

Northern Justice Project, LLC  
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Attorneys for Plaintiff Nick Harp

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

NICK HARP, on behalf of himself )  
and all those similarly situated, )

Plaintiff, )

vs. )

OFFICE OF PUBLIC ADVOCACY, )

Defendant. )

Case No. 3AN-22-07193 CI

**FIRST AMENDED CLASS ACTION COMPLAINT**

COMES NOW plaintiff Nick Harp, by and through counsel, the Northern Justice Project, LLC, and pursuant to Alaska Civil Rule 15(a) hereby files this *First Amended Class Action Complaint* against the defendant,<sup>1</sup> alleging and requesting relief as follows:

<sup>1</sup> Under Alaska Civil Rule 15(a), “[a] party may amend the party’s pleading once as a matter of course at any time before a responsive pleading is served . . . .” A motion to dismiss is not a “responsive pleading” within the meaning of Rule 15(a). *See, e.g., Miles v. Dep’t of Army*, 881 F.2d 777, 781 (9th Cir. 1989).

## INTRODUCTION

1. The Office of Public Advocacy (“OPA”) violated the basic duties which it owed to plaintiff Nick Harp and other disabled wards. Under the Alaska Constitution and statutes, *before* a ward’s guardian can be changed, the ward must be afforded certain basic safeguards. In the case of *In re Protective Proceeding of Amy D.*, 502 P.3d 5, 9-10 (Alaska 2022), the Alaska Supreme Court made it crystal clear that, *before* a ward’s guardian can be changed, the ward must be afforded basic safeguards, like the right to an attorney; a written notice; and *if* the ward is going to waive his right to a lawyer, the waiver must be on the record before a judge and the judge must follow a protocol in order to ensure that the waiver is knowing and willful. OPA knew about this rule of law because it was counsel in *Amy D.* Despite this knowledge, OPA ignored its duty to protect its wards’ civil rights to these processes when it decided to lighten its caseloads and transfer some of its cases to a new private guardian, i.e., Cache Integrity Services.

2. In so acting, OPA violated its legal, fiduciary, and ethical duties to its disabled wards.

## JURISDICTION AND VENUE

3. Jurisdiction is proper pursuant to AS 22.10.020(c) and (g).
4. Venue is proper under AS 22.10.030 and Alaska Civil Rule 3(c).

## PARTIES

5. The Office of Public Advocacy, among other things, serves as a public guardian for individuals in Alaska who are found by courts to be incapacitated in some

way.

6. Nick Harp is legally incapacitated and has been under a guardianship during all relevant times. OPA was his legal guardian, but OPA recently changed his guardian, from OPA to Cache Integrity Services, in violation of the law.

### GENERAL ALLEGATIONS

7. Leading up to June 2022, OPA served as Mr. Harp's guardian.

8. On May 3, 2022, OPA filed a motion to en-masse transfer 45 guardianship cases from OPA to Cache Integrity Services.

9. OPA's May 3, 2022 motion falsely stated that "[t]he fee structure for Cache Integrity should be consistent with the Public Guardian given their non-profit status." In fact, Cache Integrity Services charges an initial fee of \$1000 just to open a case, and then charges a monthly sliding scale from \$100 - \$200. *See Exhibit 1.* By comparison, OPA charges no initial fee to open a case and charges only \$85/month for clients with less than \$10,000 in liquid assets. *See Exhibit 2.*

10. Sometime during the month of May 2022, a court visitor called Mr. Harp and asked him about changing his guardian from OPA to Cache Integrity Services. OPA knew this call occurred.

11. During this phone call, the court visitor did not speak about the fee structure for Cache Integrity Services and did not inform Mr. Harp as to whether his costs would change if he were to change guardians from OPA to a private company.

12. Mr. Harp received no written notice or other communication about a possible change in his guardian. OPA knew or should have known about this.

