

No. 21-1168

In the Supreme Court of the United States

ROBERT MALLORY, PETITIONER

v.

NORFOLK SOUTHERN RAILWAY CO., RESPONDENT

*On Writ of Certiorari
to the Pennsylvania Supreme Court*

JOINT APPENDIX

ASHLEY KELLER
Keller Postman LLC
150 North Riverside Plaza
Suite 4100
Chicago, Illinois 60606
(312) 741-5222
ack@kellerpostman.com

CARTER G. PHILLIPS
Sidley Austin LLP
1501 K Street, N.W.
Washington, D.C. 20005
(202) 736-8270
cphillips@sidley.com

Counsel of Record for
Petitioner

Counsel of Record for
Respondent

Petition for Writ of Certiorari filed February 18, 2022
Petition for Writ of Certiorari granted April 25, 2022

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Application for Certificate of Authority filed by Norfolk
Southern Railway Company with Pennsylvania
Department of State

7000 F110

Microfilm Number _____

Entity Number 2834 204

Filed with the Department of State on SEP 1 - 1936
Shelley Davis
Secretary of the Commonwealth

APPLICATION FOR CERTIFICATE OF AUTHORITY
DSCB:15-4124/6124 (Rev 90)

- Indicate type of corporation (check one):
- Foreign Business Corporation (15 Pa.C.S. § 4124)
- Foreign Nonprofit Corporation (15 Pa.C.S. § 6124)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) the undersigned association hereby states that:

1. The name of the corporation is: Norfolk Southern Railway Company
2. The name which the corporation adopts for use in this Commonwealth is (complete only when the corporation must adopt a corporate designator for use in Pennsylvania):

3. (If the name set forth in Paragraph 1 is not available for use in this Commonwealth, complete the following):
The fictitious name which the corporation adopts for use in transacting business in this Commonwealth is:

This corporation shall do business in Pennsylvania only under such fictitious name pursuant to the attached resolution of the board of directors under the applicable provisions of 15 Pa.C.S (relating to corporations and unincorporated associations) and the attached form DSCB:54-311 (Application for Registration of Fictitious Name).

4. The name of the jurisdiction under the laws of which the corporation is incorporated is:
Virginia
5. The address of its principal office under the laws of the jurisdiction in which it is incorporated is:
Three Commercial Place, Norfolk, Virginia 23510, City of Norfolk
Number and Street City State Zip County
6. The (a) address of this corporation's proposed registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:
(a) _____
Number and Street City State Zip County
(b) c/o: C. T. Corporation System
Name of Commercial Registered Office Provider Philadelphia County

DSCB:15-4124/6124 (Rev 90)-2

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

(Check one of the following):

(Business corporation): The corporation is a corporation incorporated for a purpose or purposes involving pecuniary profit, incidental or otherwise.

(Nonprofit corporation): The corporation is a corporation incorporated for a purpose or purposes not involving pecuniary profit, incidental or otherwise.

IN TESTIMONY WHEREOF, the undersigned corporation has caused this Application for a Certificate of Authority to be signed by a duly authorized officer this 10th day of August, 19 98.

Norfolk Southern Railway Company
(Name of Corporation)

BY: Sandra T. Pierce
(Signature)

TITLE: Corporate Secretary

Microfilm Number _____
Entity Number 2834324

Filed with the Department of State on OCT 13 1998
[Signature]
Secretary of the Commonwealth

**STATEMENT OF MERGER, CONSOLIDATION OR DIVISION
QUALIFIED FOREIGN CORPORATION**

DSCB:15-4127/6127 (Rev 90)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations), the undersigned corporation, which is the corporation surviving or a new corporation resulting from a statutory merger, consolidation or division to which a qualified foreign corporation was a nonsurviving party, hereby states that:

1. The nonsurviving qualified foreign corporation(s) which was a party (were parties) to the statutory merger, consolidation or division is (are):

Name	Jurisdiction	Date Certificate of Authority was filed in PA
Norfolk and Western Railway Company	Virginia	10-16-1964
Norfolk & Western Railway Company	Virginia	06-06-1912

2. The corporate existence of the corporation(s) named in the foregoing paragraph has (have) been terminated by (check one of the following):

Merger
 Consolidation
 Division

3. ~~(STATEMENT OF MERGER, CONSOLIDATION OR DIVISION OF A QUALIFIED FOREIGN CORPORATION IS VOID IF ANY OF THE FOLLOWING INFORMATION IS NOT CORRECTLY SET FORTH IN THIS STATEMENT)~~

IN TESTIMONY WHEREOF, the undersigned corporation has caused this Statement of Merger, Consolidation or Division to be signed by a duly authorized officer thereof this 6 day of Oct, 19 98.

