

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

**FRIENDS FOR A SAFE ALKI
COMMUNITY,**

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

Hearing Examiner Files:
SDD-24-001

Department Reference
3039297-SD

PREHEARING ORDER


The parties appeared for a prehearing conference on March 25, 2024. Appellant Friends for a Safe Alki Community appeared through Audrey Clungeon, Bricklin & Newman LLP. Applicant Seattle Public Schools appeared through Katie J. Kendall and Isaac A. Patterson, McCullough Hill PLLC. The Seattle Department of Construction and Inspections (“Department”) appeared through Carly Guillory, Land Use Planner. These deadlines were established:

- 1. Department Exhibit List(s).** File and serve core exhibit list by March 29, 2024. Serve electronic copies of exhibits on the other parties. File with the Office of Hearing Examiner an electronic copy of the exhibits.
- 2. Appellant Witness and Exhibit Lists.** File and serve witness and exhibit lists by April 30, 2024, 2024. Serve electronic copies of exhibits on the other parties. File with the Office of Hearing Examiner an electronic copy of the exhibits.
- 3. Applicant/Department Witness and Exhibit Lists.** File and serve witness and exhibit lists by May 7, 2024. Serve electronic copies of exhibits on the other parties. File with the Office of Hearing Examiner an electronic copy of the exhibits.
- 4. Rebuttal Witness and Exhibit Lists.** File and serve rebuttal witness and exhibit lists by May 14, 2024. Serve electronic copies of exhibits on the other parties. File with the Office of Hearing Examiner an electronic copy of the exhibits.
- 5. Discovery Deadline.** The discovery cut-off is April 29, 2024. 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. 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. **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.
8. **Service.** The parties agreed to electronic service.
9. **Time Deadlines.** Unless otherwise stated, 5:00 PM.
10. **Settlement.** Should the appeal be resolved, the Appellant's written communication to the Office of Hearing Examiner withdrawing the appeal is sufficient for the Examiner to issue an order of dismissal.
11. **Hearing.** The hearing will commence on **May 22, 2024**, beginning at **9:00 AM**, at the Office of Hearing Examiner, Hearing Room 4000, 700 Fifth Avenue, (Seattle Municipal Tower, 40th 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 will require zoom test runs before the hearing. A second hearing day of **May 23, 2024**, 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.

Entered March 25, 2024.



Susan Drummond, Deputy Hearing Examiner

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on the date below I sent true and correct copies of the attached **PREHEARING ORDER** to each person below in **Friends for a Safe Alki Community**, Hearing Examiner File **SDD-24-001** in the manner indicated.

Party	Method of Service
Appellant Legal Counsel Bricklin & Newman, LLP <ul style="list-style-type: none"> • Audrey Clungeon clungeon@bnd-law.com • Claudia Newman newman@bnd-law.com 	<input type="checkbox"/> U.S. First Class Mail <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 <ul style="list-style-type: none"> • Katie J. Kendal kkendall@mhseattle.com • Isaac A. Patterson ipatterson@mhseattle.com 	<input type="checkbox"/> U.S. First Class Mail <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 <ul style="list-style-type: none"> • Carly Guillory Carly.guillory@seattle.gov 	<input type="checkbox"/> U.S. First Class Mail <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 25, 2024

/s/ Angela Oberhansly
Angela Oberhansly
Legal Assistant