13. No written report was filed by the court visitor. Nonetheless, OPA claims that “the court visitor reported to the superior court that the Plaintiff received notice of the transfer, understood his rights, and consented.”<sup>2</sup>

14. Following OPA’s request for a change in guardian, on May 31, 2022, in Case No. 3AN-12-01085 PR, the trial court signed the order changing Mr. Harp’s guardian from OPA to Cache Integrity Services without holding a hearing. OPA knew that there was an on-point case mandating that Mr. Harp had a right to a lawyer *before* any change in guardian happened. But OPA failed to disclose this fact to Mr. Harp and failed to inform the trial court of this controlling authority. The trial court thereupon removed OPA as Mr. Harp’s guardian and substituted Thomas McDuffie, Robert Bond II, and Jody Corazzini of Cache Integrity Services as co-guardians for Mr. Harp.

15. During the change in guardian process, Mr. Harp was not represented by an attorney. OPA knew this, but did nothing.

16. During the change in guardian process, Mr. Harp was not appointed an attorney. OPA knew this, but did nothing.

17. During the change in guardian process, Mr. Harp did not receive written notice about his right to counsel. OPA knew or should have known this, but did nothing.

18. During the change in guardian process, Mr. Harp did not receive assistance in contacting an attorney. OPA knew or should have known this, but did nothing.

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<sup>2</sup> OPA’s Memorandum in Support of Motion to Dismiss p.2.

19. During the change in guardian process, Mr. Harp did not receive written notice about the proposed changing of his guardian. OPA knew or should have known this, but did nothing.

20. During the change in guardian process, Mr. Harp was not afforded an opportunity to come to court and object to the proposed changing of his guardian. OPA knew this, but did nothing.

21. During the change in guardian process, Mr. Harp never waived his right to the assistance of an attorney. OPA knew or should have known this, but did nothing.

22. During the change in guardian process, there was no hearing held at all on OPA's motion to change Mr. Harp's guardian. OPA knew or should have known this, but did nothing.

23. Meanwhile, Mr. Harp's alleged new guardian, Cache Integrity Services, may not be a suitable placement. Mr. Harp was provided no written information on Cache Integrity Services' fees or services. Cache Integrity Services charges significantly higher fees to wards than OPA. Cache Integrity Services may have limited or inadequate experience in serving as a guardian.

24. Regardless of whether Cache Integrity Services is a suitable or preferable placement, though, OPA's attempt to resign and substitute Cache Integrity Services as Mr. Harp's guardian was in flagrant violation of his legal rights and of OPA's legal and fiduciary duties to Mr. Harp.

25. AS 13.26.286(c) requires that, before a court can order a guardianship to be changed, a ward must be afforded the same safeguards that apply during the

appointment of a guardian.<sup>3</sup> This includes, but is not limited to, the following six safeguards: First, a ward is entitled to be represented by an attorney.<sup>4</sup> Second, if a ward is financially unable to employ an attorney, the ward is entitled to a court appointed attorney.<sup>5</sup> Third, the court must appoint a visitor.<sup>6</sup> Fourth, the court visitor must serve a copy of the petition to the ward.<sup>7</sup> Fifth, the court visitor must explain and provide written notice of a ward’s right to counsel.<sup>8</sup> Sixth, the court visitor must offer

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<sup>3</sup> AS 13.26.286(c) (emphasis added) (“Before removing a guardian, changing the guardian’s responsibilities, accepting the resignation of a guardian, **or ordering that a ward’s guardianship be changed** or terminated, the court, **following the same procedures to safeguard the rights of the ward as apply to a petition for appointment of a guardian** and applying the least restrictive alternative necessary to meet the needs of the ward after consideration of alternatives to guardianship services, may send a visitor to the residence of the present guardian and to the place where the ward resides or is detained, to observe conditions and report in writing to the court.”); *see also In re Protective Proceeding of Amy D.*, 502 P.3d 5, 9-10 (Alaska 2022) (“In other words, before accepting the resignation of a guardian, the court must apply the same protective procedures that apply to an initial petition to appoint a guardian.”)

<sup>4</sup> AS 13.26.226(b) (“The respondent is entitled to be represented by an attorney in the proceedings. If the respondent is financially unable to employ an attorney, the court shall appoint the office of public advocacy (AS 44.21.400) under AS 13.26.291 to represent the respondent in the proceedings.”).

<sup>5</sup> AS 13.26.226(b); *see also In re Protective Proceeding of Amy D.*, 502 P.3d 5, 10 (Alaska 2022) (“These protective procedures include the appointment of counsel for an indigent person...”).

<sup>6</sup> AS 13.26.226(c) (“The court shall appoint a visitor.”).

