### No. 22-703

#### IN THE SUPREME COURT OF THE UNITED STATES

# AMERICAN PETROLEUM INSTITUTE, ET AL., PETITIONERS

v.

## ENVIRONMENTAL DEFENSE CENTER, ET AL.

## **CERTIFICATE OF SERVICE**

It is hereby certified that all parties required to be served have been served with copies of the **BRIEF FOR THE FEDERAL RESPONDENTS IN OPPOSITION**, via e-mail and first-class mail, postage prepaid, this 28th day of April, 2023.

#### [See Attached Service List]

As required by Supreme Court Rule 33.1(h), I certify that the document contains <u>5762</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</u> <u>28, 2023.</u>

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

April 28, 2023

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, Supervisory Case Management Specialist, 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.

22-0703 AMERICAN PETROLEUM INSTITUTE, ET AL. ENVIRONMENTAL DEFENSE CENTER, ET AL.

> DAVID ALDERSON SUPERVISING DEPUTY ATTORNEY GENERAL LAND USE AND CONSERVATION SECTION STATE OF CALIFORNIA DEPARTMENT OF JUSTICE 1515 CLAY STREET, SUITE 2000 OAKLAND, CA 94612 DAVID.ALDERSON@DOJ.CA.GOV

ANDREW M. GROSSMAN BAKER & HOSTETLER LLP 1050 CONNECTICUT AVENUE, N.W. SUITE 1100 WASHINGTON, DC 20036 202-861-1697 AGROSSMAN@BAKERLAW.COM

MARGARET M. HALL ENVIRONMENTAL DEFENSE CENTER 906 GARDEN STREET SANTA BARBARA, CA 93101 MHALL@ENVIRONMENTALDEFENSECENTER .ORG

JONATHAN A. HUNTER JONES WALKER LLP 201 ST. CHARLES AVENUE SUITE 5100 NEW ORLEANS , LA 70170 WILLIAM M. JAY GOODWIN PROCTER LLP 1900 N. STREET, NW. WASHINGTON, DC 20036 202-346-4000 WJAY@GOODWINLAW.COM

JOSHUA A. KLEIN CALIFORNIA DEPT. OF JUSTICE OFFICE OF THE SOLICITOR GENERAL 1515 CLAY STREET SUITE 2000 OAKLAND, CA 94612-1413 510-879-0756 JOSHUA.KLEIN@DOJ.CA.GOV

LINDA JO KROP ENVIRONMENTAL DEFENSE CENTER 906 GARDEN STREET SANTA BARBARA, CA 93101 805-963-1622 LKROP@ENVIRONMENTALDEFENSECENTER. ORG

LINDA KROP ENVIRONMENTAL DEFENSE CENTER 906 GARDEN STREET SANTA BARBARA, CA 93101 805-963-1622 LKROP@ENVIRONMENTALDEFENSECENTER. ORG

L. POE LEGGETTE BAKER & HOSTETLER LLP 811 MAIN STREET SUITE 1100 HOUSTON, TX 77002 KRISTEN MONSELL CENTER FOR BIOLOGICAL DIVERSITY 1212 BROADWAY SUITE 800 OAKLAND, CA 94612 510-844-7137

M. RANDALL OPPENHEIMER O'MELVENEY & MYERS LLP 400 SOUTH HOPE STREET LOS ANGELES, CA 90071

STEVEN J. ROSENBAUM COVINGTON & BURLING LLP ONE CITYCENTER 850 TENTH STREET, NW WASHINGTON , DC 20001 202-662-6000 SROSENBAUM@COV.COM

KANNON K. SHANMUGAM PAUL, WEISS, RIFKIND,WHARTON & GARRISON LLP 2001 K STREET, NW WASHINGTON, DC 20006 202-223-7300 KSHANMUGAM@PAULWEISS.COM

JUDD E. STONE II SOLICITOR GENERAL OFFICE OF THE ATTORNEY GENERAL P.O. BOX 12548 (MC 059) AUSTIN, TX 78711-2548 512-936-1700 JUDD.STONE@OAG.TEXAS.GOV STEPHEN W. WIEGAND LISKOW & LEWIS, APLC 701 POYDRAS STREET SUITE 5000 NEW ORLEANS, LA 70139