

FILED  
STATE OF ALASKA  
FIRST DISTRICT  
AT JUNEAU

2020 MAY 20 PM 2:05

CLERK TRIAL COURTS

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

7 ERIC FORRER )  
8 Plaintiff, )  
9 )  
10 vs. )  
11 )  
12 STATE OF ALASKA )  
and LUCINDA MAHONEY, )  
13 Commissioner of the Alaska )  
Department of Revenue )  
14 in her capacity as an official )  
of the State of Alaska. )  
15 Defendants. )  
16 \_\_\_\_\_ )

1JU-20-00644 Civil

17 **WITHDRAWAL OF MOTION FOR EXPEDITED CONSIDERATION**

18 Eric Forrer ("Forrer"), through counsel and on behalf of the public  
19 interest, withdraws his pending motion seeking expedited consideration related  
20 to the pending request for equitable relief in this case.

21 Counsel for Forrer has discussed the pending above-captioned lawsuit  
22 with Assistant Attorney General Margaret Patton-Walsh in regard to all aspects  
23 of the case, including the need for equitable relief, the underlying merits of  
24 Forrer's claims and other related issues. Based on these discussions and in light  
25 of the actions taken by the Alaska Legislature on the morning of May 20, 2020,  
26 expedited consideration is not believed by Forrer to be necessary.

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2 Forrer believes a hearing before the court in regard to the status of the case  
3 may be justified and will work with counsel for the Attorney General's office  
4 about the need for a status hearing or scheduling plan in regard to the underlying  
5 constitutional issues raised by Forrer.

6 Forrer informs the court that at this time he is not inclined to seek equitable  
7 relief in the form of a preliminary injunction asking the court to restrain  
8 distribution of all or some of the CARES Act funds held in the Alaska treasury  
9 in light of the obvious financial chaos taking place in Alaska as a result of the  
10 COVID-19 pandemic.

11 Forrer specifically reserves the ability to challenge the legislature's  
12 purported ratification of at least a portion of the CARES Act funds but will only  
13 seek prospective declaratory and/or equitable relief in the form of a permanent  
14 injunction should resolution of the case not be reached between counsel on  
15 behalf of the named parties.

16 **DATED** this 20th day of May, 2020 at Juneau, Alaska.

17  
18 **LAW OFFICE OF**  
**JOSEPH W. GELDHOF**

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20 

21 \_\_\_\_\_  
22 Joseph W. Geldhof  
23 Alaska Bar # 811109  
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1  
2 **Certification**

3 I certify that a copy of this document was  
4 hand-delivered to the Office of the Alaska  
5 Attorney General on the sixth floor of the Dimond  
6 Courthouse in Juneau, Alaska with a request that  
7 the document be sent by electronic transmission  
8 to Margaret Patton-Walsh, Assistant Attorney  
9 General in the Attorney General's Anchorage  
10 Office who on information and belief is believed to  
11 be counsel of record for the State of Alaska and  
12 Commissioner Lucinda Mahoney in this case.

13 I further certify that a copy of this document  
14 was sent by via U.S.P.S.  
15 to Attorney General Clarkson at the  
16 following address:

17  
18 1031 West 4<sup>th</sup> Street, Suite # 200  
19 Anchorage, Alaska 99501

20  
21 DATED: May 20, 2020

22  
23 By:   
24 Joseph W. Geldhof