

Nos. 18-447 and 18-612

IN THE SUPREME COURT OF THE UNITED STATES

ALABAMA DEPARTMENT OF REVENUE, ET AL., PETITIONERS

V.

CSX TRANSPORTATION, INC.,

CSX TRANSPORTATION, INC.,
CONDITIONAL CROSS-PETITIONER

V.

ALABAMA DEPARTMENT OF REVENUE, ET AL.

CERTIFICATE OF SERVICE

It is hereby certified that all parties required to be served have been served with copies of the **BRIEF FOR THE UNITED STATES AS AMICUS CURIAE** via email and first-class mail, postage prepaid, this 21st day of May, 2019.

[See Attached Service List]

As required by Supreme Court Rule 33.1(h), I certify that the document contains **5,892** 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 **May 21, 2019.**

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

May 21, 2019

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, Supervisory 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.

18-0447

ALABAMA DEPT. OF REVENUE, ET AL.
CSX TRANSPORTATION, INC.

NATHAN D. GOLDMAN
CSX CORPORATION
500 WATER STREET
JACKSONVILLE, FL 32202
904-359-3200

STEPHEN D. GOODWIN
BEARMAN, CALDWELL & BERKOWITZ, PC
165 MADISON AVENUE
SUITE 2000
MEMPHIS, TN 38103
901-577-2141
SGOODWIN@BAKERDONELSON.COM

VIA EMAIL

MARK GRIFFIN
STATE OF ALABAMA DEP'T OF REVENUE
P.O. BOX 32001
MONTGOMERY, AL 36132
334-242-9690

HELEN HECHT
MULTISTATE TAX COMMISSION
444 NORTH CAPITOL ST., N.W.
SUITE 425
WASHINGTON, DC 20001
202-650-0300
HHECHT@MTC.GOV

MISTY SMITH KELLEY
BEARMAN, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC
633 CHESTNUT STREET
SUITE 1900
CHATTANOOGA, TN 37450
423-209-4148

STEVE MARSHALL
OFFICE OF THE ALABAMA ATTORNEY
GENERAL
501 WASHINGTON AVENUE
MONTGOMERY, AL 36139
334-242-7300
SMARSHALL@AGO.STATE.AL.US

VIA EMAIL

JAMES W. MCBRIDE
BEARMAN, CALDWELL & BERKOWITZ, PC
901 K STREET, N.W.
SUITE 900
WASHINGTON, DC 20001
202-508-3467

CARTER G. PHILLIPS
SIDLEY AUSTIN LLP
1501 K STREET, N.W.
WASHINGTON, DC 20005
202-736-8000
CPHILLIPS@SIDLEY.COM

PETER J. SHUDTZ
CSX CORPORATION
1331 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20004
202-783-8124

18-0612
CSX TRANSPORTATION, INC.
ALABAMA DEPT. OF REVENUE, ET AL.

THOMAS H. DUPREE, JR.
GIBSON, DUNN & CRUTCHER LLP
1050 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036
202-955-8500
TDUPREE@GIBSONDUNN.COM

NATHAN G. GOLDMAN
CSX CORPORATION
500 WATER STREET
JACKSONVILLE, FL 32202
904-359-3200

STEPHEN D. GOODWIN
BAKER, DONELSON, BEARMAN, CALDWELL
& BERKOWITZ, PC
FIRST TENNESSEE BUILDING
165 MADISON AVENUE
SUITE 2000
MEMPHIS, TN 38103
901-577-2141

MISTY SMITH KELLEY
BAKER, DONELSON, BEARMAN, CALDWELL
& BERKOWITZ, PC
633 CHESTNUT STREET
SUITE 1900
CHATTANOOGA, TN 37450
423-209-4148

STEVE MARSHALL
OFFICE OF THE ALABAMA ATTORNEY
GENERAL
501 WASHINGTON AVENUE
MONTGOMERY, AL 36139
334-242-7300
SMARSHALL@AGO.STATE.AL.US

JAMES W. MCBRIDE
BAKER, DONELSON, BEARMAN, CALDWELL
& BERKOWITZ, PC
901 K STREET, N.W.
SUITE 900
WASHINGTON, DC 20001
202-508-3467

CARTER G. PHILLIPS
SIDLEY AUSTIN LLP
1501 K STREET, N.W.
WASHINGTON, DC 20005
202-736-8000
CPHILLIPS@SIDLEY.COM

VIA EMAIL

PETER J. SHUDTZ
CSX CORPORATION
1331 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20004
202-783-8124