

No. 17-494

IN THE SUPREME COURT OF THE UNITED STATES

SOUTH DAKOTA, PETITIONER

v.

WAYFAIR, INC., ET AL.

CERTIFICATE OF SERVICE

It is hereby certified that all parties required to be served have been served with copies of the **BRIEF FOR THE UNITED STATES AS AMICUS CURIAE SUPPORTING PETITIONER**, via email and first-class mail, postage prepaid, this 5th day of March, 2018.

[See Attached Service List]

As required by Supreme Court Rule 33.1(h), I certify that the document contains **8,965** 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 **March 5, 2018.**

Noel J. Francisco
Solicitor General
Counsel of Record
Department of Justice
Washington, D.C. 20530-0001
(202) 514-2217

March 5, 2018

Due to the continuing delay in receiving incoming mail at the Department of Justice, in addition to mailing your brief via first-class mail, we would appreciate a fax or email copy of your brief. If that is acceptable to you, please fax your brief to Charlene Goodwin, Supervisory Case Management Specialist, Office of the Solicitor General, at (202) 514-8844, or email at **SupremeCtBriefs@USDOJ.gov**. Ms. Goodwin's phone number is (202) 514-2217 or 2218. Thank you for your consideration of this request.

17-0494
SOUTH DAKOTA
WAYFAIR, INC., ET AL.

JOHN S. BAKER, JR.
5209 SEA CHASE DRIVE
#5
AMELIA ISLAND , FL 32034
225-773-5027
JOHN. BAKER@LAW.LSU.EDU

EDWARD J. BERNERT
BAKER & HOSTETLER LLP
200 CIVIC CENTER DRIVE,
SUITE 1200
COLUMBUS , OH 43215-4138
614-462-2687
EBERNERT@BAKERLAW.COM

TILLMAN J. BRECKENRIDGE
BAILEY & GLASSER LLP
1054 31ST ST., NW
SUITE 230
WASHINGTON, DC 20007
202-463-2101
TBRECKENRIDGE@BAILEYGLASSER.COM

CLARK R. CALHOUN
ALSTON & BIRD LLP
333 SOUTH HOPE STREET
16TH FLOOR
LOS ANGELES, CA 90071
213-576-1137
CLARK.CALHOUN@ALSTON.COM

ERIC F. CITRON (**EMAILED**)
GOLDSTEIN & RUSSELL, P.C.
7475 WISCONSIN AVE.
SUITE 850
BETHESDA, MD 20814
202-362-0636
ECITRON@GOLDSTEINRUSSELL.COM

WARREN L. DEAN
THOMPSON COLBURN LLP
1909 K STREET, NW
SUITE 600
WASHINGTON, DC 20006-1167
202-585-6900
WDEAN@THOMPSONCOBURN.COM

RUTHANNE MARY DEUTSCH
DEUTSCH HUNT, PLLC
300 NEW JERSEY AVENUE
SUITE 900
WASHINGTON, DC 20001
202-868-6915
RDEUTSCH@DEUTSCHHUNT.COM

DAVID ALLEN FRUCHTMAN
RIMON, PC
245 PARK AVENUE
39TH FLOR
NEW YORK, NY 10167
847-646-4823
DAVID.FRUCHTMAN@POST.HARVARD.EDU

DEBRA L. GREENBERGER
EMERY CELLI BRINCKERHOFF & ABADY LLP
600 FIFTH AVENUE
10TH FLOOR
NEW YORK, NY 10020
212-763-5000
DGREENBERGER@ECBALAW.COM

DEEPAK GUPTA
GUPTA WESSLER PLLC
1900 L STREET, NW
SUITE 312
WASHINGTON, DC 20036
202-888-1741
DEEPAK@GUPTAWESSLER.COM

HELEN HECHT
MULTISTATE TAX COMMISSION
444 NORTH CAPITOL ST., N.W.
SUITE 425
WASHINGTON, DC 20001
202-650-0300
HHECHT@MTC.GOV

JOSEPH D. HENCHMAN
TAX FOUNDATION
1325 G STREET N.W.
STE. 950
WASHINGTON, DC 20005
202-464-6200
HENCHMAN@TAXFOUNDATION.ORG

SAM HIRSCH
JENNER & BLOCK LLP
1099 NEW YORK AVE., N.W.
SUITE 900
WASHINGTON, DC 20001
202-639-6000
SHIRSCH@JENNER.COM

HYLAND HUNT
DEUTSCH HUNT PLLC
300 NEW JERSEY AVENUE, NW
SUITE 900
WASHINGTON, DC 20001
202-868-6915
HHUNT@DEUTSCHHUNT.COM

GEORGE S. ISAACSON (EMAILED)
BRANN & ISAACSON
184 MAIN STREET,
P.O. BOX 3070
LEWISTON, ME 04243-3070
207-786-3566
GISAACSON@BRANNLAW.COM

NHHEIL J. KUENN
KEELEY, KUENN & REID
200 S. WACKER DRIVE
SUITE 3100
CHICAGO , IL 60606
312-782-1829
NKUENN@KKRLAW.COM

LAURA K MCNALLY
LOEB & LOEB LLP
321 N,. CLARK STREET
SUITE 2300
CHICAGO , IL 60654
312-464-3155
LMCNALLY@LOEB.COM

ALAN B. MORRISON
GEORGE WASHINGTON UNIVERSITY LAW
SCHOOL
2000 H STREET, NW
WASHINGTON, DC 20052
202-994-7120
ABMORRISON@LAW.GWU.EDU

DAVID B. SALMONS
MORGAN LEWIS
1111 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20004-2541
202-373-6283
DAVID.SALMONS@MORGANLEWIS.COM

SCOTT A. SINDER
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, N.W.
WASHINGTON, DC 20036
202-429-3000
SSINDER@STEPTOE.COM

GRANT T. SULLIVAN
OFFICE FO THE COLORADO ATTORNEY
GENERAL
1300 BROADWAY,
6TH FLOOR
DENVER, CO 80203
720-508-6000
GRANT.SULLIVAN@COAG.GOV

CHARLES A. TROST
WALLER, LANSDEN, DORTCH & DAVIS, PLLC
511 UNION STREET
SUITE 2700
NASHVILLE, TN 37219-1760
615-244-6380

WM. GREGORY TURNER
TURNER LAW
1125 L. STREET,
SUITE 700
SACRAMENTO, CA 95814
916-251-7398
GREG@TURNERSALT.COM

ADAM G. UNIKOWSKY
JENNER & BLOCK LLP
1099 NEW YORK AVE., NW
SUITE 900
WASHINGTON, DC 20001
202-639-6000
AUNIKOWSKY@JENNER.COM

WILLIAM M. VAN CAMP
OLINGER, LOVALD, MCCAHREN, VAN CAMP
& KONRAD, P.C.
117 E. CAPITOL AVENUE
P.O. BOX 66
PIERRE, SD 57501
605-224-8851
BVANCAMP@OLINGERLAW.NET

DONALD B. VERRILLI
MUNGER, TOLLES & OLSON LLP
1155 F. STGREET, NW
7TH FLOOR
WASHINGTON, DC 20004
202-220-1100
DONALD.VERRILLI@MTO.COM

SETH P. WAXMAN
WILMERHALE
1875 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20006
202-663-6800
SETH.WAXMAN@WILMERHALE.COM