

**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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**DEFENDANT ALASKA REDISTRICTING BOARD'S  
MOTION FOR SUMMARY JUDGMENT RE: RILEY PLAINTIFFS' CLAIM  
HOUSE DISTRICTS 1 THROUGH 5 HAVE UNNECESSARILY  
HIGHER DEVIATIONS FROM THE IDEAL DISTRICT**

COMES NOW, Defendant Alaska Redistricting Board ("Board"), by and through counsel Patton Boggs LLP, pursuant to Alaska Rule of Civil Procedure 56, and for the reasons set forth in the Memorandum of Points and Authorities in Support of Defendant Alaska Redistricting Board's Motion for Summary Judgment re: Riley Plaintiffs' Claim House Districts 1 Through 5 have Unnecessarily Higher Deviations from the Ideal District (the "Memorandum") filed contemporaneously herewith, hereby moves this Court for entry of partial summary judgment.


As set forth more fully in the accompanying Memorandum, there is no genuine dispute as to any material fact that House Districts 1 through 5 contain "a population as near as practicable" to the ideal district size in accordance with Article VI, section 6 of the Alaska Constitution. The Board Record establishes that the overall deviation in these five House districts is 0.92%, less than one percent, while the overall deviation of the 2013 Proclamation Plan is 4.2%, the lowest in redistricting history. The Plaintiffs

cannot put forth any evidence that would dispute or contradict this evidence. Therefore, the Riley Plaintiffs' claims fail as a matter of law.

Accordingly, the Board is entitled to summary judgment on Plaintiffs' claims alleging House Districts 1 through 5 have unnecessarily higher deviations than the ideal district. The Board requests this Court deny the Plaintiffs' claims regarding unnecessarily higher deviations than the ideal district as to House Districts 1 through 5 and enter judgment for the Board.

DATED at Anchorage, Alaska this 12<sup>th</sup> day of September 2013.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 1<sup>st</sup> day of September 2013, a true and correct copy of the foregoing document was served on the following via:

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