RULE 33.1(h) CERTIFICATE OF COMPLIANCE

No. 18-

Norfolk Southern Railway Company,

Petitioner,

v.

Mark A. Sumner,

Respondent.

As required by Supreme Court Rule 33.1(h), I, Carter G. Phillips, certify that the Petition for a Writ of Certiorari in the foregoing case contains 7,490 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 April 26, 2019.

/s/ Carter G. Phillips CARTER G. PHILLIPS SIDLEY AUSTIN LLP 1501 K Street, N.W. Washington, DC 20005 (202) 736-8000