

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

JACK NICKFARD

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

Hearing Examiner File:
MUP-17-019(DR)

Department Reference:
3018686

CORRECTED
PREHEARING ORDER

A prehearing conference was held in this appeal on May 17, 2017. The Appellant, Jack Nickfard, was represented by David A. Bricklin, attorney-at-law. The Applicant, Martin Selig Real Estate, was represented by John C. McCullough and Katie Kendall, attorneys-at-law. The Director of the Department of Construction and Inspections was represented by Michael Dorcy, Land Use Planner. Richard Aramburu, attorney-at-law, attended the conference and stated an intention to file a motion to intervene in the appeal.

At the prehearing conference, the Examiner handed out copies of an electronically filed "new case," from Brian Estes and Eric Drummond Hay, which the Examiner will consider as a motion to intervene in this appeal. The parties discussed potential prehearing motions and reached agreement on the following case schedule, which is therefore ORDERED:

May 19, 2017	Deadline for <u>Mr. Aramburu</u> to file and serve a motion to intervene in the appeal
May 26, 2017	Deadline for filing and serving a response to the two motions to intervene
May 30, 2017	Deadline for filing and serving motions to dismiss
June 9, 2017	Deadline for filing and serving responses to the motions to dismiss
June 15, 2016	Deadline for filing and serving replies on the motions to dismiss
June 28, 2017	Hearing on the merits of the appeal at <u>9:00 a.m.</u>

If needed, a schedule for filing witness and exhibit lists will be included with the Examiner's order on the motions to dismiss 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 19th day of May, 2017.

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