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BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

In the Matter of the Appeals of
AVALON BAY COMMUNITIES, INC.
THE RICHMARK COMPANY
From a Determination of Nonsignificance issued
by the Director, Department of Planning and
Development.

Hearing Examiner File Nos.
W-13-005
W-13-006

SECOND STIPULATED PREHEARING
SCHEDULE AND HEARING DATES

I. STIPULATION

Appellants AvalonBay Communities and The Richmark Company and Respondent City of Seattle, Department of Planning and Development, by and through their respective attorneys of record, stipulated to a schedule signed by the Hearing Examiner on August 9, 2013. That schedule was contingent on the City of Seattle producing all documents requested in Appellants' Public Disclosure Act ("PDA") requests by September 30, 2013. The stipulated schedule provided that if the City did not produce all documents requested in Appellants' PDA requests by September 30, 2013, the parties would confer and attempt to stipulate to an alternative prehearing and hearing schedule.

1 The City did not meet the September 20, 2013 deadline and intends to produce all
2 requested documents by October 21, 2013. Accordingly, the parties have reached agreement on
3 a modified schedule, set forth below. This schedule is subject to further modification if the City
4 fails to meet the October 21, 2013 deadline.

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6 **II. ORDER**

7 This matter having come before the Hearing Examiner on the parties' Stipulation to
8 prehearing schedule and hearing dates, it is ORDERED that the following prehearing schedule
9 and hearing dates shall be established:

10	Production of Public Records Act Documents	October 21, 2013
11	Preliminary Witness and Exhibit Lists Due	October 25, 2013
12	Deadline for Discovery Requests	October 31, 2013
13	Deadline for Responses to Discovery Requests	November 21, 2013
14	Final Witness and Exhibit Lists Due	December 10, 2013
15	Deadline for Taking Depositions	December 17, 2013
16	City to File Dispositive Motions	December 30, 2013
17	Appellant's Response to Dispositive Motions	January 10, 2014
18	Reply to Dispositive Motions	January 21, 2014
19	Administrative Hearing Dates	February 24 and 25, 2014
20	Optional Deadline for Filing Post-Hearing Briefs	March 7, 2014

21 DATED this 4th day of October, 2013.

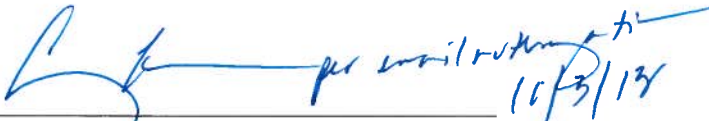
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Anne J. Watanabe
Seattle Deputy Hearing Examiner

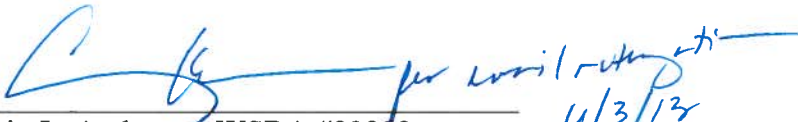
28 **MCCULLOUGH HILL LEARY, P.S.**

1 Stipulation agreed to by:


2 PETER S. HOLMES
3 Seattle City Attorney

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5 By  per email routing ^{ti}
6 Patrick Downs, WSBA #25276
Assistant City Attorney

7
8 STOEL RIVES LLP

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10 By  per email routing ^{ti}
11 Erin L. Anderson, WSBA #23282
12 Ramona L. Monroe, WSBA #23752
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14 MCCULLOUGH HILL LEARY, PS

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16 By 
17 Jack McCullough, WSBA #12740
18 Courtney Flora, WSBA #29847
Attorneys for Appellant AvalonBay Communities