

## John Bennett

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**From:** Lynch, Sean P (LAW) <sean.lynch@alaska.gov>  
**Sent:** Thursday, January 14, 2021 3:54 PM  
**To:** John Bennett  
**Subject:** Re: Merger of title request

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**From:** John Bennett <JBennett@rmconsult.com>  
**Date:** Wednesday, January 13, 2021 at 10:18 AM  
**To:** "Lynch, Sean P (LAW)" <sean.lynch@alaska.gov>  
**Subject:** RE: Merger of title request

The merger issue in the OSK case was dealt with in the Court's summary judgment dated 7/9/09. The final superior court order dated 4/6/10 references this and both are attached. I have to say I'm somewhat surprised that you can only access Supreme Court decisions. Although I didn't have a need to look for the OSK orders online, as a result of Covid, Westlaw expanded their free online access and I find that not only can I get the Supreme Court Decisions, but often the appeals briefs, as well as the Superior Court briefs, motions and decisions. Not always complete but I think it depends on the age of the case. Thanks Westlaw! As if more access to the law would make us less crazy during lockdown! OSK filed a motion to limit my testimony in this case but was denied. It's not as if I don't get told to shut up enough at home... In addition to the two attached orders, I also have several motions & memos from both sides that reference the merger issue. Not sure if they would be helpful to you but if you want them I can send them in a couple of email. I'm not sure if what you are doing will ultimately end up with the administrative order that was previously discussed that

would provide both DNR & DOT their marching orders on this issue. Not sure if DNR still has their backs up regarding management authority.

That's all I got unless you want more detail. Take care JohnB

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**From:** Lynch, Sean P (LAW) [mailto:sean.lynch@alaska.gov]  
**Sent:** Tuesday, January 12, 2021 6:21 PM  
**To:** John Bennett <ak\_penguin@hotmail.com>  
**Subject:** Merger of title request

Hello John,

I'm putting together a quick memo on DOT&PF jurisdiction over material sites, and I'm hoping that you have a copy of the Superior Court summary judgment opinion in State v Offshore Systems. I saw that you quoted the decision in memo to Ryan Anderson, and really like the court's statement. However, I'm only able to access the Supreme Court's decision in that case.

Hope all is well with you, and I hope you have a ready copy of that decision :)

Best,

Sean

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