

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
CIVIL DOCKET ENTRIES FOR CASE A03-0079--CV (JKS)  
"DEBORAH A. LUPER V MOA ET AL"

Including terminated parties, excluding terminated counsel

Presiding Judge: The Honorable James K. Singleton, U.S. District Judge

Magistrate Judge:

Referral Rule:

Filed: 04/10/03

Closed: 07/09/03

Jurisdiction: (3) Federal Question (US Govt not a Party)

PLF Diversity:

DEF Diversity:

Nature of Suit: (441) Voting

Origin: (1) Original Proceeding

Demand:

Filing fee: Paid \$150.00 on 04/10/03 receipt # 00120143

Trial by:

Parties of Record:

Counsel of Record:

PLF 1.1 LUPER, DEBORAH A.

Kenneth P. Jacobus  
310 K Street, Suite 200  
Anchorage, AK 99501  
907-277-3333  
FAX 907-264-6666

PLF 2.1 MERCULIEFF, RINNA

Kenneth P. Jacobus  
(see above)

DEF 1.1 ANCHORAGE, MUNICIPALITY OF

Thomas F. Klinkner  
Birch Horton Bittner & Cherot  
1127 W. 7th Avenue  
Anchorage, AK 99501-339  
907-276-1550

Paul J. Jones  
Kempel Huffman & Ellis P.C.  
255 E.Fireweed Lane, Suite 200  
Anchorage, AK 99503  
907-277-1604  
FAX 907-276-2493

DEF 2.1 HEIM, LINDA

Thomas F. Klinkner  
(see above)

Paul J. Jones  
(see above)

DII 1.1 FRIEDMAN, JEFFREY A.

Jeffrey A. Friedman  
Friedman Rubin et al  
1227 W. 9th Avenue, Suite 201  
Anchorage, AK 99501  
907-258-0704

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
CIVIL DOCKET PARTY INFORMATION FOR CASE A03-0079--CV (JKS)  
"DEBORAH A. LUPER V MOA ET AL"

Including terminated parties, excluding terminated counsel

Parties of Record:

Counsel of Record:

DII 2.1 NEIGHBORS FOR BEGICH

Jeffrey M. Feldman  
Feldman Orlansky & Sanders  
500 L Street, Suite 400  
Anchorage, AK 99501  
907-272-3538

PII 1.1 WUERCH, GEORGE

Stephen A. McAlpine  
4141 B Street, Suite 202  
Anchorage, AK 99503  
907-277-5542

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
CIVIL DOCKET ENTRIES FOR CASE A03-0079--CV (JKS)  
"DEBORAH A. LUPER V MOA ET AL"

For all filing dates

Presiding Judge: The Honorable James K. Singleton, U.S. District Judge

Magistrate Judge:

Referral Rule:

Filed: 04/10/03

Closed: 07/09/03

Jurisdiction: (3) Federal Question (US Govt not a Party)

PLF Diversity:

DEF Diversity:

Nature of Suit: (441) Voting

Origin: (1) Original Proceeding

Demand:

Filing fee: Paid \$150.00 on 04/10/03 receipt # 00120143

Trial by:

Document #	Filed	Docket text
1 - 1	04/10/03	Complaint filed; Summons issued.
2 - 1	04/10/03	DEF 1-2 Attorney Appearance of Thomas F. Klinkner (BIRCH).
3 - 1	04/10/03	DEF 1-2 Attorney Appearance W. Greene (MUNI).
4 - 1	04/10/03	DEF 1-2 Notice of legal representation w/att exh.
5 - 1	04/10/03	PLF 1 Return of Service Executed re: DEF 1 on 4/10/03.
6 - 1	04/10/03	PLF 1 Return of Service Executed re:DEF 2 on 4/10/03.
7 - 1	04/11/03	DII 1 motion to intervene w/att memo & proposed mot for sj.
8 - 1	04/14/03	DEF 1-2 motion for leave to withdraw as counsel w/att memo.
9 - 1	04/14/03	PLF 1 non-oppo to DEF 1-2 mot for leave to w/d as cnsl (8-1).
10 - 1	04/14/03	PLF 1 non-oppo to ZZZ 1 mot to intervene (7-1).
11 - 1	04/14/03	DEF 1-2 Attorney Appearance of Louisiana Cutler for William Greene.
12 - 1	04/14/03	DEF 1-2 non-oppo to DEF 1-2 (co-cnsls) mot for leave to w/d as cnsl (8-1).
13 - 1	04/14/03	PLF 1 Complaint (Amended) w/att exh.
11 - 2	04/15/03	Order granting substitution of Louisiana Cutler for William Greene. cc: cnsl, L. Cutler, T. Klinkner
14 - 1	04/15/03	PLF 1-2 motion for injunctive relief w/att exhs.
15 - 1	04/15/03	PLF 1-2 motion for shortened time re: motion for injunctive relief w/att aff.
16 - 1	04/15/03	DII 1 partial-oppo to PLF 1-2 mot for shortened time re: mot for injunctive relief (15-1).

