

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeals of

**MBAKS, LEGACY GROUP, BLUEPRINT
CAPITAL**

Hearing Examiner Files:
W-22-003

Department Reference:
000268-22PN

from a Determination of Non-Significance
issued by the Director, Seattle Department of
Construction and Inspections

PREHEARING ORDER

A prehearing conference was held for this matter on March 21, 2022. Attending the conference were: the appellants MBAKs, Legacy Group, Blueprint Capital (“Appellants”), represented by Brandon Gribben; and, the City of Seattle (“Department”), represented by Daniel Mitchell.

During the prehearing conference, the parties identified a schedule for discovery, prehearing motions, preliminary and final witness and exhibit lists and exchange of exhibits, a hearing schedule, and other items. The following matters were discussed and agreed:

1. Deadline for Appellants to serve discovery requests (interrogatories and request for documents) with the Department: April 4, 2022.
2. Discovery cutoff for all parties: May 4, 2022.¹
3. The Department may file a prehearing motion, which shall be filed with the Office of Hearing Examiner, and served on the Appellants on May 4, 2022.
4. Response to the prehearing motion, is due for filing and service on May 18, 2022.
5. A reply in support of the prehearing motion shall be filed and served on May 24, 2022.
6. Appellant deadline for filing and serving final witness list, final exhibit list, serving other parties an electronic copy of each of the exhibits listed on the

¹ All discovery requests must be served in a timely manner to allow responses to be provided prior to this deadline, including scheduling for depositions.

exhibit list, and filing with the Office of Hearing Examiner an electronic copy and a hard copy of said exhibits: June 6, 2022.

7. Department deadline for filing and serving final witness list, final exhibit list, serving other parties an electronic copy of each of the exhibits listed on the exhibit list, and filing with the Office of Hearing Examiner an electronic copy and a hard copy of said exhibits: June 10, 2022.
8. Final exhibit and witness lists are filed with the Office of Hearing Examiner using the e-file system. Copies of exhibits are filed with the Office of Hearing Examiner in hard copy form and electronic form. Hard copies of exhibits are filed with the Office of Hearing Examiner by mail and must be mailed on the date they are due (or for parties attending in person, a hard copy of exhibits may be provided to the Examiner at hearing). Electronic copies of exhibits must be filed with the Office of Hearing Examiner by email at: Hearing.Examiner@seattle.gov. Electronic copies of exhibits must be labeled numerically in the order identified in the exhibit list. Each exhibit should be submitted as an individual Word or .pdf document, and each document must be saved with a brief and accurate descriptive title (no more than 1-3 words) to identify the document for other users. Parties are not required to provide copies of an exhibit to another party if the other party is known to possess a copy of the exhibit.
9. Final witness lists must include the names of witnesses, a summary of their expected testimony, and an estimate of time that will be dedicated to direct examination of the witness. If a witness will be testifying as an expert, a statement of qualifications must be included with the witness list. Except for purposes of impeachment, only those witnesses and exhibits listed by the parties may be offered at the hearing.
10. The parties will meet service requirements by electronic service.
11. Unless otherwise stated, deadlines are no later than 5:00 PM.
12. The parties agreed to waive the deadlines imposed under SMC 25.05.680.A.3, to accommodate the agreed hearing schedule.
13. The hearing in this matter is scheduled to be held on **Tuesday, June 14, 2022**, beginning at **9:00 AM** at Seattle Municipal Tower 700 5th Ave, Suite 4000, Seattle and via remote hearing platform Zoom. In addition to this initial hearing date, June 15 and 22 have been reserved on the hearing calendar for continuation of the hearing.²

² Filing provisions may change if warranted in response to the COVID-19 pandemic.

Information about appeal hearings, including the *Hearing Examiner Rules of Practice and Procedure*, and a *Public Guide to Appeals and Hearings Before the Hearing Examiner*, is available on the Hearing Examiner's website, www.seattle.gov/examiner.

Entered March 22, 2022.

 /s/Ryan Vancil
Ryan Vancil, 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** to each person listed below, or on the attached mailing list, in the matter of **MBAKS, LEGACY GROUP, BLUEPRINT CAPITAL** Hearing Examiner File: **W-22-003** in the manner indicated.

Party	Method of Service
Appellant Legal Counsel Helsell Fetterman, LLP Brandon Gribben bgribben@helsell.com Chance Laboda claboda@helsell.com Samuel Jacobs sjacobs@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 Legal Counsel City Attorney's Office Daniel Mitchell 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
Department SDCI Gordon Clowers Gordon.Clowers@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 Chanda Emery SDCI Chanda.Emery@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

Eric Nygren Seattle City Attorney's Office Eric.Nygren@seattle.gov	
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Dated: March 22, 2022

/s/Angela Oberhansly_____
Angela Oberhansly,
Administrative Specialist