

Description	Minutes Thursday July 16, 2015 CF-311936 MUP-15-010 (W) et al. Swedish Medical Center Cherry Hill MIMP Washington Community Action Network et al. Examiner: Sue A. Tanner Assistant: Tiffany Ku Party Representatives: Joseph Brogan and Steve J. Gillespie, representing applicant Swedish Medical Center Foster Pepper, PLLC 111 Third Ave, Suite 3400 Seattle, WA 98101 Jack McCullough, Courtney Kaylor, and Katie Kendall, representing property owner Sabey Corporation McCullough Hill Leary, PS 701 Fifth Ave, Suite 6600 Seattle, WA 98104 Stephanie Haines, representing DPD PO Box 34019 Seattle, WA 98124 Claudia M. Newman, representing appellant Washington Community Action Network Bricklin & Newman LLP 1001 Fourth Ave, Suite 3303 Seattle, WA 98104 Vickie Schiantarelli, representing 19th Ave Block Watch 541 19th Ave Seattle, WA 98122 Mary Pat Dileva, representing Cherry Hill Community Council 827 17th Ave Seattle, WA 98122 Bill Zosel, representing Squire Park Community Council 910 13th Ave Seattle, WA 98122
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	Troy Meyers, representing Concerned Neighbors of Swedish Cherry Hill 1705 E Columbia St Seattle, WA 98122		
Date	7/16/2015	Location	Large Hearing Room
Time	Speaker	Note	
9:01:56 AM		Hearing continues from 7/15/15.	
9:02:10 AM		Briefing schedule: appellant's opening brief 7/24, response 7/31, reply brief 8/6, and proposed findings by 8/10.	
9:05:59 AM		Bill Zosel for Squire Park Community Council calls Joy Jacobson as witness.	
9:06:12 AM		Jacobson, 318 16th Ave, is sworn in.	
9:06:20 AM		Zosel begins direct examination of Jacobson.	
9:09:54 AM		Zosel offers Exhibit A8, Letter to DPD from CAC, 4/4/13	
9:12:55 AM		Zosel concludes direct examination.	
9:13:01 AM		No questions from appellants or applicant counsel.	
9:13:26 AM		Exhibit A8 is admitted.	
9:14:29 AM		Newman provides comment.	
9:15:25 AM		Newman calls John Jex, of Callison Architects, as witness and he is sworn in.	
9:15:51 AM		Newman begins direct examination of Jex.	
9:22:10 AM		Newman concludes direct examination.	
9:22:20 AM		Haines for DPD begins cross examination of Jex.	
9:22:54 AM		Haines concludes cross examination.	
9:24:27 AM		5 minute break.	
9:30:07 AM		Back on the record.	
9:30:12 AM		McCullough for Sabey, calls Mike Swenson of TranspoGroup as witness and he is sworn in.	
9:31:27 AM		Voir dire of Swenson. McCullough offers Exhibit A9, Resume of Swenson and it is admitted.	
9:32:59 AM		McCullough offers Exhibit A10, Swenson PowerPoint.	
9:33:26 AM		Objection by Newman, outside scope of testimony.	
9:33:56 AM		McCullough responds. Direct examination of Swenson continues.	

10:14:01 AM		Objection by Newman, does not adequately reflect testimony of Tilghman.
10:14:10 AM		Objection overruled. McCullough continues.
10:16:27 AM		McCullough concludes direct examination of Swenson.
10:16:42 AM		Newman begins cross examination of Swenson.
10:22:01 AM		McCullough objects, legal conclusion.
10:22:17 AM		Examiner allows question.
10:22:31 AM		Zosel begin cross examination of Swenson.
10:24:23 AM		Zosel concludes.
10:24:28 AM		Schiantarelli begins cross examination of Swenson.
10:36:49 AM		Objection by McCullough, testimony.
10:38:10 AM		Schiantarelli concludes cross examination.
10:38:18 AM		McCullough provides redirect of Swenson.
10:39:40 AM		McCullough concludes.
10:40:26 AM		15 minute break.
10:56:16 AM		Back on the record.
10:56:40 AM		McCullough objects to submission of Newman public comment.
10:57:16 AM		Brogan supports objection.
10:59:56 AM		Examiner will allow submission of Newman public comment. Attachment of Tilghman summary will be stricken.
11:00:21 AM		Brogan requests additional time to submit.
11:00:39 AM		Newman objects, MIMP case closed.
11:02:58 AM		Public comment will end on 7/21/15.
11:03:59 AM		Newman requests reconsideration of Tilghman letter.
11:04:56 AM		Examiner will not reverse ruling.
11:05:07 AM		Schiantarelli calls Lindsey Amtmann as witness.
11:06:07 AM		Kaylor offers Exhibit A11, Deposition transcript of Amtmann, and addresses expert qualifications of witness.
11:08:19 AM		Schiantarelli responds to Kaylor.
11:11:43 AM		Amtmann responds.
11:13:13 AM		Amtmann allowed to testify as expert. Opposing counsel will object as necessary.

