

**SKAGIT COUNTY
OFFICE OF THE HEARING EXAMINER**

re: Appeal of Leveck of
Administrative Order to Abate
Violation

APL 2025-002
of CODE 2025-0169

PRE-HEARING ORDER

**Required Actions by Parties at
§§2(b) and 3**

Required Action by Clerk at §3(a)

The Hearing Examiner has received notice that an appeal has been filed and a request for a pre-hearing conference.

The Hearing Examiner, having no evidentiary record filed for the appeal, and therefore seeing a potentially unclear record and a number of issues that should be made clear before a hearing, and with the authority pursuant to the Skagit County Hearing Examiner's Rules of Procedure, as authorized by Skagit County Commissioners per Resolution #R20240280 on 12/16/24 ("SCRE") §10 and 24, the Hearing Examiner hereby orders:

ORDER

1. Administrative

- a.** Any disclosure between the parties or filings, or pleadings, exhibits, comments, motions, and other material intended to be seen by the Hearing Examiner as part of any decision making process the Hearing Examiner is involved in, shall be filed by e-mail with the Hearing Examiner Coordinator at HEhearings@co.skagit.wa.us, with copies to the other party or their counsel of record.

- b. The Parties will have strict compliance with the SCRE, including §21(B)(i-ii).

2. The Current Record

- a. As identified by the Office of the Hearing Examiner the record of this case is as follows thus far:
 - i. Leveck Appeal Statement, *dated 4/3/26*
 - ii. “Additional Information from EPL,” *unknown date*
 - iii. Receipt, *filed 4/3/26*
- b. To the best of its ability the Department will file its §21(E)(i) record prior to **May 8, 2026**, or submit an explanation otherwise why this is not feasible.
 - i. Accompanying that record, the Department will file a declaration as to the timing of the receipt of the appeal or provide copies that were stamped as received with annotation as to the time and date of the receipt prior to **May 9, 2026**.

3. Pre-Hearing Conference

- a. A **pre-hearing conference** of the parties will occur on **May 15, 2026** at **10:00 a.m.** to be held by video conferencing arranged by the Clerk of the Office of the Hearing Examiner;
- b. The formal parties or their designated representatives must appear;
- c. Parties will bring their calendars and schedules for date settings and briefing schedules;
- d. The parties will file and exchange memos by **May 11, 2026** for the pre-hearing conference regarding, and be prepared to discuss at the hearing, the following:
 - i. A list of the applicable and relevant bodies of law each party believes is applicable in this case, to determine what is procedurally agreed between the parties;
 - ii. A list of evidence (with accurate titles and dates) missing from the record, *if any*, as currently reflected in the Current Record, noted above; and
 - iii. A list of objections or questions of relevance to any of the evidence currently in the Identified Record, if any.

4. Final Hearing:

- a. The Final Hearing on this matter: to be determined at the pre-hearing conference.
- b. Briefing Schedule: to be determined at the pre-hearing conference.

5. Continuances and Setting other Hearings:

- a. Before requesting a continuation, a change in the schedule, or requesting additional hearing dates the parties should attempt to reasonably confer

and see if they can come to agreement with each other on a variety of agreed dates. Such joint requests will be viewed with a strong prejudice towards granting such requests, but presenting multiple options for dates will increase the chance of one working for the Office of the Hearing Examiner. Requests without agreement will be viewed with a prejudice to not granting such requests.

SO ORDERED this 29th day of April 2026.



Rajeev D. Majumdar
Skagit County Hearing Examiner