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

In the Matter of the Appeal of

**Dr. John Brunzman**

of the August 22, 2017  
Relocation Claim Determination  
Related to property at  
16146 NE Cleveland Street, Redmond

NO.

**APPELLANTS' WITNESS AND EXHIBIT  
LIST**

Appellants Dr. John Brunzman and Foot Care Associates offer the following witness and exhibit list per the Hearing Examiner's Order.

**Witnesses**

1. Dr. John Brunzman, Appellant. Addressing all aspects of appeal
2. Debbie Wilson, City of Redmond. Addressing all aspects of appeal.
3. Steve Reinhart, City of Redmond consultant. Addressing relocation benefits due.
4. Michael Wager, The Wager Group. Addressing costs to relocate Appellants.

**Exhibits**

1. April 13, 1994  
Doc Title: Letter from Donald Jaques- Survey and Certification Operations Branch,  
Division of Health Standards and Quality to John Brunzman

1 Summary: Letter regarding approved request to participate as an ambulatory surgical  
2 center under the Medicare Program.

3 2. November 17, 2011

4 Doc Title: Relocation Brochure from U.S. Department of transportation- Federal  
5 Highway Administration

6 Summary: Rights and Benefits as a Displaced Person under the Federal Relocation  
7 Assistance Program.

8 3. March 13, 2012

9 Doc Title: Displacement of Business Due to City Project-Downtown Park

10 Summary: Business relocation summary of moving and reestablishment expenses.

11 4. March 22, 2012

12 Doc Title: Letter to Dr. John Brusman from Martyn Daniel LLC

13 Summary: Proposal for consulting services on an upcoming business relocation needs  
14 related to the City of Redmond project. Proposal Contains: Goals, Scope of Work,  
15 Compensation, and Agreement.

16 5. Doc Title: Letter to Dr. John Brusman from Martyn Daniel LLC

17 Summary: Executed-Proposal for consulting services on an upcoming business relocation  
18 needs related to the City of Redmond project. Proposal Contains: Goals, Scope of Work,  
19 Compensation, and Agreement.

20 6. April 11, 2012

21 Doc Title: Letter to Dr. John Brunsman from City of Redmond

22 Summary: Relocation Assistance and General Notice of Relocation Rights Lease  
23 regarding Redmond's Downtown Central Park .

24 7. April 16, 2012

25 Doc Title: Letter from John Brunsman to Martin Daniel LLC

26 Summary: Updating Martin on progression of relocation process.

27 8. April 18, 2012

28 Doc Title: Email from Debby Wilson to Jean Rice and Steve Reinhart, cc to David  
29 Tucheck

30 Summary: Regarding Tenant at 16146 Cleveland Street, Dr. Brunsman and meeting to  
31 discuss the City's property purchase and confirm his leasehold interests.

32 9. May 7, 2012

Doc Type: Fax from Martyn Daniel to John Brunsman

Summary: Fax regarding concerns of working with a competitor and discussion of City  
of Redmond relocation guidelines, and relocation reimbursements.

10. July 2, 2012

Doc Title: Washington State Department of Health

Summary: Ambulatory Surgical Facility License from Washington State  
Department of Health for Foot Care Associates.

11. August 14, 2012

1 Doc Title: Commercial Brokers Association Member Site- Commercial Real Estate  
2 Summary: Information on Windermere Building 16261 NE Redmond Way, Redmond  
3 WA 98052 with related attachments.

4 12. August 22, 2012

5 Doc Title: Email exchange between Steve Reinhart to Susan Burns; copied Martyn  
6 Daniel

7 Summary: Emailing Regarding attachments relating to Moving and Related Expenses  
8 Summary and Reestablishment Summary (attached).

9 13. September 13, 2012

10 Doc Title: Fax from Martyn Daniel to John Brunzman

11 Summary: Fax regarding flyers that were sent by Ray West of AGM Real Estate with  
12 attached flyers.

13 14. October 10, 2012

14 Doc Title: Letter from City of Redmond (Debbie Wilson) to John Brunzman

15 Summary: Re: Redmond's Downtown Central Park- Vacate Notice . A letter to inform  
16 Mr. Brunzman of his rights or any associated business, to occupy 16146 NE Cleveland  
17 street have been terminated.

18 15. October 17, 2012

19 Doc Title: Professional Services Authorization Agreement

20 Summary: Professional Services Authorization between Foot Care Associates and The  
21 Wagner Group Inc., including the scope of services.

