

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

STANLEY ALLEN VEZEY ,)
)
 Plaintiff,)
 vs.)
)
 BRYCE EDGMON, Speaker of the)
 Alaska State House of Representatives,)
 and CATHERINE A. GIESSEL,)
 President of the Alaska State Senate,)
 individually,)
)
 Defendants.)

FILED in the Trial Courts
State of Alaska Fourth District

JUL 16 2019

By _____ Deputy

CASE NO. 4FA-19-02233CI

**AFFIDAVIT OF WILLIAM R. SATTERBERG, JR. IN SUPPORT OF
PLAINTIFF'S SECOND MOTION FOR EXPEDITED CONSIDERATION**

STATE OF ALASKA)
) ss.
FOURTH JUDICIAL DISTRICT)

I, William R. Satterberg, Jr., being duly sworn upon oath depose and state as follows:

1. That, I am a resident of the Fourth Judicial District, over 21 years of age;
2. That, I am Plaintiff's counsel in the above-captioned matter. I have personal knowledge of the facts contained within this affidavit and am competent to testify thereto;
3. That, in response to the issuance of the governor's

LAW OFFICES
WILLIAM R. SATTERBERG, JR.
ATTORNEY AT LAW
709 FOURTH AVENUE
FAIRBANKS, ALASKA 99701
(907) 452-4454
FAX (907) 452-3988
office@satterberg.net

proclamation for a special session to be held in Wasilla, Alaska, approximately 40 legislators convened for the special session in Juneau, Alaska, maintaining that Juneau was the proper location for the special session. Approximately 20 legislators convened in Wasilla, maintaining that the proper location for the special session was Wasilla.

4. That, expedited consideration of the underlying Motion in this matter is paramount because the special session, itself, can only last for 30 days. Plaintiff takes no position in this case with regard to the governor's vetoes, the capital budget, or the Permanent Fund dividend. Rather, it is in Plaintiff's best interests, as well as the best interests of the citizens that the Alaska Legislature attend the special session where it has been called.

5. That, given the standard times for responsive briefing, the ability to address this matter in the ordinary course of business and have a substantive decision in time for the legislature to act is not realistic.

6. That, both of the defendants were personally served with the Summons and Complaint on Thursday, July 11, 2019. Appendix 1.

7. That, on July 16, 2019, a copy of the Second Motion for Expedited Consideration, as well as the underlying Motion for Declaratory Judgment and Preliminary Injunction were served on the defendants via first-class mail and email, as well as by facsimile to Defendant Edgmon. In addition, a Juneau process server will attempt personal service on the defendants in Juneau.

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8. That, no contact has been made with the defendants' attorneys because no attorney for the defendants has yet entered an appearance in this matter. On July 11, 2019, my office placed a phone call to Defendant Giessel's office in Juneau requesting Defendant Giessel's fax number or, alternatively, the name of her attorney in the above-captioned matter. As of the signing of this affidavit, no response has been received from Defendant Giessel.

9. That, on July 15, 2019, a written request was submitted to the defendants to confer telephonically regarding the second expedited Motion. Appendix 2; Appendix 3. No response has yet been received directly from either defendant. However, at approximately 3:20 p.m. on July 16, 2019, I spoke with attorney Kevin Cuddy who indicated to me that his law firm might represent the two defendants and requested a courtesy copy of the pleadings, which have been sent.

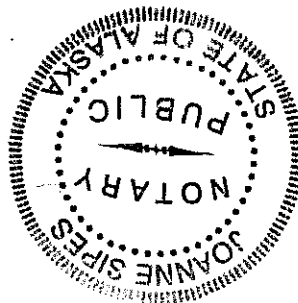
FURTHER YOUR AFFIANT SAYETH NAUGHT.

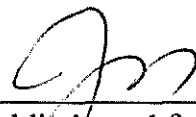
DATED this 16 day of July, 2019, at Fairbanks, Alaska.


WILLIAM R. SATTERBERG, JR.

SUBSCRIBED AND SWORN TO before me this 16th day of July,

2019.




Notary Public in and for Alaska
My Commission Expires 4/24/2022

LAW OFFICES
WILLIAM R. SATTERBERG, JR.
ATTORNEY AT LAW
709 FOURTH AVENUE
FAIRBANKS, ALASKA 99701
(907) 452-4454
FAX (907) 452-3988
office@satterberg.net

js

**IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS**

STANLEY ALLEN VEZEY,

Plaintiff,

VS.

