

W A I V E R

Supreme Court, U.S.
FILED

AUG 08 2023

OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED STATES

No. 23-38

David Anthony Newbold, et al.

(Petitioner)

Kinder Morgan SNG Operator, L.L.C., et al

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:

8.3.23

(Type or print) Name

Thomas P. Diaz

☒ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

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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: James M. Wilkerson
207 W. Mississippi Ave., Ste 300
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August 3, 2023

Supreme Court of the United States
Attn: Clerk's Office
1 First Street, NE
Washington, DC 20543

By Certified U.S. Mail

Re: *David Anthony Newbold v. Kinder Morgan SNG Operator, et al.*
Supreme Court of the United States, No. 23-38

Dear Sir or Madam:

I have attached an executed Waiver confirming that the Respondents do not intend to submit a response to the Petition for Writ of Certiorari in the above-captioned docket number.

Please call or write if you have any questions.

Yours sincerely,

Thomas P. Diaz

TPD/ds

Enclosure

cc: James Wilkerson, Esq.
Thomas Hayes IV, Esq.

