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FILED in the TRIAL COURTS
State of Alaska Third District

AUG 29 2022

Clerk of the Trial Courts
By _____ Deputy

Attorneys for Plaintiff Randall Kowalke

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

RANDALL KOWALKE,)

Plaintiff,)

vs.)

DAVID EASTMAN, STATE OF)
ALASKA, DIVISION OF ELECTIONS,)
and GAIL FENUMIAI in her official)
capacity as Director of Elections)

Defendant.)

Case No. 3AN-22-07404 CI

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MOTION FOR EXPEDITED CONSIDERATION

Plaintiff Randall Kowalke, by and through the Northern Justice Project, LLC, and pursuant to Alaska Civil Rule 77(g) requests expedited consideration of Plaintiff's Motion for Preliminary Injunction (hereinafter "Motion"). Plaintiff seeks a ruling from this Court on the underlying Motion by 12:00 p.m. on September 6, 2022.

To meet this expedited timeline, plaintiff proposes having any opposition to the

MOTION FOR EXPEDITED CONSIDERATION

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Motion due by 9 am on September 1, and a reply due at noon the following day, September 2. The next business day will be Tuesday, September 6.

Expedited consideration of the Motion is necessary because the preliminary injunction would remove David Eastman from the November General Election ballot and this expedited timeline is necessary to allow for the ballot printing to remain on schedule. According to the Division's Election Calendar,¹ Monday, September 5 is the Candidate Withdrawal Deadline. The Ballot is then certified on September 6 following the withdrawal deadline. By providing a decision on this preliminary injunction by September 6, the Division will be able to certify and print the appropriate ballots for House District 27 according to its planned timeline.

Pursuant to Alaska Civil Rule 77(g)(4), undersigned counsel certifies that the plaintiff made good faith effort to resolve the issues with opposing counsel beforehand by e-mailing counsel for the Division of Elections and Director Fenumiai, and e-mailing David Eastman on Friday, August 26, 2022. Counsel for the Division of Elections and Director Fenumiai opposes an expedited timeline. Counsel for Eastman also opposes a motion for expedited consideration. All defendants were notified via email on August 26, 2022 that the plaintiff would be seeking expedited consideration of the Motion.²

DATED this 29th day of August, 2022

¹ Available at <https://www.elections.alaska.gov/Core/electioncalendar.php>.

² Affidavit of Counsel at ¶4 and Ex. 5.

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