

FILED

MAR 19 2012

Karluk Tribal Court

THE KARLUK TRIBAL COURT

For the NATIVE VILLAGE OF KARLUK

authorized by Fed. Recognition (74 Fed. Reg. 40218)

Court contract number 3-12-MC-005-011

The Native Village of
Karluk

Cause no.3-19-12-1

Plaintiff,

VS.

SUMMONS

Koniag Corporation

Defendant.

To: (Defendants name and address)

1. Koniag Inc 194 Alimaq Drive Kodiak, Alaska 99615

A Lawsuit has been filed against you.

Kristeen Reft Court administrator
E-Mail karlukiracouncil@aol.com
P.O. box 22 Karluk Alaska 99608
PH (907)241-2218 FAX (907) 241-2208

The Native Village of Karluk Tribal Court
P.O. Box 237, Toledo WA.98591
PH 360-864-8665 FAX 360-864-8664

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Summons

1 Within 21 days after service of this summons on you
2 (not counting the day you received it) -or 60 days if
3 you are the United states or a United states agency, or
4 an officer or employee of the United States described
5 in Fed. R. Civ. P.12 (a) (2) or (3)- you must serve on
6 the plaintiff an answer to the attached complaint or a
7 motion under Rule 12 of the Federal Rules of Civil
8 Procedure. The answer or motion must be served on
9 plaintiff or plaintiff's attorney whose name and
10 address are:

11 Karluk Tribe, Kurt Kanam

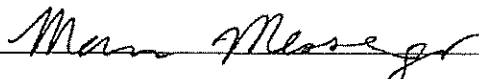
12 2103 Harrison # 143

13 Olympia Washington 98502

14 If you fail to respond, judgement by default will be
15 entered against you for the relief demanded in the
16 complaint. You must file your answer with the court at:

17 Native Village of Karluk tribal Court

18 P.O. Box 237 Toledo WA. 98591

19 

20 CLERK OF COURT

21 Kristeen Reft Court administrator
22 E-Mail karlukiracouncil@aol.com
23 P.O. box 22 Karluk Alaska 99608
24 PH (907)241-2218 FAX (907) 241-2208

25 The Native Village of Karluk Tribal Court
26 P.O. Box 237, Toledo WA.98591
27 PH 360-864-8665 FAX 360-864-8664

28 CERTIFICATE OF JUDGEMENT

FILED

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Court contract number 3-12-MC-005-011

The Native Village of
Karluk

Plaintiff,

VS.

Koniag Corporation

Defendant.

Cause no.3-19-12-1

ORDER TO SHOW CAUSE

This court hereby **orders** the defendant to show cause within 20 days and by 4-20-2012 date why this court should not grant Plaintiff's requested relief.

Done

Orsho Mullins

village of Karluk Tribal Judge



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ORDER TO SHOW CAUSE

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THE KARLUK TRIBAL COURT

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authorized by Fed. Recognition (74 Fed. Reg. 40218)

Court contract number 3-12-MC-005-011

The Native Village of
Karluk

Plaintiff,

VS.

Koniag Corporation

Defendant.

Cause no.3-19-12-1

PROPOSED

DECLARATORY JUDGMENT

This court upon consideration of the evidence presented here by, DECLARES THAT:

1. The Native Village of Karluk voting members unanimously have decided to de-merged from the Koniag Corporation for same reasons found in the jury decision of January 1984 finding that Koniag had mislead it's shareholders.

2.The Native Village of karluk Tribe are entitled to the same awards as the other parties who were fraudulently

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PH 360-864-8665 FAX 360-864-8664

1 mislead and by KONAIG CORP..

2
3 3. The Federal District Court is obliged to register
4 the Declaratory order of this court under Uniform
5 Foreign Judgments Act.

6 Done _____

Native Village of Karluk Tribal Judge

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Kristeen Reft Court administrator
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PROPOSED ORDER

FILED

MAR 19 2012

Karluk Tribal Court

THE KARLUK TRIBAL COURT

For the NATIVE VILLAGE OF KARLUK

authorized by Fed. Recognition (74 Fed. Reg. 40218)

Court contract number 3-12-MC-005-011

The Native Village of
Karluk

Plaintiff,

VS.

