

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

Hearing Examiner File:
W-16-003

CITIZENS FOR LIVABILITY IN BALLARD

From a Determination of Adequacy by the Director,
Seattle Department of Construction and Inspections

ORDER

The Appellant Citizens for Livability in Ballard filed a request for 16 subpoenas for various City employees, as well as Diane Sugimura, who is no longer a City employee.

Under Hearing Examiner Rule 3.12 (b), a motion for a subpoena for a person shall include the person's name and address, show the relevance of that person's testimony, and demonstrate the reasonableness of the scope of the subpoena sought. The request and the attached subpoenas fail to demonstrate the relevance of the testimony or the reasonableness of the scope of testimony sought but merely state that the witness is to testify as to the "preparation of the Draft and Final Environmental Impact Statement including alternatives, content of analysis and methodology." The request is therefore denied.

The Appellant has indicated that the City may be calling some of the witnesses that were on the Appellant's witness list. The City should make those witnesses available on August 16 for purposes of examination by the Appellant.

Entered this 5th day of August, 2016.



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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 **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
James E. Haney Ogden Murphy Wallace, PLLC jhaney@omwlaw.com Zachary Lell zlell@omwlaw.com Gloria Zak gzak@omwlaw.com Alicia Reise Alicia.Reise@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
Kirk Robbins gnoloo@msn.com Joseph Wert joe.wert53@gmail.com Steve Cohn seaviewpacific@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

Dated: August 5, 2016

TK

Tiffany Ku
Legal Assistant