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Attorney for Lieutenant Governor
Craig Campbell and the State of Alaska,
Division of Elections

**IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

JOE MILLER,)
)
 Plaintiff,)
)
 v.)
)
 LIEUTENANT GOVERNOR CRAIG)
 CAMPBELL, in his official capacity;)
 and the STATE OF ALASKA,)
 DIVISION OF ELECTIONS,)
)
 Defendants.)
 _____)

Case No. 3:10-cv-00252 RRB

AFFIDAVIT OF MARGARET PATON WALSH

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

Margaret Paton Walsh, being first duly sworn, deposes and says:

1. I am an Assistant Attorney General for the State of Alaska, and I represent Defendants, Lieutenant Governor Craig Campbell and the State of Alaska, Division of Elections, in this action.

2. The plaintiff, Joe Miller, has moved for a preliminary injunction to stop the division from counting write-in votes cast in the November 2, 2010, general election. Mr. Miller requested expedited consideration of his motion for preliminary injunction. The Court has set a schedule for briefing next week.

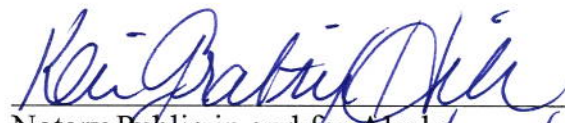
3. The defendants have filed a motion to dismiss for lack of jurisdiction arguing that there is no federal question jurisdiction in this case; and in the alternative that the federal court should abstain under the *Pullman* doctrine.

4. Because this Court should consider jurisdictional questions before addressing the motion for preliminary injunction, the plaintiff's motion for shortened time requires that this motion be considered on an even more expedited basis, making efforts to resolve this with other parties futile.



Margaret Paton Walsh

SUBSCRIBED AND SWORN TO before me this 10th day of November, 2010, at Anchorage, Alaska.



Notary Public in and for Alaska

My Commission Expires: 2/26/2011

Certificate of Service

The undersigned hereby certifies that on the 10th day of November, 2010, a true and

correct copy of the above document, Affidavit of Margaret Paton-Walsh in support of Defendants' Motion for Shortened Time on Motion to Dismiss was served via electronic mail on the following:

-Thomas Van Flein, Esq.

By: /s/ Margaret Paton-Walsh