

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**

Order

Stay Appellate Proceedings

Date of Order: **9/20/2016**

Division of Elections Recount Appeal

On consideration of the Appellees' 9/19/16 Emergency Motion for Stay and/or Referral to Superior Court, and the Appellant's 9/19/16 Limited Opposition,

IT IS ORDERED: The appeal filed 9/16/16 in the Supreme Court and characterized as a recount appeal pursuant to AS 15.20.510 is **STAYED**. The stay will be lifted and the appeal will be consolidated with any appeal to this Court taken in the action filed in the superior court on 9/16/16 and characterized as an election contest under AS 15.20.540 - .560.

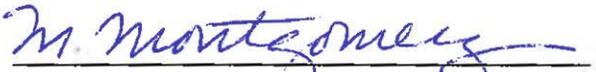
On consideration of the 9/19/16 Motion to Intervene by Dean Westlake, and the Appellant's 9/19/16 Non-Opposition to the Motion to Intervene,

IT IS ORDERED: The Motion to Intervene as of right is **GRANTED**.

Entered at the direction of an individual justice.

Nageak v. Mallot, et al.
Supreme Court No. S-16462
Order of 9/20/2016
Page Two

Clerk of the Appellate Courts


M. Montgomery, Chief Deputy Clerk

cc: Supreme Court Justices
Trial Court Appeals Clerk

Distribution:

Timothy A McKeever
Stacey Stone
Holmes Weddle, & Barcott, P.C.
701 W. Eighth Avenue, Suite 700
Anchorage AK 99501

Elizabeth Bakalar
Assistant Attorney General
PO Box 110300
Juneau AK 998110300

Laura Fox
Joanne M Grace
Margaret Paton-Walsh
Assistant Attorney General
1031 W 4th Ave Ste 200
Anchorage AK 99501

Thomas P Amodio
Reeves Amodio LLC
500 L Street Suite 300
Anchorage AK 995011990