

**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Appeal of

Hearing Examiner Files:  
**MUP-23-002**

**WARWICK CORP.,**

Department Reference  
3026266-LU

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

**PREHEARING ORDER**

The parties appeared for a prehearing conference on March 28, 2023. Appellant Warwick Corp. appeared through R. Charles Beckett and Terrence I. Danysh, of Peterson Russell Kelly Livengood PLLC. Applicant Jodi Patterson O'Hare appeared through David P. Carpmann, McCullough Hill PLLC. The Seattle Department of Construction and Inspections ("Department") appeared through Crystal Torres. These deadlines were established:

**1. Dispositive Pre-Hearing Motions – Filing and Service Deadlines.**

- April 13, 2023 - Motions Due
- April 27, 2023 - Responses Due
- May 4, 2023 - Replies Due
- May 9, 2023 – Examiner's Decision

**2. Appellant Witness and Exhibit Lists.** File and serve witness and exhibit lists by May 31, 2023. Serve electronic copies of exhibits on the other parties. File with the Office of Hearing Examiner an electronic copy of the exhibits by June 21, 2023.

**3. Applicant/Department Witness and Exhibit Lists.** File and serve witness and exhibit lists by June 14, 2023. Serve electronic copies of exhibits on the other parties. File with the Office of Hearing Examiner an electronic copy of the exhibits by June 21, 2023.

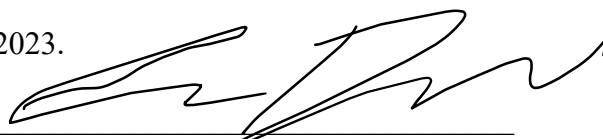
**4. Rebuttal Witness and Exhibit Lists.** File and serve rebuttal witness and exhibit lists by June 21, 2023. Serve electronic copies of exhibits on the other parties. File with the Office of Hearing Examiner an electronic copy of the exhibits by June 21, 2023.

**5. Discovery Deadline.** The discovery cut-off is May 30, 2023. Discovery must be served and/or scheduled so responses can meet this deadline.

6. **Office Filings.** Exhibit and witness lists are filed with the Office of Hearing Examiner using the e-file system. Electronic copies of exhibits must be filed with the Office of Hearing Examiner by email at: [Hearing.Examiner@seattle.gov](mailto:Hearing.Examiner@seattle.gov). Electronic copies of exhibits must be labeled numerically in the order identified in the exhibit list and saved as a Word or .pdf document with a short descriptive title.
7. **Exhibit Copies.** Parties need not provide copies of an exhibit to another party if the other party possesses a copy.
8. **Witness Lists and Exhibits, Generally.** Witness lists must include witness names, a summary of expected testimony, and a time estimate for direct examination. For expert witnesses, a statement of qualifications must be included. Excepting impeachment, only listed witnesses and exhibits may be offered at the hearing.
9. **Service.** The parties will serve each party's designated representative electronically.
10. **Time Deadlines.** Unless otherwise stated, 5:00 PM.
11. **Settlement.** Should the appeal be resolved, the Appellants' written communication to the Office of Hearing Examiner withdrawing the appeal is sufficient for the Examiner to issue an order of dismissal.
12. **Hearing.** The hearing will commence on **July 12, 2023**, beginning at **9:00 AM**, at the Office of Hearing Examiner, Hearing Room 4000, 700 Fifth Avenue, (Seattle Municipal Tower, 40<sup>th</sup> Floor) Seattle, Washington. The parties and their witnesses may appear in person or remotely, at their election. If appearing in person, the parties must coordinate in advance with the Office of Hearing Examiner. For those appearing remotely, sign-in instructions will be provided and the Clerk may require zoom test runs before the hearing. A second hearing day of **July 13, 2023**, also beginning at 9:00 AM, is reserved.

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](http://www.seattle.gov/examiner).

Entered March 30, 2023.

  
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Susan Drummond, Deputy Hearing Examiner

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CITY OF SEATTLE

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 below in the matter of **WARWICK CORP.** Hearing Examiner File: **MUP-23-002 (DD, DR)** in the manner indicated.

Party	Method of Service
<b>Appellant Legal Counsel</b>  Terry Danysh Peterson Russell Kelly Livengood PLLC <a href="mailto:tdanysh@prklaw.com">tdanysh@prklaw.com</a>  Charlie Beckett Peterson Russell Kelly Livengood PLLC <a href="mailto:cbeckett@prklaw.com">cbeckett@prklaw.com</a>	<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
<b>Applicant Legal Counsel</b>  Courtney Kaylor McCullough Hill PLLC <a href="mailto:courtney@mhseattle.com">courtney@mhseattle.com</a>  David P. Carpman McCullough Hill PLLC <a href="mailto:dcarpman@mhseattle.com">dcarpman@mhseattle.com</a>	<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
<b>Department</b>  Crystal Torres SDCI <a href="mailto:Crystal.Torres@seattle.gov">Crystal.Torres@seattle.gov</a>	<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

Dated: March 30, 2023

/s/ Angela Oberhansly  
Angela Oberhansly  
Legal Assistant