

SKAGIT COUNTY HEARING EXAMINER

Date: April 24, 2014

To: Remand Parties, Application of Dike District 12, PL12-0191

From: Hearing Examiner

Subj: Transcripts

The presence of gremlins in the works has been confirmed by the fact that the Motion Hearing on April 9, 2014, was not successfully recorded. I am advised that this problem has been solved and that there should be no problem with recording future proceedings in this case.

As to the Motion Hearing, the Examiner's view is that no transcript is required. The session was entirely given over to legal argument and was not evidentiary. The positions of the parties were made clear by briefing. The Examiner has memorialized his rulings in a separate Order.

However, another transcript matter remains open --the matter of an accepted transcript for the second hearing session conducted on June 12, 2013, Intervenor Kunzler submitted an unedited, unannotated version as Exhibit A to his Reply to DD12 and City of Burlington Motions to Strike and Motions in Limine, dated April 4, 2014. If the other parties are agreeable, this clean version could be made an exhibit and included in the record. Otherwise, the Examiner will ask the County to see to the preparation of a transcript for the June 12, 2013 session from the tapes then made.

ENTERED, this 24th day of April, 2014.



Wick Dufford, Hearing Examiner