

1 3. On July 23, 2015, after two days of depositions taken by Mr. West and counsel
2 for the Port, the City's attorney, Eleanor Baxendale, asked to confer about the witness and
3 exhibit lists submitted by Foss and the Port. More specifically, Foss identified 22 witnesses it
4 might call, the Port named five potential witnesses, and the T-5 intervenors named 14 potential
5 witnesses. They also sought additional time to name other potential witnesses. As for exhibits,
6 Foss, the Port and the T-5 Intervenors listed broad categories of potential witnesses, such as
7 correspondence between the Port and the City Department of Planning and Development, the
8 over 400-page record in the related Superior Court litigation over compliance with the State
9 Environmental Policy Act, unspecified news articles, and photographs and documentary
10 evidence of activities at Port facilities that had not been provided to the other parties. Ms.
11 Baxendale asked the attorneys for the Port and Foss when they would narrow their lists to the
12 witnesses they actually intended to call and when they would narrow the list and provide copies
13 of the various exhibits they intended to offer. It was in that context that I stated we might need
14 to postpone the hearing if the disclosures were not narrowed and exhibits not provided in timely
15 fashion.

16 4. I want to make it clear I have no desire to delay the hearing in this case and will
17 abide by the schedule that is set by the Hearing Examiner. To illustrate how seriously I take this
18 commitment, I will not be joining my husband on a three-day vacation we had scheduled before
19 this appeal was filed in order to accommodate the trial dates set in this case.

20 5. The second statement referenced by Mr. West concerns the 30(b)(6) deposition.
21 Mr. West asked Ms. Baxendale how long she thought the deposition would take and she
22 indicated three hours. Mr. West then complained at length about having to produce and prepare
23 a witness for this deposition. In order to make sure Mr. West knew I might also want to question
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1 this witness, I indicated that I might have additional questions but would need no more than 1-2
2 hours. I did not say that a full day would be required and, in fact, said that I would be more
3 efficient and quicker than Mr. West was in the depositions he took, which each took the better
4 part of a day.

5 I declare under penalty of perjury that the foregoing is true and correct.

6 Executed this 5th day of August, 2015 in Seattle, Washington.

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8 
9 PATTI A. GOLDMAN