.

7. Discovery Deadlines.

- Appellants' Interrogatories January 14, 2022
- Appellants' Subpoena Motions January 14, 2022
- Department's Subpoena Motions Response January 21, 2022
- Examiner Decision on Subpoena Motions January 25, 2022
- Appellants' Hearing Subpoenas January 27, 2022

The discovery cut-off is February 14, 2022. Discovery must be served and/or scheduled so responses can meet this deadline.

8. Hearing. Unchanged.

Entered January 18, 2022.

/s/Susan Drummond
Susan Drummond, Deputy 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 **SECOND PREHEARING ORDER** to each person listed below, or on the attached mailing list, in the matters of **TREEPAC ENVIRONMENTAL IMPACT REVIEW**, Hearing Examiner Files: **W-21-007** in the manner indicated.

Party	Method of Service
Appellant TreePAC Environmental Impact Review 206-661-4195 treesandpeople@pacificwest.com Richard Ellison 206-661-4195 climbwall@msn.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 Geoffrey Wentlandt OPCD 206-684-3586 geoffrey.wentlandt@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
Department Legal Counsel Daniel Mitchell City Attorney's Office 206-684-8232 daniel.mitchell@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

Mailing Laurie Menzel City Attorney's Office 206-684-0290 laurie.menzel@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
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Dated: January 18, 2022

/s/ Angela Oberhansly
Angela Oberhansly
Administrative Specialist