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February 23, 2023

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

Re: *State of Ohio v. CSX Transportation, Inc.*, Case No. 22-459 – waiver of
14-day waiting period

Dear Mr. Harris:

Today, the State of Ohio filed a reply brief in this case supporting its petition for a writ of certiorari. Because the parties have submitted all of their certiorari-stage briefs, there is no longer any need to delay the circulation of their filings. Therefore, the State waives the 14-day waiting period under Rule 15.5.

Respectfully yours,

Dave Yost
Attorney General of Ohio

/s/ Benjamin M. Flowers

Benjamin M. Flowers
Ohio Solicitor General

cc: Andrew Tauber, Counsel for Respondent