

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

ZIP KOMBUCHA LLC, SWEETGALE
MEADWORKS & CIDER HOUSE LLC,
and GRACE RIDGE BREWING CO.,

Plaintiffs,

v.

KEVIN RICHARD, in his official
capacity as Director of the Alaska
Alcohol and Marijuana Control Office,
and the ALASKA ALCOHOLIC
BEVERAGE CONTROL BOARD,

Defendants.

Case No. 3AN-24-04842 CI

FINAL JUDGMENT

On January 14, 2026, this Court granted summary judgment in part to Plaintiffs as to AS 04.09.320(e)(1) and (g)(1), AS 04.09.330(e)(1) and (g)(1), and in entirety as to AS 04.09.700. The Court denied summary judgment for Defendants. The Court hereby enters final judgment in this matter as follows:

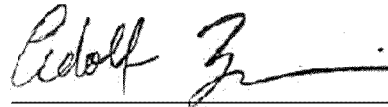
1. The Court has determined that on their face, the provisions in AS 04.09.320(g)(1) and AS 04.09.330(g)(1) permitting breweries and wineries to allow “presentations, television or video displays, or other displays” on premises where consumption of alcoholic beverages occurs only when such presentations, televisions, or displays “directly promote or educate customers about the [brewery’s/winery’s] products, processes, or establishment” are content-based restrictions of speech and expression that violate the First Amendment to the United States Constitution and Article I, Section 5 of the Alaska Constitution.

2. The Court has determined that, on their face, the provisions in AS 04.09.320(g)(1) and AS 04.09.330(g)(1) permitting breweries and wineries to allow “activities” only when they “directly promote or educate customers about the [brewery’s/winery’s] products, processes, or establishment” are content-based restrictions that violate the First Amendment to the United States Constitution and Article I, Section 5 of the Alaska Constitution to the extent that the word “activities” encompasses speech and expressive conduct.
3. The Court has determined that, on their face, the provisions in AS 04.09.320(e)(1) and AS 04.09.330(e)(1) prohibiting breweries and wineries from allowing “live music or performances, disc jockeys, karaoke, [and] televisions” on the premises where consumption of alcoholic beverages occurs are content-neutral restrictions on speech and expression that violate the First Amendment to the United States Constitution and Article I, Section 5 of the Alaska Constitution.
4. The Court has determined that, on their face, the provisions in AS 04.09.320(e)(1) and AS 04.09.330(e)(1) prohibiting breweries and wineries from allowing “organized games or tournaments on the premises where the consumption occurs” are content-neutral restrictions on speech and expression that violate the First Amendment to the United States Constitution and Article I, Section 5 of the Alaska Constitution to the extent that these provisions restrict protected speech or expression.
5. The Court has determined that, on its face, AS 04.09.700 is a content-neutral restriction on speech and expression that violates the First Amendment to the United States Constitution and Article I, Section 5 of the Alaska Constitution.
6. To the extent that the above-mentioned statutes and any regulations promulgated thereunder violate the First Amendment to the United States Constitution and Article I, Section 5 of the Alaska Constitution, these statutes and regulations are void and of no effect. Defendants are hereby permanently enjoined from enforcing them.

7. The Court has determined that the provisions in AS 04.09.320(e)(1) and AS 04.09.330(e)(1) prohibiting breweries and wineries from allowing pool tables and dart games “on the premises where the consumption occurs” do not implicate the First Amendment to the United States Constitution nor Article I, Section 5 of the Alaska Constitution because these provisions do not restrict protected speech or expression.

A motion for attorneys’ fees and a bill of costs may be filed within ten (10) days after the date of the clerk’s certificate and distribution of this Final Judgment as provided in Civil Rule 82(c).

Made and entered this 2nd day of March, 2026.

A handwritten signature in black ink, appearing to read "Adolf Z.", written over a horizontal line.

Adolf V. Zeman
Superior Court Judge

Alaska Trial Courts

Certificate of Distribution

Case Number: 3AN-24-04842CI

Case Title: ZIP KOMBUCHA LLC VS. JOAN WILSON, DIR. OF ALASKA AMCO, IN HER OFFICIAL

The Alaska Trial Courts certify that the Order Granting Motion Case Motion #9: Proposed Final Judgment was distributed to:

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