

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

AVAIL VAPOR, LLC; BLACKSHIP TECHNOLOGIES DEVELOPMENT, LLC;
BLACKBRIAR REGULATORY SERVICES, LLC,

Petitioners,

v.

UNITED STATES FOOD AND DRUG ADMINISTRATION,

Respondent.

CERTIFICATE OF SERVICE

I, Eric N. Heyer, a member of the Supreme Court Bar, hereby certify that on March 1, 2023, three copies of the attached Application for Extension of Time to File Petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit were served by mail and electronic mail on:

Elizabeth B. Prelogar
Solicitor General of the United States
Room 5616
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001
SupremeCtBriefs@usdoj.gov
Counsel for Respondent

Lindsey E. Powell
Alisa B. Klein
Courtney L. Dixon
U.S. Department of Justice
Civil Division, Appellate Staff
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
Lindsey.E.Powell@usdoj.gov
Alisa.Klein@usdoj.gov
Courtney.L.Dixon@usdoj.gov

Cormac Early
Antonia Konkoly
U.S. Department of Justice
Civil Division
1100 L Street, N.W.
Washington, DC 20005
Cormac.A.Early@usdoj.gov
Antonia.Konkoly@usdoj.gov

Zachary L. Cowan
U.S. Department of Justice
P.O. Box 386
Ben Franklin Station
Washington, DC 20044-0000
Zachary.L.Cowan@usdoj.gov

Counsel for Respondent in the Fourth Circuit

By: /s/ Eric N. Heyer

Eric N. Heyer
Counsel of Record
Joseph A. Smith
Thompson Hine LLP
1919 M Street, NW, Suite 700
Washington, DC 20036
Phone: 202.331.8800
Fax: 202.331.8330
Eric.Heyer@ThompsonHine.com
Joe.Smith@ThompsonHine.com

*Counsel for Petitioners Avail Vapor, LLC;
Blackship Technologies Development,
LLC; and Blackbriar Regulatory Services,
LLC*