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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

United States of America, Plaintiff, v. State of Alaska; Carol Beecher, in her official capacity as Director of the Division of Elections of the State of Alaska; the Election Boards of the State of Alaska; and the State Ballot Counting Review Board of the State of Alaska, Defendants.	)	Case No. 3:26-cv-00376-SLG **DEFENDANTS' MOTION FOR EXPEDITED CONSIDERATION OF THEIR MOTION TO DISMISS**

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Defendants Carol Beecher, in her official capacity as Director of the Division of Elections of the State of Alaska; the Election Boards of the State of Alaska; and the State Ballot Counting Review Board of the State of Alaska (collectively, "the Division") respectfully move the Court for expedited consideration of their motion to dismiss the United States' complaint, with a decision requested by **Monday, November 2**.

Local Rule 7.3(a)(1)(A) permits expedited consideration of an underlying motion for "good cause." That standard is easily met here.

As explained in the accompanying declaration of counsel, the United States has sued the Division less than two weeks before Election Day. In-person voting is underway and many Alaskans have already cast their ballots. The complaint seeks to cast doubt on integrity of Alaska's U.S. Senate election.[1] And the complaint requests drastic federal court interference in Alaska's administration of this election: it asks the Court to prevent the Division from certifying the result if a specific candidate "does not win," pending "an investigation" into the intent of voters who vote for a different candidate.[2]

This lawsuit and this requested relief cast a cloud over Alaska's election that is contrary to the public interest and that the Court should not allow to linger. If the Division's motion to dismiss were to proceed on a normal briefing schedule, a decision would not be reached by the Court until after Election Day, which is Tuesday, November 3. The Division asks the Court to consider its motion on an expedited basis and issue a decision dismissing the United States' meritless complaint by **Monday, November 2**. This will ensure that Alaskans heading to the ballot box (as well as those who have already voted) have confidence that their votes will count and the U.S. Senate election result will be timely certified free from unlawful interference by the United States.

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1 *See* Dkt. 1 at 12-13.

2 *See* Dkt. 1 at 13, ¶¶ 42-44.

To that end, the Division requests that the Court order the following briefing schedule on the Division's motion to dismiss: The United States shall file its opposition no later than 5 p.m. on Wednesday, October 28. Any reply is due by 9 a.m. on Friday, October 30. The Division's attorneys are available for a hearing on Friday afternoon, if the Court wishes to hear oral argument.

DATED: October 26, 2026.

RACHEL WITTY
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By: /s/ *Margaret Paton Walsh*

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Certificate of Service
I hereby certify that on October 26, 2026, I filed a true and correct copy of the foregoing document with the Clerk of the Court for the United States District Court of Alaska by using the CM/ECF system. Participants in this Case No. 3:26-cv-00376-SLG who are registered CM/ECF users will be served by the CM/ECF system.

/s/Margaret Paton Walsh
Margaret Paton Walsh, Chief Assistant Attorney General