

Marika R. Athens (AK Bar No. 0411096)
Assistant Attorney General
Department of Law
Office of Special Prosecutions and Appeals
310 K St., Suite 308
Anchorage, Alaska 99501
Telephone: 907-269-6250
Facsimile: 907-269-7939
Email: marika.athens@alaska.gov

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

AMERICAN BOOKSELLERS)
FOUNDATION FOR FREE EXPRESSION;)
AMERICAN CIVIL LIBERTIES UNION OF)
ALASKA; ASSOCIATION OF AMERICAN)
PUBLISHERS, INC.; COMIC BOOK LEGAL)
DEFENSE FUND; ENTERTAINMENT)
MERCHANTS ASSOCIATION; FREEDOM)
TO READ FOUNDATION; DAVID &)
MELISSA LLC d/b/a Fireside Books; BOOK)
BLIZZARD LLC d/b/a Title Wave Books;)
BOSCO'S, INC.; DONALD R. DOUGLAS)
d/b/a Don Douglas Photography; and)
ALASKA LIBRARY ASSOCIATION,)

Plaintiffs,)

v.)

DANIEL S. SULLIVAN, in his official)
capacity as ATTORNEY GENERAL OF THE)
STATE OF ALASKA)

Defendant.)

CIVIL ACTION NO.:

3:10-cv-00193-RRB

MOTION TO CLARIFY

Daniel S. Sullivan, in his official capacity, through his undersigned counsel,
hereby requests clarification of the court's Order Granting Preliminary Injunction. In the

Order, the court stated that the State was prevented from enforcing AS 11.61.128. The Defendant seeks clarification of the scope of the Order. For example:

1. Does the court's Order encompass adjudicating juveniles already under the court's jurisdiction for violating this statute?
2. Does the court's Order prevent law enforcement from continuing investigations or obtaining search warrants when reports have been made that minors have received pornographic pictures of adult genitalia from adults?

DATED this 26th day of October, 2010.

DANIEL S. SULLIVAN
ATTORNEY GENERAL

By: s/Marika R. Athens
Assistant Attorney General
Department of Law
Office of Special Prosecutions and Appeals
310 K St., Suite 308
Anchorage, Alaska 99501
Telephone: 907-269-6250
Facsimile: 907-269-7939
Email: marika.athens@alaska.gov

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 2010, a copy of the foregoing document was served electronically on:

Michael Bamberger

s/Marika R. Athens
Marika R. Athens