<sup>7</sup> AS 13.26.231(a)(2) (“Upon appointment, the visitor shall promptly [...] serve a copy of the petition on the respondent in accordance with the procedure described in AS 13.06.110.”).

<sup>8</sup> AS 13.26.231(a) (“Upon appointment, the visitor shall promptly [...] (3) explain and provide to the respondent a written statement of the following rights: (A) the respondent may communicate with an attorney or an expert in the field of the alleged incapacity before proceeding with the interview; (B) if the respondent does not have an attorney, an attorney, whose name, address, and telephone number shall be included

assistance in contacting an attorney.<sup>9</sup>

26. Further still, a ward and their attorney, among others, are entitled to notice of any hearing for any guardianship proceedings.<sup>10</sup> Such “notice must set out the date, time, place, purpose, and possible consequences of the hearing and the rights of the ward or respondent and any other parties to the proceedings.”<sup>11</sup>

27. Additionally, at the hearing itself a ward has the right to “be present unless the court determines that the respondent’s conduct in the courtroom is so disruptive that the proceedings cannot reasonably continue with the respondent

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in the statement, will be designated to advise and represent the respondent before and at any judicial hearings, and the attorney may arrange for an examination and consultation with an expert; and (C) the respondent may, instead, employ an attorney or expert of the respondent’s own choice”); *see also In re Protective Proceeding of Amy D.*, 502 P.3d 5, 10 (Alaska 2022) (“These protective procedures include [...] the court visitor's duty to explain to the respondent the scope of the respondent's right to counsel, including the right to have an attorney designated "to advise and represent the respondent before and at any judicial hearings.”).

<sup>9</sup> AS 13.26.231(a) (“Upon appointment, the visitor shall promptly [...] (4) offer assistance to the respondent in contacting an attorney.”).

<sup>10</sup> AS 13.26.296(a) (“In a proceeding for the appointment, change in responsibilities, or removal of a guardian, or termination of guardianship, other than the appointment of a temporary guardian or temporary suspension of a guardian, notice of hearing shall be given to each of the following: (1) the ward or respondent by the visitor as provided in AS 13.26.231; (2) any person who is serving as guardian or conservator of the ward or respondent, or who has care and custody of the ward or respondent; (3) in case a person is not notified under (4) of this subsection, at least one of the closest adult relatives of the ward or respondent, if any can be found; (4) the spouse, parents, and adult children of the ward or respondent; (5) any person who performed an evaluation for the visitor’s report within the previous two years; (6) the ward’s or respondent’s attorney; and (7) the ward’s or respondent’s guardian ad litem if one has been appointed.”).

<sup>11</sup> AS 13.26.296(c).

present.”<sup>12</sup>

28. Many of the above safeguards were clearly spelled out by the Alaska Supreme Court in *In re Protective Proceeding of Amy D.*, 502 P.3d 5, 9-10 (Alaska 2022). Yet these safeguards were denied to Mr. Harp. OPA knew that these safeguards were being violated when they moved to substitute Cache Integrity Services for OPA.

29. OPA’s disregard for these basic safeguards was a violation of the legal, fiduciary, and ethical duties that it owed to Mr. Harp.<sup>13</sup>

30. On July 1, 2022, the Northern Justice Project brought this misconduct to the attention of OPA. OPA denied there was any misconduct. But on July 8, OPA filed a new motion with the trial judge asking that he review the guardianship change. OPA failed to disclose the real reason for its July 8 filing, i.e., the Northern Justice Project brought these issues of misconduct and malpractice to the attention of OPA. Moreover, OPA continues to fail to disclose to the trial judge the controlling case of *Amy D.*

31. On August 10, 2022, the superior court granted OPA’s request for a review hearing and for the appointment of counsel for Mr. Harp. But the court granted Mr. Harp counsel through OPA, which is a clear conflict of interest in light of this lawsuit

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<sup>12</sup> AS 13.26.251(a)(5).

<sup>13</sup> Alaska Constitution, art. I, § 7; AS 13.26.316(c)(4) (“[T]he guardian shall assure through the initiation of court action and other means that the ward enjoys all personal, civil, and human rights to which the ward is entitled.”); AS 13.26.500; Alaska Rules of Professional Conduct 1.14, Comment (“If the lawyer represents the guardian as distinct from the ward, and is aware that the guardian is acting adversely to the ward’s interest, the lawyer may have an obligation to prevent or rectify the guardian’s misconduct.”).



