

**CIVIL SERVICE COMMISSION MEETING MINUTES**  
Wednesday February 6<sup>th</sup>, 2019

Enumclaw City Hall Conference Room  
1339 Griffin Avenue  
Enumclaw, WA 98022

**CALL TO ORDER:**

Meeting started at ~~10~~00 with Attorneys DiJulio, McIntyre, Power and Appellant Leitl on a phone conference. Commissioners Cadematori and Willis, Chief Huebler and Examiner Garrett in attendance in City Hall. This meeting was ran by Attorney DiJulio

**Order of Procedure:**


Completed

**ADJOURNMENT:**


Meeting adjourned at ~~10~~19 a.m.

**These Minutes represent a brief description of the meeting; a recording of each meeting is maintained by the Civil Service Commission.**

APPROVED BY:

  
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Albert Willis  
Co-Chairperson

SUBMITTED BY:

  
\_\_\_\_\_  
Kaylee Garrett  
Secretary Examiner



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CIVIL SERVICE COMMISSION  
CITY OF ENUMCLAW

IN RE APPEAL OF Mark Leitl

ORDER ON PROCEDURAL MATTERS

1. **INTRODUCTION.** THIS MATTER came before the Civil Service Commission (“Commission”) on Wednesday, February 6<sup>th</sup>, 2019. The meeting commenced at 10:00 a.m. The Commission met in open session to hear from the parties on the matters discussed in this Order.

2. **APPEARANCES.** The Commission was present (Commissioners Cadematori and Willis), as was its Secretary and Chief Examiner. The Commission was represented by its Special Counsel and Hearing Officer, P. Stephen DiJulio, Foster Pepper PLLC. Mark Leitl (“Leitl” or “Appellant”) was represented by Nicholas E.D. Power. The Enumclaw Police Department was represented by Beth McIntyre, of Law, Lyman, Daniel, Kamerrer & Bogdanovich. Appellant and his counsel, Ms. McIntyre and Mr. DiJulio appeared through telephone conference. Note, the Commission confirmed engagement of Mr. DiJulio as counsel and hearing officer to the Commission on January 17, 2019 in its Regular Meeting of that date.

3. **APPEAL.** Leitl appeals his termination from the Enumclaw Police Department. The appeal was filed on December 19, 2019, from Police Department action of December 14, 2019.

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1 3. **ORDER.** The Commission orders, as follows.

2 3.1 Schedule. The pre-hearing schedule is set forth as follows:

3 **No later than February 15, 2019:** City to disclose exhibits and witnesses.

4 **No later than March 18, 2019:** Leiti to disclose exhibits and witnesses.

5 **No later than March 27, 2019:** City to disclose rebuttal exhibits and witnesses.

6 **April 17, 2019:** Opening/Trial Brief (not to exceed 15 pages, consistent with  
7 format for briefing under the Civil Rules for Washington Superior Court).

8 3.2 Status Conference. The parties or their legal counsel shall meet (phone  
9 conference sufficient) to review any disputes regarding discovery or exhibits, no later than **April**  
10 **12, 2019.** The Commission's hearing officer will conduct the status conference by phone.

11 3.3 Subpoenas. Request for Subpoenas (by email) are to be delivered (if at all) to  
12 Mr. DiJulio, no later than **April 9, 2019.** The parties shall be responsible for service of issued  
13 subpoenas.

14 3.4 Hearing. The hearing will commence at 9 a.m. on **April 24, 2019 with**  
15 **additional dates of April 25 and 27, as needed),** at a time and location to be later announced.  
16 Each party shall be afforded time to make an opening statement, not to exceed 30 minutes per  
17 side.

18 3.5 Closing Argument. The Commission will decide at the close of hearing whether  
19 final argument will be oral or written. The parties are advised that final argument may proceed  
20 immediately following the close of testimony, at the Commission's discretion.

21 DATED this 6th day of February, 2019.

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24 Albert Willis, Co-Chair  
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