



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**Department of Law**

DIVISION OF ADMINISTRATIVE SERVICES  
Director's Office

211 4<sup>th</sup> Street STE 200  
Juneau, Alaska 99801-1172  
Main: 907.465.3673  
Fax: 907.465.5419

February 1, 2013

The Honorable Lindsey Holmes  
Chair, Law House Finance Subcommittee  
State Capitol, Room 405  
Juneau, AK 99801-1182

Dear Representative Holmes:

This correspondence is responding to questions raised during the Department of Law's subcommittee meeting dated January 31, 2013. The questions are listed and followed by our response. Please let us know if you have questions.

- **Has the elder abuse law the legislature passed recently made a noticeable impact and if so what is the impact?**

Yes it has had a positive impact. Adult Protective Services has been able to deal with more financial issues – and we are using the subpoena powers in some cases. I can gather anecdotal case information from the APS attorneys if you want but the long and short of it is yes, it has improved our practice in protecting vulnerable adults, especially with respect to financial exploitation.

- **Where was the BP Corrosion award deposited?**

<u>Permanent Fund</u>	<u>CBRF</u>	<u>School Fund</u>	<u>Oil and Hazardous Substance Release and Prevention Fund</u>	<u>Total</u>
\$63,604,188	\$180,855,677	\$1,228,442	\$10,000,000	\$255,688,307

Representative Holmes  
Re: Responses to January 31, 2013 Questions

February 1, 2013  
Page 2

In response to questions related to the reduced judgment surrounding the case known as the Carlson Case (Case No. 3AN-84-5790-CI), I have attached the Final Judgment After Fifth Remand.

Please let me know if you have questions.

Sincerely,



Dave A. Blaisdell

Director, Administrative Services

cc: Brook Larson  
OMB Budget Analyst

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
 2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 DONALD H. CARLSON, WARREN )  
 4 HART, GERARD HASKINS, EARL WEESE, )  
 5 and LYLA C. WEESE, Individually and as )  
 6 Class Representatives on Behalf of All )  
 7 Persons Similarly Situated )  
 8 Plaintiffs, )  
 9 v. )  
 10 STATE OF ALASKA, COMMERCIAL )  
 11 FISHERIES ENTRY COMMISSION, )  
 12 Defendant. ) Case No. 3AN-84-5790 CI

---

13 **FINAL JUDGMENT AFTER FIFTH REMAND.**

14 IT IS ORDERED that judgment is entered against defendant as follows:

15 1. Plaintiff class and individual class members shall recover and shall have  
 16 monetary judgment for a refund with interest as set forth in this Judgment. The principal  
 17 amount of the monetary judgment plus prejudgment interest shall be calculated and paid  
 18 as provided:

- |    |  |                        |
|----|--|------------------------|
| 19 | a. Principal amount of monetary judgment   |                        |
| 20 | (through March 31, 2009)                   |                        |
| 21 |  | <u>\$12,498,224.69</u> |
| 22 | b. Prejudgment interest on \$12,498,224.69 |                        |
| 23 | (through January 31, 2010) <sup>1</sup>    | <u>\$17,952,501.48</u> |

24  
 25 <sup>1</sup> For overpayments made before August 7, 1997, pre-judgment interest is computed at  
 26 10.5 percent, simple interest, through January 31, 2010. For overpayments made on or  
 27 after August 7, 1997, pre-judgment interest is calculated at 3.5 percent simple interest  
 28 under AS 09.30.070 through January 31, 2010. If a disputed refund claim is granted,  
 pre-judgment interest shall accrue on that disputed refund until paid as provided above.

AUG 13 2012

LOREN DOMKE, P.C.  
 ATTORNEY AT LAW  
 2201 NORTH JORDAN AVENUE  
 JUNEAU, ALASKA 99801  
 TELEPHONE (907) 790-2844 FAX: (907) 790-2845  
 E-MAIL: domkelaw@gci.net

LOREN DOMKE, P.C.  
ATTORNEY AT LAW  
2201 NORTH JORDAN AVENUE  
JUNEAU, ALASKA 99801  
TELEPHONE (907) 790-2844 FAX: (907) 790-2845  
E-MAIL: domkelaw@gcl.net

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

c. Subtotal: \$30,450,726.17

d. Attorney Fees \$ 3,047,572.62

Date awarded: March 30, 2012

Judge: The Honorable Peter A. Michalski

e. Costs \$7,028.93

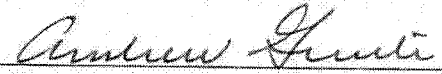
Date awarded: 3/22/10

Judge: Peter A. Michalski

f. **TOTAL JUDGMENT:** \$33,505,327.72

g. Post Judgment Interest Rate: 0 %


DONE this 27<sup>th</sup> day of August, 2012 at Anchorage, Alaska.

  
\_\_\_\_\_  
The Honorable Andrew Guidi  
Superior Court Judge

**CERTIFICATION.**

The undersigned certifies that on the 28<sup>th</sup> day of August, 2012, a true and correct copy of this document was served on the following:

- ✓ Loren Domke, attorney for plaintiffs
- ✓ Lance Nelson, attorney for defendant -ASO

  
\_\_\_\_\_  
Legal Assistant to Judge Andrew Guidi