Koniag Corporation

Defendant.

CAUSE NUMBER 3-19-12-1

ORIGINAL COMPLAINT FOR
DECLARATORY JUDGEMENT

AFFIDAVIT IN SUPPORT

I Kurt Kanam, make the following statement under
penalty of perjury under the laws of The State of
Washington. I make this statement upon my personal
knowledge and would be offered by me as testimony at
trial.

Kristeen Reft Court administrator
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ORIGINAL COMPLAINT FOR
DECLARATORY JUDGEMENT

Page 1

1 **INTRODUCTION**

2
3 This is action to declare that The Native Village of
4 Karluk voting members unamuosly have decided to de-
5 merged from the Koniag Corporation for same reasons
6 found in the jury decision of January 1984 finding that
7 Koniag had mislead it's shareholders.

8 **PARTIES**

9 Plaintiff's

10 1. The Native Village of Karluk

11 P. o. Box 22 Karluk AK

12 Kurt Kanam, Karluk Tribal Attorney 2103 Harrison #143

13 Olympia WA 98502

14 Defendant's

15 2. Koniag Inc 194 Alimaq Drive Kodiak, Alaska 99615

16 **ALLEGATIONS**

17 1. The voting members of Native Village of Karluk
18 Tribal Unanimously agreed to de merger from Koinag Inc
See Attachment A.

Kristeen Reft Court administrator
E-Mail karlukiracouncil@aol.com
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P.O. Box 237, Toledo WA.98591
PH 360-864-8665 FAX 360-864-8664
ORIGINAL COMPLAINT FOR

Page 2

DECLARATORY JUDGEMENT

1
2 2.Koniag Inc has mislead the voting members of the
Native Village of Karluk . See Attachment B.

3
4 3. The Native Village of Karluk Tribe, do to economic
5 reasons were not able to join litigation in the causes
listed below:

6 The Native village of karluk Tribe were also defrauded
7 by KONIAG CORPORATIONS'S misleading and fraudulent
merger. The proof being the jury decision for:

8 Arnold A. Olson et. Al. V. AFOGNAK Corporation cause
number 3AN-80-8227-CIV

9 Nicholas Shuravloff, et. al. V.KONIAG INC. et. Al.
Cause number 3AN-81-8353 CVI

10 Ralph Eluska, et al. V. KONIAG CORP. Et. Al. Cause
11 number 3AN-82-4218 CIV

12 Victor Peterson, et. Al. V. KONIAG CORP. Et. al. cause
13 number 3AN-82-5673 CIV with findings that prove
14 without doubt The Native Village of Karluk were also
fraudulently mislead.

15 4. The Native village of Karluk believe that fraud has
16 no standing or statue of limitations.

17 5. The Native Village of karluk Tribe were never

18 Kristeen Reft Court administrator
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ORIGINAL COMPLAINT FOR
DECLARATORY JUDGEMENT

Page 3

1 compensated for the misleading and fraudulent merger
2 made by KONIAG CORP. THE Native Village of karluk tribe
3 are entitled to the same awards as the other parties
4 were awarded.

5 JURISDICTION

6 This Court has jurisdiction over this matter by way of
7 The declaratory Judgments Act an the Administrative
8 Procedures Act.

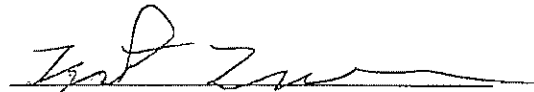
9 REQUEST FOR RELIEF

10 Plaintiff requests this court to declare the
11 following:

12 1. The Native Village of Karluk voting members
13 unanimously have decided to de-merged from the Koniag
14 Corporation for same reasons found in the jury decision
15 of January 1984 finding that Koniag had mislead it's
16 shareholders.

17 2.The Native Village of karluk Tribe are entitled to the
18 same awards as the other parties who were fraudulently
mislead and by KONAIG CORP..

