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STATE OF NEW YORK,

COUNTY OF NEW YORK

Edward Gutowski being duly sworn, deposes and says that deponent is not party to the action, and is over 18 years of age.

That on the 5th day of April 2023 deponent served 3 copies of the within

BRIEF OF AMICUS CURIAE PROFESSOR GEORGE A. BERMANN IN SUPPORT OF RESPONDENT VITALY IVANOVICH SMAGIN

upon the attorneys at the addresses below, and by the following method:

)

)

SS:

BY FEDERAL EXPRESS NEXT BUSINESS DAY DELIVERY

Michael C. Tu Cooley LLP 355 South Grand Avenue Suite 900 Los Angeles, CA 90071 (310) 883-6550 mctu@cooley.com Vincent G. Levy Holwell Shuster & Goldberg, LLP 425 Lexington Avenue, 14th Floor New York, NY 10017 (646) 837-5120 vlevy@hsgllp.com

Alexander D. Burch Baker & McKenzie, LLP 700 Louisiana, Suite 3000 Houston, TX 77002 (713) 427-5038 alexander.burch@bakermckenzie.com

I, Edward Gutowski, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, executed on April 5, 2023, pursuant to Supreme Court Rule 29.5(c). All parties required to be served, have been served.

Edward Gutowski

Sworn to me this

April 5, 2023

Samantha Collins Notary Public, State of New York No. 01CO6437788 Qualified in Kings County Commission Expires August 1, 2026

Case Name: Yegiazaryan, v. Smagin, et al.

Docket/Case Nos. 22-381, 22-383

Notary Public

AFFIDAVIT OF SERVICE