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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.

5
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.

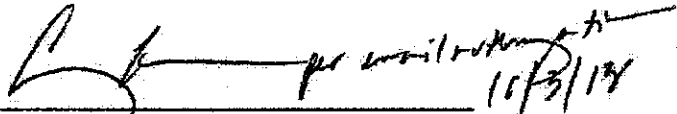
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26 Anne J. Watanabe
27 Seattle Deputy Hearing Examiner

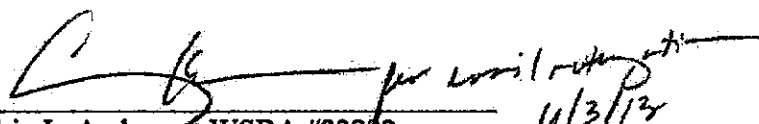
28 **MCCULLOUGH HILL LEARY, P.S.**

1 Stipulation agreed to by:

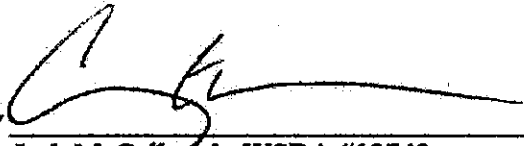
2 PETER S. HOLMES
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