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7. IN THE UNITED STATES DISTRICT COURT
 8. FOR THE DISTRICT OF ALASKA

9. JOE MILLER,

10. Plaintiff,

11. v.

12. LIEUTENANT GOVERNOR MEAD
 TREADWELL, in his official capacity; and
 13. the STATE OF ALASKA, DIVISION OF
 ELECTIONS,

14. Defendants.

Case No. 3:10-cv-252 (RRB)

15. **SENATOR LISA MURKOWSKI'S MOTION FOR SHORTENED TIME**
 16. **ON HER MOTION FOR ORDER GRANTING LEAVE TO INTERVENE**

17. Senator Lisa Murkowski moves the Court for shortened time on her motion for an
 18. order granting leave to intervene pursuant to Fed. R. Civ. P. 24. As permitted under
 19. D. Ak. LR 7.2(c), Senator Murkowski respectfully requests the Court to enter an order
 20. expediting the schedule for briefing and argument, if any, so that the Court may decide
 21. this motion no later than December 13, 2010. This motion is supported by the
 22. Declaration of Timothy A. McKeever in Support of Senator Lisa Murkowski's Motion
 23. for Order Granting Leave to Intervene ("Dec. of McKeever").
 24.

25.
 26. SENATOR LISA MURKOWSKI'S MOTION FOR SHORTENED TIME
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1. The immediate resolution of Senator Murkowski's motion to intervene is
2. necessary. On January 3, 2011, the current term of Senator Murkowski will end. Dec. of
3. McKeever ¶ 6. Shortly thereafter, the U.S. Senate will swear in the members chosen in
4. the fall elections, and the committee-assignment process will be done soon thereafter. *Id.*
5. Senator Murkowski was the voters' choice in Alaska, according to the final count of the
6. Alaska Division of Elections, *id.* ¶ 3, and yet she cannot be seated until the election is
7. certified. Alaska could have only one senator representing it in the upper chamber of
8. Congress at a time when numerous critical issues are facing our nation. *Id.* 6(a). Senator
9. Murkowski could lose her seniority status and her assignments as ranking member of the
10. Senate Energy and Natural Resources Committee and member of the Appropriations
11. Committee. *Id.* ¶¶ 6(b)-(c). The effect on Alaska from the loss of these positions would
12. be very harmful and could be long lasting. *Id.* ¶ 6(c). Every day in this case is critical,
13. and Senator Murkowski's application for intervention should be decided swiftly so that
14. she can participate fully in the proceedings.

15. Counsel for defendants Lieutenant Governor Mead Treadwell and Alaska's
16. Division of Elections have indicated that they do not object to Senator Murkowski's
17. intervention in this matter or to her motion to lift stay. Dec. of McKeever ¶ 7.
18. Unfortunately, counsel for plaintiff Joe Miller has indicated that he intends to object to
19. Senator Murkowski's intervention, and it can be reasonably assumed that he will likewise
20. object to her motion to lift stay. *Id.* Because Senator Murkowski's motion will be
21. contested, the Court may expect to receive a brief in opposition from Mr. Miller for each
22. one.

23. Given the urgent nature of this matter, the Court should therefore expedite its
24. consideration of Senator Murkowski's motion to intervene schedule for briefing and
25.

1. argument. Senator Murkowski respectfully requests that the Court decide the motion no
2. later than December 13, 2010.

3. DATED this 10 day of December, 2010.

4. HOLMES WEDDLE & BARCOTT, P.C.

5.
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1. CERTIFICATE OF SERVICE

2. The undersigned certifies under penalty of perjury of the
3. laws of the State of Washington that, on the 10 day of
4. March, 2010, the foregoing was electronically
filed with the Clerk of Court using the CM/ECF system, which
will send notification of such filing to the following:

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