

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

Hearing Examiner Files:
W-16-003

**CITIZENS FOR LIVABILITY IN
BALLARD**

From a decision by the Director, Office
Planning and Community Development,
regarding the adequacy of a Final Environmental
Impact Statement

PREHEARING ORDER

A prehearing conference was held on this appeal on June 7, 2016. Represented at the conference were the Appellant, Citizens for Livability in Ballard (Citizens), by Joseph Wert; and the Director, Office of Planning and Community Development (OPCD) by J. Zachary Lell, attorney at law.

As discussed at the conference, the hearing is hereby continued to August 16, 2016, commencing at 9:00 a.m. The parties are also asked to reserve August 17, 2016 for completion of the hearing if necessary. The parties are asked to contact our office to confirm their availability for these dates.

At the conference, the OPCD indicated that it would be filing a dispositive motion. Appellant Citizens presented a request for discovery. As noted at the conference, the Examiner will not intervene in the parties' exchange of information or discovery, unless a party files a motion concerning discovery. At the conference, Mr. Wert confirmed that he will be unavailable from July 17-31, and that Steve Cohn will be representing Citizens during that time.

The following prehearing schedule is hereby ordered:

July 7, 2016:	Dispositive motions to be filed and served.
July 19, 2016:	Responses to dispositive motions to be filed and served.
July 22, 2016:	Replies to responses to be filed and served.
August 1, 2016:	Citizens witness and exhibit lists to be filed and served.
August 8, 2016:	OPCD witness and exhibit lists to be filed and served.
August 16, 2016:	Hearing commences at 9:00 a.m.

At the conference, the parties agreed to service by email. Please note that the Hearing Examiner accepts electronic filing of documents; please contact Tiffany Ku in our office if you require assistance with electronic filing. Please note that under HER 2.05, if an e-filed document exceeds 10 pages, a hard copy of the document must be delivered to the Hearing Examiner. Faxes are limited to 15 pages, unless prior approval is obtained from the Hearing Examiner.

Witness lists shall include the name of each witness who will be testifying at hearing, noting the subject matter and expected duration of each witness's testimony, and whether the witness will be testifying as an expert. Except for purposes of impeachment, only testimony from witnesses identified on the lists, and exhibits identified in the lists, may be offered at hearing.

Please contact our office if you have questions.

Entered this 8th day of June, 2016.



Anne Watanabe, Deputy Hearing Examiner
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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 **Citizens for Livability in Ballard**, Hearing Examiner Files: **W-16-003**, in the manner indicated.

Party	Method of Service
Citizens for Livability in Ballard c/o Kirk Robbins gnoloo@msn.com Joseph Wert joewert53@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
J. Zachary Lell Ogden Murphy Wallace, PLLC 901 Fifth Ave, Suite 3500 Seattle, WA 98104 zlell@omwlaw.com James Haney jhaney@omwlaw.com Gloria Zak gzak@omwlaw.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

Dated: June 8, 2016

Tiffany Ku
Legal Assistant