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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

Alaska Democratic Party,)
)
Plaintiff(s),)
)
v.)
)
State of Alaska,)
)
Defendant(s).)

Case No. 1JU-17-00563CI

**ANSWER TO COMPLAINT FOR DECLARATORY JUDGMENT AND
INJUNCTIVE RELIEF**

The Defendant, State of Alaska, by and through the Office of the Attorney
General, answers the complaint in this action as follows:

INTRODUCTION

1. Admit.
2. Upon information and belief, the State admits the allegation of this paragraph.
3. Upon information and belief, the State admits that the Alaska Democratic Party adopted a new Party Plan of Organization on May 15, 2016. The State is without knowledge to admit or deny the balance of the allegations in this paragraph; the language of the Plan speaks for itself.
4. The State admits that it received a letter from Kay Brown, dated December 12, 2016, accompanied by a Petition to Adopt New Regulations. The language of the letter and attached petition speaks for itself.

ATTORNEY GENERAL, STATE OF ALASKA
Diamond Courthouse
PO Box 110300, JUNEAU, ALASKA 99811
PHONE (907) 465-3600

1 5. The State admits that Director of Elections Josie Bahnke responded to
2 Kay Brown’s letter on January 18, 2017¹ and denied Ms. Brown’s petition to adopt
3 regulations. Director Bahnke’s letter speaks for itself.

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5 6. Paragraph 6 is a statement of law to which no response is required.

6 7. The State admits that the Alaska Democratic Party’s rule is in direct
7 conflict with AS 15.25.030. The remaining allegations of paragraph 7 are denied.

8 8. The State denies the allegations in the first sentence of this paragraph. The
9 balance of this paragraph constitutes plaintiff’s objectives in bringing this case and
10 requested relief, to which no response is required.

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12 9. This paragraph recites a statement of plaintiff’s objectives in bringing this
13 case and its requested relief, and is therefore not a factual allegation to which any
14 response is required.

15 **JURISDICTION AND VENUE**

16 10. In response to paragraph 10 of the complaint, the State re-alleges and
17 incorporates by reference its responses set forth in paragraphs 1 through 9 above.

18 11. Denied.

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20 12. The State admits that under Alaska Civil Rule 3(c), venue is proper in the
21 First Judicial District.

22 13. The State admits that it is subject to the jurisdiction of the superior court
23 under AS 09.50.250; and that under Alaska Civil Rule 4(c)(7), a complaint against the
24

25 _____
26 ¹ There is a typo on Ms. Bahnke’s letter which erroneously lists the year as 2016.

1 State must be served upon the Attorney General in Juneau. The remaining allegations
2 are statements of law to which no response is required.

3 **REQUEST FOR DECLARATORY JUDGMENT**

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5 14. In response to paragraph 14 of the complaint, the State re-alleges and
6 incorporates by reference its responses set forth in paragraphs 1 through 13 above.

7 15. Paragraph 15 is a statement of law to which no response is required.

8 16. Paragraph 16 is a statement of law to which no response is required.

9 17. Denied.

10 18. Denied.

11
12 19. The allegations in this paragraph are plaintiff's characterization of the
13 relief it seeks in this case, and are not factual allegations that require a response. To the
14 extent a response is required, however, the State denies that AS 15.25.030(a)(16) is
15 unconstitutional, and denies that the Alaska Democratic Party is entitled to a declaratory
16 judgment.

17 **REQUEST FOR INJUNCTIVE RELIEF**

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19 18.² In response to this paragraph, the State re-alleges and incorporates by
20 reference its responses set forth in the paragraphs above.


21 19. This paragraph is a statement of law to which no response is required.
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24 ² Due to a numbering error in plaintiff's complaint, the allegations under Part IV
25 of the complaint start over again at paragraph 18. To avoid confusion, this Answer
26 retains the original paragraph numbering of the complaint.

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DATED: April 21, 2017


JAHNA LINDEMUTH
ATTORNEY GENERAL

By: 
Elizabeth M. Bakalar
Assistant Attorney General
Alaska Bar No. 0606036

CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2017, a true and correct copy of the foregoing **ANSWER TO COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF** was hand-delivered to the following:

Choate Law Firm
424 N. Franklin Street
Juneau, Alaska 99807


Alexandra Bookless, Law Office Assistant I