

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

DAVID MOEHRING

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

Hearing Examiner File:
MUP-17-018 (P)

Department Reference:
3026716

**PREHEARING
ORDER**

On May 10, 2017, a prehearing conference was held regarding this matter. Represented at the conference were the Appellant, David Moehring (“Appellant”), by Gregory L. Ursich, attorney-at-law. The Applicant, Einar Novion (“Applicant”), was represented by Samuel M. Jacobs, attorney-at-law, and Debra M. Akhbari, attorney-at-law. The City of Seattle (“City”), was represented by David Graves, Land Use Planner.

During the prehearing conference the parties discussed a hearing schedule, briefing schedule for pre-hearing motions, identified a schedule for final witness and exhibit lists and exchange of exhibits, and discussed clarification of appeal issues. The following matters were discussed and resolved:

1. The Applicant and City anticipate filing pre-hearing motions. The Applicant and City shall file with the Office of Hearing Examiner, and serve a copy on the other parties, their motions, no later than 5:00 PM on May 18, 2017.
2. The Appellant shall file and serve its response to the motions, no later than 5:00 PM on May 26, 2017.
3. The Applicant and City shall file and serve their replies, no later than 5:00 PM on June 2, 2017.
4. The Appellant shall file and serve its final witness list¹ and final exhibit list, no later than 5:00 PM on June 16, 2017. The Appellants shall serve the other parties a copy of each of the exhibits listed on their exhibit list, no later than 5:00 PM on June 16, 2017. (Exhibits are not to be filed with the Office of the Hearing Examiner electronically or in hard copy. Parties are not required to provide copies of an exhibit to another party if the other party is known to possess a copy of the exhibit. Parties must be prepared to provide a copy of

¹ 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.

any exhibit to be introduced at the hearing in hard-copy form to the Hearing Examiner.)

5. The Applicant and City shall file and serve their final witness lists and final exhibit lists, no later than 5:00 PM on June 23, 2017. The Applicant and City shall serve the other parties a copy of each of the exhibits listed on their respective exhibit lists, no later than 5:00 PM on June 23, 2017.

The hearing in this matter is scheduled to be held on June 27, 2017, beginning at 1 PM in the Office of Hearing Examiner, Hearing Room 4000, 700 Fifth Avenue, (Seattle Municipal Tower, 40th Floor) Seattle, Washington. In addition to this initial hearing date, Thursday June 29, 2017 from 8:30 AM to 12:30 PM has been reserved on the hearing calendar for continuation of 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 14th day of May, 2017



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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 and Notice of Hearing** to each person listed below, or on the attached mailing list, in the matter of **David Moehring**. Hearing Examiner File: **MUP-17-018 (P)** in the manner indicated.

Party	Method of Service
David Moehring c/o Gregory Ursich Inslee Best gursich@insleebest.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
David Graves SDCI David.Graves3@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
Einar Novion, Applicant c/o Sam Jacobs & Debra Akhbari Helsell Fetterman sjacobs@helsell.com dakhbari@helsell.com Sarah Damianick sdamianick@helsell.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
SCI Routing Coordinator SCI_Routing_Coordinator@seattle.gov PRC PRC@seattle.gov Sue Putnam Sue.Putnam@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

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Dated: May 10, 2017



Tiffany Ku
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