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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.)

Case No. 3:10-cv-00252 RRB

**DEFENDANTS' MOTION FOR SHORTENED TIME
ON THE MOTION TO RE-CONDITION THE PRELIMINARY INJUNCTION**

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 re-condition the preliminary injunction on shortened time.

The state's motion to recondition the preliminary injunction is prompted by the fact that the state superior court is expected to rule today regarding the state law

claims as to which this court abstained in its order of November 19, 2010. Just as the original grant of the injunction was conditioned on Mr. Miller's filing suit in state court immediately, the state is asking this court to condition the continuance of the injunction on Mr. Miller's immediate appeal if the state should win its summary judgment motion. If the superior court rules today, and the state wins summary judgment, the state's motion asks this court to require Mr. Miller to appeal to the Alaska Supreme Court by the close of business on Monday, December 13, 2010. As a result, this Court must decide the motion before then.

Because of the extraordinarily compressed scheduling that this requires, the state moves this court to grant expedited consideration of the motion to recondition the preliminary injunction, requiring Mr. Miller to oppose the motion by 8:00 a.m. Monday, December 13, 2010, and issuing an order on the motion by noon on Monday.

DATED: December 10, 2010.

RICHARD A. SVOBODNY
ACTING ATTORNEY GENERAL

By: /s/ Margaret Paton Walsh
Assistant Attorney General
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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 Re-condition The Preliminary Injunction was served via electronic mail and fax on the following:

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

By: /s/ Margaret Paton-Walsh