

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

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

Plaintiffs,

v.

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

Defendants.

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

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008	City and Borough of Juneau, Ak., Ordinance, Serial No. 2015-20(AV), “An Appropriation Transferring to the Manager the Sum of \$42,233 as FY16 Supplemental Funding for the Law Department; Funding Provided by the Open Space Waterfront Land Acquisition Capital Improvement Project” (introduced Aug. 1, 2016), available at: https://beta.juneau.org/clerk/adopted-legislation (last visited Oct. 17, 2017)	
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052	Memorandum from J. Geldhof to R. Swope, City and Borough Manager, Draft FY12 Marine Passenger Fee (MPF) Proceeds Spending Recommendations (Feb. 13, 2011)	CBJ091178
053	Draft Application for Conditional Use Permit, City and Borough of Juneau Docks and Harbors Department, Downtown Cruise Ship Dock Reconfiguration (Sept. 7, 2011)	CBJ110731
054	Marine Passenger Fee Project Status Report (as of June 2014)	CBJ139042-139045
055	Moore and Associates, Downtown Business Association Downtown Circulator Shuttle Feasibility Study (Feb. 2009)	CBJ142842
056	City and Borough of Juneau, Ak., Docks and Harbors Board, Docks Fee Review Committee Meeting Minutes (March 24, 2016)	CBJDH01507-01511
057	City and Borough of Juneau, Ak., Docks and Harbors Department, Invoice No. 549078 to Norwegian Cruise Lines, MPF and PDF Fees at AJ Dock (May 21, 2015)	CBJINVOI CE10637-10638
058	City and Borough of Juneau, Ak., Docks and Harbors Department, Invoice No. 574395 to Norwegian Cruise Lines, MPF and PDF Fees at Franklin Dock (Sept. 23, 2015)	CBJINVOI CE10673-10674
059	City and Borough of Juneau, Ak., Docks and Harbors Department, Invoice No. 550178 to Holland America Line Oosterdam, MPF and PDF Fees, Port Maintenance Fee, Potable Water Fee, and Cruise Ship Wharfage Fee at Cruise Ship Terminal Dock (May 28, 2015)	CBJINVOI CE10718-10720
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066	Memorandum from C. Uchtyl, Port Director, to K. Day, Princess Cruises, and D. Green, Cruise Line Agency of Alaska, 2016 City and Borough of Juneau Port Charges (Jan. 31, 2016)	CBJINVOI CE11502
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070	Memorandum from AJ Juneau Dock Operating Committee to City and Borough Manager and Assembly, FY10 and Future Marine Passenger Fee Proceeds and Port Development Fee Project List (Dec. 27, 2010)	CLIA0103 65-010368
071	E. Jenkins, "CBJ defends itself in cruise ship tax lawsuit using this one weird trick," KTOO Public Media (May 4, 2016), available at: https://www.ktoo.org/2016/05/04/cbj-defends-itself-in-cruise-ship-tax-lawsuit-using-this-one-weird-trick/ (last visited Oct. 17, 2017)	
072	"About CLIA Alaska," available at: http://www.cliaalaska.org/about-clia-alaska/ (last visited Oct. 18, 2017)	
073	City and Borough of Juneau, Ak., Assembly Finance Committee, Feb. 8, 2017 Packet, available at: https://packet.cbjak.org/DisplayAgendaPDF.ashx?MeetingID=560 (last visited Oct. 17, 2017)	
074	City and Borough of Juneau, Ak., Minutes – Assembly Finance Committee Meeting (Dec. 22, 2014), available at: http://packet.cbjak.org/DisplayAgendaPDF.ashx?MinutesMeetingID=113 (last visited Oct. 18, 2017)	

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076	Approved Jurisdictional Determination Form, U.S. Army Corps of Engineers, POA-1981-503 JD, Gastineau Channel (July 18, 2016), available at: http://www.poa.usace.army.mil/LinkClick.aspx?fileticket=QruME-Y-kDs%3D&portalid=34 (last visited Oct. 17, 2017)	
077	"Fares and Passes – Capital Transit," available at: https://juneaucapitaltransit.org/fares/ (last visited Oct. 17, 2017)	
078	City and Borough of Juneau, Ak., Biennial Budget – FY 2016 (relevant excerpt), available at: http://www.juneau.org/financeftp/FY16Bud/AdoptedBudget.php (click on "FY16 Adopted Budget Book") (last visited Oct. 17, 2017)	
079	City and Borough of Juneau, Ak., Comprehensive Annual Financial Report, FY 1997-1998, Special Revenue Funds (excerpt), available at: http://www.juneau.org/financeftp/cafr1998/CAFR98.pdf (last visited Oct. 17, 2017)	
080	City and Borough of Juneau, Ak., Comprehensive Annual Financial Report, FY 1998-1999, Special Revenue Funds (excerpt), available at: http://www.juneau.org/financeftp/cafr1999/index.php (links to sections of report) (last visited Oct. 17, 2017)	
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084	City and Borough of Juneau, Ak., Comprehensive Annual Financial Report, FY 2002-2003, Special Revenue Funds (excerpt), available at: http://www.juneau.org/financeftp/cafr2003/index.php (links to sections of report) (last visited Oct. 17, 2017)	

