

**BEFORE THE HEARING EXAMINER  
FOR CITY OF REDMOND**

In the Matter of the Appeal of	)	NO. LAND-2014-01980
	)	
	)	
Kim Yates, Randy Brown, et al	)	
	)	<b>Nouri Short Plat Appeal</b>
	)	
	)	
of the August 12, 2015 Notice of Decision	)	
approval of the Nouri Short Plat at	)	<b><u>FOURTH</u> PRE-HEARING ORDER</b>
7502 - 132nd Avenue NE, Redmond	)	<b>SETTING HEARING</b>
TPN 7419700010 and 1025059200	)	
_____	)	

In accordance with the Revised September 23, 2015 pre-hearing order, Appellants submitted the following information:

- On September 28, 2015, they indicated that they would not be represented by an attorney at hearing and that they desired to keep the 1:00 pm start time.
- On September 29, 2015, they indicated that spokesperson Kim Yates was stepping down as spokesperson due to a family emergency, but that she may still appear at hearing.

Following up on Appellants' question at the pre-hearing conference whether the Examiner could require certain witnesses to attend: At the conference, the Examiner stated that there is no authority in the Redmond codes conferring authority to compel witnesses to attend. This was incorrect. Pursuant to Redmond Municipal Code 4.28.060, Rules:

The Hearing Examiner shall adopt rules to govern proceedings and hearings conducted by that office. The rules shall provide for, but are not limited to, the date, time, place and format of proceedings and hearings, a record of proceedings and reports, summons to compel the appearance of witnesses, administration of oaths, preservation of order, and cross examination of witnesses. ... (emphasis added)

While this authority is extremely infrequently used (not since 2008), it does exist. Parties wishing to compel specific witnesses to appear at hearing should seek appropriate legal advice.

**Order:**

1. The above-captioned appeal hearing shall commence at 1:00 pm on October 21, 2015. Time limits established in the September 23, 2015 order will be implemented.
2. All information exchange deadlines established in the previous order remain in effect.
3. Clarifying questions about this order and any other procedural questions may be directed to the Examiner via email Attention Cheryl Xanthos, Deputy City Clerk at [cdxanthos@redmond.gov](mailto:cdxanthos@redmond.gov).

**Ordered** September 30, 2015.

By:



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Sharon A. Rice  
Redmond Hearing Examiner