No. 21-972

IN THE SUPREME COURT OF THE UNITED STATES

THOMAS H. BUFFINGTON, PETITIONER

v.

DENIS R. MCDONOUGH, SECRETARY OF VETERANS AFFAIRS

CERTIFICATE OF SERVICE

It is hereby certified that all parties required to be served have been served with copies of the **BRIEF FOR THE RESPONDENT IN OPPOSITION**, via email and first-class mail, postage prepaid, this 8th day of April 2022.

[See Attached Service List]

As required by Supreme Court Rule 33.1(h), I certify that the document contain <u>7,287</u> 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 <u>April 8, 2022</u>

Elizabeth B. Prelogar
Solicitor General
Counsel of Record
Department of Justice
Washington, D.C. 20530-0001
(202) 514-2217

April 8, 2022

Due to the continuing delay in receiving incoming mail at the Department of Justice, in addition to mailing your brief via first-class mail, we would appreciate a fax or email copy of your brief. If that is acceptable to you, please fax your brief to Charlene Goodwin, Case Management Supervisor, Office of the Solicitor General, at (202) 514-8844, or email at **SupremeCtBriefs@USDOJ.gov.** Ms. Goodwin's phone number is (202) 514-2217 or 2218. Thank you for your consideration of this request.

21-0972 BUFFINGTON, THOMAS H. DENIS R. MCDONOUGH, SECRETARY OF VETERAN AFFAIRS

> MEL BOSTWICK ORRICK, HERRINGTON & SUTCLIFFE, LLP 1152 15TH ST., NW WASHINGTON, DC 20005 202-339-8483 MBOSTWICK@ORRICK.COM

THOMAS M. FISHER
SOLICITOR GENERAL OF INDIANA
IGC SOUTH, FIFHT FLOOR
302 W. WASHINGTON STREET
INDIANAPOLIS, IN 46204
317-232-6255
TOM.FISHER@ATG.IN GOV

RAYMOND J. LAJEUNESSE, JR.
C/O NATIONAL RIGHTS TO WORK LEGAL
DEFENSE FOUNDATI
8001 BRADDOCK ROAD
SUITE 600
SPRINGFIELD, VA 22160
703-321-8510
RJL@NRTW.ORG

ROMAN MARTINEZ LATHAM & WATKINS LLP 555 ELEVENTH STREET, NW WASHINGTON, DC 20004 202-637-3377 ROMAN.MARTINEZ@LW.COM THOMAS R. MCCARTHY
ANTONIN SCALIA LAW SCHOOL SUPREME
COURT CLINIC CONSOVOY MCCARTH PLLC
1600 WILSON BOULEVARD
SUITE 700
ARLINGTON, VA 22209
703-243-9423
TOM@CONSOVOYMCCARTHY.COM

THOMAS RYAN MCCARTHY
CONSOVOY MCCARTHY PLLC
1600 WILSON BOULEVARD
SUITE 700
ARLINGTON, VA 22209
703-243-9423
TOM@CONSOVOYMCCARTHY.COM

MICHAEL H. MCGINLEY
DECHERT LLP
1900 K STREET, NW
WASHINGTON, DC 20006
202-261-3378
MICHAEL.MCGINLEY@DECHERT.COM

MICHAEL HUGH MCGINLEY
DECHERT LLP
1900 K STREET, NW
WASHINGTON, DC 20006
202-261-3378
MICHAEL.MCGINLEY@DECHERT.COM

MICHAEL PEPSON
AMERICANS FOR PROSPERITY FOUNDATION
1310 N. COURTHOUSE ROAD
SUITE 700
ARLINGTON, VA 22201
571-329-4529
MPEPSON@AFPHQ.ORG

RICHARD A. SAMP NEW CIVIL LIBERTIES ALLIANCE 1225 19TH STREET NW SUITE 450 WASHINGTON, DC 20036 202-588-0302 RICHSAMP@NCLA.LEGAL