Mr. Harp is bringing against OPA.

32. Since being appointed an OPA attorney in his individual guardianship case, Mr. Harp still has not received written notice of any hearing, and there has still been no court hearing regarding a change in guardian from OPA to Cache Integrity Services.

33. Since the change in guardians, Mr. Harp has been charged over \$1000 in fees by Cache Integrity Services.

### CLASS ACTION ALLEGATIONS

34. Mr. Harp brings this action on his own behalf and on behalf of all persons similarly situated, pursuant to Rule 23 of the Alaska Rules of Civil Procedure.

35. The class is defined as: all OPA wards whose guardians were putatively changed in the past two years without OPA ensuring that the ward's procedural safeguards of notice and right to counsel were complied with and all current OPA wards who face this identical risk.

36. All requirements of Rule 23(a) are met in this case. Specifically,

a. The class is so numerous that joinder of all members is impracticable. The number of individuals in the proposed class is presently unknown and can only be determined through discovery. However, plaintiff is informed and believes and thereupon alleges that there are more than 40 individuals in the proposed class.

b. There are questions of law or fact common to the class; specifically, whether OPA failed to ensure that its wards were provided the necessary

procedural safeguards before it attempted to change their guardian, and whether this failure violated the law.

c. The claims of the representative party are typical of the class.

d. The representative party will fairly and adequately represent the class. Neither the representative plaintiff nor his counsel have interests which might cause them not to vigorously pursue this action.

37. Certification of a class under Alaska R. Civ. P. 23(b)(2) is appropriate because OPA at all times has acted and refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief and corresponding declaratory relief with respect to the class as a whole.

## CLAIMS FOR RELIEF

### FIRST CAUSE OF ACTION – VIOLATION OF AS 13.26.316

38. The foregoing paragraphs of this Complaint are incorporated herein as though fully set forth.

39. In acting in the aforesaid fashion, the defendant violated Mr. Harp's and the other class members' rights as detailed in *Amy D.* and the aforementioned guardianship statutes, violated its ethical duties to its wards<sup>14</sup> and committed malpractice. Specifically, it knowingly disregarded the mandates of *Amy D.* and the relevant guardianship statutes in efforts to substitute Cache Integrity Services instead of OPA as the guardian for the plaintiffs. This violates a guardian's clear duty under

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<sup>14</sup> Alaska Rules of Professional Conduct 1.14.

AS 13.26.316 to “encourage the ward to participate to the maximum extent of the ward’s capacity in *all* decisions that affect the ward” and to “assure through the initiation of court action and other means that the ward enjoys all personal, civil, and human rights to which the ward is entitled.”<sup>15</sup>

### SECOND CAUSE OF ACTION – BREACH OF FIDUCIARY DUTY

40. The foregoing paragraphs of this Complaint are incorporated herein as though fully set forth.

41. When acting as a public guardian, OPA owes a fiduciary duty to its wards.

42. This fiduciary relationship generally requires OPA to act “in good faith and with due regard to the interests” of its wards. *Henash v. Ipalook*, 985 P.2d 442, 445 (Alaska 1999) (quoting *Paskvan v. Mesich*, 455 P.2d 229, 232 (Alaska 1969)) (internal quotation marks omitted). More specifically, a “fiduciary has a duty to fully disclose information which might affect the other person’s rights and influence his action.” *Id.* at 446 (quoting *Ben Lomond, Inc. v. Schwartz*, 915 P.2d 632, 634 (Alaska 1996)) (internal quotation marks omitted).

43. In acting in the aforesaid fashion, the defendant violated its fiduciary duty to Mr. Harp and the class members.

### THIRD CAUSE OF ACTION – VIOLATION OF THE RIGHT TO DUE PROCESS UNDER ALASKA CONSTITUTION ARTICLE I

44. The foregoing paragraphs of this Complaint are incorporated herein as

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<sup>15</sup> AS 13.26.316(a), (c)(4).

though fully set forth.

