

SKAGIT COUNTY HEARING EXAMINER

MEMORANDUM

Date: April 2, 2014

To: Remand Parties, Application of Dike District No. 12, PL12-0191

From: Hearing Examiner

Subj: Conduct of Hearing on Motions

The issues raised by motion shall be orally argued in a hearing commencing at 1 p.m. on April 9, 2014 at 1800 Continental Place, Mount Vernon, in the Board of Commissioners Hearing Room.

The motions will be heard in the following order:

- (1) Dike District's and City of Burlington's Motions to Strike Allegations Regarding a District Commissioner.
- (2) Dike District's Motion to Strike References to Altered Unofficial Transcript.
- (3) Intervenor Kunzler's Motion to Recuse/Disqualify Hearing Examiner.
- (4) Intervenor Kunzlers' Motion to Disqualify Applicant's Expert
- (5) City of Burlington's Motion in Limine to Limit Testimony and Exhibits to Those Relevant to Matters Remanded.
- (6) Dike District's and City of Burlington's Motions to Restrict Hydrology Data.
- (7) City of Burlington's Motion Regarding the Vesting of Hydrology.

Argument for each motion shall be made by the moving party or parties followed by a response by parties desiring to respond. At the Examiner's discretion, the moving party or parties may be permitted brief rebuttal

The Examiner will decide each motion orally when the argument concerning it has ended. An Order memorializing the rulings will be issued after the hearing.

If the Examiner determines that the Motion to Recuse/Disqualify the Examiner should be granted, the hearings will be terminated at that point and further proceedings shall be conducted by his successor.

SO ORDERED this 2nd day of April, 2014



Wick Dufford, Hearing Examiner