

From: [John Galt](#)
To: [Andrea Larson](#); [Bio Park](#); [Eileen Keiffer](#); [Kim Adams Pratt](#); [Mary Swan](#); [Michelle Rusk](#); [Nikea Smedley](#); [Patrick J. Schneider](#); [Stephen G. Sheehy](#); [Steven J. Gillespie](#); [Tori Harris](#)
Subject: APL21-001: in re City's Motion to Exclude
Date: Thursday, March 11, 2021 3:57:20 PM

Dear Principal Parties:

I received the City's Motion to Exclude today at 12:43 p.m. I have just now had an opportunity to read the Motion. (I have not yet begun reviewing any of the pre-filed exhibits from either party: That work will begin tomorrow and run through the weekend as necessary.)

Hearing Examiner Rule of Procedure ("RoP") 204(b) anticipates that the non-moving party(ies) will generally have up to 10 days to respond to a motion. Please note that the language was carefully crafted to not guarantee that a response would be able to be considered. Also, please note that RoP 204(a) indicates that if a motion is filed less than 20 days before a scheduled hearing, "strict adherence to the procedures set forth in the following subsections may not occur."

We are in just such a situation. The City has asked that I rule on its motion by next Monday. I understand the reasoning behind the City's timing request, given that the hearing starts next Tuesday at 9:00 a.m.

Therefore, I will be evaluating the motion starting tomorrow (as time allows) and on into the weekend. I intend to issue a ruling by Sunday night. I should be able to consider any input received before noon on Sunday, March 14th.

That is the best I can do for either party.

Respectfully,

John E. Galt
Hearing Examiner/Officer
Mediator
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