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Attorney for the State of Alaska

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

DISABILITY LAW CENTER OF)
ALASKA, NATIVE PEOPLES ACTION)
COMMUNITY FUND, ALASKA)
PUBLIC INTEREST RESEARCH)
GROUP, ALEIJA STOVER, AND)
CAMILLE ROSE NELSON,)

Plaintiffs,)

v.)

KEVIN MEYER, LIEUTENANT)
GOVERNOR OF ALASKA, and the)
STATE OF ALASKA, DIVISION OF)
ELECTIONS,)

Defendants.)

Case No. _____

**DEFENDANT’S NOTICE OF
REMOVAL**

The defendants, Lieutenant Governor Kevin Meyer and the Alaska Division of Elections, under 28 U.S.C. § 1441(a) and 1446, provide notice of the removal of the above-captioned case from the Superior Court for the State of Alaska, Third Judicial

District at Anchorage, Case No. 3AN-20-07060 CI, to this Court. The removal is based on the following grounds.

1. The complaint alleges violation of the Twenty-Sixth Amendment to the U.S. Constitution; violation of the right to vote and the Due Process guarantee of the state and federal constitutions; violation of the First and Fourteenth Amendments; violation of civil rights under the Alaska Constitution, Art. I, § 3; and violation of 42 U.S.C. §§ 12131, et. seq. (Title II of the Americans with Disabilities Act) and 42 U.S.C. § 1983; and it requests declaratory and other relief pursuant to 28 U.S.C. §§ 2201 and 2202.

2. This court has original jurisdiction over the action under the provisions of 28 U.S.C. § 1331, and the action is one which may be removed to this court pursuant to the provisions of 28 U.S.C. § 1441 because it is a civil action arising under the Constitution, laws, or treaties of the United States.

3. This court has supplemental jurisdiction under 28 U.S.C. § 1367 over the plaintiffs' state law claims, which arise from the same set of operative facts as their federal claims.

4. Service has not yet been completed on defendants, but the defendants received a courtesy copy of the complaint on Friday, and given the expedited character of the litigation, the State will not delay removal.

5. This Notice of Removal is being filed within thirty days after the defendants' receipt of the complaint and the summons, and is therefore timely filed under 28 U.S.C. § 1446(b).

6. Written notice of the filing of this Notice will promptly be given to all adverse parties as required by 28 U.S.C. § 1446(d).

7. A Notice to State Court of Removal will be filed in the Superior Court for the State of Alaska, Third Judicial District at Anchorage, Case No. 3AN-20-07060 CI, on behalf of the defendant.

8. Nothing in this removal is intended to waive any remaining immunities the State of Alaska may have under the Eleventh Amendment or AS 09.50.250.

DATED July 20, 2020.

KEVIN G. CLARKSON
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CERTIFICATE OF SERVICE

I certify that on July 20, 2020, the foregoing document was served via U.S. mail and email on the following:

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