

AFFIDAVIT OF SERVICE

SUPREME COURT OF THE UNITED STATES

No. 24A186

-----X
MIDWEST OZONE GROUP,

Applicant,

v.

ENVIRONMENTAL PROTECTION AGENCY, ET AL.,

Respondents.

-----X

STATE OF NEW YORK)

COUNTY OF NEW YORK)

I, Bryant Lee, 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 the Applicant.

That on the 18th day of September, 2024, I served the within Applicant's Reply in Support of Emergency Application for Immediate Stay of Final Agency Action Pending Disposition of Petition for Review in the above-captioned matter upon:

ELIZABETH B. PRELOGAR
Solicitor General
UNITED STATES DEPARTMENT
OF JUSTICE
Counsel for United States
950 Pennsylvania Avenue, NW
Washington, DC 20530
(202) 514-2217

by sending one copy of same, addressed to each individual respectively, and enclosed in a properly addressed wrapper, through the United States Postal Service, by Express Mail, postage prepaid. An electronic version was also served by email to each individual listed above. Additionally, the Application is also being served by email to individuals who waived paper service. Please see attached service list.

On the same date as above, I sent to this Court three copies of the within Applicant's Reply in Support of Emergency Application for Immediate Stay of Final Agency Action Pending Disposition of Petition for Review through the United States Postal Service by Express Mail, postage prepaid. In addition, the application 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, 2024.



Bryant Lee

Sworn to and subscribed before me this 18th day of September, 2024.



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

#332897



THE FOLLOWING PARTIES HAVE BEEN SERVED VIA ELECTRONIC SERVICE ONLY
(WITH THE CONSENT OF THE PARTIES)
HARD COPY SERVICE IS AVAILABLE UPON REQUEST

SEAN H. DONAHUE
DONAHUE, GOLDBERG & HERZOG LLP
1008 Pennsylvania Avenue, SE
Washington, DC 20003
(202) 277-7085
Counsel for Environmental Defense Fund

SHAUN ALARIC GOHO
CLEAN AIR TASK FORCE
114 State Street, 6th Floor
Boston, MA 02109
(617) 624-0234
Counsel for Alliance of Nurses for Healthy Environments, Citizens for Pennsylvania's Future, Clean Wisconsin, Natural Resources Council of Maine, and the Ohio Environmental Council

DEBORAH M. MURRAY
SOUTHERN ENVIRONMENTAL LAW CENTER
120 Garrett Street, Ste. 400
Charlottesville, VA 22902
(434) 977-4090
Counsel for American Academy of Pediatrics, American Lung Association, American Public Health Association, and Physicians for Social Responsibility

JOHN D. WALKE
NATURAL RESOURCES DEFENSE COUNCIL
1152 15th Street NW, Suite 300
Washington, DC 20005
(202) 289-6868
Counsel for Natural Resources Defense Council

HANA VESELKA VIZCARRA
EARTHJUSTICE
1001 G Street, NW
Suite 1000
Washington, DC 20001
(202) 840-6203
Counsel for Air Alliance Houston, Chesapeake Climate Action Network, Clean Air Council, Downwinders at Risk, Environmental Integrity Project, Montana Environmental Information Center, and Sierra Club

JULIA E. JONAS-DAY
Assistant Attorney General
ENERGY AND ENVIRONMENT BUREAU
OFFICE OF THE ATTORNEY GENERAL
One Ashburton Place
Boston, MA 02108
(617) 963-2431
Counsel for State of Massachusetts

PETER SURDO
Special Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
445 Minnesota Street
Town Square Tower Suite 1400
Saint Paul, MN 55101
(651) 757-1061
Counsel for State of Minnesota

SCOTT N. KOSCHWITZ
Assistant Attorney General
CONNECTICUT OFFICE OF THE
ATTORNEY GENERAL
165 Capitol Avenue
Hartford, CT 06106
(860) 808-5250
Counsel for State of Connecticut

JASON E. JAMES
Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
201 West Pointe Drive, Suite 7
Belleville, IL 62226
(872) 276-3583
Counsel for State of Illinois

EMMA AKWARI
Assistant Attorney General
NATURAL RESOURCES DIVISION
MAINE OFFICE OF THE ATTORNEY GENERAL
6 State House Station
Augusta, ME 04333
(207) 626-8800
Counsel for State of Maine

MICHAEL F. STRANDE
Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL,
STATE OF MARYLAND
MARYLAND DEPARTMENT OF THE
ENVIRONMENT
1800 Washington Boulevard
Suite 6048
Baltimore, MD 21230-1719
(410) 537-3421
Counsel for State of Maryland

