

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

EPIC ET AL.

from a decision by the Director,
Department of Construction and
Inspections, on a Master Use Permit

Hearing Examiner File:

**MUP-17-001
(W, MOD.STDS.)**

Department Reference
3020845

PREHEARING ORDER

A telephonic prehearing conference was held in this appeal on January 26, 2017. The Appellant, EPIC, et al., was represented by Knoll Lowney and Katherine Brennan, attorneys-at-law. The Applicant, Patrick Donnelly, was represented by Courtney A. Kaylor, attorney-at-law. The Director of the Department of Construction and Inspections was represented by Elizabeth E. Anderson, attorney-at-law. The property owner, King County, was represented by Cristy Craig, Senior Deputy Prosecuting Attorney.

At the prehearing conference, the parties discussed the Applicant's motion for clarification of the issues, which was granted; the parties' anticipated prehearing motions; discovery; and a schedule for the case. The case schedule for this appeal is as follows:

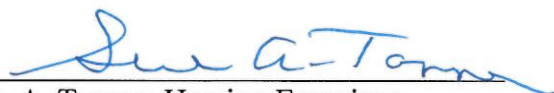
February 2, 2017	Deadline for filing and serving Appellants' clarification of the appeal issues in response to the Applicant's motion for clarification
February 3, 2017	Deadline for filing and serving the Respondents' dispositive motions
February 13, 2017	Deadline for filing and serving the Appellants' responses to the Respondents' dispositive motions
February 17, 2017	Deadline for filing and serving the Respondents' replies to dispositive motion responses
March 1, 2017	Estimated date for the Hearing Examiner's decision on the Respondents' dispositive motions
April 10, 2017	Deadline for filing and serving the Appellants' dispositive motion
April 21, 2017	Deadline for filing and serving the Respondents' responses to the Appellants' dispositive motion

April 28, 2017	Deadline for filing and serving the Appellants' reply to dispositive motion responses
May 10, 2017	Estimated date for the Hearing Examiner's decision on the Appellants' dispositive motions
May 17, 2017	Deadline for filing and serving the Appellants' witness ¹ and exhibit lists and serving a copy of each listed exhibit on the Respondents
May 24, 2017	Deadline for filing and serving the Respondents' witness ¹ and exhibit lists and serving a copy of each listed exhibit on the Appellants
May 29, 2017	Deadline for the filing and serving the Appellants' witness ¹ and exhibit lists in reply to the Respondents' lists and serving a copy of any additional exhibits on the Respondents
June 12, 2017	Hearing on the merits of the appeal at 9:00 a.m. <u>June 13 through June 16, 2017</u> have also been set aside on the calendar for completion of the hearing, if needed.

¹Witness lists must include the names of witnesses, a brief summary of their expected testimony, and the approximate amount of time required for their testimony. 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.

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 that HER 2.05(c) prohibits the filing of more than 15 pages with the Office of Hearing Examiner by electronic facsimile.

Entered this 26th day of January, 2017.


Sue A. Tanner, Hearing Examiner
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CITY OF SEATTLE**

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 **EPIC et al.** Hearing Examiner File: **MUP-17-001 (W)** in the manner indicated.

Party	Method of Service
Epic et al. c/o Knoll Lowney, Claire Tonry, Meredith Crafton, Katherine Brennan Smith & Lowney PLLC knoll@igc.org clairet@igc.org meredithc@igc.org katherineb@igc.org	<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
Patrick Donnelly c/o Courtney Kaylor and Jack McCullough McCullough Hill Leary, P.S. courtney@mhseattle.com jack@mhseattle.com Laura Counley lcounley@mhseattle.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
SDCI c/o Liza Anderson Assistant City Attorney Liza.Anderson@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
King County c/o Cristy Craig King County Prosecutor Cristy.Craig@kingcounty.gov Monica Erickson Monica.Erickson@kingcounty.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

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Dated: January 26, 2017

TK

Tiffany Ku
Legal Assistant