

rights).

5. Essentially, Interveners' urge the Hearing Officer to reconsider the District's Motion based on Interveners' effort to argue substance of the District's Motion, on erroneous premises that are not tied to the Proposal the City actually submitted.

CONCLUSION

Interveners' filing actually shows the expansive extent to which the City cooperatively provided responsive and timely information to the parties in discovery, well before any discovery litigation or collateral wrangling over expert reports. It does not support Interveners' effort to depict the City as seeking to withhold or delay relevant information to prejudice other litigants. It does not support Interveners' contention that the District's Motions should be taken up anew as the District has requested.

WHEREFORE, the City again requests that the District's Motion be denied and that the parties proceed to hearing without further collateral litigation over pre-hearing issues.

Respectfully submitted,

Office of the City Attorney
of the City of Wichita, Kansas

By /s/ Brian K. McLeod
Brian K. McLeod, SC # 14026

CERTIFICATE OF FILING AND SERVICE

The undersigned hereby certifies that he transmitted the above and foregoing Response to the Motion for Reconsideration by electronic mail on this 30th day of October, 2019, for filing, to ConnieOwen@everestkc.net, Chris.Beightel@ks.gov, David.Barfield@ks.gov and Kenneth.Titus@ks.gov and served the same upon counsel for the other parties herein by electronic mail addressed to:

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