RULE 33.1(h) CERTIFICATE OF COMPLIANCE

No. 21-1168

ROBERT MALLORY,

Petitioner,

v.

NORFOLK SOUTHERN RAILWAY CO.,

Respondent.

As required by Supreme Court Rule 33.1(h), I, Carter G. Phillips, certify that the Brief in Opposition in the foregoing case contains 5,957 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 March 8, 2022.

/s/ Carter G. Phillips CARTER G. PHILLIPS SIDLEY AUSTIN LLP 1501 K Street, N.W. Washington, D.C. 20005 (202) 736-8000