Norfolk Southern Railway Company
(Name of Surviving Corporation)
BY: [Signature]
(Signature)
TITLE: James A. Nixon, Vice President

200410 1- 94

**PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU**

Statement of Merger, Consolidation or Division
Qualified Foreign Corporation
(15 Pa.C.S.)

Entity Number: 2877037

Foreign Business Corporation (§ 4127)
 Foreign Nonprofit Corporation (§ 6127)

Name: CTC CORP-COUNTER

Address: _____

City: _____ State: _____ Zip Code: _____

Document will be returned to the name and address you enter to the left.

Fee: \$150 plus \$40 additional for each party in addition to two

OCT 29 2004

Filed in the Department of State on _____

Perkins C. Cantas
Secretary of the Commonwealth

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations), the undersigned corporation, which is the corporation surviving or a new corporation resulting from a statutory merger, consolidation or division to which a qualified foreign corporation was a non-surviving party, hereby states that:

1. The non-surviving qualified foreign corporation(s) which was a party (were parties) to the statutory merger, consolidation or division is (are):

Name	Jurisdiction	Date Certificate of Authority was filed in PA.
Pennsylvania Lines LLC	Delaware	May 12, 1999

2. Check one of the following:

The corporate existence of the corporation(s) named in the foregoing paragraph has (have) been terminated by:

Merger
 Consolidation
 Division

~~3. Strike out this paragraph if the transaction is a merger and the surviving corporation is a qualified foreign business corporation.~~

~~Attached hereto and made a part hereof as Exhibit A is a completed form DSCB 15-4124/6124 (Application for a Certificate of Authority-Foreign Corporation) with respect to each foreign corporation resulting from or surviving the merger, consolidation or division.~~

IN TESTIMONY WHEREOF, the undersigned corporation has caused this Statement of Merger, Consolidation or Division to be signed by a duly authorized officer thereof this

22nd day of October

2004

Norfolk Southern Railway Company

Name of Surviving Corporation

Reginald J. Chaney
Signature

Corporate Secretary

Title

Entity #: 2834324
Date Filed: 07/15/2009
Pedro A. Cortés
Secretary of the Commonwealth

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Statement of Change of Registered Office (15 Pa.C.S.)

- Domestic Business Corporation (§ 1507)
- Foreign Business Corporation (§ 4144)
- Domestic Nonprofit Corporation (§ 5507)
- Foreign Nonprofit Corporation (§ 6144)
- Domestic Limited Partnership (§ 8506)

Document will be returned to the name and address you enter to the left.

Corporation Service Company
065 945-024 Kei

Commonwealth of Pennsylvania
FOREIGN BUSINESS CHANGE OF REGISTERED OFFICE 2 Page(s)

Fee: \$70



In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations), the undersigned corporation or limited partnership, desiring to effect a change of registered office, hereby states that:

1. The name is:
NORFOLK SOUTHERN RAILWAY COMPANY

2. The (a) address of its initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) Number and street	City	State	Zip	County
(b) Name of Commercial Registered Office Provider				
c/o: CT Corporation System				County

3. Complete part (a) or (b):

(a) The address to which the registered office of the corporation or limited partnership in this Commonwealth is to be changed is:

Number and street	City	State	Zip	County
(b) The registered office of the corporation or limited partnership shall be provided by:				
c/o: Corporation Service Company				Dauphin
Name of Commercial Registered Office Provider				County

4. Strike out if a limited partnership:
Such change was authorized by the Board of Directors of the corporation.

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IN TESTIMONY WHEREOF, the undersigned has caused
this Statement of Change of Registered Office to be signed
by a duly authorized officer thereof this

8th day of July, 2009

NORFOLK SOUTHERN RAILWAY COMPANY

Name of Corporation/Limited Partnership

Leslie S. Janless

Signature

Assistant Corporate Secretary

Title

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

06/14/2022

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

NORFOLK SOUTHERN RAILWAY COMPANY

is duly registered to do business under the laws of the Commonwealth of Pennsylvania and remains a registered Foreign Business Corporation so far as the records of this office show, as of the date herein.

I DO FURTHER CERTIFY THAT this Certificate of Registration shall not imply that all fees, taxes and penalties owed to the Commonwealth of Pennsylvania are paid.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written

Leigh M. Chapman

Acting Secretary of the Commonwealth

Certification Number: TSC220614131394-1

Verify this certificate online at <http://www.corporations.pa.gov/orders/verify>