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LEGISLATIVE AFFAIRS AGENCY

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

ALASKA BUILDING, INC., an Alaskan
corporation,

Plaintiff,

v.

716 WEST FOURTH AVENUE, LLC and
LEGISLATIVE AFFAIRS AGENCY,

Defendants.

Case No. 3AN-15-05969 CI

**ERRATA TO LEGISLATIVE AFFAIRS AGENCY'S MEMORANDUM IN
SUPPORT OF MOTION FOR RULES 11 AND 82 FEES**

COMES NOW Defendant Legislative Affairs Agency (LAA), by and through its counsel of record, and hereby corrects its filing entitled *Memorandum in Support of Legislative Affairs Agency's Motion for Rules 11 and 82 Fees* filed with this court on May 31, 2016 to correct the Exhibit identified as Exhibit B to Exhibit A and to include Exhibit A which was inadvertently omitted from the May 31, 2016 filing.

Exhibit A is attached hereto.

DATED: June 2, 2016

STOEL RIVES LLP

By:  #0911060

 KEVIN CUDDY

(Alaska Bar #0810062)

Attorney for Defendant


LEGISLATIVE AFFAIRS AGENCY

CERTIFICATE OF SERVICE

This certifies that on June 2, 2016, a true and correct copy of the foregoing was served via First Class Mail on:

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In the Matter Of:

ALASKA BUILDING vs. 716 WEST FOURTH AVENUE LLC

JAMES GOTTSTEIN - VOLUME I

October 16, 2015

PACIFIC RIM REPORTING

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

3
4 ALASKA BUILDING, INC., an
5 Alaska corporation,

6 Plaintiff,

7 vs.

8 716 WEST FOURTH AVENUE LLC,
9 and LEGISLATIVE AFFAIRS
10 AGENCY,

11 Defendants.

12 Case No. 3AN-15-05969 CI

13 DEPOSITION OF JAMES B. GOTTSTEIN
14 VOLUME I

15 Pages 1 - 58, inclusive

16 Friday, October 16, 2015
17 2:00 P.M.

18
19 Taken by Counsel for
20 Defendant 716 West Fourth Avenue LLC
21 at
22 ASHBURN & MASON
23 1227 West 9th Avenue, Suite 200
24 Anchorage, Alaska
25

**CERTIFIED
TRANSCRIPT**

1 A-P-P-E-A-R-A-N-C-E-S

2

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Court Reporter:

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Gary Brooking, RPR
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Anchorage, Alaska 99501

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1 Q. So thank you for the answer. I'm going to
2 go back to my original question, which is: What is
3 the basis for your claim to an entitlement of
4 10 percent of the fees?

5 A. I just said it.

6 Q. I'm not sure that you have. You gave me a
7 history lesson about the public interest exception
8 for Rule 82. Is there a statute?

9 A. No.

10 Q. False Claims Act? This isn't a qui tam
11 case, right?

12 A. Correct.

13 Q. Is there any common law that you can point
14 to to say that a savings of this type had been given
15 a private litigant?

16 A. No. Well, not yet anyway. So, I mean,
17 it's possible I'll come up with some, but I haven't
18 found -- I haven't seen any yet.

19 I mean, I think that the -- this is a very
20 important public issue, and the point is, is that if
21 this right of public -- the public citizens to sue
22 over illegal government action is to have any, you
23 know, reality at all, there needs to be some
24 countervailing element for the prospect of attorneys'
25 fees being awarded against a plaintiff if they're

CERTIFICATE

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I, GARY BROOKING, Registered Professional

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Reporter and Notary Public in and for the State of

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Alaska, do hereby certify that the witness in the

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foregoing proceedings was duly sworn; that the

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proceedings were then taken before me at the time

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and place herein set forth; that the testimony

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and proceedings were reported stenographically by

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me and later transcribed by computer transcription;

11

that the foregoing is a true record of the

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testimony and proceedings taken at that time;

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and that I am not a party to nor have I any

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interest in the outcome of the action herein

15

contained.

16

IN WITNESS WHEREOF, I have hereunto set

17

my hand and affixed my seal this 20th day

18

of October, 2015.

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GARY BROOKING, RPR
My Commission Expires 6/28/2016

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GB4223