J. BENJAMIN AGUITSIAGA
Solicitor General
LOUISIANA DEPARTMENT OF JUSTICE
1885 N. Third Street
Baton Rouge, LA 70802
(225) 506-3746
Counsel for State of Louisiana

JUSTIN L. MATHENY
Deputy Solicitor General
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 220
Jackson, MS 39205
(601) 359-3825
Counsel for State of Mississippi

SAMUEL C. FREEDLUND
Deputy Solicitor General
OFFICE OF THE ATTORNEY GENERAL
815 Olive St., Suite 200
St. Louis, MO 63101
(314) 340-4869
Counsel for State of Missouri

CHRISTIAN B. CORRIGAN
Solicitor General
MONTANA DEPARTMENT OF JUSTICE
215 N. Sanders Helena, MT 59601
(406) 444-2707
Counsel for State of Montana

GRANT STROBL
NEBRASKA DEPARTMENT OF JUSTICE
2115 State Capitol
Lincoln, NE 68509-8920
(402) 471-2683
Counsel for State of Nebraska

PHILIP AXT
Solicitor General
OFFICE OF THE ATTORNEY GENERAL
600 E Boulevard Ave., Dept. 125
Bismarck, ND 58505
(701) 328-2210
Counsel for State of North Dakota

GARRY M. GASKINS, II
Solicitor General
OFFICE OF THE ATTORNEY GENERAL OF OKLAHOMA
313 NE Twenty-First St.
Oklahoma City, OK 73105
(405) 521-3921
Counsel for State of Oklahoma

THOMAS T. HYDRICK
Assistant Deputy Solicitor General
OFFICE OF THE ATTORNEY GENERAL OF SOUTH CAROLINA
1000 Assembly Street
Columbia, SC 29201
(803) 734-4127
Counsel for State of South Carolina

STEPHAN J. PETRANY
Solicitor General
OFFICE OF THE ATTORNEY GENERAL
40 Capitol Square, SW
Atlanta, GA 30334
(404) 458-3408
Counsel for State of Georgia

JOSHUA N. TURNER
Chief of Constitutional Litigation and Policy
OFFICE OF IDAHO ATTORNEY GENERAL
P.O. Box. 83720
Boise, ID 83720
(208) 334-2400
Counsel for State of Idaho

JAMES A. BARTA
Solicitor General
INDIANA ATTORNEY GENERAL'S OFFICE
IGCS - 5th Floor
302 W. Washington St.
Indianapolis, IN 46204
(317) 232-0709
Counsel for State of Indiana

ERIC H. WESSAN
Solicitor General
1305 E. Walnut Street
Des Moines, IA 50319
(515) 823-9117
Counsel for State of Iowa

ANTHONY J. POWELL
Solicitor General
OFFICE OF KANSAS ATTORNEY GENERAL
120 SW 10th Avenue, 2ndFloor
Topeka, KS 66612
(785) 368-8539
Counsel for State of Kansas

MATTHEW F. KUHN
Solicitor General
OFFICE OF KENTUCKY ATTORNEY GENERAL
700 Capital Avenue, Suite 118
Frankfort, KY 40601
(502) 696-5300
Counsel for State of Kentucky

JENNIFER MATUJA
Assistant Attorney General
MICHIGAN DEPARTMENT OF THE
ATTORNEY GENERAL
ENVIRONMENT, NATURAL RESOURCES AND
AGRICULTURE DIVISION
P.O. Box 30755
Lansing, MI 48909
(517) 335-7664
Counsel for State of Michigan

LISA J. MORELLI
Deputy Attorney General
NEW JERSEY DIVISION OF LAW
25 Market Street
Trenton, NJ 08625
(609) 376-2740
Counsel for State of New Jersey

ESTER MURDUKHAYEVA
Deputy Solicitor General
OFFICE OF THE NEW YORK ATTORNEY GENERAL
28 Liberty Street
New York, NY 10005
(212) 416-6279
Counsel for State of New York

PAUL A. GARRAHAN
Attorney-in-Charge
NATURAL RESOURCES SECTION
OREGON DEPARTMENT OF JUSTICE
1162 Court Street NE
Salem, OR 97301
(503) 947-4540
Counsel for State of Oregon

ANN R. JOHNSTON
Senior Deputy Attorney General
OFFICE OF THE ATTORNEY GENERAL
CIVIL ENVIRONMENTAL ENFORCEMENT UNIT
Strawberry Square, 14th Floor
Harrisburg, PA 17120
(717) 497-3678
Counsel for State of Pennsylvania