45. The Alaska Constitution protects an individual’s right to not “be deprived of life, liberty, or property, without due process of law.”<sup>16</sup> This protection under the Alaska Constitution has been more broadly construed than its federal counterpart.<sup>17</sup>

46. “[D]eprivation of life, liberty or property by adjudication must be preceded by notice and opportunity for hearing appropriate to the nature of the case.”<sup>18</sup>

47. OPA violated the due process of Mr. Harp and the other class members when it transferred their guardians without providing the wards any notice or opportunity for a hearing. This deprivation left Mr. Harp and the other class members without the procedural safeguards and liberty to ensure this change in guardian was made knowingly and willingly, and also led to the loss of property due to the increase in fees with Cache Integrity Services.

48. In acting in the aforesaid fashion, the defendant violated Mr. Harp’s and the other class members’ right to due process as provided under the Alaska Constitution, Article I.

### PRAYER FOR RELIEF

**WHEREFORE**, the plaintiffs respectfully request that the Court grant:

1. An injunction compelling OPA to assure that its wards receive their rights

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<sup>16</sup> Alaska Constitution, art. I, § 7.

<sup>17</sup> *Maekle v. State*, 792 P.2d 686, 688 (Alaska 1990).

<sup>18</sup> *Aguchak v. Montgomery Ward Co.*, 520 P.2d 1352, 1356 (Alaska 1974) (internal quotations omitted); *see Mullane v. Central Hanover Bank and Trust Co.*, 339 U.S. 306, 314-15 (1950); *Nichols v. Eckert*, 504 P.2d 1359, 1364-65 (Alaska 1973).

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under *Amy D.* and the aforementioned guardianship statutes;

2. An injunction ordering OPA to remain the guardian for any ward that it has attempted to change the guardian of, until and unless OPA ensures that due process, *Amy D.*, and the aforementioned guardianship statutes have first been complied with;

3. An injunction ordering OPA to undo any guardianship changes over the past two years that it effectuated in violation of due process, *Amy D.*, and the aforementioned guardianship statutes;

4. Actual and compensatory and/or nominal damages against the defendant;
5. The costs and expenses of litigation, including full attorney fees;
6. All other relief as the Court deems necessary.

DATED this 17th day of October, 2022

NORTHERN JUSTICE PROJECT, LLC  
Attorneys for Plaintiffs

By: /s/ James J. Davis, Jr.

James J. Davis, Jr., AK Bar No. 9412140  
Savannah Fletcher, AK Bar No. 1811127

**CERTIFICATE OF SERVICE**

I hereby certify that on 10/17/22 a true and correct copy of the foregoing document was served via E-MAIL on:

Andy C. Miller  
Noah Star  
Assistant Attorney General  
State of Alaska, Department of Law

FIRST AMENDED CLASS ACTION COMPLAINT

*Nick Harp, et al. v. Office of Public Advocacy*

Case No. 3AN-22-07193 CI

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[Noah.star@alaska.gov](mailto:Noah.star@alaska.gov)  
[Jnu.law.ecf@alaska.gov](mailto:Jnu.law.ecf@alaska.gov)

s/Savannah Fletcher  
Signature

October 17, 2022



# CACHE INTEGRITY SERVICES

## Guardian-Conservator

### PROFILE

CACHE INTEGRITY SERVICES INSPIRES ALASKANS TO LIVE THEIR BEST LIFE BY PROVIDING THE HIGHEST STANDARD OF PAYEE SERVICES WITH INTEGRITY.

We assist senior citizens, individuals with disabilities, and others who receive Social Security Administration benefits or are in need of a payee. Providing participants the ability to remain in their homes, pay their bills, put food on the table and have spending money left over, CIS helps to manage regulations for those who need our personalized services.

### CONTACT

PHONE:  
907-631-2000

EMAIL:  
[operations@cacheintegrityservices.com](mailto:operations@cacheintegrityservices.com)

WEBSITE:  
[cacheintegrityservices.org](http://cacheintegrityservices.org)

Cache Integrity Services is a  
501(c)(3) organization.  
EIN: 84-4197212

### FEE SCHEDULE

Base Fee: \$100/hr

#### 5 Levels of Guardianship:

1. Full Guardianship  
\$100/hr for participant with monthly income over \$2000 or who have assets that require Estate planning and management
2. Mid-Level Guardianship I  
10% Sliding scale on monthly income between \$1500-\$2000  
Minimal assets that don't require Estate planning or management
3. Mid-Level Guardianship II  
10% Sliding scale on monthly income between \$1000-\$1500  
Minimal assets that don't require Estate planning or management
4. Simple Guardianship  
\$100/mo with no assets
5. Pro Bono Guardianship  
\$0 Guardianship fee with a \$48 payee fee if CIS receives SSA funds and meet hardship requirements.

