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FILED  
STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

2007 OCT 15 PM 3:26  
CLERK TRIAL COURTS

BY  
DEPUTY CLERK

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

CHUGACH ELECTRIC ASSOCIATION, )  
INC., )

Plaintiff, )

Vs. )

RAY KREIG, STEPHEN ROUTH AND )  
CHUGACH CONSUMERS, )

Defendants. )

CASE NO. 3AN-06-13743 CI

**STIPULATION FOR RETURN OF RECORDS AND ORDER**

Pursuant to the terms of a separate settlement agreement, the parties to this case, through their counsel, stipulate to the following:

- (1) Mr. Kreig shall be granted the right of return and re-possession of all documents (and file cabinets) previously possessed by Mr. Kreig as of December 22, 2006 but ordered removed from his possession by the Court in this matter, upon the express agreement that all such documents that were marked by Chugach Electric Association as "confidential" or otherwise considered by Chugach Electric Association to be

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1 confidential and not subject to disclosure shall continue to be  
2 deemed "confidential" and not subject to disclosure by Mr.  
3 Kreig, Chugach Consumers or Mr. Routh (or any agent,  
4 employee, representative, or lawyer of these parties) to any  
5 third party, court, or administrative agency, except as mutually  
6 agreed between Mr. Kreig and Chugach Electric Association;

7  
8 (2) The current custodians of these records, including Alaska  
9 Archives or Bob Stewart, are instructed to release the records  
10 to Mr. Kreig upon presentment of this signed Court order;

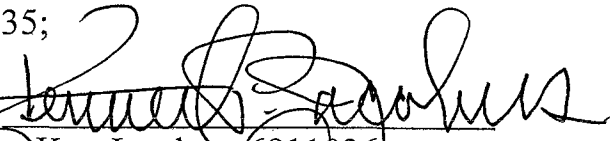
11  
12 (3) Mr. Kreig shall maintain sole custody and possession of these  
13 documents but shall give notice to Chugach Electric  
14 Association in the event the documents are shredded or stored  
15 in any location other than Mr. Kreig's residence, office or  
16 facility under Mr. Kreig's control;

17  
18 (4) Any of the same documents submitted to the court in the case  
19 entitled *Chugach Consumers v. Chugach Electric Association,*  
20 *Inc.*, Case No. 3AN-06-13323, and subsequently removed to  
21 federal court, Case no. 3:06-cv-00280-TMB and thereafter  
22 dismissed by stipulation on January 17, 2007, Docket No. 28  
23  
24

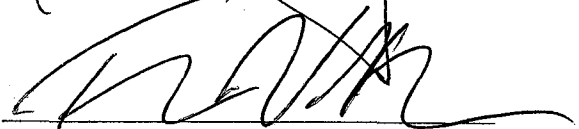
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1 and 29, shall also be returned to Mr. Kreig and deemed  
2 "confidential" and subject to the same conditions set forth in  
3 sections one through three above; as well as the same  
4 documents submitted to the Regulatory Commission of Alaska  
5 in the matter entitled *Chugach Consumers v. Chugach Electric*  
6 *Association*, Docket # U-06-135;

7  
8 DATED: October 12<sup>th</sup>, 2007

9 By:   
10 Ken Jacobus, 6911036  
11 Counsel for Defendants

12 DATED: October 10<sup>th</sup>, 2007

13 By:   
14 Thomas Van Flein, 9011119  
15 Counsel for Chugach Electric, Inc.

16 **ORDER**

17 The stipulation of the parties is entered as the order of this Court. The  
18 Court hereby orders the following:

- 19 1. Mr. Kreig shall be granted the right of return and re-possession of  
20 all documents and his file cabinets previously possessed by Mr.  
21 Kreig but removed by the Court in this matter, upon the express  
22 agreement that all such documents that were marked by Chugach  
23 Electric Association as "confidential" or otherwise considered by  
24

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1 Chugach Electric Association to be confidential and not subject to  
2 disclosure shall continue to be deemed "confidential" and not  
3 subject to disclosure by Mr. Kreig, Chugach Consumers or Mr.  
4 Routh (or any agent, employee, representative, or lawyer of these  
5 parties) to any third party, court, or administrative agency, except  
6 as mutually agreed between Mr. Kreig and Chugach Electric  
7 Association.  
8

- 9
- 10 2. The current custodians of these records, including Alaska  
11 Archives or Robert Stewart, are instructed to release the records  
12 to Mr. Kreig upon presentment of this signed order;  
13
  - 14 3. Mr. Kreig shall maintain sole custody and possession of these  
15 documents but shall give notice to Chugach Electric Association  
16 in the event the documents are shredded or stored in any location  
17 other than Mr. Kreig's residence, office or other facility under his  
18 control;  
19
  - 20 4. Any of the same documents submitted to the court in the case  
21 entitled *Chugach Consumers v. Chugach Electric Association,*  
22 *Inc.*, Case No. 3AN-06-13323, and subsequently removed to  
23 federal court, Case no. 3:06-cv-00280-TMB and thereafter  
24

1 dismissed by stipulation on January 17, 2007, Docket No. 28 and  
2 29, as well as the same documents submitted to the Regulatory  
3 Commission of Alaska in the matter entitled *Chugach Consumers*  
4 *v. Chugach Electric Association*, Docket # U-06-135, shall also  
5 be returned to Mr. Kreig and deemed "confidential" and subject  
6 to the same conditions set forth in sections one through three set  
7 forth above. *⊗ subject to approval/modification*  
8 *by the federal District Court*

9  
10 **IT IS SO ORDERED.**

11 DATED: 10-16-07

11 BY: Adam Gleam  
12 Judge of the Superior Court

13 I certify a true copy of this document was served  
14 on the following people by U.S. Mail on  
October 15, 2007:

15 Ken Jacobus, Esq.  
16 310 K Street, Suite 200  
17 Anchorage, Alaska 99501

18 By: Swabutson

19 I am attached on 10-17-07 a copy  
20 of this document to each of the  
21 following addresses of record  
Swabutson  
22  
23  
24  
25  
26

*van flein*  
*jacobus*

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