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
CIVIL DOCKET ENTRIES FOR CASE A03-0079--CV (JKS)  
"DEBORAH A. LUPER V MOA ET AL"

For all filing dates

Document #	Filed	Docket text
17 - 1	04/15/03	JKS Order granting motion to intervene (7-1). cc: cns1
18 - 1	04/15/03	JKS Order granting motion for leave to withdraw as counsel (8-1). cc: cns1
19 - 1	04/15/03	JKS Minute Order denying a prel inj at this time and set matter for briefing allowing all defs until 04/18/03 at 3:00 p.m. to file and personally serve an oppo to the mot for inj; plfs may file and personally serve a reply by 04/21/03 at 12:00 p.m.; parties to meet and confer and inform the crt in a stat rpt to be fld by plfs by 04/21/03 after consultation w/all defs whether this would be an appropriate case to bring trial on the merits forward and combine it w/a hearing on prel inj. cc: cns1
20 - 1	04/15/03	DII 1 motion for summary judgment w/att memo.
21 - 1	04/15/03	DII 2 Unopposed motion of neighbors for Begich to intervene w/att memo & aff.
22 - 1	04/15/03	DII 2 motion for shortened time re: unopposed motion of neighbors for Begich to intervene w/att aff.
22A- 1	04/15/03	DII 1 Answer to first amended complaint.
23 - 1	04/16/03	JKS Order granting motion for shortened time re: unopposed motion of neighbors for Begich to intervene (22-1); responses to mot to intervene due 4/17/03. cc: cns1
24 - 1	04/16/03	DII 1 non-oppo to ZZZ 1 unopposed mot of neighbors for Begich to intervene (21-1).
25 - 1	04/17/03	PII 1 Unopposed motion for Wuerch for Mayor to intervene w/att memo.
26 - 1	04/17/03	PII 1 motion for expedited consideration w/att aff.
27 - 1	04/18/03	JKS Order granting unopposed mot of neighbors for Begich to intervene (21-1). cc: cns1
28 - 1	04/18/03	JKS Order granting unopposed mot for Wuerch for Mayor to intervene (25-1). cc: cns1
29 - 1	04/18/03	JKS Order granting mot for exped consid (26-1). cc: cns1
30 - 1	04/18/03	DEF 1-2 oppo to PLF 1-2 mot for injunctive relief (14-1) w/att aff & exhs.
31 - 1	04/18/03	DII 2 oppo to PLF 1-2 mot for inj relief (14-1) w/att exhs.
32 - 1	04/18/03	DII 2 Notice of filing original aff of H. Rauch re: mot to intervene by Neighbors for Begich w/att aff.
33 - 1	04/18/03	DII 1 oppo to PLF 1-2 mot for inj relief (14-1) w/att exhs.
34 - 1	04/21/03	DEF 1-2 motion (request) for three judge district court panel re: motion for injunctive relief.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
CIVIL DOCKET ENTRIES FOR CASE A03-0079--CV (JKS)  
"DEBORAH A. LUPER V MOA ET AL"