BRYCE EDGMON, Speaker, and CATHERINE A. GIESSEL, Individually,

Defendant (s).

CASE NO. 4FA-19-02233CI

RETURN OF SERVICE

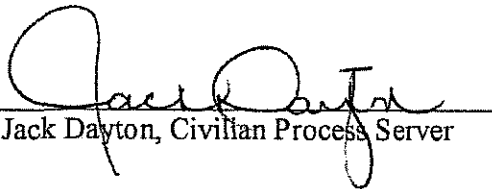
I hereby certify and return that I served the annexed, **Summons, Complaint, and Entry of Appearance**, on the therein named **Catherine A. Giessel**, by handing to and leaving a true and correct copy thereof with **Catherine A. Giessel**, personally at, **State Capital Building, 4th and Main Street, 2nd Floor**, at Juneau, Alaska in the said District at **9:20 am** on the **11th day of July 2019**.

Service fee: \$45.00 Per Rule 11 (A1) (ii)

Mileage fee: \$20.00 Per Rule 11 (A7)

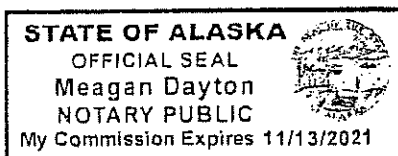
Total: \$65.00

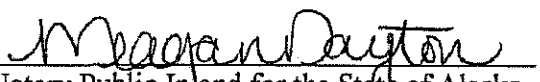
CIVIL CLAIMS SERVICE
P.O. Box 33898
JUNEAU, ALASKA 99803
(907) 364-2714

By: 
Jack Dayton, Civilian Process Server

Return Date: 7/12/19

Subscribed and sworn to before me this 12th day of July 2019.




Notary Public In and for the State of Alaska
My Commission Expires: 11-13-2021

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT FAIRBANKS

STANLEY ALLEN VEZEY,

Plaintiff(s),

vs.

BRYCE EDGMON, Speaker, and CATHERINE A.
GIESSEL, individually,

CASE NO. 4FA-19-02233 cl

Defendant(s).

SUMMONS
AND
NOTICE TO BOTH PARTIES
OF JUDICIAL ASSIGNMENT

To Defendant: Catherine A. Giesel

You are hereby summoned and required to file with the court a written answer to the complaint which accompanies this summons. Your answer must be filed with the court at 101 Lacey Street, Fairbanks, AK 99701 within 20 days* after the day you receive this summons. In addition, a copy of your answer must be sent to plaintiff's attorney or plaintiff (if unrepresented) Law Offices of Wm R. Satterberg, Jr., whose address is: 709 Fourth Avenue, Fairbanks, Alaska 99701

If you fail to file your answer within the required time, a default judgment may be entered against you for the relief demanded in the complaint.

If you are not represented by an attorney, you must inform the court and all other parties in this case, in writing, of your current mailing address and any future changes to your mailing address and telephone number. You may use court form *Notice of Change of Address / Telephone Number* (TF-955), available at the clerk's office or on the court system's website at www.state.ak.us/courts/forms.htm, to inform the court. - OR - If you have an attorney, the attorney must comply with Alaska R. Civ. P. 5(i).

NOTICE OF JUDICIAL ASSIGNMENT

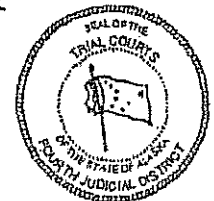
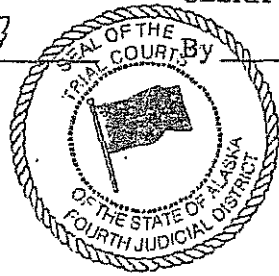
TO: Plaintiff and Defendant

You are hereby given notice that this case has been assigned to Judge Mac Donald

CLERK OF COURT

July 10, 2019
Date /

[Signature]
Deputy Clerk



*The State or a state officer or agency named as a defendant has 40 days to file its answer. If you have been served with this summons outside the United States, you also have 40 days to file your answer.

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

STANLEY ALLEN VEZEY,

Plaintiff,

VS.

