

**AFFIDAVIT OF SERVICE**

SUPREME COURT OF THE UNITED STATES

No. 24-7

-----X

DIAMOND ALTERNATIVE ENERGY, LLC, ET AL.,

*Petitioner,*

*v.*

ENVIRONMENTAL PROTECTION AGENCY, ET AL.,

*Respondent,*

-----X

STATE OF NEW YORK            )

COUNTY OF NEW YORK        )

I, Ann Tosel, being duly sworn according to law and being over the age of 18, upon my oath depose and say that:

I am retained by Counsel of Record for *Amicus Curiae* The Competitive Enterprise Institute.

That on the 7<sup>th</sup> day of August, 2024, I served the within *Brief of Amicus Curiae The Competitive Enterprise Institute in Support of Petitioners* in the above-captioned matter upon:

Party name: Diamond Alternative Energy, LLC, et al.  
Jeffrey B. Wall  
Sullivan & Cromwell LLP  
1700 New York Ave NW  
Suite 700  
Washington, DC 20006  
wallj@sullcrom.com  
(202) 956-7660

Party name: State of California  
Joshua A. Klein  
California Department of Justice  
1515 Clay Street  
Suite 2000  
Oakland, CA 94612-1413  
joshua.klein@doj.ca.gov  
(510) 879-0756

Party name: EPA, et al.  
Elizabeth B. Prelogar  
Solicitor General  
United States Department of  
Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
supremectbriefs@usdoj.gov  
(202) 514-2217

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

That on the same date as above, I sent to this Court forty copies of the within *Brief of Amicus Curiae The Competitive Enterprise Institute 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 7<sup>th</sup> day of August, 2024.



---

Ann Tosel

Sworn to and subscribed before me  
this 7<sup>th</sup> day of August, 2024.



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