

U.S. District Court
United States District Court for the District of Alaska (Anchorage)
CIVIL DOCKET FOR CASE #: 3:20-cv-00173-JMK

Disability Law Center of Alaska et al v. Meyer et al

Assigned to: Joshua M. Kindred

Case in other court: 9CCA, 20-35778

State of Alaska Third Judicial

District Anchorage, 3AN-20-07060

CI

Cause: 28:1441 Petition for Removal

Date Filed: 07/20/2020

Date Terminated: 09/27/2021

Jury Demand: None

Nature of Suit: 441 Civil Rights:

Voting

Jurisdiction: Federal Question

Plaintiff

Disability Law Center of Alaska represented by **Scott M. Kendall**

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Plaintiff

**Native Peoples Action
Community Fund**

represented by **Scott M. Kendall**
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Jason Seth Harrow
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Michael Nicholas Donofrio
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Plaintiff

**Alaska Public Interest Research
Group**

represented by **Scott M. Kendall**
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LEAD ATTORNEY
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Jason Seth Harrow
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Michael Nicholas Donofrio
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Plaintiff

Aleiya Stover

represented by **Scott M. Kendall**
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Jason Seth Harrow
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Plaintiff

Camille Rose Nelson

represented by **Scott M. Kendall**
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Jason Seth Harrow
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Michael Nicholas Donofrio
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V.

Defendant

Kevin Meyer
Lieutenant Governor of Alaska

represented by **Margaret A. Paton-Walsh**
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Defendant

**State of Alaska, Division of
Elections**

represented by **Margaret A. Paton-Walsh**
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Amicus

**Alaska Community Action On
Toxics**

represented by **Keri-Ann Baker**
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Northwest and Hawaii**

represented by **Keri-Ann Baker**
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Thomas P. Amodio
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Alaska Center Education Fund

represented by **Keri-Ann Baker**
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ATTORNEY TO BE NOTICED

Thomas P. Amodio
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Honest Elections Project

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/20/2020	<u>1</u>	NOTICE OF REMOVAL by All Defendants <i>Defendant's Notice of Removal</i> from Superior Court for the State of Alaska Third Judicial District at Anchorage, case number 3AN-20-07060CI. (Filing fee \$ 400 receipt number 097--2908757), filed by All Defendants.

		(Attachments: # 1 Exhibit Complaint)(Paton-Walsh, Margaret) (Entered: 07/20/2020)
07/20/2020	2	Civil Cover Sheet. (Paton-Walsh, Margaret) (Entered: 07/20/2020)
07/21/2020	3	ORDER to Petitioner Subsequent to Removal: Service list due within 10 days. State Court documents due within 20 days. (LMH, COURT STAFF) (Entered: 07/21/2020)
07/21/2020	4	MOTION for Leave to Appear as Pro Hac Vice (Non-Resident) Attorney Jason Harrow. (Pro Hac Vice Admission fee \$150.00 paid. Receipt number 097--2909546.) by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover.(Harrow, Jason) (Entered: 07/21/2020)
07/21/2020	5	NOTICE OF FILING STATE COURT SERVICE LIST by All Defendants (Paton-Walsh, Margaret) (Entered: 07/21/2020)
07/21/2020	6	NOTICE <i>Notice of Completed Filing</i> by State of Alaska, Division of Elections (Paton-Walsh, Margaret) (Entered: 07/21/2020)
07/21/2020	7	MOTION for Leave to Appear as Pro Hac Vice (Non-Resident) Attorney Michael Donofrio. (Pro Hac Vice Admission fee \$150.00 paid. Receipt number 097--2909962.) by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Attachments: # 1 Certificate of Good Standing)(Donofrio, Michael) (Entered: 07/21/2020)
07/22/2020	8	MOTION to Amend/Correct 1 Notice of Removal, by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Attachments: # 1 Exhibit Exhibit 1)(Kendall, Scott) (Entered: 07/22/2020)
07/22/2020	9	NOTICE <i>Proposed Order Granting Motion to Amend Complaint</i> by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover re 8 MOTION to Amend/Correct 1 Notice of Removal, (Kendall, Scott) (Entered: 07/22/2020)
07/22/2020	10	STIPULATION <i>re Briefing Schedule</i> by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Attachments: # 1 Proposed Order Proposed Order)(Kendall, Scott) (Entered: 07/22/2020)

