

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

SCOTT FRANCIS

from a decision issued by the Director,
Department of Construction and Inspections

Hearing Examiner File:
MUP-16-024 (ECAV)

Department Reference:
3021625

**PREHEARING ORDER and
ORDER CONTINUING HEARING**

A prehearing conference was held in this appeal on January 9, 2017. Appellant Scott Francis was represented by Bradford Doll, attorney-at-law. The Applicant, 1706-1708 ALKI AVENUE SW, LLC, was represented by Katie Kendall and Courtney Kaylor, attorneys-at-law. The Director of the Department of Construction and Inspections (“Department”), was represented by Liza Anderson and Daniel Mitchell, attorneys-at-law. The parties accepted Anne Watanabe as a Pro Tem Hearing Examiner to hear and decide this appeal. Pursuant to other discussions had at the prehearing conference, the hearing on the appeal is continued from February 13, 2017 to March 6, 2017.

The schedule for the appeal is as follows:


January 30, 2017	Deadline for the Applicants and Department to file and serve prehearing motions
February 13, 2017	Deadline for the Appellant to file and serve his response to prehearing motions
February 21, 2017	Deadline for the Applicant and Department to file and serve any replies to the Appellant’s response to prehearing motions
February 27, 2017	Deadline for each party to file its final witness ¹ and exhibit lists and serve a copy of the lists, together with a copy of each listed exhibit, on the other parties
March 6, 2017	Hearing on the merits of the appeal at <u>9:00 a.m.</u>

¹Witness 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 deadline 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 9th day of January, 2017.


Sue A. Tanner, Hearing Examiner
Office of Hearing Examiner
P.O. Box 94729
Seattle, Washington 98124-4729
Phone: (206) 684-0521
FAX: (206) 684-0536

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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 **Scott Francis**. Hearing Examiner File: **MUP-16-024(ECAV)** in the manner indicated.

Party	Method of Service
Scott Francis c/o Bradford Doll and Sarah Mack Tupper Mack Wells PLLC 2025 First Ave, Suite 1100 Seattle, WA 98121 doll@tmw-law.com mack@tmw-law.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
1706-1708 Alki Ave SW, LLC c/o Jessica Clawson, Courtney Kaylor, Katie Kendall McCullough Hill Leary, P.S. 701 Fifth Ave, Suite 6600 Seattle, WA 98104 jessica@mhseattle.com courtney@mhseattle.com kkendall@mhseattle.com Laura Counley lcounley@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
SDCI c/o Liza Anderson and Daniel Mitchell Assistant City Attorneys 701 Fifth Ave, Suite 2050 Seattle, WA 98104 Liza.Anderson@seattle.gov Daniel.Mitchell@seattle.gov 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

Dated: January 9, 2017

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Tiffany Ku
Legal Assistant