

MEMORANDUM

(Open Session Report)

State of Alaska
Department of Law

to: Board of Agriculture and
Conservation

Division of Agriculture,
Department of Natural Resources

DATE: November 1, 2009

FILE NO.: 661070281

TEL. NO.: (907) 269-3039

SUBJECT: AAG report for
November 12, 2009 BAC
meeting

FROM: Bob McFarlane
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PART 1: NON CONFIDENTIAL MATTERS FOR OPEN MEETING SESSION

1. Hans Geier Chapter 13 bankruptcy case: Mr. Geier's bankruptcy attorney has made a proposal to resolve Mr. Geier's indebtedness to the ARLF by having ARLF accept the loan collateral as full satisfaction of the outstanding loan balance.

PART 2: CONFIDENTIAL MATTERS FOR EXECUTIVE SESSION

Open Meetings Act – A.S. 44.62.310(b)¹
Attorney Client Privilege - Alaska Evidence Code §503(b)²

1. Hans Geier Chapter 13 bankruptcy case: Legal advice and any confidential records concerning the proposal will be discussed in executive session. (See A.S. 44.62.310 (c)(3) and 11 AAC 39.061 regarding confidentiality of ARLF loan records).

¹ A motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session. A.S. 44.62.310(b).

² Section 503(b) of the Alaska Evidence Code states in relevant part: "A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made for the purpose of facilitating the rendition of professional legal services to the client..."