

In the Supreme Court of the State of Alaska

Benjamin N. Nageak,)
)
)
Appellant,)
v.)
)
Lt. Governor Byron Mallot, in his)
official capacity as Lt. Governor for the)
State of Alaska, and Josephine Bahnke,)
in her official capacity as Director of)
the Division of Elections,)
)
Appellees,)
)
and,)
)
Dean Westlake,)
)
)
Intervenor.)

Supreme Court No. **S-16462**
consolidated with **S-16492**
and **S-16494**

Opening Notice

Brief Due Dates

Oral Argument

Date of Notice: **10/7/2016**

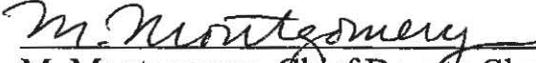
Division of Elections Recount;
3AN-16-09015CI

1. On **9/16/2016**, an appeal of the Division of Elections' recount results for the office of State Representative for House District 40 certified on 9/12/2016 was filed by Mr. Nageak in the Supreme Court as case number **S-16462**. On **10/06/2016**, an appeal of the superior court's final order in 3AN-16-09015CI was filed by the State in the Supreme Court as case number **S-16492**. On **10/07/2016** Mr. Westlake filed an appeal of the final order in 3AN-16-09015CI in the Supreme Court as case number **S-16494**. These appeals are consolidated.
2. The record has been prepared and provided to the parties. The State has prepared and distributed the transcript designated in S-16492.

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Opening Notice of October 7, 2016
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3. Simultaneous opening briefs are due **10/08/2016 at noon**, per the 9/27/2016 Order Lifting Stay & Providing Schedule. Simultaneous responsive briefs are due **10/10/2016 at noon**, per the 9/27/2016 Order Lifting Stay & Providing Schedule. Briefs shall be prepared in memorandum style and filed by email, in PDF format, and sent to mmay@akcourts.us and mmontgomery@akcourts.us. No paper copies of the briefs need to be filed.
4. Oral argument will be held in this case on Wednesday, **10/12/2016 at 10:00am**, in the Boney Courthouse, 303 K Street, Anchorage, Alaska 99501. Each side will have 45 minutes (total) to argue.

Clerk of the Appellate Courts


M. Montgomery, Chief Deputy Clerk

cc: Judge Guidi

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