

Goriune Dudukgian, AK Bar No. 0506051
Nicholas Feronti, AK Bar No. 2106069
NORTHERN JUSTICE PROJECT, LLC
406 G Street, Suite 207
Anchorage, AK 99501
(907) 308-3395 (telephone)
(866) 813-8645 (fax)
Email: gdudukgian@njp-law.com
Email: nferonti@njp-law.com

*Saima Akhtar (New York Bar No. 4661237)
NATIONAL CENTER FOR LAW AND ECONOMIC JUSTICE
50 Broadway, Suite 1500
New York, NY 10004
(212) 633-6967 (telephone)
(212) 633-6371 (fax)
Email: akhtar@nclej.org

*Margaret D. Craig (Mass. Bar No. 569130)
*Kelsey Tavares (Mass. Bar No. 705934)
DLA PIPER LLP (US)
33 Arch Street, 26th Floor
Boston, MA 02110-1447
(617) 406-6000 (telephone)
(617) 406-6100 (fax)
Email: maggie.craig@us.dlapiper.com
Email: kelsey.tavares@us.dlapiper.com

*Christopher M. Young (Cal. Bar No. 163319)
DLA PIPER LLP (US)
401 B Street, Suite 1700
San Diego, CA 92101-4297
(619) 699-2700 (telephone)
(619) 699-2701 (fax)
Email: christopher.young@dlapiper.com

*Sean P. Fulton (Tex. Bar No. 24103727)
DLA PIPER LLP (US)
1900 N. Pearl Street, Suite 2200
Dallas, TX 75201-2482
(214) 743-4572 (telephone)

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(972) 692-7272 (fax)
Email: sean.fulton@us.dlapiper.com

*Constance I. Du (IL Bar No. 6345766)

DLA PIPER LLP (US)

444 W Lake Street, Suite 900
Chicago, IL 60606-0010
(312) 368-8921 (telephone)
(312) 530-7321 (fax)
Email: constance.du@us.dlapiper.com

**admitted pro hac vice*

Attorneys for Plaintiffs

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

John Andrew, Kayla Birch, Rose Carney,
Tereresa Ferguson, Zoya Jenkins, Troy
Fender, Rhonda Conover, Autumn Ellanna,
and Nataliia Moroz, on behalf of themselves,
and all those similarly situated,

Plaintiffs,

v.

Heidi Hedberg, in her official capacity As
Commissioner of the Alaska Department of
Health.

Defendant.

Case No. 3:23-cv-00044-SLG

(Oral Argument Requested)

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Plaintiffs hereby respectfully make a motion for summary judgment, pursuant to
Rule 56 of the Federal Rules of Civil Procedure and, in support thereof, aver the
following:

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1. Defendant's policies and practices of failing or refusing to render timely eligibility determinations on Supplemental Nutrition Assistance Program ("SNAP") applications and recertifications and provide SNAP benefits to eligible households within thirty (30) days of the date of application violate 7 U.S.C. § 2020(e)(3) and (4) and implementing regulations at 7 C.F.R. § 273.2.
2. Defendant's policies and practices of failing or refusing to render timely eligibility determinations on SNAP applications and recertifications and provide SNAP benefits to eligible households within thirty (30) days of the date of application violate the Due Process Clause of the 14th Amendment to the United States Constitution.
3. Defendant's policies and practices of failing or refusing to render timely eligibility determinations on expedited SNAP applications and provide SNAP benefits to eligible households within seven (7) days of the date of application violate 7 U.S.C. § 2020(e)(9) and implementing regulations at 7 C.F.R. § 273.2.
4. Defendant's policies and practices of failing or refusing to render timely eligibility determinations on expedited SNAP applications and provide SNAP benefits to eligible households within seven (7) days of the date of application violate the Due Process Clause of the 14th Amendment to the United States Constitution.

5. Defendant's policies and practices of failing to allow Plaintiffs and class members to apply for SNAP on the first day they contact the Department of Health violate 7 U.S.C. § 2020(e)(2)(B) and implementing regulations at 7 C.F.R. § 273.2(c).
6. Defendant's policies and practices of failing to provide written notice and opportunity to request a fair hearing to SNAP applicants whose eligibility was not determined within legally mandated timeframes violate 7 U.S.C. § 2020(e)(10) and implementing regulations at 7 C.F.R. § 273.2(h)(3) & (4), 273.10(g)(1)(i)-(iii), and 273.15(a).
7. Defendant's policies and practices of failing to provide written notice and opportunity to request a fair hearing to SNAP applicants whose eligibility was not determined within legally mandated timeframes violate the Due Process Clause of the 14th Amendment to the United States Constitution.
8. Defendant's policies and practices of failing to provide written notice and opportunity to request a fair hearing to SNAP applicants whose eligibility was not determined within legally mandated timeframes violate the Due Process Clause of Article I, Section 7 of the Alaska Constitution.

As set out more completely in the Plaintiffs' accompanying Memorandum of Law, Statement of Material Fact, and supporting exhibits, the evidence shows clearly and unequivocally that Plaintiffs are entitled to summary judgment on these claims.

Therefore, Plaintiffs respectfully request that the Court grant their Motion for Summary Judgment.

Dated: September 12, 2025

Respectfully submitted,

/s/ Saima Akhtar

Goriune Dudukgian, AK Bar No. 0506051
Nicholas Feronti, AK Bar No. 2106069
NORTHERN JUSTICE PROJECT, LLC
406 G Street, Suite 207
Anchorage, AK 99501
(907) 308-3395 (telephone)
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Email: gdudukgian@njp-law.com
Email: nferonti@njp-law.com

*Saima Akhtar (New York Bar No. 4661237)
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ECONOMIC JUSTICE**
50 Broadway, Suite 1500
New York, NY 10004
(212) 633-6967 (telephone)
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Fax: (617) 406-6100
Email: maggie.craig@us.dlapiper.com
Email: kelsey.tavares@us.dlapiper.com

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**appearing pro hac vice*

ATTORNEYS FOR PLAINTIFFS

Certificate of Service

I hereby certify that on September 12, 2025, true and correct copies of Plaintiffs' Motion for Summary Judgment; Statement of Material Fact and accompanying exhibits; and Memorandum of Law in Support of Plaintiffs' Motion for Summary Judgment were served on all parties via the CM/ECF electronic filing system.



Christine Bento