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FILED
STATE OF ALASKA
FIRST JUDICIAL DISTRICT
JUNEAU
2020 JUN 23 PM 12:00

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

ERIC FORRER)
Plaintiff,)

vs.)

STATE OF ALASKA)
and LUCINDA MAHONEY,)
Commissioner of the Alaska)
Department of Revenue and)
JULIE ANDERSON,)
Commissioner of the Alaska)
of Commerce, both)
in their capacity as officials of)
the State of Alaska.)
Defendants.)

1JU-20-00644 Civil

MOTION FOR EXPEDITED CONSIDERATION

[Alaska Civil Rule 77 (g)]

Eric Forrer ("Forrer"), through counsel and on behalf of the public interest, seeks expedited consideration of the Application for a Preliminary Injunction and Other Relief Injunction filed in this court on June 22, 2020.

Expedited consideration of Forrer's application for equitable relief is necessary. [See, *Affidavit of Joseph W. Geldhof* at Paragraphs 4-9, attached]. The reasons for granting expedited review are also outlined in the *Memorandum*

Motion for Expedited Consideration
June 23, 2020
Forrer v. State of Alaska, et al
1JU-20-7644 Civil

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2 *in Support* that accompanies plaintiff's *Application for a Preliminary*
3 *Injunction and Other Relief* filed on June 22, 2020 in this case.

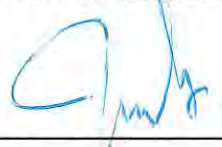
4 Forrer requests the court conduct a status hearing on May 24, 2020, at the
5 court's convenience for the purpose of determining whether further judicial
6 action is necessary in light of the activities discussed in the certification section
7 of this document and for the purpose possibly setting a time for a hearing to
8 address Forrer's request for a preliminary injunction. *See*, Alaska Civil Rule 77
9 (g) (3), ("...date before which a decision on the principal motion is needed.").

10 **CERTIFICATION REGARDING EFFORTS TO RESOLVE DISPUTE**
11 [Alaska Civil Rule 77 (g) (4)]

12 I certify that on the morning of June 23, 2020, I spoke with Margaret Paton-
13 Walsh, Assistant Attorney General, about scheduling a hearing related to Forrer's
14 application for injunctive relief. The conversation with Paton-Walsh included a
15 discussion about a possible partial resolution of the above-referenced case that
16 might obviate the need for immediate injunctive relief. Accordingly, Forrer
17 believes there is no immediate need for a hearing in the next 24 hours but request
18 this court instead direct the parties to inform the court about possible resolution
19 related to the distribution of business relief funds at a short status hearing to be
20 conducted before the court concludes business on Friday, June 26, 2020.

21 **DATED** this 23rd day of June, 2020 at Juneau, Alaska.

22 **LAW OFFICE OF**
23 **JOSEPH W. GELDHOF**

24 

25 _____
26 Joseph W. Geldhof
27 Alaska Bar # 811109

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3 **Certification**

4 I certify that a copy of this
5 Motion, the Affidavit of
6 Joseph W. Geldhof
7 and a proposed Order
8 were hand-delivered to:

9
10 Attorney General Clarkson, counsel for
11 the State of Alaska, Lucinda Mahoney
12 and Julie Anderson .

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DATED: June 23, 2020

By: Joseph W. Geldhof

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

ERIC FORRER)
Plaintiff,)
vs.)
STATE OF ALASKA)
and LUCINDA MAHONEY,)
Commissioner of the Alaska)
Department of Revenue and)
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in their capacity as officials of)
the State of Alaska.)
Defendants.)

1JU-20-00644 Civil

AFFIDAVIT OF JOSEPH W. GELDHOF

State of Alaska)
First Judicial District) ss.

Joseph W. Geldhof, being first duly sworn and on my oath, states as follows:

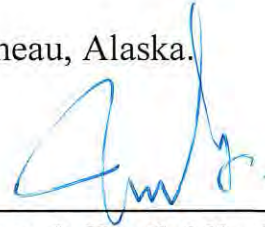
1. I am a resident of Juneau, Alaska.

Affidavit of Joseph W. Geldhof
June 23, 2020
Forrer v. State of Alaska, et al
1JU-29-00644 Civil

2. The facts and matters I am providing testimony about in this affidavit are based on my personal observations, experience, review of available public information and true to the best of my knowledge.
3. I am the counsel for Eric Forrer, the plaintiff in the above-captioned lawsuit.
4. As a result of initiating the lawsuit in the above-referenced case, the Alaska Legislature convened in regular session in Juneau, Alaska, on Monday, May 18, 2020, for the purpose of allocating federal CARES Act funding in an amount of roughly \$1.5 billion.
5. The Alaska Legislature “ratified” but did not “appropriate CARES Act funds in HB 313, a measure that basically incorporated proposals on how to spend the CARES Act funds according to the a plan provided by the executive branch via what is commonly referred to as the “RPL” process.
6. The Alaska Legislature ratified the executive branches RPL allocations when it enacted HB 313.
7. For executive branch is now seemingly engaged in allocations of the CARES Act funds pertaining to the business relief portion of the RPL funding scheme ratified by the legislature.
8. Forrer seeks an injunction requiring the executive branch to expend the business relief portion of the CARES Act funds according to the RPL criteria, as prepared for by the executive branch and ratified legislature.
9. The ability of the executive branch to expend business relief CARES Act funds needs to take place according to ascertainable standards enacted according to valid law.

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2 *Further the affiant sayeth naught.*
3

4 **DATED** this 23rd day of June, 2020 at Juneau, Alaska.
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8 **Joseph W. Geldhof**
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