Date 7/19/2009



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ORIGINAL COMPLAINT FOR
DECLARATORY JUDGEMENT

Page 4

1 Kurt Kanam

2 Notary Public

3 STATE OF WASHINGTON)

4) ss:

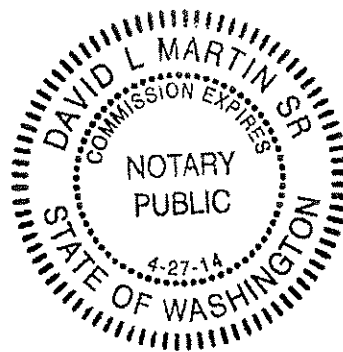
5 COUNTY OF LEWIS)

6 On this day personally appeared before me
7 Kurt Kanam to me known to be the
8 individual described in and who executed the within and
9 foregoing instrument, and acknowledged that he signed
10 the same as his free and voluntary act and deed, for the
11 uses and purposes therein mentioned.

GIVEN under my hand and official seal this

11 19 day of March, 2012 Notary
12 Public David L. Martin Sr.

13 My commission expires 4/27/14.



14
15
16
17
18 Kristeen Reft Court administrator
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ORIGINAL COMPLAINT FOR
DECLARATORY JUDGEMENT

ATTACHMENT A

AFFIDAVIT OF MARY REFT

I, Mary Reft, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746

Mary Reft

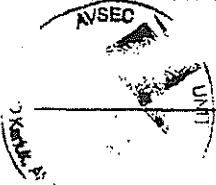
Mary Reft

NOTARY PUBLIC

STATE OF ALASKA)
) SS
BOROUGH OF KODIAK)

On this day personally appeared before me, Mary Reft, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct. 2010



Notary Public

*⓪ postmaster
Kathryn Reft*

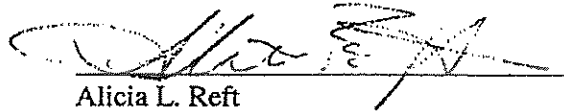
My commission expires _____

AFFIDAVIT OF ALICIA L. REFT

I, Alicia L. Reft, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746


Alicia L. Reft

NOTARY PUBLIC

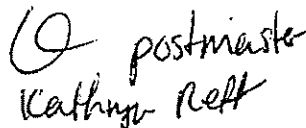
STATE OF ALASKA)
) SS
Borough of Kodiak)

On this day personally appeared before me, Alicia L. Reft, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct. 2010



Notary Public


Kathryn Reft


My commission expires _____

AFFIDAVIT OF JOYCE JONES

I, Joyce Jones, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746



Joyce Jones

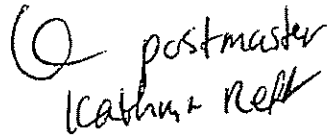
NOTARY PUBLIC

STATE OF ALASKA)
) SS
BROUGH OF KODIAK)

On this day personally appeared before me, Joyce Jones, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct. 2010

 Notary Public

 postmaster
Kathryn Reff

My commission expires _____

AFFIDAVIT OF GLADYS CHARLIAGA

I, Gladys Charliaga Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746

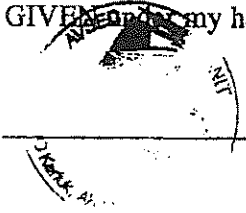
Gladys Charliaga
Gladys Charliaga

NOTARY PUBLIC

STATE OF ALASKA)
) SS
Borough of Kodiak)

On this day personally appeared before me, Gladys Charliaga, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this _____ day of _____

 Notary Public

*to postmaster
Kathryn Kelt*

My commission expires _____

AFFIDAVIT OF NADIA ALPIAK

I, Nadia Alpiak, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746

Nadia Alpiak
Nadia Alpiak

NOTARY PUBLIC

STATE OF ALASKA)
) SS
BOROUGH OF KODIAK)

On this day personally appeared before me, Nadia Alpiak, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct. 2010



