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Counsel for Plaintiffs

Counsel for DENALI NICOLE SMITH

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

DENALI NICOLE SMITH,

Plaintiff,

vs.

MICHAEL DUNLEAVY, in his official
capacity of Governor of the State of Alaska,
Clyde “Ed” Sniffen, in his official capacity as
Acting Attorney General of the State of Alaska,
LUCINDA MAHONEY, in her 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
STIPULATED MOTION TO DISMISS
PLAINTIFF’S REQUEST FOR DAMAGES
AND INJUNCTIVE RELIEF

The parties, by and through their respective counsel, hereby submit this STIPULATED MOTION TO DISMISS PLAINTIFF'S REQUEST FOR DAMAGES AND INJUNCTIVE RELIEF. Plaintiff dismisses her request for damages and injunctive relief in the following paragraphs of the Complaint:

P. 1 at ¶ 1;

P. 2 at ¶11;

P. 3 at ¶12(b);

P. 12 at Title;

P. 12 at ¶37;

P. 15 at ¶49;

P. 16 at ¶51;

P. 20 from Prayer for Relief at B., C., D., E., G., H., and from J.

This Stipulated Motion does not dismiss and leaves intact Plaintiff's request for declaratory relief and attorney's fees. In the interest of efficient adjudication of the above-captioned matter, the parties hereby move this court to accept this stipulation. Respectfully submitted.

DATED this 16th day of December 2020, at Anchorage, Alaska.

Attorney General's Office
Lawyers for Defendants

By: /sRebecca Hattan
Rebecca Hattan
ABA No. 0811096

DATED this 16th day of December 2020, at Anchorage, Alaska.

SHORTELL LAW, LLC
Lawyers for Plaintiff

By: /sCaitlin Shortell
Caitlin Shortell
ABA No. 0405027

Certificate of Service

I, Caitlin Shortell, certify that on December 16, 2020, a copy of the Stipulated Motion to Dismiss Plaintiff's Request for Damages and Injunctive Relief was filed via CM/ECF and that all counsel for parties are subscribers.

/sCaitlin Shortell
Caitlin Shortell

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Counsel for Plaintiffs

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA

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

Plaintiff,

vs.

MICHAEL DUNLEAVY, in his official
capacity of Governor of the State of Alaska,
Clyde “Ed” Sniffen, in his official capacity as
Acting Attorney General of the State of Alaska,
LUCINDA MAHONEY, in her 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
PROPOSED ORDER GRANTING
STIPULATED MOTION TO DISMISS
DAMAGES AND INJUNCTIVE RELIEF

Having reviewed the parties’ Stipulated Motion to Dismiss Damages and Injunctive Relief, the court hereby GRANTS the motion. The court hereby DISMISSES Plaintiff’s

request for damages and injunctive relief in the following paragraphs of the Complaint (Dkt. No. 1):

P. 1 at ¶ 1;

P. 2 at ¶11;

P. 3 at ¶12(b);

P. 12 at Title;

P. 12 at ¶37;

P. 15 at ¶49;

P. 16 at ¶51;

P. 20 from Prayer for Relief at B., C., D., E., G., H., and from J.

This order leaves intact Plaintiff's requests for declaratory relief, attorney's fees, and the rest of the Complaint (Dkt. No. 1).

It is so ordered.

Dated this _____ of December 2020.

United States District Court Judge H. Russel Holland

CERTIFICATE OF SERVICE

This certifies that on this 16th day of December 2020, a copy of the foregoing document was served via CM/ECF, to which all parties' counsel are subscribers.

/s/ Caitlin Shortell