22 16. October 19, 2012

23 Doc Title: Fax to John Brunzman from Martyn Daniel

24 Summary: Fax regarding Michael Wager's proposal for review (attached).

25 17. October 25, 2012

26 Doc Title: Email from Steve Reinhart to Debby Wilson

27 Summary: Brunzman Update regarding architect report.

28 18. October 30, 2012

29 Doc Title: Email from Martyn Daniel to Steve Reinhart

30 Summary: Email regarding proposal from Michael Wager for performing a study for one  
31 or more properties that Dr. Brunzman was considering for replacement property.

32 19. November 19, 2012

Doc Title: Fax from Martyn Daniel to John Brunzman

Summary: Fax regarding lease payments and request for advance payments.

20. December 10, 2012

Doc Title: Email from Steve Reinhart to Debby Wilson

Summary: Email regarding a potential site and cost estimates with The Wagner Group  
and Martyn.

21. December 12, 2012

Doc Title: Fax from John Brunzman to Martyn Daniel

1 Summary: Sample of Cost Approach Summary for 'Jiffy Lube' from Michael Wager and  
2 Bio/ Background of Michael Wager at The Wager Group Inc. (attached).

3 22. January 8, 2013

4 Doc Title: Fax John Brunzman from to Steve Reinhart

5 Summary: Regarding documents at the Redmond meet to describe how the money the  
6 city is offering will be applied.

7 23. January 8, 2013

8 Doc Title: Fax from John Brunzman to Mike Wager

9 Summary: Fax regarding meeting set up at Mike Wage's Office with initial Drawings of  
10 Eye Doctor Building (attached).

11 24. February 6, 2013

12 Doc Title: Letter to Rania Montecillo at Redmond Eye Doctors from Rob Forenza at  
13 Applied Capital, LLC

14 Summary: Letter includes an outline of a Request for Proposal by Applied Capital, LLC.

15 25. February 20, 2013

16 Doc Title: Letter from Jonathan Fast at Aldrich & Associates, Inc. to John Brunzman

17 Summary: Letter of Understanding prepared to confirm the intent to proceed with Aldrich  
18 + Associates, Inc. as the Contractor for work associated with the construction of Certified  
19 Ambulatory Surgical Centers proposed in Redmond.

20 26. February 21, 2013

21 Doc Title: Email from Steve Reinhart to Debby Wilson

22 Summary: Email regarding moving to a property on 164<sup>th</sup> Ave in Redmond by Evergreen  
23 Medical and the medical licensing issues.

24 27. April 25, 2013

25 Doc Title: Memo from Jonathan Fast at Aldrich + Associates, Inc. to John Brunzman

26 Summary: Memo providing plans and identifying specific DOH  
27 requirements/certifications and compliance requirements for new facility.

28 28. May 7, 2013

29 Doc Title: Fax from John Brunzman to Rob Forenza

30 Summary: Plans regarding the latest copy of the floor plan for the ASF (attached).

31 29. May 10, 2013

32 Email from Mason Darnall to Debby Wilson; Jean Rice

Summary: Email regrading enclosed check #67233539 that was received.

30. May 13, 2013

Doc Title: Aldrich + Associates, Inc. Rough Order of Magnitude Cost Projection

Summary: Spread sheet of Rough Order of Magnitude Cost Projection and related  
documents.

31. May 24, 2013

Doc Title: Letter to John Brunzman from City of Redmond (Debby Wilson)

1 Summary: Regarding the date of the demolition activity to the property on Cleveland  
2 Street and advisement of the requirements to vacate.

3 32. May 29, 2013

4 Title of Doc: Copy of Aldrich + Associates and The Wager Group Business cards with  
5 related attachments.

6 Summary: Attachments regarding FCA Ambulatory Surgical Facility Suggested  
7 Equipment and Furnishing and spread sheets of code requirements.