#### Other Costs:

**Travel Costs:** The hourly rate will be billed for travel time for travel outside Wasilla and the Anchorage bowl and begins once travel to the destination is begun.  
Mileage is charged at the current IRS rate.  
Air travel begins upon arrival at the airport and 4 hours maximum is charged for air travel per travel day.  
Travel requiring overnight stay(s) is billed at the hourly rate or \$300 per day whichever is greater plus travel related costs (i.e. lodging, transportation, etc...)  
Time is charged for actual travel time.

Case Opening/Closing fees: \$1000. This is a one-time, non-refundable fee.

Insurance: CIS carries a Criminal Bond of \$500,000 and a Liability Insurance of \$500,000.

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

In the Matter of:

The Reassignment of Public Guardians

Respondent.

3AN-12-1085PR

ORDER

The Court finds that the *Public Guardian's Motion to Transfer Cases to Cache Integrity Services*, dated 5.3.22 has merit.

IT IS HEREBY ORDERED that a single court visitor SHALL be appointed to review each case in this matter.

DATED this 4 day of May, 2022.

Superior Court Judge

*William F. Morse*

I certify that on 5.5.22 a copy of the following was mailed/mailed to each of the following at their addresses of record.

*[Signature]*  
Administrative Assistant

*Evdastini*  
*T. McDuffie*  
*Wuuwrouk*

Exhibit 2, page 1 of 6

PUBLIC GUARDIAN ANCHORAGE SECTION  
900 West 5<sup>th</sup> Avenue, Suite 525, Anchorage, AK 99501  
(907) 269-3500 Fax: (907) 269-3535  
doa.opa.public-guardian.service@alaska.gov



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

FILED in the TRIAL COURTS  
STATE OF ALASKA, THIRD DISTRICT

In the Matter of: )  
)  
)  
The Reassignment of Public Guardians )  
)  
Respondent. )

**MAY 03 2022**

Clerk of the Trial Courts  
By \_\_\_\_\_ Deputy

**PUBLIC GUARDIAN'S MOTION TO TRANSFER CASES TO CACHE  
INTEGRITY SERVICES**

The Office of Public Advocacy, Public Guardian, through undersigned counsel, moves this court to transfer forty-five (45) guardianship cases to Cache Integrity Services pursuant to PJ Order # 926, issued May 2, 2022, by Presiding Judge, William F. Morse.

As the Court acknowledged in its Order, the Public Guardian section is overburdened with cases and is experiencing a shortage of staff that will interfere with the Public Guardian's ability to handle all the cases responsibly. Deputy Director Beth Goldstein has spoken with Cache Integrity Services, a non-profit organization, and they have the flexibility to take on the cases and are willing to substitute as guardian/conservator in each of the cases listed. The respondents will benefit from such a transfer by having a more readily available guardian/conservator with whom to communicate. The fee structure for Cache Integrity should be consistent with the Public Guardian given their non-profit status.

Undersigned counsel respectfully requests that the court appoint a single court visitor to effectuate an expeditious review of each case in order to

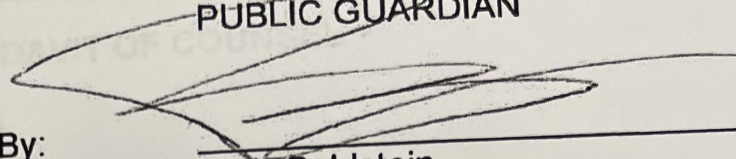
PUBLIC GUARDIAN ANCHORAGE SECTION  
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(907) 269-3500 Fax: (907) 269-3535  
doa.opa.public.guardian.service@alaska.gov

determine if any Respondent opposes the transfer of their case. If the Respondent agrees, the Public Guardian will expeditiously complete a final report and transfer the case file to Cache Integrity upon receiving the order appointing them.

