

**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 Respondent's Brief in the foregoing case contains 12,998 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 August 26, 2022.

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

**CERTIFICATE OF SERVICE**

No. 21-1168

Robert Mallory,

*Petitioner,*

v.

Norfolk Southern Railway Co.,

*Respondent.*

I, Carter G. Phillips, do hereby certify that, on this twenty-sixth day of August, 2022, I caused three copies and an electronic copy of the Respondent's Brief in the foregoing case to be served by first class mail, postage prepaid and by email, on the following party:

ASHLEY CONRAD KELLER  
KELLER POSTMAN LLC  
150 N. Riverside Plaza  
Suite 4100  
Chicago, IL 60606  
(312) 741-5222  
ack@kellerpostman.com

*Counsel for Petitioner*

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