

No.

In the
Supreme Court of the United States

ALLAN M. LEAVITT,
Petitioner,

v.

CYNTHIA A. PHILLIPS,
MELISSA AEBERSOLD,
THE COMMERCE INSURANCE COMPANY,
GEICO INSURANCE COMPANY,
UNITED SERVICES AUTOMOBILE ASSOCIATION,
Respondents.

PROOF OF SERVICE RULE 29.5

I, William J. Ruotolo, a member of the bar of this Court, do swear or declare that on this date, December 28, 2019, as required by Supreme Court Rule 29, I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days. The names and addresses of those served are as follows:

Cynthia A. Phillips through her Attorney Mark Darling, Esq., FULLER, ROSENBERG, PALMER & BELIVEAU, LLP, Counsellors At Law, 339 Main Street, Worcester, MA 01608, mdarling@frpb.com and Attorney Amanda Joy Cox, Esq., MODERN LAW, PLLC, PO Box 8128, Worcester, MA 04614, ajcox@modern-law.net; *and*

Melissa Aebersold through her Attorney Ronald E. Harding, Esq., HARDING GURLEY, LLP, 65 William Street, Suite 207, Wellesley, MA 02481, reh@hardinggurley.com; *and*

The Commerce Insurance Company through its Attorney John Callahan, Esq., Philip Tierney, Esq., FINNEGAN, UNDERWOOD, RYAN & TIERNEY, Attorneys At Law, 101 Federal Street, Suite 1900, Boston, MA 02110, jrc@furlaw.com; *and*

“GEICO” Insurance Company through its Attorneys Lynn McCarthy, Esq. and David Brink, Esq., SMITH & BRINK, P.C., 350 Granite Street, Suite 2303, Braintree, MA 02184, dbrink@smithbrink.com, lmccarthy@smithbrink.com; *and*

United Services Automobile Association through its Attorneys Cathryn Spaulding, Esq. and Karen Connors, Esq., LAMONTAGNE, SPAULDING & HAYES, LLP, One Hollis Street, Suite 425, Wellesley, MA 02482, cspaulding@lshattorneys.com, kconnors@lshattorneys.com; *and*

The Honorable Maura Healey, Massachusetts Attorney General, 1 Ashburton Place, Boston, MA 02108.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on December 28, 2019.

/s/ William J. Ruotolo
Supreme Court Bar #226357
Counsel of Record for Petitioner, Allan M. Leavitt

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**CERTIFICATE UNDER RULE 29.4(c) THAT 28 U. S. C. § 2403(b) MAY APPLY
AND OF SERVICE ON THE MASSACHUSETTS ATTORNEY GENERAL**

I, William J. Ruotolo, a member of the bar of this Court certify that under Supreme Court of the United States Rule 29.4(c) that this case involves a proceeding in this Court in which the constitutionality of the Massachusetts statute, M.G.L. ch. 231A, is drawn into question, and neither the State nor any agency, officer, or employee thereof is a party, and that 28 U.S.C. § 2403(b) may apply and therefore the Petition for Certiorari has been served on the Attorney General of that State of Massachusetts and that pursuant to 28 U.S.C. § 2403(b), this certifies Petitioner's understanding that the Massachusetts Court has not, as of this date, certified to the Massachusetts Attorney General the fact that the constitutionality of a statute of that State was drawn into question.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on December 28, 2019.

/s/ William J. Ruotolo
Supreme Court Bar #226357
Counsel of Record for Petitioner, Allan M. Leavitt