

Brenda Martinez

From: Steve Pilcher
Sent: Thursday, June 16, 2011 9:52 AM
To: Brenda Martinez
Subject: FW: FW: Motions, etc.

From: Phil Olbrechts [mailto:olbrechtslaw@gmail.com]
Sent: Thursday, June 16, 2011 9:48 AM
To: Bob Edelman
Cc: Steve Pilcher
Subject: Re: FW: Motions, etc.

I was expecting this request. Since I'm out of state on vacation I'll respond by informal email. The response deadline for prehearing motions is extended to June 23, 2011 from June 20, 2011. The reply date is extended to June 27, 2011 from June 23, 2011.

Steve,

Please post this to the website with a link to the effect of "Examiner Order Extending Response and Reply Dates for Prehearing Motions".

On Wed, Jun 15, 2011 at 1:40 PM, Bob Edelman <BobEdelman@comcast.net> wrote:

Mr. Olbrechts,

I request that the response and reply dates be adjusted to reflect the delay in posting motions.

Thank you for your consideration.

Bob Edelman

From: Steve Pilcher [mailto:SPilcher@ci.blackdiamond.wa.us]
Sent: Wednesday, June 15, 2011 12:43 PM
To: Bob Edelman
Subject: Motions, etc.

Mr. Edelman:

Consistent with the message from the Hearing Examiner (below), we will be posting materials to the City's webpage. We will do our best to get those posted by the end of the day tomorrow.

Steve Pilcher

Community Development Director

City of Black Diamond

360-886-2560

From: Phil Olbrechts [<mailto:olbrechtslaw@gmail.com>]

Sent: Wednesday, June 15, 2011 9:50 AM

To: 'Dave Bricklin'; mike@kenyondisend.com

Cc: 'Nancy Rogers'; 'Kristi Beckham'; 'MARGARET Starkey'; 'Bob Edelman'; Steve Pilcher; 'bob@kenyondisend.com'; 'bmartinez@ci.blackdiamond.wa.us'

Subject: RE: In re: The Matter of Development Agreement Hearings related to The Villages and Lawson Hills

I have been receiving several emails from some of the parties to this case and I have attempted to include all of those persons in this email response. As I mentioned at the prehearing conference, I will treat the development agreement hearings as quasi-judicial unless and until I rule otherwise. To this end I will be doing what I can to avoid ex parte contacts. Unlike the SEPA appeal hearing of this case that had a limited number of parties, it is not possible to involve all the parties to the development agreement proceeding in these email communications. To answer one of Mr. Edelman's questions, as discussed at the prehearing conference, all prehearing motions and responses and replies thereto will be posted at the City's website. If someone does not have access to the internet, they were to contact staff to make alternative arrangements for receiving those documents. Mr. Bricklin's emails expressing concerns over the hearing date and the like will be treated as a prehearing motion and subject to the June 13 response and June 20 reply deadlines. In order to avoid any further ex parte communications I do ask that all parties attempt to get any information they need from staff first. If that doesn't work, they can email me and my response will be posted on the City's website. I also ask staff to post this email on its website. Thank you.

From: Dave Bricklin [<mailto:bricklin@bnd-law.com>]

Sent: Tuesday, June 14, 2011 7:45 AM

To: 'olbrechtslaw@gmail.com'; 'mike@kenyondisend.com'

Cc: Nancy Rogers; Kristi Beckham; 'MARGARET Starkey'

Subject: RE: In re: The Matter of Development Agreement Hearings related to The Villages and Lawson Hills

Mr. Olbrechts and Mr. Kenyon,

As the city's representatives in this process, I want to remind you that I don't represent the public at large in the DA process. I have a specific client which certainly has a large base of support, but we don't pretend to represent every other interest. (Moreover, it's not clear whether I will be appearing on behalf of TRD for any or all of the upcoming DA hearings.) I appreciate YB and the city providing me with copies of motions and other papers and request that they continue to do the same. But the city must recognize that serving me with those papers is not the same as providing notice to the public generally. I recommend you post all pertinent materials (e.g., everything submitted by YB) on the city's website promptly and continue to use that medium and others throughout this process to insure full and timely transmission of information to the public generally. Thank you.

David Bricklin

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Confidentiality Notice: This e-mail may contain confidential and privileged information. If you have received this message by mistake, please notify me immediately by replying to this message or telephoning me, and do not review, disclose, copy or distribute it. Thank you.

From: Kristi Beckham [mailto:KBeckham@Cairncross.com]

Sent: Monday, June 13, 2011 3:07 PM

To: 'olbrechtslaw@gmail.com'; 'Steve Pilcher'; 'bmartinez@ci.blackdiamond.wa.us'; 'bob@kenyondisend.com'; 'mike@kenyondisend.com'; 'MARGARET Starkey'; Dave Bricklin; Peggy Cahill

Cc: Nancy Rogers

Subject: In re: The Matter of Development Agreement Hearings related to The Villages and Lawson Hills

In connection with the above-referenced matter, attached please find Yarrow Bay's Motion to Set Hearing Procedures for Development Agreement Hearings and a [Proposed] Order Granting Motion to Set Hearing Procedures for Development Agreement Hearings.

If you have trouble opening either of the attached documents, please let me know.

Thank you.

CH&

Kristi Beckham

Legal Assistant

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