

**AFFIDAVIT OF SERVICE**

SUPREME COURT OF THE UNITED STATES

No. \_\_\_\_

-----X

ARCH RESOURCES, INC., AND APOGEE COAL COMPANY LLC,

*Petitioners,*

*v.*

DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, U.S. DEPARTMENT  
OF LABOR AND DAVID M. HOWARD,

*Respondents,*

-----X

STATE OF NEW YORK            )

COUNTY OF NEW YORK        )

I, Ann Tosel, being duly sworn according to law and being over the age  
of 18, upon my oath depose and say that:

I am retained by Counsel of Record for *Petitioners*.

That on the 10<sup>th</sup> day of January, 2025, I served the within *Petition for  
a Writ of Certiorari* in the above-captioned matter upon:

Brad Austin, Esq.  
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by sending three copies of same, addressed to each individual respectively, through Overnight FedEx. An electronic version was also served by email to each individual.

That on the same date as above, I sent to this Court forty copies of the within *Petition for a Writ of Certiorari* and three hundred dollar filing fee check through the Overnight Next Day Federal Express, postage prepaid. In addition, the brief has been submitted through the Court's electronic filing system.

All parties required to be served have been served.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 10<sup>th</sup> day of January, 2025.

*Ann Tosel*

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Ann Tosel

Sworn to and subscribed before me  
this 10<sup>th</sup> day of January, 2025.

*Mariana Braylovsky*

**MARIANA BRAYLOVSKIY**  
Notary Public State of New York  
No. 01BR6004935  
Qualified in Richmond County  
Commission Expires March 30, 2026

