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Attorneys for Proposed Intervenors
Alaskans for Mary and DSCC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

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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 BALLOT COUNTING REVIEW BOARDS of the STATE OF ALASKA,

Defendants.

Case No. 3:26-cv-00376-SLG

ALASKANS FOR MARY AND DSCC'S MOTION FOR LEAVE TO FILE MOTION TO DISMISS

Proposed Intervenors Alaskans for Mary and DSCC respectfully move for leave to file their proposed Motion to Dismiss, attached hereto as **Exhibit 1**. Proposed Intervenors sought to intervene in this case because the relief sought by the Department of Justice ("DOJ")—an order enjoining certification of the ongoing U.S. Senate election, but only if the President's preferred candidate loses—poses an obvious threat to Proposed Intervenors' interests in supporting the election of Democratic Senate candidate Mary Peltola. *See generally* Proposed Intervenors' Mot. Intervene, ECF No. 5. As further explained in Proposed Intervenors' proposed Motion to Dismiss, the Complaint is legally baseless. The Complaint fails to identify a cognizable legal claim, fails to identify any legal authority for the lawsuit, fails to advance plausible factual allegations, and requests relief that the Court cannot lawfully grant. *See generally* Exhibit 1.

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Good cause exists for the Court to grant Proposed Intervenors' motion. The 2026 general election is already well under way, and Alaskans are currently voting both by mail and via early in-person voting. Yet DOJ's Complaint hangs over the ongoing election, threatening to disenfranchise Alaskans with an order enjoining the certification of the Senate election if the President's preferred candidate does not win. Alaskans should not be forced to vote under that cloud.

The Court should promptly grant Alaskans for Mary and DSCC's Motion to Interevene, grant this Motion for Leave to File a Motion to Dismiss, and grant the attached Motion to Dismiss.

Dated: October 25, 2026.

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CERTIFICATE OF SERVICE

I hereby certify that on October 25, 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/ *Kevin M. Boots*
Kevin M. Boots

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