07/22/2020	<u>11</u>	STIPULATION <i>on Overlength Briefing</i> by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Kendall, Scott) (Entered: 07/22/2020)
07/22/2020	<u>12</u>	MOTION for Preliminary Injunction by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Kendall, Scott) (Entered: 07/22/2020)
07/22/2020	<u>13</u>	MEMORANDUM <i>in Support of Motion for Preliminary Injunction</i> by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover <u>12</u> MOTION for Preliminary Injunction filed by Aleija Stover, Disability Law Center of Alaska, Alaska Public Interest Research Group, Native Peoples Action Community Fund, Camille Rose Nelson. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B)(Kendall, Scott) (Entered: 07/22/2020)
07/22/2020	<u>14</u>	AFFIDAVIT of <i>Scott M. Kendall</i> re <u>13</u> Memorandum,, <u>12</u> MOTION for Preliminary Injunction by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Kendall, Scott) (Entered: 07/22/2020)
07/27/2020	15	CLERK'S NOTICE re <u>4</u> Application to Appear Pro Hac Vice. The Application to Appear Pro Hac Vice by Jason Seth Harrow, at docket <u>4</u> , is authorized under D.Ak. LR 83.1(d). (RMC, COURT STAFF) (Entered: 07/27/2020)
07/27/2020	16	CLERK'S NOTICE re <u>7</u> Application to Appear Pro Hac Vice. The Application to Appear Pro Hac Vice by Michael Nicholas Donofrio, at docket <u>7</u> , is authorized under D.Ak. LR 83.1(d). (RMC, COURT STAFF) (Entered: 07/27/2020)
07/28/2020	<u>17</u>	MOTION to Intervene by Alaska Community Action On Toxics, Planned Parenthood Votes Northwest and Hawaii, Alaska Center Education Fund. (Attachments: # <u>1</u> Supplement Memorandum in Support of Motion to Intervene, # <u>2</u> Proposed Order)(Amodio, Thomas) (Entered: 07/28/2020)
07/28/2020	<u>18</u>	JOINDER TO MOTION <i>FOR PRELIMINARY INJUNCTION</i> by Alaska Center Education Fund, Alaska Community Action On Toxics,

		Planned Parenthood Votes Northwest and Hawaii 12 MOTION for Preliminary Injunction filed by Aleija Stover, Disability Law Center of Alaska, Alaska Public Interest Research Group, Native Peoples Action Community Fund, Camille Rose Nelson. (Amodio, Thomas) (Entered: 07/28/2020)
07/28/2020	19	ORDER granting 11 Stipulation. Signed by Judge Joshua M. Kindred on 7/28/2020. (LLR, CHAMBERS STAFF) (Entered: 07/28/2020)
07/28/2020	20	SEALED ORDER RE BRIEFING SCHEDULE ; granting re 10 Stipulation re Briefing Schedule. Motion for Preliminary Injunction due 7/22/20; Responses due by 8/3/2020; Replies due by 8/10/2020. Virtual Oral Argument set for 8/25/2020 9:00 a.m. in Virtual Courtroom 1 before Joshua M. Kindred. Signed by Judge Joshua M. Kindred on 7/28/20. (Attachments: # 1 Virtual Courtroom 1 Quick Guide)(RMC, COURT STAFF) (Entered: 07/28/2020)
08/03/2020	21	RESPONSE to Motion (Non-Opposition) re 17 MOTION to Intervene <i>Plaintiffs' Non-Opposition to Amici Participation</i> filed by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Kendall, Scott) (Entered: 08/03/2020)
08/03/2020	22	RESPONSE in Opposition re 12 MOTION for Preliminary Injunction <i>Opposition to Motion for Preliminary Injunction</i> filed by State of Alaska, Division of Elections. (Paton-Walsh, Margaret) (Entered: 08/03/2020)
08/03/2020	23	DECLARATION of Anne Zink re 22 Response in Opposition to Motion by State of Alaska, Division of Elections. (Paton-Walsh, Margaret) (Entered: 08/03/2020)
08/03/2020	24	DECLARATION of Gail Fenumiai re 22 Response in Opposition to Motion by State of Alaska, Division of Elections. (Paton-Walsh, Margaret) (Entered: 08/03/2020)
08/03/2020	25	DECLARATION of Josh Applebee re 22 Response in Opposition to Motion by State of Alaska, Division of Elections. (Paton-Walsh, Margaret) (Entered: 08/03/2020)
08/03/2020	26	Amicus Brief by Honest Elections Project. (Attachments: # 1 Exhibit)(Richards, Craig) Modified on 8/12/2020 to change docket text per Order dkt 29. (RMC, COURT STAFF). (Entered: 08/03/2020)

