

1 **BEFORE THE WESTERN WASHINGTON GROWTH**
2 **MANAGEMENT HEARINGS BOARD**
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8 1000 FRIENDS OF WASHINGTON and PRO-WHATCOM,

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10 Petitioners,

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12 v.

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14 WHATCOM COUNTY,

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17 Respondent,

18 And

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20 GOVERNOR'S POINT DEVELOPMENT COMPANY,

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23 Intervenor.
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No. 04-2-0010

**ORDER
EXTENDING
DATE FOR
FINAL
DECISION AND
ORDER**

26 THIS Matter comes before the Board upon a second joint motion to extend the deadline for filing a
27 final decision in this case. The joint motion was filed by Petitioner 1000 Friends of Washington,
28 Respondent Whatcom County, and Intervenor Governor's Point Development Company. Second
29 Joint Motion to Extend Case Schedule, November 29 , 2004. The parties request a stay of the
30 proceedings for 90 days pursuant to RCW 36.70A.300.
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1 RCW 36.70A.300 sets a firm deadline for issuance of a final decision and order in any case filed with
2 the boards:

3 Except as provided in (b) of this subsection, the final order shall be issued within one hundred
4 eighty days of receipt of the petition for review, or, if multiple petitions are filed, within one
5 hundred eighty days of receipt of the last petition that is consolidated.

6 RCW 36.70A.300(2)(a)

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9 The only exception to the 180-day rule is to “enable the parties to settle the dispute if additional time
10 is necessary to achieve a settlement.” RCW 36.70A.300(2)(b). In their earlier joint motion, the
11 parties agreed that an extension will likely facilitate settlement of the remaining issues in the case. In
12 this motion, they reference the earlier rationale and add that “additional time is necessary if the
13 parties are to work out a settlement through the legislative process.” Second Joint Motion to Extend
14 Case Schedule, November 29, 2004.
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17 **ORDER**

18 Based on the foregoing, the deadline for issuance of the final decision and order in this case is hereby
19 EXTENDED for an additional 90 days to enable the parties to settle their dispute. The new deadline
20 for a final decision and order in this case is May 9, 2005. The new date for the hearing on the merits
21 is March 23, 2005. The briefing schedule shall be as follows:
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23 **Briefing Schedule**

24	Petitioner’s Brief due	February 17, 2005.
25	Respondent’s and Intervenor’s Briefs due	March 10, 2005.
26	Petitioner’s Reply Brief (optional) due	March 18, 2005
27	Hearing on the Merits	March 23, 2005.
28	Final Decision and Order deadline	May 9, 2005.

1 *Because of the Board's extremely heavy schedule in the Spring of 2005, any additional requests*
2 *for extension for settlement purposes must be filed no later than a week before the due date for*
3 *Petitioner's brief as established above to allow time for re-scheduling if needed..*
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5 Entered this 6th day of December 2004.
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8 WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD
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11 Margery Hite
12 Presiding Officer
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