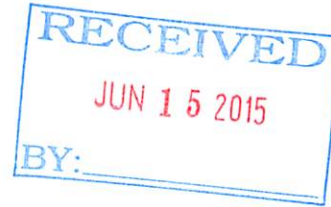


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Attorneys for Defendant
LEGISLATIVE AFFAIRS AGENCY

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

ALASKA BUILDING, INC., an Alaskan
corporation,

Case No.: 3AN-15-05969CI

Plaintiff,

v.

716 WEST FOURTH AVENUE, LLC,
KOONCE PFEFFER BETTIS, INC., d/b/a
KPB ARCHITECTS, PFEFFER
DEVELOPMENT, LLC, LEGISLATIVE
AFFAIRS AGENCY, and CRITERION
GENERAL, INC.,

Defendants.

AFFIDAVIT OF KEVIN M. CUDDY

**(In Support of Defendant Legislative Affairs Agency's Motion for Expedited
Consideration of Defendant Legislative Affairs Agency's Motion for Stay of
Proceedings)**

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, KEVIN M. CUDDY, declare as follows:

AFF. OF KEVIN M. CUDDY ISO OF MOTION FOR EXPEDITED CONSIDERATION OF DEFENDANT
LEGISLATIVE AFFAIRS AGENCY'S MOTION FOR STAY OF PROCEEDINGS

ALASKA BUILDING, INC. V. 716 WEST FOURTH AVENUE, LLC, et al., Case No. 3AN-15-05969CI

1. I am over the age of eighteen and have personal knowledge of the statements contained in this declaration.

2. I am an attorney with the law firm of Stoel Rives, LLP, counsel for Defendant Legislative Affairs Agency ("Agency") in the above-captioned litigation and submit this affidavit in support of Defendant Legislative Affairs Agency's Motion for Expedited Consideration of Defendant Legislative Affairs Agency's Motion for Stay of Proceedings.

3. I have personal knowledge of all facts described herein and affirm all other facts based on my information and belief.

4. Plaintiff served the Agency with a motion for partial summary judgment as to Count 1 on June 12, 2015.

5. The Agency's response to Plaintiff's motion for partial summary judgment will be due by June 29, 2015.

6. The Agency filed a potentially dispositive motion to dismiss Count 1 for lack of standing on May 27, 2015.

7. The briefing on the Agency's potentially dispositive motion is nearly complete.

8. If the Agency is forced to respond to Plaintiff's motion for partial summary judgment, it will likely require the expenditure of significant amounts of attorney time as well as consultations with the client. Plaintiff will then need to file a reply brief. This expenditure of effort and expense may prove to be unnecessary if the Court grants the

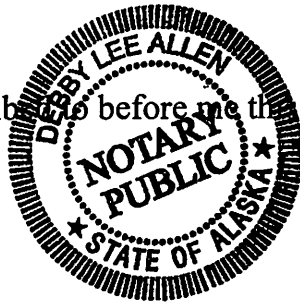
Agency's currently pending motion to dismiss Count 1 on the threshold issue of standing.

I declare under penalty of perjury that the foregoing is true and correct.

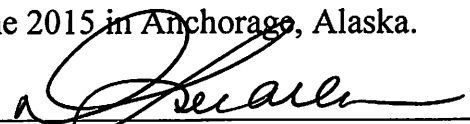
DATED this 15 day of June, 2015.



KEVIN M. CUDDY



Subscribed and sworn to before me this 15th day of June 2015 in Anchorage, Alaska.



Notary in and for the State of Alaska
My Commission expires: 12/17/16

CERTIFICATE OF SERVICE AND OF FONT

This certifies that on June 15, 2015, a true and correct copy of the foregoing was served via USPS Priority Mail on:

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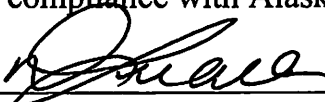
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I further certify that this document was substantively produced in Times New Roman 13, in compliance with Alaska Appellate Rule 513.5(c)(1) and Civil Rule 76(a)(3).



Debby Allen, Practice Assistant

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