

**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA**  
**FOURTH JUDICIAL DISTRICT AT FAIRBANKS**

In Re 2011 Redistricting Cases.

**CONSOLIDATED CASE NO.:**

) **4FA-11-2209-CI**

) 4FA-11-2213 CI

) 1JU-11-782 CI

) 4FA-13-2435 CI

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**ALASKA REDISTRICTING BOARD'S GLOBAL OPPOSITION TO RILEY  
PLAINTIFFS' MOTIONS AND MEMORANDA TO STRIKE**

The Alaska Redistricting Board ("Board"), by and through counsel Patton Boggs LLP, hereby opposes the Riley Plaintiffs' motions to strike the Board's summary judgment motions, all five of which were timely filed with this Court on September 12, 2013. This Court's August 28, 2013 order is indeed clear – "any party that objects to the 2013 proclamation plan as violative of the compactness and contiguity requirements of the Alaska Constitution must file a motion for summary judgment regarding all such concerns within 15 days of the date of the distribution of this order."<sup>1</sup> This Court also required that "any party objecting to the proclamation plan as violative of the socio-economic requirement of the Alaska Constitution must file a motion for summary judgment, supported by admissible evidence, in the same time-frame as noted."<sup>2</sup> What the Riley Plaintiffs conveniently exclude from their motions to strike is this Court's

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<sup>1</sup> Order Regarding the Board's Motion for Compliance at 4 (August 28, 2013) ("Order").

<sup>2</sup> *Id.* at 5.

mandate that “any other substantive motions shall be filed on the same time table,” without any restriction as to subject matter or who may file such motions.<sup>3</sup>

In the Order proscribing the briefing schedule set forth above, this Court identified and summarized the issues raised by the Riley Plaintiffs and the Alaska Democratic Party (“ADP”) in their respective applications to correct alleged errors in redistricting.<sup>4</sup> In addition to the issues of compactness, contiguity, and socio-economic integration, the Court also identified the following as possible issues: challenges to the deviations in House Districts 1 – 5, deviations in the Fairbanks Senate districts, whether the plan affords proportional representation to the voters residing inside and outside the Mat-Su Borough and the Kenai Peninsula Borough, and whether the Board considered improper factors in deciding the truncation of Senate terms.<sup>5</sup>

This Court required that “any other substantive motions,” i.e., those motions unrelated to compactness, contiguity, and socio-economic integration, must also be filed in accordance with the same briefing schedule. Since the Board does not object to any portion of its plan as violative of the Alaska Constitution, it did not file summary judgment motions regarding compactness, contiguity, or socio-economic integration. Rather, the Board limited its dispositive motions to the additional issues identified by this Court. This Court did not restrict the filing of dispositive motions to objecting

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<sup>3</sup> *Id.* at 5 (emphasis added); *see* Riley Plaintiffs’ Motions to Strike.

<sup>4</sup> *Id.* at 3.

<sup>5</sup> *Id.* at 3-4.

parties.<sup>6</sup> Thus, the Board was entitled to file summary judgment motions on these topics.

The Board's summary judgment motions fully comply with this Court's Order and, accordingly, the Riley Plaintiff's motions to strike must be denied. This Court should likewise deny their request that the Court consider the Board's summary judgment motions as a response to the Riley Plaintiffs' Motion for Summary Judgment.

DATED at Anchorage, Alaska this 13<sup>th</sup> day of September 2013.

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<sup>6</sup> See Order at 5.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 3<sup>rd</sup> day of September 2013, a true and correct copy of the foregoing document was served on the following via:

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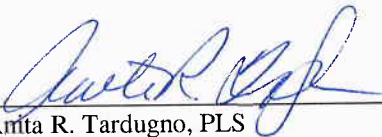
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