

SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

**Donna Aderhold, David Lewis,
and Catriona Reynolds,**

Plaintiffs,

v.

City of Homer,

Defendant.

No. 3AN-17-_____CI

COPY
Original Received
APR 24 2017
Clerk of the Trial Courts

**[Proposed] Order on
Plaintiffs' Motion for
Declaratory Judgment and
Injunctive Relief**

The Plaintiffs moved for declaratory judgment and injunctive relief on April 24, 2017. After considering the parties' arguments and the record, the Court grants the Plaintiffs' motion.

It is therefore ordered that Defendant City of Homer erroneously certified the petition to recall the Plaintiffs in a special election, currently set for June 13, 2017.

It is further ordered that Defendant City of Homer, its officers, agents, servants, employees, and attorneys are permanently enjoined from presenting the certified recall question to the voters. The special election, currently set for June 13, 2017, is cancelled.

ACLU OF ALASKA
FOUNDATION
1057 W Fireweed Ln
Suite 207
Anchorage, Alaska
99503
TEL: 907.258.0044
FAX: 907.258.0288

Aderhold v. City of Homer

[PROPOSED] ORDER ON PLAINTIFFS' MOTION FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

Case No. 3AN-17-_____ -CI

Page 1 of 2

It is further ordered that the Plaintiffs are prevailing parties and constitutional public interest litigants under AS 09.60.010(c) and Alaska Rule of Civil Procedure 82.

It is further ordered that Defendant City of Homer shall pay the Plaintiffs their full costs and attorney's fees, and all other costs in this matter are taxed to the Defendant. The Plaintiffs shall file a motion for attorney's fees within 30 days of this order.

It is so ordered.

ENTERED on this _____ day of _____, 2017

Superior Court Judge

ACLU OF ALASKA
FOUNDATION
1057 W Fireweed Ln
Suite 207
Anchorage, Alaska
99503
TEL: 907.258.0044
FAX: 907.258.0288

Aderhold v. City of Homer

[PROPOSED] ORDER ON PLAINTIFFS' MOTION FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

Case No. 3AN-17-_____-CI

Page 2 of 2