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STATE OF NEW YORK,                    )  
  ) SS:                    75217                    **AFFIDAVIT OF SERVICE**  
COUNTY OF NEW YORK                )

Howard Daniels being duly sworn, deposes and says that deponent is not party to the action, and is over 18 years of age.

That on the 1st day of June 2018 deponent served 3 copies of the within

**BRIEF AMICUS CURIAE OF THE AMERICAN CIVIL LIBERTIES UNION**  
**IN SUPPORT OF PETITIONER**

upon the attorneys at the addresses below, and by the following method:

**BY FEDERAL EXPRESS NEXT BUSINESS DAY DELIVERY AND ELECTRONIC MAIL**

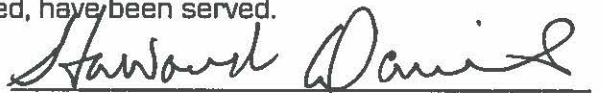
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*Attorneys for Respondent*

I, Howard Daniels, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, executed on June 1, 2018, pursuant to Supreme Court Rule 29.5(c). All parties required to be served, have been served.

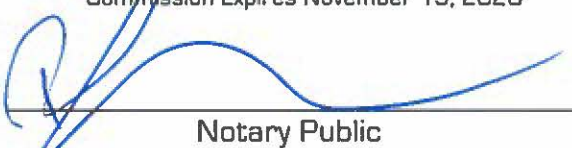


Howard Daniels

**Sworn to me this**

**June 1, 2018**

RAMIRO A. HONEYWELL  
Notary Public, State of New York  
No. 01HD6118731  
Qualified in Kings County  
Commission Expires November 15, 2020

  
\_\_\_\_\_  
Notary Public

**Case Name:** Gundy v. United States of America

**Docket No.:** 17-6086