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7 **BEFORE THE HEARING EXAMINER**
8 **CITY OF SEATTLE**

9 In the Matter of the Appeals of
10 Baja Concrete USA Corp., Newway
11 Forming Inc., and Antonio
12 Machado,
13 From a Final Order of the Director,
14 City of Seattle Office of Labor
15 Standards, Respondent.

Hearing Examiner Files:
LS-21-002, LS-21-003, LS-21-004
(consolidated)

**[PROPOSED] ORDER GRANTING APPELLANT
BAJA CONCRETE USA CORP.'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

HER 2.16, CR 56

Department Reference: 2020-00186-LS

16
17 **ORDER**

18 THIS MATTER having come on before the undersigned Hearing Examiner of the City of
19 Seattle upon Motion by Appellant Baja Concrete USA Corp., and it appearing to the Hearing
20 Examiner that the following Order should be entered herein now, therefore:

21 IT IS HEREBY ORDERED, that Appellant Baja Concrete USA Corp. was not an employer of
22 the individuals listed in Attachment B of the City of Seattle Office of Labor Standards Findings of
23 Fact, Determination and Final Order, dated August 25, 2021 (the "Determination") at any time during
24 the period covered by the Office of Labor Standards investigation that lead to the Determination,
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1 which time period was between February of 2018 and August of 2020.
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4 ENTERED _____, ____, 2022.
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7 _____
8 Ryan Vancil, Hearing Examiner
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10 Presented on July 1, 2022, by:
11

12 */s/ Mark D. Kimball*

/s/ Alex T. Larkin

13 _____
14 MARK D. KIMBALL, WSBA No. 13146

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18 Attorneys for Appellant Baja Concrete
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