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| STATE OF NEW YORK, |) | | |
| | SS: | | AFFIDAVIT OF SERVICE |
| COUNTY OF NEW YORK |) | | |

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

That on the 3rd day of April 2024 deponent served 3 copies of the within BRIEF FOR AMICUS CURIAE NEW YORK COUNCIL OF DEFENSE LAWYERS IN SUPPORT OF PETITIONER

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

BY FEDERAL EXPRESS NEXT BUSINESS DAY DELIVERY

Michael B. Kimberly McDermott Will & Emery LLP 500 North Capitol Street NW The McDermott Building Washington, DC 20001 (202) 756-8901 mkimberly@mwe.com

Counsel for Petitioner

Elizabeth B. Prelogar United States Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001 (202) 514-2217

Counsel for Respondent

I, Edward Gutowski, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, executed on April 3, 2024, pursuant to Supreme Court Rule 29.5(c). All parties required to be served, have been sexted.

Edward Gutowski

Sworn to me this

April 3, 2024

NADIA R. OSWALD HAMID Notary Public, State of New York No. 010S6101366 Qualified in Kings County Commission Expires November 10, 2027

Case Name: Colin Montague v. United States

Docket/Case No. 23-959