

**BEFORE THE HEARING EXAMINER for the
CITY of MERCER ISLAND**

NOTICE OF STAY IN PROCEEDINGS

FILE NO.: APL22-003

APPELLANT: Pearl Ren
C/o Courtney Kaylor
McCullough Hill Leary, PS
701 5th Avenue, Suite 6600
Seattle, WA 98104
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SERVICE BY E-MAIL

RESPONDENT: City of Mercer Island
C/o Eileen M. Keiffer
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14205 SE 36th Street
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and
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AUTHORITY: MICC 6.10.090(B)(1) and Rule of Procedure 412(c)

THE CITY OF MERCER ISLAND HEARING EXAMINER (“Examiner”) has jurisdiction pursuant to the authority cited above over the above-entitled appeal filed by Courtney Kaylor on behalf of Pearl Ren (“Ren”) on September 8, 2022, with the City of Mercer Island *in re* the Stop Work Order issued by the Department of Community Planning & Development (“CP&D”) on August 26, 2022.

THE PRINCIPAL PARTIES HAVE JOINTLY REQUESTED by Motion filed on September 15, 2022, that the proceedings be stayed for 30 days to allow time for settlement discussions. The Examiner does not object to the requested stay provided that appropriate conditions are imposed to assure timely resolution of the appeal. It has been the Examiner’s experience that settlement discussions often take longer than the principal parties anticipate. Therefore, in order to avoid needless paperwork, the Examiner will grant a 60-day stay with provisions allowing it to be terminated sooner should circumstances allow.

YOU ARE HEREBY NOTIFIED that the Examiner construes the request/agreement to constitute a waiver of any “speedy hearing” requirements to which the principal parties otherwise may be entitled.

THEREFORE, YOU ARE NOTIFIED that:

1. All proceedings in this matter are **STAYED** at your request pending: receipt of a written request (e-mail is acceptable) to proceed from any principal party; receipt of the status report required by Paragraph 2, below; settlement of the entire appeal; or passage of the deadline established in Paragraph 2, below. This stay freezes all time limits associated with this appeal. This stay cancels any previously scheduled prehearing conference or hearing in this appeal.
2. **This stay will expire at 5:00 p.m., local time, on November 15, 2022**, unless lifted earlier. The Appellant or counsel **must submit** to the undersigned (with cross copy to the opposing party) **a written status report (e-mail is acceptable) within either two (2) weeks of the end of settlement discussions or by close of business on November 15, 2022, whichever comes first**, unless you have previously filed a document under Paragraph 1, above.
3. The Examiner will determine the appropriate course of action after receipt of the material required by Paragraphs 1 or 2, above. **If the Stay expires and neither party has submitted a written status report (e-mail is acceptable) to the Examiner within two weeks of the expiration of the Stay, the Examiner may set the matter for public hearing without consultation with either principal party.**

NOTICE issued September 16, 2022.

John E. Galt

John E. Galt, Hearing Officer
927 Grand Avenue
Everett, WA 98201-1305
Phone/FAX: (425) 259-3144

ADA NOTICE: Accommodations for persons with disabilities will be provided upon request. Please make your request at least one week prior to the conference by telephoning the Examiner at (425) 259-3144.