

KEVIN G. CLARKSON  
ATTORNEY GENERAL

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Attorney for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

DENALI NICOLE SMITH, on behalf of  
herself and others similarly situated, )

Plaintiffs, )

v. )

MICHAEL DUNLEAVY, in his official  
capacity of Governor of the State of  
Alaska, KEVIN CLARKSON, in his  
official capacity as Attorney General of  
the State of Alaska, BRUCE  
TANGEMAN, in his official capacity as  
Commissioner of the State of Alaska,  
Department of Revenue, ANNE WESKE,  
in her official capacity as Director of the  
Permanent Fund Division, State of Alaska,  
Department of Revenue, )

Defendants. )

Case No. 3:19-cv-00298-HRH

**MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL**

Pursuant to Federal Rule of Civil Procedure 5.2 and LR 7.3(f), Defendants,  
Governor Michael Dunleavy, Attorney General Kevin Clarkson, Acting Commissioner of  
Revenue, Michael Barnhill, and Director, Anne Weske, (“State”) hereby move for leave  
to file under seal Exhibit A, B, and C attached to the State’s opposition to motion for  
leave to amend complaint. Exhibit A is the declaration of Ms. Weske. Exhibit B and C

are letters sent by PFD to the Megan Hodge. Per state law, AS 43.23.110 and 15 AAC 23.253 information regarding an individual's PFD application is confidential and not subject to public disclosures. The undersigned certifies that it is not feasible or practical to file a redacted version of the documents without undermining the subject's privacy or voiding the protections attached to that document. The State respectfully submits this motion for an order permitting it to file Exhibits A, B, and C to the State's opposition to motion for leave to amend under seal. A proposed order is attached hereto.

DATED: January 28, 2020.

KEVIN G. CLARKSON  
ATTORNEY GENERAL

By: /s/Rebecca H. Cain  
Rebecca H. Cain  
Chief Assistant Attorney General  
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Attorney for Defendants

Certificate of Service

I certify that on January 28, 2020 the foregoing **Motion For Leave To File Documents Under Seal** was served electronically on:

Caitlin Shortell  
Shortell, Gardner & Ahearn LLC  
911 W. 8<sup>th</sup> Ave., Suite 204  
Anchorage, AK 9950

Heather L. Gardner  
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645 G Street, Suite 100-75  
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/s/Rebecca H. Cain

Sabina Perez-Figueroa, Law Office Assistant

*Smith v. Dunleavy, et al*

Motion to Leave to File Documents Under Seal

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DENALI NICOLE SMITH, on behalf of  
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Defendants.

Case No. 3:19-cv-00298-HRH

**[PROPOSED] ORDER GRANTING STATE’S MOTION TO FILE  
DOCUMENTS UNDER SEAL**

For the reasons stated in the Defendants’ Motion for Leave to File Documents  
Under Seal, the Defendant’s request is GRANTED. Exhibit A, B, and C filed with the

Defendant's Opposition to Motion for Leave for Leave to Amend Complaint will be accepted for filing under seal.

DATED: \_\_\_\_\_, 2020.

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H. Russell Holland  
United States District Court Judge

DATED: January 28, 2020.

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/s/Rebecca H. Cain  
Sabina Perez-Figueroa, Law Office Assistant