

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

PROTECT VOLUNTEER PARK

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

Hearing Examiner File:

MUP-17-015(W)

Department Reference:

3024753

PREHEARING ORDER

A prehearing conference was held in this appeal on April 11, 2017. The Appellant, Protect Volunteer Park, was represented by David A. Bricklin, attorney-at-law, who appeared via telephone. The Applicant, Seattle Art Museum, was represented by Amit D. Ranade and Abigail Pearl DeWeese, attorneys-at-law. The Director of the Department of Construction and Inspections was represented by Daniel Mitchell, Assistant City Attorney.

At the prehearing conference, the parties discussed potential prehearing motions and a discovery request from the Applicant, and reached agreement on the following case schedule, which is therefore ORDERED:

- | | |
|----------------|--|
| April 18, 2017 | Deadline for the Appellant to file and serve: 1) the letter from the National Association for Olmsted Parks referred to in the Notice of Appeal; and 2) a response to the Applicant's discovery request concerning information about the Appellant |
| May 1, 2017 | Deadline for filing and serving motions for summary judgment. |
| May 15, 2017 | Deadline for filing and serving responses to the motions for summary judgment. |
| May 19, 2017 | Deadline for filing and serving replies on the motions for summary judgment. |
| June 7, 2017 | Hearing on the merits of the appeal at <u>9:00 a.m.</u> The morning of June 9 has also been set aside on the hearing calendar if needed for completion of the hearing. |

If needed, a schedule for filing witness and exhibit lists will be included with the Examiner's order on the cross motions for summary judgment if the parties have not previously filed a stipulated schedule. Witness lists must include the names of witnesses

and a brief summary of their expected 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 HER 2.05(c) prohibits the filing of more than 15 pages with the Office of Hearing Examiner by electronic facsimile.

Entered this 12th day of April, 2017.


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