

RE: MUP-23-011 witness emails

From (senders in message print header) David Carpman <dcarpman@mhseattle.com>

To Cathryn Reid <creidbiz@protonmail.com>

CC Jessica Clawson <jessica@mhseattle.com>, Isaac Patterson <ipatterson@mhseattle.com>, Sachs, David <David.Sachs@seattle.gov>, Aquarian Foundation <info@aquarianfoundation.com>

Date Tuesday, 30 January 2024 at 10:49 AM

Ms. Reid:

McCullough Hill PLLC does not represent Mr. Besse or Ms. Quick. We are responding on their behalf concerning this hearing.

David Carpman

Attorney

McCULLOUGH HILL PLLC

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From: Cathryn Reid <creidbiz@protonmail.com>
Sent: Monday, January 29, 2024 6:00 PM
To: David Carpman <dcarpman@mhseattle.com>
Cc: Jessica Clawson <jessica@mhseattle.com>; Isaac Patterson <ipatterson@mhseattle.com>; david.sachs@seattle.gov; info@aquarianfoundation.com; Hearing <Hearing.Examiner@seattle.gov>
Subject: Re: MUP-23-011 witness emails

Dear Mr Carpman,

Our understanding was that McCulloch Hill PLLC was representing the Applicant Jodi Patterson - O'Hare.

The Appellant was never informed that Natalie Quick and Austin Besse were being represented by McCulloch Hill PLLC. It would have been helpful to have known this.

We are not lawyers. This last minute notification that you are representing Natalie Quick and Austin Besse is quite surprising. In all the email correspondence with Natalie Quick she never once indicated to Aquarian Foundation that she had employed you as her council and not once did she refer the Appellant to you.

Austin Besse did not notify us that he was being represented by you either.

We do not agree that the subpoenas were untimely. It is what it is.

On behalf of Aquarian Foundation

Cathryn Reid

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Sent with Proton Mail secure email.

On Monday, 29 January 2024 at 5:07 PM, David Carpman <dcarpman@mhseattle.com> wrote:

Dear Ms. Reid,

I am writing on behalf of Austin Besse, Natalie Quick, and Jodi Patterson-O'Hare in response to your January 24, 2023 emails to them regarding the question of a fee arrangement for their testimony. As these are members of the Applicant's project team, I request that you direct any further communications regarding this issue to me and my colleagues Jessica Clawson and Isaac Patterson – the Applicant's representatives in this hearing.

Mr. Besse is included on the Applicant's witness & exhibit list and will be testifying during the hearing. As a result, he will be available for you to cross examine, and we will not object to questions to him on the basis that they are beyond the scope of the direct examination (without waiving objections as to relevance or any other issue). Mr. Besse will not require a fee from the Aquarian Foundation for this testimony and thus we do not see a need for a subpoena compelling his presence.

Ms. Quick and Ms. Patterson-O'Hare do not wish to testify and decline to make a fee arrangement. We agree with the Examiner's January 24, 2023 Order declining to waive the untimeliness of the subpoena requests for these witnesses. In addition, we do not believe that Ms. Quick and Ms. Patterson-O'Hare have relevant testimony to share, and we would oppose their being subpoenaed on that basis. Ms. Quick is an outreach consultant, and Ms. Patterson-O'Hare is a permit expeditor; neither is a design professional with expertise on the issues within the scope of this hearing.

Sincerely,