Notary Public

postmaster
Kathryn Reft

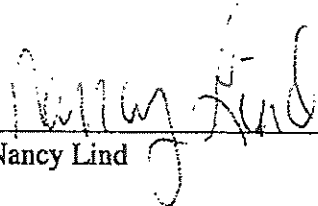
My commission expires _____

AFFIDAVIT OF NANCY LIND

I, Nancy Lind, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746



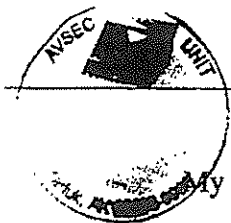
Nancy Lind

NOTARY PUBLIC

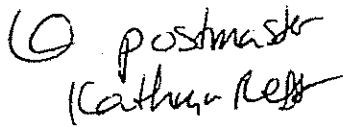
STATE OF ALASKA)
) SS
Borough of Kodiak)

On this day personally appeared before me, Nancy Lind, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct. 2014



Notary Public


Cathryn Reff

My commission expires _____

AFFIDAVIT OF CECIL CHARLIAGA

I, Cecil Charliaga, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I herby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746

Cecil Charliaga
Cecil Charliaga

NOTARY PUBLIC

STATE OF ALASKA)
) SS
BUROUGH OF KODIAK)

On this day personally appeared before me, Cecil Charliaga, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct. 2010



Notary Public

Q postmaster
Kathryn Rett

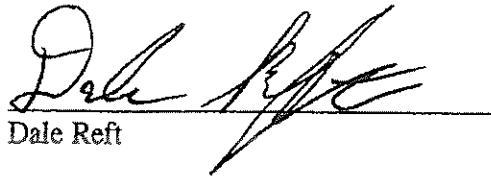
My commission expires _____

AFFIDAVIT OF DALE REFT

I, Dale Reft, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746

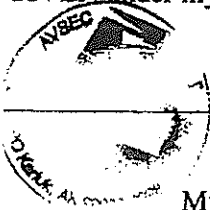

Dale Reft

NOTARY PUBLIC

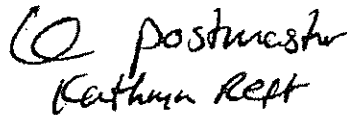
STATE OF ALASKA)
) SS
Borough of Kodiak)

On this day personally appeared before me, Dale Reft, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct 2010



Notary Public


Kathryn Reft

My commission expires _____

AFFIDAVIT OF SARAH WASELIE-REFT

I, Sarah Waselie, ^{reft} Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I herby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746

Sarah Waselie-Reft
Sarah Waselie - Reft

NOTARY PUBLIC

STATE OF ALASKA)
) SS
Borough of Kodiak)

On this day personally appeared before me, Sarah Waselie, ^{reft} to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct. 2010



Notary Public

Q postmaster
Kathryn Reft

My commission expires _____

AFFIDAVIT OF KATHRYN REFT

I, Kathryn Reft, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746



Kathryn Reft

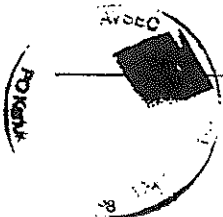
NOTARY PUBLIC

Witness: Theodore J. Hartsepp
Nadia Alpida

STATE OF ALASKA)
)
) SS
BOROUGH OF KODIAK)

On this day personally appeared before me, Kathryn Reft, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this _____ day of _____



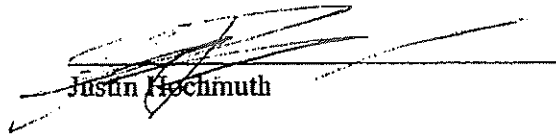
Notary Public
My commission expires _____

AFFIDAVIT OF JUSTIN HOCHMUTH

I, Justin Hochmuth, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746

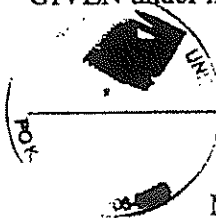

Justin Hochmuth

NOTARY PUBLIC

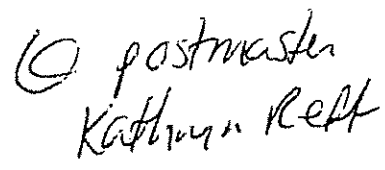
STATE OF ALASKA)
) SS
BUROUGH OF KODIAK)

