

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeals of

ELIZABETH CAMPBELL, ET AL.

of the adequacy of an FEIS issued by the Director,
Seattle Office of Housing

Hearing Examiner File:
W-18-002

**SECOND
PREHEARING ORDER**

On October 24, 2018, a prehearing conference was held regarding this matter. The City of Seattle ("City"), was represented by Patrick Downs, attorney-at-law. The Appellants, Elizabeth Campbell and Discovery Park Community Alliance ("Appellants"), represented by Elizabeth Campbell failed to appear.

The purpose of this second pre-hearing conference was to set a hearing schedule, and determine Appellants' preparedness for hearing. Appellants' September 20, 2018 motion for stay was granted for thirty-days to secure legal counsel before a new hearing date of October 29, 2018. No notice of appearance of counsel has been filed for this matter, and no update has been received from the Appellants.

in addition to granting the Appellants' motion for stay, the City's September 14, 2018 Motion to Exclude Exhibits and Witnesses was also granted on September 28, 2018 due to Appellants' failure to file required exhibit and witness lists. As a result, Appellants are barred from introducing witnesses or exhibits to the record. Only legal argument is available to Appellants under these conditions.

Appellants' failure to appear at the pre-hearing conference, failure to file exhibit and witness lists, and apparent failure to secure counsel as a result of the stay are sufficient grounds for this matter to be dismissed. However, the Appellants will be afforded a final opportunity to pursue their case. As there is no opportunity remaining for Appellants to introduce new evidence or testimony, the hearing for this matter scheduled for Monday October 29, 2018 is canceled. The parties will address any remaining issues in this matter in the form of legal briefing. The parties shall adhere to the following briefing schedule:

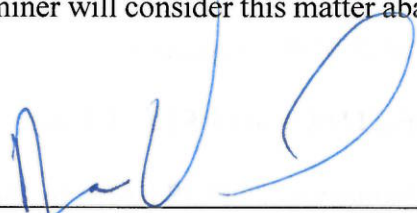
Appellants shall file their opening brief with the Office of Hearing Examiner, and serve a copy on the City, no later than 5:00 PM Friday November 2, 2018.

The City's response shall be filed and served no later than 5:00 PM Friday November 9, 2018.

The Appellants' reply shall be filed and served no later than 5:00 PM Wednesday November 14, 2018.

If Appellants fail to file an opening brief within the time identified above, the City is not required to submit briefing, and the Hearing Examiner will consider this matter abandoned by Appellants and dismiss the case accordingly.

Entered this 24th day of October, 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 **Second Prehearing Order** to each person listed below, or on the attached mailing list, in the matter of **Elizabeth Campbell, et al.**, Hearing Examiner File: **W-18-002**, in the manner indicated.

Party	Method of Service
Appellant Elizabeth Campbell neighborhoodwarrior@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
Department Patrick Downs Assistant City Attorney patrick.downs@seattle.gov Alicia Reise Alicia.reise@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

Dated: October 24, 2018



Alayna Johnson
Legal Assistant