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No. 17-1042

BNSF RAILWAY COMPANY,
Petitioner,

v.

MICHAEL D. LOOS,
Respondent.

AFFIDAVIT OF SERVICE

I HEREBY CERTIFY that on February 26, 2018, three (3) copies of the MOTION FOR LEAVE TO FILE A BRIEF *AMICUS CURIAE* AND BRIEF OF THE ASSOCIATION OF AMERICAN RAILROADS AS *AMICUS CURIAE* IN SUPPORT OF PETITIONER in the above-captioned case were served, as required by U.S. Supreme Court Rule 29.5(c), on the following:

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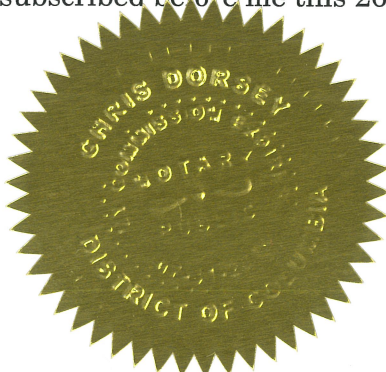
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Sworn to and subscribed before me this 26th day of February 2018



CHRISTOPHER R. DORSEY
NOTARY PUBLIC
District of Columbia

My commission expires July 31, 2018.

IN THE
Supreme Court of the United States

BNSF RAILWAY COMPANY,
Petitioner,

v.

MICHAEL D. LOOS,
Respondent.

**On Petition for a Writ of *Certiorari* to the
United States Court of Appeals
for the Eighth Circuit**

**MOTION FOR LEAVE TO FILE A BRIEF
AMICUS CURIAE AND BRIEF OF THE
ASSOCIATION OF AMERICAN RAILROADS AS
AMICUS CURIAE IN SUPPORT OF PETITIONER**

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I certify that the document contains 3,542 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

The motion contained within this publication has 378 words.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 26, 2018.



Christopher R. Dorsey
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February 16, 2018

Dan Saphire
Association of American Railroads
425 3rd Street, S.W.
Washington, D.C. 20024

Re: No. 17-1042
BNSF Ry. Co. v. Loos

Dear Mr. Saphire:

Petitioner BNSF Railway Company hereby consents to the timely filing of an amicus curiae brief by the Association of American Railroads in the above-referenced docket.

Sincerely,

s/ Alice Loughran

Alice E. Loughran

cc: Charles G. Cole