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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

ALASKA BUILDING, INC., an Alaska)
corporation,)

Plaintiffs,)

vs.)

Case No.: 3AN-15-05969 Civil

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.)

**REPLY TO PLAINTIFF'S OPPOSITION TO 716 WEST
FOURTH AVENUE, LLC'S MOTION TO STAY DISCOVERY OF COUNT I**

ABI asserts that "716's Discovery Motion is confusing because on June 17, 2015, this Court granted a 45 day of discovery [sic] as to Count One pursuant to the motion of defendant Legislative Affairs Agency (Discovery Stay Order)."¹ The Court did grant a stay of discovery with respect to the *Legislative Affairs Agency's* ("LAA") motion. 716 was not a joined party to that motion. Therefore, this Court has never ruled on whether discovery relating to Count I of ABI's suit should be stayed with respect to 716.

ABI "objects to 716's Discovery Stay Motion on the same grounds as its June 8, 2015, Plaintiffs Opposition to Legislative Affairs Agency's Motion to Stay Discovery."² The Court already found ABI's reasoning to be unpersuasive, as exhibited by its June

¹ Plaintiff Opposition to 716's Motion to Stay Discovery of Count I at 1.

² *Id.* at 2.

ASHBURN & MASON INC.
LAWYERS
1227 WEST 9TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
TEL 907.276.4331 • FAX 907.277.8235


ASHBURN & MASON INC.
LAWYERS
1227 WEST 9TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
TEL 907.276.4331 • FAX 907.277.8235

17 Order Granting Defendant Legislative Affairs Agency's Motion to Stay Discovery. 716's requested stay of discovery is even more compelling now, in light of the post-June 17th briefing surrounding ABI's lack of standing and LAA and 716's subsequent requests to stay proceedings.

716's previously stated reasons for staying discovery, as well as the reasons cited in the June 17th Order, including but not limited to, the pending dispositive standing disputes, the pending motion to stay proceeding, and the timeliness of this stay request all weigh in favor of granting 716 a stay of discovery as to Count I until the Motion to Dismiss Count I is decided.

ASHBURN & MASON, P.C.
Attorneys for 716 West Fourth Avenue, LLC

DATED: 7/10/15

By: 
for Jeffrey W. Robinson
Alaska Bar No. 0805038

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ASHBURN & MASON P.C.
LAWYERS
1227 WEST 9TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
TEL 907.276.4331 • FAX 907.277.8235

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served via hand-delivery facsimile U.S. Mail on the 10th day of July 2015, on:

James B. Gottstein
Law Offices of James B. Gottstein
406 G Street, Suite 206
Anchorage, AK 99501

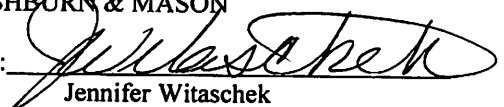
Mark P. Scheer
Scheer & Zehnder LLP
701 Pike Street, Suite 2200
Seattle, WA 98101

Kevin Cuddy
Stoel Rives, LLP
510 L Street, Suite 500
Anchorage, AK 99501

Cynthia L. Ducey
Delaney Wilson, Inc.
1007 W. 3rd Avenue, Ste. 400
Anchorage, AK 99501

Dan Quinn
360 K Street, Suite 200
Anchorage, AK 99501

ASHBURN & MASON

By: 
Jennifer Witaschek

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