No. 18-976 IN THE SUPREME COURT OF THE UNITED STATES

ASSOCIATION OF AMERICAN RAILROADS, PETITIONER

v.

DEPARTMENT OF TRANSPORATION, 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 RESPONDENTS IN OPPOSITION**, via e-mail and first-class mail, postage prepaid, this **26th day of April**, **2019**.

[See Attached Service List]

As required by Supreme Court Rule 33.1(h), I certify that the document contains <u>6271</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>April 26, 2019</u>.

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

April 26, 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, Supervisor, Case Management, Office of the Solicitor General, at (202) 514-8844, or email at <u>SupremeCtBriefs@USDOJ.gov</u>. Ms. Goodwin's phone number is (202) 514-2217 or 2218. Thank you for your consideration of this request.

18-0976 ASSOCIATION OF AMERICAN RAILROADS DEPT. OF TRANSPORTATION, ET AL.

> C. FREDERICK BECKNER, III SIDLEY AUSTIN LLP 1501 K STREET, NW WASHINGTON, DC 20005 202-736-8000 RBECKNER@SIDLEY.COM

ANDRENE E. DABAGHI ENVIRONMENTAL LAW & POLICY CENTER 35 EAST WACKER DRIVE SUITE 1600 CHICAGO, IL 60601 312-673-6500 ADABAGHI@ELPC.ORG

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

KATHRYN KIRMAYER ASSOCIATION OF AMERICAN RAILROADS 425 3RD STREET SW SUITE 1000 WASHINGTON, DC 20024 202-639-2508