For all filing dates

Document #	Filed	Docket text
35 - 1	04/21/03	PLF 1-2 motion (request) for three-judge district court panel.
36 - 1	04/21/03	PLF 1-2 reply to DEF 1-2 oppo to PLF 1-2 mot for inj relief (14-1) w/att exhs.
37 - 1	04/21/03	PLF 1-2 reply to DII 1 oppo to PLF 1-2 mot for inj relief (14-1).
38 - 1	04/21/03	PLF 1-2 reply to DII 2 oppo to PLF 1-2 mot for inj relief (14-1).
39 - 1	04/21/03	PII 1 reply to oppo to PLF 1-2 mot for inj relief (14-1).
40 - 1	04/21/03	PLF 1-2 Status Report.
41 - 1	04/21/03	JKS Minute Order setting o/a on mot for injunctive relief for 04/21/03 at 3:00 p.m. cc: cns1
42 - 1	04/22/03	JKS Order granting mot (request) for three judge district court panel (34-1) (35-1); 9CCA Chief Judge Schroeder to appoint two addtl judge to serve on the three judge panel as provided in 28 U.S.C. 2284. cc: cns1, Judge Schroeder, Judge Sedwick, C. Catterson
43 - 1	04/23/03	JKS Court Minutes [ECR: Robin Carter] O/A on mot for inj relief held 04/21/03; crt to send order to Chief Judge Schroeder of the 9CCA w/cys to the parties indicating this challenge does exist and request she exercise her discretion under the statute to ut together a three judge panel; crt to await notification from her on how to proceed.
44 - 1	04/28/03	Transcript re: OA on motion for injunctive relief dkt 14 on 4/21/03.
45 - 1	04/28/03	DEF 1-2 motion (request) for modification of notice issued by the court on 04/22/03.
46 - 1	04/29/03	Order appointing 9CCA Judge Richard Tallman to the three-judge panel to sit with Judge von der Heydt and Judge Singleton. cc: cns1
45 - 2	04/30/03	JKS Order granting mot (request) for modif of notice issued by the court on 04/22/03 (45-1). cc: cns1, Judge Tallman, Judge von der Heydt
47 - 1	04/30/03	DEF 1-2 Answer to Amended Complaint.
48 - 1	05/01/03	JKS, RCT, JAV Order denying mot for injunctive relief (14-1). cc: cns1, Judge Tallman, Judge von der Heydt
49 - 1	05/01/03	JKS Minute Order setting o/a on mot for part sj (20-1) to consider appropriate remedies for violation of 42 U.S.C. 1973c for 06/09/03 at 2:00 p.m. cc: cns1, Judge Tallman, Judge von der Heydt
50 - 1	05/16/03	PLF 1-2 motion for partial dismissal without prejudice.
51 - 1	05/19/03	DEF 1-2 Notice of Department of Justice action approving changes made to Anchorage Election Procedures in Proposition 2.
52 - 1	05/20/03	JKS Minute Order that defs respond to the mot to dismiss by 05/27/03 at 12:00 p.m., otherwise mot will be treated as well taken. cc: cns1
53 - 1	05/23/03	DII 1 non-oppo to PLF 1-2 mot for part dismissal w/o prej (50-1).

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
CIVIL DOCKET ENTRIES FOR CASE A03-0079--CV (JKS)  
"DEBORAH A. LUPER V MOA ET AL"

For all filing dates

Document #	Filed	Docket text
54 - 1	05/27/03	PLF 1-2 Notice of filing request to reexamine with Department of Justice.
55 - 1	05/29/03	JKS Minute Order denying as moot, mot for sj (20-1); granting mot for part dismissal with prej as to any further proceedings on these claims in federal crt and w/out prej to further proceedings in state crt (50-1). cc: cnsl, Judge von der Heydt, Judge Tallman
56 - 1	06/06/03	PLF 1-2 Status Report and summary of relief requested w/att exhs.
57 - 1	06/06/03	DII 1 Status Report w/att exhs.
58 - 1	06/09/03	PLF 1-2 Notice of submission of supplement #2
59 - 1	06/11/03	RCT, JKS, JAV Court Minutes [ECR: Robin Carter] O/A on mot for part sj (dkt 20) and to consider appropriate remedies for violation of 42 U.S.C. 1973c held 06/09/03; matters under advisement; written ruling to issue.
60 - 1	06/16/03	DEF 1-2 Notice to crt that the Dept of Justice has not notified the Muni of any intention to reexamine the decision not to interpose an obj to proposition 2.
61 - 1	06/17/03	DEF 1-2 motion for leave to withdraw as counsel w/att proposed substitution of counsel.
62 - 1	06/19/03	JKS Order granting mot for leave to w/d as cnsl (61-1); Paul J. Jones substituted as cnsl. cc: cnsl, P. Jones
63 - 1	06/20/03	RCT Opinion; plf's first amended cmplt is disp w/prej; clk to enter judg and order consistent with this opinion. cc:cnsl
64 - 1	06/20/03	RCT Judgment that plf's first amended cmplt is disp w/prej. cc: cnsl, O&J 11550
65 - 1	07/07/03	PLF 1-2 motion for attorney fees and costs w/att exh.
66 - 1	07/09/03	DII 1 oppo to PLF 1-2 mot for atty fees and costs (65-1) w/att exh.
NOTE - 1	07/14/03	Notation: USDC record consisting of vols 1-3 rec'd from Judge Tallman.
67 - 1	07/16/03	PLF 1-2 reply to opposition to PLF 1-2 motion for attorney fees and costs (65-1)
68 - 1	07/25/03	DEF 1 oppo to PLF 1-2 mot for atty fees and costs (65-1).
69 - 1	08/04/03	PLF 1-2 reply to oppos to PLF 1-2 mot for atty fees and costs (65-1).
70 - 1	08/25/03	JKS Order denying motion for attorney fees and costs (65-1); parties are to bear their own fees and costs. cc: cnsl