

**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Application of

**SWEDISH MEDICAL CENTER  
CHERRY HILL**

**CF 311936**

for approval of a Major Institution Master Plan  
for property located at 500 17<sup>th</sup> Avenue

In the Matter of the Appeals of

**WASHINGTON COMMUNITY ACTION  
NETWORK, 19<sup>TH</sup> AVE BLOCK WATCH,  
CHERRY HILL COMMUNITY COUNCIL,  
SQUIRE PARK COMMUNITY COUNCIL,  
PATRICK ANGUS, ET AL., AND CONCERNED  
NEIGHBORS OF SWEDISH CHERRY HILL**

Hearing Examiner Files:

**MUP-15-010 (W)  
MUP-15-011 (W)  
MUP-15-012 (W)  
MUP-15-013 (W)  
MUP-15-014 (W)  
MUP-15-015 (W)**

from a SEPA Determination by the Director,  
Department of Planning and Development

Department Reference:  
3012953

**PREHEARING ORDER**

A prehearing conference was held in this matter on April 27, 2015. The appellants in the appeals of the Director's SEPA determination of EIS adequacy were represented as follows: Washington Community Action Network ("Washington CAN"), by Claudia M. Newman; 19<sup>th</sup> Avenue Block Watch/Squire Park Neighbors ("BlockWatch"), by Vicky Schiantarelli; Cherry Hill Community Council ("Cherry Hill"), by Mary Pat DiLeva; Squire Park Community Council ("Squire Park"), by Bill Zosel; and Concerned Neighbors of Swedish Cherry Hill ("Concerned Neighbors"), by Troy Meyers. Patrick Angus, Maja Hadlock, Dean Paton, James Schell, and Nicholas Richter ("Patrick Angus, et al.") did not have a representative in attendance. The applicant, Swedish Medical Center Cherry Hill ("Swedish"), was represented by Joseph Brogan, attorney-at-law. Sabey Corporation ("Sabey"), the owner of part of the Swedish Medical Center Cherry Hill campus property, was represented by John C. McCullough, attorney-at-law. The Director, Department of Planning and Development ("Director" or "Department") was represented by Stephanie Haines, Land Use Manager.

The parties discussed the need for clarification of the issues in Washington CAN's appeal and gave an estimate of the number of witnesses each expects to call. Swedish, Sabey and the Department agreed that they may be filing dispositive motions concerning issues raised in the SEPA appeals that relate only to the Swedish Major Institution Master Plan

(MIMP) and not to the EIS. The Examiner discussed the expected order of presentation in the consolidated hearing and the expected dates for written closing arguments.

To the extent that the SEPA Appellants, or any expert witnesses they expect to call, wish to testify concerning the MIMP, they may do so during the public testimony portion of the hearing. However, that testimony may not be repeated during the portion of the hearing devoted to the SEPA appeals.

The case schedule for the SEPA appeals is as follows:

May 5, 2015	Washington CAN shall file and serve any clarifications required to its "Statement of Issues on Appeal" in light of the content of the July 3, 2014 letter attached to the appeal.
May 8, 2015	Swedish, Sabey and the Director shall file and serve any dispositive motions concerning the SEPA appeals.
May 15, 2015	Any appellant responding to any dispositive motions must file the response with the Office of Hearing Examiner and serve a copy on all other parties by this date.
May 19, 2015	Swedish, Sabey and the Director shall file and serve any replies on the dispositive motions.
June 12, 2015	All parties shall file their final witness <sup>1</sup> and exhibit lists with the Office of Hearing Examiner and serve them on all other parties. The parties shall also exchange among themselves copies of the exhibits included on the exhibit lists.

<sup>1</sup>Witness lists must include the names of witnesses and a brief summary of their expected testimony. If a witness will be testifying as an expert, a statement of qualifications must be included. Except for purposes of impeachment or rebuttal, only those witnesses and exhibits listed by the parties may be offered during the SEPA appeal portion of the hearing.

The parties are reminded that Hearing Examiner Rule (HER) 2.05(a) requires that any electronically filed document more than 10 pages in length, including exhibits, must also be delivered to the Hearing Examiner in hard copy; and HER 2.05(c) prohibits the filing of more than 15 pages with the Office of Hearing Examiner by electronic facsimile.

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).

As stated at the conference, the order of presentation for the combined hearing on the MIMP and the appeals of the EIS will be as follows:

Master Plan:

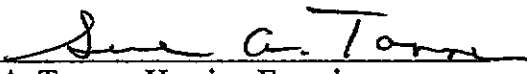
- Department/Swedish/Sabey Overview of the proposed Master Plan
- Testimony from the Citizen Advisory Committee – Majority & Minority Reports
- Testimony from the public
- Presentation by Department
- Presentation by Swedish/Sabey

SEPA Appeals:

- Parties' opening statements (Appellants, Department, Swedish/ Sabey)(optional)
- Appellants' presentation of evidence
- Department's presentations of evidence
- Swedish's/Sabey's presentations of evidence
- Opportunity for rebuttal by all parties

The Appellants may agree among themselves upon an order of presentation or the Examiner will establish one at the hearing. The Department and Swedish/Sabey may also agree upon a different order of presentation than the ones listed above.

Entered this 27<sup>th</sup> day of April 2015

  
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**BEFORE THE HEARING EXAMINER  
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 listed below, or on the attached mailing list, in the matter of Swedish Medical Center Cherry Hill, Washington Community Action Network, 19<sup>th</sup> Ave Block Watch, Cherry Hill Community Council, Squire Park Community Council, Patrick Angus et al, and Concerned Neighbors of Swedish Cherry Hill, Hearing Examiner Files: CF-311936, MUP-15-010 (W), MUP-15-011 (W), MUP-15-012 (W), MUP-15-013 (W), MUP-15-014 (W), and MUP-15-015 (W), in the manner indicated.

Party	Method of Service
Washington Community Action Network c/o Claudia M. Newman Bricklin & Newman, LLP 1001 Fourth Avenue, Suite 3303 newman@bnd-law.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
Sabey Corporation c/o McCullough Hill Leary P.S. 701 5 <sup>th</sup> Avenue, Suite 660 Seattle, WA 98104  Jack McCullough jack@mhseattle.com  Courtney Kaylor courtney@mhseattle.com  Katie Kendall kkendall@mhseattle.com  Laura Counley lcounley@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

Stephanie Haines DPD SMT-18-00 Stephanie.Haines@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
19 <sup>th</sup> Ave Block Watch c/o Vicky Schiantarelli 541 19 <sup>th</sup> Ave Seattle, WA 98122 vickymatsui@hotmail.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
Cherry Hill Community Council c/o Mary Pat Dileva 827 17 <sup>th</sup> Ave Seattle, WA 98122 catlady1@q.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
Squire Park Community Council c/o Bill Zosel 910 13 <sup>th</sup> Avenue Seattle, WA 98122 bill.zosel@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
Patrick Angus, et al. c/o Dean Paton 733 16 <sup>th</sup> Avenue Seattle, WA 98122 dgpaton@me.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
Swedish Medical Center c/o Joseph A. Brogan Foster Pepper, PLLC 1111 Third Ave, Suite 3400 Seattle, WA 98101 brogj@foster.com  Steven J. Gillespie gills@foster.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