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Attorney for Lieutenant Governor  
 Mead Treadwell and the State of Alaska,  
 Division of Elections

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

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

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Case No. 3:10-cv-00252 RRB

**DEFENDANTS’ MOTION FOR SHORTENED TIME  
 ON MOTION TO LIFT STAY AND ESTABLISH AN EXPEDITED SCHEDULE  
 FOR BRIEFING ANY REMAINING FEDERAL ISSUES**

The defendants, Lieutenant Governor Mead Treadwell and the State of Alaska, Division of Elections, (“the state”), by and through undersigned counsel, hereby move this Court pursuant to D. Ak. LR 7.2(c) to consider their motion to lift the stay and establish an expedited schedule for briefing any remaining federal issues on shortened time.

The state is moving to lift the stay because the state superior court has indicated that it would issue a ruling today regarding the state law claims as to which this court abstained in its order of November 19, 2010. Because the new Senate will be sworn in on January 5, 2011, and the state has a compelling interest in ensuring that it enjoys full representation in the new Congress, it is imperative that all litigation contesting the November 2, 2010 election result be resolved before that time. This cannot realistically be accomplished unless this Court lifts the stay and orders briefing of any remaining federal issues contemporaneously with any appeal of the superior court's ruling in the Alaska Supreme Court, which is likely to occur next week.

The state therefore requests that this Court schedule briefing on the motion to lift the stay as follows: the plaintiff should file any opposition to this motion by 3:00 p.m. today, Friday, December 10, 2010; and the Court will issue an order on the same day.

DATED: December 10, 2010.

RICHARD A. SVOBODNY  
ACTING ATTORNEY GENERAL

By: /s/ Margaret Paton-Walsh  
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**Certificate of Service**

The undersigned hereby certifies that on the 10th day of December, 2010, a true and correct copy of the above document, Defendants' Motion for Shortened Time on Motion to Lift Stay and Establish Expedited Briefing Schedule on Remaining Federal Issues was served via electronic mail on the following:

- Thomas Van Flein, Esq.
- Michael T. Morley, Esq.

By:     /s/ Margaret Paton-Walsh