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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,)	
)	Case No. 3:10-cv-00252-RRB
Plaintiff,)	
)	
v.)	
)	
LIEUTENANT GOVERNOR MEAD)	
TREADWELL, in his official capacity;)	
and the STATE OF ALASKA,)	
DIVISION OF ELECTIONS,)	
)	
Defendants.)	
_____)	

AFFIDAVIT OF JOANNE GRACE

STATE OF ALASKA)
) ss:
THIRD JUDICIAL DISTRICT)

Joanne Grace, being duly sworn, states:

- I am an Assistant Attorney General employed by the State of Alaska.

2. I represent Lieutenant Governor Mead Treadwell and the Alaska Division of Elections in the state court litigation, *Miller v. Treadwell*, 1JU-10-1007CI, the state court lawsuit that was filed after this Court abstained on the state-law issues originally raised in this case. See this Court's order of November 19, 2010, Docket #39.

3. After Alaska Superior Court Judge William Carey issued a decision in the state court case on Friday, December 10, 2010, I was called by the Alaska Clerk of Appellate Courts, Marilyn May. Ms. May asked me to be available for a conference call of all counsel for the parties in the state court case.

4. I participated in the conference call late Friday afternoon. Counsel for the plaintiff Joe Miller and the intervenor Lisa Murkowski also participated.

5. Ms. May explained to the parties that because of the schedules of the Alaska Supreme Court justices, should any appeal be filed in the state court case, the Alaska Supreme Court would impose the following schedule for the appeal:

Notice of Appeal due Monday, December 13th

Appellant's brief due at noon on Tuesday, December 14th

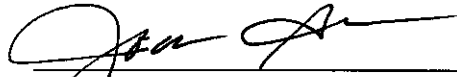
Appellee's brief due at 4:30 p.m. Wednesday, December 15th

Reply brief due at noon Thursday, December 16th

Oral Argument will be at 1:30 on Friday, December 17th

6. Counsel for Mr. Miller did not indicate that they had any objection this schedule in the event of an appeal.

DATED December 13, 2010.




Joanne M. Grace

SUBSCRIBED AND SWORN to before me this 13th day of
December, 2010.



Certificate of Service



Notary Public in and for Alaska
My commission expires: with office

The undersigned hereby certifies that on the 13th day of December, 2010, a true and correct copy of the above document, Notice of Supplemental Facts Regarding the State's Motion to Re-Condition the Preliminary Injunction was served via electronic mail on the following:

- Thomas Van Flein, Esq.
- Michael T. Morley, Esq.
- Scott Kendall
- Timothy McKeever

By: /s/ Margaret Paton-Walsh