8 33. June 3, 2013

9 Doc Title: Fax to Martyn Daniel, LLC from John Brunzman

10 Summary: Fax regarding drawings and photos relating to Doctors Plaza (attached).

11 34. June 4, 2013

12 Doc Title: Faxed Letter from Martyn Daniel to Debby Wilson; Steve Reinhart

13 Summary: Regarding clarification and support offered to help determine John Brunzman  
14 relocation costs.

15 35. June 5, 2013

16 Doc Title: Email chain between Steve Reinhart and Debby Wilson and related letter from  
17 Martyn Daniel (attached)

18 Summary: Regarding an Unlawful Detainer action if Dr. Brunzman does not vacate.

19 Letter from Martyn Daniel regarding estimated move costs (attached).

20 36. June 17, 2013

21 Doc Title: Fax from Martyn Daniel to John Brunzman

22 Summary: Fax regarding meeting with Steve discussing eligible reimbursable costs and  
23 equipment list (attached).

24 37. July 8, 2013

25 Doc Title: Email from Steve Reinhart to Martyn Daniel and Debbie Wilson

26 Summary: Email regarding review of Brunzman package of expenses for equipment and  
27 furniture.

28 38. July 10, 2013

29 Doc Title: Email from Debby Wilson to Steve Reinhart

30 Summary: Email regarding letter from city attorney going out to John Brunzman with  
31 summons to start eviction.

32 39. July 10, 2013

Doc Title: Email Steve Reinhart to Debby Wilson

Summary: Email regarding relocation package discussion with Martyn and discussion  
regarding Capital Expenditures for Equipment, Estimated Moving and Related Expenses  
Summary, Tenant Improvements (attached).

40. July 12, 2013

Doc Title: Email from Steve Reinhart to Martyn Daniel

Summary: Email regarding eligible expenses and settlement costs relating to Moving &  
Related, Tenant Improvements and Reestablishment with attachments of Capital

1 Expenditures for Equipment, Estimated Moving and Related Expenses Summary and  
2 Tenant Improvements.

3 41. July 31, 2013

4 Doc Type: Email chain between Steve Reinhart, Debby Wilson and Martyn Daniel

5 Summary: Email regarding the summary of eligible expenses and reimbursement  
6 considerations regarding Capital Expenditures for Equipment, Estimated Moving and  
7 Related Expense Summary, and Tenant Improvements.

8 42. August 2, 2013

9 Doc Title: Email from Debby Wilson to Michelle Love; Susan Cooper, Aaron Riensche

10 Summary: Forwarded email to Mayors office. Email regarding Dr. Brunsman occupancy  
11 just before demolition.

12 43. August 14, 2013

13 Doc Title: Letter from Steve Reinhart at Universal Field Services, Inc. to John Brunsman

14 Summary: Letter regarding the review of relocation documents in connection with the  
15 City of Redmond's purchase and pending demolition of Redmond FCA, PC and attached  
16 related docs.

17 44. September 3, 2013

18 Doc Title: Email from Steve Reinhart at Universal Field Services, Inc. to Debby Wilson,  
19 cc Mitch Legel

20 Summary: Email regarding the settlement offered to displacee (Brunsman) and its  
21 consistency with other settlements; sentiment is expressed that displacee had no intention  
22 to leave without court order. Email is in response to email from Wilson regarding notice  
23 to vacate and status of property.

24 45. September 23, 2013

25 Doc Title: Email chain between Martyn Daniel and Debby Wilson

26 Summary: Discussion of terms of relocation offer.

27 46. September 27, 2013

28 Doc Title: Email chain between Debby Wilson and Martyn Daniel

29 Summary: Wilson requests terms/concerns regarding relocation offer and discusses  
30 unlawful detainer activities, filings and related expenses.

31 47. October 7, 2013

32 Doc Title: Email chain Martyn Daniel and Debby Wilson

Summary: Daniel clarifies Brunsman's desire to discuss the relocation offer and the  
reason he left behind some personal property; Daniel requests a meeting with the City to  
clarify matters.

48. October 7, 2013

Doc Title: Email chain between Sandra Cantelon and Debby Wilson [also Maggie Lovell  
earlier]

1 Summary: Status of Brunzman water account and how much is currently owing; the  
2 impact of this debt on relocation entitlements; City's legal standing if Brunzman doesn't  
3 vacate.

4 49. January 22, 2104

5 Doc Title: Email from Steve Reinhart at Universal Field Services, Inc. to Debby Wilson

6 Summary: Email with attachments providing estimates from Aldrich and Wager

7 50. April 14, 2014

8 Doc Title: Email from Kelley Wood (Redmond Treasury and Revenue Mgr.) to Gini M.  
9 Schacker

10 Summary: Email regarding credit due to Brunzman (et al.), but that Debbie [sic] Wilson  
11 says Brunzman's credit won't be paid because of other "issues" with City.

