

EXHIBIT 9004

From: jegalt755@gmail.com
To: [Deb Estrada](mailto:Deb_Estrada)
Subject: APL25-003, Ex 9004
Date: Monday, July 7, 2025 12:04:45 PM

The emails below this forward are Ex 9004.

(All the email chain exhibits should come this way: My forward message above the chain that comprises the exhibit. If something is different , I'll note it.)

John

John E. Galt
Hearing Examiner
(425) 259-3144

From: jegalt755@gmail.com <jegalt755@gmail.com>
Sent: Monday, April 7, 2025 2:21 PM
To: 'Eileen Keiffer' <eileen@madronalaw.com>
Cc: 'Joshua E. Friedmann' <josh.friedmann@hcmp.com>; bio.park@mercerisland.gov; 'Deb Estrada' <Deborah.Estrada@mercerisland.gov>; 'Mary Swan' <mary.swan@mercerisland.gov>; 'Andrea Larson' <andrea.larson@mercergov.org>; 'Ryan Harriman' <ryan.harriman@mercerisland.gov>; 'Jeff Thomas' <jeff.thomas@mercerisland.gov>
Subject: RE: APL25-002: HerziNer Tamid v. Mercer island; Letter - Jurisdiction

Thank you.

Withdrawal of the MDNS theoretically ends the appeal as the action under appeal has been withdrawn. This email is your notice that the appeal is closed.

However, as the replacement MDNS states that there is no substantive difference between it and the original MDNS, may I suggest that if Herzi-Ner Tamid files an appeal from the replacement MDNS, that appeal be processed under the same appeal file number and considered as a continuation of the same proceeding. Thus, the appeal record would contain the original MDNS (and related materials deemed necessary to understand what has happened including the original appeal), the Withdrawal/Revision, the new appeal, and so on. This is just a suggestion. If the parties would prefer to completely close the original appeal and start a new appeal, I will not interfere. I'm just looking to track the proceedings in the simplest way possible.

Respectfully,

John E. Galt
Hearing Examiner
(425) 259-3144

EXHIBIT 9004

From: Eileen Keiffer <eileen@madronalaw.com>
Sent: Monday, April 7, 2025 11:17 AM
To: John Galt <jegalt755@gmail.com>
Cc: Joshua E. Friedmann <josh.friedmann@hcmp.com>; bio.park@mercerisland.gov; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Mary Swan <mary.swan@mercerisland.gov>; Andrea Larson <andrea.larson@mercergov.org>; Ryan Harriman <ryan.harriman@mercerisland.gov>; Jeff Thomas <jeff.thomas@mercerisland.gov>
Subject: RE: APL25-002: HerziNer Tamid v. Mercer island; Letter - Jurisdiction

Good morning Mr. Galt,

As noted late last week, please find attached for your records a notice of withdrawal of the March 17, 2025 MDNS and reissuance of the MDNS. The attached withdrawal and reissuance is being issued and noticed today.

Eileen M. Keiffer, Member



14205 SE 36th Street
Suite 100, PMB 440
Bellevue, Washington 98006
Tel: (425) 201-5111, Ext. 1
Eileen@MadronaLaw.com
www.MadronaLaw.com

From: John Galt <jegalt755@gmail.com>
Sent: Friday, April 4, 2025 3:46 PM
To: Eileen Keiffer <eileen@madronalaw.com>
Cc: Joshua E. Friedmann <josh.friedmann@hcmp.com>; bio.park@mercerisland.gov; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Mary Swan <mary.swan@mercerisland.gov>; Andrea Larson <andrea.larson@mercergov.org>; Ryan Harriman <ryan.harriman@mercerisland.gov>; Jeff Thomas <jeff.thomas@mercerisland.gov>
Subject: Re: APL25-002: HerziNer Tamid v. Mercer island; Letter - Jurisdiction

Thank you for the advance notice.

I agree that withdrawal of the MDNS will render the appeal moot. If a new threshold determination is issued and appealed, I would expect that my jurisdictional question would again arise.

Respectfully,

John E. Galt
Hearing Examiner

On Fri, Apr 4, 2025, 3:29 PM Eileen Keiffer <eileen@madronalaw.com> wrote:

Good afternoon Hearing Examiner Galt,

This email serves as a courtesy notice regarding the above captioned appeal. Earlier this week, the City discovered that parties of record did not receive the notice of the MDNS that such parties were entitled to. Accordingly, the City will be withdrawing the MDNS and reissuing it in order to provide full notice to all parties who are entitled to such notice (with a new issue date and a new appeal date). The City believes this will moot out the instant appeal. I spoke with Appellant's attorney about this issue earlier this afternoon.

Once the MDNS has been withdrawn, we will provide that to you.

Thank you,

Eileen M. Keiffer, Member



14205 SE 36th Street
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From: jegalt755@gmail.com <jegalt755@gmail.com>

Sent: Wednesday, April 2, 2025 8:50 PM

To: Andrea Larson <Andrea.Larson@mercergov.org>; Bio Park <Bio.Park@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; josh.friedmann@hcmp.com <josh.friedmann@hcmp.com>; Mary Swan <mary.swan@mercerisland.gov>; Ryan Harriman

<ryan.harriman@mercerisland.gov>

Subject: APL25-002: HerziNer Tamid v. Mercer island; Letter - Jurisdiction

Dear Principal Parties:

Please see the attached letter. I look forward to your responses.

Respectfully,

John E. Galt

Hearing Examiner

(425) 259-3144