

**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Appeal of

Hearing Examiner File:

**W-17-004**

**THE BALLARD COALITION**

of adequacy of the FEIS issued by the Director,  
Seattle Department of Transportation

**PREHEARING  
ORDER**

On July 6, 2017, a prehearing conference was held regarding this matter. Represented at the conference were the Appellant, The Ballard Coalition (“Appellant”), by Joshua C. Brower and Patrick J. Schneider, attorneys-at-law. The City of Seattle (“City”), was represented by Erin E. Ferguson, attorney-at-law. The Cascade Bicycle Club (“Cascade”) which had filed a motion to intervene (which has since been granted), was represented by Matthew Cohen, attorney-at-law.

During the prehearing conference the parties discussed a hearing schedule, and briefing schedule for pre-hearing motions. The following matters were discussed and resolved:

1. The parties are engaging in prehearing discovery on their own initiative, and will notify the Hearing Examiner only if necessary.
2. The parties anticipate filing pre-hearing motions. Any party filing a pre-hearing motion shall file with the Office of Hearing Examiner, and serve a copy on the other parties, its motion, no later than 5:00 PM on August 4, 2017.
3. Responses to any pre-hearing motion shall be filed and served, no later than fourteen days after the filing of the motion. (see HER 2.04 for additional information on computation of time)
4. Replies to any Response shall be filed and served, no later than ten days after the filing of the Response. (see HER 2.04 for additional information on computation of time)
5. The City and Cascade agreed to make a good faith effort to coordinate any prehearing motion activity between them to enhance efficiency in presentation and briefing for such motions.

Additional hearing schedule dates:

6. The parties shall file and serve their respective preliminary witness lists<sup>1</sup> and exhibit lists, no later than 5:00 PM on September 8, 2017.
7. The parties shall file and serve their respective final witness lists and exhibit lists, no later than 5:00 PM on October 6, 2017. Each party shall serve the other parties a copy of each of the exhibits listed on its exhibit list, no later than 5:00 PM on October 6, 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 any exhibit to be introduced at the hearing in hard-copy form to the Hearing Examiner.)

The hearing in this matter is scheduled to be held on October 16, 2017, beginning at 9 AM in the Office of Hearing Examiner, Hearing Room 4000, 700 Fifth Avenue, (Seattle Municipal Tower, 40<sup>th</sup> Floor) Seattle, Washington. In addition to this initial hearing date, October 17, 18, 20 and 23, 2017, all at 9:00 AM, have 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 7<sup>th</sup> day of July, 2017



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<sup>1</sup> 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.