

Ryan Harriman

From: Travis Saunders
Sent: Friday, February 12, 2016 5:37 PM
To: 'Charlie Klinge'
Cc: Kari Sand; Rich Hill
Subject: RE: Cherberg Dock File No. SHL 14-031

Mr. Klinge,

Thank you for the update. Due to where the lawsuit is at in its process, the City is willing to grant an additional 4 month extension, ending June 13, 2016. Please keep me apprised of the legal proceedings.

Travis Saunders | Senior Planner

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From: Charlie Klinge [mailto:klinge@sklegal.pro]
Sent: Thursday, February 11, 2016 1:57 PM
To: Travis Saunders <Travis.Saunders@mercergov.org>
Cc: Kari Sand <kari.sand@mercergov.org>; Rich Hill <rich@mhseattle.com>
Subject: RE: Cherberg Dock File No. SHL 14-031

Mr. Saunders:

This email responds to the below email and seeks a further extension on the pending Cherberg Dock application SHL 14-031. The update of the lawsuit and reasons for the extension are as follows.

I expect the pending lawsuit to be resolved no later than May or early June. Currently, the parties are discussing mediation as a means of resolving their differences. That could result in complete resolution within a month or six weeks. Even if that process were unsuccessful, the Court schedule has a trial date of May 9, 2016. Typically, the Court will make its determination on all pending issues within a few weeks of the trial. Thus, we respectfully ask for an extension of four months to June 13, 2016.

As expressed in my letter to you dated July 17, 2015, one issue in the court case is whether the Griffiths must agree to the Joint Use Agreement required by the City due to a prior agreement, so it would be inappropriate for the City to deny the Cherbergs application due to no Joint Use Agreement when that issue is before the Superior Court.

Please contact me or have City Attorney Kari Sand contact me if you need additional information or want to discuss this matter further. As you previously did, I am copying Rich Hill, attorney to the Griffiths.