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

	CONSOLIDATED CASE NO.:
In Re 2011 Redistricting Cases.	4FA-11-2209-CI 4FA-11-2213 CI
	⁷ 4FA-11-2213 CI
) 1JU-11-782 CI) 4FA-13-2435 CI
	⁾ 4FA-13-2435 CI

ALASKA REDISTRICTING BOARD'S NOTICE OF WITHDRAWAL OF BOARD'S SECOND MOTION TO CONTINUE TRIAL

COMES NOW, the Alaska Redistricting Board ("Board"), by and through counsel, and hereby withdraws its Second Motion to Continue Trial filed on October 30, 2013. Given that there is no medical guarantee regarding Mr. White's ability to participate in any necessary hearing or trial should this Court grant the Board's request to reschedule such hearing until January 2014, the Board and its legal counsel believe it best to move forward. In this regard, the Board and its legal counsel recognize the importance of the issues involved as well as the need to have a redistricting plan in place without delay. Accordingly, in the interest of the Alaskan voters, the Board withdraws its motion to further continue any necessary hearing or trial.

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¹ Contrary to the Riley Plaintiffs assertions, Mr. White's medical condition has not changed over the course of his illness. His radiation treatment schedule was simply delayed due to the complicated nature of Mr. White's radiation treatment.

The Board agrees with the Riley Plaintiffs that the Court currently has under consideration summary judgment motions addressing all issues.² Thus, the Court could dispose of all the challenges on the pleadings and eliminate the need for any hearing or trial. However, should the Court decide a hearing or trial is necessary, the Board is prepared to move forward with the currently reserved dates of December 9 through

DATED at Anchorage, Alaska this 4th day of November 2013.

December 20, 2013.

PATTON BOGGS LLP

Counsel for Defendant Alaska Redistricting Board

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² The Board disagrees, however, with the Riley Plaintiffs' claims that discovery is necessary or required before this Court may hold a hearing or trial. It is the Board's position that the process on remand does not trigger a new trial with the normal pre-trial procedures, such as discovery. Regardless, discovery is simply not necessary. The issues are much narrower than the initial challenges filed in 2011. Moreover, everything in the Board's possession is part of the Board Record. The only conceivable discovery the Riley Plaintiffs could request are depositions. However, this would only further delay any decision on the Board's 2013 Proclamation Plan, and can be accomplished through testimony should this Court determine a hearing is necessary.

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of November 2013, a true and correct copy of the foregoing document was served on the following via:

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