

SEAN PARNELL
LIEUTENANT GOVERNOR
www.lt.gov.state.ak.us



PO Box 110015
Juneau, Alaska 99811-0015
907.465.3520
907.465.5400 Fax
lt.governor@alaska.gov

07WATR

STATE OF ALASKA
OFFICE OF THE LIEUTENANT GOVERNOR
JUNEAU

RECEIVED
JUN 11 2008
DIVISION OF ELECTIONS

MEMORANDUM

TO: Gail Fenuniai
Director, Division of Elections

FROM: Sean Parnell
Lieutenant Governor

Handwritten signature of Sean Parnell in cursive.

DATE: June 10, 2008

RE: 07WATR Initiative Status

By way of the attached Order, the Alaska Supreme Court has dismissed all of the appeals from Superior Court rulings on 07WATR and has vacated the Dillingham Superior Court ruling that 07WATR is appropriate for the ballot. Essentially, the Fairbanks Superior Court ruling—that prohibits the Lieutenant Governor from placing 07WATR on the ballot—remains in place. I will comply with these court orders, and this memorandum serves as my direction that 07WATR will not appear on the ballot.

If you have additional questions, please contact my special assistant, Jason Hooley, at (907)465-4082. Thank you.

In the Supreme Court of the State of Alaska

RECEIVED
JUN 11 2008
DIVISION OF ELECTIONS

Sean Parnell, Lt. Governor of Alaska,

Appellant,

v.

John H. Holman, Jack G. Hobson,
and Luki Akelkok,

Appellees.

Supreme Court No. S-12909

Order

Dismissing S-12909 and S-13040

Date of Order: 6/9/08

Trial Court Case # 3DI-07-00056CI

John H. Holman, Jack G. Hobson,
and Luki Akelkok,

Appellants/Cross-Appellees,

v.

Sean Parnell, Lt. Governor of the State
of Alaska, State of Alaska, Division of
Elections, Council of Alaska Producers,
Association of ANCSA Regional
Corporation Presidents/CEOs, Inc.,
Alaska Federation of Natives, Inc.,
Pebble Limited Partnership, acting
through its General Partner, Pebble
Mines Corp.,

Appellees/Cross-Appellants.

Supreme Court Nos.
S-13040/ S-13059/S-13060

Trial Court Case # 4EA-07-02696CI

The joint motion for expedited consideration of motion to dismiss is **GRANTED**.

The joint motion to dismiss filed by the parties on 6/6/08 is **GRANTED**, as follows:

1. The appeal brought by John Holman, Jack Hobson, and Luki Akelkok in Supreme Court Case No. S-13040 is **DISMISSED**;
2. The appeal brought by Sean Parnell, the Lieutenant Governor, in Supreme Court Case No. S-12909 is **DISMISSED**;
3. The following in trial court case number 3DI-07-00056 are **VACATED**:

Memorandum of Decision on Motions for Summary Judgment,
dated 10/12/07;

Parnell v. Holman
 Supreme Court Nos. S-12909/13040/13059/13060
 Order of 6/9/08
 Page Two

- b. Order Granting Plaintiffs' Motion for Summary Judgment, dated 10/12/07;
 - c. Judgment dated 10/23/07; and
 - d. Final Judgment dated 2/25/08;
4. The complaint in trial court case number 3DI-07-0056CI is dismissed with prejudice;
 5. The Sponsors of Initiative 07WTR3, Arthur J. Hackney, Dale E. Wagner, and Jackie G. Hobson, are substituted as appellees in Supreme Court Case Nos. S-13059 and S-13060;
 6. All parties to the above-referenced dismissed cases shall bear their own costs and fees; and
 7. The oral argument before this court on 6/16/08 on Case Nos. S-13059 and S-13060 is rescheduled to begin at 1:30 pm. Oral argument will last 60 minutes. The time is divided evenly among the five parties to the appeals; each party may argue for 12 minutes.

Entered at the direction of an individual justice.

Clerk of the Appellate Courts

Marilyn May
 Marilyn May

cc: Supreme Court Justices
 Trial Court Judges *Torrisi and Blankenship*
 Distribution:

Howard S. Trickey
 Matthew Singer
 Jermain Dunnington & Owens
 3000 A Street Suite 300
 Anchorage AK 99503

Michael A. Barnhill
 Assistant Attorney General
 P O Box 110300
 Juneau AK 998110300

Susan Orlansky
 Jeffrey M. Feldman
 Feldman Orlansky & Sanders
 500 L Street Suite 400
 Anchorage AK 99501

Scott Kendall
 Timothy A. McKeever
 Holmes, Weddle & Barcott, PC
 701 West 8th Ave Suite 700
 Anchorage AK 99501

James D. Linxwiler
 George R. Lyle
 Michael Stephen McLaughlin
 Guess & Rudd
 510 L Street #700
 Anchorage AK 99501

Thomas P. Amodio
 Amodio Stanley & Reeves LLC
 500 L Street Suite 300
 Anchorage AK 99501

James Fosler
 Fosler Law Group, Inc.
 737 W 5th Ave Suite 205
 Anchorage AK 99501