DATED this 3<sup>rd</sup> day of May, 2022.

OFFICE OF PUBLIC ADVOCACY  
PUBLIC GUARDIAN

By:



Beth Goldstein  
Deputy Director  
AK Bar No.: 0705027

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Beth Goldstein, being duly sworn, deposes and states:  
1. I am the Deputy Director of the Office of Public Advocacy, and supervising attorney for the Public Guardian section.

2. That I have personally spoken with Tom McDuffie of Cache Integrity Services about their ability to receive and maintain the 45 proposed cases and he agrees they are able and willing to accept them.

3. That I have reviewed the 45 proposed cases and directed the assigned Public Guardians that they must timely prepare a final report for each case that will be transferred to Cache Integrity.

4. The facts contained in the Public Guardian's Motion to Transfer Cases to Cache Integrity Services are true and accurate to the best of my knowledge.

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doa.opa.publicguardian.service@alaska.gov

In the Matter of: )  
)  
)  
The Reassignment of Public Guardians )  
)  
)  
Respondent. )

**AFFIDAVIT OF COUNSEL**

STATE OF ALASKA )  
)ss.  
THIRD JUDICIAL DISTRICT )

Beth Goldstein, being duly sworn, deposes and states:

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2. That I have personally spoken with Tom McDuffie of Cache Integrity Services about their ability to receive and maintain the 45 proposed cases and he agrees they are able and willing to accept them.

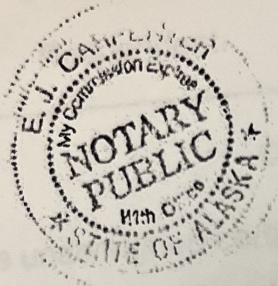
3. That I have reviewed the 45 proposed cases and directed the assigned Public Guardians that they must timely prepare a final report for each case that will be transferred to Cache Integrity.

4. The facts contained in the *Public Guardian's Motion to Transfer Cases to Cache Integrity Services* are true and accurate to the best of my knowledge.

5/3/22  
Dated

[Signature]  
Beth Goldstein, Deputy Director

SUBSCRIBED AND SWORN TO before me this 3rd day of May, 2022.



E. J. Carpenter  
Notary Public in and for Alaska  
My Commission Expires: 11th Oct 2025

The undersigned, E. J. Carpenter, Notary Public in and for Alaska, do hereby certify that a true and correct photocopy of the Public Guardian's Motion to Transfer Cases to Cache Integrity Services Affidavit of Service, proposed Order, and this Certificate of Service, was served via e-mail comprising a total of 7 pages, and believed to be completed without error from the e-mail address eleanor.carpenter@alaska.gov to: Tom McDuffie, Cache Integrity Services tom@cacheintegrityservices.com; Lisa Wangman, Court Administrator lwangman@alaska.gov. Each client (see attached list) is served through their public guardian. Courtesy copy delivered via courier to Presiding Judge William Morse.

[Signature]  
Eleanor J. Carpenter  
Paralegal II

300 West J...  
Anchorage, Alaska 99501  
(907) 269-3500 Fax: (907) 269-3535  
doa.opa.publicguardian.service@alaska.gov

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

In the Matter of: )  
)  
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The Reassignment of Public Guardians )  
)  
)  
Respondent. )

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct photocopy of the *Public Guardian's Motion to Transfer Cases to Cache Integrity Services; Affidavit of Counsel; proposed Order; and this Certificate of Service*, was served via e-mail comprising a total of 7 pages, and believed to be completed without error from e-mail address [eleanor.carpenter@alaska.gov](mailto:eleanor.carpenter@alaska.gov) to:

Tom McDuffie, Cache Integrity Services  
[tom@cacheintegrityservices.com](mailto:tom@cacheintegrityservices.com)

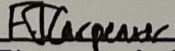
Lisa Wawrzonek, Court Administrator  
[lwawrzonek@akcourts.gov](mailto:lwawrzonek@akcourts.gov)

Each client (see attached list) is served through their public guardian.

Courtesy copy delivered via courier to:  
Presiding Judge William Morse

05/03/2022, 11:15 a.m.

Date & Approx. Time

  
\_\_\_\_\_  
Eleanor J. Carpenter  
Paralegal II

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