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

DANIEL J. SULLIVAN, JR.

Appellant,

v.

STATE OF ALASKA, DIVISION OF
ELECTIONS,

Appellee,

ALASKA REPUBLICAN PARTY,

Intervenor.

Case No. 3AN-26-07485CI

MOTION TO INTERVENE

Alaska Republican Party (hereinafter “ARP”), by and through its counsel of record, Holmes Weddle & Barcott, P.C., hereby moves to intervene in the above-captioned matter pursuant to Alaska R. Civ. P. 24(a).

In order to discern whether a party can intervene in an action, the Court has adopted a four-part test. It is as follows,

(1) the motion must be timely; (2) the applicant must show an interest in the subject matter of the action; (3) the applicant must show that this interest may be impaired as a consequence of the action; and (4) the applicant must show that the interest is not adequately represented by an existing party.¹

¹ *Anchorage Baptist Temple v. Coonrod*, 166 P.3d 29, 33 (Alaska 2007).

The ARP's motion to intervene should be granted because the Party meets all four factors. First, the above-captioned matter was only filed on June 22, 2026. By filing this matter, the Plaintiffs seek a preliminary injunction, delaying the printing of the Primary Election ballots. Given the implications of such request, the ARP has taken immediate action to participate, and therefore, this motion is timely.

Second, as one of the major political parties within the State of Alaska, and the Party who submitted the Complaint to the Division of Elections giving rise to the subject investigation, resulting in the determination now on appeal, the ARP certainly has an interest in the subject matter of this litigation. This case arises directly from the ARP's invocation of the statutory and regulatory process for challenging eligibility, and the relief sought would effectively nullify the result of that process.

Third, the ARP has a significant and legally protectable interest, not only in its associational rights, but in the enforcement and integrity of the candidate eligibility process it initiated under Alaska law. The ARP filed a formal complaint invoking the process set forth in AS 15.25.042 and 6 AAC 25.260, which culminated in the Division's determination. Appellant was provided the opportunity to address those concerns through the established regulatory process and to provide information clarifying his candidacy so as not to mislead voters. Instead, he declined to meaningfully respond and failed to participate in that process. If Appellant were to prevail, that determination relying on a preponderance of the evidence before the Division, would be undone despite ARP's participation in and reliance upon that process.

That interest will be impaired if the relief sought by Appellant is granted. Specifically, if Mr. Sullivan is placed on the ballot notwithstanding the Division's determination, ARP will

be forced to contend with a candidacy that it has formally challenged through the proper regulatory process and that the Division has already determined is not eligible. This would undermine the effectiveness of the complaint procedure itself and diminish ARP's ability to rely on that process in future elections. In this respect, the impairment is procedural as well as substantive. ARP's successful invocation of the regulatory framework would be effectively set aside, reducing the complaint process to a nullity where a candidate can decline to participate and then subsequently obtain judicial relief.

Moreover, this impairment is not theoretical, it is immediate and irreparable. Once ballots are printed and distributed, ARP will lose any meaningful opportunity to prevent voter confusion or to remedy the dilution of its interests in the integrity of the eligibility determination process and the resulting ballot. The harm cannot be undone after the election process is underway. Accordingly, the disposition of this action may, as a practical matter, substantially impair or impede ARP's ability to protect its interests, satisfying the requirements for intervention under this prong.

Finally, the ARP's interest is not adequately represented by any existing party to this litigation. The State of Alaska Division of Elections is charged with administering election laws in a neutral capacity and does not represent, and cannot be expected to advocate for, the specific procedural and institutional interests ARP holds as the complainant that initiated the eligibility review process, in addition to its associational and reputational interests. Their focus is on compliance with statutory and regulatory requirements, not on protecting the Party's role in invoking and relying upon that process.

Likewise, Appellant's interests are directly adverse to those of the ARP. Mr. Sullivan seeks to compel placement on the ballot under the Republican designation despite the ARP's formal challenge to his candidacy as misleading and inconsistent with the Party's interests.

Accordingly, no existing party will adequately represent the ARP's distinct interests in (1) preserving the validity of the complaint and determination process it initiated, (2) preventing its nullification through this litigation, and (3) protecting its associational and electoral interests, and intervention is therefore necessary to ensure those interests are fully and fairly presented to the Court.

Given that the ARP has met the four-part test for intervenor status under Alaska R. Civ. P. 24, the Court should grant the motion to intervene.

DATED this 23rd day of June 2026, at Anchorage, Alaska.

HOLMES WEDDLE & BARCOTT, P.C.
Counsel for Intervenor

By: /s/ Stacey C. Stone

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 23rd day of June 2026, a true and correct copy of the foregoing document was served via email through the State of Alaska Truefiling System to the following:

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