In the Supreme Court of the United States

CHARLES G. MOORE AND KATHLEEN F. MOORE,

Petitioners,

v.

UNITED STATES OF AMERICA

Respondent.

CERTIFICATE OF COMPLIANCE

I, Michael B. Kimberly, counsel for amicus curiae The Manhattan Institute for Policy Research and Professors Erik M. Jensen and James W. Ely, and a member of the Bar of this Court, certify pursuant to Rule 33.1(h) of the Rules of this Court that this amicus brief in support of petitioner contains 5,507 words, excluding the parts of the brief that are exempted by Rule 33.1(d).

Mullin Michael B. Kimberly