

IN THE UNITED STATES DISTRICT COURT	
FOR THE DISTRICT OF ALASKA	
ROBERT GRIFFIN, STANLEY ALLEN VEZEY, TREVOR SHAW, FAMILIES OF THE LAST FRONTIER, AND THE ALASKA FREE MARKET COALITION, Plaintiffs, v. RICHARD STILLIE JR., <i>in his official capacity as chair of the Alaska Public Offices Commission</i>; AND LANETTE BLODGETT, ERIC FEIGE, DAN LASOTA, AND WALTER CARLTON MONEGAN III, <i>in their official capacities as members of the Alaska Public Offices Commission</i>, Defendants, v. Alaskans for Better Elections, Inc., Intervenor-Defendants.	Case No. 3:22-cv-00077 Motion to Unseal Files or, In the Alternative, File Under Seal

Motion to Unseal Files

Plaintiffs hereby respectfully request that the Court unseal the discovery documents produced by Defendant-Intervenor Alaskans for Better Elections (ABE), which are quoted in ECF Nos. 133, 160, 168, 169, 175, and 176. Plaintiffs **do not** wish to have any of their filings with this Court sealed: They filed their briefs under seal solely because they believed they were required to do so by a previous court order.

If the Court is unwilling to unseal Defendant-Intervenor's documents, Plaintiffs reluctantly but respectfully ask that ECF Nos. 133, 160, 168, 169, 175, and 176 remain sealed, as each of those filings does quote from those documents.

Explanation

Plaintiffs, Defendants, and Defendant-Intervenor agreed to a stipulated protective order, ECF No. 84, which this Court approved on July 30, 2025. *See* ECF No. 85, Order on Stipulation & Protective Order for Confidential Information. Under the protective order, files marked “confidential” would not be disclosed to “anyone” not involved in the litigation. *Id.* at 2. At the time, Plaintiffs believed the purpose of this protective order was to ensure that sensitive, personal information, such as banking information, would not be needlessly disclosed.

Plaintiffs have only marked a single file confidential: The names of two donors who were unwilling to contribute to Plaintiff Families of the Last Frontier (FLF) because of the doxxing provisions of Ballot Measure 2. Exhibit 1 (the email

exchange describing the reason said document was confidential). Defendants have similarly refrained from marking documents confidential. *See, e.g.*, ECF No. 133, Plaintiffs' Motion for Summary Judgment (quoting extensively from documents Defendants produced in discovery that are not marked confidential). However, Defendant-Intervenor's actions have differed. As Plaintiffs previously explained:

Defendant-Intervenor insisted on a protective order and then proceeded to label every one of its exhibits "Confidential." This included documents that appeared to be ads Defendant-Intervenor had already run on social media, as well as published press releases. It also included Defendant-Intervenor's own reports to the Commission, even though it was arguing to this Court that Plaintiffs should be mandated to enter their equivalent reports into the public record. Defendant-Intervenor also mixed stock photos of foxes and other woodland critters with its legitimate discovery responses, each one labeled "CONFIDENTIAL" in bold red print.

ECF No. 126, Reply to Oppositions to Motion to File Supplemental Expert Reports, at 7–8 (internal citations removed).

Because every single document Defendant-Intervenor produced in discovery was marked "confidential," Plaintiffs' merits briefings inevitably quoted from sealed documents. Plaintiffs believed the Court's Order granting the protective order had not just granted them permission to file their briefings under seal, but *required* them to do so. See ECF No. 85. Plaintiffs ***do not*** want the documents to be sealed: They value transparency and believe "sunlight" to be "the best of disinfectants." ECF No. 167, Defendant-Intervenor's Opposition to Plaintiffs' Motion for Summary Judgment (quoting *Buckley v. Valeo*, 424 U.S. 1, 67 (1976)).

The Defendant-Intervenor discovery documents Plaintiffs cited in their briefings do not include personal information, such as phone numbers or banking

information. *See* ECF No. 133, ECF No. 160, ECF No. 168, ECF No. 169, ECF No. 175, and ECF No. 176. Many are press releases and advertisements that Defendant-Intervenor publicized itself. *See* ECF No. 133, ECF No. 160, ECF No. 168, ECF No. 169, ECF No. 175, and ECF No. 176. Plaintiffs see no burden to any party in disclosing them.

Conclusion

For these reasons, Plaintiffs request this Court unseal all of its filings. If, however, this Court believes that allowing Plaintiffs to have their briefings made public would violate the protective order, Plaintiffs reluctantly request permission to file ECF No. 133, ECF No. 160, ECF No. 168, ECF No. 169, ECF No. 175, and ECF No. 176 under seal.

