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STATE OF NEW YORK,

COUNTY OF NEW YORK

Howard Daniels being duly sworn, deposes and says that deponent is not party to the action, and is over 18 years of age.

That on the 23rd day of January 2018 deponent served 3 copies of the within

BRIEF FOR AMICI CURIAE DR. DAVID S. EVANS AND PROF. RICHARD SCHMALENSEE IN SUPPORT OF RESPONDENTS

upon the attorneys at the addresses below, and by the following method:

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SS:

BY FEDERAL EXPRESS NEXT BUSINESS DAY DELIVERYAND ELECTRONIC MAIL

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I, Howard Daniels, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, executed on January 23, 2018, pursuant to Supreme Court Rule 29.5[c]. All parties required to be served, have been served.

Howard Daniels

Sworn to me this

January 23, 2018

NADIA R. OSWALD HAMID Notary Public, State of New York No. 010S6101366 Gualified in Kings County Commission Expires November 10, 2019

Notary Public

Case Name: Ohio v. American Express Company

Docket No. 16-1454