

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FIRST JUDICIAL DISTRICT AT JUNEAU

ALASKA COMMERCIAL FISHERMEN’S)
MEMORIAL IN JUNEAU,)
)
Plaintiff,)
)
v.) Case No. 1JU-14-487 CI
)
CITY AND BOROUGH OF JUNEAU,)
)
Defendant.)
_____)

**MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

Under Alaska Rule of Civil Procedure 65, the plaintiff moves for a temporary restraining order (TRO) and a preliminary injunction (PI) enjoining 1) the City from entering into any agreement to construct Dock 16B in Gastineau Channel, and 2) the City from paying any money related to any agreement to construct Dock 16B in Gastineau Channel unless and until there is a final decision from the State of Alaska Department of Natural Resources (DNR) transferring the submerged lands in Gastineau Channel to the city for the construction of Dock 16B in Gastineau Channel.

The plaintiff moves that the TRO be issued before the process associated with the plaintiff’s complaint continues, to prevent irreparable harm to the plaintiff, who would be negatively, seriously, and permanently affected by the City 1) entering into

any agreement to construct Dock 16B in Gastineau Channel, and 2) paying any money related to any agreement to construct Dock 16B in Gastineau Channel.

The plaintiff asks that the TRO be effective for thirty days from the date of its issuance, unless extended by the court or by consent of the parties, or until the court can hear and decide on the application for a Preliminary Injunction, whichever date occurs earlier. See Civil Rule 65(b).

The plaintiff moves that the subsequent PI be effective until there is a final decision from DNR transferring the submerged lands in Gastineau Channel to the City. Counsel for the plaintiff certifies that actual notice of this motion and related pleadings have been provided to the defendant by hand delivery to the City Manager's office.

Dated this ____ day of January, 2014

LAW OFFICE OF BRUCE B. WEYHRAUCH, LLC

By: Bruce B. Weyhrauch,
Of Attorneys for Plaintiff
Alaska Bar Number 8706057