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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,)
)
 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

**ORDER GRANTING THE STATE’S MOTION TO LIFT THE PRELIMINARY
INJUNCTION AND DENYING PLAINTIFF’S REQUEST TO TOLL OTHER
REMEDIES WITHOUT PREJUDICE**

The Court, having reviewed the State’s Motion to Lift the Preliminary Injunction, and any opposition thereto, hereby rules that the motion is GRANTED.

IT IS ORDERED that the injunction is LIFTED. The state may certify the result of the 2010 U.S. Senate election.

The request of Plaintiff Joe Miller for a new injunction tolling “his deadline for seeking any post-certification remedies” was not supported by argument as to why he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary

relief, that the balance of equities tips in his favor, and that an injunction is in the public interest, as required by *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 24-25 (2008). The motion is therefore DENIED without prejudice to file a new motion with supporting arguments.

IT IS SO ORDERED this _____ day of _____, 2010.

The Honorable Ralph Beistline
U.S. District Judge