No. 26-438

In the

Supreme Court of the United States

JOSEPH MILLER, ET AL.,

Petitioners,

v.

JAMES V. MCDONALD, COMMISSIONER, NEW YORK STATE DEPARTMENT OF HEALTH, ET AL.,

Respondents.

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I, David M.S. Dewhirst, counsel of record for *Amicus Curiae* and a member of the Bar of this Court, certify that the *Amicus Curiae* Brief in this case contains 4,851 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

/s/ David M.S. Dewhirst
Counsel of Record

November 2, 2026