

In the Supreme Court of the State of Alaska

**Tera Bunton, Personal Representative
of the Estate of Helen Lingley,**
Appellant,

v.

**Alaska Airlines, Inc., Dan Kane, and
Fred Triem,**
Appellees.

Trial Court Case No. **1PE-12-00047CI**

Supreme Court No. **S-17110**

Order

Petition For Rehearing

Date of Order: **3/31/2021**

Before: Bolger, Chief Justice, Winfree, Maassen and Carney,
Justices.

On consideration of the petition for rehearing filed by Estate of Helen Lingley on **3/1/2021**, and the opposition filed by Alaska Airlines, Inc., Dan Kane on **3/11/2021**,

IT IS ORDERED:

1. The motion is **GRANTED IN PART**.
2. In the Opinion No. 7506, the footnote 33 has been revised. The revised portion will read:

Triem appealed the judgment against him, but the appeal was dismissed for failure to prosecute. *Triem v. Alaska Airlines, Inc.*, No. S-17679 (Alaska Supreme Court Order, Sept. 2, 2020). Our holding that summary judgment was improper also calls into question the propriety of granting attorney's fees under Rule 82. However, the superior court also justified its judgment against Triem under Rules 11 and 95. The superior court found that Triem's conduct

Tera Bunton, Personal Representative of the Estate of Helen A. Lingley v. Alaska Airlines, Inc, et al.

Supreme Court No. S-17110

Order of 3/31/2021

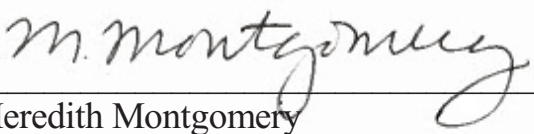
Page 2

in this case was egregious. The superior court determined that conduct to be worthy of sanction. We decline to reconsider the superior court's reasoning on this issue when there is no party before us with standing to contest the matter.

3. The remaining requests in the petition are **DENIED**.

Entered by the direction of the court.

Clerk of the Appellate Courts


Meredith Montgomery

cc: Supreme Court Justices
Judge William Carey
Trial Court Clerk - Juneau
Publishers (Op. No. 7506, 2/19/2021)

Distribution:

Email:
Holbrook, Deborah A.
McKeen, Mary Alice
Hodes, Elizabeth P.
Fisher, Gregory S.
Triem, Fred