08/06/2020	<u>27</u>	RESPONSE in Opposition re <u>17</u> MOTION to Intervene <i>Opposition to Motion to Intervene</i> filed by State of Alaska, Division of Elections. (Paton-Walsh, Margaret) (Entered: 08/06/2020)
08/10/2020	<u>28</u>	REPLY to Response to Motion re <u>12</u> MOTION for Preliminary Injunction <i>Plaintiffs' Reply In Support of Motion for Preliminary Injunction</i> filed by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Kendall, Scott) (Entered: 08/10/2020)
08/11/2020	<u>29</u>	Order re: Intervention and Briefs of Amici Curiae (Dockets 17, 18, 26). (LLR, CHAMBERS STAFF) (Entered: 08/11/2020)
08/18/2020	<u>30</u>	NOTICE of Appearance by Keri-Ann Baker on behalf of Alaska Center Education Fund, Alaska Community Action On Toxics, Disability Law Center of Alaska, Planned Parenthood Votes Northwest and Hawaii (Baker, Keri-Ann) (Entered: 08/18/2020)
08/18/2020	<u>31</u>	MOTION for Extension of Time to File <i>Amicus Brief</i> by Alaska Center Education Fund, Alaska Community Action On Toxics, Disability Law Center of Alaska, Planned Parenthood Votes Northwest and Hawaii. (Attachments: # <u>1</u> Affidavit Affidavit of Counsel, # <u>2</u> Proposed Order)(Baker, Keri-Ann) (Entered: 08/18/2020)
08/19/2020	<u>32</u>	ORDER granting <u>31</u> Motion for Extension of Time to File. Signed by Judge Joshua M. Kindred on 8/19/2020. (LLR, CHAMBERS STAFF) (Entered: 08/19/2020)
08/20/2020	<u>33</u>	Amicus Curiae APPEARANCE entered by Keri-Ann Baker on behalf of Alaska Center Education Fund, Alaska Community Action On Toxics, Planned Parenthood Votes Northwest and Hawaii. (Baker, Keri-Ann) (Entered: 08/20/2020)
08/25/2020	34	Minute Entry for proceedings held before Judge Joshua M. Kindred: Oral Argument on Motion for Preliminary Injunction <u>12</u> held 9:04 a.m. to 10:07 a.m. on 8/25/2020. Court and counsel heard re <u>12</u> Motion for Preliminary Injunction. Oral arguments heard. Matter TAKEN UNDER ADVISEMENT . Written ruling to issue. VIRTUAL APPEARANCES: Scott M. Kendall telephonic for Plaintiff; Jason Seth Harrow and Michael Nicholas Donofrio via Video for Plaintiff; Margaret A. Paton-Walsh via Video for Defendant; Kerry Ann Baker telephonic for Intervenor Plaintiff; Sonja L. Reeves, Official Court Reporter. (RMC, COURT STAFF) (Entered: 08/25/2020)

09/01/2020	<u>35</u>	ANSWER to Complaint <i>Answer</i> by All Defendants.(Paton-Walsh, Margaret) (Entered: 09/01/2020)
09/03/2020	<u>36</u>	ORDER denying <u>12</u> Motion for Preliminary Injunction. Signed by Judge Joshua M. Kindred on 9/3/2020. (LLR, CHAMBERS STAFF) (Entered: 09/03/2020)
09/04/2020	<u>37</u>	NOTICE OF APPEAL as to <u>36</u> Order on Motion for Preliminary Injunction by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. Filing fee \$ 505, receipt number 097--2934382. (Kendall, Scott) (Entered: 09/04/2020)
09/04/2020	<u>38</u>	MOTION re <u>37</u> Notice of Appeal, <i>Motion for Injunction Pending Appeal</i> by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Kendall, Scott) (Entered: 09/04/2020)
09/04/2020	<u>40</u>	USCA Case Number 20-35778 for <u>37</u> Notice of Appeal, filed by Aleija Stover, Disability Law Center of Alaska, Alaska Public Interest Research Group, Native Peoples Action Community Fund, Camille Rose Nelson. (BJK, COURT STAFF) (Entered: 09/14/2020)
09/09/2020	<u>39</u>	RESPONSE in Opposition re <u>38</u> MOTION re <u>37</u> Notice of Appeal, <i>Motion for Injunction Pending Appeal Opposition to Motion for Injunction Pending Appeal</i> filed by State of Alaska, Division of Elections. (Paton-Walsh, Margaret) (Entered: 09/09/2020)
09/18/2020	<u>41</u>	ORDER denying <u>38</u> Motion for Injunction Pending Appeal. Signed by Judge Joshua M. Kindred on 9/18/2020. (LLR, CHAMBERS STAFF) (Entered: 09/18/2020)
09/22/2020	<u>42</u>	TRANSCRIPT of Proceedings ; Remote Proceeding by Videoconference, Oral Argument on Motion for Preliminary Injunction held on August 25, 2020 before Judge Joshua M. Kindred. Realtime Court Reporter: Sonja L. Reeves, RMR-CRR. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy by calling Realtime Court Reporter, Sonja L. Reeves, RMR-CRR (907) 677-6136. Transcript may be viewed at the court public terminal or purchased through the Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is