12 51. May 7, 2014

13 Doc Title: Email from Susan Cooper (Exec Assistant to Mayor) to Debby Wilson

14 Summary: Email sending Wilson the attachment *Brunzman 05 07 14.pdf* (included in this  
15 Exhibit and separately in Item 39)

16 52. May 6, 2014 – received by mayor's office May 7, 2014

17 Doc Title: Letter from Martyn Daniel to John Marchione, Mayor of Redmond

18 Summary: Letter regarding City's letter sent to Patty Murray's office expressing interest  
19 in explaining relocation offer; Martyn requests a meeting with City to discuss offer.

20 53. December 22, 2014

21 Doc Title: Letter from Debby Wilson to Brunzman

22 Summary: Reminder of due date (January 31, 2105) for submitting all claims for  
23 relocation expenses and detailing the impact on benefits received by his occupancy of  
24 property without lease and other related activities and expenses.

25 54. July 31, 2015

26 Doc Title: Email chain between Debby Wilson and Martyn Daniel

27 Summary: City's refusal to pay a third party (Daniel) for relocation/reestablishment  
28 expenses

29 55. April 21, 2105

30 Doc Title: Email from Betty Sanders (Senior Park Planner) to Debby Wilson and Sandy  
31 Yeager, cc Carolyn J. Hope, Lisa Singer, and Eric C. Dawson

32 Summary: Email discussing the account for the Downtown Park indicating that Debby  
Wilson has declared the period for submitting relocation claims is over and that this part  
of the account (involving Brunzman relocation expenses) should be closed out.

56. May 19, 2015

Doc Title: Email from Martyn Daniel to Debby Wilson

Summary: Email requesting information on status of relocation payment to Brunzman;  
Daniel looking for payment and Brunzman is not responding.

57. May 19, 2015

Doc Title: Email from Debby Wilson to Martyn Daniel

1 Summary: Email updating Daniel on status of relocation matter (City has closed the file)  
2 and providing other details about Brunzman's request for public records and the donation  
3 of items left behind at the vacated property.

4 58. August 3, 2015

5 Doc Title: Email from Kelley Wood (Redmond Treasury and Revenue Mgr.) to Debby  
6 Wilson

7 Summary: Email requesting information about status of Brunzman matter because there's  
8 still a credit balance in his account.

9 59. December 1, 2015- received by mayor's office December 3, 2015

10 Doc Title: Letter from Todd Wyatt to Mayor John Marchione

11 Summary: Letter informing the City of representation to reengage the City to discuss a  
12 solution to allow FCA to reestablish podiatry practice and recoup damages with attached  
13 Summary Facility Comparison.

14 60. February 22, 2016 - received by mayor's office February 24, 2016

15 Doc Title: Letter from James Haney (Ogden Murphy Wallace) to Stacy Goodman and  
16 Todd Wyatt

17 Summary: Response letter to letter from Todd Wyatt and Stacy Goodman dated  
18 December 1, 2015 regarding relocation of Foot Care Associates and legal merits.

19 61. September 6, 2016

20 Doc Title: Email from Debby Wilson to Carolyn Hope

21 Summary: Email regarding Downtown Park- Brunzman and spreadsheet of History Notes  
22 (attached).

23 62. October 3, 2016

24 Doc Title: King County Superior Court Pleading regarding Petitioner John Brunzman and  
25 Respondent City of Redmond from Todd Wyatt (Petitioner's Attorney) to Aaron  
26 Riensche (City of Redmond Attorney)

27 Summary: Petition for Judicial Review and Declaratory Relief

28 63. October 14, 2016

29 Doc Title: Email from Eva Parker to Mike Paul; Carolyn Hope; Steven Gibbs

30 Summary: Email regarding DT-Park- Project status update meeting Tues Oct 11 and  
31 Project Meeting Notes with Managers (attached).

32 64. October 21, 2016

Doc Title: Email from Lisa Singer to Mike Paul. Also Copied: Steven Gibbs; Jon  
Spangler; Betty Sanders; Carolyn Hope; Debby Wilson

Summary: Email regarding Park, Budget, RW Claim money.

