

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD
CENTRAL PUGET SOUND REGION
STATE OF WASHINGTON

CITY OF SHORELINE, TOWN of
WOODWAY, and SAVE RICHMOND
BEACH, et al,

Petitioners,

vs.

SNOHOMISH COUNTY,

Respondent,

and

BSRE Point Wells, LP,

Intervenor.

Coordinated Case Nos.

09-3-0013c and 10-3-0011c

(Shoreline III and Shoreline IV)

DECLARATION OF MATTHEW
OTTEN IN SUPPORT OF
SNOHOMISH COUNTY'S
RESPONSE TO PETITIONER SAVE
RICHMOND BEACH'S DISPOSITIVE
MOTION REGARDING LACK OF
PUBLIC NOTICE *(Shoreline IV)*

I, MATTHEW OTTEN declare under penalty of perjury under the laws of the State of Washington that I have read the following declaration, have personal knowledge as to its contents, and it is true and correct to the best of my knowledge:

1. I am over 18 years of age and am competent to testify in this matter.

2. I am one of the attorneys in the Snohomish County Prosecuting

Attorney's Office, Civil Division, assigned to this case.

EXHIBIT A

December 21, 2010, email from Petitioner Save Richmond
Beach to Parties of Record with attached Dispositive Motion
Regarding Lack of Public Notice

Otten, Matthew

From: KFielder@GrahamDunn.com
Sent: Tuesday, December 21, 2010 5:18 PM
To: Moffat, John; Rollins, Martin; Otten, Matthew; isievers@shorelinewa.gov; cao@shorelinewa.gov; wtanaka@omwlaw.com; ghuff@karrtuttle.com; dluetjen@karrtuttle.com
Cc: ZHiatt@GrahamDunn.com; CMolesworth@GrahamDunn.com
Subject: RE: Save Richmond Beach, et al. v. Snohomish County
Attachments: Motion Re Lack of Public Notice.pdf; Declaration of Service.pdf

Attached is a copy of the following document submitted on behalf of Petitioners. Hard copies will follow via regular mail.

Petitioner Save Richmond Beach's Dispositive Motion Regarding Lack of Public Notice

Karrie G. Fielder
Legal Assistant
Graham & Dunn PC
Pier 70
2801 Alaskan Way ~ Suite 300
Seattle, WA 98121-1128
206.340.9623
206.340.9599 fax
kfielder@grahamdunn.com
www.grahamdunn.com

CONFIDENTIALITY NOTICE

This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection.

If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error, and then delete it.

Thank you.

CONFIDENTIALITY NOTICE

This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection.

If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error, and then delete it.

Thank you.

EXHIBIT B

December 30, 2010, email response from Paulette York re:
Growth Board's receipt of Save Richmond Beach's Dispositive
Motion Regarding Lack of Public Notice

Otten, Matthew

From: Yorke, Paulette (WWGMHB) [PauletteY@wwgmhb.wa.gov]
Sent: Thursday, December 30, 2010 10:19 AM
To: Otten, Matthew
Subject: FW: Petitioner Save Richmond Beach's Dispositive Motion Regarding Lack of Public Notice : Save Richmond Beach, et al. v. Snohomish County
Attachments: Motion Re Lack of Public Notice.pdf; Declaration of Service.pdf

Good morning, Mr. Otten:

Per our conversation a few moments ago, I am forwarding the filing e-mail for Save Richmond Beach's Dispositive Motion, received on December 22, 2010.

Please let me know if you have any questions or if I may be of further assistance.

Vanessa Smith, Office Assistant

From: KFielder@GrahamDunn.com [<mailto:KFielder@GrahamDunn.com>]
Sent: Tuesday, December 21, 2010 5:18 PM
To: CPSGMHB
Cc: CMolesworth@GrahamDunn.com; ZHiatt@GrahamDunn.com
Subject: RE: Petitioner Save Richmond Beach's Dispositive Motion Regarding Lack of Public Notice : Save Richmond Beach, et al. v. Snohomish County

Dear Madam or Sir:

Attached for filing with the Board is a copy of the following document submitted on behalf of Petitioner Save Richmond Beach:

- Petitioner Save Richmond Beach's Dispositive Motion Regarding Lack of Public Notice The originals and four (4) copies will follow via first-class U. S. Mail.

Please reply to this message to confirming that you have received the documents electronically.

Thank you,

Karrie G. Fielder
Legal Assistant
Graham & Dunn PC
Pier 70
2801 Alaskan Way ~ Suite 300
Seattle, WA 98121-1128
206.340.9623
206.340.9599 fax
kfielder@grahamdunn.com
www.grahamdunn.com

CONFIDENTIALITY NOTICE

This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection.

If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error, and then delete it.

Thank you.

CONFIDENTIALITY NOTICE

This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection.

If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error, and then delete it.

Thank you.