On this day personally appeared before me, Justin Hochmuth, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct 2010



Notary Public


Kathryn Reft

My commission expires _____

AFFIDAVIT OF THEODORE SQUARTSOFF

I, Theodore Squartsoff, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am an eligible voting member of the Native village of Karluk, I hereby provide my vote to de-merger the Karluk Village Corporation from Koniag Inc. and return the Old Karluk Reservations lands to the exclusive jurisdiction of the Native Village of Karluk.

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746

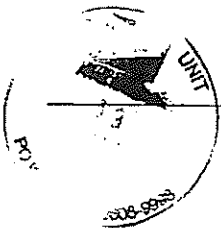
Theodore Squartsoff
Theodore Squartsoff

NOTARY PUBLIC

STATE OF ALASKA)
) SS
BROUGH OF KODIAK)

On this day personally appeared before me, Theodore Squartsoff, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct. 2010



____ Notary Public

*Q postmaster
Kathryn Reft*

My commission expires _____

AFFIDAVIT OF ALICIA L. REFT

I, Alicia L. Reft, Make the following statement under the penalty of perjury under the laws of the State of Alaska. I make this statement upon my personal knowledge and would be offered by me as testimony at trial

I am the dully-elected president of the Karluk IRA Council; I herby certify that the following is a complete list of the entire eligible voter of the Native Village of Karluk

- 1. Mary Reft
- 2. Alicia L. Reft
- 3. Joyce Jones
- 4. Gladys Charliaga
- 5. Nadia Alpiak
- 6. Nancy Lind
- 7. Cecil Charliaga
- 8. Dale Reft
- 9. Sarah Waselie - *Reft*
- 10. Betty Lind
- 11. Kathryn Reft
- 12. ~~Justin~~ Justin Hochmuth
- 13. Lydia Malutin
- 14. Theodore Squartsoff

I certify the forgoing to be correct and true under the penalty of perjury of the laws of the State of Alaska also stated under the authority of 28 USC Sec 1746

Alicia L. Reft
Alicia L. Reft

NOTARY PUBLIC

STATE OF ALASKA)
) SS
BOROUGH OF KODIAK)

On this day personally appeared before me, Alicia L. Reft, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 19 day of Oct. 2014



Notary Public My commission expires 10 postmaster
Kathryn Reft

ATTACHMENT B



Research Report

For
KURT KANAM

REQUEST:

Obtain certified copy of 1984 jury decision regarding J.F. Morse then president of Koniag, Inc.

INSTITUTE(S):

Nesbett Courthouse
Anchorage, Alaska

CITATION(S):

Case # 3AN-80-08227CI
Microfilm #3AN8902634 REF: 15.9

DATE: 10.14.2011

REPORT NUMBER: 10.11_3

ATTACHMENTS:

SCANS

EMAILS

INVOICE REFERENCE:

10.11.007

A preliminary search of the records at the Nesbett Courthouse showed that the case, Arnold A. Olsen, et al., v Afognak Native Corporation, et al., was filed in December of 1980. Searching under the filing date, the case was found on microfilmed on 19 cassettes of 3,000 pages each comprised of 92 volumes. Turns out this 'demerger' case evolved into a very long and complicated litigation ultimately incorporating four other cases and involving five Alaska Native corporations established under the Alaska Native Claims Settlement Act.

Ultimately, the case came down to securities fraud over misleading statements sent to shareholders of the corporation that resulted in a favorable vote for a merger. The case was 'bifurcated' with a separate trial for liability held in January of 1984 and one for damages held in March of that year. The jury decision in the first trial on liability that involved James Finley Morse of Koniag Native Corporation was located on the 16th cassette reviewed, #3AN8902634 on page 15.9. It was titled 'Special Verdict Form' and filed in court on January 6, 1984.

