No. 17-225

IN THE SUPREME COURT OF THE UNITED STATES

GARCO CONSTRUCTION, INC., PETITIONER

v.

ROBERT M. SPEER, ACTING SECRETARY OF THE ARMY

CERTIFICATE OF SERVICE

It is hereby certified that all parties required to be served have been served with copies of the **BRIEF FOR THE RESPONDENT IN OPPOSITION**, via email and first-class mail, postage prepaid, this 1st day of December, 2017.

[See Attached Service List]

As required by Supreme Court Rule 33.1(h), I certify that the document contains <u>4639</u> words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d). I declare under penalty of perjury that the foregoing is true and correct. Executed on <u>December 1, 2017</u>.

Noel J. Francisco <u>Solicitor General</u> <u>Counsel of Record</u> <u>Department of Justice</u> <u>Washington, D.C. 20530-0001</u> (202) 514-2217

December 1, 2017

Due to the continuing delay in receiving incoming mail at the Department of Justice, in addition to mailing your brief via first-class mail, we would appreciate a fax or email copy of your brief. If that is acceptable to you, please fax your brief to Charlene Goodwin, Supervisor, Case Management Specialist, Office of the Solicitor General, at (202) 514-8844, or email at SupremeCtBriefs@USDOJ.gov. Ms. Goodwin's phone number is (202) 514-2217 or 2218. Thank you for your consideration of this request.

17-0225 GARCO CONSTRUCTION, INC. ROBERT M. SPEER, ACTING SECRETARY OF THE ARMY

> ANTHONY T. CASO CHAPMAN UNIVERSITY FOWLER SCHOOL OF LAW ONE UNIVERSITY DRIVE ORANGE, CA 92866 714-628-2650 CASO@CHAPMAN.EDU

WILLIAM S. CONSOVOY CONSOVOY MCCARTHY PARK PLLC 3033 WILSON BLVD. SUITE 700 ARLINGTON, VA 22201 703-243-9423 WILL@CONSOVOYMCCARTHY.COM

TYLER R. GREEN UTAH SOLICITOR GENERAL 350 N. STATE STREET SALT LAKE CITY, UT 84114 801-538-1191 TYLERGREEN@UTAH.GOV

KIMBERLY S. HERMANN SOUTHEASTERN LEGAL FOUNDATION 2255 SEWELL MILL ROAD SUITE 320 MARIETTA, GA 30062 770-977-2131 KHERMANN@SOUTHERNLEGAL.ORG STEVEN D. MEACHAM PEEL BRIMLEY LLP 3333 EAST SERENE AVENUE SUITE 200 HENDERSON, NV 89074 702-990-7273

MARK W. MOSIER COVINGTON & BURLING LLP ONE CITYCENTER 850 TENTH STREET, NW WASHINGTON, DC 20001 202-662-6000 MMOSIER@COV.COM