

No. 17-699 and 17-714  
IN THE SUPREME COURT OF THE UNITED STATES  
NATIONAL RAILROAD PASSENGER CORPORATION,  
PETITIONER

v.  
UNION PACIFIC RAILROAD COMPANY, ET AL.  
NATIONAL ASSOCIATION OF RAILROAD PASSENGERS,  
ET AL., PETITIONERS

v.  
UNION PACIFIC RAILROAD COMPANY, 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 AND THE SURFACE TRANSPORTATION BOARD IN OPPOSITION**, via e-mail and first-class mail, postage prepaid, this **12th** day of **January 2018**.

**[See Attached Service List]**

As required by Supreme Court Rule 33.1(h), I certify that the document contain **1573** 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 **January 12, 2018**.

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

**January 12, 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, Case Management Supervisor, 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.

17-0699

NATIONAL RAILROAD PASSENGERS  
CORPORATION, ET AL.

UNION PACIFIC RAILROAD COMPANY, ET AL.

DAVID W. OGDEN

WILMER CUTLER PICKERING HALE & DORR  
LLP

1875 PENNSYLVANIA AVE., NW

WASHINGTON, DC 20006

202-662-6000

DAVID.OGDEN@WILMERHALE.COM

17-0714

NATIONAL ASSOCIATION OF RAILROAD  
PASSENGERS, ET AL.

UNION PACIFIC RAILROAD COMPANY, ET AL.

HOWARD A. LEARNER  
ENVIRONMENTAL LAW & POLICY CENTER  
35 EAST WACKER DRIVE  
SUITE 1600  
CHICAGO, IL 60601  
312-673-6500  
HLEARNER@ELPC.ORG