BRYCE EDGMON, Speaker, and CATHERINE A.
GIESSEL, Individually,

Defendant (s).

CASE NO. 4FA-19-02233CI

RETURN OF SERVICE

I hereby certify and return that I served the annexed, **Summons, Complaint, and Entry of Appearance**, on the therein named **Bryce Edgmon, Speaker**, by handing to and leaving a true and correct copy thereof with **Bryce Edgmon**, personally at, **State Capital Building, 4th and Main Street, 2nd Floor**, at Juneau, Alaska in the said District at **9:23 am** on the **11th** day of **July 2019**.

Service fee: \$45.00 Per Rule 11 (A1) (ii)

Mileage fee: \$20.00 Per Rule 11 (A7)

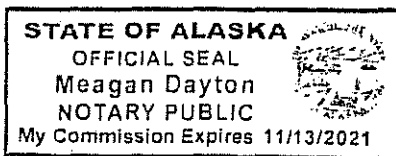
Total: \$65.00

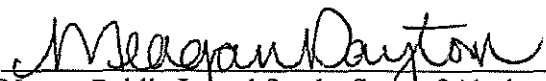
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By: 
Jack Dayton, Civilian Process Server

Return Date: 7/12/19

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AT FAIRBANKS

STANLEY ALLEN VEZEY,

Plaintiff(s),

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GIESSEL, individually,

Defendant(s).

CASE NO. 4FA-19-02233 CI

SUMMONS
AND
NOTICE TO BOTH PARTIES
OF JUDICIAL ASSIGNMENT

To Defendant: Bryce Edgmon

You are hereby summoned and required to file with the court a written answer to the complaint which accompanies this summons. Your answer must be filed with the court at 101 Lacey Street, Fairbanks, AK 99701 within 20 days* after the day you receive this summons. In addition, a copy of your answer must be sent to plaintiff's attorney or plaintiff (if unrepresented) Law Offices of Wm R. Satterberg, Jr., whose address is: 709 Fourth Avenue, Fairbanks, Alaska 99701

If you fail to file your answer within the required time, a default judgment may be entered against you for the relief demanded in the complaint.

If you are not represented by an attorney, you must inform the court and all other parties in this case, in writing, of your current mailing address and any future changes to your mailing address and telephone number. You may use court form *Notice of Change of Address / Telephone Number* (TF-955), available at the clerk's office or on the court system's website at www.state.ak.us/courts/forms.htm, to inform the court. - OR - If you have an attorney, the attorney must comply with Alaska R. Civ. P. 5(i).

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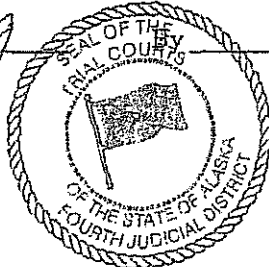
TO: Plaintiff and Defendant

You are hereby given notice that this case has been assigned to Judge MacDonald

CLERK OF COURT

July 10, 2019
Date

Deputy Clerk



*The State or a state officer or agency named as a defendant has 40 days to file its answer. If you have been served with this summons outside the United States, you also have 40 days to file your answer.

[Print](#) | [Close Window](#)

Subject: Letter attached re: Vezey vs. Edgmon et al.

From: joanne@satterberg.net

Date: Mon, Jul 15, 2019 10:38 am

To: "Catherine Giessel" <Senator.Cathy.Giessel@akleg.gov>, "Bryce Edgmon" <Rep.Bryce.Edgmon@akleg.gov>

Cc: "Bill Satterberg" <bill@satterberg.net>

Attach: LetterFromBillSatterberg.pdf

Senator Giessel and Representative Edgmon:

Please find attached a letter from Bill Satterberg.

Thank you

Joanne Sipes
Legal Assistant
Law Offices of William R. Satterberg, Jr.
709 Fourth Avenue
Fairbanks, Alaska 99701
907-452-4454 (fax 452-3988)

THE INFORMATION CONTAINED HEREIN IS CONFIDENTIAL AND MAY BE SUBJECT TO ATTORNEY-CLIENT PRIVILEGE. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY. THANK YOU.

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APPENDIX 2

LAW OFFICES

WILLIAM R. SATTERBERG, JR.