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086	City and Borough of Juneau, Ak., Comprehensive Annual Financial Report, FY 2004-2005, Special Revenue Funds (excerpt), available at: http://www.juneau.org/financeftp/cafr2005/index.php (links to sections of report) (last visited Oct. 17, 2017)	
087	City and Borough of Juneau, Ak., Comprehensive Annual Financial Report, FY 2005-2006, Special Revenue Funds (excerpt), available at: http://www.juneau.org/financeftp/cafr2006/index.php (links to sections of report) (last visited Oct. 17, 2017)	
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100	State of Alaska, “Commercial Passenger Vessel Excise Tax: Community Needs, Priorities, Shared Revenue, and Expenditures (Fiscal Years 2007 to 2016)” (Feb. 2017), available at: https://www.commerce.alaska.gov/web/Portals/6/pub/TourismResearch/00%20FULL%20CPV%20RPT%2016%202017.pdf?ver=2017-03-23-160339-903 (last visited Oct. 17, 2017)	
101	Cruise Lines Agencies of Alaska, Berth Codes (Apr. 12, 2017), available at: http://claalaska.com/wp-content/uploads/2016/06/Berth-Codes.pdf (last visited Oct. 17, 2017)	
102	Cruise Lines Agencies of Alaska, Cruise Ship Calendar for 2017 (Juneau Only) (Apr. 12, 2017), available at: http://claalaska.com/wp-content/uploads/2016/06/Juneau-JNU-2017.pdf (last visited Oct. 17, 2017)	
103	Cruise Lines Agencies of Alaska, Port Codes (Apr. 12, 2017), available at: http://claalaska.com/wp-content/uploads/2016/06/Port-Codes.pdf (last visited Oct. 17, 2017)	
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105	Cruise Lines Int’l Ass’n (CLIA), 2013 North America Cruise Industry Update – February 2013, available at: https://www.cruising.org/docs/market-research/cruiseindustryupdate2013final.pdf (last visited Oct. 17, 2017)	

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107	City and Borough of Juneau Homepage, “Downtown Cruise Ship Berths,” available at: http://www.juneau.org/harbors/DowntownCruiseShipBerths.php (last visited Oct. 15, 2017)	
108	McDowell Group, for State of Alaska, Dept. of Commerce, Community, and Economic Development, “Economic Impact of Alaska’s Visitor Industry” (March 2010), available at: https://www.commerce.alaska.gov/web/portals/6/pub/Visitor_Industry_Impacts_3_30.pdf (last visited Oct. 17, 2017)	
109	City and Borough of Juneau, Ak., The Future of Juneau’s Waterfront: The Seawalk and Juneau’s Long Range Waterfront Plan, available at: www.juneau.org/harbors/documents/downtown_waterfront_projects.pdf (last visited Oct. 17, 2017)	
110	City and Borough of Juneau, Capital Improvement Program, FY 2018 CIP Project Descriptions (FY 2018-2023), available at: http://www.juneau.org/engineering/CIP/FINAL/documents/Prj-Descripts.pdf (last visited Oct. 17, 2017)	
111	City and Borough of Juneau, Docks and Harbors, FY18 Moorage Rates, available at: https://www.juneau.org/harbors/documents/RateFeeChartupdated092517.pdf (last visited Oct. 17, 2017)	
112	Letter from R. Hauck, Special Projects Manager, Goldbelt, Inc., to S. Phillips, City and Borough of Juneau, Request for Marine Passenger Fee Grants (Dec. 15, 2016), available at: https://cdn.juneau.org/wp-content/uploads/2017/03/GoldbeltSeadromeMarineComplex.pdf (last visited Oct. 17, 2017)	
113	“History of the Alaska cruise industry – CLIA Alaska,” available at: http://www.cliaalaska.org/economy/alaska-cruise-history/ (last visited Oct. 17, 2017)	
114	Juneau Seawalk, Frequently Asked Questions, “How long is this segment of the seawalk?”, available at: http://www.juneauseawalk.com/main-3.html (last visited Oct. 17, 2017)	
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120	Memorandum from J. Corso, City and Borough Attorney, to Mayor and Assembly, Passenger Fee Litigation (July 22, 1999), available at: http://206.223.197.179/docs/2012/ASSY/20120101_104/834_Attachment%201%20-%202007-22-1999%20Memo%20from%20CBJ%20Attorney.pdf (last visited Oct. 17, 2016)	
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122	City and Borough of Juneau Homepage, Juneau Docks and Harbors, Don D. Statter Harbor/Auke Bay, available at: http://www.juneau.org/harbors/statterharbor.php (last visited Oct. 17, 2017)	
123	City and Borough of Juneau Capital Improvement Program, Summary of FY 2018 Capital Improvement Projects Funding Sources (FY 2018-2023), available at: http://www.juneau.org/engineering/CIP/FINAL/documents/Summary.pdf (last visited Oct. 17, 2017)	
124	City and Borough of Juneau, Ak., Biennial Budget – FY 2008 (relevant excerpt), available at: http://www.juneau.org/finance/FY08AdoptedBudget.php (click on “Title page” and “Nondepartmental Special Revenue Funds”) (last visited Oct. 18, 2017)	

