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Daniel P. Harris
Harris & Moure PLLC
600 Stewart Street, Suite 1200
Seattle, WA 98101
(206) 224-5657

FILED
STATE OF ALASKA
THIRD DISTRICT
2010 DEC 20 AM 10:54
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IN THE SUPERIOR COURT OF THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ARTHUR C. ANDERSON, an individual,)
)
Plaintiff,)
)
v.)
)
THE STATE OF ALASKA; and ALASKA)
STATE MUSEUMS, an agency of the State,)
)
Defendants.)

Case No.: *3an-10-12981 et*
COMPLAINT FOR DECLARATORY
JUDGMENT, TO QUIET TITLE TO
PERSONAL PROPERTY, AND FOR
UNJUST ENRICHMENT

COMES NOW plaintiff Arthur C. Anderson by and through his attorney of record,
Harris & Moure pllc, to aver and state as follows:

I. PARTIES

- 1.1. Plaintiff Arthur C. Anderson is an individual residing outside Alaska.
- 1.2. Defendants are the State of Alaska and Alaska State Museums, a state agency.

II. JURISDICTION AND VENUE

- 2.1. This Court has subject matter jurisdiction pursuant to AS 22.10.020 and personal jurisdiction over the parties.
- 2.2. Venue in this Court is proper pursuant to AS 22.10.030 and CR 3.

1 III. FACTUAL BACKGROUND

2 3.1 To commemorate Apollo 11's inaugural trip to the moon, the U.S. government
3 constructed plaques to be gifted to every state.

4 3.2 The plaques were all individually gifted in or around the year 1969.

5 3.3 At some point between 1969 and 1973 the plaque gifted to the State of Alaska
6 ("Plaque") was transferred to the Transportation Branch of the Alaska State Museum in
7 Anchorage ("Alaska Transportation Museum") to be put on display.

8 3.4 In 1973, there was a fire at the Alaska Transportation Museum. The entire
9 building burned down and a number of the displays were destroyed by the fire.

10 3.5 In the days following the fire, the entire museum grounds were closed off from
11 the general public. At this time, only museum employees and emergency personnel were
12 allowed on the grounds to recover any displays that survived the fire.

13 3.6 The day the recovery effort concluded, the remaining debris was declared garbage
14 and garbage removal trucks were sent onto the site to clear all of the remaining debris.

15 3.7 On the evening of the first day of the debris removal, plaintiff, who was a minor at
16 the time, entered the debris area. During this time, there were a number of garbage removal
17 crews on the site who were aware of plaintiff's presence.

18 3.8 While combing through the debris, plaintiff discovered the Plaque, which was
19 coated by a thick layer of melted materials. Plaintiff thought it was "cool" and that he might be
20 able to clean it up and turn it into a neat souvenir.

21 3.9 In full view of the garbage removal workers, plaintiff removed the Plaque from
22 the site and took it home.

23 3.10 In 1973, the Plaque was widely considered not to have any real monetary value,
24 because it was assumed moon trips would soon become a nearly everyday occurrence.

25 IV. FIRST CAUSE OF ACTION: DECLARATORY JUDGMENT

26 4.1 Plaintiff realleges each and every allegation set forth in the paragraphs above and
below as though fully set forth herein.

1 4.2 This is an action for declaratory relief and for a declaratory judgment pursuant to
2 AS 22.10.020(g).

3 4.3 An actual controversy exists between the parties with respect to the ownership
4 of the Plaque.

5 4.4 Plaintiff is entitled to declaratory relief and a declaratory judgment establishing
6 that this Court can adjudicate ownership of the Plaque and that pursuant to such adjudication,
7 plaintiff is the owner of the Plaque.

8 V. SECOND CAUSE OF ACTION: QUIET TITLE

9 5.1 Plaintiff hereby incorporates by reference each and every allegation set forth in
10 the paragraphs above and below as though fully set forth herein.

11 5.2 The State of Alaska became the true owner of the Plaque when it was gifted to
12 the State of Alaska by President Nixon.

13 5.3 The State of Alaska abandoned the Plaque by demonstrating an intention to
14 relinquish all title, possession, or claim to the Plaque, accompanied by an activity or omission by
15 which such intention was manifested, when it instructed garbage removal crews to remove and
16 dispose of it after meticulously searching through the debris for all objects it wished to salvage.

17 5.4 Plaintiff became the true owner of the abandoned Plaque when he recovered it
18 from the debris area.

19 5.5 Plaintiff is entitled to a judgment quieting title to the Plaque in plaintiff to the
20 exclusion of the State of Alaska and to all other persons or entities who might claim title.

21 VI. THIRD CAUSE OF ACTION: QUANTUM MERUIT/UNJUST ENRICHMENT

22 6.1 Plaintiff hereby incorporates by reference each and every allegation set forth in
23 the paragraphs above and below as though fully set forth herein.

24 6.2 Plaintiff rescued the Plaque from destruction.

25 6.3 Plaintiff expended considerable time and resources restoring the Plaque.

26 6.4 In the event this Court does not deem plaintiff to be the rightful owner of the
Plaque, plaintiff's discovery and restoration of the Plaque entitles him to a quantum meruit

1 compensation in an amount to be proven at trial, plus pre-judgment interest, post-judgment
2 interest, and attorney fees.


3 **VII. PRAYER FOR RELIEF**

4 WHEREFORE plaintiff prays that this Court grant the following relief:

- 5 (a) A judgment declaring plaintiff the true and sole owner of the Plaque,
6 unencumbered by any other interest;
7 (b) A monetary judgment equal to the current value of the Plaque in the event this
8 Court does not deem plaintiff to be the rightful owner of the Plaque, and/or for any damages
9 caused to plaintiff;
10 (c) An award of plaintiff's attorney fees and costs; and
11 (d) Such other relief as the Court deems just and equitable.

12 DATED this 9th day of December, 2010.

13
14 HARRIS & MOURE, pllc

15
16 By 
17 Daniel P. Harris, ABA # 0104006
18 Attorney for Plaintiff Arthur C. Anderson