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No. 17-130

Raymond J. Lucia Companies, Inc. and Raymond J. Lucia,

Petitioners,

v.

SECURITIES AND EXCHANGE COMMISSION,

Respondent.

#### AFFIDAVIT OF SERVICE

I HEREBY CERTIFY that on February 26, 2018, three (3) copies of the BRIEF AMICUS CURIAE OF FEDERAL ADMINISTRATIVE LAW JUDGES CONFERENCE IN SUPPORT OF NEITHER PARTY in the above-captioned case were served, as required by U.S. Supreme Court Rule 29.5(c), on the following:

MARK A. PERRY, ESQ GIBSON, DUNN & CRUTCHER LLP 1050 Connecticut Avenue, N.W. Washington, D.C. 20036-5306 (202) 887-3667

NOEL J. FRANCISCO, ESQ. Solicitor General U.S. DEPARTMENT OF JUSTICE 950 Pennsylvania Avenue N.W. Washington, D.C. 20530-0001 (202) 514-2203 ANTON METLITSKY, ESQ.
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The following email addresses have also been served electronically:

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**CASEY HOGAN** 

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Sworn to and

this 26th day of February 2018.

CHRISTOPHER R. DORSEY

NOTARY PUBLIC

District of Columbia

My commission expires July 31, 2018.

#### IN THE

# Supreme Court of the United States

RAYMOND J. LUCIA COMPANIES, INC. AND RAYMOND J. LUCIA,

Petitioners,

v.

SECURITIES AND EXCHANGE COMMISSION, Respondent.

On Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit

BRIEF AMICUS CURIAE OF FEDERAL ADMINISTRATIVE LAW JUDGES CONFERENCE IN SUPPORT OF NEITHER PARTY

#### CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I certify that the document contains 3,678 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 February 26, 2018.

Christopher R. Dorsey

Wilson-Epes Printing Co., Inc.



### U.S. Department of Justice

Office of the Solicitor General

The Solicitor General

Washington, D.C. 20530

January 25, 2018

Michael J. Devine Federal Administrative Law Judges Conference P.O. Box 1772 Washington, DC 20013

Re

Raymond J. Lucia, et al. v. Securities and Exchange Commission,

S. Ct. No. 17-130

Dear Mr. Devine:

As requested in your letter dated January 19, 2018, I hereby consent to the filing of an <u>amicus curiae</u> brief on behalf of the Federal Administrative Law Judge Conference (FALJC).

Very truly yours,

NOEL J. FRANCISO

Solicitor General

## **GIBSON DUNN**

Groson, Dunn & Crutcher LLP

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January 16, 2018

### VIA ELECTRONIC FILING AND HAND DELIVERY

The Honorable Scott S. Harris Clerk of the Court Supreme Court of the United States One First Street, N.E. Washington, D.C. 20543

Re: Raymond J. Lucia, et al. v. SEC, No. 17-130

Dear Mr. Harris:

I am counsel of record for petitioners in the above-referenced case. Petitioners hereby consent to the filing of any amicus curiae brief in this case, in support of either party or of neither party, provided that the amicus curiae brief otherwise complies with the Rules of this Court.

Respectfully submitted,

/s/ Mark A. Perry Mark A. Perry

MAP

cc: counsel of record