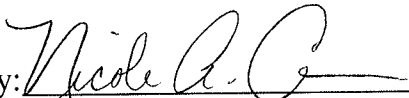


The Board agrees with the Riley Plaintiffs that the Court currently has under consideration summary judgment motions addressing all issues.² Thus, the Court could dispose of all the challenges on the pleadings and eliminate the need for any hearing or trial. However, should the Court decide a hearing or trial is necessary, the Board is prepared to move forward with the currently reserved dates of December 9 through December 20, 2013.

DATED at Anchorage, Alaska this 4th day of November 2013.

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² The Board disagrees, however, with the Riley Plaintiffs' claims that discovery is necessary or required before this Court may hold a hearing or trial. It is the Board's position that the process on remand does not trigger a new trial with the normal pre-trial procedures, such as discovery. Regardless, discovery is simply not necessary. The issues are much narrower than the initial challenges filed in 2011. Moreover, everything in the Board's possession is part of the Board Record. The only conceivable discovery the Riley Plaintiffs could request are depositions. However, this would only further delay any decision on the Board's 2013 Proclamation Plan, and can be accomplished through testimony should this Court determine a hearing is necessary.

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of November 2013, a true and correct copy of the foregoing document was served on the following via:

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