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FILED in the TRIAL COURTS  
State of Alaska Third District

OCT 12 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

**PLAINTIFF'S PRELIMINARY WITNESS LIST AND RETAINED EXPERT ID**

COMES NOW plaintiff Randall Kowalke, by and through counsel, the Northern Justice Project, LLC, and hereby identifies the following witnesses who may be called to testify at trial in the above-entitled action:

1. Randall Kowalke  
c/o Northern Justice Project, LLC  
406 G St., Suite 207

PLAINTIFF'S PRELIMINARY WITNESS LIST AND RETAINED EXPERT ID

*Randall Kowalke v. David Eastman, et al.*

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Page 1 of 5

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Subject Matter of Testimony: Mr. Kowalke is the plaintiff in this lawsuit and may testify regarding the Division of Elections eligibility complaint he filed against Representative Eastman.

2. David Eastman  
c/o Law Offices of Joseph Miller, LLC  
P.O. Box 83440  
Fairbanks, AK 99708  
(907) 978-9098  
Subject Matter of Testimony: Representative Eastman is one of the defendants in this lawsuit and will testify regarding his membership in the Oath Keepers and his actions and communications that relate to the Oath Keepers.
3. Gail Fenumiai  
c/o Lael Harrison, Alaska Department of Law  
123 4<sup>th</sup> Street, Suite 600  
PO Box 110300  
Juneau, AK 99811-300  
(907) 465-3600  
Subject Matter of Testimony: Director Fenumiai is one of the defendants in this lawsuit and the Director of the State Division of Elections. She may testify regarding the Division's process for reviewing eligibility complaints and the Division's processing and determination of the eligibility complaints filed against Representative Eastman.
4. Tasha Adams  
[REDACTED]  
Eureka, MT 59917  
[REDACTED]  
Subject Matter of Testimony: Ms. Adams is the wife of Oath Keepers founder and leader, Stewart Rhodes. She may be called to testify regarding the activities, views and agendas, and organizational structure and leadership of the Oath Keepers, and whether the Oath Keepers is an organization or association which advocates the overthrow by force or violence of the government of the United States.
5. Victor Fischer  
[REDACTED]  
Anchorage, AK 99520  
[REDACTED]

Subject Matter of Testimony: Mr. Fischer was a delegate to Alaska's constitutional convention and may testify regarding the original meaning of Article XII, Section 4 of the Alaska Constitution and the reasons why it was included in the Alaska Constitution.

6. Matthew S. Kriner

Subject Matter of Testimony: Mr. Kriner is the Senior Research Scholar at Middlebury University's Center on Terrorism, Extremism, and Counterterrorism; he has spent more than a decade studying extremism, and contributed to the Department of Justice's investigations into violent threats leading into and after the January 6, 2021 Insurrection. Mr. Kriner is a retained expert who will be called to provide opinion testimony pursuant to Alaska Evidence Rules 702 and 703 on whether (1) the Oath Keepers is an organization or association which advocates the overthrow by force or violence of the government of the United States; (2) membership requirements and obligations of the Oath Keepers and the vetting of potential members; (3) Representative David Eastman's public statements are consistent with the views and agenda of the Oath Keepers.

7. Jon Lewis

Subject Matter of Testimony: Mr. Lewis is the research fellow with the Program on Extremism at George Washington University, where he researches domestic violent extremism and has published numerous reports and articles on the January 6, 2021 Insurrection and the groups and individuals involved. Mr. Lewis is a retained expert who will be called to provide opinion testimony pursuant to Alaska Evidence Rules 702 and 703 on whether (1) the Oath Keepers is an organization or association which advocates the overthrow by force or violence of the government of the United States; (2) membership requirements and obligations of the Oath Keepers and the vetting of potential members; (3) Representative David Eastman's public statements are consistent with the views and agenda of the Oath Keepers.

8. Current and/or Former Members of the Oath Keepers

Subject Matter of Testimony: Current and or former members of the Oath Keepers may be called to testify regarding the activities, views and agendas, and organizational structure and leadership of the Oath Keepers, and whether the Oath Keepers is an organization or

association which advocates the overthrow by force or violence of the government of the United States.

9. Any other persons listed on any other party's witness list and/or Rule 26 disclosures.
10. Any other persons who are deposed by any party in this case.
11. Any witnesses necessary for impeachment and rebuttal.
12. Any witnesses necessary to authenticate evidence.
13. The above witnesses are identified based on the information that is presently known and reasonably available to the plaintiffs. The plaintiff is still in the process of conducting discovery and reserves the right to identify additional witnesses as revealed through further discovery and investigation in this case.

DATED this 12th day of October, 2022 at Anchorage, Alaska.

NORTHERN JUSTICE PROJECT, LLC  
Attorneys for Plaintiff

By: s/Savannah Fletcher  
Savannah Fletcher, AK Bar No. 1811127  
James J. Davis, Jr., AK Bar No. 9412140

**CERTIFICATE OF SERVICE**

I hereby certify that on this date a true and correct copy of the foregoing document and proposed order were served via EMAIL at or before 4:30 pm on:

Lael Harrison and Thomas Flynn  
State of Alaska, Department of Law  
Lael.harrison@alaska.gov

PLAINTIFF'S PRELIMINARY WITNESS LIST AND RETAINED EXPERT ID

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Page 4 of 5

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Thomas.flynn@alaska.gov

Courtesy copy emailed to: nomi.saxton@alaska.gov

Joseph Miller  
Law Offices of Joseph Miller, LLC  
info@aklaw.us  
millerlaw@acsalaska.net

s/Savannah Fletcher  
Signature

October 12, 2022  
Date

**Britanie Whitmer**

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**From:** sfletcher . <sfletcher@njp-law.com>  
**Sent:** Wednesday, October 12, 2022 4:34 PM  
**To:** ANC Civil  
**Cc:** Harrison Lael (LAW); Flynn Thomas S (LAW); Saxton Nomi R (LAW); Law Offices of Joseph Miller LLC; Joe Miller  
**Subject:** 3AN-22-07404 CI - Plaintiff Preliminary Witness List and Retained Expert ID  
**Attachments:** 3AN-22-07404CI - Plaintiff's Witness List.pdf

Good afternoon,

3AN-22-07404 CI, *Kowalke v. Eastman, Division of Elections, Director Fenuniai*

Attached is the Plaintiff's Preliminary Witness List and Retained Expert ID, 5 pages.

Thank you,  
Savannah

**Savannah Venctis Fletcher**  
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