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

ALASKA STATE EMPLOYEES)
ASSOCIATION, LOCAL 52,)
)
Plaintiff,)
)
vs.)
)
STATE OF ALASKA;)
DEPARTMENT OF HEALTH &)
SOCIAL SERVICES; DEPARTMENT)
OF ADMINISTRATION; OFFICE of)
GOVERNOR MICHAEL J. DUNLEAVY,)
)
Defendants.)

COPY
Original Received
APR 15 2019
Clerk of the Trial Courts

Case No. 3AN-19- 06327 CI

AFFIDAVIT OF MOLLY C. BROWN

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, Molly C. Brown, being first duly sworn, state as follows:

1. I am an attorney at Dillon & Findley, P.C., the firm that represents the Alaska State Employees Association ("Union") in the above-referenced case.

2. In preparation to file the Motion for Temporary Restraining Order and Preliminary Injunction, I contacted Stacie Kraly, an attorney at the Department of Health & Social Services

1 ("DHSS"). I told Ms. Kraly over the phone and via email that
2 the Union intended to file suit and would be requesting
3 injunctive relief, and inquired about whether the State of
4 Alaska would agree to a briefing schedule regarding the motion
5 practice. Ms. Kraly informed me that she had to check with her
6 client. But that if the Union filed suit on Monday, April 15,
7 2019, she expected the State of Alaska would enter an appearance
8 on the next day or soon after and that we could resolve any
9 issues with a briefing schedule. I served Ms. Kraly with a copy
10 of the pleadings filed on April 15, 2019 via email. Dillon &
11 Findley also served the pleadings and papers filed via hand-
12 delivery in Anchorage to the Department of Law, Attorney
13 General's Office, and via certified mail to Juneau, Alaska.
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16 3. Over the course of the last several weeks, I have
17 reviewed documents produced by the State of Alaska in response
18 to public records requests, and have listed to numerous hearings
19 regarding the contract between the State of Alaska and Wellpath
20 Recovery Solutions, LLC ("Wellpath"). The extensions to the
21 original contract with Wellpath ("Wellpath Contract") are not
22 depicted in any documents that I have reviewed or that are
23 publicly available.
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2 4. At a hearing regarding the requested injunctive
3 relief, the Union will present witnesses who will testify under
4 oath regarding the changing nature of the promises the State of
5 Alaska has made with respect to their future employment at the
6 Alaska Psychiatric Institute ("API"), including that

- 7
- 8 • Union members have been informed that no one will lose
9 their jobs, but then have been informed that no one's job
10 is certain or safe;
 - 11 • Union members' schedules have been modified, including by
12 making demands that certain employees return to work on
13 days off, refusing to make informational meetings
14 available via video, causing Union members to return to
15 work on days off to hear updates regarding their jobs;
 - 16 • Union members have received information that the State of
17 Alaska or Wellpath would circulate information about
18 hiring on with Wellpath, including human resources and
19 benefits information, and then failed to do so; and
 - 20 • Timelines have been pushed back and then changed again,
21 including most recently an announcement regarding the
22 date Wellpath intends to fully take over API, including
23 by changing the April 15, 2019 deadline.

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26 Union members will further testify that these changes and mixed
messages have left them feeling anxious and worried about their
future at API.

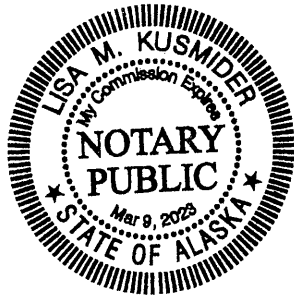
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FURTHER THIS AFFIANT SAYETH NAUGHT.

Molly C. Brown
Molly C. Brown

SUBSCRIBED AND SWORN to before me this 15th day of April
2019, at Anchorage, Alaska.



Lisa M. Kusmider
Notary Public for the State of Alaska
My Commission Expires: 3/9/2023