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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.)	
_____)	

**AMENDED MOTION TO ESTABLISH EXPEDITED BRIEFING SCHEDULE
ON REMAINING FEDERAL ISSUES**

Defendants Lieutenant Governor Mead Treadwell and the State of Alaska,
Division of Elections (“the state”) file this amendment to their motion to establish a
briefing schedule on any remaining federal issues in this case.

In its motion to lift the stay and establish an expedited briefing schedule,
filed on December 10, 2010, the state asked this Court to schedule briefing on any
remaining issues so that the state would file a motion to lift the preliminary injunction

and a motion for summary judgment on Wednesday, December 15, 2010; plaintiff's opposition would be due on Friday, December 17; and the state's reply on Monday, December 20. [Docket #48] The state indicated that it planned to ask the Alaska Supreme Court to establish a comparable schedule for the state appeal if it was immediately filed.

However, on Friday afternoon, after Judge William Carey issued his decision in the related state case, 1JU-10-1007CI, [Docket #62], the Alaska Supreme Court notified the state and counsel for the other parties to that case, that it intended an even more expedited schedule for the appeal in which all briefing and oral argument would occur in the week of December 13, 2010. [*See* Affidavit of Joanne Grace at Docket #66-1]

This compressed schedule will place additional time pressure on counsel this week and, assuming that the Alaska Supreme Court issues an oral ruling on Friday afternoon, also may obviate the need for briefing in the alternative while still leaving sufficient time for this Court's consideration of any remaining federal issues before the new Congress convenes in early January 2011.

In view of this proposed state appeal schedule, the state asks this Court for an amended schedule, pursuant to which the state will file its motion to lift the preliminary injunction and for summary judgment on Saturday, December 18, plaintiff will file his opposition on Tuesday, December 21, and any reply will be due on Thursday,

December 23. This Court may then schedule oral argument, if necessary, for the week of December 27, and issue a ruling before the new year.

DATED December 13, 2010.

RICHARD A. SVOBODNY
ACTING ATTORNEY GENERAL

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Certificate of Service

The undersigned hereby certifies that on the 13th day of December, 2010, a true and correct copy of the above document, Amended Motion to Establish Expedited Briefing Schedule on Remaining Federal Issues 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