

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeals of

**WALLINGFORD COMMUNITY
COUNCIL, ET AL.**

Hearing Examiner File:
W-17-006 through
W-17-014

of adequacy of the FEIS issued by the Director,
Office of Planning and Community Development

**ORDER ON THE
CITY'S MOTION TO
COMPEL DISCOVERY**

The City of Seattle ("City") filed a Motion to Compel Discovery on April 25, 2018. The deadline for responses to the City's Motion was May 2, 2018. The Appellants Seattle Coalition for Affordability, Livability and Equity, and Friends of the North Rainier Neighborhood Plan filed responses to the motion. None of the other Appellants named in the motion filed a response. The Hearing Examiner has reviewed the file in this matter including the motion documents. For purposes of this decision, all section numbers refer to the Seattle Municipal Code ("SMC" or "Code") unless otherwise indicated.

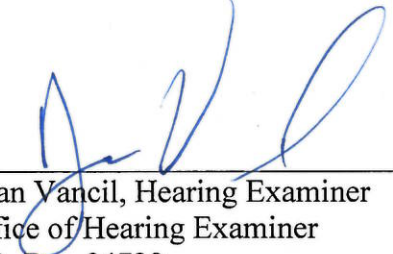
HER 2.16 (b) provides:

Within 7 days after service of a written motion, or such other time as may be designated by the Hearing Examiner, any other party may file a written response. After the Hearing Examiner has received any written responses, or the 7 days or other designated time has elapsed, the Hearing Examiner may rule on the motion. Failure of a party to file a timely response may be considered by the Hearing Examiner as evidence of that party's consent to the motion.

As to the Fremont Neighborhood Council, Seniors United for Neighbors, Morgan Community Association, and West Seattle Junction Neighborhood Organization the motion is **GRANTED**. To avoid prejudice to the Respondent in preparing its case, and inconveniencing the parties, Fremont Neighborhood Council, Seniors United for Neighbors, Morgan Community Association, and West Seattle Junction Neighborhood Organization are hereby **ORDERED** to respond to the City's request for discovery identified in the motion no later than 5 PM Friday May 4, 2018.

As to the Seattle Coalition for Affordability, Livability and Equity, and Friends of the North Rainier Neighborhood Plan, the responses from these parties indicate that at this time they are in compliance with discovery. If such is not the case the City may address that in a reply brief, and the Hearing Examiner may issue a supplementary order. If the City does not file a reply brief as to remaining issues related to the motion this will be the final order as to the motion.

Entered this 3rd day of May, 2018.



Ryan Vancil, Hearing Examiner
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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 **Order on the City's Motion to Compel Discovery** to each person listed below, or on the attached mailing list, in the matter of **Wallingford Community Council, et al.**, Hearing Examiner Files: **W-17-006 – W-17-014** in the manner indicated.

Party	Method of Service
Appellants Wallingford Community Council c/o G. Lee Raen lee@lraaen.com Morgan Community Association (MoCA) c/o Deb Barker djb124@earthlink.net Friends of Ravenna-Cowen c/o Judith Bendich jebendich@comcast.net West Seattle Junction Neighborhood Organization admin@wsjuno.org c/o Rich Koehler rkoehler@cool-studio.net Coalition for Affordability, Livability, and Equity c/o Claudia Newman newman@bnd-law.com Seniors United for Neighborhoods (SUN) c/o David Ward booksgalore22@gmail.com Beacon Hill Council of Seattle c/o Mira Latoszek mira.latoszek@gmail.com Friends of North Rainier Neighborhood Plan c/o Marla Steinhoff masteinhoff@gmail.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

<p>Fremont Neighborhood Council fremont@louploup.net c/o Toby Thaler toby@louploup.net</p>	
<p>Department Legal Counsel Jeff Weber Assistant City Attorney Jeff.weber@seattle.gov</p> <p>Daniel Mitchell Assistant City Attorney Daniel.mitchell@seattle.gov</p> <p>Tadas Kiselius tak@vnf.com</p> <p>Dale Johnson dnj@vnf.com</p> <p>Clara Park cpark@vnf.com</p> <p>Alicia Reise Alicia.reise@seattle.gov</p> <p>Cara Tomlinson cat@vnf.com</p> <p>Amanda Kleiss ack@vnf.com</p> <p>Geoffrey Wentlandt OPCD Geoffrey.wentlandt@seattle.gov</p> <p>MHA.EIS@seattle.gov</p>	<p><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</p>

Dated: May 3, 2018



Alayna Johnson
Legal Assistant