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**UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA**

**AMERICAN BOOKSELLERS FOUNDATION FOR FREE
EXPRESSION, et al.**

Plaintiffs,

v.

**DANIEL S. SULLIVAN, in his official capacity as
ATTORNEY GENERAL OF THE STATE OF ALASKA,**

Defendant.

Civil No. 3:10-cv-00193-RRB

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. 56, plaintiffs hereby respectfully move for summary judgment on all counts of their Complaint. In support of this motion, plaintiffs (a) incorporate by reference the Declarations of Allan R. Adler, Crossan R. Andersen, Scott Bradner, Charles Brownstein, David Cheezem, Donald R. Douglas, Julie Drake, Christopher Finan, Barbara M. Jones, David Ongley and John Weddleton, all submitted on September 1, 2010 (Docket Nos. 10-20); and (b)

submit the accompanying Memorandum in Support of Plaintiffs' Motion for Summary Judgment.

As is detailed in the attached memorandum, the undisputed facts and the law applicable to the case establish that plaintiffs are entitled to summary judgment on the ground that the challenged Act violates both the Commerce Clause of, and the First, Fifth and Fourteenth Amendments to, the Constitution of the United States of America.

Respectfully submitted,

s/ Michael A. Bamberger
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Attorneys for Plaintiffs

The undersigned certifies that a true and correct copy of the foregoing Plaintiffs' Motion for Summary Judgment was served via electronic filing this 27th day of December, 2010, upon counsel for Defendant.

s/ Michael A. Bamberger
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