

W A I V E R

SUPREME COURT OF THE UNITED STATES

No. 21-1006

Marc S. Kirschner

Dennis J. FitzSimons, et al.

(Petitioner)

V.

(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 box:

- ☐ I am filing this waiver on behalf of all respondents.
- ☒ I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

Morgan Stanley & Co. International PLC f/k/a Morgan Stanley & Co. International Limited; Morgan Stanley & Co. International PLC f/k/a Morgan Stanley & Co. International Limited (BNY GCM); Morgan Stanley & Co., LLC f/k/a Morgan Stanley & Co. Incorporated; Morgan Stanley Smith Barney LLC; MS Select-Value Added Market

Please check the appropriate box:

- ☒ I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- ☐ 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. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office) 1 First Street, NE, Washington, D.C. 20543).

Signature:

Date:

1/20/22

(Type or print) Name Gregory Silbert

☒ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

Firm

Weil Gotshal & Manges LLP

Address

767 Fifth Ave.

City & State

New York, N.Y.

Zip 10153

Phone

(212) 310-8846

Email

gregory.silbert@weil.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 or cover letter is required.

cc: Lawrence Saul Robbins (lrobbins@robbinsrussell.com)
Robbins, Russell, Englert, Orseck & Untereiner LLP
2000 K Street, NW 4th Floor
Washington, DC 20006