		filed, the transcript may be made remotely electronically available to the public without redaction after Release of Transcript Restriction deadline of 12/21/2020. Ordered by: Scott Kendall (SLR) (Entered: 09/22/2020)
09/22/2020	43	ORDER of USCA as to 37 Notice of Appeal, filed by Aleija Stover, Disability Law Center of Alaska, Alaska Public Interest Research Group, Native Peoples Action Community Fund, Camille Rose Nelson: 20-35778 The motions for leave to become amici curiae are granted. The Clerk shall file the amicus briefs submitted on September 16, 2020 and September 17, 2020. Appellants emergency motion for injunctive relief pending appeal is denied. The briefing schedule established previously remains in effect. (BJK, COURT STAFF) (Entered: 09/28/2020)
12/17/2020	44	JMK TEXT ORDER granting 8 Motion to Amend/Correct. The parties are directed to confer and file a joint status report no more than 2 pages by January 15, 2021 , indicating the status of the instant case in district court, given the progress of the USCA appeal. (RMC, COURT STAFF) (Entered: 12/17/2020)
01/13/2021	45	STATUS REPORT <i>Joint</i> by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Kendall, Scott) (Entered: 01/13/2021)
01/13/2021	46	JMK TEXT ORDER: The Court has reviewed and accepts the Joint Status Report at Docket 45 . A further Joint Status Report of no more than 2 pages shall be filed on or before 7/13/2021 (or sooner should a significant event occur), indicating the status of the instant case and the progress of the appeal to the Ninth Circuit. (LLR, CHAMBERS STAFF) (Entered: 01/13/2021)
07/13/2021	47	NOTICE of Appearance by Thomas Flynn on behalf of State of Alaska, Division of Elections (Flynn, Thomas) (Entered: 07/13/2021)
07/13/2021	48	STATUS REPORT <i>Joint</i> by State of Alaska, Division of Elections. (Flynn, Thomas) (Entered: 07/13/2021)
07/14/2021	49	JMK TEXT ORDER: The Court has reviewed and accepts the Joint Status Report at Docket 48 . A further Joint Status Report of no more than 2 pages shall be filed on or before 9/13/2021 (or sooner should a significant event occur), indicating the status of the instant case and the progress of the appeal to the Ninth Circuit. (LLR, CHAMBERS STAFF) (Entered: 07/14/2021)
08/24/2021	50	MEMORANDUM/ORDER of USCA as to 37 Notice of Appeal, filed by Aleija Stover, Disability Law Center of Alaska, Alaska Public Interest Research Group, Native Peoples Action Community Fund,

		Camille Rose Nelson: 20-35778 FILED MEMORANDUM DISPOSITION (KIM MCLANE WARDLAW, ERIC D. MILLER and BRIDGET S. BADE) DISMISSED AS MOOT . FILED AND ENTERED JUDGMENT. (BJK, COURT STAFF) (Entered: 08/24/2021)
09/13/2021	51	STATUS REPORT by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Harrow, Jason) (Entered: 09/13/2021)
09/14/2021	52	JMK TEXT ORDER: The Court has reviewed and accepts the Status Report at Docket 51 . A further Joint Status Report of no more than 2 pages shall be filed on or before 9/27/2021 , providing a more definitive idea of the expected next steps in this case. (LLR, CHAMBERS STAFF) (Entered: 09/14/2021)
09/15/2021	53	MANDATE of USCA as to 37 Notice of Appeal, filed by Aleija Stover, Disability Law Center of Alaska, Alaska Public Interest Research Group, Native Peoples Action Community Fund, Camille Rose Nelson: 20-35778 The judgment of this Court, entered August 24, 2021, takes effect this date. This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure. DISMISSED AS MOOT. (BJK, COURT STAFF) (Entered: 09/16/2021)
09/17/2021	54	NOTICE of Change of Law Firm by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover (Kendall, Scott) (Entered: 09/17/2021)
09/27/2021	55	STIPULATION of Dismissal with prejudice by Alaska Public Interest Research Group, Disability Law Center of Alaska, Native Peoples Action Community Fund, Camille Rose Nelson, Aleija Stover. (Harrow, Jason) (Entered: 09/27/2021)
09/27/2021	56	ORDER OF DISMISSAL WITH PREJUDICE. Signed by Judge Joshua M. Kindred on 9/27/21. (RMC, COURT STAFF) (Entered: 09/27/2021)

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