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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

EDWARD ALEXANDER; JOSH)
ANDREWS; SHELBY BECK ANDREWS;)
and CAREY CARPENTER,)

Plaintiffs,)

v.)

ACTING COMMISSIONER HEIDI)
TESHNER, in her official capacity, STATE)
OF ALASKA, DEPARTMENT OF)
EDUCATION &)
EARLY DEVELOPMENT,)

Defendant,)

v.)

ANDREA MOCERI, THERESA BROOKS,)
and BRANDY PENNINGTON,)

Intervenors.)

FILED in the TRIAL COURTS
State of Alaska Third District

NOV 29 2023

Clerk of the Trial Courts
By _____ Deputy

Case No. 3AN-23-04309CI

RESPONSE TO PLAINTIFFS' NOTICE OF "SUPPLEMENTAL AUTHORITY"

On November 16, 2023, Attorney General Treg Taylor sent a letter to Alaska school districts providing legal guidance regarding their statutory obligations under AS 14.03.016. The plaintiffs in this case have seized upon this letter in a last-ditch attempt to avoid the reality that they should have sued the school districts and not the Department of Education and Early Development (DEED) over alleged violations of Art. VII, Section 1 of the Alaska Constitution in the operation of correspondence school programs. Even a cursory review of the letter establishes, however, that it contains none of the "concessions" claimed by the plaintiffs; indeed, it is not even properly

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characterized as “supplemental authority” under Alaska Civil Rule 77(l). The Court should disregard the plaintiffs’ filing.

DATED: November 29, 2023.

TREG TAYLOR
ATTORNEY GENERAL

By: /s/ Margaret Paton Walsh
Margaret Paton Walsh
Assistant Attorney General
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/s/ Laura Fox
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