

**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Appeals of  
**DAVID MOEHRING, ET AL.**  
from a decision issued by the Director,  
Department of Construction and Inspections

Hearing Examiner Files:  
**MUP-16-016 (W)**

Department Reference:  
3020730

**PREHEARING ORDER**

A prehearing conference was held in this appeal on August 9, 2016. The Appellants were represented by David Moehring. The Applicant was represented by Debra M. Akhbari, attorney-at-law. The Director of the Department of Construction and Inspections (“Department”), was represented by Jerry Suder, Land Use Planner Technical Supervisor, and BreAnne McConkie, Land Use Planner.

The schedule for this appeal is as follows:

- |                    |  |
|--------------------|--|
| August 19, 2016    | Deadline for the Applicant and Department to file and serve motions to dismiss   |
| August 26, 2016    | Deadline for the Appellants to file a response to motions to dismiss with the Office of Hearing Examiner and serve a copy of the response on each party  |
| August 29, 2016    | Deadline for the Applicant and Department to file and serve any replies to the response to motions to dismiss  |
| September 2, 2016  | Estimated date for the Examiner’s decision on motions to dismiss   |
| September 7, 2016  | Deadline for all parties to file final witness <sup>1</sup> and exhibit lists with the Office of Hearing Examiner and serve a copy of the lists, together with a copy of each listed exhibit, on the other parties |
| September 13, 2016 | Hearing on the merits of the appeal at <u>9:00 a.m.</u>  |

<sup>1</sup>Witness lists must include the names of witnesses a brief summary of their expected testimony, and the approximate amount of time their testimony is expected to take. If a witness will be testifying as an expert, a statement of qualifications must be included. Except for purposes of impeachment or rebuttal, only those witnesses and exhibits listed by the parties may be offered at the hearing.

Note: If the parties reach agreement on different deadlines for filing and serving final witness and exhibit lists, the parties' written stipulation on the matter shall supersede the applicable provisions of this order.

The parties are reminded that Hearing Examiner Rule (HER) 2.05(a) requires that any electronically filed document more than 10 pages in length, including exhibits, must also be delivered to the Hearing Examiner in hard copy, and HER 2.05(c) prohibits the filing of more than 15 pages with the Office of Hearing Examiner by electronic facsimile.

Entered this 9<sup>th</sup> 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 **Prehearing Order** to each person listed below, or on the attached mailing list, in the matter of **Neighbors of 3447-9 22<sup>nd</sup> Ave West** Hearing Examiner File: **MUP-16-016 (W)** in the manner indicated.

| <b>Party</b>  | <b>Method of Service</b>  |
|---|---|
| Neighbors of 3447-9 22 <sup>nd</sup> Ave West<br>c/o David Moehring<br>3444 23 <sup>rd</sup> Ave W, # B<br>Seattle, WA 98199<br>dmoehring@consultant.com  | <input type="checkbox"/> U.S. First Class Mail, postage prepaid<br><input type="checkbox"/> Inter-office Mail<br><input checked="" type="checkbox"/> E-mail<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Legal Messenger |
| Sound Builders/Einar Novion<br>c/o Samuel M. Jacobs<br>Helsell Fetterman<br>1001 4 <sup>th</sup> Ave, Suite 4200<br>Seattle, WA 98154<br>sjacobs@helsell.com<br><br>Debra Akhbari<br>dakhbari@helsell.com | <input type="checkbox"/> U.S. First Class Mail, postage prepaid<br><input type="checkbox"/> Inter-office Mail<br><input checked="" type="checkbox"/> E-mail<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Legal Messenger |
| Breanne McConkie<br>SDCI<br>Breanne.McConkie@seattle.gov<br><br>Jerry Suder<br>Jerry.Suder@seattle.gov  | <input type="checkbox"/> U.S. First Class Mail, postage prepaid<br><input type="checkbox"/> Inter-office Mail<br><input checked="" type="checkbox"/> E-mail<br><input type="checkbox"/> Fax<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Legal Messenger |

Dated: August 9, 2016

  
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 Tiffany Ku  
 Legal Assistant