

From: [John Galt](#)
To: [Bio Park](#); "[shane miller](#)"
Cc: "[Shane Miller](#)"; [Andrea Larson](#); [Mary Swan](#); [Eileen Keiffer](#); [Tori Harris](#)
Subject: RE: In Re: APL 19-002 - Shane Miller v. City of Mercer Island
Date: Wednesday, November 10, 2021 10:13:57 AM

Mr. Miller:

Mr. Park is correct. Your request for postponement, is denied.

Respectfully,

John E. Galt
Hearing Examiner/Officer
Mediator
Voice: (425) 259-3144

From: Bio Park [<mailto:Bio.Park@mercergov.org>]
Sent: Wednesday, November 10, 2021 10:06 AM
To: shane miller; John Galt
Cc: Shane Miller; Andrea Larson; Mary Swan; Eileen Keiffer; Tori Harris
Subject: RE: In Re: APL 19-002 - Shane Miller v. City of Mercer Island

Mr. Examiner,

The City's Revised Staff Report was submitted 10 days prior to the hearing. Thus, under the Hearing Examiner Rules of Procedure 224(g), it is timely. Thank you.

[Bio Park](#)

City Attorney
City of Mercer Island
206-275-7652 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW).

From: shane miller <shane_miller_usa@yahoo.com>
Sent: Wednesday, November 10, 2021 7:46 AM
To: John Galt <jegalt755@gmail.com>
Cc: Shane Miller <shanemillerus@gmail.com>; Bio Park <Bio.Park@mercergov.org>; Andrea Larson <Andrea.Larson@mercergov.org>; Mary Swan <Mary.Swan@mercergov.org>; Eileen Keiffer <Eileen@madronalaw.com>; Tori Harris <tharris@360legalsupport.com>
Subject: Re: In Re: APL 19-002 - Shane Miller v. City of Mercer Island

Mr. Galt,

I believe this new report submission entered yesterday November 9th aka Revised Staff Report is improper via-a-vis the pre-filing deadline which I had understood from the August pre-conference is 2 weeks before the hearing date. yhst is, two weeks before the hearing date of Nov 19 = Nov 5 -> not Nov 9. I believe this is a blatant violation of the rules and deadlines

for prefiling materials, and a violation that is known to have resulted by the offending Partie. I.e. the City Attorneys know the rules re: filing deadlines and ran afoul of the rules and deadlines regardless. This is unfair and causes rework and review of materials for me and I've already alerted multiple times there already was not sufficient time for me to review material. I had already reviewed the previous staff report and now must go and review a new one filed untimely. I believe this is unfair and improper and a violation. Please may you continue the hearing date as a consequence of this new issue caused just yesterday by the opposing Party?

Thank you in advance for your consideration.

Respectfully,
Shane Miller

Sent from my iPhone

On Nov 9, 2021, at 4:18 PM, Tori Harris <tharris@360legalsupport.com> wrote:

Good Afternoon, Hearing Examiner Galt and Mr. Miller –

Attached please find the City of Mercer Island's Revised Staff Report for submission in the above referenced appeal. This document can also be accessed on the MlePlan website using the link provided below:

<https://mieplan.mercergov.org/public/APL19-002/>

Should you have any questions, please do not hesitate to contact Ms. Keiffer or the Madrona Law Group, PLLC office.

Regards,

<image001.png>
Tori Harris
(206) 929-2700
tharris@360legalsupport.com
360legalsupport.com

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<Ex. 35 - APL19-002 Revised Staff Report 11.09.21.pdf>