ALISON HOFFMAN CARNEY
OFFICE OF THE ATTORNEY GENERAL
STATE OF RHODE ISLAND
150 South Main Street
Providence, RI 02903
(401) 274-4400
Counsel for State of Rhode Island

STEVE BLAIR
Deputy Attorney General
OFFICE OF THE ATTORNEY GENERAL OF
SOUTH DAKOTA
1302 East Highway 14, Suite 1
Pierre, SD 57501-8501
(605) 773-3215
Counsel for State of South Dakota

WHITNEY HERMANDORFER
Director of Strategic Litigation
OFFICE OF THE ATTORNEY GENERAL AND
REPORTER OF TENNESSEE
P.O. Box 20207
Nashville, TN 37202-0207
(615) 741-7403
Counsel for State of Tennessee

JOHN R. HULME
Assistant Attorney General
OFFICE OF THE TEXAS ATTORNEY GENERAL
P.O. Box 12548
Austin, TX 78711-2548
(512) 475-4229
Counsel for State of Texas

STANFORD PURSER
Solicitor General
OFFICE OF THE UTAH ATTORNEY GENERAL
160 East 300 South, Fifth floor
Salt Lake City, UT 84111
(385) 366-4334
Counsel for State of Utah

KEVIN M. GALLAGHER
Principal Deputy Solicitor General
VIRGINIA ATTORNEY GENERAL'S OFFICE
202 North 9th Street
Richmond, VA 23219
(804) 786-2071
Counsel for State of Virginia

D. DAVID DEWALD
Deputy Attorney General
WYOMING ATTORNEY GENERAL'S OFFICE
WATER & NATURAL RESOURCES DIVISION
109 State Capitol
Cheyenne, WY 82002
(307) 777-7895
Counsel for State of Wyoming

HANNA YINDRA
Assistant Attorney General
VERMONT ATTORNEY GENERAL'S OFFICE
109 State Street
Montpelier, VT 05609
(802) 828-3186
Counsel for State of Vermont

Gabe Johnson-Karp
Assistant Attorney General
Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53702-7857
(608) 267-8904
Counsel for State of Wisconsin

CAROLINE S. VAN ZILE
Solicitor General
OFFICE OF THE ATTORNEY GENERAL
400 Sixth Street, NW, Suite 8100
Washington, DC 20001
(202) 724-6609
Counsel for the District of Columbia

DAWN LETTMAN
Chief Solicitor
BALTIMORE CITY LAW DEPARTMENT
100 North Holliday Street, Suite 101
Baltimore, MD 21202
(410) 396-8393
Counsel for City of Baltimore

MYRIAM ZRECZNY KASPER
DEPUTY CORPORATION COUNSEL - APPEALS DIVISION
CITY OF CHICAGO LAW DEPARTMENT
2 North LaSalle Street, Suite 540
Chicago, IL 60602
(312) 744-3564
Counsel for City of Chicago

CHRIS KING
Senior Counsel
NEW YORK CITY LAW DEPARTMENT
100 Church Street
New York, NY 10007
(212) 356-2316
Counsel for City of New York

JENNIFER FREEL
JACKSON WALKER LLP
100 Congress Avenue, Suite 1100
Austin, TX 78701
(512) 236-2222
Counsel for San Miguel Electric Cooperative, Inc.

YAAKOV M. ROTH
JONES DAY
51 Louisiana Ave., N.W.
Washington, DC 20001
(202) 879-7658
Counsel for NACCO Natural Resources Corporation

ELIZABETH CHEROKEE WILLIAMSON

BALCH & BINGHAM LLP

601 Pennsylvania Avenue, NW

Suite 825 South

Washington, DC 20004

(202) 661-6342

Counsel for National Rural Electric Cooperative Association, Minnkota Power Cooperative, Inc., East Kentucky Power Cooperative, Inc., Associated Electric Cooperative Inc., and Basin Electric Power Cooperative

MEGAN H. BERGE

BAKER BOTTS LLP

700 K Street, NW

Washington, DC 20001-5692

(202) 639-1308

Counsel for Rainbow Energy Center, LLC

C. GRADY MOORE, III, ATTORNEY

BALCH & BINGHAM LLP

1901 6th Avenue North

Suite 1500

Birmingham, AL 35203

(205) 251-8100

Counsel for Oak Grove Management Company, LLC and Luminant Generation Company LLC

JOSHUA BRADFORD FRANK

BAKER BOTTS LLP

700 K Street, NW

Washington, DC 20001-5692

(202) 639-7748

Counsel for Talen Montana, LLC

CREIGHTON MAGID

DORSEY & WHITNEY LLP

1401 New York Avenue, NW

Suite 900

Washington, DC 20005

(202) 442-3555

Counsel for NorthWestern Corporation d/b/a NorthWestern Energy

MISHA TSEYTLIN
TROUTMAN PEPPER HAMILTON SANDERS LLP
227 West Monroe Street
Suite 3900
Chicago, IL 60606
(312) 759-1920
Counsel for Lignite Energy Council and National Mining Association