11:13:31 AM		Schiantarelli begins direct examination of Amtmann.
11:15:46 AM		Kaylor objects, beyond Amtmann's expertise.
11:22:11 AM		Kaylor again objects, beyond Amtmann's expertise.
11:22:27 AM		Schiantarelli responds.
11:23:04 AM		Examiner will not allow testimony on traffic impacts.
11:23:38 AM		Schiantarelli concludes direct examination. No questions from appellants.
11:23:44 AM		Kaylor begins cross examination of Amtmann.
11:24:47 AM		Kaylor concludes cross examination.
11:24:54 AM		Brogan begins cross examination of Amtmann.
11:25:33 AM		Brogan concludes cross examination.
11:25:39 AM		Haines asks question of Amtmann.
11:25:52 AM		Schiantarelli begins redirect of Amtmann.
11:28:30 AM		Kaylor objects, outside scope of testimony. Objection sustained.
11:28:43 AM		Schiantarelli concludes redirect.
11:28:58 AM		McCullough calls John Perlic of Parametrix as witness.
11:29:15 AM		Exhibits A10 and A11 are admitted.
11:29:40 AM		Perlic is sworn in.
11:30:39 AM		McCullough offers Exhibit A12, Resume of John Perlic and it is admitted. Direct examination of Perlic.
11:33:35 AM		Newman objects to testimony of Perlic, duplicative. Objection is overruled.
11:34:13 AM		Newman objects again, duplicative.
11:34:27 AM		Examiner allows McCullough to continue.
11:35:53 AM		Examiner asks McCullough for clarification.
11:36:10 AM		Newman objects to line of questioning.
11:36:33 AM		Objection overruled.
11:36:39 AM		Perlic responds.
11:37:57 AM		McCullough concludes direct examination of Perlic.
11:38:12 AM		Newman provides additional comment re: duplicative testimony.
11:38:28 AM		Schiantarelli begins cross examination of Perlic.

11:39:12 AM		Brogan objects, testimony and McCullough objects, beyond scope.
11:39:27 AM		Examiner allows Schiantarelli to continue.
11:41:44 AM		Schiantarelli concludes direct examination.
11:42:10 AM		McCullough calls John Shaw, DPD as witness.
11:42:40 AM		Shaw begins testimony.
11:44:02 AM		McCullough begins direct examination of Shaw.
11:53:09 AM		McCullough concludes direct examination.
11:53:17 AM		Newman begins cross examination of Shaw.
11:54:17 AM		Newman concludes cross examination.
11:54:22 AM		Zosel begins cross examination of Shaw.
11:57:08 AM		Zosel concludes cross examination.
11:57:15 AM		Haines begins redirect of Shaw.
11:57:44 AM		Haines concludes.
11:57:47 AM		Schiantarelli on re-cross of Shaw.
12:01:10 PM		Schiantarelli concludes.
12:01:19 PM		Off the record. Return at 1:15 PM
1:16:16 PM		Back on the record. Public testimony.
1:16:43 PM		Kiku Hayashi, 1701 17th Ave, begins public testimony.
1:18:28 PM		Hayashi concludes.
1:18:59 PM		Conclusion of public testimony.
1:19:23 PM		Brogan calls John Jex as witness.
1:19:32 PM		Voir dire of Jex. Brogan begins direct examination of Jex.
1:21:20 PM		Brogan offers Exhibit A13, Resume of John Jex and it is admitted.
1:27:45 PM		Objection by Newman, decisions based on need outside scope of SEPA.
1:28:15 PM		Brogan responds to objection.
1:28:26 PM		Objection overruled. Brogan continues direct examination of Jex.
1:29:16 PM		Newman renews objection.
1:29:31 PM		Objection overruled.

1:29:48 PM		Brogan continues.
1:37:17 PM		Brogan refers to Exhibit 14 from MIMP Hearing, Swedish Medical Center Presentation for illustrative purposes. Objection by Newman. Objection overruled. Examiner will allow use of Exhibit 14.
1:57:37 PM		Brogan concludes direct examination of Jex.
1:57:47 PM		No further questions of Jex from property owner counsel and department.
1:57:51 PM		Newman begins cross examination of Jex.
2:07:23 PM		Kaylor objects, testimony.
2:07:29 PM		Newman continues cross examination.
2:09:33 PM		Kaylor objects, beyond scope.
2:09:39 PM		Newman concludes cross examination.
2:10:00 PM		Schiantarelli begins cross examination of Jex.
2:12:25 PM		Schiantarelli concludes cross examination.
2:12:31 PM		Brogan begins redirect of Jex.
2:12:53 PM		Brogan concludes.
2:13:11 PM		Public testimony of Claire Lane, 832 16th Ave.
2:17:15 PM		Lane concludes.
2:17:26 PM		Kaylor calls Katy Chaney of AECOM, as witness and she is sworn in.
2:18:03 PM		Kaylor offers Exhibit A14, Resume of Chaney and it is admitted.
2:24:48 PM		Newman objects, SEPA substantive issues.
2:25:06 PM		Kaylor continues after clarification.
2:35:18 PM		Kaylor concludes direct examination.
2:35:28 PM		No questions from Department or Applicant counsel.
2:35:31 PM		Schiantarelli asks question of Chaney.
2:37:35 PM		Kaylor objects, no foundation.
2:40:28 PM		Schiantarelli concludes.
2:41:01 PM		Stephanie Haines for DPD begins testimony.
2:43:47 PM		Haines concludes testimony.
2:44:55 PM		Scheduling discussion. Opening brief 7/29, response brief 8/5,

		reply 8/11.
2:46:21 PM		Hearing is adjourned to continue 7/17/15.

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