Attached is a certified copy of the 4-page verdict and the 1-page Bailiff's Oath.

Research time:

10.11.2011 10:30-11:30AM 1 hour

10.13.2011 10:30-2:30PM 4 hours

10.14.2011 10:00-1:00PM 3 hours

The court did not charge for the certification. ☺

Researched and compiled by Penelope Goforth



Thank you for asking!

SeaCat Explorations POB 240165 Anchorage, Alaska 99524 Tel: 907.277.0721 seacat@cybrrcat.com

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1-6-84
FILED IN OPEN COURT
8:00 AM

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT

ARNOLD A. OLSEN, et al.,
Plaintiffs,
vs.
AFOGNAK NATIVE CORPORATION,
et al.,
Defendants.

Case No. 3AN-80-8227 CIV

NICHOLAS SHURAVLOFF, et al.,
Plaintiffs,
vs.
KONIAG, INC., et al.,
Defendants.

Case No. 3AN-81-8353 CIV

RALPH ELUSKA, et al.,
Plaintiffs,
vs.
KONIAG, INC., et al.,
Defendants.

Case No. 3AN-82-4218 CIV

VICTOR PETERSON, et al.,
Plaintiffs,
vs.
KONIAG, INC., et al.,
Defendants.

Case No. 3AN-82-5673 CIV

SPECIAL VERDICT FORM

We, the jury in the above-entitled case, find the following on the questions submitted to us.

Part I

1. Do you find by a preponderance of the evidence that Defendant J. P. Morse is liable for violating the Alaska Securities Act, AS 45.55.220(c)? (Check "yes" or "no" below.)

Yes No

2. Do you find by a preponderance of the evidence

that Defendant J. F. Morse breached his fiduciary duties to Koniag, Inc. and/or its shareholders? (Check "yes" or "no" below.)

Yes _____ No

3. If you answered "yes" to question No. 2 above, do you find by a preponderance of the evidence that defendant Morse's breach of fiduciary duty was a proximate cause of damage to plaintiffs? (Check "yes" or "no" below.)

Yes _____ No

Part II

4. Do you find by a preponderance of the evidence that the attorney defendants, or any of them, aided and abetted in a securities law violation in this case?

(Check "yes" or "no" as to each of those listed below.)

Dan Hensley Yes No _____

Margie MacNeille Yes No _____

Ed Weinberg Yes No _____

The law firm of
Duncan, Weinberg,
Miller, et al. Yes No _____

5. a. Do you find by a preponderance of the evidence that the attorney defendants, or any of them, were negligent?

(Check "yes" or "no" as to each of those listed below.)

Dan Hensley Yes No _____

Margie MacNeille Yes No _____

Ed Weinberg Yes No _____

The law firm of
Duncan, Weinberg,
Miller, et al. Yes No _____

b. If you answered "yes" as to any one or more of the attorneys in answers to question No. 5a above, then you must answer the following question:

Do you find by a preponderance of the evidence that such negligence was a proximate cause of damage to any of the plaintiffs? (Check "yes" or "no" as to each of those

listed below.)

Dan Hensley	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Margie MacNeille	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Ed Weinberg	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The law firm of Duncan, Weinberg, Miller, et al.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

6. Do you find by a preponderance of the evidence that the attorney defendants, or any of them, breached their fiduciary duties to any of their clients in this case?

(Check "yes" or "no" as to each of those listed below.)

Dan Hensley	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Margie MacNeille	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Ed Weinberg	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
The law firm of Duncan, Weinberg, Miller, et al.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

7. If you answered "yes" as to any one or more of the attorneys in answers to question No. 6 above, then you must answer the following question:

Do you find by a preponderance of the evidence that such breach of fiduciary duty was a proximate cause of damage to any of the plaintiffs? (check "yes" or "no" as to each of those listed below.)

Dan Hensley	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Margie MacNeille	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Ed Weinberg	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
The law firm of Duncan, Weinberg, Miller, et al.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Part III

8. Do you find by a preponderance of the evidence that defendant Coopers & Lybrand aided and abetted a securities law violation in this case?