PATRICK J. MORRISEY
WEST VIRGINIA OFFICE OF THE ATTORNEY GENERAL
1900 Kanawha Boulevard, East
State Capitol, Room E-26
Charleston, WV 25305
(304) 558-2021
Counsel for State of West Virginia

GARRISON TODD
Assistant Attorney General
ALASKA DEPARTMENT OF LAW
1031 W. 4th Ave. Ste. 200
Anchorage, AK 99501
(907) 269-5100
Counsel for State of Alaska

NICHOLAS J. BRONNI
Solicitor General
323 Center Street, Suite 200
Little Rock, AR 72201
(501) 682-2007
Counsel for State of Arkansas

MARK W. DELAQUIL
BAKER & HOSTETLER LLP
1050 Connecticut Avenue, NW
Washington Square, Suite 1100
Washington, DC 20036-5304
(202) 861-1500
*Counsel for Westmoreland Mining Holdings LLC, Westmoreland Mining LLC, and
Westmoreland Rosebud Mining LLC*

MAKRAM B. JABER
MCGUIREWOODS LLP
888 16th Street, NW, Suite 500
Washington, DC 20006
(202) 857-1700
Counsel for America's Power and Electric Generators MATS Coalition

SUE SI CHEN
Trial Attorney
U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL
RESOURCES DIVISION
ENVIRONMENTAL DEFENSE
SECTION
P.O. Box 7611
Washington, DC 20044
(202) 305-0283

-and-

REDDING COFER CATES, ESQ.
Attorney
U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL
RESOURCES DIVISION
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044
(202) 514-2617
Counsel for Environmental Protection Agency

THE FOLLOWING EMAIL ADDRESSES HAVE ALSO BEEN SERVED ELECTRONICALLY

supremectbriefs@usdoj.gov
sean@donahuegoldberg.com
dmurray@selcva.org
hvizcarra@earthjustice.org
Peter.Surdo@ag.state.mn.us
Jason.James@ilag.gov
michael.strande@maryland.gov
Lisa.Morelli@law.njoag.gov
Paul.Garrahan@doj.oregon.gov
ahoffman@riag.ri.gov
johnsonkarp@doj.state.wi.us
dawn.lettman@baltimorecity.gov
CKing@law.nyc.gov
patrick.morrissey@wvago.gov
nicholas.bronni@arkansasag.gov
Josh.Turner@ag.idaho.gov
eric.wessan@ag.iowa.gov
Matt.Kuhn@ky.gov
justin.matheny@ago.ms.gov
Christian.Corrigan@mt.gov
garry.gaskins@oag.ok.gov
steven.blair@state.sd.us
sue.chen@usdoj.gov
sgoho@catf.us
jwalke@nrdc.org
Julia.Jonas-Day@mass.gov
Scott.Koschwitz@ct.gov
Emma.akrawi@maine.gov
matujaj@michigan.gov
ester.murdukhayeva@ag.ny.gov
ajohnston@attorneygeneral.gov
hannah.yindra@vermont.gov
Caroline.vanzile@dc.gov
Myriam.Kasper@cityofchicago.org
pjxt@nd.gov
Garrison.Todd@alaska.gov
spetrany@law.ga.gov
james.barta@atg.in.gov
Anthony.Powell@ag.ks.gov
aguinagab@ag.louisiana.gov
Samuel.Freedlund@ago.mo.gov
grant.strobl@nebraska.gov

thomashydrick@scag.gov
atgservice@state.sd.us
Whitney.Hermandorfer@ag.tn.gov
Spurser@ag.utah.gov
david.dewald@wyo.gov
yroth@jonesday.com
ewilliamson@balch.com
megan.berge@bakerbotts.com
joshua.frank@bakerbotts.com
mjaber@mcguirewoods.com
magid.chip@dorsey.com
keenanbp@doj.state.wi.us
peter.torstensen@mt.gov
dfriedland@bdlaw.com
John.hulme@oag.texas.gov
kgallagher@oag.state.va.us
jfreel@jw.com
ctwehland@jonesday.com
Misha.tseytlin@troutman.com
gmoore@balch.com
mdelaquil@bakerlaw.com
tracy.triplett@mass.gov
rbergethon@law.ga.gov
ncoppinger@bdlaw.com
redding.cates@usdoj.gov