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ATKINSON, CONWAY
& GAGNON, INC.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

SOP, INC.,)

Plaintiff,)

vs.)

STATE OF ALASKA, DEPARTMENT)
OF NATURAL RESOURCES,)
DIVISION OF PARKS AND)
OUTDOOR RECREATION; BEN)
ELLIS, DIRECTOR OF DIVISION OF)
PARKS AND OUTDOOR)
RECREATION IN HIS OFFICIAL)
CAPACITY,)

Defendants.)

Case No. 3AN-11-5670 CI

FINAL JUDGMENT AND INJUNCTION

The Court has considered the pleadings on file and Opinion No. 6835 issued by the Alaska Supreme Court, and being fully informed,

HEREBY ORDERS, ADJUDGES AND DECREES as follows:

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DEC 20 2013

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The State of Alaska, Department of Natural Resources, Division of Parks and Outdoor Recreation, and the Director of the State of Alaska, Department of Natural Resources, in his or her official capacity (collectively "DPOR") and all agents and employees of DPOR are enjoined as follows:

1. All outstanding permits for summer time motorized use of the Butterfly Lake Trail shall be revoked effective immediately. No permits for summer time motorized use of the Butterfly Lake trail for the purpose of accessing private property shall be issued hereafter unless consistent with applicable law at the time of issuance. DPOR shall provide a) notice to counsel for Plaintiff; and b) copies of any applicable findings, thirty days (30) days prior to issuing any future permit(s) for summer time motorized use of the Butterfly Lake trail. Such notice shall include the terms of the permits and the purposes for which they are to be issued. Counsel for SOP may apply to this Court for an order enjoining issuance of such permits if counsel believes issuance violates applicable law or the terms of this order. This notice requirement shall be in force for five (5) years from the date of this Order.

2. All outstanding permits for storage of boats and other personal property at the north end of Butterfly Lake shall be revoked effective April 30, 2014. No permits for storage of boats or other personal property at the north end of Butterfly Lake shall be issued hereafter unless consistent with applicable law at the time of issuance.

3. Permittees storing boats or other personal property at the north end of Butterfly Lake shall be further notified that they have until April 30, 2014 to remove all such

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FINAL JUDGMENT AND INJUNCTION
SOP, Inc. v. State of Alaska, Case No. 3AN-11-5670 CI

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boats and personal property from park land. DPOR shall take appropriate steps to enforce the requirement that such boats and personal property be timely removed.

4. DPOR shall erect clearly visible signs at both ends of Butterfly Lake trail stating that summer time vehicular use of the trail, and storage of boats and personal items for longer than seventy two (72) hours is prohibited. The signs shall state the penalties for violating the foregoing prohibitions.

5. DPOR shall take reasonable efforts to enforce the bans on summer time motorized traffic on the Butterfly Lake trail and storage of personal property and boats at the north end of Butterfly Lake. Such efforts shall include, issuing citations to individuals found in violation of the foregoing bans.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff SOP, Inc. have and recover judgment against Defendant State of Alaska, Department of Natural Resources, Division of Parks and Outdoor Recreation, as follows:

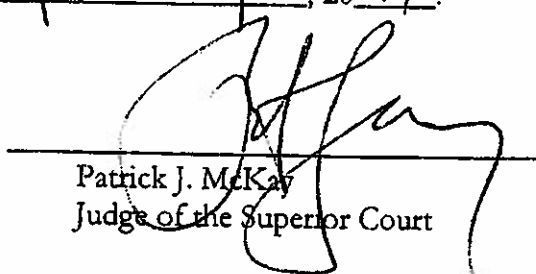
a. \$ _____ in costs and attorney's fees as awarded by the Alaska Supreme Court;

b. \$ _____ in attorney's fees awarded by this Court;

c. \$ _____ in costs awarded by this Court, for a total judgment in favor of Plaintiff SOP, Inc., and against Defendant State of Alaska, Department of Natural Resources, Division of Parks and Outdoor Recreation in the amount of \$ _____

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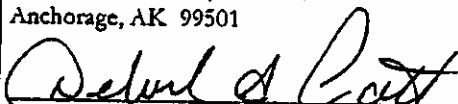
DATED this 8th day of January, 2014.


Patrick J. McKay
Judge of the Superior Court


I certify that on Dec. 20, 2013,
a copy of the foregoing document was sent
to the following attorneys or parties
of record by:

- Mail
- Facsimile
- Hand Delivery

John T. Baker, Esq
Sr. Asst. Attorney General
State of Alaska, Dept. of Law
1031 W. 4th Avenue, Suite 200
Anchorage, AK 99501


Deborah A. Pratt

I certify that on 1/8/14 a copy
of the following was mailed ~~faxed~~ hand-delivered
to each of the following at their addresses of
record.

Patrick Belmore
John J. Baker
Administrative Assistant 

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