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BEFORE THE HEARING EXAMINER OF THE CITY OF MERCER ISLAND

In Re The Appeal of:

PATRICIA S. WYNN, as Owner of dog
named Ruby,

Appellant,

v.

CITY OF MERCER ISLAND,

Respondent.

No. APL24-003

SUBPOENA IN AN APPEAL HEARING
TO AARON WHEATLEY

TO: Aaron Wheatley
Animal Control Officer
Regional Animal Services of King County
21615 64th Avenue South
Aaron.Wheatley@kingcounty.gov
Kent, WA 98032
(206) 263-5943

YOU ARE COMMANDED to appear before the Hearing Examiner of the City of Mercer Island at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY: Join Zoom Meeting: https://us02web.zoom.us/j/88655289071?pwd=oi5wJhacaI5lU2aQiGTaZjqL4h1SEo.1	COURTROOM: VIRTUAL
Meeting ID: 886 5528 9071 Passcode: 746356 One tap mobile +12532158782,,88655289071#,,, *746356# US	DATE AND TIME: Thursday, October 31, 2024 at 9:00 am

SUBPOENA IN AN APPEAL TO
AARON WHEATLEY - 1



14205 SE 36th Street
Suite 100, PMB 440
Bellevue, WA 98006
Phone: 425-201-5111
www.MadronaLaw.com

(Tacoma)
+12532050468,,88655289071#,,, *746356# US

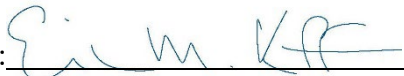
- Dial by your location
- +1 253 215 8782 US (Tacoma)
 - +1 253 205 0468 US
 - +1 669 444 9171 US
 - +1 669 900 6833 US (San Jose)
 - +1 719 359 4580 US
 - +1 346 248 7799 US (Houston)
 - +1 312 626 6799 US (Chicago)
 - +1 360 209 5623 US
 - +1 386 347 5053 US
 - +1 507 473 4847 US
 - +1 564 217 2000 US
 - +1 646 931 3860 US
 - +1 689 278 1000 US
 - +1 929 205 6099 US (New York)
 - +1 301 715 8592 US (Washington DC)
 - +1 305 224 1968 US
 - +1 309 205 3325 US

Meeting ID: 886 5528 9071
Passcode: 746356

Find your local number:
<https://us02web.zoom.us/j/88655289071>

ISSUING OFFICER'S SIGNATURE
AND TITLE:

MADRONA LAW GROUP, PLLC

By: 

Eileen M. Keiffer, WSBA No. 51598
14205 SE 36th Street
Suite 100, PMB 440
Bellevue, WA 98006
Telephone: (425) 201-5111
Email: Eileen@madronalaw.com

Date: September 27, 2024

1 **CITY OF MERCER ISLAND**
2 **OFFICE OF THE CITY ATTORNEY**

3 By: /s/ Bio Park
4 Bio Park, WSBA No. 36994
5 9611 SE 36th Street
6 Mercer Island, WA 98040
7 Telephone: (206) 275-7652
8 Email: bio.park@mercerisland.gov

9 Attorneys for City of Mercer Island

Date: September 27, 2024

10 **ISSUING OFFICER'S NAME, ADDRESS, AND PHONE NUMBER:**

11 Eileen M. Keiffer, WSBA No. 51598
12 14205 SE 36th Street
13 Suite 100, PMB 440
14 Bellevue, WA 98006
15 Telephone: (425) 201-5111

16 Bio Park, WSBA No. 36994
17 9611 SE 36th Street
18 Mercer Island, WA 98040
19 Telephone: (206) 275-7652

CR 45, Sections (c) & (d):

1 (c) Protection of Persons Subject to Subpoenas.

2 (1) A party or an attorney responsible for the
3 issuance and service of a subpoena shall take
4 reasonable steps to avoid imposing undue
5 burden or expense on a person subject to that
6 subpoena. The court shall enforce this duty
7 and impose upon that party or attorney in
8 breach of his duty an appropriate sanction,
9 which may include, but is not limited to, lost
10 earnings and a reasonable attorney's fee.

11 (2)(A) A person commanded to produce and
12 permit inspection and copying of designated
13 books, papers, documents or tangible things,
14 or inspection of premises need not appear in
15 person at the place of production or
16 inspection unless commanded to appear for
17 deposition, hearing or trial.

18 (2)(B) Subject to paragraph (d)(2) of this rule,
19 a person commanded to produce and permit
20 inspection and copying may, within 14 days
21 after service of subpoena or before the time
22 specified for compliance if such time is less
23 than 14 days; after service, serve upon the
24 party or attorney designated in the subpoena
25 written objection to inspection or copying of
any or all of the designated materials or of
the premises.

If objection is made, the party serving the
premises except pursuant to an order of the
court by which the subpoena shall not be
entitled to inspect and copy the materials or
inspect the premises except pursuant to an
order of the court by which the subpoena
was issued. If objection has been made, the
party serving the subpoena may, upon notice
to the person commanded to produce and all
other parties, move at any time for an order
to compel the production. Such an order to
compel production shall protect any person
who is not a party or an officer of a party
from significant expense resulting from the
inspection and copying commanded.

(3)(A) On timely motion, the court by which a
subpoena was issued shall quash or modify
the subpoena if it:

- (i) fails to allow reasonable time for compliance;
- (ii) fails to comply with RCW 5.56.010 or subsection (e)(2) of this rule;

(iii) requires disclosure of privileged or
other protected matter and no exception
or waiver applies; or

(iv) subjects a person to undue burden,
provided that, the court may condition
denial of the motion upon a requirement
that the subpoenaing party advance the
reasonable cost of producing the books,
papers, documents, or tangible things.

(3)(B) If a subpoena:

(i) requires disclosure of a trade secret or
other confidential research,
development, or commercial
information, or

(ii) requires disclosure of an unretained
expert's opinion or information not
describing specific events or
occurrences in dispute and resulting
from the expert's study made not at the
request of any party, the court may, to
protect a person subject to or affected by
the subpoena, quash or modify the
subpoena or, if the party in whose behalf
the subpoena is issued shows a
substantial need for the testimony or
material that cannot be otherwise met
without undue hardship and assures that
the person to whom the subpoena is
addressed will be reasonably
compensated, the court may order
appearance or production only upon
specified conditions.

(d) Duties in Responding to Subpoena:

(1) A person responding to a subpoena to
produce documents shall produce them
as they are kept in the usual course of
business or shall organize and label
them to correspond with the categories
in the demand.

(2) When information subject to a subpoena
is withheld on a claim that it is
privileged or subject to protection as
trial preparation materials, the claim
shall be made expressly and shall be
supported by a description of the nature of
the documents, communications, or
things not produced that is sufficient to
enable the demanding party to contest
the claim.

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DECLARATION OF SERVICE

I, Reina McCauley, declare and state:

1. I am a citizen of the State of Washington, over the age of eighteen years, not a party to this action, and competent to be a witness herein.

2. On the 27th day of September, 2024, I did cause a true copy to be served of the foregoing *Subpoena in an Appeal Hearing to Aaron Wheatley* on the following parties using the method of service indicated below:

Patricia S. Wynn 7951 Island Crest Way Mercer Island, WA 98040 <i>Appellant</i>	<input checked="" type="checkbox"/> First Class, U.S. Mail, Postage Prepaid <input type="checkbox"/> Legal Messenger <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail: pswynn@comcast.net
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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 27th day of September, 2024, at Auburn, Washington.

/s/Reina McCauley
Reina McCauley