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BEFORE THE HEARING EXAMINER
FOR THE CITY OF MERCER ISLAND

In the Matter of the Appeal of

PEARL REN

from the August 26, 2022 Stop Work Order for
7422 E Mercer Way, Permit 2104-111 & Permit
1909-076

Hearing Examiner File: APL22-003

JOINT MOTION TO STAY APPEAL

I. INTRODUCTION AND REQUEST FOR RELIEF

Appellant Pearl Ren (“Appellant”) and Respondent City of Mercer Island (“City”) (collectively, “Parties”) jointly move for an order staying this appeal by 30 days. The stay will allow time for the Parties to pursue resolution outside the appeal process and will preserve the Hearing Examiner’s and Parties’ resources.

II. STATEMENT OF FACTS

On August 26, 2022, the City issued a Stop Work Order (“SWO”) to Appellant. On September 9, 2022, Appellant filed this appeal of the SWO. The Parties believe that this matter may be resolved outside the appeal process. The Parties have agreed to seek a stay, without waiving any claim or defense in this action, to allow time to address the matters raised in the SWO.

1 Accordingly, the Parties jointly request that the Examiner enter an order to stay this matter for 30
2 days.

3 **III. LEGAL ARGUMENT**

4 The City of Mercer Island Hearing Examiner Rules of Procedure (“ROP”) 204 allows any
5 person to file a prehearing motion. Pursuant to ROP 412(c), the Examiner “will grant
6 postponement requests filed jointly by the principal parties[.]” The Examiner should exercise this
7 authority and stay this matter for 30 days.
8

9 The Parties believe a stay of this matter will preserve the Examiner’s and Parties’ resources.
10 There have been no prior stays or postponements. As all Parties agree to this stay, no party will
11 be prejudiced.
12

13 If either Party believes the stay should be lifted before the 30 days have elapsed, that Party
14 may move to lift the stay at any time.

15 **IV. CONCLUSION**

16 For these reasons, the Parties request that the Examiner stay this matter by 30 days.

17 Dated this ____ day of September, 2022.
18

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