

From: [Robert Bilow](#)
To: [Phil Olbrechts](#)
Cc: [Andy Murphy](#); [Kristina Nelson-Gross](#); [LeAnne Bremer](#); [Michael McLaughlin](#); [Michael Spence](#); [Tellina Sandaine](#)
Subject: Motion for Subpoenas
Date: Wednesday, September 2, 2020 9:56:01 AM
Attachments: [MAT HE Witnesses.docx](#)

Mr. Hearing Examiner:

Your Pre-Hearing Order requires that all parties submit witness lists by September 18, 2020. I believe it is not prudent that I wait until that late date to confirm that certain witnesses I intend to call are available. Although Sequim Municipal Code 2.10.070 clearly grants you, as Hearing Examiner, the power to issue subpoenas to compel attendance by witnesses, no particular Rule in this matter describes the procedure for requesting that you issue such subpoenas; further, I am not aware of any procedural rules which I believe you were to develop per Exhibit A attached to your Hearing Examiner contract with the City of Sequim.

After researching this issue in other State of Washington jurisdictions, I have found that perhaps the most restrictive Hearing Examiner Rules require that such subpoenas are issued only following a Motion requesting the same. Accordingly, I am submitting my attached Motion requesting that you issue appropriate subpoenas for the individuals listed on the Exhibit attached to my Motion. I also wish to confirm that I believe my witness testimony will require approximately three hours, as I stated during the pre-hearing conference.

Respectfully,

Robert L. Bilow
Appellant