

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

CAMPBELL STEM PRESERVATION)
& EDUCATION FOUNDATION,)
ALASKA CORPORATION,)

Plaintiff,)

v.)

ANCHORAGE SCHOOL DISTRICT)
and ANCHORAGE SCHOOL BOARD,)

Defendants.)

Case No. 3AN-26-06081 CI

**UNOPPOSED MOTION FOR EXPEDITED CONSIDERATION OF
MOTION FOR RECONSIDERATION AND MOTION FOR STAY**

COMES NOW Defendants Anchorage School District and Anchorage School Board (collectively "ASD"), by and through its counsel of record, Schwabe, Williamson & Wyatt, P.C., and hereby moves for expedited consideration of both its concurrently filed Motion for Reconsideration of the Court's Order Granting Preliminary Injunction and Limited Expedited Discovery ("Order"), and Motion for Stay of that Portion of the Court's Preliminary Injunction Order Requiring Public Hearing ("Motion for Stay"). The undersigned certifies that I communicated with counsel for the Foundation pursuant to Alaska Rule of Civil Procedure 77(g)(4) regarding this request for expedited consideration. Counsel for the Foundation does not oppose expedited consideration of the Motion for Reconsideration.

SCHWABE, WILLIAMSON & WYATT, P.C.
420 L Street, Suite 400
Anchorage, AK 99501
Telephone: (907) 339-7125

1 A decision on the Motion for Reconsideration and Motion for Stay is needed no
2 later than **Wednesday, May 6, 2026**. ASD respectfully requests that if the Court
3 determines a response from Plaintiff Campbell STEM Preservation and Education
4 Foundation (the “Foundation”) is necessary for the Court to adjudicate the Motion for
5 Reconsideration or Motion for Stay, that the Court order the Foundation to file a
6 response to the principal Motion no later than Tuesday, May 5, 2026.
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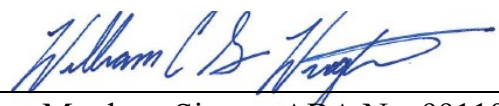
8 Expedited consideration of the principal Motions are needed because the Court
9 ordered ASD to “address their decision regarding Campbell STEM Elementary in light
10 of [the Court’s Order] at a public hearing to be held no later than May 15, 2026, with
11 notice to be provided as required by law.”¹ But as explained in the principal Motions,
12 the Foundation’s claims and requested injunctive relief are nonjusticiable political
13 questions outside the power of this Court to adjudicate. The current mandatory
14 injunction runs roughshod over the separation of powers the political question doctrine
15 was designed to protect and orders a democratically-elected legislative body to
16 reconsider its previous legislative act. That mandatory injunction impermissibly
17 elevates this Court’s policy judgment regarding the proper allocation of scarce
18 education funds—without judicially discoverable and manageable standards to guide
19 that policy judgment—over the judgment of the elected School Board tasked with the
20 constitutional duty to manage the public school system in Anchorage.
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26 ¹ Order at 27.

Further, in granting the mandatory injunction based on a probable success on the merits of the Foundation's arbitrary and capricious claim, the Court overlooked (1) that the legislative acts of a democratically-elected governing body are not subject to an administrative law arbitrary and capricious challenge, (2) that, even if it were, that administrative appeal is time barred by Appellate Rule 602(a)(2), and (3) that the School Board already considered the private grant that served as the basis of the Court's finding that the School Board failed to consider important information, and voted a second time to continue with the closure of Campbell STEM.² These apparent oversights, coupled with the fact that the Foundation's arbitrary and capricious claim and requested relief are nonjusticiable political questions, justify expedited reconsideration of the Court's Order.

DATED at Anchorage, Alaska, this 4th day of May, 2026.

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys for Defendant

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² See Order at 23–24 (explaining that, after the initial vote to close Campbell STEM, two Board Members indicated they were not aware of a private grant that was potentially available for maintenance and repair costs, and that the School Board then held a second vote. “Ultimately, the vote to rescind the action on the closure of Campbell STEM Elementary failed . . .”).

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ANCHORAGE SCHOOL DISTRICT)
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Defendants.)

Case No. 3AN-26-06081 CI

[PROPOSED]
ORDER GRANTING MOTION FOR EXPEDITED CONSIDERATION OF
MOTION FOR RECONSIDERATION AND MOTION FOR STAY

THE COURT, upon consideration of Defendants Anchorage School District and Anchorage School Board's (collectively "ASD") Unopposed Motion for Expedited Consideration of Motion for Reconsideration and Motion for Stay, and being fully advised of the premises, **GRANTS** ASD's Motion for Expedited Consideration.

Plaintiff Campbell STEM Preservation and Education Foundation shall file a response to the Motion for Reconsideration dated May 4, 2026, and Motion for Stay of that Portion of the Court's Preliminary Injunction Order Requiring Public Hearing, no later than Tuesday, May 5, 2026.

The Court shall issue an order on the Motion for Reconsideration and Motion for Stay no later than Wednesday, May 6, 2026.

IT IS SO ORDERED.

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DATED at Anchorage, Alaska, this ____ day of _____, 2026.

Una Gandhir
Superior Court Judge

AK Trial Courts Court Name	PROOF OF SERVICE	3AN-26-06081CI Case Number
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I certify that I served the following document on the persons listed below:

Motion or Motion Related (NOT Proposed Order): Motion for Expedited Consideration of Reconsideration

Proposed Order: Proposed Order Motion for Expedited Consideration of Reconsideration

Person Served	Service Address	Type	Service Date
Scott LeFebvre	scott@impc-law.com	e-Serve	05-04-2026 4:49:48 PM
Ingaldson Fitzgerald, P.C.			314e61b7-1d03-4f84-81c5-3e3ce1858f57
Matthew Singer	msinger@schwabe.com	e-Serve	05-04-2026 4:49:48 PM
Schwabe, Williamson & Wyatt, P.C.			6adf6e78-adc3-49aa-bf64-e44cdcff9ab3
Peter Scully	PScully@Schwabe.com	e-Serve	05-04-2026 4:49:48 PM
Schwabe, Williamson & Wyatt			3d234037-6a6a-451f-81bd-9d25829e8398
Kevin Fitzgerald	kevin@impc-law.com	e-Serve	05-04-2026 4:49:48 PM
Ingaldson Fitzgerald, P.C.			668675d0-ed79-459a-b01e-aca6e12415ae
Melissa Beneke	mbeneke@schwabe.com	e-Serve	05-04-2026 4:49:48 PM
Schwabe			ebc89365-5711-4c50-9944-ff29a3c803bf
William Wright	wwright@schwabe.com	e-Serve	05-04-2026 4:49:48 PM
Schwabe, Williamson & Wyatt			801e3249-8a7f-41fe-8d57-6e60914057b7

TrueFiling created, submitted and signed this proof of service on my behalf through my agreements with TrueFiling.

The contents of this proof of service are true to the best of my information, knowledge, and belief.

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

05-04-2026

Date

/s/Melissa Beneke

Signature

Wright, William (2209074)

Last Name, First Name (Attorney Number)

Schwabe, Williamson & Wyatt

Firm Name