Yes No

9. Do you find by a preponderance of the evidence that defendant Coopers & Lybrand was negligent?

(Check "yes" or "no" below.)

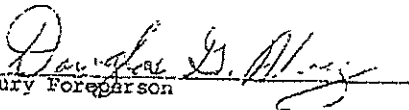
Yes _____ No

10. If you answered "yes" to question No. 9 above, then you must answer the following question:

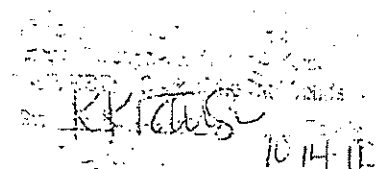
Do you find by a preponderance of the evidence that such negligence was a proximate cause of damage to any of the plaintiffs? (Check "yes" or "no" below.)

Yes _____ No _____

DATED: January 6, 1984.


Douglas D. Almy
Jury Foreperson

-4-


10/14/11

IN THE TRIAL COURTS FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT

Arnold O. Lewis, et al
Plaintiff,

vs.

Offshore Marine Corp. et al
Defendant.

1-5-84
sk

Case No. *FAA-80-9227 Case*

STATE OF ALASKA }
THIRD JUDICIAL DISTRICT) ss.

BAILIFF'S OATH

I, *Alvinette M. Fox*, duly appointed as Bailiff by the Trial Court do hereby swear to keep and maintain this oath as follows:

1. I, having the jury under my charge, shall keep the jurors together and separate from others persons.
2. I shall not suffer any communication to be made to the jury nor make any myself except to ask the jury if they have agreed upon their verdict.
3. I will not, before the verdict is returned, communicate to any person the state of their deliberations or the verdict agreed upon.

SO HELP ME GOD.

DATED at Anchorage, Alaska, this *4th* day of *January*, 19*84*.

Alvinette M. Fox
Bailiff

SUBSCRIBED AND SWORN to before me this *4th* day of *January*, 19*84*.

Bill Kube
Deputy Clerk or Notary Public

APPOINTMENT OF BAILIFF

I, the undersigned Trial Court Judge, presiding in the above entitled matter, hereby appoint _____ as Bailiff and officer of the Court to keep and maintain the jury under his charge according to law.

DATED at Anchorage, Alaska, this *4th* day of *January*, 19*84*.

Dagley S. Sedberry
Trial Court Judge

FILED

MAR 19 2012

Karluk Tribal Court

THE KARLUK TRIBAL COURT
For the NATIVE VILLAGE OF KARLUK
authorized by Fed. Recognition (74 Fed. Reg. 40218)
Court contract number 3-12-MC-005-011

The Native Village of
Karluk

Plaintiff,

VS.

Koniag Corporation

Defendant.

Cause no. 3-19-12-1

CERTIFICATE OF SERVICE
By CERTIFIED MAIL

I here by certify that on March 23, 2012, I served by certified US Postal Service the following documents ORIGINAL COMPLAINT, SUMMONS, and KARLUK TRIBAL COURT ORDER TO SHOW CAUSE dated March 19, 2012 and a PROPOSED ORDER, EX-PARTE ORDER TO SERVE BY CERTIFIED U.S. MAIL, to the following :

TO:

Kristeen Reft Court administrator
E-Mail karlukiracouncil@aol.com
P.O. box 22 Karluk Alaska 99608
PH (907)241-2218 FAX (907) 241-2208

The Native Village of Karluk Tribal Court
P.O. Box 237, Toledo WA.98591
PH 360-864-8665 FAX 360-864-8664

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CERTIFICATE OF SERVICE

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KONIAG INC. 194 Alimaq Drive Kodiak, Alaska 99615

Date Mar 23 2012

Signature Man Messer

Kristeen Reft Court administrator
E-Mail karlukiracouncil@aol.com
P.O. box 22 Karluk Alaska 99608
PH (907)241-2218 FAX (907) 241-2208

The Native Village of Karluk Tribal Court
P.O. Box 237, Toledo WA.98591
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CERTIFICATE OF SERVICE

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