



# LAWS OF ALASKA

**2003**

**Source**

CSHB 249(JUD) am

**Chapter No.**

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**AN ACT**

Relating to the award of costs and attorney fees to defendants under court rule in civil actions brought under monopoly and restraint of trade statutes; and providing for an effective date.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1



## AN ACT

1 Relating to the award of costs and attorney fees to defendants under court rule in civil actions  
2 brought under monopoly and restraint of trade statutes; and providing for an effective date.

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4 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 LEGISLATIVE INTENT. This Act is intended to clarify and express the intent of  
7 existing law.

8 \* **Sec. 2.** AS 45.50.576 is amended by adding a new subsection to read:

9 (c) In a civil action brought under AS 45.50.562 - 45.50.570, if judgment is  
10 for the defendant, the defendant shall be awarded the defendant's costs of the suit,  
11 including reasonable attorney fees in accordance with rules adopted by the supreme  
12 court for awarding costs and attorney fees to prevailing parties in civil actions. If the  
13 plaintiff in a civil action brought under this section in which judgment is for the  
14 defendant is a class certified under Rule 23, Alaska Rules of Civil Procedure, any  
15 award of costs and attorney fees to the defendant

1                               (1) may be satisfied only through funds, if any, that the class has  
2                               collected from settlements with or judgments against other defendants; and

3                               (2) is not a liability of any individual member of the class.

4       \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).