65. December 23, 2016

Doc Title: King County Superior Court Pleading regarding Petitioner John Brunzman and  
Respondent City of Redmond from Aaron Riensche (City of Redmond Attorney) to Todd  
Wyatt (Petitioner's Attorney)

Summary: Respondents Answer to Petition for Declaratory Relief



1 66. February 10, 2017

2 Doc Title: King County Superior Court Pleading regarding Petitioner John Brunzman and  
3 Respondent City of Redmond from Todd Wyatt (Petitioner's Attorney) to Aaron  
4 Riensche (City of Redmond Attorney)

5 Summary: Petitioner John Brunzman's Motion for Partial Summary Judgment with  
6 related attachments.

7 67. February 27<sup>th</sup>, 2017

8 Doc Title: King County Superior Court Pleading regarding Petitioner John Brunzman and  
9 Respondent City of Redmond from Aaron Riensche (City of Redmond Attorney) to Todd  
10 Wyatt (Petitioner's Attorney)

11 Summary: Respondent's Opposition to Petitioner's Motion for Partial Summary  
12 Judgment with related attachments.

13 68. March 6, 2017

14 Doc Title: King County Superior Court Pleading regarding Petitioner John Brunzman and  
15 Respondent City of Redmond from Todd Wyatt (Petitioner's Attorney) to Aaron  
16 Riensche (City of Redmond Attorney)

17 Summary: Petitioner's Reply in Support of Motion for Partial Summary Judgement.

18 69. March 10, 2017

19 Doc Title: King County Superior Court Pleading regarding Petitioner John Brunzman and  
20 Respondent City of Redmond from Todd Wyatt (Petitioner's Attorney) to Aaron  
21 Riensche (City of Redmond Attorney)

22 Summary: Order Granting in Part and Denying in Part Petitioner John Brunzman's  
23 Motion for Partial Summary Judgement.

24 70. March 23, 2017- recived at Carson & Noel PLLC March 27, 2017

25 Doc Title: Letter from City of Redmond to John Brunzman/ Redmond Foot Care  
26 Associates

27 Summary: Letter regarding Relocation Assistance/ Relocation Claim Request, related  
28 costs associated with relating attached documents.

29 71. May 1, 2017

30 Doc Title: Letter from Todd Wyatt (Carson & Noel) to City of Redmond

31 Summary: Response letter regarding Relocation Assistance- to City of Redmond's letter  
32 to John Brunzman from City of Redmond dated March 23, 2017.

72. July 6, 2017

Doc Title: Letter from Aron Riensche (Ogden Murphy Wallace) to Todd Wyatt (Carson &  
Noel)

Summary: Response Letter regarding Foot Care Associates, Brunzman, City of Redmond  
dated May 1, 2017.

73. August 15, 2017

Doc Title: Letter from Todd Wyatt (Carson Noel) to City of Redmond

Summary: Letter responding to Aaron Riensche's letter to Todd Wyatt dated July 6, 2017

1 regarding Foot Care Associates, Brunzman, City of Redmond and City Guidelines,  
2 Payment, Tenant Improvements, Moving and Related Expenses, Related Expenses

3 74. August 23, 2017

4 Doc Title: Letter from Aaron Riensche (Ogden Murphy Wallace) to Todd Wyatt  
5 Summary: Response to letter of August 15, 2017 relating to Brunzman Relocation  
6 Benefits Determination.

7 75. August 31, 2017

8 Doc Title: Letter from City of Redmond to Todd Wyatt  
9 Summary: Letter regarding Redmond Downtown Park, Relocating/Reestablishment  
10 Claim- Check #408815 in the amount of \$92,346.10.

11 76. October 16, 2017

12 Doc Title: Letter from Todd Wyatt to City of Redmond and Aaron Riensche  
13 Summary: Letter regarding Foot Care Associates/Brunzman/City of Redmond- Notice of  
14 Appeal

15 77. Doc Title: Tenant Improvements- Clinic/Operating Facility

16 Summary: Spread Sheet from Aldrich & Associates regarding breakdown costs  
17 associated with replacement in kind, replacement in function and betterment.

18 78. Doc Title: Drawing of FCA Ambulatory Surgical Facility

19 Summary: Preliminary floor plan (2<sup>nd</sup> floor).

20 DATED this 15th day of December, 2017.

21 CARSON & NOEL, PLLC

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24 \_\_\_\_\_  
25 Todd Wyatt, WSBA #31608  
26 Attorney for Appellants  
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