

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeals of

**DONALD BRUBECK & LYNN
SHIMAMOTO, JACQUELINE
SZIKSZOY, SHAUNA CAUSEY,
MARYANNE WOOD, & KATHLEEN
OSS**

Hearing Examiner Files:
SDD-23-002, -003, -004, -006, & -008

Department References:
3039297-SD

PREHEARING ORDER

From a Decision Issued by the Director,
Seattle Department of Construction and
Inspections

A prehearing conference was held on June 5, 2023. Attending the conference were: the appellants Donald Brubeck and Lynn Shimamoto, Jacqueline Szikszoy, Shauna Causey, Maryanne Wood, and Kathleen Oss (collectively herein “Appellants”); the applicant Seattle Public Schools (“Applicant”) represented by Katie J. Kendall; and the Department of Construction and Inspections (“Department”), represented by Holly Godard.

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

1. The Department shall file and serve its exhibit list identifying core documents by June 30, 2023. This should include the entire record relied on in reaching the decision at issue. The listed exhibits shall be electronically served on the parties by this deadline. The Department shall file with the Office of Hearing Examiner an electronic copy of the exhibits by June 30, 2023.
2. Appellants deadline for filing and serving final witness lists, final exhibit lists, serving other parties an electronic copy of each of the exhibits listed on the exhibit lists, and filing with the Office of Hearing Examiner an electronic copy and a hard copy of said exhibits: July 11, 2023.
3. Applicant and 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: July 18, 2023.
4. 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. 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 e.g. only the Department will be required to serve and file the core documents used for the decision at issue, after that all parties are assumed to have those documents available.

5. 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 testify 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.
6. The parties will meet service requirements by electronic service.
7. Unless otherwise stated, deadlines are no later than 5:00 PM.
8. The hearing in this matter is scheduled to be held on **Tuesday, July 25, 2023**, beginning at **9:00 AM** via remote hearing platform Zoom. In addition to this initial hearing date, July 26th and 27th have been reserved on the hearing calendar for continuation of the hearing.

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 June 15, 2023.

/s/ Ryan Vancil
Ryan P. 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 **DONALD BRUBECK & LYNN SHIMAMOTO, ET. AL.** Hearing Examiner Files: **SDD-23-002, -003, -004, -006, & -008** in the manner indicated.

| Party | Method of Service |
|--|---|
| Appellant of SDD-23-003 Jacqueline Szikszoy jszikszoy@gmail.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 |
| Appellant of SDD-23-004 Shauna Causey shaunacausey@gmail.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 |
| Appellant of SDD-23-006 Maryanne Wood lucilhasa1@yahoo.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 |
| Appellant of SDD-23-008 Kathleen Oss 2707kathyoss@gmail.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 |
| Authorized Representative of SDD-23-002 Donald brubeck D2brubeck@gmail.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 |
| Applicant Legal Counsel McCullough Hill PLLC Katie J. Kendall kkendall@mhseattle.com Isaac A. Patterson ipatterson@mhseattle.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 SDCI Holly J. Godard Holly.godard@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 |

Dated: June 16, 2023

/s/ Angela Oberhansly

Angela Oberhansly, Legal Assistant