

Docket No. TV-200432 - Vol. I

WUTC v. Clutter, Inc.

May 4, 2021



206.287.9066 | 800.846.6989

1325 Fourth Avenue, Suite 1840, Seattle, Washington 98101

www.buellrealtime.com

email: info@buellrealtime.com



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1 email that to me as well.
 2 So it looks like from the proposed
 3 procedural schedule that was circulated that the parties
 4 do want to have discovery available to them in this
 5 case; is that correct?
 6 MR. TEIMOURI: I think so. Some discovery
 7 at least from Staff's perspective. We didn't leave that
 8 much in there, but at least a couple weeks there.
 9 JUDGE PEARSON: Okay. And so I -- I will
 10 make the discovery rules available, but just want to
 11 remind the parties that protective orders are not
 12 available under the statutes that govern this
 13 proceeding, so just bear that in mind.
 14 And also, if you do anticipate issuing data
 15 requests, would the parties like me to include a
 16 requirement in the prehearing conference order that data
 17 request responses are automatically shared with every
 18 other party?
 19 MR. TEIMOURI: No objection from Staff.
 20 JUDGE PEARSON: Okay. Great. I'm seeing
 21 nonverbal confirmation from all parties, so I appreciate
 22 that.
 23 All right, then. So that brings us to the
 24 procedural schedule. The parties did circulate a
 25 proposed procedural schedule in advance of the hearing.

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1 Thank you for that. Are there any changes to that
 2 proposal, Mr. Teimouri?
 3 MR. TEIMOURI: Not from Staff's perspective.
 4 We're happy with the proposed schedule.
 5 JUDGE PEARSON: Okay. Either of the other
 6 parties?
 7 MS. SUETAKE: Public Counsel --
 8 [Cross talking.]
 9 MS. SUETAKE: None from Public Counsel.
 10 JUDGE PEARSON: Okay. Great.
 11 All right. So the date and time for the
 12 hearing works for me, so I will incorporate it along
 13 with the other dates outlined in the agreed procedural
 14 schedule into the prehearing conference order. What I
 15 did want to know is whether the parties wanted to start
 16 the hearing in the morning or the afternoon? How much
 17 time you would anticipate for the hearing? If you think
 18 it's possible that it could go longer than three hours,
 19 then I think we should set it for the morning, but
 20 that's up to the parties.
 21 MR. TEIMOURI: Yeah, my initial guess would
 22 be it would not take longer than three hours, but that's
 23 just a, you know -- that's where we stand at this point.
 24 So I think the afternoon would be fine from Staff's
 25 perspective, but happy to hear other thoughts on that.

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1 MR. STOKES: I guess from Clutter's --
 2 Clutter's perspective I would agree with that, but just
 3 out of an abundance of caution, maybe the morning --
 4 morning's better to start.
 5 JUDGE PEARSON: Okay.
 6 MR. TEIMOURI: Yeah, I have no problem with
 7 that.
 8 MS. SUETAKE: I don't have a problem with
 9 that either.
 10 JUDGE PEARSON: Okay. Well, then why don't
 11 we do -- how about a 10:00 a.m. start time; does that
 12 work for everyone?
 13 MR. TEIMOURI: Yeah, that works.
 14 MR. STOKES: Perfect.
 15 JUDGE PEARSON: So other than that, I will
 16 just read the rest of the procedural schedule into the
 17 record, and let me know if I miss anything.
 18 There's an initial settlement conference set
 19 for May 13th; a second settlement conference set for
 20 June 8th; a discovery deadline of July 1st; and response
 21 time to data requests will be seven days. That's the
 22 footnote on that particular entry. Exhibit lists,
 23 cross-examination exhibits, witness lists, and time
 24 estimates would be due by July 15th, with an evidentiary
 25 hearing on July 26th, 2021, and post hearing briefs, if

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1 needed, due August 18th, 2021.
 2 Okay. Hearing nothing, I assume that that
 3 is correct.
 4 All right. Is there anything else that we
 5 need to address today while we're here?
 6 MR. TEIMOURI: Not from Staff's perspective,
 7 Your Honor. Thank you.
 8 MR. STOKES: Nothing else from Clutter as
 9 well.
 10 MS. SUETAKE: And nothing from Public
 11 Counsel.
 12 JUDGE PEARSON: Okay. Thank you. I
 13 appreciate you all circulating that schedule in advance
 14 and working together to come up with something that
 15 works for everyone, and we are adjourned. Thank you
 16 very much. Have a good day.
 17 (Adjourned at 9:38 a.m.)
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CERTIFICATE

STATE OF WASHINGTON
COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand Reporter in and for the State of Washington, do hereby certify that the foregoing transcript is true and accurate to the best of my knowledge, skill and ability.



Tayler Garlinghouse
Tayler Garlinghouse, CCR 3358

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