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February 16, 2023

Clerk of Court  
Supreme Court of the United States  
One First Street, NE  
Washington, DC 20543

Re: United Mine Workers of America 1974 Pension Plan, et al. v. Energy West Mining  
Company  
Court File No. 22-742

Dear Clerk of Court:

As this case does not warrant review by the Supreme Court, Respondent Energy West Mining Company is waiving its right to respond to the petition unless requested by the Court to do so. Enclosed is Respondent's completed Waiver form for filing in the above matter. A copy of this letter and waiver has been served on counsel for the Petitioner.

Very truly yours,



Gregory J. Ossi

# W A I V E R

## SUPREME COURT OF THE UNITED STATES

No.

(Petitioner)

v.

(Respondent)

**I DO NOT INTEND TO FILE A RESPONSE** to the petition for a writ of certiorari unless one is requested by the Court.

**Please check the appropriate box:**

I am filing this waiver on behalf of all respondents.

I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

**Please check the appropriate box:**

I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)

I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature:

Date:

(Type or print) Name

Mr.

Ms.

Mrs.

Miss

Firm

Address

City & State

Zip

Phone

Email

A copy of this form must be sent to petitioner's counsel or to petitioner if *pro se*. Please indicate below the name(s) of the recipient(s) of a copy of this form. No additional certificate of service or cover letter is required.

cc: