

**SKAGIT COUNTY
OFFICE OF THE HEARING EXAMINER**

re: Appeal of Koter

APL 2025-002

Corrected

PRE-HEARING ORDER

date of hearing: April 17, 2026

Required Actions by Parties

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 record of an 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.** 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 the pre-hearing conference being ordered below.
- b.** 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.

- c. Parties will file documents with file names that reflect who is filing and the date filed (with the date being at the end of the file name).
- d. Any party filing legal briefs, motions, or proposed orders shall submit them in both .pdf and a .doc/.docx format. The .pdf version will become part of the exhibit log, and the .doc/.docx version will be judicial working copies.

2. The Current Record

As identified by the Office of the Hearing Examiner the record of this case is non-existent thus far, and consequently:

- i. Skagit County Planning and Development Services must prepare an exhibit list, with names and dates of documents prior to the pre-conference hearing;
 - 1. Use best efforts to collect, name, and prepare such files in line with the guidelines in the SCRE and transmit to the Clerk before the hearing *if possible*.

3. Pre-Hearing Conference:

- a. A **pre-hearing conference** of the parties will occur on **April 17, 2026** at **1:00 p.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. To the best of their ability on a short timeline, the parties will file and exchange brief memos by **April 15, 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;

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 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 13th day of April 2026.



Rajeev D. Majumdar
Skagit County Hearing Examiner