

No. 25-739

IN THE SUPREME COURT OF THE UNITED STATES

HERBERT HIRSCH, ET AL., PETITIONERS

v.

UNITED STATES TAX COURT

CERTIFICATE OF SERVICE

It is hereby certified that all parties required to be served have been served with copies of the **BRIEF FOR THE COMMISSIONER OF INTERNAL REVENUE IN OPPOSITION**, via email and first-class mail, postage prepaid, this, 15TH day of May, 2026.

[See Attached Service List]

As required by Supreme Court Rule 33.1(h), I certify that the document contain **4616** words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d). I declare under penalty of perjury that the foregoing is true and correct. Executed on May 15, 2026.

D. John Sauer
Solicitor General
Counsel of Record
Department of Justice
Washington, D.C. 20530-0001
(202) 514-2217

May 15, 2026

Due to the continuing delay in receiving incoming mail at the Department of Justice, in addition to mailing your brief via first-class mail, we would appreciate a fax or email copy of your brief. If that is acceptable to you, please fax your brief to Charlene Goodwin, Case Management Supervisor, Office of the Solicitor General, at (202) 514-8844, or email at **SupremeCtBriefs@USDOJ.gov**. Ms. Goodwin's phone number is (202) 514-2217 or 2218. Thank you for your consideration of this request.

25-0739

HIRSCH, HERBERT, ET AL.
UNITED STATES TAX COURT

THOMAS A. BERRY
CATO INSTITUTE
1000 MASS. AVE., N.W.
WASHINGTON, DC 20001
202-789-5202
TBERRY@CATO.ORG

KATHLEEN ROBERTA HARTNETT
COOLEY LLP
3 EMBARCADERO CENTER
20TH FLOOR
SAN FRANCISCO, CA 94111
415-693-2071
KHARTNETT@COOLEY.COM

MICHAEL PEPSON
AMERICANS FOR PROSPERITY FOUNDATION
4201 WILSON BLVD.,
STE. 1000
ARLINGTON, VA 22203
571-329-4529
MPEPSON@AFPHQ.ORG

ANDREW MICHAEL WEINER
KOSTELANETZ, LLP
601 NEW JERSEY AVE., NW
SUITE 260
WASHINGTON, DC 20001
202-875-8000
AWEINER@KOSTELANETZ.COM