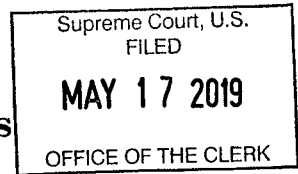


WAIVER

Supreme Court of the United States



No. 18-1367

Norfolk Southern Railway Company
(Petitioner)

v.

Mark A. Sumner
(Respondent)

~~I DO NOT INTEND TO FILE A RESPONSE~~ to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate boxes:

- Please enter my appearance as Counsel of Record for all respondents.
- There are multiple respondents, and I do not represent all respondents. Please enter my appearance as Counsel of Record for the following respondent(s):

- I am a member of the Bar of the Supreme Court of the United States.
- I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member.

Signature Michael R. Davis

Date: May 15, 2019

(Type or print) Name Michael R. Davis
 Mr. Ms. Mrs. Miss

Firm The Moody Law Firm, Inc.

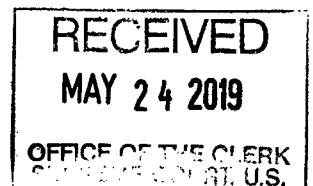
Address 500 Crawford Street, Suite 200

City & State Portsmouth, Virginia Zip 23704

Phone 757-393-4093

SEND A COPY OF THIS FORM TO PETITIONER'S COUNSEL OR TO PETITIONER IF PRO SE. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE IS REQUIRED.

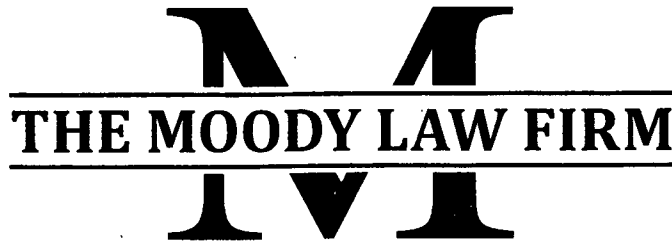
Cc: Mr. Carter G. Phillips
Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005



Obtain status of case on the docket. By phone at 202-479-3034 or via the internet at <http://www.supremecourtus.gov>. Have the Supreme Court docket number available.

WILLARD J. MOODY, SR. VA
WILLARD J. MOODY, JR. VA FL WV NC
PAUL G. MOODY VA

MICHAEL T. SCIANCALEPORE
Executive Director &
Chief Financial Officer



CLAUDE W. ANDERSON, JR. VA NC
MICHAEL R. DAVIS VA WV
JONATHAN A. HOGINS VA
M. QUENTIN EMICK, JR. VA
NICHOLAS D. THOMPSON VA MN WI
JONATHAN L. STONE VA
JOHN H. COSTON, IV VA

May 15, 2019

Matter #13RR-32654

Office of the Clerk
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

**RE: Norfolk Southern Railway Company v. Mark A. Sumner
No. 18-1367 (Supreme Court of the United States)**

Dear Clerk:

Enclosed for filing on behalf of the Respondent in the above referenced matter, please find the following:

1. Waiver.

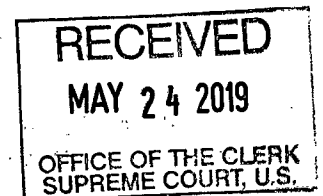
If there are any questions, or if further information or documentation is required, please contact our office. Thanking you in advance for your courtesies and attention to this matter, I remain

Very truly yours,

A handwritten signature in black ink, appearing to read 'Michael R. Davis', is written over a faint, larger version of the signature.

Michael R. Davis

MRD/cgt
Enclosure
cc: Carter G. Phillips, Esquire (with enclosure)



VIRGINIA OFFICE

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