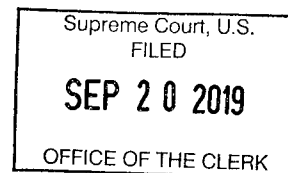


WAIVER



SUPREME COURT OF THE UNITED STATES

Supreme Court Case No. 19-5748

Seth Mitchell

(Petitioner)

v. Macy's, Inc., et al.

(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate boxes:

- ☐ Please enter my appearance as Counsel of Record for all respondents.
- ☒ There are multiple respondents, and I do not represent all respondents. Please enter my appearance as Counsel of Record for the following respondent(s):

Local 3 United Storeworkers, RWDSU/UFCW, AFL-CIO

- ☐ I am a member of the Bar of the Supreme Court of the United States.
- ☒ I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member.

Signature

Eugene G. Eisner

Date: September 20, 2019

(Type or print) Name Eugene G. Eisner

☒ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

Firm Eisner & Dictor, P.C.

Address 39 Broadway, Suite 1540

City & State New York, NY

Zip 10006

Phone 212-473-8700

Email gene@eisnerdictor.com

A COPY OF THIS FORM MUST BE SENT TO PETITIONER'S COUNSEL OR TO PETITIONER IF *PRO SE*. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE IS REQUIRED.

CC: See attached Service List

EISNER & DICTOR, P.C.

ATTORNEYS AT LAW
39 BROADWAY, SUITE 1540
NEW YORK, NEW YORK 10006

TELEPHONE: (212) 473-8700
FACSIMILE: (212) 473-8705

E-MAIL: office@eisnerdictor.com
INTERNET: www.eisnerdictor.com

EUGENE G. EISNER
BENJAMIN N. DICTOR
THOMAS J. LAMADRID

OF COUNSEL
NATHANIEL K. CHARNY*
ROGER J. BERNSTEIN

* NY AND NJ BAR

September 20, 2019

VIA CERTIFIED MAIL

Office of the Honorable Clerk
Supreme Court of the United States
1 First Street, NE
Washington, D.C. 20543

Re: Seth Mitchell v. Macy's, Inc. *et al.*
USSCT No. 19-5748

Dear Honorable Clerk for the United States Supreme Court:

On behalf of Respondent Local 3 United Storeworkers, RWDSU/UFCW, AFL-CIO ("Local 3"), enclosed please find an original and one copy of Local 3's Waiver and Service List.

If it is your practice, please file, stamp, and return the extra copy of the Waiver and Service List to my attention in the enclosed self-addressed and stamped envelope.

A copy of this Waiver and Service list is also being sent to pro se Petitioner Seth Mitchell, and to counsel of record.

Respectfully submitted,



Eugene G. Eisner

EGE/tjl

Encls:

cc: Seth Mitchell (pro se Petitioner)

Philip A. Goldstein, Esq. (counsel for Bank of America Corporation and Terrence P. Laughlin)

Jeremy Paul Blumenfeld, Esq., and Gina F. McGuire, Esq. (counsel for Cigna and Nicole Jones, Esq.)

RECEIVED
SEP 25 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

EISNER & DICTOR, P.C.

Office of the Honorable Clerk
Supreme Court of the United States

Page | 2

Re: Seth Mitchell v. Macy's, Inc. *et al.*
USSCT No. 19-5748

Steven Gerber, Esq. (counsel for Macy's, Inc., Bloomingdales, Ken Hoguet, Jeffrey Kantor, Tony Spring, Elisa Garcia, Esq., Stephen Von Wahlde, Esq., Michelle Ronquillo, Brittany Pressner, Robin Goodell, Susan Shekerchi, Cynthia Clemmons, Sharen Freeling, Brenda Moses, Paula Sabatelli, Elyse Vogel, Aahren DePalma, Esq., and Bernard Manning)

SERVICE LIST FOR WAIVER

<p>Seth Mitchell c/o Ashem LLC 1 Penn Plaza, Suite 6119 New York, NY 10119</p> <p><i>Pro Se Petitioner</i></p>	<p>Philip A. Goldstein, Esq. McGuire Woods LLP 1251 Avenue of the Americas, 20th Floor New York, NY 10020</p> <p><i>Counsel for Bank of America Corporation and Terrence P. Laughlin</i></p>
<p>Jeremy Paul Blumenfeld, Esq. Morgan, Lewis & Bockius LLP 1701 Market Street Philadelphia, PA 19103</p> <p><i>Counsel for Cigna and Nicole Jones, Esq.</i></p>	<p>Gina F. McGuire, Esq. Morgan, Lewis & Bockius LLP 101 Park Avenue New York, NY 10178</p> <p><i>Counsel for Cigna and Nicole Jones, Esq.</i></p>
<p>Steven M. Gerber, Esq. Schoeman Updike Kaufman & Gerber LLP 155 Willowbrook Boulevard, Suite 300 Wayne, NJ 07470</p> <p><i>Counsel for Macy's, Inc., Bloomingdales, Ken Hoguet, Jeffrey Kantor, Tony Spring, Elisa Garcia, Esq., Stephen Von Wahlde, Esq., Michelle Ronquillo, Brittany Pressner, Robin Goodell, Susan Shekerchi, Cynthia Clemons, Sharen Freeling, Brenda Moses, Paula Sabatelli, Elyse Vogel, Aahren DePalma, Esq., and Bernard Manning</i></p>	