

re: The Appeal of Notice of Violation) **Health APL 25-0001**
Decision by Skagit County Public Health)
on 2/26/25 by Tulip Time, LLC) TULIP TIME, LLC’S REPLY TO
) COUNTY OBJECTION TO MOTION
) TO CONTINUE OR FOR ADDITION
) OF NEW WITNESS AND CONTINUED
_____) REQUEST FOR A CONTINUANCE

Moreover, Tulip Time raised an objection to the current pending date in relationship to responses to the public records requests well before the 14-day deadline. Indeed, Tulip Time has consistently objected to any scheduling of the hearing until the County responds to the public records requests. As stated in Tulip Time, LLC's Memorandum in Support of Pre-Hearing Conference Set for February 27, 2026 (filed February 17, 2026):

Tulip Time maintains that there is good cause to continue the setting of the hearing on this matter until Skagit County provides the documents subject to the long overdue public records requests from Tulip Time.

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The County also objects because Tulip Time did not identify what information will be produced by the records. Tulip Time cannot provide this information because the County will not produce the records. Until provided, Tulip Time does not know how the materials may impact the proceeding. However, Tulip Time requested documents relating to the County's treatment of other property owners under similar circumstances. This is highly relevant to Tulip Time's position that the County's breadth of review of the entire grandfathered system exceeds its authority and general practice.

The County also objects to Tulip Time calling Jose Alonso Rodrigues as a witness because he has not been disclosed, and there is no basis to determine whether his testimony is relevant. Tulip Time concedes that Mr. Rodrigues was not disclosed by name until July 7, 2026. However, Mr. Rodrigues performed the work on the septic system that prompted this enforcement action, and so his testimony is relevant. Moreover, the general substance of his testimony was disclosed in Tulip Time's Hearing Brief submitted on June 12, 2026, p. 2. The only prejudice to the County from Mr. Rodrigues' testimony will be its confirmation that the facts the County has relied upon to pursue the enforcement action are incorrect.

DATED this 7th day of July, 2026.

s/ Mark J. Lee

Mark J. Lee, WSBA #19339
of Wolf Lee Hurst & Slattery, PLLP
Attorney for Appellant Tulip Time, LLC