



ALASKA PUBLIC OFFICES COMMISSION

Complainant: ALASKANS FOR BETTER ELECTIONS

Respondents: ALASKANS FOR HONEST ELECTIONS; ALASKANS FOR HONEST GOVERNMENT, RANKED CHOICE EDUCATION ASSOCIATION; and ARTHUR MATTHIAS.

Case No. 24-03-CD

MOTION TO STRIKE UNAUTHORIZED PREHEARING BRIEF AND RESPONSE TO RESPONDENTS PREHEARING BRIEF BY ALASKANS FOR BETTER ELECTIONS AND RESPONSE BY ARTHUR MATTHIAS

Complainant, Alaskans for Better Elections (ABE) has no respect for this Commission's procedural orders. This Commission's December 20, 2024, Notice of Hearing and Procedural Order provides in plain English:

- **“Parties.** The parties in this case are Commission Staff and Respondent.” Notice of Hearing and Procedural Order, p. 1.
- **“(6) Prehearing Filings.** ... a party: ... c) may file a prehearing memorandum.” Notice of Hearing and Procedural Order, p. 2.

There is no provision in the Commission's Procedural Order that permits ABE to file a Prehearing Brief. ABE is not a party to this proceeding. ABE's impermissible and unauthorized Prehearing Brief should be stricken. ABE's Response to Mr. Matthias' Prehearing Brief should also be stricken for the same reason. ABE is not a party to this proceeding and are not entitled to respond. If this Commission respects its own orders and procedures, then it should strike ABE's impermissible and unauthorized filings.

No one associated with AHE dissolved the ballot group. The State of Alaska, without request from anyone associated with AHE, involuntarily dissolved AHE. There is no law requiring anyone, including respondents, to donate funds to AHE. This Commission has no power to order

anyone, including Respondents, to donate funds to AHE or any other entity or group. AHE was involuntarily dissolved by the State of Alaska because it could not pay its biennial report fees.¹

The Commission should be aware that the fines that it issued against Ranked Choice Education Association and Mr. Matthias (and derivatively to some degree AHE) are on appeal to the Alaska Supreme Court. The Commission’s finding that Mr. Matthias was the source of \$90,000 in donations from RCEA to AHE is being challenged as part of that appeal in Alaska Supreme Court Cases Nos. S-19201-S/19221.

Under this Commission’s Procedural Order ABE as a non-party does not have authority to file an opposition to this Motion. Under paragraph 7 of the Procedural Order only a “party” may “respond to a motion.” Notice of Hearing and Procedural Order, p. 2.

CONCLUSION. This Commission should strike ABE’s inappropriate and unauthorized Prehearing Brief and Response to Prehearing Brief.

Dated this 10th Day of January 2025.

Law Offices of Kevin Clarkson, LLC

Kevin Clarkson

By _____

Kevin G. Clarkson
ABA No. 8511149
Law Offices of Kevin Clarkson, LLC
2223 Latona Dr. NE
Keizer, OR 97303
kclarkson@gci.net
(907) 748-4788

¹ AHE continues to be named as a party in the appeal presently pending in the Alaska Supreme Court in Cases Nos. S-19201-S/19221 related to the fines APOC issued in Case No. 23-01-CD.