

**AFFIDAVIT OF SERVICE**

SUPREME COURT OF THE UNITED STATES

No. 22-1112

-----X  
AVAIL VAPOR, LLC, ET AL.,

*Petitioners,*

*v.*

FOOD AND DRUG ADMINISTRATION,

*Respondent.*

-----X

STATE OF NEW YORK     )

COUNTY OF NEW YORK    )

I, Bryant Lee, being duly sworn according to law and being over the age of 18, upon my oath depose and say that:

I am retained by Counsel of Record for the Petitioners.

That on the 3<sup>rd</sup> day of August, 2023, I served the within Reply Brief for Petitioners in the above-captioned matter upon:

Elizabeth B. Prelogar  
Solicitor General  
United States Department of Justice  
*Attorneys for Respondent*  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
(202) 514-2217  
[supremectbriefs@usdoj.gov](mailto:supremectbriefs@usdoj.gov)

by sending three copies of same, addressed to each individual respectively, and enclosed in a properly addressed wrapper, through the United States Postal Service, by Express Mail, postage prepaid. An electronic version was also served by email to each individual.

That on the same date as above, I sent to this Court forty copies of the within Reply Brief for Petitioners through the United States Postal Service by Express Mail, postage prepaid. In addition, the brief has been submitted through the Court's electronic filing system.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 3<sup>rd</sup> day of August, 2023.



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Bryant Lee

Sworn to and subscribed before me this 3<sup>rd</sup> day of August, 2023.



**MARIANA BRAYLOVSKIY**  
Notary Public State of New York  
No. 01BR6004935  
Qualified in Richmond County  
Commission Expires March 30, 2026

#322821