Ex. No.	Description	Bates Nos. (if applicable)
125	City and Borough of Juneau, Ak., Biennial Budget – FY 2009 (relevant excerpt), available at: http://www.juneau.org/finance/FY09AdoptedBudget/FY09AdoptedBudget.php (click on “Title page” and “Nondepartmental Special Revenue Funds”) (last visited Oct. 18, 2017)	
126	City and Borough of Juneau, Ak., Biennial Budget – FY 2010 (relevant excerpt), available at: http://www.juneau.org/finance/FY10AdoptedBudget.php (click on “Title page” and “Nondepartmental Special Revenue Funds”) (last visited Oct. 18, 2017)	
127	City and Borough of Juneau, Ak., Biennial Budget – FY 2011 (relevant excerpt), available at: http://www.juneau.org/finance/FY11AdoptedFY12Approved.php (click on “Title page” and “Nondepartmental Special Revenue Funds”) (last visited Oct. 18, 2017)	
128	City and Borough of Juneau, Ak., Biennial Budget – FY 2012 (relevant excerpt), available at: http://www.juneau.org/finance/FY12AdoptedBudget.php (click on “Nondepartmental Special Revenue Funds”) (last visited Oct. 18, 2017)	
129	City and Borough of Juneau, Ak., Biennial Budget – FY 2013 (relevant excerpt), available at: http://www.juneau.org/finance/documents/Complete_Doc_FY13andFY14.pdf (last visited Oct. 18, 2017)	
130	City and Borough of Juneau, Ak., Biennial Budget – FY 2014 (relevant excerpt), available at: http://www.juneau.org/finance/FY14Bud/FY14AdoptedBudget.php (click on “FY14 Adopted Budget Book”) (last visited Oct. 18, 2017)	
131	City and Borough of Juneau, Ak., Biennial Budget – FY 2015 (relevant excerpt), available at: http://www.juneau.org/finance/FY15Bud/AdoptedBudget.php (click on “FY15 Adopted Budget Book”) (last visited Oct. 18, 2017)	
132	City and Borough of Juneau, Ak., Biennial Budget – FY 2017 (relevant excerpt), available at: http://www.juneau.org/finance/FY17Bud/AdoptedBudget.php (click on “FY17/18 Adopted Budget Book”) (last visited Oct. 18, 2017)	
133	City and Borough of Juneau, Ak., Biennial Budget – FY 2018 (relevant excerpt), available at: http://www.juneau.org/finance/documents/FY18BudgetBookAdopted-ForInternet.pdf (last visited Oct. 18, 2017)	
134	“CLIA Global Cruise Line Members,” available at: http://www.cliaalaska.org/about-clia-alaska/member-lines/ (last visited Oct. 18, 2017)	

Ex. No.	Description	Bates Nos. (if applicable)
135	Memorandum from A. Whittey to R. McLeod, Docks & Harbors Department, Analysis of Projected Juneau 2010 Cruise Ship Revenues (Aug. 6, 2010)	CBJ088582 -088592

Respectfully submitted,

DATED: October 24, 2017

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CERTIFICATE OF SERVICE

I certify that on October 24, 2017, I caused a true and correct copy of the foregoing document to be filed using the Court's Electronic Case Files System ("ECF"). The document is available for review and downloading via the ECF system, and will be served by operation of the ECF system upon all counsel of record.

/s/ Kathleen E. Kraft
Kathleen E. Kraft