## AFFIDAVIT OF SERVICE

STIPPEME COLIRT OF THE LIMITED STATES

SOUREME COOKE OF THE ONLIED STATES
No. 24-43
STATE OF WEST VIRGINIA, ET AL.,
$Petitioners, \ \upsilon.$
B. P. J., BY NEXT FRIEND AND MOTHER, HEATHER JACKSON,
Respondent,
STATE OF NEW YORK )
COUNTY OF NEW YORK )
I. Ann Tosel, being duly sworn according to law and being over the age

I am retained by Counsel of Record for  $Amicus\ Curiae$  America First Legal Foundation.

That on the 18<sup>th</sup> day of September, 2025, I served the within *Brief for America First Legal Foundation as Amicus Curiae In Support of Petitioners* in the above-captioned matter upon:

Kelly Caswell Morgan

Counsel of Record

Bailey & Wyant, PLLC
500 Virginia St. E. Suite 600

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Charleston, WV 25337

kmorgan@baileywyant.com

Ph: 3043454222

Party name: West Virginia State
Board of Education; W. Clayton

Burch, In His Official Capacity as

State Superintendent

of 18, upon my oath depose and say that:

Amy M. Smith

Counsel of Record

Steptoe & Johnson

400 White Oaks Boulevard

Bridgeport, WV 26330

amy.smith@steptoe-johnson.com

Ph: 304-933-8137

Party name: Harrison County

Board of Education and Dora

Stutler

Michael Ray Williams
Counsel of Record
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Attorney General
State Capitol Complex, Bldg. 1, Rm
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1900 Kanawha Blvd. E
Charleston, WV 25305
mwilliams@wvago.gov
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Party name: West Virginia, et al.

Susan Llewellyn Deniker

Counsel of Record

Steptoe & Johnson PLLC

400 White Oaks Boulevard

Bridgeport, WV 26330

Susan.Deniker@SteptoeJohnson.com

Ph: 3049338154

Party name: Harrison County

Board of Education and Dora

Stutler, in her capacity as Harrison

County Superintendent

individual.

Joshua A. Block
Counsel of Record
American Civil Liberties Union
Foundation
125 Broad Street
Floor 18
New York, NY 10004
jblock@aclu.org
Ph: 2125492593
Party name: B.P.J., by her next
friend and mother, Heather
Jackson

Roberta F. Green Counsel of Record Shuman, McCuskey & Slicer 1411 Virginia Street, East Suite 200 Charleston, WV 25301 rgreen@shumanlaw.com Ph: 3044825364

Party name: West Virginia Secondary School Activities Commission

by sending three copies of same, addressed to each individual respectively, through Priority Mail. An electronic version was also served by email to each

That on the same date as above, I sent to this Court forty copies of the within *Brief for America First Legal Foundation as Amicus Curiae In Support of Petitioners* through the Overnight Next Day Federal Express, postage prepaid. In addition, the brief has been submitted through the Court's electronic filing system.

All parties required to be served have been served.

I declare under penalty of perjury that the foregoing is true and correct.



Executed on this 18th day of September, 2025.

Ann Tosel

Ann Tosel

Sworn to and subscribed before me this 18<sup>th</sup> day of September, 2025.

MARIANA BRAYLOVSKIY

Notary Public State of New York No. 01BR6004935 Qualified in Richmond County Commission Expires March 30, 2026