

**BEFORE THE HEARING EXAMINER
FOR CITY OF REDMOND**

In the Matter of the Appeal of)	NO. _____
)	
)	
Dr. John Brunsman)	Brunzman Relocation Claim
)	Determination Appeal
)	
of the August 22, 2017)	
Relocation Claim Determination)	ORDER SETTING RESPONSE
related to property at)	SCHEDULE ON RECEIPT OF
16146 NE Cleveland Street, Redmond)	APPELLANT'S MOTION TO DISMISS
_____)	

The above-captioned appeal is scheduled to be heard on January 12, 2018.

On November 20, 2017, counsel for the Appellant submitted a motion to dismiss for lack of jurisdiction, due to the fact that the appeal was filed before the ordinance giving the City's hearing Examiner the responsibility of hearing the appeals was adopted and went into effect.

By order dated November 20, 2017, the City was requested to respond and the Appellant was asked to reply. Both documents were timely submitted and considered.

It is the determination of the undersigned that the relocation claim determination appeal did not vest as to procedures and that the City's hearing examiner has jurisdiction to hear the appeal.

Order

Hearing Scheduling

1. **The appeal hearing scheduled to be heard in the Redmond City Council Chambers on January 12, 2018 at 10:00 am shall go forward.** The hearing will proceed until the appeal is completed with breaks as appropriate.

Document Exchange

2. The parties shall submit Witness and Exhibit Lists (explained below) not later than December 15, 2017.
3. On the same date, December 15, 2017, the parties shall exchange exhibits, including expert witness credentials if any. The City's Staff report on the appeal shall be included in the City's exhibits.
4. Pre-hearing briefing, if any, shall be submitted on December 22, 2017.

5. Should witnesses and exhibits disclosed by one party cause the other party to offer additional witnesses or exhibits, these shall be disclosed with an Addendum Witness and/or Exhibit List at the earliest opportunity. Addendum exhibit lists shall be numbered to start where the party's original list left off. Any undue surprise may be addressed through post-hearing submittals, at the Examiner's discretion.
6. To be considered timely, **submittals shall be sent via email not later than 4:00 pm on the due date identified**. All email submittals shall be directed to the attention of the Office of the Hearing Examiner at the email address below. The Clerk's office will circulate email communications to all parties and the Examiner.

Office of the Hearing Examiner
Attention Cheryl Xanthos, Deputy City Clerk
cdxanthos@redmond.gov

7. In order to avoid *ex parte* contact: At no time should any party email the Examiner directly absent exigent circumstances, and all parties should be cc'd on any such urgent communications.
8. Should either party desire/need to amend the schedule as issued herein, the attorneys are encouraged to attempt to submit stipulated schedule revisions. However, issuance of the ruling cannot be moved up significantly due to the unavailability of the undersigned.
9. Clarifying questions about this order and any other procedural questions may be directed to the Examiner via email to the same contact information above.

Ordered December 11, 2017.

By:



Sharon A. Rice
Redmond Hearing Examiner