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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

CRUISE LINES INTERNATIONAL
ASSOCIATION ALASKA, *et al.*,

Plaintiffs,

v.

CITY AND BOROUGH OF
JUNEAU, ALASKA, *et al.*,

Defendants.

Case No. 1:16-cv-00008-HRH

**PLAINTIFFS’ MOTION FOR LEAVE TO
FILE LIST OF EXHIBITS SHOWING
OBJECTIONS TO MARINE PASSENGER
FEE AND PORT DEVELOPMENT FEE**

Plaintiffs Cruise Lines International Association and Cruise Lines International Association Alaska (collectively, “CLIA”) hereby seek leave of this Court to submit CLIA’s *List of Exhibits Showing Objections To Marine Passenger Fee and Port Development Fee by Cruise Lines International Association Alaska, Alaska Cruise Association, and North West Cruiseship Association* (attached hereto as Exhibit A) for the purpose of assisting the Court in its consideration of the pending dispositive motions. This proposed submission responds to the

summary chart provided by Defendants City and Borough of Juneau and Rorie Watt to the Court at the hearing on Tuesday, September 18, 2018. Defendants did not provide CLIA with Defendants' summary chart in advance of the hearing.

CLIA's *List of Exhibits* provides the Court and opposing counsel with record references to some of the objections lodged by Cruise Lines International Association Alaska, Alaska Cruise Association, and North West Cruiseship Association¹ to Marine Passenger Fee and Port Development Fee expenditures.

All record references provided in the *List of Exhibits* are to exhibits offered by Defendants in support of their summary judgment filings.

CLIA does not represent that the attached *List of Exhibits* provides a full and complete list of the objections made by Cruise Lines International Association Alaska, Alaska Cruise Association, and North West Cruiseship Association since the enactment of the Maine Passenger Fee and Port Development Fee.

CLIA respectfully requests that this Court grant CLIA leave to file the attached *List of Exhibits* and accept the *List of Exhibits* for any assistance it may provide the Court during its consideration of the pending dispositive motions.

¹ By listing objections made by North West Cruiseship Association here, CLIA does not waive the bases for its response in opposition to Defendants' cross-motion for summary judgment on Defendants' affirmative defenses, which relied in part on unsupported assertions that Northwest Cruise Association was the predecessor of CLIA. *See* CLIA's Surreply, ECF No. 191 at 3-4; Decl. of Lalanya Downs, ECF No. 192.

DATED: September 21, 2018

By: /s/ C. Jonathan Benner
C. Jonathan Benner (*pro hac vice*)
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CERTIFICATE OF SERVICE

I certify that on September 21, 2018, I caused a true and correct copy of the foregoing document to be served via the Court's electronic filing system, on counsel for Defendants, and upon the Honorable H. Russel Holland, Judge District Court of Alaska.

/s/ Kathleen E. Kraft
Kathleen E. Kraft