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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 RBB
	)	

NOTICE REGARDING BRIEFING OF
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

In its December 22, 2010 order resetting the briefing schedule for the remaining federal issues in this case, this Court asked Plaintiff Joe Miller to present his position on Monday, December 27, and asked the state to respond on Wednesday, December 29. Docket 78. On Monday, December 27, Miller filed a pleading regarding the preliminary injunction in this case, to which, because of the urgent need to accomplish certification of the U.S. Senate race, the state filed an immediate response.

Dockets.Justia.com

Docket 79, 84. Miller's pleading indicated his view that it is no longer "necessary to dispose of this case in an extremely expedited manner." Docket 79 at 2.

Miller also filed a Substitute Amended Complaint and a Motion for Partial Summary Judgment. Docket 80, 81. The state agrees that if this Court lifts its injunction against certification, this case need no longer be pursued on such an expedited basis; and, consistent with this, will brief Miller's Motion for Partial Summary Judgment under the standard deadlines in the Federal Rules of Civil Procedure, unless otherwise instructed.

DATED December 28, 2010.

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Certificate of Service

The undersigned certifies that on December 28, 2010, a true and correct copy of this document was served via electronic mail on the following:

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

By: /s/ Margaret Paton-Walsh