FAX (907) 452-3988

ATTORNEY AT LAW
709 FOURTH AVENUE
FAIRBANKS, ALASKA 99701
(907) 452-4454

July 15, 2019

Senator Cathy Giessel
State Capitol Room 111
Juneau, Alaska 99801

Rep. Bryce Edgmon
State Capitol Room 416
Juneau, Alaska 99801

1500 W. Benson Blvd.
Anchorage, Alaska 99503
Senator.Cathy.Giessel@akleg.gov

P.O. Box 886
Bethel, Alaska 99559
Rep.Bryce.Edgmon@akleg.gov

Re: *Vezey v. Edgmon et al.*, Case No. 4FA-19-02233CI

Dear Senator Giessel and Representative Edgmon:

This letter is to initiate a conference among the parties to the above-captioned matter in order to hold a telephonic meeting and to confer on expediting Plaintiff Vezey's Motion for Declaratory Judgment and Preliminary Injunction. On July 12, 2019, the court denied Plaintiff's first Motion for expedited consideration for a failure of the parties' attorneys to confer. Plaintiff will file another Motion for Expedited Consideration, and a copy of the Second Motion for Expedited Consideration of Motion for Declaratory Judgment and Preliminary Injunction will be served on you by email and fax.

Please note that the purpose of Plaintiff's lawsuit is not to take sides on the governor's vetoes, the capital budget, or the Permanent Fund dividend. Rather, the purpose is to have the court order the legislature to assemble in one location in order to work out the issues to be addressed as outlined in the governor's proclamation for a special session. To date, to the undersigned's knowledge, the last seven days have accomplished nothing to resolve the impasse.

Time is of the essence. Your immediate response to this letter is requested. If you are now represented by legal counsel in this matter, might you please forward this communication to your attorney without delay?

Sincerely,


William R. Satterberg, Jr.

WRS/js
Encl.

THE LAW OFFICES OF WILLIAM R. SATTERBERG, JR.

709 Fourth Avenue

Fairbanks, Alaska 99701

Telephone: (907) 452-4454

Telefax: (907) 452-3988

TELEFACSIMILE COVER SHEET

NAME OF RECIPIENT: Rep. Bryce Edgmon

TELEFAX NUMBER: 907-465-4589

LOCATION: Juneau

DATE: July 15, 2019

DOCUMENT TITLE: Letter

CONSISTING OF: 2 *pages, including cover sheet.*

ORIGINAL TO BE MAILED: YES NO

If you do not receive all of the facsimile pages, please contact this office at the telephone number listed above. If this facsimile has been received in error, please contact this office so that the document may be retrieved at no cost to you.

COMMENTS: _____

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July 15, 2019

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State Capitol Room 111
Juneau, Alaska 99801

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1500 W. Benson Blvd.
Anchorage, Alaska 99503
Senator.Cathy.Giessel@akleg.gov

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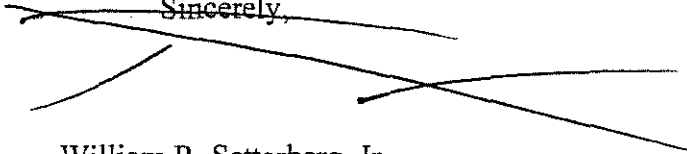
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Sincerely,


William R. Satterberg, Jr.

WRS/js
Encl.

*** FAX TX REPORT ***

TRANSMISSION OK

| | |
|---------------------|-------------|
| JOB NO. | 0373 |
| DEPT. ID | 1234 |
| DESTINATION ADDRESS | 19074654589 |
| SUBADDRESS | |
| DESTINATION ID | |
| ST. TIME | 07/15 10:36 |
| TX/RX TIME | 01' 09 |
| PGS. | 2 |
| RESULT | OK |

THE LAW OFFICES OF WILLIAM R. SATTERBERG, JR.
 709 Fourth Avenue
 Fairbanks, Alaska 99701
 Telephone: (907) 452-4454
 Telefax: (907) 452-3988

TELEFACSIMILE COVER SHEET

NAME OF RECIPIENT: Rep. Bryce Edgmon

TELEFAX NUMBER: 907-465-4589

LOCATION: Juneau

DATE: July 15, 2019

DOCUMENT TITLE: Letter

CONSISTING OF: 2 pages, including cover sheet.

ORIGINAL TO BE MAILED: YES NO

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COMMENTS: _____

