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7 **SKAGIT COUNTY**
8 **OFFICE OF THE HEARING EXAMINER**

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10 IN RE: APPEAL OF NOTICE OF VIOLATION
11 DECISION BY SKAGIT COUNTY PUBLIC
12 HEALTH OFFICER ON 2/26/2025
13 BY TULIP TIME, LLC.

No. HEALTH APL 25-0001

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OBJECTION TO MOTION TO
CONTINUE OR FOR ADDITION
OF NEW WITNESS

COMES NOW, the Department (Skagit County Public Health), by and through Erik Pedersen, deputy prosecuting attorney and hereby answers and objects to the motion to continue filed by Tulip Time, LLC.

First, the motion to continue is untimely. Pursuant to Hearing Examiner rule 35.B.i., any request to continue must occur at least 14 days prior to the hearing.

- B. If a Party requests that the Hearing Examiner consider a continuance or a rescheduling of a continued hearing:
- i. The party must reasonably attempt to confer with other Parties and make the request in writing, and be received by the Coordinator not less than 14 days prior to the established hearing date, and must state why a further delay is desired.

Despite the untimely request, the undersigned counsel consulted with the Department and concerns remain regarding an actively failing septic system that should be addressed.

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1 Second, part of the basis for the continuance are pending public requests. Tulip Time does
2 not identify what if any of the requests pertain to this matter before the hearing examiner or why any
3 records obtained would be pertinent. Undersigned counsel has reviewed those requests and has
4 found none which pertain specifically to the septic system at issue. Tulip Time has always had the
5 ability to obtain discovery pertinent to this appeal and has not actively pursued any.
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8 Third, Tulip Time seeks the alternative relief of addition of a witness not previously
9 disclosed:
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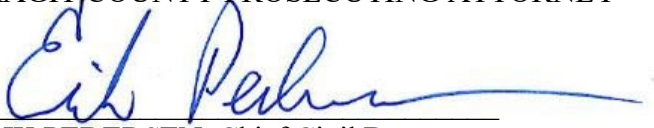
11 In the alternative, if the hearing date cannot be rescheduled, Tulip Time
12 requests that it be allowed to present the testimony of Jose Alonso Rodrigues via
Zoom

13 The Department objects to the untimely addition of this witness. The Department is not aware of
14 this individual, Tulip Time has not disclosed any information about anticipated testimony, or how
15 the testimony would be relevant, and the witness was not identified in prior pleadings. See Tulip
16 Time LLC's Memorandum in Support of Pre-Hearing Conference Set for February 27, 2026.
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19 For the foregoing reasons, the Department respectfully requests that the motion to continue
20 and the alternative relief of addition of an untimely witness be denied.

21 DATED this 7th day of July, 2026.
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23 RICHARD E. WEYRICH
24 SKAGIT COUNTY PROSECUTING ATTORNEY

25 By 
26 ERIK PEDERSEN, Chief Civil Deputy
27 WSBA #20015
28 Skagit County Prosecuting Attorney
29 700 S. 2nd Street, Suite 300
30 Mount Vernon, WA 98273-3867
(360) 416-1600
erikp@co.skagit.wa.us

OBJECTION TO MOTION TO
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3 **DECLARATION OF SERVICE**

4 I, Chris Olson, declare as follows:

5 That I am over the age of 18 years and competent to be a witness herein.

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7 On the 7th day of July 2026, as a Legal Assistant in the office of the Skagit County
8 Prosecuting Attorney, I caused to be mailed and/or served, a true and correct copy of this
9 document, by the means indicated below.
10

11 MARK LEE
12 Wolf Lee Hurst & Slattery, PLLP,
13 230 E Champion St
14 Bellingham, WA 98225-4548
15 mark@bellinghamlegal.com
16 suzanne@bellinghamlegal.com
17 *Attorney for Appellant Tulip Time LLC*

Via US Mail & Email

18 I certify under penalty of perjury under the laws of the State of Washington that the
19 foregoing is true and correct.

20 EXECUTED at Mount Vernon, Washington, this 7th day of July, 2026.

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22 Chris Olson, Legal Assistant
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