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BEFORE THE HEARING EXAMINER
THE CITY OF SEATTLE

In the Matter of the Appeals of
**FOSS MARITIME COMPANY AND
PORT OF SEATTLE,**
from an Interpretation Issued by the Director,
DEPARTMENT OF PLANNING AND
DEVELOPMENT.

Hearing Examiner File:
S-15-001 and S-15-002

(Director's Interpretation: 15-001)

**PORT OF SEATTLE'S WITNESS AND
EXHIBIT LISTS**

I. WITNESSES

The Port of Seattle may call the following witnesses, who may be contacted through the undersigned counsel.

1. **Linda Styrk**, Managing Director, Maritime Division. Ms. Styrk may testify about the business that the Port conducts at all its maritime facilities, including the moorage of many different kinds of vessels not used for transporting goods in the stream of commerce.
2. **Mike McLaughlin**, Director of Cruise and Maritime Operations. Mr. McLaughlin may testify about the Port's non-containerized cargo business at all of its maritime facilities, and the business that the Port conducts at all its maritime facilities, including the moorage of many different kinds of vessels not used for transporting goods in the stream of commerce.

1 3. **Greg Englin**, Manager, Maritime Operations. Mr. Englin may testify about the Port's
2 moorage of a variety of vessels at all its facilities, particularly at Terminal 91 and Piers
3 66 and 69, and about the Port's "Terminal Tariff No. 5."

4 4. **George Blomberg**, Senior Environmental Program Manager. Mr. Blomberg may testify
5 about the history of the Port's maritime facilities, including the permits that the City has
6 required for such facilities.

7 5. **Thomas Tanaka**, Senior Port Counsel. Mr. Tanaka may testify about how Federal
8 regulations prohibit the Port from discriminating against or among vessels based upon the
9 purpose or use of the vessels.

10 The Port reserves the right to identify other witnesses who may be identified during on-
11 going discovery.

12 13 **II. PORT OF SEATTLE'S EXHIBIT LIST**

14 1. All materials in DPD's files, including in particular the materials submitted to DPD by
15 the Port of Seattle in response to DPD's questions about the use of Terminal 5 and other
16 Port facilities.

17 2. All documents included in the record that the Port certified to the superior court on June
18 2, 2015 in Cause No. 15-2-05143-1. A link to the web site from which these documents
19 can be downloaded will be provided on request.

20 3. The Port's Terminal Tariff No. 5 (available on the Port's web site).

21 4. Representative Daily Berthing Plans from Terminal 91, illustrating the variety of vessels
22 that moor at the Port's cargo terminals. Copies will be provided on request.

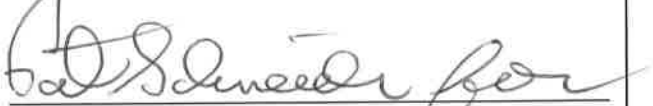
23 5. DPD shoreline permits for Port maritime facilities, including Terminal 5, Terminal 91,
24 Pier 66, and Pier 69.

25 6. Assorted photographs, maps, and site plans that depict the Port's maritime facilities.
26 Copies can be provided once these documents are identified and prepared.

7. Photographs that depict prior moorage by oil drilling rigs in Seattle.
8. All documents identified as exhibits or potential exhibits by other parties to this appeal.
9. All documents that the Port learns are relevant as a result of on-going discovery.

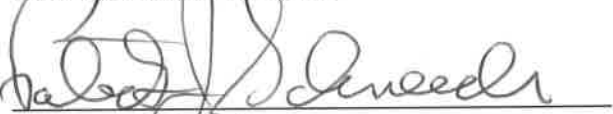
RESPECTFULLY SUBMITTED this 21st day of July, 2015.

PORT OF SEATTLE



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DECLARATION OF SERVICE

The undersigned declares under penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned a resident of the State of Washington, over the age of eighteen years, not a party to the above-entitled action, and competent to be a witness herein.

On July 21, 2015, I caused the foregoing document to be served as follows:

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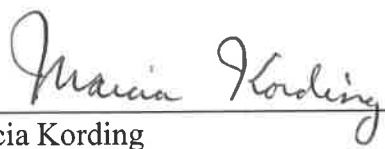
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DATED this 21st day of July, 2015.



Marcia Kording