Dated: August 24, 2026

/s/ Timothy Kilcullen

Reilly Stephens*
Tim Kilcullen*
Liberty Justice Center
7500 Rialto Blvd., Suite 1-250
Austin, TX 78735
Ph.: 312-637-2280

Craig Richards
Pioneer Law LLC
810 N Street, Suite 100
Anchorage, AK 99501

Attorneys for Plaintiffs
**Admitted pro hac Vice*

EXHIBIT 1



Re: Continued 30(b)(6) deposition for FLF

From Timothy Kilcullen <tkilcullen@libertyjusticecenter.org>

Date Fri 12/19/2025 3:28 PM

To Lober, Helen A (LAW) <helen.lober@alaska.gov>; Sam Gottstein <sam@cashiongilmore.com>

Cc Reilly Stephens <rstephens@libertyjusticecenter.org>; crichards@pioneerlawllc.com
<crichards@pioneerlawllc.com>; Scott Kendall <scott@cashiongilmore.com>; Paton-Walsh, Margaret A (LAW)
<margaret.paton-walsh@alaska.gov>; Weiant, Rebecca L (LAW) <rebecca.weiant@alaska.gov>; Jenkins-Goetz,
Max J P (LAW) <max.jenkins-goetz@alaska.gov>

1 attachment (57 KB)

CONFIDENTIAL FLF Deposition Responses.pdf;

All,

Thank you for your patience and for providing clarity. Here are FLF's responses to the deposition questions Ms. Lober listed.

-Tim

Timothy Kilcullen

Staff Attorney | Liberty Justice Center

512-481-4400

(224) 433-4852 (Cell)

tkilcullen@libertyjusticecenter.org

LibertyJusticeCenter.org



LIBERTY JUSTICE CENTER

From: Lober, Helen A (LAW) <helen.lober@alaska.gov>

Sent: Thursday, December 18, 2025 3:27 PM

To: Timothy Kilcullen <tkilcullen@libertyjusticecenter.org>; Sam Gottstein <sam@cashiongilmore.com>

Cc: Reilly Stephens <rstephens@libertyjusticecenter.org>; crichards@pioneerlawllc.com
<crichards@pioneerlawllc.com>; Scott Kendall <scott@cashiongilmore.com>; Paton-Walsh, Margaret A (LAW)
<margaret.paton-walsh@alaska.gov>; Weiant, Rebecca L (LAW) <rebecca.weiant@alaska.gov>; Jenkins-Goetz,
Max J P (LAW) <max.jenkins-goetz@alaska.gov>

Subject: RE: Continued 30(b)(6) deposition for FLF

Tim and Reilly,

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If FLF wants to submit the names in a document “stamped confidential,” we agree to keep that document confidential under the terms of the July 2025 protective order (thank you, Sam). However, under the protective order, we are still entitled to use that document and those names in this litigation. That includes contacting those witnesses.

The State has no intention of publicizing these names or using them for anything other than the purposes of this case. But in these circumstances, the identities of potential witnesses are neither confidential nor covered by any privilege. FLF already had an obligation to disclose these names on multiple occasions. They did not provide them in initial disclosures, nor did they provide them when specifically asked in Interrogatories. Not only did FLF not provide any names, but it repeatedly stated that names couldn’t be identified because they “remain unknown.” See *FLF’s Interrogatory responses 5, 6, 7, 9, 10*. FLF’s sole objection to these interrogatories was that “such would-be donors, by definition, are not identifiable...”

If FLF subsequently learned the identities of individuals who names should have been disclosed under these interrogatories, FLF had a continuing obligation under Federal Rule of Civil Procedure 26(e) to update their discovery responses. That obligation continues.

HL

Helen Lober

Assistant Attorney General
Alaska Department of Law
907-269-5192

From: Timothy Kilcullen <tkilcullen@libertyjusticecenter.org>

Sent: Wednesday, December 17, 2025 3:28 PM

To: Sam Gottstein <sam@cashiongilmore.com>; Lober, Helen A (LAW) <helen.lober@alaska.gov>

Cc: Reilly Stephens <rstephens@libertyjusticecenter.org>; crichards@pioneerlawllc.com; Scott Kendall <scott@cashiongilmore.com>; Paton-Walsh, Margaret A (LAW) <margaret.paton-walsh@alaska.gov>; Weiant, Rebecca L (LAW) <rebecca.weiant@alaska.gov>; Jenkins-Goetz, Max J P (LAW) <max.jenkins-goetz@alaska.gov>

Subject: Re: Continued 30(b)(6) deposition for FLF

Sam & Helen,

I have spoken to Reilly: We weren't sure if you guys agreed with that interpretation, and were proposing the additional order in case so as to fast-track this (we're not trying to delay). If APOC agrees to using the existing order, the client will have us stamp the names and send them immediately. Just so long as we're all on the same page.

-Tim

Timothy Kilcullen

Staff Attorney | Liberty Justice Center

[512-481-4400](tel:512-481-4400)

[\(224\) 433-4852](tel:(224)433-4852) (Cell)

tkilcullen@libertyjusticecenter.org

[LibertyJusticeCenter.org](https://libertyjusticecenter.org)

